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EXTERNAL AFFAIRS AFFAIRES EXTERIEURES OTTAWA

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IN THE GOVERNMENT OF CANADA

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THE ROLE OF THE DEPARTMENT OF EXTERNAL AFFAIRS

A STUDY OF

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## Department of External Affairs



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Ministère des Affaires extérieures

Canada

## THE ROLE OF THE DEPARTMENT OF EXTERNAL AFFAIRS IN THE GOVERNMENT OF CANADA

# PART I. "What do the Scriptures say?"

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Ottawa January, 1976

(Version française aussi disponible)

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#### INTRODUCTION

This document is the first product of a review of the role of the Department of External Affairs in the Government of Canada which was undertaken by the Department in mid-1975. It seeks to answer the question: "What do the scriptures say?" i.e. How is the role of the Department defined and described in legislation, statutory instruments, cabinet decisions, studies and reports, etc?

The sharp-eyed reader will note that some of the material included in this report does not, strictly-speaking, constitute "scriptures". Section I, for example, illustrates how the Department describes its functions for the information of the public and for the purposes of financial authorization by Parliament. Section IV on the Royal Prerogative enumerates some important functions of the Department of External Affairs that are founded upon an unwritten part of the Canadian constitution. Section V is concerned with reports of Commissions of Inquiry that have been implemented in varying degrees. The common factor in this mixed collection is that each item has been identified as contributing, in practice, to defining the role of the Department of External Affairs.

The same sharp-eyed reader will also note that this report is not exhaustive of the subject. It does not, for example, attempt to identify all Cabinet decisions that relate to External Affairs but selects only some of the more important ones of recent years that have explicitly defined some aspect of the role of the Department. The report also does not attempt to identify all the legislation, Cabinet decisions, etc. that allocate some responsibility for Canada's international activities to another agency or department of the Government and which thus, indirectly, affect the role of the Department of External Affairs. There are many such acts and decisions.

This document is intended to provide a concise survey of a field where no such compilation had apparently been made before. No attempt is made here to draw conclusions about the adequacy or inadequacy of the mandate of the Department of External Affairs. That cannot be done on the basis of the texts alone but must take into account what kind of role the Department is expected to perform and what role it is actually performing now; and on those questions, enquiry is still proceeding.

If any errors of fact are detected by recipients of this report, it would be much appreciated if they could be communicated to the editor so that a correction sheet can be issued.

A.S. McGill

#### I. DESCRIPTIVE REFERENCES

The functions of the Department of External Affairs are described in the following way in the official reference work "The Organization of the Government of Canada" (1975):

"The main functions of the department are:

- (a) the supervision of relations between Canada and other countries, and of Canadian participation in international organizations;
- (b) the protection of Canadian interests abroad;
- (c) the collation and evaluation of information regarding developments likely to affect Canada's international relations;
- (d) correspondence with other governments and their representatives in Canada;
- (e) the negotiation and conclusion of treaties and other international agreements; and
- (f) the representation of Canada in foreign capitals and at international conferences."

A quite different way of describing the work of the Department is employed in the estimates submitted to Parliament where the activities of the Government are set out, by program and by objectives, for parliamentary financial approval. The External Affairs page of the "Blue Book" of Estimates for 1975/76 reads as follows:

"A - DEPARTMENT - CANADIAN INTERESTS ABROAD FROGRAM

#### OBJECTIVE

To promote in their international dimensions the national objectives of economic growth, sovereignty and independence, peace and security, the promotion of social justice, quality of life and a harmonious natural environment.

#### SUB-OBJECTIVES

- To seek acceptable solutions to international problems that affect Canadian interests and to promote conditions of peace, order and the rule of law in the international environment.

- To facilitate the expansion of economic, cultural, scientific and technological relations with other countries.
- To protect the rights and property of Canadians abroad.

- In the international context, to protect and promote independence and national unity.
- To support in the international sphere Canadian domestic programs.
- To help project abroad Canada's distinctive national identity.

## PROGRAM DESCRIPTION

- Relations with Foreign Governments and Intergovernmental Institutions -Analyzing and evaluating events and situations abroad having a bearing on Canadian interests; advising the Government on foreign policy questions and the conduct of foreign affairs; contributing to and coordinating views and activities of other departments and agencies in relation to Canada's foreign policy and external relations; management of foreign operations at posts abroad; representing Canada in foreign countries and in international organizations; communicating with foreign governments and international organizations on matters relating to Canadian interests; conducting negotiations on behalf of Canada; coordinating or directing official delegations and other visits abroad and coordinating official visits to Canada; paying Canada's share of the assessments of UN, NATO, Commonwealth and other international organizations and associated agencies.
- Assistance to Canadians Providing consular services to Canadians abroad and protection of the rights, person, and property of Canadians in foreign countries.
- Information Activities and Cultural Relations Publishing and disseminating information about Canada; providing information on international affairs to the Canadian public; arranging international exchanges in the fields of culture, education, science and technology.
- Assistance to Other Prgrams Assisting in the formulation and implementation of the foreign programs of other government departments and agencies, in particular defence services, immigration, international development, transportation and communications, environmental quality, science and technology; supplying support services for the foreign operations of other government departments and agencies.
- Headquarters Administration and Operational Support Offices of the Secretary of State for External Affairs, the Under-Secretary of State for External Affairs and their staffs; administrative, financial and personnel services; telecommunications and operational support services; services to the press and diplomatic corps in Ottawa."

## II. LEGISLATION

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## A. The Basic Act

The Department was created by the Department of External Affairs Act of 1909, a short piece of legislation of which the following are the operative paragraphs:

- "2. There shall be a department of the Government of Canada called the Department of External Affairs over which a minister of the Crown to be known as the Secretary of State for External Affairs, hereafter referred to as the "Minister", shall preside. R.S. c. 68, s. 2.
- 3. The Governor in Council may appoint an officer called the Under-Secretary of State for External Affairs to be the deputy head of the Department and to hold office during pleasure. R.S., c. 68, s. 3.
- 4. The Minister, as head of the Department, has the conduct of all official communications between the Government of Canada and the government of any other country in connection with the external affairs of Canada, and is charged with such other duties as may be assigned to the Department by order of the Governor in Council in relation to such external affairs, or to the conduct and management of international negotiations so far as they may appertain to the Government of Canada. R.S., c. 68. s. 4.
- 5. The administration of all matters relating to the foreign consular service in Canada shall be transferred to the Department of External Affairs. R.S., c. 68, s. 5.
- 6. The Minister shall annually lay before Parliament, within ten days after the meeting thereof, a report of the proceedings, transactions and affairs of the Department during the year then next preceding. R.S., c. 68, s. 6."

Sir Wilfrid Laurier explained succinctly the reason for creating the Department as follows in the debate on the bill in 1909:

> "All governments have found it necessary to have a department whose only business shall be to deal with relations with foreign countries, and in our judgment Canada has reached a period in her history when we should follow the example of other countries in that respect."

The Act has been amended twice: in 1912, to place the Department under the Frime Minister instead of the Secretary of State; and in 1946, to provide for a separate minister, the Secretary of State for External Aflairs.

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#### B. Legislation Implementing International Agreements

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Since 1909 the Secretary of State for External Affairs has been assigned responsibility for a series of acts passed by Parliament to implement treaties, conventions or international agreements entered into by Canada. They form the bulk of the slim body of Canadian legislation explicitly relating to external affairs. These acts have in some cases created a new entity reporting to the Secretary of State for External Affairs, separate from the Department.

Five of the acts relate to Canada-United States border matters:

- The International Boundary Waters Treaty Act of 1914 (implementing the Treaty of 1909 and creating the Canadian section of the International Joint Commission).
- The Rainy Lake Watershed Emergency Control Act, 1939 (implementing a Canada-U.S.A. convention of 1938 and conferring certain powers on the I.J.C.).
- The Roosevelt Campobello International Park Commission Act of 1°64 (creating an international park commission).
- The Fort-Falls Bridge Authority Act, 1971, and an amending Act of 1975. (creating an international bridge authority).

Two other acts administered by the Secretary of State for External Affairs provide for <u>implementation of Second World War peace treaties</u>:

> - The Treaties of Peace (Italy, Roumania, Hungary and Finland) Act, 1948.

- The Treaty of Peace (Japan) Act, 1952.

The Secretary of State for External Affairs is the minister responsible for the <u>United Nations Act</u> which empowers the Governor in Council to take measures to implement decisions of the United Nations Security Council. He is charged under the <u>Food and Agriculture Organization Act</u> with making an annual report to Parliament on the FAO, and he administers the <u>Geneva Conventions</u> Act which incorporates the 1949 Geneva Conventions into Canadian law.

There are three acts administered by the Secretary of State for External Affairs which deal with <u>diplomatic privileges and immunities</u>:

- The Diplomatic Immunities (Commonwealth Countries) Act, 1963. (assimilating Commonwealth representatives to foreign diplomate)
- The Privileges and Immunities (International Organizations) Act, 1965. (implementing a United Nations convention)

- The Frivileges and Immunities (North Atlantic Treaty Organization) Act, 1951. (implementing a NATO agreement)

## C. Other Legislation

Also administered by the Secretary of State for External Affairs are the International Development Research Centre Act, 1970 creating the Centre; and The High Commissioner in the United Kingdom Act, 1921, which placed that officer under the instructions of the Secretary of State for External Affairs.

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#### III. ORDERS-IN-COUNCIL AND REGULATIONS

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The Governor in Council has seldom availed himself of the authority of Section 4 of the External Affairs Act to assign "other duties" to the Secretary of State for External Affairs or to the External Affairs Department. The Canadian Passport Regulations are a rare exception. The latest version of these (P.C. 1973-17) states that "the administration of all matters pertaining to ... passports is the responsibility of the Department of External Affairs."

There is a substantial body of Orders-in-Council issued under the authority of the other acts mentioned above, of which the following are typical examples:

- P.C. 1972-572: Roumania Claims Fund Regulations. (Treaties of Feace / Italy, Roumania, Hungary and Finland/ Act, 1948.)
- P.C. 1963-1489: Prisoners-of-War of the Japanese (Special Compensation) Regulations, amended. (Treaty of Peace /Japan/ Act, 1952.)
- P.C. 1973-3337: African Development Fund Privileges and Immunities Order. (Privileges and Immunities /International Organizations/ Act, 1965.)
- F.C. 1968-2339: United Nations Hhodesia Regulations (United Nations Act, 1947 . Note: Minister of Trade and Commerce cited as responsible for enforcement of certain provisions.

Another substantial body of Orders-in-Council conferring responsibility on the Secretary of State for External Affairs, or on his Department or on another agency reporting to the Secretary of State for External Affairs, has been issued on the authority of a variety of other legislation, or without reference to any legislation. A few examples:

- P.C. 1970-2077: Foreign Claims Commission Established. (Appropriation Act No. 9, 1966)
- F.C. 1972-570: Foreign Claims (Roumania) Settlement Regulations (Appropriation Act No. 9, 1966).
- F.C. 1973-835: Canadian Consular Fees Regulations (Financial Administration Act).
- P.C. 1959-804: Payments in Lieu of Taxes on Diplomatic Properties (No citation of legislative authority).
- F.C. 1974-1204: Full Powers to Sign the Convention on the Prevention of Crimes against Internationally Protected Persons (see Royal Frerogative).
- F.C. 1960-1476: Transfer to the Department of External Affairs of functions of Economic and Technical Assistance Branch of Department of Industry, Trade and Commerce (Public Service Rearrangement and Transfer of Duties Act).

- P.C. 1968-923: Designation of External Aid Office as a Department (Financial Administration Act).

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- F.C. 1968-1760: Title "External Aid Office" changed to "Canadian International Development Agency" (No citation of legislative authority).

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## IV. THE ROYAL PREROGATIVE

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A number of functions performed by the Secretary of State for External Affairs or by his Department derive their authority from the exercise of the Royal Prerogative. In layman's language, these are things which the Queen has the authority to do without consulting Parliament. In Canadian practice der Majesty may do these things on the advice of Her Canadian ministers, or the Governor General may do so, or Her Canadian ministers may exercise the prerogative on Her behalf or on the Governor General's behalf. The main elements of the Royal Prerogative in Canada in the field of external affairs are as follows:

#### A. Treaties and Agreements

In Canadian practice the power to conclude international treaties and agreements is exercised by the Governor General in Council on the advice of the Secretary of State for External Affairs.

Approval in principle to conclude an international agreement involves a policy recommendation to Cabinet by the Minister, or Ministers, responsible for the subject. The Secretary of State for External Affairs is required either to join in signing the recommendation or to concur in the recommendation.

A subsequent submission to the Governor General in Council for executive authority to sign an agreement or to ratify or accept an agreement on behalf of Canada is always signed by the Secretary of State for External Affairs and, if necessary, by other Ministers involved. The authority so obtained may be for the Secretary of State for External Affairs to sign the agreement himself, or for some other minister or official to do so. In recent years, the Secretary of State for External Affairs has as often as not recommended that another minister be authorized to sign bilateral agreements which are of particular interest to that minister, e.g., the Minister of Industry, Trade and Commerce for commercial agreements, the Minister of Transport for air agreements, the Minister of Finance for double taxation agreements.

All of the above refers to treaties, agreements, protocols, exchanges of notes, etc., which are held to be formal legal instruments. There are considerable numbers of "arrangements" or "understandings" which, because they are not regarded as creating legal obligations that are binding in international law, do not require order-in-council authority under Canadian practice.

#### B. Appointment of Canadian diplomatic and consular officers

The Governor General is authorized by the Letters Patent of 1947 to appoint all Canadian diplomatic and consular officers.

In practice, consular officers are appointed by the Governor General in Council on the recommendation of the Secretary of State for External Affairs and receive a commission signed by the Deputy Governor General. Nominations of Canadian Ambassadors and High Commissioners are submitted to Cabinet by the Secretary of State for External Affairs and, after Cabinet approval, to the Governor General for his approval. When an Ambassador's appointment has been approved by the Governor General he receives a letter of credence signed by the Queen. High Commissioners similarly receive a letter of commission from the Queen, except when they are appointed to Commonwealth countries of which the Queen is also sovereign.

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## C. Recognition of Foreign Governments and Establishment or Severance of Diplomatic Relations

Recognition is in Canadian practice generally extended by a decision of the Secretary of State for External Affairs and occasionally by Cabinet.

Similarly with the establishment or severance of diplomatic relations, the practice for a long time has been not to consult or inform the Queen, but for the Secretary of State for External Affairs to exercise this prerogative, either on his own or with the approval of Cabinet.

## D. Issuance of Passports

In Canadian practice the issuance of a passport is an exercise of the Royal Prerogative which has been entrusted to the Secretary of State for External Affairs. As noted above, however, the detailed regulations governing Canadian passports have been issued under the legislative authority of the External Affairs Act.

## E. Acceptance of Foreign Ambassadors and Exequaturs for Consuls

In the case of Ambassadors whom foreign countries propose to appoint to Canada, the Department of External Affairs seeks the approval of Her Majesty through the office of the Governor General.

The Letters Patent authorize the Governor General to issue "exequaturs" (authority to act) to Consuls appointed to Canada. This he does on the advice of the Department of External Affairs.

## V. REPORTS OF COMMISSIONS AND TASK FORCES

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The reports submitted to the Government by the Royal Commission on Government Organization, 1963 ("Glassco Commission"), the Task Force on Government Information, 1969 ("To Know and Be Known"), and the Task Force on the Consolidation of Personnel and Support Services Abroad, 1970 ("Pierce Commission"), made recommendations concerning one or more aspects of the role of the Department of External Affairs.

A. The Glassco Commission described the role of the Department as follows:

"The prime concern of the Department of External Affairs lies in the development of policy and the conduct of Canada's day-to-day dealing with other governments. The principal duties of the Department are to serve:

- . As the chief instrument for advising the government on matters relating to the conduct of Canada's external relations.
- As an official channel of communication between the Canadian government and the governments of countries with which diplomatic relations are maintained." (vol. 4, p. 104)

Setting aside those recommendations of the Commission which related to the internal organization and administration of the Department, it recommended the following actions affecting the role of the Department in the Government:

"The operation of the passport office be assumed by the Department of Citizenship and Immigration as agent for the Department of External Affairs and consideration be given to the acceptance of passport applications in the principal cities of Canada". (vol. 4, p.143)

"At posts abroad, the Head of Post be made responsible for the supervision and co-ordination of all activities of civil departments and agencies of the Government of Canada." (vol. 4, p.143)

"Co-ordination of official scientific activities abroad should be a responsibility of the proposed Central Scientific Bureau, with the aid of the Department of External Affairs and the National Research Council". (vol. 4, p. 295)

"A strengthened Legal Division of the Department of External Affairs assume responsibility for co-ordinating the international legal work of departments and agencies and provide the expert assistance required on such matters as treaty negotiation". (vol. 2, p. 416)

The Commission's recommendation for the transfer of passport responsibilities to the Department of Citizenship and Immigration was not accepted by the Government. The other proposals were eventually acted upon in varying forms and to varying degrees.

#### B. The Task Force on Information

The principal outcome of the 1969 Task Force on Information was the establishment of Information Canada. In its recommendations the Task Force included the following references to information activities outside Canada:

"This organization (Information Canada) would facilitate and coordinate the technical and operational aspects of information activities in Canada and abroad..."

"Canada's information programmes abroad be developed by the interested departments in harmony with the policies administered by the Secretary of State for External Affairs with the advice of a board drawing its membership from the public and private sectors; and that appropriate programmes be serviced by a division of Information Canada". (Task Force Volume I, p. 61)

"The authority of the Secretary of State for External Affairs to fulfil his responsibilities for the projection of Canada abroad be reinforced by giving his Department the necessary resources". (Volume I, p. 68).

Insofar as they envisaged Information Canada assuming an active role in information activities abroad, these recommendations were not implemented.

C. The Pierce Commission (report unpublished) recommended that there be a single comprehensive system for an integrated foreign operations program that would develop foreign policy recommendations and coordinated plans for foreign operations and that would manage foreign operations. This system would include a single unified Foreign Service drawn from the Departments of External Affairs, Industry, Trade and Commerce, Manpower and Immigration, and the Canadian International Development Agency. It would also include a "department reporting to the Minister responsible for Canada's foreign affairs" with responsibility for leadership in identifying and harmonizing the components of foreign policy, for service to other departments, for management of the unified Foreign Service and for management of posts abroad. There would be an Interdepartmental Planning Committee and an Interdepartmental Programming Committee, and there would be provision for direct communication on functional matters between officers abroad and departments at home. The Commission made a number of other specific recommendations pursuant to this concept of a unified foreign service.

The extent to which the Pierce recommendations were implemented is indicated in the section on Cabinet decisions.

#### VI. WHITE PAPERS

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#### A. Federalism

The White Paper "<u>Federalism and International Relations</u>" published in 1968, and its supplement, "<u>Federalism and International Conferences on</u> <u>Education</u>", examined at some length the federal-provincial factor in Canada's external relations. In the course of doing so, the White Papers made frequent reference to the functions of the Department of External Affairs, to an extent that cannot readily be summarized. The following abbreviated version of the conclusions of the 1968 White Paper constitutes the basis from which the role of the Department of External Affairs vis-à-vis the provinces has evolved since that time:

"First, in official dealings with other countries, that is to say in the conduct of foreign relations in the strict sense of that term, only the Federal Government is empowered to act on behalf of Canada. This statement applies to the negotiation and conclusion of treaties and other international agreements, to membership in international organizations, and to the right to accredit and receive diplomatic representatives.

Second, despite the limitations of constitutional practice and international law, the provinces are legitimately concerned with the conduct of Canada's foreign relations, whether by reason of their legislative responsibilities or, less directly, because of their interest in matters which have taken on an international character in the modern world.

Third, French-speaking Canadians have a clear interest in ensuring that their preoccupations, like those of the English-speaking population, are given full recognition and expression in the development of Canadian foreign policy.

Fourth, extreme solutions to the problem of reconciling diverse interests within Canada, however plausible they may appear in isolation from our history and the needs of our people, would be to the disadvantage of Canadians as individuals, as well as to provincial, linguistic and cultural interests. Not only would they lead to the disintegration of the Canadian federation but little of lasting value would be gained in return, and much would be lost inasmuch as considerably less weight would be given by the international community to the views and policies of the smaller and weaker entities which would result. Further, they would lead to confusion and uncertainty as to the responsibilities and obligations which such entities could effectively discharge, and in all likelihood would be unacceptable to other sovereign states as they would entail the granting of excessive privileges to a divided "Canada"."

## B. Foreign Policy

The White Paper "Foreign Policy for Canadians" of 1970 was concerned more with the framework of policy than with the instruments of policy, and made no explicit reference to the role of the Department of External Affairs. It did, however, set out a conceptual framework for Canadian foreign policy which had obvious implications for the role of the Department and it included a section on "Organizing for the Seventies" which described certain new mechanisms for implementing foreign policy. The key sentences from the White Paper are:

"In essence, foreign policy is the product of the Government's progressive definition and pursuit of national aims and interests in the international environment. It is the extension abroad of national policies". (p. 9)

"The Government has decided that there should be maximum integration in its foreign operations that will effectively contribute to the achievement of national objectives". (p. 39)

Pursuant to the second quotation above, the White Paper announced as steps toward an integrated system the establishment of a Committee on External Relations at Deputy Minister level, a Personnel Management Committee, a task force on integration of all support services of the Government's foreign operations and a decision to give heads of posts abroad clear authority over all operations at the post.

