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Conference Introduction and Welcome

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CONFERENCE INTRODUCTION AND WELCOME

Henry T. King, Jr.[†]

Sidney, it has been a pleasure to work for you or with you during the past 25 years. It is been glorious. We have a marvelous working relationship, and one of mutual respect; and I cannot think of a finer person to be associated within this enterprise than Sidney. So thank you for the introduction, but let us see where we go from here.

I wanted to introduce the Conference first. The tragic events of the past months have thrust international affairs, particularly the inter-relationships between nation-states, into the public spotlight. While the emphasis of many of these discussions has been security and defense initiatives, an underlying current in many of these analyses is that issues that were once believed to be internal matters for an independent sovereign are now recognized to be of concern to the entire international community.

This awareness is not so new, however, in the Canada/U.S. context. For the past seventeen years, members of these two nations have gathered together at this in-depth conference. Those previous conferences made an effort to examine a variety of issues – trade, communications, technology, and dispute resolution, to mention just a few – that have mutual causes and consequences for the people living on either side of our vast border. We, again, undertake this initiative. We have taken a big bite in charting the course for the conference, as we will be covering the environment, as well as energy and natural resources all in the Canada/U.S. context. We will be looking at the Canadian and U.S. approaches on issues arising out of this subject matter, placing a significant emphasis on cross-border conflict and cooperation.

Our first session will be a stocktaking session, looking at the where we start in dealing with environmental problems in the Canada/U.S. context, and the choices to be made. Our guides will be Frank E. Loy, former U.S. Undersecretary of State for Global Affairs, and Alan Nymark, Canadian Deputy Minister for Environment.

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We will then proceed to the specifics. In our second session, we will be looking at greenhouse gases emissions and emissions trading in North America. The Kyoto Treaty and its progeny are benchmarks in this area; the U.S. and Canada have taken differing as well as controversial approaches in this respect. Dale Stephenson of Squires, Sanders & Dempsey in Cleveland and Robert Page of TransAlta Utilities Corporation of Calgary, Alberta will present the U.S. and Canadian perspectives on this subject area.

At noon, through the knowledgeable eyes of Janine Ferretti, Executive Director of the North American Commission for Environmental Cooperation, based in Montreal, Québec, we will be updated on NAFTA and the environment.

Our early afternoon session will deal with waste in North America. Here, we will examine the issues related to hazardous and non-hazardous wastes. Inevitably involved in all this is the question of whether the disposition of waste is a trade or an environmental issue. Speakers for this session will be Matthew Schaefer of the University of Nebraska Law School in Lincoln, Nebraska and Ken De of Environment Canada.

Water is at a premium in today's world, and this is the subject of the next session. The U.S. is short of water; Canada has a surplus. There are many in the U.S. who want to tap water sources in Canada and some in Canada who want to sell Canadian water to customers in the U.S. The question, again, remains: is all this merely a trade issue, is it only an environmental issue, or is it both? Milos Barutciski of Davies Ward Phillips & Vineberg in Toronto and Sanford Gaines of the University of Houston Law Center will guide us through this legal thicket.

Our evening session on the first day of the conference will be a "meet-the-press" session, with Emilia Askari of the Detroit Free Press and Christopher Waddell of Carleton University in Ottawa, Ontario as speakers. Peter Janson, CEO of AMEC, Inc. in Toronto, will provide background information into this session. In this session, we will examine the critical problem of reconciling the meeting of energy demands with environmental protection.

Our opening session on Day Two of the conference will deal with the environmental implications of the discovery and delivery of new energy resources in the Canada/U.S. context. This is an important topic. We are indeed fortunate to have James E. Hickey of Hofstra University School of Law in Hempstead, New York, and David Luff from the Canadian Association of Petroleum Producers in Calgary, Alberta as our speakers for that session.

At noon, we will take a deep breath, look over the hill, and David Jhirad of the Georgetown University School of Foreign Affairs in Washington, D.C., who is also associated with the Gemstar Group, will discuss an energy policy for the 21st Century.

In our early afternoon session, we will be discussing state and provincial regulations of natural resource exploration. Our leadoff speaker for this session will be William Mogel from Squires, Sanders & Dempsey in Washington, D.C. He will be followed by Martin Kaga, a Senior Solicitor for the Alberta Department of Energy in Edmonton, Alberta.

Late afternoon session on Day Two will deal with fish and other migratory species in the Canada/U.S. context. This will cover not only fish, but also other wildlife, including birds and butterflies. William W. Taylor with Michigan State University in East Lansing, Michigan and Henry Regier of University of Toronto and the University of Waterloo, Canada will be our speakers for that session. Mr. Regier's presentation will be supplemented by Tracy Dobson, Professor of Fisheries and Wildlife at Michigan State University.

The Great Lakes are the largest source of fresh water in the world, and they will be the subject of our evening session on Day Two of the conference. We think it is important to do some expanding upon the Great Lakes topic and we have entitled this session "The Great Lakes: A Report Card." Michael Donahue, President and CEO of the Great Lakes Commission in Ann Arbor, Michigan and John Mills of Environment Canada in Ottawa will be our leaders in the discussion of this important subject matter.

Our climax session on Sunday morning will deal with the economics of energy and the environment. For this session, we will have one U.S. speaker, Steve Charnovitz of Wilmer, Cutler & Pickering in Washington, D.C., and two Canadian speakers, John H. Sargent, Head of Domestic Emissions Trading in the Climate Change Secretariat in Ottawa and F. Michael Cleland, Senior Vice President of the Canadian Electricity Association, also in Ottawa.

This is a sweeping and comprehensive program on the subject of great Canada-U.S. interest. So without further ado, let us move right ahead to the subject at hand and to our first speaker, Frank Loy, former U.S. Undersecretary of State for Global Affairs.

