

been assembled since 1970, by tacit agreement of the two governments, because of problems surrounding its operation.

It is recognized that this Joint Ministerial Committee was originally conceived as an informal mechanism for exchanges of views, and not for negotiations and decision making, let alone to oversee the operation of a bilateral trade agreement. Nevertheless the problems of operating a new or refurbished joint committee of this kind could very well parallel those which led to the suspension of meetings of the earlier body. These problems were described in a report of the Standing Senate Committee on Foreign Relations, issued in 1981 after an investigation of the institutional framework for the Canada-U.S. relationship. The following are excerpts:

More and more time was spent on preparation of the joint communiqués which were in themselves reactions to the press demand for decisions. The encounter became increasingly a platform for predictable, set speeches from each side. Formal position papers were drawn up and exchanged. Each minister was accompanied by a battery of civil servants. The informal frank discussions of the original meetings were lost. At a time when the bilateral issues were becoming enormously more complex and more specialized, the meetings began to appear more futile with the discussions adding little to mutual understanding.

Another drawback has been that too much publicity has nullified the original exploratory and consultative purpose of this channel.

...the task of bringing the eight or ten U.S. Secretaries and Canadian Cabinet Ministers together for two or three days once a year has become an almost impossible one in the 1970s.

The Committee would like to see a revival of the original pattern of informal discussions which characterized the early meetings of the Joint Ministerial Committee. Unless this could be done, which seems doubtful, the Committee has concluded with regret that this joint institution, in the structured form it has recently taken, serves no constructive purpose and may even be counter-productive in the conduct of relations between the two countries."¹⁶

It is proposed here that if a large joint committee at the ministerial level is created--or reactivated--it would be desirable for arrangements to be made for it to meet at the level of deputies, and for it to function largely through sub-committees or working groups to deal with particular issues. Further, meetings at the ministerial level would need to be carefully planned so as to avoid confrontation and conflict in the glare of publicity.