

provisions and capable of meeting any challenges which may arise as a result of changing conditions and circumstances.

In fact, Canada's is currently in the process of toughening its existing export controls with "catch-all" regulations, and supplementing its capabilities for regulating domestically-acquired pathogens. It is also bolstering legislation on the domestic front through adoption of a Biological and Toxin Weapons Implementation Act. Such legislation would represent an important supplement to the range of measures already in place and would involve *inter alia*, the establishment of a domestic compliance regime consisting of a responsible authority, submission of declarations and facility inspections.<sup>64</sup>

Given the strong emphasis now being placed on the improvement of national efforts to insure compliance with the BTWC's terms, it is possible that much in the Canadian experience can offer useful models for emulation.

The current move toward adoption of additional domestic legislation offers a case in point. Should such efforts prove successful, attempts to insure wide distribution not only of the legislation itself but also the expertise and experiences (i.e. the lessons) crucial to its development and implementation could prove invaluable. Indeed, not only would it increase awareness of strategies capable of strengthening state compliance with the Convention but also the ability to identify and address gaps in existing state capacities for pursuing them.

Accordingly, and along with its broader strategy for supporting a strengthened BW regime, Ottawa should also consider undertaking an careful inventory of existing Canadian biological disarmament practice and legislation with a view to actively promoting it abroad. Once potentially useful measures are identified, subsequent action might include distribution of the legislation along with supporting documents to states parties, the development of a series of seminars or workshops aimed at explaining it and considering its potential applicability further afield, and ultimately a program aimed at offering requisite Canadian expertise and assistance in those cases where actual adoption of such measures encounters obstacles.

## CONCLUSIONS

Clearly, the regime governing biological and toxin weapons is under growing strain. And while many of its shortcomings are not new, developments in the international threat environment along with ongoing advances in science and technology are combining to underline its weaknesses and the dangers they represent in a manner not previously experienced.

Unfortunately, circumstances have also combined to insure that the political capacity to substantially improve the regime has declined at the very time when significant reforms are needed most. In particular, differences over the pursuit of a compliance protocol for the BTWC have worked to generate division among regime members and uncertainty as to how best to insure the future health of the regime.

Fashioning an effective and politically viable strategy for strengthening the regime under such conditions is clearly difficult -- particularly in view of the time and effort already invested in attempts to

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<sup>64</sup> See, Government of Canada, "Background Document on Compliance by States Parties with all their obligations under the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction," BWC/CONF.V/3/Add.6, 28 November 2001, p. 2.