

III. Additional Responsibilities

Due to the international role of DFAIT, the Department faces special challenges in the administration of the ATIP legislation. The interests of other states and international organizations would be seriously affected were sensitive information released inappropriately. If such information is not properly protected, significant damage could result - not only in respect of Canada's relations with the affected party, but with others who may be less forthcoming in future matters of interest to Canadians.

The broad rule on state-to-state relations, and Canadian participation in deliberations of international organizations or multilateral bodies, is that communications between and among governments are private. The Canadian legislation, designed for domestic circumstances, must therefore be applied judiciously to retain the trust of other governments and organizations with which Canada deals. Similarly, DFAIT holds data and information provided, usually in confidence, by provincial governments in Canada, by other federal departments and by the Canadian business sector.

Consultation

The Canadian government holds records and information received in confidence from foreign governments and international organizations. Other federal government institutions are mandated to solicit the assistance of the Department in determining the extent to which documents were obtained in confidence or the extent to which disclosure of information would be injurious to the conduct of Canada's international affairs. These consultations can be lengthy and complex. The ATIP Office is responsible for consultations with foreign governments and international organizations, which are normally undertaken through Canadian posts abroad or, at times, through foreign missions resident in Canada.

The Department also collects, under various legislative authorities or otherwise, an appreciable amount of commercial information obtained in confidence from Canadian companies operating abroad. In the event of requests for such information, the Department, if it determines it has no substantive interest in the information, will undertake appropriate notification or consultation with interested third parties before disclosing records.