

protocol.⁶⁰ In time, moreover, the scope of the mechanism could be further extended (e.g., from investigations of alleged use of BW's to suspicions of possession).⁶¹

Admittedly, such a proposal contains inherent limitations. Indeed, it may legitimately be viewed as a partial, very "watered down" version of the draft protocol itself.⁶²

Nevertheless, further exploration of such a mechanism need not preclude work aimed at the eventual creation of an effective compliance protocol. In fact, the attempt to negotiate such a legally-binding arrangement could form a basis for a continuation of the work of the AHG -- offering a useful pretext through which to overcome Washington's current opposition to the continuation of the group's mandate. Simply put -- through active exploration of the US-inspired idea, the position of the AHG -- and the opportunity for pursuing a more ambitious strategy through it at some later date -- would be reinforced.

Alternatively, should such a move prove unacceptable, efforts to continue the work already undertaken by the AHG should go forward through the institutional channels which other initiatives would provide. Precisely what such an approach would entail in terms of specific processes remains somewhat unclear. Yet it would most likely involve gradual movement toward a protocol via a system of annual conferences backed by expert discussions. These discussions would draw upon the considerable experience of the AHG as well as on recent reactions to the existing draft in an attempt to devise -- if possible -- an improved model for future consideration and eventual adoption.

c) A Canadian Contribution

Obviously, the degree to which the measures proposed will actually work to strengthen the regime depends heavily on the willingness of states parties to actively support their adoption and implementation. And given the need to supplement many of these initiatives with tools capable of more fully insuring their effectiveness, much may well depend on the power of existing expertise and example.

To this end, a unique role might be played by Canada -- both at the upcoming review and in its aftermath. Not only has Ottawa been a tireless advocate of biological disarmament and a strengthened BTWC, but has consistently worked to demonstrate Canada's compliance with regime requirements in a manner as transparent and extensive as possible. Such efforts have included not only detailed and timely reporting of ongoing practice in accordance with the regimes existing CBMs,⁶³ but also regular efforts to review its existing export controls and domestic legislation to insure that it is in full accordance with regime

⁶⁰ As such, the measure may well offer a realistic basis for negotiation.

⁶¹ Tucker recommends that the proposal be extended immediately to include such coverage. Yet such a move may be unwise. Indeed this could work to complicate the chances for adoption at a point when even some progress on legally-binding verification is badly needed.

⁶² At the same time, if such a "watered down mechanism" fails to gain support -- it is difficult to comprehend how the "more ambitious" draft protocol could be expected to fair much better -- at least in the near term.

⁶³ As indicated earlier, Canada has included new and modified CBMs in its 2002 return in an attempt to increase confidence in its biological-related activities .