

February 9, 2004
Statement of Canada
Ongoing Dialogue on the Facilitation and Clarification of Compliance

Thank you Madame Co-Chair,

At the Fifth Meeting of States Parties, Canada indicated that it is prepared to host further discussions in the context of this ongoing dialogue related to the facilitation and clarification of compliance. In addition, Canada invited interested States Parties to bring to Canada's attention any matter that it thought would be a useful topic for discussion.

I wish to report that since we spoke to the Fifth Meeting of States Parties on this matter, no State Party has come forward with a suggestion for a discussion topic, and thus no further activities have been held at this point. That said, Canada stands ready to facilitate further discussions should there be interest to do so.

We should say, however, that considerable progress in this ongoing dialogue was made last year. In particular, we took note that compliance is first and foremost the obligation of individual States Parties. In accordance with Article 9 of the Convention, States Parties are obliged to take "all appropriate legal, administrative and other measures ... to prevent and suppress any activity prohibited to a State Party under this Convention". These measures include legislation, penal sanctions, and any other administrative/communications means to ensure States' and individuals' obligations are communicated to all relevant actors. In addition, the International Committee of the Red Cross reminded States Parties they should also include the operationalization of Article 8 of the Convention ("Facilitation and Clarification of Compliance") as one aspect of domestic legislation developed in accordance with Article 9. In this regard, Article 9 also represents the 'first line of defence' a state has to ensure compliance with the Convention's obligations.