

Commission's work, it would have the negative effect of removing the Commission from continuing, close contacts with federal government departments and ministers responsible for trade and related issues; further, it might be difficult to agree on a suitable boundary area location.

The co-chairmen, following the IJC precedent, would need to be authorized by the agreement to appoint permanent professional and other staff, who could be relatively small in number but would need to be well qualified to deal with trade, economic and related legal issues. The main resources for conducting the Commission's work, however, and again following the IJC precedent, would be provided by a standing Joint Advisory Board.

The members of such a standing Joint Advisory Board would consist of specialists appointed by the Commissioners and drawn from departments of the two federal governments, from provincial and state governments and the from private sector in the two countries. The Board need not be large in number--say, eighteen in total--but its membership should be balanced on the two sides and should be representative of the various functional, sectoral and geographic interests involved in the Canada-U.S. trade relationship.

The Joint Advisory Board would be assigned responsibility for investigating and analysing particular bilateral issues, as these are referred to the Commission by the governments, and advising the Commission on how these issues should be resolved, as well as on recommendations which it might make to the two parties. Examples of the kind of issues which the two governments might refer to the Commission, and which it would request its Board to investigate, could include patterns of bilateral trade in fish products, and domestic support programs for the fishing and processing industries of the two countries; issues surrounding production and bilateral trade in forest products; barriers to trade in certain agricultural sectors, such as the dairy sector, and related domestic support programs on each side; or measures taken by the two countries in response to subsidies by the European Economic Community on exports of grain.

As suggested above, the Commission might also be given a "standing" reference to monitor and report on relevant legislative and policy developments in the two countries, as well as relevant developments in economic conditions, production and bilateral trade, in addition to periodic references to investigate particular bilateral trade and related issues. A general mandate of this kind would probably require regular meetings of the Commission's Advisory Board, say, on a quarterly basis for a period of a week. These regular meetings would, in themselves, serve to ensure a continuing process of consultation within the Board among responsible officials at the federal and provincial/state levels and between them and private sector members. Like the Commission itself, the Advisory Board would presumably need to be headed by Canadian and U.S. co-chairmen either selected by the Board or chosen by the Commissioners. The Commission's staff in Ottawa and Washington could serve as a secretariat for the Board, and would need to be equipped to serve this particular function.

In conducting investigations under references from the governments, the Commission should be authorized by the agreement to order, if necessary, the production of documents from federal, provincial and state governments, and