

adequate private sector consultation including Canadian carrier interests, in the process of developing a policy response.

There was general agreement that to be effective, Canadian reaction should be:

- a) **timely;**
- b) **achievable in terms of objectives;**
- c) **flexible;**

i.e. each situation should be assessed and verified to ensure that a Canadian position is based on the specific circumstances of the case.

Canada's response in these circumstances should be developed only after consideration of:

- d) **Canada's multilateral treaty obligations;**
- e) **Canada's overall bilateral relationship with the country in question;**
- f) **Canada's trade interests;**
- g) **Canada's carrier interests**

As trade has such preponderant importance for the Canadian economy, participants emphasized that trade concerns should be weighed more heavily in deciding upon a particular course of action. Many believed in this regard that bilateral or multilateral commitments should be considered secondary to the central theme of support to Canada's trade concerns, however the fundamental role of treaties in international relations was discussed, and subsequently acknowledged as obtaining universal precedence.

A process for government action

When restrictive national shipping policies are encountered it was generally agreed that an assessment of the relative seriousness of the issue should be initiated by both commercial parties involved and government. The manner and timing of any Canadian government intervention should be decided on the basis of these assessments. The general conclusion was that the permanent industry-government Advisory Council should be used to assist and coordinate the assessment process, and where feasible, to advise on an appropriate course of action.

In such cases a **progressive and**, in terms of seriousness, **escalating series of government actions** would be initiated. There was widespread approval of this concept of gradualism, with intervention commencing through embassy representations in support of Canada's interest. Should early interventions prove unsuccessful, normal diplomatic process would take effect, with the documentation of the complaint and an exchange of diplomatic notes. This correspondence could be used, for example, to formally request bilateral trade consultations.

Ambassadorial or Ministerial interventions would be used as warranted by the seriousness of the situation.

Seminar participants noted that these diplomatic processes are already at the disposal of government, and recommended that they be more actively applied in support of Canadian interests, and coordinated closely with attempts at commercial conciliation. (Edmonton). The representative of External Affairs in his response registered that these mechanisms are indeed in regular use, and had been largely effective in resolving a growing number of problems in recent years.

It was thought by some that additional means should be developed by government and industry to give early warning of problems encountered, or likely to be in the making, and that embassies in countries where difficulties were being encountered, should be alerted to monitor these developments closely and channel information to Ottawa and industry. The External representative noted that this was indeed present practice, however communication is for the most part currently restricted to the company or companies directly concerned.

Enhancing communication

Participants then considered additional fora which might be used for bilateral discussion aimed at resolving shipping related problems encountered by exporters, importers or Canadian carriers.

This discussion provoked lively debate as the workshops considered which option might generate a solution which would be in Canada's