

may see a continuing series of conferences dealing with particular aspects of world trade rules”.

Less visible, but increasingly important, he said, was the fact that the management and conduct of Canada's bilateral economic relations were more complex and sophisticated. The examples ranged from Canada's relations with the United States, dominated by a complex network of corporate and other private sector ties, to the framework agreements with the European Community and Japan, to highly formalized government-to-government agreements and consultative mechanisms which were a prerequisite to successful economic penetration of some of the developing and state-trading nations.

External Affairs role

Business and government contact, Mr. Jamieson stressed, had always been good. And, he added, the Department of External Affairs had a growing role to play as the economic situation changed.

The traditional distinction between foreign policy and domestic policy implied a hard and fast dividing line which no longer existed, he said. The increasing range and complexity of economic issues which Canada faced required input by the department to the Government's policy-formulating process, which goes beyond mere co-ordination in Ottawa and the simple representation of the Government's view abroad. "It is the role of External Affairs to ensure that the range of government policy at home and abroad reflects the changing international realities."

When viewing the position of government and business, Mr. Jamieson said two principles had to be kept in mind. "The first is that politicians and bureaucrats cannot do the real business. The private sector must remain the senior partner in the development of bilateral trade and economic relations. The second is that government does have a role. The efforts of government are intended to support and facilitate; and they are not limited to circumstances where constraints on market access or broader political considerations justify a formal government role."

In the past, communication between the business sector and government had been fostered by numerous consultations. Mr. Jamieson said that the government was "trying to consult more" with the business prior to setting policies.

In conclusion, Mr. Jamieson urged the business community to produce proposals and recommendations on specific subjects to enable government to continue to take into account "the factors which determine the bottom line figure of the balance sheet.... By the same token, the business community must respond to the political realities we face...."

Law Reform Commission attempts to define brain death

In a working paper released April 10 entitled *Criteria for the Determination of Death*, the Law Reform Commission of Canada proposes legislation to the effect that:

"A person is dead when an irreversible cessation of all that person's brain functions has occurred.

"The cessation of brain functions can be determined by the prolonged absence of spontaneous cardiac and respiratory functions.

"When the determination of the absence of cardiac and respiratory functions is made impossible by the use of artificial means of support, the cessation of the brain functions may be determined by any means recognized by the ordinary standards of current medical practice."

These recommendations were the subject of extensive consultations with medical specialists who daily face the problem of determination of death. The Commission also drew on the experience of other jurisdictions such as Manitoba, certain states in the United States (Kansas and Maryland to name two) and other countries such as Australia.

Not always academic

The attempt to determine the moment of death, explained Jean-Louis Baudouin, the Commission's vice-chairman, "may appear an academic question, but, for the physician, hospital personnel, a lawyer and the parents or family of the individual in question, it is not. Modern medical technology has now made it possible to artificially sustain the respiratory functions of human beings who have lost the ability to breathe spontaneously following an accident, disease or trauma. Therefore, interruption of cardiac and respiratory function is no longer a sure sign of death".

"But, these functions can also be maintained for individuals who have irrevers-

ibly and definitively lost their brain functions and will therefore never be able to regain consciousness. So, signs of respiration when artificially maintained can no longer be taken as a sure sign of life."

The Commission's proposal attempts to adapt the legal norm to medical reality (i.e. that an individual can be considered dead when he or she has suffered irreversible loss of all brain function). It leaves to the physician, according to the facts and circumstances of each case, the choice of methods and techniques as well as the ultimate responsibility of diagnosis.

The Commission hopes its recommendations will help solve difficult problems in practice as to the determination of the cause of death and to possible criminal liability of physicians and medical personnel who make the decision to interrupt extraordinary means of support of respiratory functions in irreversibly comatose situations. The proposed text would give practical recognition to the fact that a human being placed on a respirator could be legally declared dead when it was determined that this person had suffered complete and irreversible cessation of all brain function.

As the first in a series of publications on "Protection of Life", the working paper has been presented for public discussion and comment. The Commission will consider all submissions before making a report to Parliament.

Diplomatic appointments

Albert Béchard, a Member of Parliament since 1962 who has served as Canadian delegate at international conferences, has been appointed Consul General in New Orleans. He replaces J.C. Cantin.

Jim S. Nutt becomes Consul General in New York, replacing Barry Steers, who will be returning to Ottawa.

Mr. Nutt has served the Department of External Affairs in Rio de Janeiro, Washington and as Consul General in San Francisco. In 1973 he was appointed Director-General of the Bureau of Western Hemisphere Affairs. Since 1977 he has been Deputy Under-Secretary of State for External Affairs.

James H. Stone becomes Consul General in Chicago. He has served abroad in Paris, Wellington, Rome, London and, since 1976, as Ambassador to Brazil. Mr. Stone replaces W.J. Collett, who is being reassigned abroad.