

issues. They might be selected from the ITC and the Canadian Import Tribunal, or they could include former senior government officials or well-known scholars. In any event, the Committee should be composed of individuals known for their commitment to establishing fair rules for international trade, rather than persons who might be suspected of political partisanship.<sup>36</sup>

Evaluation: We anticipate strong initial resistance to the concept of a Joint Committee. However, because this proposal has been advanced (in varying forms) in the past,<sup>37</sup> we feel there is a reasonable chance that sufficient support for a Committee eventually could be mobilized. The Committee may have to be limited to an advisory role for an initial period during which it would establish its legitimacy and both countries would become comfortable with the idea of limited joint dispute settlement.

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<sup>36</sup> To ensure that the Joint Committee commands the respect of the public, its procedures should provide for objectivity, transparency, careful factual determinations, reasoned decisions closely linked to stated principles, and comprehensive written opinions.

<sup>37</sup> See, e.g., S. 2228, 98th Cong., 2d Sess. (1984) ("to authorize the President to negotiate an agreement establishing a joint Commission to resolve trade and other economic disputes between the United States and Canada"); S. Con. Res. 13, 97th Cong., 1st Sess. (1981) ("Expressing the sense of the Congress with respect to an international agreement establishing a North American Commission for Cooperation and Development").