## VII. CABINET DECISIONS

A very large component of the current mandate of the Department of External Affairs is derived from decisions taken by Cabinet. The following paragraphs illustrate Government decisions of recent years that have continuing validity in defining, adding to or subtracting from the responsibilities of the Secretary of State for External Affairs and his Department.

In 1960 the Government decided to create the <u>External Aid Office</u> (converted to the Canadian International Development Agency in 1968) as a separate agency under the supervision of the Secretary of State for External Affairs.

Participation in or representation at <u>international conferences</u> was dealt with in a directive of 1969 (currently under revision) which:

- (a) defined the circumstances in which participation in a conference required Cabinet approval;
- (b) assigned to the SSEA and to his Department responsibility for coordinating Canadian participation in international conferences;
- (c) set out criteria which the SSEA should ensure were observed in the composition of delegations;
- (d) authorized the SSEA to issue credentials for Canadian delegations where all requirements had been met.

A series of Government decisions in 1970 set up the mechanisms for <u>integration of foreign operations</u> referred to in the White Paper "Foreign Policy for Canadians", i.e.

- (a) an Interdepartmental Committee on External Relations (ICER) under the chairmanship of the Under-Secretary of State for External Affairs to guide the process of integration of foreign operations and to advise the Government, through the SSEA, on policy regarding foreign operations, on harmonization of "country plans" of departments with external interests, on allocation of resources for external operations and on the recommendation of heads of mission;
- (b) a Personnel Management Committee as a sub-committee of ICER;
- (c) a Task Force under the Under-Secretary of State for External Affairs to report on the integration of support services for foreign operations and, subsequently, assignment of the authority to manage such services to the Department of External Affairs.

In 1972 and in 1973 the Government approved successive recommendations drawn up by ICER on <u>further steps toward integration</u> of foreign operations, including:

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- (a) extending the integration of support services abroad to personnel of the National Film Board, Information Canada and the Canadian Defence Liaison Staff in Washington; (the Film Board was later exempted)
- (b) broadening and extending the system of "country programming" and the employment of a fully coordinated approach toward resource demands for foreign operations;
- (c) developing further the coordination of personnel management policies;
- (d) recognition and reinforcement of the authority of the Head of Post under the SSEA to represent the government in general;

(e) endorsing the following "seven principles" of policy coordination;

(i) The development of any national policy with external contents or implications should reflect the combined judgment of the departments at the official level, and Ministers at Cabinet level, concerned with the relevant functional matters on the one hand and those concerned with the external aspects and applications on the other.

(ii) It should be the responsibility of originating departments to see that their policy proposals are referred for consideration by and consultation with other agencies pursuant to (i) above.

(iii) The Secretary of State for External Affairs and his department, as part of their responsibility for the conduct of Canada's external relations, shall be responsible for ensuring co-ordination with respect to external aspects and applications of national policy.

(iv) The Department of External Affairs shall maintain, in consultation with other departments, a continuing overview of Canada's foreign policy for the purpose of identifying any problem areas or deficiencies, as well as opportunities for forward planning.

(v) Pursuant to (i) above, all foreign operations programs should be developed on the basis of co-ordinated policy planning and carried out after consultation between the Department of External Affairs (and with respect to trade matters, the Department of Industry, Trade and Commerce) and the other departments concerned.

(vi) The Treasury Board should ensure that departments planning activities at home or abroad affecting foreign operations have followed the procedures in Propositions (i) and (v) above before making a submission to the Board for the allocation of resources for programs involving foreign operations.

(vii) It must be the responsibility of the Privy Council Office to ensure that policy proposals which have not been subjected to the evaluative process set out in (i) above do not get submitted to Cabinet until this has been done.

In one of its periodic reviews of procedures for <u>controlling the</u> <u>export of military equipment</u>, the Government provided in 1971 that the concurrence of the Secretary of State for External Affairs would be required for shipments of certain kinds of equipment to certain countries and that revisions of the country lists would be the responsibility of the Secretary of State for External Affairs.

Early in 1972 the Government made certain provisions concerning the machinery for coordinating <u>security and intelligence</u> matters. Officials of the Department of External Affairs were included in the membership of the Interdepartmental Committee on Security and Intelligence and the Security Advisory Committee and were assigned the chairmanship of the Intelligence Advisory Committee.

In the course of 1974 the Government approved an expanded five-year programme of <u>cultural relations</u> with other countries to be implemented by the Secretary of State for External Affairs and his Department in consultation with the Secretary of State and with federal cultural agencies and, as required, with provincial governments and private cultural groups.

Late in 1974, the Government directed that major issues that could have an impact on <u>Canada/United States relations</u> should be brought before Cabinet only after prior consultation with the Department of External Affairs and reinforced the authority of the Secretary of State for External Affairs to coordinate the handling of Canada/USA relations.

## Department of External Affairs



Ministère des Allaires extérieures

Canada

## THE ROLE OF THE DEPARTMENT OF

EXTERNAL AFFAIRS IN THE GOVERNMENT OF CANADA

PART II. "What do Other Countries Do?"

Ottawa May, 1976

(Version française aussi disponible)

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#### INTRODUCTION

When it was decided that a review should be undertaken of the role of the Department of External Affairs in the Government of Canada it was thought that a look at the role and functions of some other foreign ministries might provide a useful perspective for our own study. This paper is the result.

It is a summary of information collected about the ways in which the foreign ministries of eight countries (Australia, the Federal Republic of Germany, France, Sweden, Switzerland, Britain, the United States and Yugoslavia) have dealt with some of the questions that our review has considered in the Canadian context. The main sources for this brief survey have been public ones: government reports, newspaper articles and academic studies. (see selected Bibliography) To supplement the information gathered in this way, the Canadian diplomatic missions in some of the countries sought answers to a set of specific questions. The responses obtained by the posts provided an invaluable general background to this survey. The process of collecting material was simplified by the fact that seven out of the eight countries covered had recently commissioned examinations of their foreign ministries, and three (Australia, France, Britain) had studies currently under way. In fact, the choice of countries for the survey was partly determined by the existence of published studies and the varying purposes of the studies account for the uneveness of our data.

The eight ministries seem to come up against similar sorts of problems, although there are distinct national variations attributable to such things as the constitutional system of the state, the special strength of other government agencies (e.g. the Ministry of Economics in West Germany, the Defence Department in the USA), or historical circumstances (e.g. the colonial legacies of Britain and France). Beyond these particular characterictics, however, all foreign ministries face a range of common challenges. The subjects of international relations have become infinitely more numerous and more complex and governments in general have sought to control more areas of activity. Multilateral negotiations and multilateral organizations are increasingly important and the emphasis in their discussions has shifted away from traditional political concerns and towards economic and technical matters. The attempts of foreign ministries to maintain a measure of coherence and consistency of policy in such a diverse and expanding field have therefore resulted in what one writer has called "the continuing tension between coordination and compartmentalization". (<u>Wallace</u>, p. 18). What follows is a summary of the aspects that seemed relevant to this review of the eight countries' varying responses to these common challenges. It should be noted that when reference is made to "foreign ministries", the term is used generically and so does not take into account the various titles that the departments dealing with international relations have been given in the different countries.

#### I. THE MANDATE OF THE FOREIGN MINISTRY

Several of the countries examined have not defined very closely, whether in their constitution or in their legislation, the tasks they expect their foreign ministries to undertake. In the case of some older European countries, this reflects the existence of well-established institutions that have developed over centuries. The British Foreign and Commonwealth Office is an example of this sort of evolution. In the nineteenth and twentieth centuries the FCO has been given specific assignments and has undergone occasional reorganizations, but a systematic delineation of the whole range of its activities has not been written down.

Switzerland presents a slightly different picture. Despite the age of the Swiss Confederation, the central authority only began operating on behalf of the cantons in the foreign field in 1848. According to the 1874 Constitution the Federal Council (an executive body) had primary responsibility for external relations and the power to delegate authority to a permanent "Département politique". A 1914 law set out seven areas for that foreign ministry to work in, and a government re-organization begun in 1975 has confirmed these duties.

They consist of -

- maintien de l'indépendance, de la neutralité et de la sûreté de la Suisse, et sauvegarde des relations internationales;
- ouverture de représentations diplomatiques et consulaires suisses à l'étranger et assistance aux représentations étrangères en Suisse;
- gestion des affaires étrangères en général et transmission au Conseil fédéral de renseignements sur leur marche;
- préparation des traités internationaux et entremise des relations officielles entre les cantons et l'étranger;
- protection diplomatique des citoyens suisses à l'étranger et sauvegarde des intérêts suisses vis-à-vis de l'étranger;
- règlement des questions de frontières et de droits de voisinage;
- relations officielles avec les bureaux et organisations internationales, en collaboration avec les Départements intéressés pour les questions techniques. (<u>Un Ministère des Affaires étrangères s'interroge</u>, 13).

As in the Swiss example the constitutions of three of the other countries considered do not deal with the specifics of the role of a foreign ministry, and instead tend to concern themselves with the apportionment of powers within the state. This is true in the case of the USA, the Federal Republic of Germany (whose foreign ministry was only reconstituted in 1950) and Australia. Strict definition of responsibilities may be left to statute and regulation or may not necessarily appear there. Australia's Department of Foreign Affairs, for example, separated from the Prime Minister's Office in 1935, but no act was passed to mark the event.

On the other hand, three of the eight countries are more precise. The Swedish constitution of 1809 includes several quite specific references to the powers of the minister for foreign affairs and his department. For example, Article 11 of the constitution states - "In matters which concern the relations of the State with foreign powers, all communications to foreign powers or to the King's envoys abroad shall, without regard to the nature of the business, be made through the minister for foreign affairs". The role of the Swedish Foreign Ministry is further defined in legislation.

The Yugoslav Federal Secretariat for Foreign Affairs is given two types of guidance. In the basic law (Article 4) its duties are defined in the following terms.

"The Federal Secretariat for Foreign Affairs acts in the sphere of foreign relations of Yugoslavia with other countries and international organizations and is responsible for the protection of the interests of Yugoslavia and its citizens towards foreign countries. It deals with preparations for the conclusions of international agreements and with activities in connection with the implementation of these agreements, except for activities from the above-cited fields which have been placed under the competence of another federal organ of the administration or federal organization. It cooperates with the federal organs of administration, federal organizations and corresponding organs and organizations in the republics and in autonomous provinces, for the purpose of coordinating activities in the implementation of policy in maintaining relations with foreign countries".

Other administrative matters concerning such things as coordination with the Republics and the Provinces are dealt with in additional laws and in sections of the Constitution. Secondly, the Secretariat is given ideological guidance in the Constitution, whose seventh paragraph states -

"Proceeding from the conviction that peaceful coexistence and active cooperation among states and peoples, irrespective of differences in their social systems, are indispensable conditions for peace and social progress in the world, the Socialist Federal Republic of Yugoslavia shall base its international relations on the principles of respect for national sovereignty and equality, non-interference in the internal affairs of other countries, socialist internationalism, and settlement of international disputes by peaceful means. In its international relations the Socialist Federal Republic of Yugoslavia shall adhere to the principles of the United Nations Charter, fulfil its international commitments and take an active part in the activities of the international organizations to which it is affiliated".

This formulation is then followed by a succession of more particular foreign policy aims.

In the French case, the duties and organization of the Ministère des Affaires étrangères (commonly known as the Quai d'Orsay) have been defined in a series of decrees and ordinances, the most recent of which were issued in 1934, 1945 and 1969. The 1945 decrees re-established the Quai after the Occupation and dealt with organization, administration, personnel matters and general structural adjustments.

## II. THE ORGANIZATIONAL STRUCTURE OF THE FOREIGN MINISTRY

## A. Besic Structure - the Functional and Geographical Aspects

The basic foreign ministry structure of a headquarters and a series of overseas posts is common to all the countries studied. Within this standard pattern, however, there are clear differences of emphasis, especially at headquarters. The following general comments on structure bear on both the differences and the similarities encountered.

Faced with a world of nation states, foreign ministries have traditionally organized themselves geographically, with sections ("divisions in Canadian terminology) responsible for relations with groups of countries. Gradually, sections were set up for subjects that cut across geographical categories, i.e. defence, legal matters, commercial policy, consular affairs, etc. In the past ten years, this swing towards the functional divisions became more pronounced as the shift towards the economic and other "non-political" aspects of international relations accelerated. By 1972/73, the British FCO had 347 staff in its geographic departments, 707 in administrative departments, 126 dealing with information, culture and news, and 950 in functional departments (Wallace, p.29; British "departments" are the rough equivalent of Canadian divisions). In the American State Department, a similarly heavy manpower commitment to functional divisions had been evident a decade earlier. Since 1945, the French had organized the Quai into three main functional areas - political, economic and cultural and technical cooperation.

More recent reorganizations have followed this adaptation to the need for a more functional approach. Of the seven non-administrative bureaux in the Yugoslav foreign ministry, only two appear to be geographic and even these are divided between developed and developing countries. The 1974 reorganization of the Australian foreign ministry was based on the philosophy that "...if the Department is to reflect contemporary trends and requirements and to respond promptly and effectively to future challenges, its organization should be based on a separation of duties according to function". (Submission, p.9).

The expansion of the foreign ministries' range as manifested by the proliferation of functional divisions brought its own problems. Coordination within the foreign ministry was not always easy, and the functional divisions could not hope to match the expertise of specialized "domestic" departments. As a result of these and other factors, therefore, a number of countries began to look again at their geographic side. The Americans reevaluated the geographic component first, perhaps because they were among the early supporters of the functional approach, perhaps because despite the manpower devoted to functional bureaux, geographic bureaux have dominated the working level activity of the State Department (<u>Murphy Commission</u>, 42). In 1966, the Department gave "...full responsibility, under their Assistant Secretaries, for all activities in the country or countries assigned to them" to officials called Country Directors. In these officials was

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supposed to be vested supervision of the entire relationship between the USA and "their" country. While this objective was evidently not fully achieved, the experiment was sufficiently useful so that a student of the decision was able to state - "In the absence of progress in establishing a cleancut role for State in the new era, the modest success of the country director system at the margins of the policy process represents a not inconsiderable achievement". (Bacchus, 301).

Clearly, the functional/geographical dualism is linked to the role that the foreign ministry as a whole plays within a government. Even that respected institution the Quai d'Orsay is currently having doubts about its role, and so it is not surprising that one of the reforms rumoured in the French press is a re-establishment of the Ministry along predominantly geographical lines. In seeking to define its "special competence", a foreign ministry often finds that its strength resides in its primordial attribute of knowing about foreign countries. The Murphy Commission put the case in the following terms.

"The Commission believes that the assessment role will increasingly become the major 'comparative advantage' of the Department of State. Other departments will have superior competence in specialized tasks; other departments will be able to participate in direct negotiations; other departments will have close and continuing contact with their counterparts in other governments and international organizations. But no other department can provide the government with detailed understanding and judgment of the dynamics of foreign societies and governments and multilateral groupings and agencies". (<u>Murphy Commission</u>, 41).

#### B. Lines of Authority

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The American position of Country Director has an aspect that is connected with a second major organizational problem common to most of the foreign ministries considered; that is, the length of lines of authority. One of the objects of the creation of Country Directors was to make it possible for the operational official responsible for a country unit to deal directly with the State Department hierarchy (Under Secretary or Assistant Secretary). A similar thrust is to be seen in the reforms proposed for the Swedish Foreign Ministry.

The Swedish changes are based in large part on general structural alterations that were performed on the government as a whole in 1965. The Swedish concept of a ministry is that it is mainly an instrument for assisting the Government to prepare policy decisions and to put forward proposals to the Parliament, but it is not thought of in general as a body responsible for the implementation or interpretation of directives or laws, or a body that renders services to the public. Keeping this in mind, the main characteristic of the

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1965 reforms was the formation of "departments" (roughly equivalent to Canadian bureaux) within which all questions belonging to the same subjectmatter were to be treated. In order to promote flexibility, these departments contained no sub-divisions.

Applied to the Foreign Ministry, this sort of reorganization would result in "departments" with shorter lines of command and with planning, analysis and operative functions being performed simultaneously. The committee that studied the Swedish Ministry's organization felt that in addition to providing flexibility, the new arrangement would have desirable personnel implications:

"As regards the division of work in the department, the Committee stresses another important feature which is germane to the question of flexibility and to the efficient use of available staff resources, viz. the importance of creating conditions that improve work satisfaction for the staff at all levels by way of increased work integration and staff participation. It is suggested that this be achieved by more qualified work being delegated where feasible, to staff officers lower down in the hierarchy, including the clerical and service staff". (<u>Utrikesdepartementets Organisation</u>, 13)

The reform of the Swedish Foreign Ministry is not yet complete. In both the American and Swedish cases, however, the declared aim is to force decision making down further into the organization, while at the same time allowing the prime operational officers easier access to senior management.

#### C. The Top of the Structure

If the various foreign ministries have different methods of bringing issues to the attention of their upper echelons, those senior officials themselves vary in their number and power. The "permanent" head of the foreign ministry has different characteristics from country to country, and his immediate assistants vary in numbers. The British Permanent Under-Secretary and the two West German State Secretaries are examples of very strong officials with wide-ranging responsibilities. By contrast, the French Secretary-General has been described as a shadowy figure whose office, according to press reports, might disappear in the current reorganization. The American State Department operates under a system whereby the Deputy Secretary, Under-Secretary and Assistant Secretary levels are regularly filled by political appointees (who may still be civil servants). The head of the Yugoslav foreign ministry has the additional task of ensuring that the views of the Communist Party are taken into account on matters of policy.

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## D. "Layering" at the Top

A strict comparison of numbers of officials and layers of authority at the top of foreign ministries is difficult because of differences in terminology and organization. A quick general survey of seven countries is possible, however, without taking much account of the variety of ways in which administrative divisions, legal divisions, planning and research units, protocol and press services are fitted into the structure of the ministries.

To begin with the "flattest" configuration first, the Swedes have made a conscious effort to reduce layering and should end up (the legislation is still to be worked out) with an arrangement consisting at the top of one Permanent Under-Secretary of State, two Deputy Under-Secretaries, a Chief Legal Officer and an Under-Secretary for Administration. Beneath this group there would be 17 "departments" - 5 political, 3 economic, 3 legal and 6 dealing with information and administration. Aid and development would have three departments and an Under-Secretary of its own. (<u>Utrikesdepartementets</u> <u>Organisation</u>, 14).

Next come four countries with quite similar structures. The Yugoslavs have a Deputy Federal Secretary for Foreign Affairs as the official head of the department, followed by an Under-Secretary for administration and eight Assistant Federal Secretaries (AFSFA). Each republic and province is allotted one AFSFA. These AFSFAs are responsible for seven bureaux (the bureau for Asia, Africa and Latin America has 2 AFSFAs) consisting of 17 Offices, 3 Groups and 1 Service (legal). These Offices are closer to Canadian bureaux than to Canadian divisions in their size and comprehensiveness.

The foreign ministries of Britain, Australia, and Canada have a somewhat similar set-up (assuming the Heads of Offices to be roughly at Canadian Director-General level) and can be shown together:

#### BRITAIN

#### CANADA

#### AUSTRALIA

1 Permanent Under-Secretary1 Under-Secretary1 Secretary8 Deputy-Under-Secretaries6 Assistant Under-Secretaries2 Deputy Secretaries18 Assistant Under-Secretaries16 Directors-General9 First AssistantSecretariesSecretariesSecretaries

In both the British and Canadian cases, one of the Deputy Under-Secretaries and Assistant Under-Secretaries respectively has responsibilities for administration.

The Quai d'Orsay appears more complex. According to the July 17, 1945 Decree that reconstituted the Ministry, the Secretary General was to be followed by four Directors-General for the four main subject areas - political, economic, cultural and administrative. Under current practice, however, the title of Director-General is used only for the head of the Direction Générale des Relations Culturelles, Scientifique et Technique. Directors now head the other three "divisions" - Direction Politique, Direction des Affaires Economiques et Financières, and Direction du Personnel et de l'Administration Générale. According to the Quai's organization chart, there are six other units at the same level - Direction des Affaires Africaines et Malgaches, Direction des Affaires Juridiques, Direction des Conventions Administratives et des Affaires Consulaires, Inspection Générale des Postes Diplomatiques et Consulaires, Service des Archives et de la Documentation, and Service du Protocole. All six are headed by officials with the title of director except the Inspection Générale (led by an Inspector-General) and Protocol (led by the Chief of Protocol). Beneath this level there are some 25 officials called variously Directeur, Ministre plénipotentiaire chargé de..., Directeur ajoint, Chef de service or Sous-directeur, depending on the sort of unit they are in charge of.

The American State Department, appears to have developed an additional layer in the course of its development. Immediately below the Secretary of State there is the Deputy Secretary, followed one level down by three Under Secretaries (for Political Affairs, Economic Affairs, and Security Assistance), a Counsellor and a Deputy Under Secretary for Management. The next step is to twelve bureaux headed by Assistant Secretaries. Parallel with them are two Inspectors General (of the Foreign Service and for Foreign Assistance), the office of the Legal Adviser, two bureaux headed by Directors, one bureau headed by an Administrator (Security and Consular Affairs), and four staff units (Executive Secretariat, Press Relations, Policy Planning Staff and Protocol). While the Deputy Under Secretary for Management is responsible for the Inspector General of the Foreign Service, the Director General of the Foreign Service (essentially a personnel-related job) and the Foreign Service Institute, the Bureau of Administration has its own Assistant Secretary.

The additional layer comes in below the Assistant Secretaries. Generally, bureaux will have from two to five Deputy Assistant Secretaries who stand between heads of division (or Country Directors in geographical bureaux) and the Assistant Secretary. The net effect seems to be to turn Deputy Assistant Secretaries into the equivalent of Canadian Directors General and Assistant Secretaries into something approaching Canadian Assistant Under-Secretaries. As a result, the American Under-Secretaries and the Counsellor are apparently freed from line responsibilities.

#### III. PERSONNEL UTILIZATION BY FOREIGN MINISTRIES

#### A. Staffing at Headquarters and Abroad

Because of the great variations in terminology, classification and personnel practices, it proved beyond the capacity of this study to make an accurate comparison of the numbers and qualifications of professional personnel employed by various foreign ministries. The following table, however, shows the approximate totals of diplomatic officers employed by six countries and their distribution between service at home and abroad at the end of 1975.

COUNTRY	TOTAL	ABROAD - %	<u>HQ - %</u>
Australia	1269	42.1	57.9
Canada	780	55.1	44.9
U.S.A.	3545	60.0	40.0
U.K.	2121	63.8	30.4
France	1520	63.8	28.3
Sweden	515	65.2	34.8

Several things should be noted about this table. First of all, the total includes only members of the countries' foreign ministries and not professional personnel from other departments. In Canada's case, if 550 foreign service officers of the Departments of Industry, Trade and Commerce and Manpower and Immigration are added in, the Abroad and HQ percentages move to 62.4 and 37.6 respectively. The Australian figures do not include 1429 Trade, Immigration and Information officers (their inclusion significantly lowers the percentage of personnel Abroad). The American figures do not include 1276 officers not members of the State Department (983 Foreign Service Reserve and 293 Foreign Service Reserve Unlimited Officers). The American percentages are approximations. The British total refers only to Diplomatic Grade Officers and includes some 70 officers from departments other than the FCO. The existence of a 124 officer "manpower margin<sup>n</sup> accounts for the percentages not adding up to 100.0. To the French total of Diplomatic and Consular Officers should be added approximately 750 officers from other departments. The percentages do not make 100.0 because of 120 foreign ministry officers on detached duty. The Swedish total includes Consular Officers.

This table suggests that Australia and Canada have somewhat lower percentages of foreign service officers serving abroad. Varying definitions of a foreign service officer may partly account for this apparent difference but in the case of Canada, other information does indicate that foreign service officers form a higher proportion of the headquarters staff than is the case in some other countries.

## B. Other Departments' Personnel Serving Abroad

A related question is the number of officers from other departments than the foreign ministry who serve in diplomatic missions. The British FCO has tried hard to limit representation abroad whenever possible to their own people. (Wallace, p.40). With the British entry into the European Community, however, the pressure for greater participation abroad by domestic departments is becoming intense. By contrast, the Australian Department of Foreign Affairs feels it has still not gained firm control of the foreign field or of the other government personnel serving abroad. The Departmental submission to the recent Royal Commission on Australian Government Administration urged greater integration at posts and a stronger role for the Ambassador. The submission notes "... there is a lack of unified control both over the aims of overseas missions and the resources that should be applied to them, because this Department lacks full authority over staffing and other resources and the (Public Service) Board lacks expertise in foreign affairs". (Submission, p. 25). Between these two cases lie the arrangements in countries (Canada, U.S.A., France, Switzerland) where the relations of the foreign ministries with other departments in terms of personnel seem to have evolved into compromise between the needs of the ministry for overall direction and the specialized concerns of other departments. The Swedish, for example, have recognized the utility of having some officials from other departments abroad for limited periods, but at present these representatives must transfer into the Foreign Service to do so. A recent report on personnel matters by a Swedish MP, Arne Geijer, supports increased coordination and direction of such personnel matters by the Foreign Ministry and the reinforcement of the position of the Head of Post (Personalpolitik I Utrikesforvaltningen, 29).

## C. Training and Re-training of Personnel

The desire of "domestic" departments for an overseas presence reflects, of course, the broadened scope of international relations. In the face of this phenomenon, the eight foreign ministries have had to re-examine the capabilities of their staff. The demand for expertise beyond the traditional diplomatic and political skills has caused some ministries to consider changes in both the recruitment criteria and in mid-career training. The French ministry has the advantage of the effective and comprehensive training that forty percent of their new officers have had at the Ecole Nationale d'Administration (ENA), with the particular insight it gives into the domestic workings of the government. The recruitment process will only improve the Ministry's functional competence slowly, however, and the Quai evidently remains concerned.

The American Murphy Commission was similarly concerned that the background of incoming FSOs at the State Department was too uniform and non-technical (60% from history/political science, only 13<sup>%</sup> from economics). It recommended a more varied recruitment pattern with a special

emphasis on economic knowledge, together with a continuation of the practice of putting FSOs into "cones" of specialization. To meet mid-career demands, the Commission also suggested a more effective Executive Development Program, an expanded Foreign Affairs Institute and assignments with other government departments and private industry. It should be noted, however, that in a June 27, 1975 speech to incoming FSOs, Secretary Kissinger, warned against excessive specialization, saying: "While I recognize that the establishment of the cone system was in response to the need for greater emphasis on specialization, we must not permit compartmentalization to deter us from providing the breadth of experience necessary for positions of high responsibility".

The increasing need for officers with specialized training has been recognized by the West Germans and Australian authorities as well. The foreign ministry of the latter has suggested a Public Service Training Institute with a Foreign Service Faculty (<u>Submission</u>, p. 49). In the Swedish case, the Geijer report mentioned above also urges better training for entering and experienced foreign service officers. It further recommends not only temporary exchanges between the foreign service and other departments but a balanced program of lateral entry. (<u>Personalpolitik I Utrikesforvaltningen</u>, 24-25). The traditional Foreign Ministry preference for generalist foreign service officers, however, remains strong. The British have tried to improve the FCO's economic competence without turning to purely "economic" foreign service officers by establishing a small group of economic advisors. In a similar fashion the ministry's research capability has been built up by the use of London-based specialists.

#### D. Foreign Service Age Profile

Another aspect of personnel utilization that has created problems in some foreign ministries is the age profile of the professional foreign In the case of the USA and France, the foreign service is said to service. be top-heavy and advancement is slow. A French journalist has recently suggested that the promotion block in the Quai is reducing the effectiveness of the organization. "L'engorgement des cadres au sommet de la pyramide administrative n'engendre pas seulement le mécontentement, mais aussi le vieillissement et la sclérose" (Delarue, 14 Oct. 1975). The Swiss on the other hand, have the reverse problem - too few people at the top. The vagaries of an age profile made jagged by prolonged "freezes" in recruitment means that retirements between 1978 and 1984 will cause the Swiss foreign ministry to lose 30% of its diplomatic grade officers. A comparable phenomenon will occur in their consular and administrative groups; 35% of strength will retire between 1981 and 1988. It is likely that this sort of problem over promotion and rank is not confined to the three foreign ministrie: just mentioned but specific evidence did not come to our attention.

## IV. THE FOREIGN MINISTRY'S RELATIONS WITH OTHER GOVERNMENT BODIES

This subject has two sides to it. On the one hand, there are the relations that foreign ministries have with departments and agencies with sectoral domestic responsibilities. On the other, there are the relations between foreign ministries and central agencies, such as the Cabinet Office or the office of the head of government, that have government-wide responsibilities.

## A. Relations with "Domestic" Departments and Agencies

As far as relations with other departments are concerned, foreign ministries are probably less central, generally, to the process of managing their countries' external relations than they were ten years ago. To meet the need for coordination that has grown as the field has diversified, some countries have articulated a network of interdepartmental committees, sometimes reaching up past the official level. The Federal Republic of Germany, for instance, has an elaborate four-tier interdepartmental committee system based on the four levels of German ministries (i.e. section, department, state secretary and parliamentary representatives, minister). It is at the third level where political and administrative authority converge. The British have developed a similar, somewhat less formal structure, but the political component is only injected at the ministerial level. The Australian Department of Foreign Affairs values the interdepartmental committee system and wants it improved. Specifically, the Department wants it laid down that it should convene, chair and service those committees dealing with external policy. (Submission, p. 42-47). The Department is clearly dissatisfied with the present rate and quality of information flow between departments. In fact, the Australian ministry is so concerned at its position with reference to other departments that it recommends the passage of a Foreign Affairs Act to set out its jurisdiction.

## B. Relations with Central Agencies

Interdepartmental committees are meant to facilitate policy coordination, and apparently they do help foreign ministries to pull together government views on particular matters. It is also evident, however, that there is seen to be a growing need in many countries for a more concentrated form of policy direction closer to the political centre. Under the French and the American systems, the President's office tends to take command of the broad lines of policy. Despite its age and prestige, press reports indicate that the Quai has been steadily losing ground to the Elysée. An interesting variant on this trend is the great influence in France of the Secretariat of the Interministerial Committee on Questions of European Economic Cooperation. The Secretariat and its Secretary-General develop the positions of the French government vis-à-vis the European Communities, harmonizing departmental concerns in the light of established lines of policy. The Americans have had since 1947 an institution for the resolution of major foreign policy issues in the National Security Council. Its statutory members are the President, Vice-President, Secretary of State and Secretary of Defence, with other high officials (especially the Chairman of the Joint Chiefs of Staff and the Director of the CIA) regularly sitting in. The NSC has been the basis for the development of a small staff by the Assistant to the President for National Security Affairs. The Murphy Commission characterized the Council as a "...familiar if unevenly used mechanism for the airing of differences, the discussion of alternatives, the stating of recommendations, and the making of Presidential decisions". <u>Murphy Commission</u>, 34). It recommended strengthening the NSC and broadening its range to include international economic matters. (<u>Murphy Commission</u>, 4).

In a parliamentary system, the mechanisms are different, but the trend is often similar. In Britain the Cabinet Committees on Defence and Overseas Policy and on Europe have small secretariats that marshall issues for cabinet discussion. Beyond that, however, the Cabinet Office has an important capacity in its European Unit and its Assessments' Staff (which pulls together various sorts of intelligence material) to coordinate policy. In the opinion of a recent Atlantic Institute study -

> "The central core of the British foreign policy-making machinery... now lies in the official structures which service the Cabinet and its committees and which ensure that Cabinet decisions are implemented, consecrating the gradual but significant shift in the centre of gravity of the coordinating machinery away from the Foreign Office."

The Australian Cabinet Committee on Defence and Foreign Policy meets infrequently and the political coordination that takes place is done informally. The Department of Foreign Affairs, however, still seems to have a close relationship with the Prime Minister's Office from which it emerged forty years ago.

The relationship between foreign ministries and some other government departments and agencies is considered in greater detail in the following section on particular policy issues.

# V. THE FOREIGN MINISTRY'S INVOLVEMENT IN PARTICULAR SUBJECTS

## A. Economic Affairs

This is an area that has in recent years taken up more and more of foreign ministries' time. In the 1975 Murphy Commission report on the State Department and the 1974 submission by the Australian Department of Foreign Affairs, economic matters were given special attention. The State Department seems to be reasonably well established in relation to the Treasury, Commerce and Agriculture Departments. Nonetheless, the Murphy Commission was very concerned that the State Department upgrade its economic capacity, and recommended a structural reorganization to accomplish this. The Commission suggested an Under Secretary for Economic and Scientific Affairs administering four reconstituted bureaux - International Economic and Business Affairs, Energy Transportation and Communications Affairs, Oceans Environmental and Scientific Affairs, and Food Population and Development Affairs. Energy matters would be centred on the Federal Energy Administration, however. To give substance to these organizational changes, the Commission urged greater economic training for State Department personnel and an expanded program of "...systematic personnel interchange at the middle-grade levels among the Departments and agencies with principal responsibilities for foreign economic policy..." (Murphy Commission, p.67). In operational terms, it further recommended that "multiagency participation in policy negotiation and implementation abroad under State Department coordination should be increased". (Murphy Commission, p. 7). In the Australian case, the Economic Relations Division has been expanded, but the Department of Foreign Affairs seems not to be a major actor in economic matters. Cooperation between the Department and Treasury is apparently not as close as might be wished. In commercial policy, the Department of Overseas Trade is the lead department, and Trade Commissioners at posts are not fully integrated.

One characteristic of the American arrangement is relatively low-key support for trade promotion. This approach is also followed by the FRG government. The West German ministry, however, is apparently not as strong in general economic affairs as the State Department. This may be in large measure a result of the fact the Ministry of Economics was a dominant force immediately after World War II, whereas the foreign ministry was not reestablished until 1950. The latter has tried to regain lost ground through use of the interdepartmental committee system and through control of the communications lines whereby instructions are sent to delegations. The fact remains, however, that most of the substantive economic negotiations that the FRG enters are conducted by the Ministries of Economics, Finance and Agriculture. Länder governments in Germany are sometimes among the signatories to important treaties dealing with trade matters, especially if a financial contribution is expected of them. In such cases, they may also name representatives to the negotiating delegation. An observer representing all of the Lander is attached to the German EC delegation. (Atlantic Institute)

The Quai and the FCO seem to be closer to the centre in the economic field. The FCO is involved in a three cornered relationship in international financial policy with the Treasury and the Bank of England, and in a dual partnership in commercial policy with the Department of Trade and Industry (Board of Trade). But as the FCO gains credibility vis-a-vis other departments in these areas, the Cabinet Office is increasingly taking over the central coordinating role for the entire subject. (Atlantic Institute). The Quai deals mainly with two bodies concerning economic policy. As mentioned above, French positions on Community matters are worked out by the Secretariat of the Interministerial Committee on European Economic Cooperation. The small, hand-picked, rotational staff of the Secretariat has a policy-executing rather than a policy-forming role, but its power is such that ministries cooperate with it to avoid the risk of having their views ignored. The second major protagonist that the Quai faces is the Ministry of Economics and Finance. The External Economic Relations Division (DREE) of the Ministry has overall responsibility for trade promotion, and the chief executive branch of the Division is the French Centre for Foreign Trade (CFCE). The DREE has a network of commercial attachés who come under the authority of Ambassadors but are not members of the Foreign Service. The information that these commercial agents collect is given by DREE to the CFCE, which in turn has a system of contacts within France. The CFCE coordinates activities domestically so that the French export effort will be as effective as possible. On broad issues it does happen from time to time that the interests of DREE will be at variance with those of the Treasury Division of the same Ministry. There are indications that the Quai is improving its standing in the economic field as younger, economically-trained officers come up.

The Swedes have a distinctive way of dealing with economic matters. The three "departments" in the foreign ministry concerned with this subject are accountable both to the Minister of Foreign Affairs (through a Deputy Secretary General in the MFA) and to the Minister of Trade (through a Secretary General in the Department of Trade). Some Swedish Trade Offices are only nominally responsible to Embassies. Half their budget is provided by the Ministries of Trade and of Foreign Affairs, and half by the virtually autonomous Swedish Export Council. Trade Commissioners abroad report to this Export Council.

# B. Aid to Developing Countries

In four of the countries studied, aid to developing countries is administered by an agency independent at least in part from the foreign ministry. The frequency with which different arrangements for determining aid policy have been tried suggests that this is a subject of persistent difficulty.

In the Australian Department of Foreign Affairs' submission of 1974, it was noted that the Australian Development Assistance Agency (ADAA) was a separate body responsible to the Minister of Foreign Affairs. For the purposes of concerting policy, there existed a Development Assistance Advisory Board and an Interdepartmental Committee on External Aid. The Department of Foreign Affairs had an Aid Policy Liaison Division but was concerned at the lack of communication with the ADAA at home and at the difficulty of integrating ADAA personnel into posts abroad. The upshot of this concern is that since the 1974 Submission, the ADAA has been reincorporated into the Department.

A different sort of link seems to exist in the American case. The Agency for International Development (AID) is subordinate to the State Department in terms of general policy direction although remaining operationally independent. The Murphy Commission recommended that this situation be maintained as far as bilateral aid is concerned, and that the Treasury department continue to have primary responsibility for the supervision of American commitments to international development institutions.

In Britain, the Overseas Development Ministry (ODM) was set up in 1964, and continued to have its own Minister until 1970. The ODM was then transmuted into the Overseas Development Administration (ODA) and made part of the FCO, albeit with its own junior minister (the Minister for Overseas Development). The strength of the connection between the ODA and the FCO was subsequently reduced until in 1974 the Administration was again somewhat separated from the Foreign Office. The present situation is that the ODM has moved closer to the FCO orbit, but still has a full minister at its head who is a member of the Cabinet.

In France, jurisdiction in the aid field is also divided. For cultural and technical assistance to African countries south of the Sahara (including the Malagasy Republic), there is a separate Ministry of Cooperation. For all other countries, such assistance is administered by the Directorate General for Cultural Scientific and Technical Relations (DGRCST) in the Foreign Some financial aspects of aid administration are dealt with by the Ministry. Treasury division of the Department of Economics and Finance. The situation is not made any clearer by the existence of a political division in the Quai covering the countries serviced by the Ministry of Cooperation and by an ongoing direct involvement in aid matters by the President's office. It should be noted that the French bilateral aid effort concentrates on the cultural and educational as opposed to the purely economic aspects of development assistance. The French have tended to make their major financial contributions in the aid field through such multilateral arrangements as the Fonds Européen pour le Développement.

Another variant is the Swedish case. The Swedes have a separate aid agency, SIDA, which is intended to be an implementing body. Aid policy is formulated in a special unit within the foreign ministry. The unit is headed by a senior political appointee as Secretary General, who reports to a Minister Without Portfolio, who in turn comes under the authority of the

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Foreign Minister. There are indications that this splitting of function is not viewed as being entirely satisfactory.

# C. International Legal Matters

The principle question in this field is how responsibility is allocated for legal advisory services and for representation and negotiation abroad on legal matters. Of the eight countries studied, at least six seem to leave international law almost entirely to the foreign ministry for both advisory and operational purposes. Yugoslavia, France and the FRG fall into this category, and the 1974 Submission of the Australian Department of Foreign Affairs states - "the Legal and Treaties Division is responsible for formulating advice to the Government on matters of public international law" (p. 11). In Britain, the legal advisors of the FCO are part of the Foreign Service, although when abroad they do only legal work rather than participate in general activities, as do Canadian legal officers. In the USA, the State Department has a corps of some sixty lawyers who are not part of the Foreign Service and who are not rotational although they may serve on delegations abroad. In both the American and British cases, the foreign ministries appear to dominate the international law field. Such is not the situation in Sweden. There the foreign ministry shares responsibility with the Ministry of Justice, with the former usually providing people to act and plead before international tribunals.

#### D. Consular Affairs

Two of the countries studied have separate consular services (Switzerland, Yugoslavia), while others have definite consular streams or "cones" within the Foreign Service (U.K., Australia, U.S.A.). The French had a distinct consular service until the Second World War, and although this group was subsequently integrated into the Foreign Service, in practice consular work is still regarded as a self-contained career. During its recent reorganization, the Swedish MFA considered hiving off consular activities from the Ministry but in the end decided against this division of labour.

In the interests of economy, the Swiss and the British have been forced to pull back a bit in their extensive network of consular offices abroad. The Yugoslavs, on the other hand, continue to have a very lively "consular" interest in their nationals working abroad.

# **B.** Public Affairs

All the countries studied have some sort of public affairs capability (centred on information dissemination, academic exchanges and cultural manifestations), usually connected quite closely with the foreign ministry. France and the Federal Republic of Germany are the two that take the cultural aspects of international relations most seriously. In the French case, this is reflected in the fact that one of the three main divisions in the Quai is concerned with Cultural, Scientific and Technical Relations. The projection of French culture has a high priority in French foreign policy, and much of the country's assistance effort is linked to that aim. In addition, the Quai has a standard Information and Press Service attached to the Political Affairs Division for briefing posts and journalists. The Agence France-Presse news agency provides a useful supplement to the more structured methods of information dissemination.

The Federal Republic of Germany also has a large cultural budget. The funding is channeled through the foreign ministry to a variety of organizations, all of which seem to keep a large measure of independence. On the educational side, there are the German Academic Exchange Service (for university students) and the Educational Exchange Service (for high-school In addition there are a number of foundations (notably the students). Humboldt Foundation) that give scholarships in academic and cultural fields. On a different level, the Goethe Institutes around the world perform much the same function as the Alliance Française in operating cultural centres in foreign countries. On the information side, internal and external audiences are provided with government information by the Federal Press and Information Office (BPA). This is a federal agency operating under the direction of the Chancellor, but some of the personnel of its foreign information section are seconded foreign service officers. Within the foreign ministry itself, there is a Press Section and a Foreign Information Section, the latter sending classified information to posts. BPA looks after the foreign public and sends out general news for the use of posts as well.

In Britain, the USA and Sweden, the external information and cultural agencies are rather less firmly attached to the foreign ministry. In Britain, the British Council and the BBC External Services, although for the most part funded from the FCO Vote, maintain a measure of independence. Their activities are monitored by departments within the FCO (there are five FCO departments in the cultural/information field). The FCO itself, however, operates the British Information Services abroad, using foreign service officers as staff and material provided by the Central Office of Information (which also services home ministries).

The American case is somewhat similar, at least in that there are several agencies involved. Both the State Department and the U.S. Information Agency (USIA) disseminate information and exhibit American culture abroad, the former in a more structured way by developing agreements and exchanges. The Voice of America (VOA) is part of USIA and projects American policy and news throughout the world. USIA officials in the field receive instructions from both State and USIA. The VOA obtains its policy guidance from the State Department filtered through the USIA. The Murphy Commission recommended that all general, non-policy information and cultural activities being carried out by State or USIA (except the VOA) should be combined in a new semi-autonomous Information and Cultural Affairs Agency (ICA). "The ICA Director would report to the Secretary of State, or alternatively, if the President wishes, the Director could report directly to the President while receiving day-to-day policy guidance from the Secretary of State". (<u>Murphy Commission</u>, p. 139).

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In Sweden, the Swedish Institute is the main body concerned with public affairs. Legally, the Institute is not a government agency, but it does receive its funding through the foreign ministry. In practice, this link does not appear to result in close control of the Institute by the MFA. In the related educational field, the international section of the Ministry of Education has become increasingly active in recent years. The proposed reorganization of the Swedish foreign ministry includes a new joint Press and Information Department to furnish more information internally in Sweden to the parliament, organizations and the general public.

## F. Research and Planning

The Murphy Commission was concerned about the necessity for forward planning not only within the State Department but for the American government as a whole. To this end, it recommended that the President create a Council of International Planning that would approach the matter on a government-wide basis. Within State, the Planning Staff would be upgraded and integrated more fully into the operational life of the Department. An Advisory Committee of outside scholars and experts could help the Planning Staff broaden its reach and advance its methodology. (<u>Murphy Commission</u>, p. 147 et seq).

The FCO has a Planning Staff, a Research Department staffed by non-rotational specialists, and, since amalgamation with the Commonwealth Relations Office, a group of six economists. A more recent development is the formation by the French in 1973 of a Centre for Analysis and Forecasting, attached to the office of the Minister of Foreign Affairs. This planning staff has as its job the development of possible futures, the in-depth study of current or imminent large-scale problems and the opening up of the Quai to new ideas and techniques. The Centre has, since its foundation, produced studies on the world agricultural situation, the energy crisis, European integration and defence policy, to give a few examples.

Although one of the aims of the reforms proposed for the Swedish foreign ministry is to keep the planning component part of operational "departments", the committee that studied the ministry's organization said that management might wish "... to entrust to one and the same department, the planning and analysis of certain specific issues which in fact cover many sectors of the Ministry's work". It therefore proposed additional staff resources for the fifth political "department" so that these tasks could be carried out. (Utrikesdepartementets Organization, 12).

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U.S.A.

Switzerland



Department of External Affairs

Ministère des Affaires extérieures

Canada

# THE ROLE OF THE DEPARTMENT OF EXTERNAL AFFAIRS

IN THE GOVERNMENT OF CANADA

Part III. "What is the Role and how is it performed?"

Ottawa June, 1976

(Version française aussi disponible)

# INTRODUCTION (

This third instalment of the results of a review of the Department of External Affairs is the distillation of the views of many people in the Department, in other parts of the Government and outside, along with some documentary research and much observation of the Department at work. It is therefore a collective production. No doubt the prejudices and preconceptions of the author influenced the selection, ordering and interpretation of the material but he has seen his job as primarily one of compilation and clarification.

It would have been tiresome and clumsy to constantly insert in the text such qualifications as: "The prevailing view is...", "Some officials believe...", "A minority holds that...", etc. This has been done occasionally, when it seemed particularly important or as a periodic reminder that we are talking about perceptions. Many observations, therefore, may appear as flat, even dogmatic statements, when they actually represent views and opinions contributed by various sources. Naturally, somewhat more emphasis has been given to views which seemed to be in the majority or which seemed to fit observed facts, without excluding the minority or the eccentric opinion.

This paper is focussed much more on the role of the Department in Ottawa than abroad, as was the intention. Those who are looking for another discussion of the role of the diplomat will have to look elsewhere.

As was also the intention from the beginning, this report does not focus on matters of organization and structure but examines the role of the Department of External Affairs in the context of the present structures. So many people showed concern about the way in which structure and organization influenced the role and performance of the Department, however, that it would have been pedantic to exclude these concerns totally.

A.S. McGill

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# PART III. "WHAT IS THE ROLE AND HOW IS IT PERFORMED"

#### SUMMARY

# The Scope of Canada's External Relations

Canada's active role in world affairs is likely to continue and become more complex. Contributing factors include the globalization of issues and consequent increase of "multilateral diplomacy" as well as continuing concern for peace and security, increasing emphasis on economic issues, new or newly prominent issues such as environment and energy, technological development in communications and transport, government efforts to control or actively intervene in new areas and provincial government activity.

## The Mandate of the Department

The mandate of the Department of External Affairs is not authoritatively delineated except on a few points and may need clarification but it is doubtful that the role of the Department is susceptible to comprehensive legislative definition.

## The Functions of the Department

The functions performed by the Department are characteristically comprehensive in the way they mesh with other government activities. They include: (a) The Policy Role (including policy formulation, implementation, coordination and research and analysis); (b) The Communications Role (including official communication with other governments, reporting, negotiation, and public diplomacy); (c) The Management Role (including managing the Government's external operations at home and abroad and managing visits and conferences); (d) The Service Role (including services to the Government and consular and other services to the public).

## The Policy Role

Foreign policy is infinitely complex and must take account of all sectoral national policies and unpredictable events abroad. Despite the difficulty of achieving an explicitly defined foreign policy there is greater demand for some over-arching set of principles as the situation becomes more complicated.

Although foreign policy making in Canada is largely incremental, External Affairs is expected to meet the demand for a more structured, planned and deliberate process. Foreign policy has a substantial component of reaction to events abroad that are less predictable than domestic events but it also contains a major component of domestic initiatives. The central problem in the policy role is that decisions affecting Canada's external relations are increasingly initiated by agencies other than the Department of External Affairs. The Department should be aware of any domestic development affecting external relations. Its contribution to domestically-initiated policy formulation should include: (a) information about and interpretation of international developments, (b) knowledge of linkages and crossimpacts with other Canadian policies, (c) advice on tactics, timing and instruments.

As international events impinge more frequently and deeply on domestic life, External is more often required to go beyond the role of collecting and analysing information to that of catalyst for policy change in areas regarded hitherto as domestic.

Leadership is expected of External Affairs in devising a broad framework for foreign policy, maintaining an overview and establishing national policies and objectives in the international sphere. External's leadership role in developing policy and objectives toward countries or international organizations is accepted but is less clear in the extension abroad of functional policies. Domestic departments initiating policy developments that extend to the international sphere must ensure External is brought into the process early. When External takes the initiative because the impetus comes from abroad, it must involve all relevant domestic departments. When the impetus is a mixture of domestic and foreign, as in the law of the sea, it is appropriate for External to play a leading role. External does not have over-riding authority and has to rely on knowledge, clear thinking and persuasion as the instruments of leadership.

Preoccupation with "policy coordination" should not be overdone at the expense of creativity and initiative. The ICER system is useful for consultative purposes but policy coordination is effected by other channels. External's greatest contribution to coherence in external relations lies through ensuring that the conceptual framework, goals and objectives of foreign policy and sectoral policies take full account of all Canadian interests.

External has adequate access to the information required for its policy role but does not have adequate capacity to research, analyse, and assess the available information.

#### The Management Role

There is no clear consensus on External's role in managing the Government's external relations and responsibility for management functions is divided among departments. Recommendations for a comprehensive management system and integration of the foreign service were not accepted in 1970. What was established was collective management, through ICER, of a partly integrated system of foreign operations, chaired by External.

The ICER system is a consultative or coordinating mechanism. The annual country program exercise is now its major activity. Although it serves useful purposes, and is probably required if collective management prevails, the time and manpower devoted to country programming is excessive.

Establishing objectives and priorities are continuing difficulties. External Affairs can provide a more rational basis for managing external operations to the extent that it can identify national policies and objectives with Cabinet blessing and get agreement on priorities among external objectives.

The collective management principle is applied abroad. Heads of Mission, despite moves to clarify their authority, do not have control over the resources allocated to their mission. The personal force of character and ability of Heads of Mission therefore determines whether posts are managed effectively. There are other desirable qualities in Heads of Mission besides managerial ability.

The External Affairs role in coordinating Canadian participation in international conferences was made clear and explicit in a recent Cabinet Directive but has not been defined as regards general official travel abroad. External should know about all official visits and should facilitate arrangements, advise on timing, on special circumstances, on the context of other Canadian objectives and ensure reports are made available. It may have little role to play in technical visits to friendly countries pursuing established contacts.

External's role in hospitality and arrangements for high level foreign visitors to whom hospitality is extended in the name of the Government, is fairly clear but the Department faces major difficulties in managing, as opposed to simply servicing, incoming visits.

The Department's role in international conferences held in Canada is not clear. The SSEA should put proposals for major conferences to Cabinet with the concurrence of other ministers. External's role should be advisory and consultative where the subject of conference clearly falls to another department, it should be fully responsible when the subject is purely international relations and in the case of broad spectrum conferences, External should initiate action to have a task force or <u>ad hoc</u> secretariat set up with Cabinet authority.

#### The Communications Role

The SSEA and his Department are legally responsible for all official communications to other governments. The ideal of speaking to other governments with one voice is now unattainable but inconsistencies can be dangerous. External has a major responsibility for clear definition of Canadian policies and objectives and their dissemination to those in contact with other governments and other agencies have a responsibility to inform themselves of the foreign policy context. In communications with other governments and international organizations, some desirable principles are:

- (a) communications stating the views of the Canadian Government, creating commitments or materially affecting relations should be approved by External;
- (b) External is responsible for ensuring consistency with all the objectives of national policy;
- (c) External should consult other interested departments before initiating official communications to other governments and organizations;
- (d) External should not hold up communications prepared elsewhere for formalistic reasons;
- (e) Other Departments should communicate direct with Canadian missions abroad only on routine matters not affecting other programs or intergovernmental relations;
- (f) Communications from Ottawa should be addressed to the mission and not to an individual or section;
- (g) Heads of Mission have the right to see all communications received at their mission and to approve all communications to the government or organization to which they are accredited.

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External has a responsibility for reporting the views of other governments and for analysing and commenting on developments abroad that are significant to Canada. The public media report events but they often purvey misinformation. The vast demand for reporting on specialized subjects by Canadian missions abroad should be subjected to rigorous criteria of relevancy. Occasional analytical reports on broad trends, routine collection of published material, negotiation of umbrella agreements and facilitation of exchanges and visits between experts is mostly what is required. Professional foreign service officers may be equipped to play this role or specialists absorbed into the foreign service. Ability to analyse complex situations and identify what is relevant to Canadian interests is required more than ever.

External Affairs is the logical place to house a common communications system with missions abroad. In some respects the Department may not have faced up to the consequences of operating a network that serves every part of the Government.

## Negotiation

External Affairs should be aware of all formal negotiations with other governments. Its primary role is to develop broad policies and identify national aims and objectives within which negotiations can take place. It has a reservoir of negotiating skills and knowledge but it does not have a monopoly, cannot match the depth of expertise existing elsewhere on many subjects, and does not have the manpower to participate fully in every specialized negotiation. It should facilitate arrangements for negotiation, ensure other departments are aware of the foreign policy context and of factors known to External. Where the subject of negotiation is broad and External has the initiative, it should be scrupulous about consulting others.

Approval by Cabinet and authority to sign formal agreements is the responsibility of the SSEA and the External Affairs Treaty Section is the repository. The Department should have copies of all informal agreements and understandings entered into by Canadian Government agencies and have an opportunity to advise on form and content in the interests of consistency.

Consultation with provincial governments, where required, should be done by the federal department with responsibility for specialized subjects or by External Affairs where the agreement is broad and general.

#### Public Diplomacy

Informing other countries about Canada and seeking to influence them in a public way is an accepted part of the Department's role. The Department has to operate a public affairs program serving broad national objectives, capable of serving diverse objectives and supporting all other programs abroad. Every policy decision should include consideration of public diplomacy. Broad-spectrum public diplomacy, aimed at creating or maintaining a receptive and friendly attitude toward Canada is also required.

The Department's role in public affairs at home is less well delineated than abroad. Journalists and officials do not cooperate as effectively as they should to inform Canadians about their country's external relations. The Department has developed a dialogue about foreign policy with various interest groups in Canada but has tended, with some exceptions, to wait until approached before responding. It has been suggested that the Department should do something about informing Canadians about events abroad as well as about Canada's part in them.

## The Service Role

Many functions of External Affairs involve services to the Government as a whole or to other departments and a characteristic of the Department's role is that it is a service agency to a greater extent than many others. The service aspects are interlocked with its policy and managerial roles.

The most extensive services to the public are embraced in the consular program, aimed at providing protection and assistance to Canadians, within international norms, and treatment at least equal to that accorded nationals of other countries. The consular role is growing steadily and there are problems in meeting the demand. The great variety of other services provided to Canadians abroad are a substantial part of the role of most missions. A more systematic service for Canadian businessmen might be developed in consultation with the Department of Industry, Trade and Commerce.

# Capacity to Perform the Role

Although there is a feeling in the Department that its role is less central in the Government than formerly, it is seen by others as a major institution in the centrality of the role it has to play. The historically close relationship between the Department and the Prime Minister has been replaced by the more normal situation where it has to compete in the quality of its advice and the effectiveness of its service. As new international activities have developed, the Department has not lost ground it formerly occupied but has not fully succeeded in occupying the new ground.

Integrating the Department closely into the Government system is an over-riding necessity. The functional side of External might be structured to parallel more closely the functional sectors of the government and to provide focal points in External for each Government department or major government program. The geographical divisions of External need to be strengthened in their knowledge of the Canadian scene and their capability to manage bilateral relationships.

Greater continuity and expertise is thought to be required, especially among personnel who work closely with other departments and recruitment, training, career planning and assignment policy should take account of this requirement. Exchanges of personnel with other departments and recruiting non-rotational specialists need to be further pursued but the system of rotational foreign service is essential in keeping personnel abroad abreast of domestic affairs and in bringing fresh minds to bear on policy problems at headquarters. Other departments have to play a part in ensuring that External is staffed with personnel who are fully capable of understanding all the Government's activities.

External officers are accused of not being sufficiently Canadian and of intellectual arrogance. Some officers forget they do not wear the mantle of Canada's official representative when at home. They need to practice diplomacy with their fellow Canadians. The nature of External's role makes failure to consult the unforgivable sin. Other departments must accept that External brings a valid contribution when it draws attention to international factors and External must work to maintain credibility by showing full appreciation of domestic imperatives. As well as steps to integrate External personnel more closely into the Federal Government structure, other schemes might be tried to bring the Department into closer touch with Canadian life outside Ottawa.

Suggestions for improving the performance of the Department dwell heavily on greater internal cohesion and better internal communication. These should not, however, be pursued at the expense of initiative and individual responsibility.

External has the unique organizational problem of looking outwards to the international scene while also being attentive to the domestic scene. The basic structure is mostly designed to the requirements of the outward-facing role but the domestic side currently presents more problems. The relationship between policy and operations is another organizational problem, with a relative small staff required as a policy secretariat and a relatively large one for operations. The Department cannot shed either its policy role or its responsibility for operating posts abroad and various essential services.

#### I. THE SCOPE OF CANADA'S EXTERNAL RELATIONS

Since the Second World War, Canada has been committed to a diverse and active role in world affairs. Whether by deliberate choice or in response to the compulsion of our mational circumstances, the ensuing thirty years have brought this country to the point where it is party to about 1400 international treaties and agreements, belongs to some 200 international organizations and has 120 diplomatic and consular posts in about 75 countries.

Canada participated actively in constructing the post-war system of international organizations comprising the United Nations and the Specialized Agencies. It has continued to be a "joiner", the prolonged coyness toward the Organization of American States being untypical. As Canadian membership is hardly ever treated perfunctorily, an immense amount of activity by Ministers, Government officials and non-governmental organizations results. The process continues. "Multilateral diplomacy" is the most growth-oriented feature of current international relations, reflecting the effort to grapple on a global basis with peace and security, economic development, monetary stability, human rights, food and energy shortages, threats to the environment, the law of the sea, etc.

The geographical spread of Canada's external relations developed concentrically for a variety of motives. The United States has always loomed large. Historic ties and ethnic connections combined with the political and economic weight of Europe in world affairs have continuously exerted a pull toward strengthening and diversifying Canadian relations with European countries. Among the more recent manifestations are the expanding programs of cultural and scientific cooperation with European countries and the negotiation of a contractual link with the European Economic Community.

Preoccupation with collective security took Canada into NATO and NORAD. The same preoccupation, broadened into peacekeeping under the United Nations, has led Canada periodically into areas of the world where other Canadian interests were less direct.

A mixture of political and economic motives led to the establishment of official Canadian relations with emerging Commonwealth countries starting with India and Pakistan in 1947 and continuing in Africa and the Caribbean. Relations with the former French colonies developed later but accelerated rapidly from about 1964 under pressure for greater recognition of the francophone fact in Canadian life. The same pressure brought new emphasis on relations with all French-speaking countries, including France itself, in the late 60's.

Relations with Latin America constituted a thin layer of diplomatic representation but no great depth of involvement until the late 1960's. Then began an era of increasing emphasis on trade and aid relations, with the closing of some embassies in 1969 and the strengthening of others where economic interests were paramount, and greater participation in the regional economic and technical organizations.

The new look at relations with Latin America, the reestablishment of diplomatic relations with China, the intensification of relations with francophone countries were among the products of the foreign policy review of 1969-70, followed in 1972 by a review of relations with the United States which produced the explicit concept of the "third option". The decision deliberately to seek to reduce Canadian vulnerability to influences from the United States implied relatively greater attention to economic and other ties with Japan, Europe and other areas of the world.

In recent years, noticeably more weight has been attached to economic relations than to the other themes of international activity, although political, humanitarian, military, cultural and scientific interests are no less actively pursued. Another feature of recent years has been the emergence of new subjects or the rise to prominence of matters that were previously of minor concern. Immense leaps in communications technology have drawn all governments into complicated regulations, negotiations and the setting up of new organizations. The same technology has served to stimulate public demand for governmental action to aid victims of political upheaval or of natural disasters that might formerly have attracted relatively little notice. The vastly enhanced propensity for international travel has required negotiations of intricate air agreements, produced a great demand for assistance to travelling Canadians all over the world, complicated the control of communicable diseases and provided new opportunities for international crime and terrorism. The emergence of environmental matters in the foreground of international activity has prompted international conferences, a new United Nations agency and innumerable negotiations and exchanges among governments and scientists. In the 1970's the supply and the price of energy suddenly became a major preoccupation for Canada, as for the rest of the world, and energy is now a major subject for intergovernmental exchanges of views, gathering of information, negotiations, conferences and new international organizations.

This last development was one of the motivating forces behind the latest wave of expansion in Canadian representation overseas, including new embassies in the Middle East (Saudi Arabia in 1974 and Iraq in 1975).

Much of the recent growth of international relations arises from governments attempting to control or intervene in areas of activity formerly left untouched. In Canada's case, this is frequently a response to what other countries are doing. Canadians can hardly do

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business with the increasingly large number of other countries that are more or less state-controlled without a degree of intervention by their own government. Governments with state enterprises expect the Canadian Government to act as their intermediary when they have business to transact in Canada. The same is as true in cultural and scientific relations as it is in commercial relations.

Examples of domestically initiated extension of Canadian government activity are the substantial Federal Government promotion of Canadian culture beyond our borders, the policy of selecting and controlling abroad the flow of immigration into Canada in place of simply maintaining a responsive capacity and the program of "industrial cooperation" with other countries.

A special factor in the expansion of Canada's external relations in recent years has been the growing interest and capacity of provincial governments. They have increasingly sought to promote trade and investment abroad through ministerial visits, trade missions, etc. Some have also been active internationally in cultural relations, in education and in immigration. By 1975 there were 34 provincial offices abroad, two-thirds of them established since 1965.

This sketch suggests that a variety of motives and a mixture of compulsions brought about Canada's present extensive network of international relations. It is assumed that Canada will remain a very active participant in world affairs and that the world, and international relations, will get no less complicated in the immediate future. The number of nation states will not likely grow as fast as it has in the past thirty years but the number of transactions among them and the number of international organizations almost certain will. The gathering momentum toward globalization of international affairs is at once the most promising feature of the world scene and the most challenging for those who labour in the field of foreign policy.

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## II. THE MANDATE OF THE DEPARTMENT OF EXTERNAL AFFAIRS

Part I of this study "What do the Scriptures say?" indicates that, except on a few points, the mandate of the Department is not authoritatively delineated in legislation; that most of the legislation that does exist deals with the results of the Department's work in treaties and agreements and not with the basis for that work; that many of the functions now performed by the Department have developed as empirical responses to perceived needs.

Canada's written constitution, the B.N.A. Act, is silent about external affairs. Certain important functions in this area, however, derive authority from the unwritten constitutional concept of the Royal Prerogative, including signing treaties, appointing ambassadors and recognizing foreign governments. The basic legislation, the External Affairs Act of 1909, was passed at a time when Canada was part of an imperial system and did not conduct its own foreign relations. It is not surprising, therefore, that the Act mentions specifically only official communications with other governments, international negotiations and matters concerning foreign consular representatives in Canada, as being the responsibility of the Secretary of State for External Affairs and his Department. By contrast, the External Affairs item in the current estimates of expenditure laid before Parliament lists dozens of activities carried out by the Department, or by the other agencies for which the Secretary of State for External Affairs is responsible.

The Government has from time to time acted to clarify or redefine some aspect of the role of the Department of External Affairs, usually in response to an immediate problem rather than as a matter of deliberate reappraisal. Exceptionally, as an outcome of a major review of foreign policy, a series of decisions from 1970 to 1973 dealt with integration of the Government's foreign operations and the role of the Department of External Affairs in the integrated system. These decisions on "Organizing for the 70's in External Relations" were summarized in Part I. They set up new mechanisms, notably the Interdepartmental Committee on External Relations chaired by the Under-Secretary of State for External Affairs, gave the External Affairs Department responsibility for managing an integrated system of support services for foreign operations and endorsed a set of principles of policy coordination. It was still necessary for the Government to explicitly reaffirm in 1974, in relation to Canada/United State affairs, the necessity for coordinated management of external relations under the Secretary of State for External Affairs.

Suggestions have been made that the mandate of the Secretary of State for External Affairs and his Department should be redefined in

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some detail in legislation as a way of avoiding some of the persistent ambiguities of the existing situation. These suggestions have related both to the role of the Department in the structure of government and to the status of the Foreign Service in the Public Service. The idea of a clear legislative mandate has obvious attractions to officials hard-pressed to define their sphere of responsibility in the vastly complicated structure of a modern government. Certain departments do apparently derive considerable authority and clarity of purpose from detailed legislation e.g. the Immigration Act. On the other hand, when circumstances change, an act may not be easily amended and detailed legislation can then be hampering. More important, none of the government departments or agencies with detailed legislative mandates appears to have as wide a spectrum of responsibilities as does the Department of External Affairs. It has not been recent Canadian practice to attempt to spell out comprehensively the mandate of departments that cover a broad range of government activities and legislation is more often designed to authorize specific government programs or to regulate specific areas of activity.

Examination of the practice in some other countries suggests that, where a constitutional or legislative mandate for a ministry of foreign affairs exists in some detail, it is still the case that the role of the ministry is in practice largely determined by the pull of changing circumstances and the push of forceful personalities.

It is possible that some functions of the Department of External Affairs might benefit from clearer legislative authority but it is very doubtful that the role of the Department is susceptible to comprehensive legislative definition. The reasons for this may emerge more clearly in the ensuing pages. They center on the fact that External Affairs is not a Department charged with administering one or two defined programs but performs functions that span the totality of government operations.

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## III. THE FUNCTIONS PERFORMED BY THE DEPARTMENT

The approach adopted in this study has been to build up a picture of the role of the Department of External Affairs by identifying the various functions that the Department is actually performing or is expected to perform. One thing readily apparent is that most of the functions carried out by the Department mesh with a very wide range of government activities in a way that is almost unique. Other departments, of course, have functions that are government-wide in their application, e.g. the Department of Justice or the Department of Finance. With the possible exception of consular services, however, the Department of External Affairs is concerned in every one of its functions, whether it be of a policy or of an operational nature, with the way in which government activities relate to one another, how they affect the totality of Canadian relations with the rest of the world and how world events impinge upon Canada. This comprehensive characteristic of the functions of the Department led some of those who contributed to this study to suggest that there was an analogy between the role of External Affairs and those of such Central Agencies as the Treasury Board and the Privy Council Office.

A second characteristic of the functions performed by the Department of External Affairs is that they are not readily subsumed in a single role definition. It is possible to distinguish several groups of functions that together make up the total role of the Department in the Government and for purposes of this study they have been classified as: (a) The Policy Role (b) The Communications Role (c) The Managerial Role (d) The Service Role.

This is by no means the only way of subdividing the Department's role. Another way of looking at it is that the Department performs somewhat different functions in Ottawa than it does abroad and traditionally the Department has cited "representation abroad" as one of its functions. But representation is an ill-defined term, the home/ abroad division of the role is too simple to be useful, and it does not take adequate account of functions that are performed partly at home and partly abroad. Another possible distinction is that between policy functions and others that might be classified as operational, but that too is not very helpful. The classifications chosen here overlap somewhat, as they would in any scheme that was not simply a lengthy list of specific functions.

The policy role is probably the most difficult to define and it is the one that seems to give rise to the greatest variety of views. The functions included in this role seem to be regarded by the Department itself and by a good many other government officials as the most important

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part of the External Affairs role. It was therefore thought desirable to discuss the nature of foreign policy and the policy-making process in Canadian terms before examining the policy-related functions of the Department, including policy formulation, implementation and coordination and research and analysis.

If the policy role is seen as External Affairs' most important set of functions, the activities on which the Department spends the greatest amount of time are probably those relating to the communications role. Here "communications" is employed to cover communicating officially with other governments, operating the physical means of communication, reporting from abroad, negotiating and the group of information and promotional functions called "public affairs", all of which have something to do with acting as an agent of communication between Canada and other countries.

While "management" might be considered a function that includes at least some part of the policy role, it is used here to cover operational rather than policy functions. It embraces functions related to managing the Government's external operations in general, as well as managing segments of those operations relating to particular countries or to particular activities, such as visits and conferences. Since there is also a management role in such functions as providing a communication system or operating the public affairs program, this is one of the cases of overlapping in our scheme of role classifications.

Another case of overlapping lies in what is here called the "service role". There are many functions of the Department that involve providing services to the rest of the Government, notably in communications and in managing certain external operations. There are also other functions that are distinguishable as services to the Canadian public, and involve direct contact with the people of Canada.

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#### IV. THE POLICY ROLE

## A. The Nature of Foreign Policy

Few countries have ever been able to achieve a concise definition of their foreign policy and that usually only for limited periods of time and nowadays the periods are shorter. Even revolutionary governments find that single-minded ideological purposes quickly become blurred by the conflicting demands of a complex and interdependent world.

It might, therefore, be argued that foreign policy is not a policy like other national policies; that it is infinitely more complex than, for example, economic policy or defence policy or agricultural policy because it must take account of all those plus a multitude of unpredictable events in the outside world. Possibly a modern state cannot achieve more than an attitude or a stance toward international relations, rather than an explicitly defined policy. Nevertheless, the demand for some over-arching set of principles governing foreign policy intensifies as the international situation becomes more complicated and the concerns of policy more diverse.

In Canada, the 1970 White Paper "Foreign Policy for Canadians" both described a conceptual framework for foreign policy and set down some explicit principles of the Government's current policy. The White Paper sought, as a corrective to what was seen to be undue emphasis on a distinction between foreign policy and domestic policy, to make it clear that national policy had to serve the same aims and interests at home and abroad. Foreign policy thus emerges from the pursuit abroad of the same national aims and interests that govern domestic policies, adapted to the external environment. The White Paper endeavoured to identify the basic national aims of Canada as an organized society, elaborated these into six broad themes of national policy, showed how they interacted continuously, and then sketched how these themes might be applied in the context of the world of the 70's and Canada's place in it. While a number of specific policy decisions were taken at that time, the emphasis was on the dynamic nature of foreign policy and on the progressive definition of objectives within the framework described.

## B. The Policy-Making Process

The process of making foreign policy in Canada appears to be largely an incremental one. That is to say, a series of decisions adds up over time to a comprehensive policy. At infrequent intervals there is a broad, direction-setting decision, such as the decision in 1972 to pursue the "third option" with regard to relations with the United States. An analysis of some 200 recent Cabinet decisions relating to external relations indicated that perhaps 90% were concerned with an immediate operational requirement, either domestic or foreign, which precipitated a policy decision affecting relations with the outside world. Only about 10% of the decisions took the form of a considered attempt at reviewing a sector of Canada's foreign relations and formulating a policy to govern that sector.

There is, however, an evident demand for a more structured, planned and deliberate process of foreign policy making. Ministers want broad policy options set out clearly before them so that they can establish a context for the many operational decisions they are required to make. Parliament and the public want to know, and are entitled to know, the policy upon which the Government's announced decisions are based. Officials in many agencies and departments of the Government require to know the policy framework of Canada's external relations in which their particular programs should fit. In the Department of External Affairs, workers in each corner of the vineyard need to be clear about the overall policy objectives to which their particular work contributes.

Putting aside the heretical thought that foreign policy may be so inherently inchoate that it can never be fitted neatly into a structured framework, it is clear that the Department of External Affairs is required to try to assist the Government in devising such a framework. Opinions vary as to why it has not had more success. It is sometimes suggested that basic policy decisions in foreign policy are not taken until circumstances force things to a head. Those who hold this view cite the 1972 policy decision on relations with the United States as an example. Despite the accumulating evidence of a need to rethink Canada's relationship with the United States, there was no agreement about undertaking a comprehensive review until the Nixonian balance of payments measures of August 1971 forced the admission that things had changed. The Government then gave External Affairs the instructions and the authority to undertake a policy review that resulted in the "Third Option" decision. To refute the implication that External Affairs only produces policy initiatives when compelled to do so, other officials point to the "contractual link" with the European Community as a policy objective that was identified by the Department and that required some missionary work in Ottawa before it was adopted.

Undoubtedly, foreign policy will always have a substantial component of reaction to events abroad that are unforeseen or much less amenable to prediction than domestic events. On the other hand, it also contains a major component of domestically founded initiatives - "the projection abroad of national interests", in the words of the 1970 White Paper.

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## C. Domestic Sources of External Policy

The central problem for the Department of External Affairs in assisting the Government to devise a coherent policy toward the outside world is that an increasingly high proportion of the actions that affect Canada's external relations are initiated by other agencies. Setting aside for the moment initiatives by the private sector and by provincial authorities, the study of Cabinet decisions relating to external relations showed that only some 15% to 20% were initiated by the Secretary of State for External Affairs or his Department. A majority of the decisions were concerned with the general area of economic policy, including trade, monetary matters, energy, agriculture and transport. There were also substantial numbers of policy decisions concerned with immigration, defence, taxation, crime and culture that had direct connections with international relations. The inescapable conclusion is that the initiators of activity that affects domestic affairs are also, by and large, the initiators of policy decisions affecting external relations.

Upon this reality the policy role of External Affairs must be The Department should at least be aware of the genesis of any founded. domestic policy development that will affect Canada's external relations if it is to perform the role envisaged in the "seven principles" (coordination with respect to external aspects and applications of national policy)." It should frequently be making a significant input at the policy formulation stage but the domestic sources of policy are now so diverse that the Department is engaged in a never-ending, sometimes frantic, struggle to keep abreast, particularly of initiatives in the economic field. Occasionally it fails to know or be informed of a major policy initiative until the proposal reaches Cabinet level. While progress has evidently been made in sensitizing other Government agencies to the requirement for early consultation with External Affairs, the problem is never-ending and in the case of relations with the United States, the tendency not to think of a sectoral decision as being relevant to foreign policy is notably persistent.

The mandate of many departments or agencies of government includes specific references to the international aspects of their particular sphere of government activity. Problems are apt to arise in reconciling these functions with the policy function of External Affairs, most notably in the case of newer government agencies or those with substantially expanded programs. The Ministry of State for Science and Technology (MOSST) and the Ministry of State for Urban Affairs (MSUA) are recent cases where the process of mutual adjustment

See Part I "What Do the Scriptures Say?" p.15

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with External Affairs on the international aspects of policy required some time. The Department of Communications is an example of a Department with a whole range of expanding interests and responsibilities that bring it into the sphere of external relations. The strictly technical content of its programs, which needs be of no more than minor interest to the Department of External Affairs, cannot be divorced from the political, economic and social implications that are of definite concern to External because, interacting with other national interests, they have repercussions on Canada's external policy objectives.

Difficult as it may be to determine when a policy issue is primarily technical, and therefore requiring little or no input by External Affairs at the formulation stage, it is even more difficult in the broad field of economic policy. With such major economic departments as Finance and Industry, Trade and Commerce, External has long-established working relationships and is usually a participant at an early stage of policy evolution. The limitations on the Department's policy role in these cases are not so much those of definition as of the capability and quantity of its personnel. With departments such as Energy Mines & Resources, Agriculture and Environment which are increasingly the prime movers in policies with a major impact on relations abroad, the External Affairs policy relationship varies and depends as much as anything on personal relations among officials as on established and accepted role definitions.

The Canadian International Development Agency (CIDA) requires special mention. It was created to operate and administer programs of aid to developing countries and these programs are an integral part of Canada's foreign policy, unlike those programs of domestically based departments and agencies that have an international dimension. There is a continuing problem in reconciling the inevitable insistence of CIDA officials on being policy initiators and the determination of External Affairs officials to keep a branch of foreign policy which concerns relations with two-thirds of the world firmly within their purview. The Secretary of State for External Affairs, to whom both agencies report, must sometimes feel that he is driving an ill-matched team of horses.

In the case of several departments concerned with social and cultural policy, such as Labour, National Health and Welfare, and the Secretary of State's Department, External has traditionally had little to do with the domestic policy process but is likely to be required to pay much more attention as this area of national policy develops an increasingly greater international dimension.

The contributions that External Affairs can or should make to the formulation of policies that are initiated by domestic departments vary somewhat according to the nature of the policy but they might be summarized as follows:

- (a) <u>Information about and interpretation of international developments</u> affecting the field of policy under consideration. In technical and scientific subjects and narrowly specialized aspects of economic and social policy, the Department of External Affairs may have little specialized information to contribute but it
- (b) <u>Knowledge of linkages and cross-impacts</u> with other Canadian policies. It is the special contribution of External Affairs to know and advise on the interaction abroad of Canadian policies, globally or in a particular country or international organization. Where the policy under consideration requires the reconciliation of a variety of national interests it may frequently be appropriate for External to chair the working group or committee.

should have a good deal to offer on major developments and

trends abroad that can affect Canadian policies.

(c) <u>Advice on tactics, timing and instruments</u>. Where a policy with domestic origins has to be projected abroad, External Affairs has an important role to play in advising how to secure the acquiescence or agreement of other governments, how to present the policy in international organizations, the timing and manner of announcing the policy, the use of new or existing instruments to advance the policy, etc. While much of this relates to execution of the policy, these things also need to be considered at the formulation stage and there are few national policies with international repercussions that would not benefit from early input of this kind by External Affairs.

#### D. External Influences on National Policy

As mentioned, a very important function of the Department of External Affairs is to collect and analyse information about international events that have implications for Canadian policies and to bring that knowledge to bear on the policy making process in Canada. When the events are as dramatic as an oil embargo, it is relatively easy to see the direct connection between external and domestic developments and to identify the contribution that External Affairs should make to devising a national policy. When the events abroad are more obscure, and more subtle and gradual in their effect upon Canada, it may be more difficult for the Department, even if it has accurately assessed the situation, to attract the attention of domestic agencies and to stimulate the necessary review of Canadian policy. This is particularly so when the external events are unwelcome. As international events impinge more frequently and more deeply on domestic life, External is more often required to be the catalyst for policy change in areas of national policy that have been regarded hitherto as domestic. External is not now well-equipped to perform a domestic lobbying job but it probably needs to be more active in initiating policy review at home and less of a straightforward purveyor of reports on developments abroad.

Such a role is not strange to the Department. Some years ago, officers of External Affairs actively promoted the elimination of racially discriminatory features of Canada's then immigration policy. More recently, the Department played an active role domestically in discussions with provincial governments which would make possible Canada's adherence to the International Covenants on Human Rights. One of the latest examples is the "new international economic order", where External Affairs has been in the position of impressing upon other departments the requirement to respond to the demands of developing countries.

The new economic order is an example of the phenomenon of globalization of international issues which creates new demands on External Affairs for policy leadership. Another example is the law of the sea. These issues arise out of world-wide developments and, unlike such traditional foreign policy matters as international peace and security, the settlement of international disputes or relations with particular countries, they have an impact on many areas of national policy of which other departments or agencies are the domestic custodians.

#### E. Leadership in Policy Formulation

The idea of the "lead department" for policy formulation purposes is not an easy concept to apply in the case of External Affairs, beyond the truism that External is expected to lead in foreign policy. As noted, the origins of foreign policy are many and various and much of it develops from initiatives by domestic departments, while another substantial part is responsive to events in the outside world over which the Canadian Government has little or no control but which may be influenced by Canadian action.

Leadership is expected of the Department of External Affairs in devising a broad framework for foreign policy which takes into account Canada's national circumstances, the aims and goals of Canadian society and the international scene of which Canada is a part. This framework has to be constantly reviewed and revised. The Foreign Policy Review of 1969/70 was instituted by a government which evidently felt that the framework of Canadian foreign policy needed to be brought up to date and, while members of the Government had ideas about the kind of foreign policy that was required, they employed the Department of External Affairs as the chief instrument for carrying out the review. The fourth of the seven ICER principles approved by Cabinet in 1972 provided that External Affairs should maintain a continuing overview of foreign policy. Conceivably, the responsibility for fundamental policy review could be entrusted to some other body, perhaps linked to the Cabinet office. Some countries have experimented with such arrangements and it is tempting to do so in a period when foreign policy engages almost all sectors of national policy. One of the difficulties is that policy staffs that are too far removed from operations may miss some of the sobering realities that are encountered in policy implementation.

Within the broad framework of foreign policy there is a requirement for establishing national policies and objectives in the international sphere. Two kinds of objectives are required. In a world of nation states it is necessary to define Canadian policy objectives for countries or groups of countries. It is also necessary to define international objectives for various sectors of national policy, viz defence policy, economic policy, energy policy, immigration policy. There is a further requirement for the setting of objectives in international organizations but with a few exceptions, such as the United Nations, these are mostly combinations of regional and functional objectives.

The responsibility of External Affairs for leadership in developing policy toward particular countries and establishing country objectives seems to be accepted in principle and recent efforts by the Department to do this more systematically have been welcomed, provided there is full consultation with other interested departments. There is no such clarity about the role of External Affairs in establishing objectives for the extension abroad of functional policies. In some cases, departments or agencies of government that have a leadership mandate in establishing policies and objectives for certain sectors of national policy are reluctant to accept that External Affairs should be involved early in the policy forming process.

It is no longer realistic, if it ever was, to expect that monetary policy, trade policy, industrial policy, resource policy, energy policy, agriculture policy, etc. can be developed independently by domestic departments and reconciled, if necessary, with something called "foreign policy" at the Cabinet level. Where the impetus for policy formulation comes from developments inside Canada but extends to the international sphere, the domestic department responsible must ensure that External Affairs is brought into the process at a very early stage. Where the impetus comes from events abroad, External Affairs should take the lead, ensure that all relevant domestic agencies are adequately informed and have an opportunity to contribute, and see to it that Ministers are presented with recommendations or options that take into account the whole range of national interests. Canadian policy toward the complex set of issues in the law of the sea problem is a case where the impetus is both domestic and foreign and where it is generally held to be appropriate that External Affairs play a leading role.

The "Scriptures" do not say that the Department of External Affairs has over-riding authority on which to base a leadership role in foreign policy. It may be questioned whether, in the Canadian political system, anyone but the Prime Minister could possibly exercise such authority, which would have to span practically the whole of Government operations. The Department must therefore rely on knowledge, clear thinking and persuasion as the instruments of leadership rather than divine right. This does not mean either the abdication of leadership or the achievement of consensus at all costs. Among Canadian officials, the commendable search for consensus has sometimes led to recommending to the Government a policy that represents the lowest common denominator of agreement at the official level. Sometimes no amount of mutual adjustment of conflicting views of the national interest among officials will produce a satisfactory policy and External's role as the lead department should then be to set out clearly the hard choices for resolution by Cabinet.

#### F. Policy Coordination

This chapter has proceeded so far without using the word "coordination". Yet, as an American political scientist has pointed out, the quest for coordination is the twentieth century equivalent of the medieval search for the philosopher's stone. If we could find it, it would cure all the ills of government. Much of the ICER machinery set up in the past six years was apparently conceived as facilitating coordinated policy planning and the "seven principles" were labelled as principles of <u>policy</u> coordination. In practice, ICER has not become a policy coordinating instrument to any significant degree. That role continues to be played by various government departments and agencies, through a network of informal channels and interdepartmental committees, and ultimately by Cabinet. As discussed later, a consultative mechanism for managing foreign operations has developed under ICER and the "seven principles" appear to be mainly about consultation.

Many officials in and outside of the Department of External Affairs see policy coordination as a primary role for the Department but some have suggested that the preoccupation with coordination has been overdone. While it is self-evident that a considerable level of consistency and coherence in external relations is highly desirable, and blatant inconsistency can be very dangerous, undue concern with achieving conformity can stifle creativity and initiative. It can also lead to preoccupation with the form rather than with the substance of policy.

As suggested earlier, External has a responsibility for developing a broad framework for foreign policy by identifying national aims and interests, and their inter-relationship, as they apply to the world outside our borders. It also has a responsibility to take the lead in establishing objectives for sectors of Canada's external relations - by countries, regions, international organizations or functions. The greatest contribution that the Department of External Affairs can make to an adequately coordinated Canadian approach to the outside world probably lies in ensuring that the conceptual framework and the goals and objectives of foreign policy, and the sectoral policies, take full account of all Canadian interests. At the implementation stage of policy there is a further coordinating role in ensuring that agreed policies and objectives are known and taken into account by those who are charged with carrying out the programs that affect Canada's external relations. This was described in the third of the seven principles as "ensuring coordination with respect to external aspects and applications of national policy".

## G. <u>Research and Analysis</u>

Since knowledge is the foundation of all policy making, the Department of External Affairs must have access to a great deal of information about international developments and about Canadian developments that have an international dimension. If it is to perform its policy role effectively, it must also have the capability to shape information to the ends of policy through research, analysis and assessment. There does not appear to be any serious problem about access to information. It is available in vast quantities from public and governmental sources and the chief problem is to select what is important and relevant and organize it in a useful form. Many members of the Department see it as a major weakness that nowhere in the organization is there a staff of trained, full-time research analysts.

The various divisions of the Department that are responsible for particular geographical or functional areas are expected to do a certain amount of research and analysis related to their areas of responsibility. They do so to the extent that the foreign service officers who staff these divisions have the time and the aptitude. They have no research staff. They can and do make some use of outside researchers on a contract basis but this device has severe limitations when it comes to policy-oriented analysis. Both geographical and functional divisions have tended to become increasingly preoccupied with immediate operational requirements or short term policy decisions, given the sheer bulk of Canada's international transactions. It is remarkable, in the circumstances, that some divisions do manage from time to time to produce major papers that are the product of substantial research and analysis. A Policy Analysis Group was established in 1969, particularly to work on major policy problems of a long-range nature. It has done some important work on the overview part, of the Department's policy role and on the identification of foreign policy objectives and the establishment of priorities. It has coordinated and stimulated such research as is done in the Department or by contract, has produced policy research papers on subjects that are beyond the capacity of other Departmental units and has enlisted the collaboration of some academics interested in foreign policy planning and analysis. The PAG has done something to meet the evident requirements for both a planning staff and a research unit.

The Department's Bureau of Security and Intelligence Affairs has some functions relating to research and analysis, particularly regarding the use of material from intelligence sources to which it has access. The key role that External Affairs should play in ensuring that this kind of material is analysed and assessed, in conjuction with other information, for the benefit of the Government as a whole was recognized by making the head of this Bureau Chairman of the Intelligence Advisory Committee. In practice, the Bureau finds its manpower resources hard put to do more than respond to the most urgent demands from elsewhere in the Department or the Government for analysis or assessment of the intelligence available on international situations that have implications for Canadian policies.

The Special Research Bureau, which is located in the Department of External Affairs for administrative purposes, does research and analysis for a number of Government agencies, chiefly on international economic subjects. The professional quality of SRB's product is well regarded as far as it goes. The SRB is not a policy-oriented body and concentrates on sifting, compiling and analysing all available information on particular international situations that are of interest to its client departments. External Affairs, being only one of those clients, is limited in the demands it can make for research services from SRB.

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#### V. THE MANAGEMENT ROLE

## A. Managing the Government's External Operations

"Managing" the Government's external operations has been a subject of explicit concern in Ottawa for some years now but management is a word with various definitions and there is evidently no clear consensus on what it means in relation to the role of the Department of External Affairs. Some speak of "managing" Canadian relations with particular countries in the sense of ensuring that all relevant activities are fitted into an overall strategy. Others use the term as applying more to administrative systems than to high strategy. Presumably, a comprehensive definition of management of external operations would include advising the Government on policies, objectives and tactics in the external field, designing programs for the achievement of the Government's objectives and deploying the resources needed to carry out those programs in accordance with some accepted scheme of priorities. Responsibility for these functions is divided in the Canadian Government. The Department of External Affairs has a major role in the policy-making process but subject to important limitations and constraints that have already been discussed. Perhaps more significant, in managerial terms, is that no single department has control over the resources employed to carry out foreign operations and that various agencies of Government have statutory and Cabinet authority to implement large segments of those operations. Apart from External Affairs, the most obvious examples are the Departments of Industry, Trade and Commerce and of Nanpower and Immigration, which administer separate branches of the Foreign Service and carry out extensive operations abroad, and the Canadian International Development Agency, which disburses about \$1 billion on aid and development programs abroad.

The Task Force chaired by Sydney Pierce in 1969 charged with "examining all Federal Government operations abroad with a view to the maximum degree of integration consistent with effective achievement of government objectives and efficiency in use of resources", recommended a comprehensive management system and integration of the foreign service and that management of the system should be entrusted to "the department that reports to the Minister responsible for Canada's foreign affairs and that is vested with responsibility for foreign operations." Subsequent Government decisions on organizing for the seventies in external relations avoided giving unequivocal authority to the Department of External Affairs to manage all foreign operations and did not accept the Task Force recommendation for a unified foreign service.

What was established from 1970 to 1973 was collective management, through the Interdepartmental Committee on External Relations (ICER) chaired by the Under-Secretary of State for External Affairs, of a partly integrated system of foreign operations. While this system may well have halted or controlled tendencies toward fragmentation of foreign operations, it has not developed into a fully comprehensive management system. Opinions differ as to why it has fallen short. Many officials, particularly in External Affairs, contend that the failure to give their Department clear managerial authority is the heart of the matter. Others, including some members of the Department, believe that External Affairs could have done more to take vigorous hold of the ICER system, with all its limitations, and build it up into an effective management instrument under External Affairs leadership. The other major foreign service departments have made it plain that they do not accept that External Affairs can have managerial authority that over-rides their responsibility for managing the particular programs for which the Government has given them a mandate.

### B. Management in Ottawa

The ICER system might realistically be described as a consultative or coordinating mechanism rather than as a management system. The Committee itself, composed of seven deputy heads, meets only at rare intervals. The ICER Secretariat, after several years of work getting the mechanism going and particularly in developing the country programming system, appears to be no longer regarded as a key body by the major foreign service departments. The Personnel Management Committee, which also did valuable work in its early years in developing coordinated personnel policies among the foreign service departments, in standardizing diplomatic and consular designations abroad, in drawing up selection criteria for Heads of Mission, etc. seems also to have run out of fresh projects. Coordinating the annual country programming exercise remains the major ICER activity.

It seems to be accepted among departments with external operations and interests that the country program system has proved useful but there is also considerable doubt whether the large amount of time and manpower that is now consumed in preparing country programs at missions abroad and that is devoted to the annual review process in Ottawa is justified by the results. As the system has developed, all departments with external operations are required to circulate to other departments. through the ICER Secretariat, position papers describing their programs and objectives for the ensuing two years, globally and by countries. In the case of External Affairs, papers on policies and objectives for each geographical region are produced, as well as papers on the public affairs and consular programs for which that Department has particular responsibility. The position papers, along with the country programs prepared by each mission abroad, are reviewed in a series of meetings chaired by External Affairs officials. At the end, External produces a series of regional reports and a global overview which are intended to provide guidance for missions abroad as well as for the various departments with external operations. At the very minimum, this process serves to inform all concerned of the activities, plans and objectives of

each department in relation to each foreign country. If the collective management concept prevails, some such process is probably required.

The Treasury Board Secretariat has insisted that any proposal for additional resources for foreign operations should go through the country program review system. This is seen as strengthening the managerial role of the Department of External Affairs, which chairs the meetings and compiles the overviews. It also, however, reinforces the tendency for the country program review to focus on the allocation of program resources, chiefly manpower, rather than on the examination of policies, programs and objectives. Some of the more skilful and knowledgeable External Affairs regional chairmen have made progress in developing the country program review into a managerial exercise. Others have simply presided over a bargaining session among representatives of sovereign departments. In 1976, the existence of a specific Cabinet directive to reduce establishments abroad focussed the exercise very sharply on manpower resources.

One of the major difficulties of the system of country programming lies in establishing priorities for the allocation of resources to meet objectives that are not of the same class and kind. While it may be possible to agree that in one particular country, development assistance is more important than processing immigrants, and consequently should receive a greater allocation of manpower, it has not yet proved possible on a global scale to weigh the respective priorities of putting another immigration officer in Hongkong or another CIDA officer in Nairobi. Departments understandably resist any apparent down-grading of the importance of their operations relative to other programs in a particular region or country, or globally. The divisions within the Department of External Affairs are often partisan on behalf of the particular countries or functions for which they have responsibility. Still, the logic of the present system seems to demand that, to avoid crude competition for resources on the one hand or arbitrary allocations on the other, there should be agreed objectives for Canada's external operations and some accepted scale of priorities among those objectives.

If this is so, the policy role of the Department of External Affairs here converges with its role in the management of government operations abroad. To the extent that it succeeds in identifying national policies and objectives for the international sphere with Cabinet blessing, the Department can provide a more rational basis for managing external operations in general. If it can carry the process to the further stage of agreement on relative priorities among external objectives, the allocation of resources to external operations might be more effectively managed than hitherto, although there will remain problems in setting and comparing objectives for countries and for international organizations.

It was recognized from the beginning that establishing country objectives ought to be a key part of the country programming system but the attempts to do so have not proved notably successful. There is a substantial school of thought that contends that many foreign policy objectives are simply not amenable to the country program format. Political objectives are not by their nature readily reduced to concrete or quantifiable terms. Determining the level of resources required to pursue objectives that are not attainable in finite terms becomes a matter of judging priorities. It is also pointed out that the nature of Canadian objectives abroad and their relative importance sometimes shifts rapidly and unpredictably as a result of developments abroad or in Canada. Nevertheless, the Department has been making a renewed effort in the past two years to identify more accurately the objectives and the priorities of Canadian foreign policy in particular countries and in international organizations, as well as globally. The method adopted has so far been largely one of seeking a consensus among ICER departments but it might be desirable to seek Cabinet approval at regular intervals.

Even if the country program system did not exist the Department of External Affairs would be expected to "manage" Canada's relations with other countries and with international organizations. The basic purpose of having a foreign affairs department is to conduct relations with other countries in some organized and purposeful way and this was no doubt what Louis XIV had in mind when he established the first modern foreign ministry, although the word "manage" was probably not then in current usage.

## C. Managing Missions Abroad

The concept of a collective system of management rather than a unified or integrated one seems to apply to operations at missions abroad as it does to the management of the Government's external operations in Ottawa. Certain steps have been taken in recent years to clarify the authority of Heads of Mission and an ICER report which was approved by the Government in 1973 recommended that the authority of the Head of Post, under the Secretary of State for External Affairs, to represent the Government in general and to be responsible severally to the ministers with programs in his area of accreditation be recognized and reinforced by all concerned. Although most Heads of Mission probably receive the bulk of their instructions through External Affairs and the Secretary of State for External Affairs nominates them to Cabinet for approval and to the Governor General for formal appointment, the doctrine just quoted does not say that the SSEA or his Department have authority over Heads of Mission in a managerial sense.

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In such a system, the personal force of character and ability of the Head of Mission is the main factor in determining whether a post will be firmly and effectively managed. He does not have complete control over the resources allocated to his mission, since many of the personnel are assigned from Ottawa to carry out a particular program, are responsible to a particular department for carrying out that program and have only marginal capabilities of sharing duties with other personnel at the direction of the Head of Mission. He can exercise some influence on the relative weight given to various activities at his post but such programs as aid, trade promotion and immigration are largely framed in Ottawa. The institution of "Committees on Post Management", which has become part of the ICER system, may have had the useful result of bringing together representatives of all departments to look at their operations collectively under the chairmanship of the Head of Mission but it can also be seen as confirming the limitations on his authority.

Administrative support services are the one element of missions abroad that are fully integrated, having been assigned to the Department of External Affairs since 1972. Undoubtedly, this step made possible a more rational and economical use of administrative support personnel, office equipment, vehicles, buildings, etc. But it did not make the task of managing posts any simpler or easier and, along with other developments, it created a greater demand than ever before for skilled administrators at posts. Many Heads of Mission find they are increasingly required to be administrators rather than representatives of the Government. The Department of External Affairs decided, at about the same time as it assumed responsibility for all support services abroad, to integrate most of its existing administrative officers into the general foreign service category and to retain professional administrators at only a few of the largest posts.

The principle that foreign service officers of the Department of External Affairs should be capable of and experienced in administrative duties is linked to the concept that Heads of Missions should be managers of the Government's operations in their area of responsibility. The best of Canada's Ambassadors have always been good managers in the sense that they organized and directed the resources at their disposal in the effective pursuit of Canadian objectives as they saw them, but there are a number of other desirable qualities for Heads of Mission. They include broad knowledge and understanding of Canada's national aims and interests; a feel for foreign cultures, for foreign languages and for the interplay of world affairs; skills in public relations, in negotiating, in analysing and synthesizing; etc. Perhaps it is too much to expect that all Heads of Mission will be good managers from an administrative point of view, as well as everything else that is expected of them. The British and American foreign services have both institutionalized, in different ways, a managerial position subordinate to the Head of Mission: "Head of Chancery" in the British case and "Deputy Chief of Mission" in the American.

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Through the Personnel Management Committee of ICER, an attempt has been made in recent years to draw up agreed criteria for the solection of Heads of Mission, both general criteria and those for particular posts. The general criteria include management skills. There is scepticism in the service, however, that these criteria are decisive in the final selection and a consequent tendency not to take them too seriously. It is not surprising, nor does it invalidate the idea of selection criteria, if, in a professional career, some weight is attached to seniority, or that the foreign service departments other than External Affairs assert a right to put up their share of nominations, or that the Government from time to time decides to make an appointment from outside the ICER departments. In fact, there have been very few of the latter and Table IV, listing the departmental backgrounds of Heads of Diplomatic and Consular Posts in December 1975, shows that only 8 out of a total of 115 were not from one of the foreign service departments.

#### D. Managing Visits and Conferences

One of the functions of a managerial kind that is clearly and explicitly allocated to the Department of External Affairs relates to Canadian participation in international conferences. A recent Government directive, superseding one issued in 1969 on the same subject, specifies that the Secretary of State for External Affairs and his Department have responsibility for coordinating Government participation in such conferences. It is intended to clarify procedures and ensure that somewhat fewer proposals for participation in international conferences will be referred to Cabinet and somewhat more of them decided by the SSEA in consultation with other Ministers directly concerned.

In the case of official Canadian visits abroad, as opposed to participation in conferences, the Department's role has not been clearly defined although there is considerable concern in government circles that such travel be managed or coordinated in the interests of economy and efficiency. From the point of view of the Department of External Affairs' responsibility to maintain an overview of Canada's relations with other countries and international organizations, it should know about all Canadian delegations, Ministers and senior officials travelling abroad for official purposes and have the opportunity to advise on the timing and the purposes in relation to all of Canada's objectives. Where the delegation is at the technical level, pursuing established contacts in friendly countries, External Affairs may have little or no role to play. It may have to play an active role, even in visits at the technical level, when there are no established contacts or the other country concerned controls such matters strictly or exploits them for political purposes. External Affairs may not be in a position to judge the cost/benefit to another department of visits abroad by that department's officials. What. it ought to be able to do, however, in conjunction with Heads of Canadian

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Missions abroad, is know how a proposed visit relates to others that have already taken place or that are planned or whether it might prove counterproductive for reasons not known to the sponsoring department.

The Department of External Affairs has a responsibility to facilitate personal contact between Canadian Ministers and officials and their counterparts in other countries or in international organizations. It should also be a part of the Department's role to ensure that such contacts contribute as effectively as possible to Canada's national The requirements of policy and effectiveness suggest that objectives. the Department's functions include setting up the arrangements for visits, particularly high level ones that involve policy discussions; negotiating agreements for continuing exchanges; advising on timing, on special circumstances in the country to be visited, and on the context of other Canadian objectives; ensuring that reports on the outcome are made available to all interested departments. This presupposes that the Department is informed in advance of official visits initiated by other departments, particularly those that might affect more than one Canadian interest, and that Ministers consult the Secretary of State for External Affairs about their plans for travel abroad.

As regards official visitors to Canada, a clarification of the responsibility of External Affairs was approved by the Prime Minister in March 1974. It includes hospitality and arrangements for visits by Heads of State and Heads of Government, Ministers of Foreign Affairs, other Ministers and important personalities to whom hospitality is extended in the name of the Government by the Prime Minister and other Ministers, or where the visits are of concern to more than one department, and Heads of International Organizations unless they are invited by other departments or agencies. The Department of the Secretary of State is responsible for visits by the Sovereign and members of the Royal Family and for visits to Ottawa by distinguished Canadian guests. The two Departments work together with other agencies in a Committee on Government Hospitality.

Following this clarification of its responsibility the Department organized a new Visits and Conferences Service to deal more systematically and effectively with high-level visits. (The unit is also intended to coordinate the Department's role in international conferences and in visits abroad by members of the Government). While this improved administrative machinery is highly desirable there remain some basic difficulties in the way of managing, as opposed to simply servicing, the flow of high-level visits to Canada. Repeated attempts to forecast, plan or even to keep track of such visits have achieved limited success because they arise in so many different ways and are put on or off at short notice. There is a tendency for some officials in Ottawa and some Heads of Mission abroad to promote visits from their client countries and for members of the governments of smaller and less significant countries to press for invitations to visit Canada to the point where they cannot be refused. As in so many other aspects of the Department's role, a thorough and complete exchange of information with other agencies and departments is the first prerequisite.

The Department of External Affairs seems never to have clearly established its role in relation to international conferences held in Canada. An examination of recent cases suggests that the following principles, among others, might apply:

- (a) Any proposal to hold a major intergovernmental meeting or international conference in Canada should be put before Cabinet by the SSEA with the concurrence of other Ministers directly involved;
- (b) Where the subject of the conference clearly falls within the responsibility of a particular agency or department of the Canadian Government, that department should have primary responsibility for all the arrangements. The Department of External Affairs should act in an advisory and consultative capacity. (Commonwealth Finance Ministers Meeting, U.N. Conference on Crime, Habitat).
- (c) Where the subject of the conference lies strictly within the field of international relations, the Department of External Affairs should have primary responsibility for all the arrangements, consulting other departments as required. (NATO Ministerial Council).
- (d) Where the conference involves a broad spectrum of matters of interest to a variety of departments and agencies, the Department of External Affairs should take the initiative to have a task force or <u>ad hoc</u> secretariat set up to manage the conference with Cabinet authority to draw upon all the resources of Government. (Commonwealth Heads of Government Meeting).

#### VI. THE COMMUNICATIONS ROLE

#### A. Communication with Other Governments

The chief duty assigned to the Secretary of State for External Affairs by the Act which created the Department in 1909 is "the conduct of all official communications between the Government of Canada and the government of any other country in connection with the external affairs of Canada". If an "official communication" is one made on behalf of the Canadian Government, then it is clear that the SSEA and his Department do not by any means now conduct all such communications. Ministers and officials of many departments of the Canadian Government frequently meet and communicate with their counterparts in other governments and official Canadian delegations roam the world without being closely instructed by the Secretary of State for External Affairs or his Department. Visiting delegations from foreign countries and foreign representatives stationed in Canada have wide contacts with all levels of the Canadian Government and presumably receive many communications that they regard as "official".

While it may be theoretically desirable that Canada speak with one voice to other governments on all important matters, that ideal is unattainable. International communication is too easy and too frequent and Canada is not the kind of country that can hope to emulate the national consistency achieved by some countries through centralized state control or by others through centuries of social cohesion. But the multiplicity of international contacts does require more than ever before, that embarrassing and sometimes dangerous inconsistencies be avoided in what is said to foreign representatives. Examples were encountered in the course of this study of officials connected with the federal or provincial governments making statements that were interpreted by foreign governments as official commitments and that rebounded in unforeseen and unfortunate ways.

One route toward greater consistency is by the clearer definition of Canada's national policies, aims and objectives toward other countries and toward international issues and by greater efforts to ensure that these are known and understood by all those Canadians who are likely to be in contact with officials of other countries. The Department of External Affairs has a major responsibility here as part of its role in the processes of national policy formulation and dissemination. Canadian government departments and agencies that have contact with other governments also have a responsibility to inform themselves of the foreign policy context of their particular programs of activity.

In the transmission of formal communications to other governments, some influence or control can be brought to bear either at the point of origin in Canada or at the point of delivery abroad. As far as delivery is concerned, the Department of External Affairs has responsibility for transmitting the great bulk of messages to Canadian representatives in other countries through its communications system. A survey of the origins of the telegraphic messages to Canadian posts abroad for a normal month in 1973, 1974 and 1975 (See Table I) appears to show that less than a third originate in External Affairs and that the proportion of messages originated by the major users, External Affairs and Trade and Commerce, is decreasing slowly and the proportion sent by other agencies, Manpower and Immigration, CIDA, the RCMP, National Defence and the Prime Minister's Office, is rising.

A large proportion of this traffic consists of routine operational and administrative messages that are not for communication to other governments and that the Department of External Affairs has neither the capacity nor the requirement to monitor. If there is to be some measure of consistency, however, it is important that External be aware of all messages that instruct a Canadian representative abroad to take action that may materially affect relations with another country or the Canadian position in an international organization. A certain number of cases were encountered where, mostly by inadvertence, other departments did not consult or inform External Affairs of messages with significant policy implications. We were also made aware of cases where officials in External held up or revised messages originating elsewhere for what seemed to another department to be capricious or pedantic reasons.

The Head of a Canadian Mission abroad is answerable to the Government for everything that goes on and should approve every communication that officers on his staff make to the government or international organization to which he is accredited. In larger posts he may have to delegate this authority but the principle is an important one if Canada is to pursue its external relations effectively and consistently. The practice of direct communication between departments at home and their officials abroad on matters pertaining to their departmental programs has to accommodate this principle. Despite the progress made in recent years in integrating government operations abroad, instructions from departments in Ottawa are sometimes addressed to sections or to individual officers of a mission without apparent recognition that the Head of Mission has a right to see all communications addressed to any members of his mission and that he should see them when they convey instructions that may affect more than one program of activity or involve communicating officially with the local government.

The following are some principles governing official communications with other governments and with international organizations, that were identified in the course of this study as desirable, many of them already in application but not invariably so:

- (a) Communications to another government or to an international organization which purport to state the views of the Canadian Government, which create a commitment on the part of the Canadian Government or which materially affect relations between Canada and the government or organization concerned, should be seen and approved by the Secretary of State for External Affairs or by the Department of External Affairs.
- (b) It is the responsibility of the Department of External Affairs to ensure that the content, presentation and timing of such communications are consistent with all the aims and objectives of Canadian national policy and with the current state of relations with the country or organization concerned.
- (c) External Affairs should not initiate communications to other governments and international organizations on matters that are of material concern to other Canadian departments and agencies without providing those other departments with the opportunity to comment and advise on the substance and the timing.
- (d) External Affairs should not hold up or alter communications prepared by other agencies of government solely on the grounds of style or format and Heads of Mission should have authority to transmit communications to governments or organizations in the form they judge appropriate.
- (e) Departments and agencies of government other than External Affairs should only communicate direct with Canadian missions abroad on routine matters that do not affect other programs than their own and do not involve official communications to other governments or international organizations. They should provide the Department of External Affairs with copies of all direct communications except where External agrees to dispense with such copies.
- (f) Communications from any part of the government in Ottawa should be addressed to the mission and not to an individual or to a section of the mission, with such obvious exceptions as high security subjects or personnel matters, to which only designated individuals have the right of access.
- (g) Heads of Mission have the right to see all messages received in their mission and should see and approve all significant communications to officials of the country or organization to which they are accredited.

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While the above principles are phrased in terms of written communications, they also apply, with appropriate modifications, to oral communications. The substance of telephoned instructions to a Canadian mission abroad, for example, when they involve communicating officially with other governments, should be cleared with External Affairs in advance and recorded in written form afterwards. Official communications made orally to the representatives of other governments or of international organizations in Canada (resident diplomats or official visitors) should similarly be cleared in advance if that is feasible and recorded afterwards.

#### B. Reporting from Abroad

The obverse of the responsibility of External Affairs for communicating with other governments is its role in reporting to the Canadian Government on the views of other governments and on events and developments abroad that are significant to Canada. This is partly an information-gathering function but also a matter of analysis and comment. The public news media, of course, report the events of the day and governments, like everyone else, get most of their news from published sources. But the mass media do not fulfil all the requirements of governments, they can often be purveyors of misinformation, and their information needs interpretation from a Canadian point of view.

A notable feature of our survey of government departments in Ottawa was the vast demand for more reports from Canadian missions abroad on specialized subjects - everything from agricultural production to the status of women. A distinction has to be made between what is, understandably, desired by government departments for background knowledge and what is required for operational purposes, but it is clear that events abroad now have far more immediate and important repercussions on Canadian life than formerly and that, in many cases, more knowledge about those events is necessary. It is part of the role of the Department of External Affairs to see that all sectors of the Government are supplied, to the extent feasible, with information from abroad that is relevant to Canadian policies and national objectives. Since there are definite limits to the information-gathering capacity of any foreign service, however, rigorous criteria of relevancy have to be applied. Enthusiasm for reporting from missions abroad on the treatment of drug addicts or research into high-voltage transmission has to be restrained, as it does for the fascinating details of local political infighting.

The demand for specialized reporting is reflected in pressure for the stationing at missions abroad of more specialists from a greater variety of government departments. The assumptions behind this device have to be examined in each case with appropriate scepticism. While many more topics than formerly need to be reported on, no diplomatic mission abroad can possibly provide detailed reports on all the myriad subjects that are of concern to modern governments. There are only two or three places abroad where Canadian interests are comprehensive enough to warrant stationing many specialist representatives on a continuing basis. Embassies that are miniatures of the government at home in the variety of their staffing, may be unjustified when what the Government of Canada probably requires in many fields is one or two analytical reports a year on broad policy trends, routine collection and transmission of published documentation, assistance in negotiating and implementing intergovernmental agreements, and facilitation of exchanges and visits between Canadian experts and their opposite numbers. To perform this kind of a role, what is required are officials with skills in reporting, negotiating and personal relations and an adequate knowledge of Canadian developments and Canadian objectives in various sectors of national interest, whether it be science, energy, agriculture, labour, transport, This may be accomplished by equipping professional foreign service etc. officers with knowledge of various sectors or by absorbing into the foreign service officials with specialized knowledge and the skills required for representation abroad. Collecting technical information in highly specialized fields will still have to be done largely by experts who are not diplomats through specialized publications, direct correspondence, meetings of technical bodies and liaison visits to or from other countries.

Apart from specialized reporting, the ability to analyse complex situations and identify what is relevant to Canadian interests is clearly required to a greater extent than ever in Canadian missions abroad. The Government needs a sober analysis of the political and economic prospects in Calpurnia because the Export Development Corporation is contemplating another \$100 million credit to finance purchase of Canadian telecommunications equipment. It needs to know whether the assassination of the President of Petrolia is likely to result in cutting off the supply of crude oil to Nova Scotia refineries or the withdrawal of Canadian peacekeeping troops. It would like to know whether San Sebastian's quarrel with Thermidor over lobsters will affect the prospects for international acceptance of a 200-mile economic zone. To meet all these requirements, good minds, thoroughly briefed on and sensitized to a broad range of Canadian interests, are essential abroad.

The provincial dimension of Canada's national interests enters into the question of reporting. The Department of External Affairs has adopted several devices in recent years to meet legitimate provincial interests in what is going on abroad. Provincial representatives have been attached to some Canadian delegations to international conferences, officers have been designated at missions abroad to concern themselves with provincial interests, reports are provided to provincial governments on certain broad spectrum conferences such as those on the Law of the Sea, and mechanisms have been set up with two provinces, Ontario and Alberta, for a  $\frac{1}{2}$ , tematic supply of information. Given the nature of Canadian

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federalis, there is every likelihood that this kind of thing will be a continuing and growing function of the Department.

## C. <u>Telecommunications</u>

The inward flow of telegraphic messages to the Department of External Affairs in Ottawa, which constitute the bulk of operational reporting from missions abroad and have to a great extent supplanted the letter, total as many as 9,000 messages per week at busy times of the year when there are many meetings and conferences. Attached in Table II is an analysis of the general reporting telegrams from missions abroad during March 1976, omitting all administrative, consular and other specialized types of messages. This indicates that a high proportion were reports from Canadian delegations at international conferences and meetings, that another large category consisted of reports on discussions with other governments about current international issues and that over 30% of the total of this kind of message was on economic subjects. Attached in Table III is another analysis showing the destinations of 18,000 telegrams from missions abroad received in the Department of External Affairs during September and October 1974. This table indicates that at least 25% of the messages were concerned with administrative and personnel management matters. The next largest category of messages was addressed to the Bureau of Economic and Scientic Affairs, about 15%, followed by the Consular Affairs Bureau at about 9%. The "political" bureaux of the Department were recipients of about 18% of the messages.

Although the Department of External Affairs provides the physical means of telecommunications between Canadian missions abroad and Ottawa and the bulk of messages passing through the system are addressed to that Department, officials of other Departments stationed abroad do a great deal of reporting and sometimes address themselves directly to their own department without copying the message to External Affairs. Their right to do so on matters relating to their agreed program of activity was endorsed in the 1970 ICER decisions on integration of external operations. Occasionally, this practice had led to the Head of Mission or the Department of External Affairs not being aware of actions by officials of another department that affected other programs at a post abroad or Canadian relations with another government. The main safeguard against this happening to the detriment of Canadian interests should be the right of a Head of Mission to see all communications emanating from his mission to any address. Officials in missions abroad should see themselves as a team collectively responsible to the Government through the Head of Mission, not as a collection of sovereign representatives.

It would obviously be uneconomical to have various Government departments operating their own communications abroad and External Affairs is the logical place to house the common system. There are some indications, however, that the Department has not adequately faced up to the consequences of operating a network that serves every part of the Government. Apart from technical improvements to the system to match the enormous increase in traffic, which are now under way, the content of the messages, their form and their style all need looking at.

A number of complaints were recorded from officials in External Affairs and from other Departments in Ottawa about the form and content of telegrams. They were mostly from officials who require to see a certain amount of the traffic as general background for their work rather than those with special interests. It appears that some officers from various Departments who compose telegrams are not sufficiently aware that they are addressing a wide audience, as well as a specialized one, through the widespread, and sensible, practice of standard distribution lists.

What may be required is some form of control unit in External Affairs, staffed not just by technicians but by foreign service officers of wide experience, constantly monitoring the traffic and authorized to challenge inessential messages, and check obscurities of language, misuse of abbreviations, unnecessary verbiage, inappropriate selection of addresses, failure to provide a concise summary, and various other familiar faults. The objective should be to achieve a reasonably clear, concise and standardized form of telegraphic communication suited to the requirements of a diverse and scattered clientele.

#### D. Negotiation

Governments nowadays are engaged in a continous state of negotiations and this activity forms a large part of the communications role of the Department of External Affairs. At any moment, there are a number of specific bilateral agreements being negotiated, there are at least several simultaneous international meetings or conferences that involve multilateral negotiations and there are innumerable ongoing efforts to persuade or influence other governments toward agreement on some course of action. It is obviously desirable that the Department of External Affairs, for purposes of its overview function, should be aware of all the formal negotiations that are going on. The extent to which the Department can, or should, control these negotiations in the interests of a coherent and consistent Canadian external policy is more difficult to determine. Its primary role, here as elsewhere, is to develop broad policies and identify national aims and objectives within which negotiations in particular sectors can take place. External Affairs has a considerable reservoir of skills in international negotiations in general. It also has personnel with specialized knowledge about such matters as the negotiating tactics of particular countries, about international law and about practice in international organizations than can be drawn upon to reinforce the effectiveness of Ganadian negotiators no matter what the subject. It has no monopoly, however, and it cannot hope to match the depth of expertise available elsewhere in the Government on many subjects. Other government departments and agencies with considerable negotiating skills and a great deal of knowledge about specific areas of international negotiations may sometimes feel no call to seek the assistance of External Affairs in negotiating what they regard as technical agreements. The danger in dispersing the responsibility for international negotiations too widely is that commitments may be made in one area of Ganadian interest that run counter to other national objectives.

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The concern of External Affairs should be to see that other departments and agencies that are involved in international negotiations are aware of the Canadian foreign policy context and are briefed on tactics and international factors known to External Affairs. If this is properly done, the Department has no need to play a direct part in the negotiation of every specialized agreement which, in any case, it does not now have the manpower to do. It should facilitate the opening of negotiations and before they begin, the officers in External Affairs concerned with the country or the international organization and those concerned with national policy in the subject area should be consulted, should be kept informed of progress and have the opportunity to comment before the agreement is put in final form. Where the initiative for negotiations is in the hands of External Affairs, usually on some broad subject such as a multilateral convention, a new international agency, or an economic cooperation agreement or a cultural and scientific exchange agreement, the Department must be scrupulous in consulting all the other departments and agencies that are likely to be affected or that may be called upon to implement the ensuing agreement.

Where the result of negotiation is a formal intergovernmental agreement, it is clearly the responsibility of the Secretary of State for External Affairs to recommend approval to Cabinet and to obtain the authority of the Governor General in Council for signature. As indicated in Part I of this report, this stems from the External Affairs Act and from constitutional practice. Also, the treaty section of External Affairs is the repository for all formal agreements.

There are a good many understandings, arrangements and less formal types of agreement between entities of the Canadian Government and those of other governments that are supposed not to create obligations binding in international law. CIDA, for example, has hundreds of project agreements with developing countries. Informal agreements and understandings require no formal approval by Order in Council and it is not certain that they are recorded by the External Affairs Treaty Section in the separate register kept for this purpose. The Treaty Section ought to have copies of all of them so that somewhere in the Government there is comprehensive information on all Canada's commitments and undertakings abroad. It would also seem desirable that the Department of External Affairs have some opportunity to comment in advance on the form and content of any understanding between a Canadian agency and a foreign counterpart in the interests of consistency.

The problem of international agreements that affect areas of provincial jurisdiction is an old one in Canadian history and one which shows no signs of disappearing. This is not the place to analyse it in detail. As far as the role of External Affairs is concerned, it appears appropriate for whatever federal department holds domestic responsibility for the subject matter to carry out any prior consultation that is required with provincial governments before negotiations begin and to seek provincial agreement on signature or implementation when the implementation is clearly a matter of provincial competence, such as education or welfare. The Department of External Affairs has done much of this in the past, perhaps in default of action by other departments, but it is not well equipped to carry on long and detailed consultation on specialized subjects with ten provincial governments. Where the subject of an international agreement is broader than the responsibilities of any single domestic department and of concern to provincial governments, External Affairs should consult with the provinces as it should with any other interested Canadian agencies.

## E. Public Diplomacy

To inform other countries about Canada and to seek to influence them in a public way, in addition to communicating officially with their governments, is an accepted part of the role of the Department of ~ External Affairs. The Department's responsibilities for what are now called "public affairs" have not been authoritatively defined in the past and there are other departments and agencies that carry on related activities abroad. The promotional activities of the Department of Industry, Trade and Commerce, the Canadian Government Office of Tourism and the National Film Board are examples of one kind. Some of the federal cultural agencies, such as the Canadian Broadcasting Corporation, the National Archives, the National Museums Corporation, have links abroad serving their particular purposes. Radio Canada International conducts its broadcasts direct to other countries with a large measure of autonomy.

In this complex and important aspect of Canada's international relations, the functions of the Department of External Affairs are in part related to policy and in part managerial and operational. It should seek to ensure that there are agreed national policies and national objectives for all government programs that are carried on or extended abroad in the public dimension. This means being knowledgeable about all such programs and showing leadership in achieving a sensible degree of consistency and mutual support among them. It does not mean that External Affairs should seek to manage promotional programs that are essentially commercial in their objectives, whether the product is commodities, tourism, books, films or television programs. Nor does it mean that the Department should insist on acting as a continuing channel for highly specialized information and cultural activity when it is feasible to facilitate direct links between specialists in Canadian agencies and their counterparts abroad. The Department of External Affairs does, however, have a responsibility to manage and operate a public affairs program that serves broad national objectives, especially those foreign policy objectives that require contributions from a number of departments and agencies. The public affairs program also has to be an instrument capable of serving diverse objectives at particular times and places, as the need is identified by External Affairs or by other agencies.

In recent years the Department has been embarked upon a vigorous new effort to develop a fully articulated "Public Affairs" program with three functional components: information, cultural affairs and Canadian studies abroad. Greater financial resources have been made available, new techniques adopted, specialized personnel recruited and objectives reconsidered and redefined. The concept upon which the "new look" is based is that public affairs is a program that supports all of the Government's programs abroad or, put another way, that its basic objective is to create favourable conditions for the achievement of all Canadian foreign policy objectives.

If this definition is valid, then every time a policy objective abroad is defined or redefined the Department of External Affairs should address itself to how that objective is to be pursued and supported by public diplomacy, as well as by other means. Increasingly, a direct link between public affairs activities and specific foreign affairs objectives is being established, although this is not by any means a systematic and universal practice.

A considerable proportion of the public relations activity carried on by External Affairs is aimed at creating a generally favourable image of Canada in other countries. The principle behind such broadspectrum public diplomacy is that of creating or maintaining a receptive and friendly attitude toward Canada which can be exploited when required in pursuit of more specific Canadian objectives. Against a certain amount by public diplomacy. It is also argued that making Canada and Canadian achievements better known abroad is a valid objective in itself and that there is an obligation on the part of the Department of External Affairs to maintain a "responsive" capability to inform foreigners about this country when they request information.

The cultural relations side of the public affairs role of the Department has been notably more active lately, particularly with the approval by the Government in 1974 of a five-year program to be managed by External Affairs. This development reflects a remarkable upsurge in Canadian cultural creativity in the past decade or so and a substantial increase in the Federal Government's support domestically for the cultural aspects of Canadian life, which made it possible for the Department of External Affairs to develop a significant cultural relations program where there has previously been only very modest and sporadic activity.

The objectives of the cultural affairs program fall generally into three categories; (a) supporting and promoting foreign policy objectives in general, or objectives in fields other than cultural relations; (b) extensions of domestic cultural objectives - supporting Canadian cultural activity by giving it a wider market and contributing to the opportunities for Canadian artists and scholars to develop their talents in a wider context; (c) enriching the quality of life in Canada through cultural exchange with other countries.

A small, separately defined program has also been established to promote "Canadian Studies" abroad. Its objectives are of a longer term nature and are related to creating more basic knowledge and understanding of Canada abroad and facilitating academic exchanges.

In the cultural relations program abroad, while the Department of External Affairs is the prime mover it must obviously rely heavily on other agencies of the Federal Government and non-governmental organizations for a major input. The requirement to operate in consultation with the Department of the Secretary of State was specifically mentioned in the decision on the five-year program.

#### F. Public Affairs at Home

The role of the Department of External Affairs in providing public information to Canadians is not particularly well delineated and at one time the doctrine was surprisingly prevalent that External had no information program in Canada, only abroad. This is happily no longer the case. In fact, the Department has always had a Press Office to provide a point of contact for journalists seeking information about Canada's external relations and to issue the usual announcements and policy statements through press releases. According to experienced Canadian journalists, External Affairs press officers have been generally competent and cooperative but the Department is still regarded as somewhat reticent. Members of the Department point out that they have a particular handicap in talking to journalists because so much of their information is depined from on shared with other counties in confidence

information is derived from or shared with other countries in confidence. They also suggest that few Canadian journalists specialize in Canada's external relations or follow them with any consistency, do not know the right questions to ask and do not make use of information that is available. While some members of the Department are sensitive to the requirement that every decision in Canadian foreign policy should include how and when it is to be made known to the Canadian public, others do not see themselves as carrying any continuing responsibility for informing the public. It is thus unfortunately the case that journalists and officials of the Department of External Affairs do not collaborate as effectively as they should to inform Canadians about their country's external relations. This may be a particular case of a general problem of relations between government and the media of information.

Apart from press relations, the Department does provide information to certain interest groups in Canada, including such longestablished bodies as the Canadian Institute of International Affairs and the United Nations Association and a steadily increasing group of newer non-governmental organizations that represent the attentive sector of the Canadian community as far as international affairs are concerned. In the 1960's when the university explosion occurred and large numbers of academics were suddenly examining, questioning and lecturing about Canada's external relations, the Department set up an Academic Relations section and began to develop a variety of activities designed to create a continuing dialogue between members of the Department and the academic community, to their mutual advantage. This activity has broadened to include organizations other than the universities. There are also specialized forms of dialogue between the legal officers of the Department and those interested in international law, between the Historical Division and researchers in Canadian history, between business, ethnic or religious organizations and the various geographical divisions, between the economic divisions and non-governmental bodies concerned with aid and trade, etc.

All this represents a very considerable and expanding amount of activity aimed at discussing foreign policy and foreign operations with Canadians outside the Government. It is increasingly a means for nongovernmental organizations to make their views known during the policy forming process. Apart from the press and the interest groups, however, External Affairs has had some difficulty in identifying and organizing itself systematically to provide information to a domestic "constituency" and has tended, with the exceptions noted above, to wait until approached before responding. A section of the Public Affairs Bureau is devoted to information for Canadians and it has in the past year or so attempted a few initiatives to convey policy information to a wider domestic audience, rather than simply respond to inquiries. With its present resources, the Department may not be able to do much more in a country as large and diverse as Canada and teeming with groups that have some ethnic, economic, humanitarian or ideological axe to grind in one or more sectors of Canada's external relations.

The above observations relate to policy information, i.e. Canadian external policies, the context and background to them and the actions taken by the Government to carry them out. There are also suggestions from time to time that the Department of External Affairs ought to be doing something to inform Canadians about events outside This is not generally regarded as being within the their borders. Department's mandate, frustrating as is to members of the Department to see the Canadian public ill-informed or sometimes misinformed about world events and developments as they affect Canadians. One of the rare examples of a deliberate campaign by the Department of External Affairs to inform Canadians of conditions in other countries has been undertaken in the consular field. This is a program to warn Canadians travelling abroad of the dangers of being caught up in the international drug traffic. the severe penalties imposed by some foreign countries and the limitations on assistance by the Government to Canadians arrested abroad.

## VII. THE SERVICE ROLE

## A. Services to the Government

Many of the functions performed by the Department of External Affairs that have been discussed under previous headings, if looked at from another point of view, involve providing services to the Government as a whole or to other departments and agencies. This is obvious enough in the case of the system that the Department operates for communication with Canadian missions abroad or the administrative support that it provides to representatives of other departments and agencies stationed abroad. Providing information and interpretation of developments overseas to the rest of the Government is another kind of service, as is informing other countries about Canadian achievements and Canadian policies. The Department sees itself as serving the Government in the matter of international legal advice, although here there is a persistent problem in defining the External Affairs' role in relationship to that of the Department of Justice for providing legal services generally to the Government.

In fact, one of the distinguishing characteristics of the role of External Affairs is that it is a service agency for the Government to a greater extent than many other departments, with such obvious exceptions as the Department of Supply and Services. Some members of the Department are reluctant to acknowledge this reality, perhaps resenting the implications of playing a supporting role to other departments. Those in other departments who view External Affairs as almost entirely a service department, useful to the extent that it helps them to carry out their particular programs, are taking an equally unbalanced view. It is quite clear that the service aspects of External's role in the Government are interlocked with its policy and managerial roles and all are essential to the effective conduct of Canada's international affairs.

## B. Services to Canadians

While the services the Department performs for the Government have largely been mentioned under other headings, there is a range of direct services to the Canadian public that have not previously been discussed. The most extensive are those embraced in the consular program abroad. They include issuing passports, registering births, assisting financially distressed Canadians, advising Canadians in legal difficulties, witnessing documents, providing affidavits and arranging emergency evacuation. The program's broad objectives are to provide protection and assistance to Canadians travelling or resident abroad within the limits of international norms and to ensure, as far as practicable, that Canadian individuals or corporations receive treatment at least equal to that accorded nationals of other countries.

The consular role of the Department is large and growing and it has special importance because it constitutes the major point of direct contact between the Department and the Canadian public. In 1975, some 443,000 consular acts were recorded at Canadian missions abroad, ranging from simple notarial functions to cases of death or imprisonment that involved many days of work. Attached as Table V is a summary of statistics relating to consular activity.

Problems in connection with this part of the Department's role are not those of definition but of capacity to meet the demand. Canadians will presumably continue to travel and reside abroad in increasing numbers and their demands for consular service cannot be left unanswered. Occasionally, the demands are unreasonable, as when they would require the Canadian authorities to intervene in judicial processes in foreign countries, but the Department is slowly achieving a better public understanding of the limits of consular intervention in other countries. The guidance given to posts by the Department is aimed at providing a level of service comparable to what other countries do and meeting the reasonable expectations of the Canadian public. In fact, Canadians abroad probably get as much or more personal service from their official representatives as the nationals of any other country but the manpower required to maintain this level of service is an increasing strain on resources. Foreign service officers of the Departments of Industry, Trade and Commerce and Manpower and Immigration now share the consular duties with External Affairs personnel in a number of posts. A recent decision has been taken to appoint a number of honorary consuls abroad. British Consuls still perform services for Canadians in a great many places where there is no Canadian representative and the British have been extraordinarily obliging in continuing to do this when the number of travelling or resident Canadians in certain places makes it a distinctly burdensome task.

In addition to the services that are specifically included in the consular program, a great variety of other services are performed by External Affairs officers abroad for travelling or resident Canadians. They range from passing on the latest news from home, to providing a mail drop, to assisting Canadian journalists make local contacts, to advising a Canadian company on obtaining the release of a seized fishing boat. The list of possible services is almost infinite and the extent to which they are performed is not statistically measurable but it is obviously a substantial part of the daily work of many Canadian missions abroad. Since most Canadians who benefit will be inclined to take satisfactory service for granted it is also difficult to judge effectiveness in this part of the Department's role. Several informants outside the Government recorded appreciation for helpful services at a number of missions abroad. One or two, however, indicated that there was a certain uneveness in the degree of helpfulness encountered at various missions. Renewed efforts may be necessary to provide guidance from headquarters on the desirable level of service to be extended to Canadians abroad in various circumstances.

A major service function of the Department of External Affairs in Canada is the issuance of passports. This is linked to the consular function abroad but the Passport Office with its six branches across Canada is run as a largely self-contained operation under the general policy direction of the Department and the Secretary of State for External Affairs. It appears to be generally regarded as a highly effective service. Earlier suggestions that it might be lodged in some other Department have not been renewed and it seems logical that the Department that knows most about foreign countries and that provides consular services to Canadians abroad should also be the one that issues travel documents in Canada.

The Department provides some advisory services to Canadians on international legal matters. It cannot, of course, supplant private legal services but it frequently offers informal procedural advice. It has a considerable role to play when Canadian citizens with claims against foreign governments have exhausted any possibility of private action or find it is not available and need the backing of their Government.

One of the areas of service that has not been very precisely or systematically defined is the role of the Department of External Affairs in providing advice and information to Canadian businessmen, both at home and abroad. The Department of Industry, Trade and Commerce is, of course, the Department mainly concerned with trade and investment abroad but External Affairs is frequently approached by Canadian business representatives and it does have information and advice to offer that is complementary to the services of I.T.&C. or other government agencies. Generally, the Department's role vis-à-vis the Canadian business community has been responsive but not especially active. It provides information and advice when asked but the amount of information available and the extent of advice offered varies a good deal from case to case. With the Canadian business community much more active abroad than formerly and the world much more susceptible to rapid changes that affect business operations, it may be time that External Affairs reviewed this part of its role in some depth. Businessmen are interested in such matters as political risks, cultural and social factors, personality profiles, and strategy toward foreign countries, as well as the economic circumstances and marketing conditions.

### VIII. THE DEPARTMENT'S CAPACITY TO PERFORM THE ROLE

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## A. The Department's Place in the Government

There is some feeling in the Department of External Affairs that the Department's place in the Government is somehow less central than it used to be and that it has less influence on Government policy than formerly. As far as centrality is concerned, the enquiries conducted for this study confirmed that the Department continues to be seen as one of the major institutions of Government, comparable to the Treasury Board, the Cabinet Secretariat, or the Department of Finance in the importance of the role it is expected to play. While some officials elsewhere in the Government may seek to minimize the policy or managerial role of External Affairs, it is widely recognized that an effective foreign ministry is an essential instrument of any modern nation and that the Department of External Affairs is a "central agency" in the sense that it has a role to perform relative to all the activities of Government in their international dimension.

The view that some External Affairs officials have of their Department's place in the Government may be unconsciously affected by the fact that for the first 40 years of its existence the Prime Minister was also the Secretary of State for External Affairs and that a former officer of the Department was subsequently SSEA and Prime Minister for periods totalling another 12 years. The more normal situation is that the Department of External Affairs does not have significantly closer links to the Prime Minister than other major agencies of the Government. The nature of its functions may call for more frequent proffering of advice to the head of the Government from External Affairs than from many other Departments but it has to compete for his attention in the quality of advice it offers and the effectiveness of the services it performs.

The view that the Department of External Affairs has a relatively smaller degree of control or influence over the Government's international activities is probably attributable to the fact that so many new activities or extensions of activity have developed independently of the role of External Affairs. It is not so much that the Department has lost ground it already occupied, as that it has not fully succeeded in establishing a firm position on the new ground. While the Department has expanded its functions and has adapted itself to new features of Canadian and international activity, those activities may still be growing faster than the Department's capacity for adaptation. As can be seen from Part II of this report, other countries comparable to Canada are experiencing problems in adapting the institutions of Government to the pressing demands of current international relations and the Canadian Department of External Affairs is probably not coping badly in comparison with other foreign ministries. Several of the countries that have recently been reviewing the structure, organization and staffing of their foreign ministry have sought information about Canadian practices which they regard as interesting and possibly worth emulating. Nevertheless, the feeling persists in Ottawa that a good deal more needs to be done to improve the capacity of the Department to meet the exigencies of the times.

#### B. Personnel Requirements

It is characteristic of the functions of External Affairs, as suggested earlier, that they mesh with a very wide range of government activities and are concerned with the way government activities relate to one another and to world events. This is particularly so in the vitally important policy role. The field of personnel management offers various possibilities for pursuing the long-recognized requirement for closer integration of External Affairs in the Government system in Ottawa, which is now an over-riding necessity if the Department is to play effectively the role demanded by present circumstances. A greater degree of continuity on the job and expertise in certain subjects is widely thought to be required, especially among the personnel of those units that work most closely with the other departments of Government. Table VI summarizes the results of a study of turnover and expertise among divisions of External Affairs. It suggests that the levels of continuity in many important bureaux are low. With due recognition that External Affairs' main responsibility is to maintain expertise in international relations and that it cannot hope to match the depth of specialization in many other departments, recruitment, training, career planning and assignment policy will probably have to take more account of the requirement for continuity in Ottawa. Exchange of personnel with other Government agencies might be developed more systematically than in the past and it might be desirable to staff a significant number of positions in the Department in Ottawa with specialists who are not members of the foreign service but who belong to some other professional group in the Public Service. The Canadian Department of External Affairs seems to have made less use of such personnel than many other foreign ministries. The system of rotational foreign service cannot, of course, be abandoned and it is more important than ever that personnel abroad serve periodically at home. This system has definite advantages in bringing fresh minds and new areas of knowledge to bear on the problems of policy development at headquarters. It is also apparent that for many positions at home and abroad, External Affairs will continue to require personnel who are well-rounded in their knowledge of Government activities and not narrowly specialized.

Other departments and agencies of Government must play their part in ensuring that External Affairs is an agency fully capable of understanding and pursuing all the Government's activities abroad. In the past, the exchange of personnel between External and other agencies has been largely one way and External Affairs has seconded or transferred considerably more of its staff to other departments than it has received. Recriminations about whose fault this is should be promptly buried. All departments and agencies should accept that, as a matter of considerable priority, and in the interests of every part of the Government concerned with external relations, there should be a steady and substantial exchange of personnel between External and the rest of the Government by every means that the ingenuity of personnel managers can devise.

Some of the problems of the Department's closer identification with the rest of the Government and with the Canadian scene are attributed to the attitude of members of the foreign service. Officers of External Affairs have a reputation for not being sufficiently Canadian in their thinking and for displaying a kind of intellectual arrogance. Like most stereotypes, this is manifestly untrue for the great majority of personnel and only a small number of demonstrable cases keeps the myth alive. Possibly, some problems arise from the fact that members of the foreign service are accustomed to treating with senior officials and ministers when they are abroad and forget that when they are at home they do not wear the mantle of Canada's official representative. They need to be reminded when dealing with other departments that they represent only one part of one department in a large public service. They also need to be reminded that it is a necessity for members of the External Affairs Department at home to practice diplomacy with their fellow Canadians by seeking to understand their attitudes, their preoccupations and their style of operation, which may have altered appreciably during the several years of a foreign posting.

The complaint that External Affairs does not consult other departments and agencies adequately or frequently enough is very common. It is not invalidated by the counter-complaints of External Affairs that other departments and agencies act without consulting External about the international aspects of their activities. In the case of External Affairs, however, the nature of its role makes failure to consult the unforgivable sin and suggests a need for the implantation in the head of every External officer an electronic device that says "Consult! Consult!" every time he sets pen to paper. If External Affairs is to know about and play some part in just about everything that Canada does abroad then it must constantly be consulting with everyone in the Canadian Government.

The charge that External is more concerned with the attitudes and aspirations of foreigners than with the promotion of Canadian interests is one from which foreign ministries will never be entirely free. No doubt members of the foreign service are sometimes reluctant to risk an unfavourable reaction abroad by conveying the announcement of a tough stand or an unwelcome Canadian decision but it is equally true that domestically-oriented officials often do not wish to hear bad news from abroad or be urged to abandon or modify some cherished plan because of the international repercussions. It is necessary that the rest of the Government accept that External Affairs brings a valid contribution to national policy when it draws attention to the international factors. It is also very necessary that External Affairs constantly work to maintain its credibility with the rest of the Government by demonstrating that it fully appreciates the domestic imperatives, that it does not argue that international considerations are necessarily overriding ones and that it has a balanced and complete view of Canada's national interest.

Knowledge of the domestic scene is every bit as important as the attitude of members of the Department of External Affairs in playing their role and it is a recognized problem of foreign service that the individual tends to get out of touch with developments at home. This happens much more quickly now when conditions at home change so rapidly and new programs and new institutions of Government come into existence. In maintaining the familiarity of foreign service officers with the domestic scene by regularly rotating them between home and abroad and at the same time maintaining a headquarters staff which is well integrated into the Government structure, the Department has a peculiarly difficult problem of personnel management.

The problem is not, of course, confined to the federal government structure. Some steps, such as the scheme for sending two or three officers a year as foreign service visitors at Canadian universities or sending officers to l'Ecole Nationale d'administration publique (ENAP) in Quebec, have been taken. As a way of ensuring that a certain number of officers get in closer touch with Canadian life outside Ottawa and outside the Federal Government, these ideas might be extended. Exchanges of personnel and more frequent consultation outside Ottawa with provincial governments and business organizations are possible areas for further exploration. The possibility of regional offices in Canada for the Department of External Affairs could be looked into as a way of keeping in touch with the Canadian scene, as well as providing better service to the public. The development of a network of regional passport offices in the last few years has shown the utility of this device for one particular service function of the Department.

## C. Structural and Organizational Requirements

It is axiomatic that the first requisite for any organization that has to perform a complicated operational role is to achieve an adequate degree of internal cohesion. Suggestions for improving this cohesion in the case of the Department of External Affairs dwell heavily on the need for better internal communication among the organizational units and between the different levels of responsibility. Tighter management, a greater spirit of teamwork and disciplined acceptance of decisions made at the senior levels of the Department or by the Government have also been mentioned. However valid these proposals, they should not be pursued at the expense of those desirable qualities of initiative and individual responsibility that are still among the strengths of the Department. The trend of recent years has been to devolve greater operational responsibility to the divisions and bureaux concerned with geographical or functional areas of international activity. This was necessary and desirable and it extended the traditional policy in External Affairs of appointing talented people and encouraging them to see themselves as fully responsible for an area of policy, even when they are at relatively junior levels in the hierarchy. This principle is especially appropriate in a foreign ministry. The current problem is to reconcile it with a more cohesive structure of departmental responsibility. The Department and the Government have been much concerned with policy coordination in external relations and this study accumulated some evidence that the coordination gap is as much an internal problem in the Department as anywhere else.

The Department of External Affairs has an inherent problem, for which there is no exact parallel elsewhere in the Government, of facing in two directions and dealing with two quite different operational environments. It has to look outwards to the international scene and at the same time be attentive to the Canadian domestic scene. This dichotomy runs throughout the various aspects of the role of the Department discussed earlier and is inherent in the nature of a foreign ministry. The basic structure of the Department has been mostly designed to conform to the requirements of the outward-facing part of the role. The domestic side, however, is more important than it used to be and many of the current problems of playing its role more effectively are rooted in the Canadian side of the Department's work.

Another basic question of organization, by no means unique to External Affairs, is the relationship between policy and operations. The Department of External Affairs has traditionally seen itself, and is regarded by many others, as primarily a policy organization. In practice, it has been required to perform more and more functions of a managerial, operational, service or administrative nature that sometimes overwhelm those who are also expected to perform a policy role. Some have suggested that a much more distinct structural separation is required between the relatively small staff required to constitute a policy secretariat and the relatively large one needed for operational and administrative purposes. Others, believing that it is fundamentally wrong to divide policy and operations, would seek to alleviate the present problems by enhancing the capacity of existing geographical and functional bureaux to play both roles. No one seriously suggests that the Department can shed either its role in policy formulation or its responsibility for operating a large network of posts abroad and providing essential services to the Government and the public in the international field. Possibly, however, some distinct operational or administrative functions could be performed by more or less autonomous units on the analogy of the Passport Office.

Various organizational schemes might be pursued toward the end of integrating the Department more closely into the Government system in Ottawa. One would be to structure the functional side of External Affairs so as to parallel much more closely the major functional sectors of the rest of the Government. This concept might be extended to ensure that, as far as possible, there is one main focal point in External Affairs for liaison with each Government department on each major Government program, although it is clearly impossible in many cases to reduce the contact to a single point. Experience with designating the Consular Services Bureau as the designated unit for coordination with the Department of Manpower and Immigration is regarded as good in both departments. It is also probably desirable to have corresponding focal points for external relations in many domestic departments that have significant involvement in international activity. The so-called "international units" in some other Departments can facilitate External Affairs in playing its role provided, of course, that they do not bypass the Department in their international contacts.

The geographical divisions of External Affairs should not by any means be excluded from direct contact with other Government departments and agencies. They are still the core of any foreign ministry and the repository of much of the knowledge and advice that goes into national policies. The current problems may seem to warrant a great deal more attention to the inward-facing side of the Department but the divisions that are responsible for relations with other countries, and are therefore mainly the outward-facing units, should also be strengthening their basic knowledge and understanding of the Canadian scene. It is essential to provide them with authority and capacity to manage bilateral relationships on a unified basis, particularly with major countries or groups of countries.

Whatever is done about organizing to meet the inward/outward or the policy/operations dilemmas, there will probably need to be a somewhat more structured system of internal communication between the geographical and functional divisions and there will also need to be a more structured way of bringing together the three or four levels of managerial responsibility in the Department to establish and maintain clear lines of policy.

# TABLE I

# Departmental Origins of Telegraphic Traffic

to Canadian Missions Abroad

	April 1	<u>973</u>	April	1974	April 1	975
	MESSAGES	<b>E</b> 1 an .	MESSAGES	Z	MESSAGES	差
RCMP	1022	5.6	1162	5.2	1602	6.2
CIDA	1641	9.0	1679	7.5	2396	9.3
IMMIG	2162	12.0	3087	13.9	3526	14.0
IT&C	5337	29.4	6203	27.9	6846	26.5
PMO	, <b>-</b>	a An an An An	745	3.3	916	3.5
NDHQ	2003	11.0	2034	9.2	3104	12.0
EXTERNAL	_5930	33.9	7267	33.0	7355	29.0
TOTAL:	18095		22177		25745	

## TABLE II

# Subject Matter of "General" Telegrams from Canadian Missions

March 1976

	<u>L</u>
Proceedings of Conferences and Meetings of International Organizations	22.9
Discussion of Current International Issues with other Governments	21.1
Negotiations and Reports on Direct Canadian Interests in Another Country	18.9
Relations Among Other Countries	15.4
Internal Developments in Other Countries	14.1
Arrangements for High-Level Visits and Meetings	7.5
	100
	<u>%</u>
Political, military, humanitarian, etc. subjects	<b>69</b> .2
Economic subjects	30.8
	100

# TABLE III

# Addressees of Incoming Telegrams

Survey period	• _	September and October,	1974
Total volume		18,000 Telegrams	

	% of Total <u>Volume</u>	:	Average Pages per <u>Telegram</u>
C.I.D.A.	4.97		1.4
Other departments	4.38		1.6
Other posts	2.05		1.6
External Affairs Passport Office	2.05	• 2	1.1
12 Admin. Divisions	25.44	er an ar	1.06
Consular Bureau	9.06		1.2
Security & Intelligence Liaison Bureau	1.75		1.0
Public Affairs Bureau	6.14		1.3
Coordination Bureau	1.75		1.3
Legal Affairs Bureau	2.92		2.0
United Nations Bureau	2.63	·	4.3
Defence and Arms Control Bureau	7.89		2.6
Economic and Scientific Affairs Bureau	14.03		1.9
African and Middle East Bureau	3.51		2.2
Asia and Pacific Bureau	3.21		1.4
European Bureau	4.68	• • •	2.4
Western Hemisphere Bureau	2.34		1.9
Protocol	1.17		1.8
	100.00		

## TABLE IV

## Departmental Backgrounds of Canadian Heads of Post

## December 1975

Department of Origin	Ambassadors and High Commissione	rs 1.	Consuls General and Consuls 2.
External Affairs	65		4
Industry, Trade & Commerce	9		21
Manpower and Immigration	1	ананананананананананананананананананан	4
CIDA	3		0
Other	6		2
	84		31

Includes all Heads of Permanent Missions to international organizations, the Heads of Delegations to the Multilateral Trade Negotiations and the Multilateral Balanced Force Reduction Talks and the Commissioner in Hong Kong. Does not include Chargés d'affaires a.i.

1.

2.

Includes Heads of all Consulates and Consulates General. Does not include Honorary Consuls.

## TABLE V

## Consular Statistics

Trips abroad	by Canadians, other than to USA, 197	5	1,544,000
	Trips to USA 1975		32,900,000
Valid passpor	ts held by Canadians, December 1975		2,663,871
Enquiries to	Consular Bureau in Ottawa, 1975		26,000
Consular Case	es and enquiries at posts abroad, 197	5	448,000
of whic	ch, passports issued	36,200	
	Canadians jailed or detained	1,992	
	Drug-related charges	895	
	Hospitalized	627	
	Financial assistance	550	
	Helped to obtain private assistance	2,140	
	Repatriated	256	
•	Deaths-local burial 191 return to Canada <u>153</u>	344	
Canadian resi	idents registered at posts, 1975		45,000
(exclui	les USA. Britain. Australia.		•

(excludes USA, Britain, Australia, New Zealand, Mexico)

Estimated 300 in jail as of March, 1976

X

## TABLE VI

## Turnover and Experience in Certain Bureaux of External Affairs

1972-1975

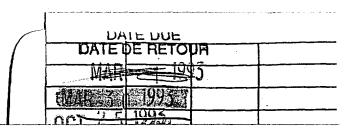
Bureau	Turnover Rate	Officers with Previous Experience
European Affairs	•84	16.9%
Asian & Pacific Affairs	.81	36.7%
Western Hemisphere Affairs	.84	13.6%
African and Middle Eastern Affairs	•89	48.1%
Consular Services	•93	36.1%
United Nations Affairs	1.22	37.5%
Defence and Arms Control Affairs	1.07	31.0%
Legal Affairs	1.50	80.9%
Economic and Scientific Affairs	1.01	31.8%
	and the second	

## Notes

- Turnover rate was calculated from number of occupants of each position over a three-year period. Thus, three occupants in three years gives a ratio of 1.00, two occupants in three years gives 1.50, four occupants in three years would be .75.
- 2. Heads of Bureaux (Directors General) were excluded from calculations. Officers in training (FS1(D)'s) were included.
- 3. "Experience" was calculated from number of officers serving in Bureaux over three-year period who had served in the region or previously worked on the subject for which the Bureaux is responsible.

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DOCS CA1 EA 76R52 ENG Canada. Dept. of External Affairs A study of the role of the Department of External Affairs in the Government of Canada 43224548



