

**SIXTH REVIEW CONFERENCE OF THE STATES
PARTIES TO THE CONVENTION ON THE
PROHIBITION OF THE DEVELOPMENT,
PRODUCTION AND STOCKPILING OF
BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN
WEAPONS AND ON THEIR DESTRUCTION**

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Item 10 of the agenda

**Review of the operation of the Convention
as provided for in its Article XII**

REPORT ON COMPLIANCE

Submitted by Canada

1. It is the Canadian view that the request emanating from the Preparatory Committee meeting in May 2006 (BWC/CONF.VI/PC/2, paragraph 22) embraces not only national observance of legally binding obligations established by the Biological and Toxin Weapons Convention (BTWC), but also of political commitments resulting from undertakings by States Parties as reflected in the Final Documents of past Review Conferences (i.e. obligations relating to the submission of annual declarations under the agreed Confidence-Building Measures (CBMs)). This Canadian submission does not attempt to replicate all of the information provided by Canada under the CBMs, and should be seen as complementary to those submissions.

Article I

2. Canada is in full compliance with its obligations under Article I. Furthermore, in keeping with the political commitment of the CBMs, Canada has reported on the nature of its biological weapons programme as it existed historically and as terminated long before the entry into force of the BTWC, and continues to encourage other States Parties to report at an appropriate level of detail, including on past activities.

Article II

3. Canada is in full compliance with its obligations under Article II, and once again refers States Parties to the text of its replies under the CBMs for other related information.

Article III

4. Since the BTWC entered into force in 1975, Canada has fully complied with its obligations under Article III. Over time, Canadian measures to implement its obligations have evolved with a view to ensuring, to the extent possible, that materials, equipment and technical expertise would not be transferred to any recipient, directly or indirectly, to contribute to a

biological weapons program. This has been done through the Export-Import Permits Act and related regulations, so that national authorities maintain the necessary oversight of transfers and have the necessary legal authority to intervene should there be any uncertainty or suspicious activity that would warrant such intervention. Canada remains committed to adopting additional appropriate measures with a view to preventing the transfer to any recipient whatsoever of any material, equipment or expertise that could contribute to the proliferation of biological weapons.

Article IV

5. Canada has a broad range of existing laws and processes to implement its obligations under Article IV of the BTWC. It is the Canadian view that the fulfilment of obligations under the Convention is important, and that it is necessary to go even further than adhering to the strict requirements of the Convention in order to exclude use of biological and toxin weapons in terrorist or criminal activity. As such, Canada adopted a comprehensive Biological and Toxin Weapons Convention Implementation Act in 2004.

Article V

6. Canada has not invoked Article V. Canada participated in, and served as a Vice-Chairman for, the Formal Consultative Meeting convened in 1997. Canada fully supports Article V, and does not interpret it as being a prior stage that needs be invoked before proceeding to Article VI of the Convention, should circumstances so warrant. Canada fully supports the political commitments reached at the Second Review Conference and the Third Review Conference concerning the exchange of information under the heading of Confidence-Building Measures, and has consistently participated in every one of these exchanges.

Article VI

7. Canada has not invoked the provisions of Article VI nor has any other State Party invoked the provisions of Article VI against Canada.

Article VII

8. Canada has not been requested to provide assistance under Article VII.

Article VIII

9. Canada strongly supports the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, and is in full compliance with all of its obligations under this Treaty. Canada strongly encourages the universalisation of this Convention and for those Parties with reservations to remove them.

Article IX

10. State Party to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC), Canada implements fully the Convention's obligations. National implementing legislation is in place (the Chemical Weapons Convention Implementation Act), and regulations under the Export and

Imports Permit Act were revised to reflect the Convention, and a National Authority, located in the Department of Foreign Affairs and International Trade, has been established. Canada participates actively in the work of the Organisation for the Prohibition of Chemical Weapons (OPCW) towards the effective implementation of the Convention, and is active in encouraging and supporting its universalisation. In support of the CWC's disarmament objectives, Canada is making a major contribution to the destruction of chemical weapons in Russia through the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction.

Article X

11. Canada contributes in many ways, bilaterally and multilaterally, to economic and technological development programs consistent with the Article X provisions of the Convention. These contributions take a wide variety of forms, including: student exchanges; professional exchanges; convening of conferences open to interested professionals; training courses such as in the fields of biosafety with respect to the handling of human and animal pathogens; assistance in the provision, directly or indirectly, of expertise that contributes to the detection, diagnosis and treatment of disease; cooperative research projects; database creation and exchange, for example BIONET and GPHIN; and other activities, some of which are also represented in Canada's CBM returns related to the encouragement of the publication of results and promotion of the use of knowledge (CBM "C") and active promotion of contacts.

12. Canada is committed fully to furthering the development and application of scientific discoveries in the field of bacteriology (biology) for the prevention of disease (in humans, animals and plants) and works on many fronts to this end. The Public Health Agency of Canada's Office of Laboratory Security (OLS) is a member of the Laboratory Security Advisory Group of the World Health Organization (WHO) and a member of the International Biosafety Level 4 Users Group. In addition, OLS serves as the secretariat for the international Biosafety Working Group and is designated as a WHO Collaborating Centre in Biosafety Technology and Consultative Services. Its activities contribute to the international exchange and development of biosafety and biocontainment programmes in the field of biological activities. Canada is also making significant contributions to the improvement of biosafety, biocontainment and biosecurity in other countries through the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction.

13. The Canadian Food Inspection Agency (CFIA), specifically the Office of Biohazards Containment & Safety, also contributes to the implementation of Article X. Representatives of the CFIA attend various international conferences and symposia on laboratory biosafety and containment and the Office participates in meetings of the International Veterinary Biosafety Working Group. Consistent with Canada's Article X commitment to facilitate the fullest possible exchange of scientific and technological information, CFIA and the Department of Health offered jointly a four-day course ("Containment Level 3 Facilities: Design and Operation") in 2000, 2001, 2003, 2004, 2006 that was open to personnel designing, constructing, managing or working in level 3 facilities in Canada and abroad.

14. The CFIA is also contributing technical assistance on the design, construction and certification of microbiological containment laboratories within the Bioscience Centre for East and Central Africa. The Government of Canada committed \$30 million (CDN) to this project at the 2002 G8 Summit to "establish a centre of excellence in biosciences for agriculture, which

will serve as a focal point for African scientists to develop the capacity to conduct, drive and fund advanced biosciences research programs in priority development areas”. This facility will be located on the campus of the International Livestock Research Institute in Nairobi, Kenya. Construction is scheduled to begin in 2007.

15. In keeping with the political commitment of the agreed Confidence-Building Measures (CBMs), Canada has reported annually on the nature of Canadian implementation of Article X of the Convention and continues to encourage other States Parties to report at an appropriate level of detail.
