



OPCW

Conference of the States Parties

Fourth Session
28 June - 2 July 1999

C-IV/NAT.4
15 June 1999
Original: ENGLISH

CANADIAN REVIEW UNDER ARTICLE XI PARAGRAPH 2 (e)

CANADA'S EXPORT AND IMPORT CONTROLS ON CWC CHEMICALS AND PRECURSORS

1. Introduction

- 1.1 In December 1997, Canada submitted a paper (C-II/NAT.1) describing its Export and Import controls for CWC chemicals. This followed a Canadian review, pursuant to Article XI 2 (e), to render such controls consistent with the object and purpose of the Convention.
- 1.2 The paper now being re-submitted reflects minor changes to the original paper, due to the implementation in Canada of two General Export Permits (GEP) and a General Import Permit (GIP) covering the export and import of CWC Toxic Chemicals and Precursors.
- 1.3 To fulfill the obligations in Article I of the Convention, particularly Article 1 (d), Canada has determined that it is necessary to require Export and Import Permits for all CWC Scheduled chemicals to and from all States, with no quantity thresholds. Canada believes that other States Parties cannot meet these obligations without adopting similar regulations, in order to be able to comply with the provisions of this Article.
- 1.4 Canada has contributed to assisting other States Parties, particularly from developing countries, to be better equipped to meet these obligations of the Convention, through providing experts and funding for seminars.

2. Export Controls

- 2.1 Canada requires an export permit for the export, to any destination, of any chemical on the three Schedules of the Chemical Weapons Convention (CWC).
- 2.2 In the case of Schedule 1 chemicals, Canada's regulations specify that such chemicals are subject to Individual Export Permits, may only be exported to CWC States Parties and may not be re-exported to any third State.

3. Mixtures

The export of a mixture containing any amount of a Schedule 1 chemical is also subject to an individual export permit. The export of a mixture containing any amount of a Schedule 2 or of a Schedule 3 chemical requires an export permit. In the absence of clear OPCW guidelines for the declaration of mixtures, Canadian regulations have been established. Mixtures that contain less than 10% (by weight) of any Schedule 2 chemical or less than 25% (by weight) of any Schedule 3 chemical are subject to a General Export Permit. Mixtures that contain 10% or more (by weight) of any Schedule 2 chemical or 25% or more (by weight) of any Schedule 3 chemical are subject to an Individual Export Permit.

4. End-use certificate

- 4.1 Canada does not require the prior submission of an end-use certificate for the export of any Scheduled chemical to a State Party, although we retain the right to request additional documentation to support an application for an export permit for any Scheduled chemical. This is in keeping with our obligation under Article 1 of the Convention to ensure that we do not assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under the Convention.
- 4.2 The export of any Schedule 2 or 3 chemical to a recipient State not party to the CWC requires an end-use certificate. Exports of any Schedule 2 or 3 chemicals or their mixtures to the United States are subject to a General Export Permit.

5. Import Controls

- 5.1 Canada requires an import permit for the import, from any State, of any chemical on the three Schedules of the CWC.
- 5.2 Schedule 1 chemicals alone or in a mixture are subject to Individual Import Permits. Such chemicals may only be imported from CWC States Parties and may not be re-exported to any third State.
- 5.3 Schedule 2 or 3 chemicals alone or in mixtures are subject to a General Import Permit.