

# Appendix C

## Seminar Workshop Questionnaire

- Intros, Format of Workshop
- Our purpose today is to identify and discuss the various transport related problems encountered by exporters and importers, to **identify** their **views** on **how** industry should **respond** to these changed circumstances, and if necessary to **identify** areas where **change in Canadian government policy** may be necessary.
- It will be useful to find out at these seminars whether exporters and importers have noticed any increase in the frequency of difficulties encountered, and if they have; can identify the trade in which problems are occurring;
- As we proceed, it will be important to continually ask ourselves three questions:
  - can we, as industry, resolve the problems?
  - can we improve on the present approach used to deal with these situations?
  - can the problem be effectively handled within the admit of existing CANADIAN policy?
- Our introductory speakers have refreshed our memory of the reading material provided in the Background Paper. They have described the genesis of many of the difficulties which many of us face today — the changing face of international shipping, and the introduction of measures by many developing countries in order to build up their national merchant fleets.

We will be looking at questions such as whether exporters and importers accept the sovereign right of states to adopt policies appropriate to their own domestic economic circumstances?

A complementary question is whether we as Canadians should be considering ways and means to formalize a closer relationship with our trading partners at the other end of the trade, with a view to jointly examining the effects of discriminatory practise, and developing joint action to facilitate our bilateral trade?

We shall in fact examine several aspects of this question in more detail later in the program, so we shall return to the question of **how** this might best be done.

While Canadians may wonder why a developing country would choose shipping as a development priority, nevertheless it appears we acknowledge their right to develop their national fleets.

If however appears that it is **the means to this end** that is causing us, together with other western nations, certain difficulties. We, as exporters and importers, never forget that shipping is a service industry. Shipping services trade by carrying its cargo. In logic therefore it is not unnatural that those dedicated to developing shipping expertise have quickly discovered that captive cargo, or guaranteed access to cargo, goes a long way towards resolving a national carrier's most basic need.

**Cargo sharing** as a principle is now legitimised in international law in provisions of the UNCTAD Code of Conduct for Liner Conferences, which also advocates the designation of national lines. National shipping legislation and regulations in many developing countries further authenticate and reflect various aspects of cargo sharing, including the issuance of special waivers to allow foreign carriers access to "national" cargoes, and the establishment of central freight bureaux. In addition to these legal devices of support, **discriminatory measures** have been introduced in certain trades with the same objective in mind. Carriers have encountered, for example, port access problems, tariff differentials and berthing priorities favouring national flag fleets. A distinction might be made, in developing Canada's responses, to those actions which are not condoned in international standards.

Examples of these restrictions are given in the outline of the seminar agenda. Issue 1, (a), (b), (c) and (d)

### **ARE EXPORTERS SATISFIED WITH EXISTING OCEAN TRANSPORTATION SERVICES, OR, IS THERE A BETTER WAY?**

#### **Issue 1:**

**Restrictions:** Around the world, Canadians have been affected by a variety of shipping restrictions. Some examples are: