
THE PROBLEM OF

INTERNATIONAL CONSULTATIONS

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The Trilateral Commission
A Private North American-European-Japanese
Initiative on Matters of Common Concern

This report has been prepared for the Trilateral Commission and is released under its auspices. It was discussed at the Trilateral Commission meeting held in Ottawa, May 9-11, 1976, and the Joint Statement issued in Ottawa was based in part upon it. The authors, who are experts from North America, Western Europe and Japan, have been free to present their own views. The Commission will utilize the report in making any proposals or recommendations of its own. It is making the report available for wider distribution as a contribution to informed discussion and handling of the issues treated.

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INTERNATIONAL CONSULTATIONS

A Report of the
Trilateral Task Force on
Consultative Procedures
to the
Trilateral Commission

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The report which follows is the joint responsibility of the three rapporteurs of the Trilateral Task Force on Consultative Procedures, with J. Robert Schaetzel serving as principal drafter. The rapporteurs have been aided in their work by extensive consultations. In each case, the consultants spoke for themselves as individuals and not as representatives of any institutions with which they are associated. Those consulted included the following:

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SCHEDULE OF TASK FORCE ACTIVITIES:

December 7, 1974 — Preliminary discussion of task force concerns in trilateral "brainstorming" session in Washington, D.C., including Schaetzel, Brzezinski and twenty-four others.

February 28, 1975 — Schaetzel meets with North American consultants in Washington, D.C.

March 26, May 21 — Ushiba meets with Japanese consultants in Tokyo.

May 26 — Rapporteurs meet with consultants in Tokyo.

Late August — Schaetzel completes first draft of report.

September 13-14 — Rapporteurs and Makins meet in Seattle to consider first draft.

Early November — Schaetzel completes second draft of report.

November 19 — Ortona meets with European consultants in Brussels to discuss second draft.

November 25 — Ushiba meets with Japanese consultants in Tokyo.

November 30 — Rapporteurs meet with consultants in Paris to discuss second draft.

January 8, 1976 — Schaetzel meets with trilateral group of consultants in Washington, D.C. to discuss second draft.

March 10-11 — Rapporteurs and Makins meet in Tokyo.

Late March — Schaetzel completes third draft of report.

April 26 — Ushiba meets with Japanese consultants in Tokyo.

May 9 — Draft report discussed at meeting of Trilateral Commission in Ottawa.

Mid-June — Final draft completed.

SUMMARY OF THE REPORT OF THE TRILATERAL
TASK FORCE ON CONSULTATIVE PROCEDURES

The Problem of International Consultations

Consultation is hardly a novel concept — it is inherent in traditional diplomatic practice. The report explores a more extensive commitment and sophisticated process beyond normal diplomatic practice, which can enable the Trilateral countries to deal with contemporary problems, notably in the international economic area.

The benefits of consultations (discussed in Chapter IV) have many dimensions. Consultations are a principal device for renewing the basic consensus among Trilateral countries, which would make easier the modification of domestic policies to minimize adverse effects on foreign interests, the reconciliation of direct conflicts of interest, and common action on international problems. Consultation can lessen the shock of sudden action and minimize embarrassment to a friendly state. The educational value of consultation is substantial, and it can sometimes produce new ideas or approaches through collective consideration. Consultation can serve as a means of influencing the domestic decision-making process, through international input or by requiring an internal concentration of effort and coordination among various departments.

Despite these benefits, the development of improved consultative processes faces many obstacles (discussed in Chapter V). Some of these derive from internal politics, such as vulnerability to charges of undue foreign influence in national decision-making or structural complications from a constitutional system like that of the United States. Others are external political ones, such as the problem of excluding certain governments, and the multiplicity of multilateral commitments and agreements. There are other difficulties of a procedural or psychological nature.

If improvement in consultation is to occur, the obligation to consult must be clarified and to a degree limited. Four criteria are suggested to reduce the commitment to manageable proportions and to make it routine and automatic:

1. Information will be volunteered on matters likely to embarrass significantly other parties.
2. Consultation will be undertaken where the vital interests of other parties are involved.

3. Consultation will be undertaken at the request of one or more other parties.
4. Previous agreements for consultation on specific matters will be honored.

Experience is at odds with hopes for implementation of agreed criteria. As a general rule, countries have been unprepared to consult on the most important issues. The report argues, however, for improved consultative procedures by which governments would face difficult issues early, informally and without drama. The involvement of legislators is also advisable in general, and indispensable in the U.S. system. A recognition by political leaders of the importance of effective consultation is essential.

The report makes a number of specific recommendations:

1. A *Trilateral Staff Group* should be established of senior governmental advisers with the personal confidence of the heads of government. It would oversee the whole range of trilateral consultations and cooperation. It would, among other functions, identify issues on which consultation is inadequate or non-existent and provide the necessary political drive to rectify this.
2. A *Trilateral Political Committee* should be established to discuss and, where possible and desirable, seek ways of coordinating foreign political activities. The European Community Political Committee should be asked to designate the European representative on this Committee — perhaps one official from the European Commission and one from the member state currently president of the Council of Ministers.
3. Recognition should be given to the value of the OECD as a flexible instrument at hand, ideally suited for more effective consultation.

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I. INTRODUCTION

The concept of interdependence, accepted as an intellectual fact if not as a guide to policy, rests on a series of realities: nuclear war as a practical risk; an indivisible international market for goods and supporting economic and financial services; revolutionary changes in electronic and physical communication. But interdependence is challenged by nationalism — countries attempting to cope with explosive political and economic phenomena primarily through national efforts. This tension imparts a special urgency to the search for new policies and improved cooperative arrangements among the industrial and democratic societies of the trilateral world, which are bound together by common security, political and economic interests, and by their need to deal with a world in transition. Whatever the next stage, improved consultative procedures will inevitably be important. Consultation can provide the lubricant which makes it easier for allies to live with a host of angry problems. Consultation can help weave a new web of cooperation to counter the centrifugal forces of nationalism and the risk that smaller nations will drift towards neutralism while the large powers seek security in armed isolation.

The economic element has become the most important and difficult aspect of the trilateral relationship. Today many of the most critical issues arise from the international ramifications of internal economic problems, reactions and policies, and, conversely, the impact of international economic events on domestic affairs. Inflation, unemployment, recession and social discontent create intense political pressures which too frequently induce purely national responses, with little attention to the effects of these actions on others. Interest groups and governmental agencies, formerly on the fringes of international affairs, have now become directly involved. Failure to control and manage intelligently the economic sector of the complex relationships among trilateral countries can undermine political and security arrangements. This is both a matter of maintaining the economic base upon which the political and security commitments rely, and of avoiding the debilitating frictions and tensions that economic problems generate which, if left untended, can destroy the larger structure.

Consultation is hardly a novel concept; it is inherent in traditional diplomatic practice. However, the more extensive commitment and sophisticated process explored here refer to policies, programs and actions beyond normal diplomatic practice, with more far-reaching, explicit and predetermined obligations.

II. DEFINITION

We wish to avoid the sterile exercise of artificial definition and subdivision, but a brief reference to various degrees and objectives of consultation is useful for the subsequent analysis:

1. exchange of general information;
2. advice regarding a specific action taken;
3. advance information of an action to be taken — to minimize shocks, to gain support, to solicit consent;
4. consultation where subsequent modification of a proposed action is not excluded;
5. consultation in order to encourage separate, but parallel national actions or policies;
6. consultation with the objective of concerted international action.

These various forms of consultation may be aimed at different objectives, carried out bilaterally or multilaterally, formally or informally, on an *ad hoc* or periodic basis, within existing organizations or outside such organizations.

Most consultation among trilateral countries lies at the informational end of the scale. An incident during the Cuban missile crisis provides an illustration. Under instructions from President Kennedy, Dean Acheson was sent to Paris to brief General de Gaulle on the actions the United States was about to take in response to the Soviet missiles being installed in Cuba. At the conclusion of the meeting at the Elysée, de Gaulle made the point: "I understand that I am being informed, not consulted."

While there is a distinction between "consultation" and "negotiation," the distinction is not always sharp and the two often overlap. This is particularly true where consultation, as so frequently happens, prepares the ground for subsequent negotiation. Consultation is often used as an alternative device where actual negotiations are infeasible; the process can be used to deal with unresolved negotiating points when resigned negotiators settle on a commitment to consult as an escape from an impasse.

Defined in a different way, consultation can be broken down into three broad categories:

1. consultation with respect to *domestic programs or policies* (e.g., domestic tax policies) *where the impact on other nations may be indirect and limited*, but where consultation nonetheless becomes increasingly necessary in a world of growing interdependence.

2. consultation where there are *direct conflicts of policy or interest between trilateral countries* (e.g., between the United States and the European Community with respect to the Common Agricultural Policy). Consultation can rarely remove the basic conflict; it can moderate and defuse the dispute.
3. consultation in those substantive areas *where the postwar consensus has collapsed* (e.g., monetary policy) *or new policies are required* (e.g., North-South relationships, international seabed). Common exploration among experts and informal consultation can be the means of developing a new consensus.

III. PRESENT ORGANIZATION FOR CONSULTATION

A bewildering variety of institutions are available for consultations: global international organizations (such as the UN, IBRD, IMF, and GATT); functional organizations with limited membership (like OECD, NATO, the International Energy Agency, and the Bank for International Settlements); bilateral arrangements, both formal and informal (e.g., joint ministerial committees); and finally the increasingly popular summit meetings, both bilateral and multilateral. Despite the range of new problems, the burden of proof falls on those who propose the creation of additional international agencies. The first step clearly should be to use more imaginatively and effectively existing institutions.

A. AMONG TRILATERAL COUNTRIES

Within existing organizations and with present consultative practices, consultation has been shown to work best where a substantial policy consensus exists. Such a consensus facilitated extensive consultation among Treasury and central bank officials while the Bretton Woods system was intact. A similar broad consensus exists within the Atlantic Alliance on security policy. Consultation can also work reasonably well

where no vital national interest is at stake. Consultation is, on the contrary, least likely with respect to a major issue where neither agreed domestic policy nor international consensus on the nature of the problem exists, and each country is attempting to work out its internal position alone. After a false spring when the IEA was first established, energy turned out to be such an issue.

Europe has institutionalized the summit technique, bilaterally for instance under the Franco-German Treaty, and multilaterally with the recently established thrice-yearly European Council of the nine heads of government. While in the past summit meetings have frequently shown more form than substance, with timing erratic and preparation meager, the European Council has become a device for serious Community consultation. Regular meetings force better preparation, draw in the career service, and show promise of leading to real coordination among the Nine.

B. WITH DEVELOPING COUNTRIES

The problems of organizing consultation among the trilateral countries pale before the task of carrying out a dialogue with the Third World. The reasons are many: the variety and differing interests of the developing countries; dissension among them; governments which can be both authoritarian and weak; daunting economic and social problems; policies and attitudes often shaped more by outside pressures, political expediency and emotion than considered self-interest.

The OECD, whose primary purpose is to facilitate economic cooperation among the advanced industrialized countries, contributes to the North-South dialogue through such means as the Development Center and the Development Assistance Committee. The IMF and the IBRD have become useful devices on certain issues. The Lomé Convention provides a framework for extensive consultation and cooperation between the European Community and 46 associated developing countries. The new 27-nation Conference on International Economic Cooperation (CIEC), assisted by the OECD and the IEA, is the most promising consultative bridge between the rich and the poor nations. Large unwieldy meetings (UNCTAD, for example) have been shown to be peculiarly uncondusive to serious discussion; much less, true consultation. The objective must be to narrow the agenda and to limit participation. Hence the promise of the CIEC.

Given the crucial role of individual leaders in many developing countries, one of the most effective means of North-South consultation may be informal contact with these key individuals in Africa, the

Middle East, Asia and Latin America. This can generate understanding and be a useful pre-negotiating tool. European officials have successfully used this technique in relations with associated African states. When this device is used it should be preceded by consultation among the trilateral nations and followed by reports to appropriate trilateral officials.

C. WITH COMMUNIST COUNTRIES

Consultations with the communist world fall into a special category. Over the years, members of the North Atlantic Alliance have evolved a psychological framework and a sense of mutual obligation to consult on relations with the Soviet Union. It is accepted that reports will be made to the North Atlantic Council of consequential discussions with Russian leaders; increasingly consultation in the Council precedes important meetings of Western foreign ministers or heads of government with the Russians. One beneficial side effect of the Helsinki conference was to force the Nine to prepare a common position for the negotiations, which included discussions with the United States before the positions of the Nine were advanced at the conference.

Japan has an interest in sharing assessments of Soviet capabilities and intentions, identification of areas where common trilateral policies are necessary, exchanges of views before major contacts are made with Soviet officials and, of course, detailed *ex post facto* reporting. The trilateral nations have a similar interest in trilateral consultations regarding China.

In recent years a practice has grown up of both formal and informal consultation, on a bilateral basis, between Western and communist countries. This consultation, primarily with the Eastern European countries, has remained in the area of exchanges of information. The smaller communist countries welcome this avenue of communication, despite the modest substantive content. It provides a means of exchanging different points of view and of escaping from the Soviet-dominated structures of the Warsaw Pact or CMEA.

IV. THE CASE FOR CONSULTATION

The benefits of consultations have many dimensions. First, they are a principal device for renewing the basic consensus which makes easier the reconciliation of direct conflicts of interest, common action on international problems, and modification of domestic policies to minimize adverse effects on foreign interests — crucial aspects of a well-functioning trilateral relationship. Such consultation in the early 1960s preceded the establishment of the Development Assistance Group out of which came the Development Assistance Committee. A similar process of intense consultation prepared the way for the International Energy Agency. Consultation regarding problems involving other areas (such as the relationship between the rich and the poor countries) may create quite coincidentally a climate of common purpose which can facilitate the resolution of specific contentious issues between members of the trilateral group.

The educational value of consultation is substantial. As a pre-negotiating tool, or as a means of exploring a new problem, the consultative process produces valuable information. Consultation can be one of the most effective means of determining the seriousness with which other governments approach a subject, and the political restraints which will limit their freedom of movement.

Consultation can be to the politician what preventive medicine is to the doctor. It can lessen the shock of sudden action and minimize embarrassment to a friendly state. Consultation can provide partial protection against retaliatory action by those who feel injured. Consultation can also be used to create an implied obligation on the part of the nations informed that they provide advance notification in similar situations. The common element of each of these motivations is an elementary appreciation that the absence of some form of consultation is apt to produce ill will, worsened relations and even to provoke retaliation.*

Consultation can sometimes be commended as a means of producing, through collective consideration of international problems, new

*Sometimes, however, the best defense in the face of domestic uproar precipitated by the actions of a transgressing ally appears to be confession of ignorance. A case in point was the American use of German ports during the 1973 Yom Kippur war without prior discussion with Bonn. To parry such attacks with a plea of no advance consultation is nevertheless an admission of failure, of a breakdown in cooperation.

ideas and approaches. Although committees, whether national or international, are not creativity's natural breeding ground, examination in common of major issues and of possible courses of action can serve useful purposes. Frequently the difficulty is less the absence of an idea or program than the novelty of each, or how to choose among several approaches, and develop a consensus. Thus consultation becomes a means of obtaining acceptance of a new idea. The 1975 Commonwealth conference in Kingston provided a forum for consultation out of which came general agreement on the British scheme for commodity stabilization.

From the internal point of view a major objective, and one of growing importance, is consultation as a means of influencing the domestic decision-making process. At a time when governments are overwhelmed by domestic preoccupations, an obligation to consult can be the best if not the only means of broadening the internal debate and thus assuring that some consideration will be given to the international implications of national policies. Because of Japan's decision-by-consensus, vertically-organized society and insular political life, strong outside pressure through a consultative process is of special importance.

Preparation for consultation at the ministers-of-foreign-affairs or heads-of-government level makes inescapable an internal concentration of effort and coordination among the various departments and facilitates the process of domestic decision-making. Moreover the obligation of ministers to meet colleagues periodically and deal with a predetermined agenda forces attention on international issues and can prepare the way for subsequent informal and more productive contacts. Periodic ministerial conferences, such as the annual meetings of the IMF and the OECD, encourage informal corridor discussions.

V. OBSTACLES TO BE OVERCOME

For effective and profitable consultation many obstacles must be surmounted.

A. INTERNAL POLITICAL OBSTACLES

A commitment to consult in agreed areas is easier to accept in the abstract than to implement. And failure to implement a consultative commitment can intensify the tension and resentment caused by a particular dispute, since domestic interest groups and the media can be counted on to berate the government for the fact that the offending country has failed to live up to its specific commitments (e.g., France, in imposing restrictions on wine imports despite European Community obligations, aroused Italian passions).

Consultation is always vulnerable to the demagogic charges that it is an attempt by foreigners to interfere with the internal decision-making process. American criticisms of the Common Agricultural Policy (CAP) — that it is a protective system that foredooms the outsider to the role of residual supplier, that its price structures are unreasonably high — have been so attacked in Europe, as Europeans have denounced Washington's attempts to become involved at an early stage in the process of political consultation among the Nine.

The domestic decision-making process can be an obstacle to effective consultation. America's constitutional system is a case in point, particularly the independent power of Congress, whose members tend to approach issues from predominantly national points of view.

There are compelling reasons to involve the Congress systematically and early in the international consultative process, but this is exceedingly difficult to accomplish. Orderly and substantive contacts between the Congress and the Administration on foreign economic issues are more the exception than the rule. The traditional foreign affairs committees of the House and Senate are even more on the fringes of the new trilateral agenda than is the State Department within the Executive Branch. Different committees — Ways and Means, Banking and Currency, the Joint Economic Committee — and obscure centers of Congressional power are largely domestically oriented even though their actions can have the most profound international effects. The problems imposed by this unique constitutional system can only be solved through improved techniques of discussion, cooperation and compromise between the Executive and the Congress.

In this litany of obstacles the asymmetry of political systems, of parliamentary government versus the American constitutional system, must be noted. Not only does this asymmetry constrain the ability of the American Executive Branch to consult internationally, but it is a special barrier to effective dialogue among European, Japanese, Canadian and American parliamentarians. Indeed it can be argued that because of the coequal power of the U.S. Congress its logical counterparts abroad are not parliaments but government officials.

Europe remains a hybrid — part classical nation-states, part nascent Community. Its ambition to deal on equal terms with the United States is frustrated by disunity and the difficulty of designating a single spokesman who can speak and consult for Europe on critical issues. In the crucial economic area, the Brussels institutions have been given only a limited mandate after twenty-five years. Even in cases where authority under the treaties is clear, the member states are ambivalent about the role they are prepared to assign the European Commission.* Washington's customary reaction to this situation, abetted by the three largest Common Market countries, is to consult exclusively with France, Germany and Great Britain. The result is to undermine the struggling Community institutions, aggravate relations with other Community members, and of them with the three. However, even if there were to occur a sudden revival of political will and commitment, the still incomplete organization of Western Europe implies an awkward partner for Japan and America.

Japan's distinctive cultural patterns pose special problems. The face it presents of a complex decision-making process working from the bottom up, and of a vertically organized and divided society with an ubiquitous press makes international consultation appear difficult. This seems a paradox, for consultation is an integral part of its domestic political process. Internationally there are the problems of language, particularly among politicians, and of geographical remoteness. The distance between Europe and Japan is more than a matter of statute miles. To each the other is truly foreign, although this attitude is being slowly changed. However, strangeness and unfamiliarity appear to be more the obstacles than what are sometimes assumed to be inherent differences between Japan and its trilateral partners. Japan has shown its interest in expanding consultation with the United States, Canada, and Western Europe in all fields; in the economic area this interest could carry Japan to consultation beyond the mere exchange of information.

*Prime Minister Tindemans identified these problems in his recent report on European Union.

Consultation, by its nature restricted, inevitably contains the disadvantages of exclusion — some countries will be outside the privileged group. The adverse impact of exclusion is real, both on those excluded and on the institutions which would have been used but were bypassed. Removing crucial issues from the agenda of appropriate agencies undercuts their authority and insures their further decay. The impact of exclusion is illustrated by the 1974 initiative of the United States in bringing together the five major industrialized countries (France, the United Kingdom, Germany, Japan, and the United States) to examine financial and monetary problems. In spite of the informality of the group, its meetings stirred up adverse reactions in other countries which have a strong interest in such discussions and are members of established institutions (the IMF and the OECD) with jurisdiction in the field. Similar difficulties arose in connection with the French initiative for the November 1975 “economic summit” at Rambouillet, especially over the exclusion of Italy, only belatedly invited, and Canada. Although insistence on participation can spring from little more than national ego, it can also arise from serious concern over the domestic effects of exclusion. If not party to consultation concerning issues of vital national importance, political leaders find it difficult later to get their governments to accept a consensus reached without their participation. Exclusion is especially sensitive for the nine members of the European Community. Treaties and collateral obligations commit them to Community institutions and to inclusive, not exclusive, procedures. The CIEC may point the way for the President of the Council and the President of the Commission officially to represent the Nine. It is sometimes argued, in support of the growing practice of special gatherings of the larger powers, that the participation of many smaller states would render agreement impossible. This ignores the fact that the difficulties to be resolved generally arise from disagreements among the larger powers. The smaller nations, which derive distinct benefit from the consultative process, usually give way in any event. Repeatedly it has been the larger countries that frustrate the consensus, or violate the agreed rules. Laborious Community efforts to arrive at a common position on Angola were in the end frustrated by the French with their precipitous unilateral action in recognizing the Popular Movement.

The tangle of treaties, agreements and institutions (bilateral, European Community, NATO, OECD, etc.) illustrates the varied interests and differing obligations of the trilateral nations and complicates consultations. The problem is most obvious and difficult in the field of

defense. The Atlantic nations have their North Atlantic Alliance commitments. For the Japanese defense is internally a sensitive issue and externally largely a matter of its bilateral relations with the United States. At the present time no overarching trilateral structure exists. An additional problem for Europe, made more complex by its disunity, is the maze of bilateral commitments and intra- and extra-European organizations — the European Community, the Political Committee, NATO, the Euro-group, WEU, OECD. The various intra-European organizations do provide one means of dealing with the perplexing question of peripheral countries which are not members of the Community—the European neutrals, Norway, Iberia, Greece and Turkey. The obligations of the Nine to and their bureaucratic investment in these organizations, however, sap the executive energy needed for effective trilateral consultation and add to the complexity of an already difficult process.

C. PROCEDURAL OBSTACLES

Extensive and detailed obligations to consult may have the effect of diluting the content of policy. If consultation means that alternative courses of action for critical problems must be explored with allies, then there is the risk that the design and launching of novel and daring proposals can be inhibited. The end result can be the lowest common denominator, another term for mediocre.

On major issues, national policies are often the product of protracted internal conflict and compromise. A commitment to international consultation on such matters can mean reopening old wounds.

One of the most troublesome aspects of consultation is the risk of disclosure, the "leak." Ironically, the problem lies generally in the concern over potential domestic embarrassment rather than international repercussions. There is no foolproof insurance against this contingency. But it is a risk habitually overstated (for example, there was no breach in the security of the sensitive SALT I consultations in NATO) and unscrupulously employed as a rationale to excuse the failure to consult. While there is a widespread view that Japan, because of its pervasive press, may have more trouble than the other members of the trilateral group in maintaining the privacy of consultation, the differences appear marginal.

Frenetic exchanges of information, official visits and consultation can be construed, or tacitly accepted, as a painless substitute for coherent policies, strong institutions and effective, enforceable rules. In short, the process can become a narcotic. Instead of employing consultation as a means of strengthening Community institutions and

improving its decision-making process, the Nine often resort to bilateral exchanges and informal discussions, a less promising path to European unity.

Clearly dangers exist in adequate preparation for consultation, especially at the ministerial or heads-of-government levels. Ambiguity routinely surrounds the nature of decisions or a consensus reached at such meetings. The most powerful, the loudest or the most assertive participant (witness Secretary Connally during the post-August 1971 financial crisis) can dominate the process with only coincidental reference to the merit of the various positions advanced.

D. PSYCHOLOGICAL OBSTACLES

Drama is the enemy of effective consultation. Once an issue is drawn under the spotlight of public attention, whether directed by the media, special interest groups or incensed politicians, a hardening of positions occurs which makes more difficult and frequently precludes the modification of views essential to consultative success.

Politicians thrive on initiatives which carry their names. As a collective activity, consultation tends to take over the initiative and deny the politician his moment of personal glory.

A subtle but important point is the relationship between extended international consultation and the citizen's current sense of alienation. The latter stems from the remoteness of national government, its apparent indifference to the individual's day-to-day problems and personal needs, and government's contrary sensitivity to general and elusive considerations. In this atmosphere, especially in the United States, extensive, advertised, serious consultation could lead to the charge that governments have "more interest in communicating with foreigners than with their own citizens." This might well increase the sense of alienation.

VI. IMPROVEMENT IN CONSULTATIVE PROCEDURES

If improvement in consultation is to occur the obligation to consult must be clarified and to a degree limited. It would be manifestly absurd to establish the premise that consultation should cover all subjects. Several criteria could be established to reduce the commitment to manageable proportions:

1. Information will be volunteered on matters likely to embarrass significantly other parties.
2. Consultation will be undertaken where the vital interests of other parties are involved.
3. Consultation will be undertaken at the request of one or more other parties.
4. Previous agreements for consultation on specific matters will be honored.

The objective is to make consultation routine and automatic, especially to insure that failure to consult will become an embarrassment to delinquent parties. One rule to this end would be to place an obligation on the offending country to justify its failure to consult on any subject covered by the four criteria.

No matter how heroic the effort, consultation will remain a complex and confusing part of the trilateral relationship. Failure to meet the obligation to consult, or disingenuous consultation, can easily worsen rather than strengthen relations. These dangers can be lessened by reducing ambiguity to the extent possible. Only in rare circumstances will the subject matter be precise, understood on all sides, and the consultative procedures equally explicit. Nevertheless, all parties to consultation must know the rules. The initiating party must assume an obligation to inform others whether they are merely being advised, or whether reactions are actually desired, or whether the initiator has either the intention or the latitude to adjust his proposed course of action in light of the comments subsequently proffered. Resentment can easily result if carefully prepared, serious reactions are ignored or summarily rejected. A central part of the process is that each party must make clear the constraints within which he operates and within which the consensus or solution must be found. Overstating or misrepresenting these constraints for bargaining purposes, however, can destroy the mutual confidence upon which a serious consultative process relies.

Experience is at odds with hopes for implementation of the criteria outlined above. As a general rule countries have been unprepared to consult on the most important issues — the Nixon opening to Peking; America's August 1971 monetary moves; the invasion of Suez by France and Britain in 1956. The record can be construed as an argument for concentrating on the less important, less sensitive items. But it is also an argument for facing highly charged and difficult issues early, informally and without drama.

The seriousness and fruitfulness of consultations are in inverse ratio to formality. This rule argues against excessive reliance on such instruments as formal ministerial committees. Discreet informal contacts are obviously essential to the work of more formal groupings. In the case of the nuclear-supplying nations, had there not been informality and discretion, neither the meetings nor the general agreement on provisions covering exports of nuclear technology of materials would have been possible. If a major objective of consultation is to affect the national decision-making process, timing is crucial. If a country is serious in imparting information, or in suggesting consultation on a given matter, then the dialogue must begin early. There must be sufficient time for those consulted to examine the problem, hold their own internal discussions, and arrive at a considered view. Unless the initiating party is play-acting, there must be adequate time prior to the taking of action so that the reactions solicited through the consultation process can be taken into account.

Adequate time is essential for other reasons. With the exception of the global institutions, someone will always be on the outside looking in. Political consultation in the North Atlantic Council excludes, for instance, European neutrals and Japan; the Eurogroup within NATO, from which France has excluded itself, does not include the United States and Canada; the Secretary of State worries about the preclusion of America from the political consultation process of the Nine.

This problem, which takes us back to the matter of exclusion, defies perfect solution. The major countries have responsibilities which derive from their economic and general weight. They also have a responsibility to strengthen, not weaken, the complex of international institutions; to ease, not compound, the problems of the smaller countries. In a measure this circle can be squared if, first, sufficient time is allowed for the process to work; if, second, the conclaves of the major powers are informal, not institutionalized; if, third, consensus rather than decisions are sought; and fourth, if actions are reserved for and subsequently carried out within the appropriate international body.

The criteria "informal" and "early" lead to the question of whether consultation should be primarily by the civil servant expert or by the politician. If the emphasis on early consultation is correct then the principal burden inevitably falls on the high-level expert. He and his colleagues will be shaping the proposals to be considered at the political level. If international considerations are introduced at a preliminary stage before internal power centers have been locked in as a result of the political bargaining process, adjustments can be made without loss of face and with less fear of attack that concessions have been made under foreign pressure. This is not an either-or situation, however. The political level cannot be excluded from the consultative process, even if this were possible; for it is consultation which sensitizes ministerial and legislative thinking so that appropriate weight may be given to the external consequences of proposed actions.

A word should be said about the role of the foreign offices in the process of consultation. The intrusion of domestic economic and social policies into international affairs has blurred the function of foreign offices as a major element in developing more effective and extensive consultation. The problem for the diplomatic services is to find a place for themselves in a process of which the critical element is continual, direct and mutually respectful contact between responsible functional officials. This has been especially evident, for example, with respect to monetary consultations between high officials from treasuries and between ministers of finance and central bankers.

Foreign offices and the diplomatic services have an indispensable role to play. Someone must be responsible for an overview, for examining the work of consulting specialists, to see that their activities do not damage other interests and that they fit within an overall strategy. In other words, the more successful we are in bringing together the functional experts the more careful we must be to insure that their work does not proceed in splendid isolation. Foreign office officials should participate in consultations and be constantly informed of their progress. If consultation leads to negotiation, this role becomes of even greater importance. The procedures of the European Community are a case in point. There are various functional ministerial councils where decisions have to be taken, but a special burden for policy consistency falls on the Council of Ministers of Foreign Affairs.

We have observed that legislators should be associated with the process of consultation but that the matter is complicated by the basic difference between parliamentary systems and the American constitutional system. As the agenda of consultation is geared increasingly to

economic problems, some involvement of legislators becomes advisable in general, and indispensable in the American system. No matter how careful, extensive and well-intentioned the consultation among administrative officials, any consensus or agreement can be frustrated by legislators, who do, and must, reflect the primarily domestic concerns of their constituents. The objective is to contain this inevitable nationalistic bias of parliaments, or, better yet, to moderate the nationalism of the different parliaments so that they will at least be conscious of implications of proposed courses of action. Nationalistic excesses may be suppressed if legislators become accustomed to the idea that through consultation one gains the right to be consulted in turn. The European Parliament, still an incomplete body, nonetheless has the unique role of encouraging consultation among legislators from the nine Community states, of stimulating a dialogue with the European Commission, and, not least, of bringing Community views and interests to the attention of their own national constituencies and legislatures.

VII. CONCLUSION

The central problem is a function of the emphasis on economic phenomena in the new era the world is entering. This implies some re-direction of attention away from the classical areas of politics and security where consultation, no matter how primitive, has been facilitated by cumulative consensus. As we noted, the new economic agenda, so intimately involved with domestic policies, impinges on the immediate interests of each citizen to a degree rarely encountered with political and defense issues.

In our democratic societies, citizens and leaders alike show little eagerness to accept international consultation as a commendable influence on national behavior, or even as a generally desirable practice. Thus, this is not a problem of a few recalcitrant governments or officials; it is a general insensitivity to the importance of the objectives consultation seeks to achieve, indeed to the implications for national behavior imposed by interdependence.

A limited, clearly delineated obligation to consult can produce many advantages. This is true even at the most primitive level, the mere provision of information. When a country provides information, it provokes others to raise questions, if nothing more. This triggers the process of consultation.

If a more effective and equitable economic order is to emerge, national policies and programs must be subject to moderation and adjustment to take into account probable adverse international ramifications. This can be accomplished only if powerful domestic agencies are brought under control and sensitized to the international consequences of their policies. Commitment to the consultative process is one of the most effective means to this end, a weapon in the hands of the internationally-minded minority in each government.

The process must be comprehensive and bring in each level of the national bureaucracy. Probably the most important element is the high-level expert, the official responsible for preparing the policy proposals which will be considered at the political level. If at an early stage he thrashes out the problem and its possible solutions and international implications with his colleagues, their thinking will influence his subsequent recommendations. It is in this context that the OECD has such unique potentialities, with its economic vocation and the forum it provides for meetings among experts. This is a framework which can

lead to the kind of serious international discussion that comes from direct contact as contrasted with the more classical, insulated diplomatic process where functional ministers communicate through foreign offices, or rely on international secretariats. The warning must be repeated, however, of the danger of OECD committees following their own limited paths on the basis of instructions from technical ministries with insufficient attention to the need to place these activities within an overall policy context.

Experience with consultation and speculation about the future lead to the conclusion that tidiness should neither be expected nor sought. This is bound to be a sloppy process. Countries have markedly varied interests and are subject to different pressures; they are members of an array of international organizations where membership differs and frequently overlaps. Acceptance of untidiness is not resignation to defeat. To recognize that consultation is inevitably complicated and disorderly is merely to confirm that it is an integral part of the complex, messy way democracies arrive at decisions.

What of trilateral consultation per se? Any exclusive or seemingly exclusive process of trilateral consultation runs the risk of stirring up resistance in Japan and, to an only slightly lesser degree, in Europe. One objection is that trilateral consultation could provoke a confrontation with the Third World. However, as the argument seems undeniable that progress toward a more secure and prosperous world depends in substantial part on the policies and action of the advanced industrial democracies, then intimate collaboration among the trilateral countries, of which consultation is an important component, is indispensable. Indeed such close, informal consultation among the three regions in connection with the CIEC has taken place without arousing undue suspicion or resentment among others, or unease on the part of Japan or Europe.

Any improvement in consultation, trilaterally or generally, depends fundamentally on an appreciation by political leaders of the national interests in this aspect of enlightened international relations. These leaders may be persuaded of the truth of this proposition if they can be made to realize the potential for domestic embarrassment if allies fail to consult; or conversely, the impairment of foreign relations and possible retaliation which can follow national actions taken without prior notice or consultation. Political leaders must be brought to recognize that efficacious international policies, and increasingly, sound domestic economic policies, demand a common approach and, in certain areas, common action — a new consensus. Consultation is the indispensable means to these ends.

We have noted before the danger that casual consultation and cooperation without commitment can become the escape route from an international regime of explicit policies, effective institutions and agreed rules. But even modest improvement in consultation can help the trilateral countries, through the current transitional period, preserve and strengthen the existing international system.

One final point. No progress toward more effective consultation is possible in the absence of political will. This can come only from realization by the heads of government, and opposition leaders, that more consultation is essential to a viable world order. It means acceptance of some restraints on independent national action, of the political embarrassment from the inevitable leaks, and of commitment to the consultative process in the agencies of government. No mere announcement of policy will suffice. A discipline must be laid on the bureaucracy, and a system designed to carry it out. Then, to insure that the decisions made at the top of government are not frustrated at the working level, the policy and its execution must be constantly monitored.

In short, consultation will not work in the absence of high-level political commitment to the process, by both executives and parliamentarians. The objective should be to move well beyond periodic admonishments to bureaucracies to consult. Consultation must be made routine, where failures to consult are embarrassing exceptions to accepted practice. Within the framework of the Community, the Europeans have moved farther and faster than the trilateral group as such.

VIII. RECOMMENDATIONS

The two preceding sections (VI and VII) contain a number of proposals to improve trilateral consultation. We offer certain additional, specific recommendations:

Trilateral Staff Group

A *Trilateral Staff Group* should be established which would:

1. oversee the whole range of trilateral consultations and cooperation;
2. identify issues or problems on which such consultation is inadequate or non-existent and provide the necessary political drive to rectify this, through either the Trilateral Political Committee referred to below, the OECD or other agencies.
3. where neither policy nor consensus exists and where no existing body can reasonably be charged with responsibility, designate a special consultative group, possibly of "wise men," to examine the problem and report back to the governments;
4. serve as an "early warning" system, alerting governments when a problem threatens to get out of hand or when a new problem appears on the horizon;
5. monitor the effectiveness of international institutions of particular interest to trilateral governments.

These functions are essentially those of coordination and the provision of the necessary political direction, rather than operational or policy-making functions.

This group would meet regularly (not less than twice yearly), but could also be called into special session. Because of the need to coordinate policy across the whole range of governments' international interests and to be able to give high-level political direction, its members should be senior governmental advisers with the personal confidence of the heads of government. They might therefore either be from the heads of government's central staffs or from foreign ministries. Identification and designation of such officials would inevitably be difficult for Japan and for the European Community. For Japan, the difficulty would derive from the lack of experience with high-level staff officials working directly with the Prime Minister. For the European Community, the aim should be to have a single representative, though achievement

of this aim would be made difficult by the primitive state of Community development and the certain resistance of the nine member governments to designating one person for this task.

Trilateral Political Committee

A *Trilateral Political Committee* should be established to discuss and, where possible and desirable, seek ways of coordinating foreign political activities of trilateral governments. The European Community Political Committee should be asked to designate the European representative on this Committee, and the CIEC pattern might be followed: one official from the European Commission and one from the member state currently president of the Council of Ministers.

United Nations

There should be regular trilateral discussion and cooperation with respect to United Nations business, principally in New York but also at other appropriate locations, such as Geneva.

OECD

The trilateral nations should recognize the value of the OECD and should agree to make more effective use of it as a flexible instrument at hand, ideally suited for more effective consultation — both among ministers and among high-level experts.

The Industrialized Democratic Regions in a Changing International System

Inaugurated in July 1973, the Trilateral Commission is a policy-oriented organization. Based on analysis of major issues facing the trilateral regions, the Commission has sought to develop practicable proposals for joint action. The Commission's members are about two hundred distinguished citizens from the three regions, drawn from a variety of backgrounds.

The historical roots of the Commission can be traced to serious strains early in the 1970s in relations among Japan, North America and Western Europe. As the decade has proceeded, however, it has become increasingly clear that the strains and shifts in the international system are global as well as trilateral in scope. The renovation of the international system is a task of global as well as trilateral dimensions, and the work of the Commission has moved accordingly.

In this global effort, the industrialized democratic regions remain an identifiable community and a vital core. Their focus, however, must not be on the preservation of the status quo, but on arrangements which increasingly embrace the Third and Fourth Worlds in a cooperative endeavor to secure a more equitable world order.

The renovation of the international system will be a very prolonged process. The system created after World War II was created through an act of will and human initiative in a relatively restricted period of time. One power had overwhelming might and influence, and others were closely associated with it. In contrast, a renovated international system will now require a process of creation — much longer and more complex — a process in which prolonged negotiations will have to be engaged and developed. In nurturing habits and practices of working together among the trilateral regions, the Commission should help set the context for these necessary efforts.

△THE TRIANGLE PAPERS

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1. *Towards a Renovated World Monetary System* (1973)
Trilateral Monetary Task Force
Rapporteurs: Richard N. Cooper, Motoo Kaji, Claudio Segré
2. *The Crisis of International Cooperation* (1974)
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3. *A Turning Point in North-South Economic Relations* (1974)
Trilateral Task Force on Relations with Developing Countries
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7. *OPEC, the Trilateral World, and the Developing Countries: New Arrangements for Cooperation, 1976-1980* (1975)
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10. *Seeking a New Accommodation in World Commodity Markets* (1976)
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