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## **Table of Contents**

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**VOLUME 24** 

1998

### PROCEEDINGS OF THE CANADA-UNITED STATES LAW INSTITUTE CONFERENCE

#### SOVEREIGNTY REVISITED AS CANADA AND THE UNITED STATES ENTER THE 21<sup>ST</sup> CENTURY

#### Cleveland, Ohio April 17-19, 1998

Conference Speakers i
List of Conference Participants ix
Introduction and History of the Canada-United States Law Institute Sidney Picker, Jr 1
Conference Opening Henry T. King, Jr
Introduction: The Dimensions of Sovereignty – Canadian and U.S. Approaches
Henry T. King, Jr
The Dimensions of Sovereignty – A U.S. Approach Douglas E. Rosenthal 11
The Dimensions of Sovereignty – A Canadian Approach Jonathan Fried

Discussion After the Speeches of Jonathan Fried and Douglas Rosenthal 27 Introduction: Sovereignty in Federal States – Differing Approaches
Hiram E. Chodosh
The "Grey Areas" and "Yellow Zones" of Split Sovereignty Exposed by Globalization: Choosing Among Strategies of Avoidance, Cooperation, and Intrusion to Escape an Era of Misguided "New Federalism"
Matthew Schaefer
Sovereignty in Federal States – Differing Approaches Charles Caccia
Discussion After the Speeches of Charles Caccia and Matthew Schaefer
Introduction: The E.C. – An Example of Breaking Down the Barriers of Sovereignty – Implications for Canada and the United States <i>Henry T. King, Jr.</i>
The E.C. – An Example of Breaking Down the Barriers of Sovereignty – Implications for Canada and the United States <i>Guy Pevtchin</i>
Discussion After the Speech of Guy Pevtchin
Introduction: Settlement of International Trade Disputes – Challenges to Sovereignty
<i>Henry T. King, Jr.</i> 101
Settlement of International Trade Disputes – Challenges to Sovereignty – A U.S. Perspective <i>Richard O. Cunningham.</i>
Settlement of International Trade Disputes – Challenges to Sovereignty – A Canadian Perspective Lawrence L. Herman
Discussion After the Speeches of Lawrence Herman and Richard Cunningham

Introduction: The Information Revolution – Culture and Sovereignty Dorinda Dallmeyer
The Information Revolution – Culture and Sovereignty – A Canadian Perspective J. Michael Robinson
The Information Revolution – Culture and Sovereignty – A U.S. Perspective John A. Ragosta
Discussion After the Speeches of John Ragosta and J. Michael Robinson
Introduction: Sovereignty, Trade, and the Environment Marcella Szel
Sovereignty, Trade, and the Environment – A U.S. Perspective Gary Horlick
Sovereignty, Trade, and the Environment – The North American Agreement on Environmental Cooperation Sarah Richardson
Discussion After the Speeches of Sarah Richardson and Gary Horlick 201
Introduction: Extraterritorial Sanctions in the Canada/U.S. Context Henry T. King, Jr
Extraterritorial Sanctions in the Canada/U.S. Context – A Canadian Perspective Barry R. Campbell
Extraterritorial Sanctions in the Canada/U.S. Context – A U.S. Perspective Arthur T. Downey
Discussion After the Speeches of Arthur Downey and Barry Campbell
Introduction: Commonality of Standards – Implications for Sovereignty Dirk Barrett, Jr

Commonality of Standards – Implications for Sovereignty – A U.S. Perspective Shirley Coffield
Commonality of Standards – Implications for Sovereignty – A Canadian Perspective James McIlroy
Discussion After the Speeches of James McIlroy and Shirley Coffield 253
Introduction: The Impact of Globalization on Sovereignty and the Environment Leonard Young
The Impact of Globalization on Sovereignty and the Environment Stuart Smith
Discussion After the Speech of Stuart Smith
Introduction: Sovereignty and Investment Issues – Chapter 11 of NAFTA – What are the Implications for Sovereignty? <i>Henry T. King, Jr.</i>
Chapter 11 of NAFTA: What are the Implications for Sovereignty? Donald S. Macdonald
Discussion After the Speech of Donald Macdonald
Introduction: Regulation of Competition in the Canada/U.S. Context – Extraterritorial Reach of U.S. Antitrust Law Sanford Yosowitz
Regulation of Competition in the Canada/U.S. Context – Extraterritorial Reach of U.S. Antitrust Law – A Canadian Perspective <i>Crystal L. Witterick.</i> 299
Regulation of Competition in the Canada/U.S. Context – Extraterritorial Reach of U.S. Antitrust Law – A U.S. Perspective Joseph P. Griffin
Discussion After the Speeches of Joseph Griffin and Crystal Witterick327

Introduction: The Press Looks at the Political Future of Canada and the United States in the 21 <sup>st</sup> Century – Where Do We Stand, and Where Are We Headed?
Henry T. King, Jr
The Press Looks at the Political Future of Canada and the United States in the 21 <sup>st</sup> Century – Where Do We Stand, and Where Are We Headed? (A U.S. Viewpoint) <i>Howard Schneider</i>
The Press Looks at the Political Future of Canada and the United States in the 21 <sup>st</sup> Century – Where Do We Stand, and Where Are We Headed? (A Canadian Perspective) <i>Giles Gherson</i>
Discussion After the Speeches of Giles Gherson and Howard Schneider
Introduction: Food Safety Regulations – Cross-Border Implications Sidney Picker, Jr
Sovereignty and Food Safety in a NAFTA Context Paul Martin
Food Safety Regulations – Cross-Border Implications – A U.S. Perspective Matthew Schaefer
Discussion After the Speeches of Paul Martin and Matthew Schaefer385
Closing Remarks and Discussion Henry T. King, Jr
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#### SPEAKERS AT THE CANADA-UNITED STATES LAW INSTITUTE CONFERENCE ON SOVEREIGNTY REVISITED AS CANADA AND THE UNITED STATES ENTER THE 21<sup>ST</sup> CENTURY

**CHARLES LUIGI CACCIA** is the Chair of the Committee on Sustainable Development of the National Liberal Caucus and is a member of the Priority and Planning Committee of the Caucus. He was first elected to public office as a member of the City of Toronto Metro Council in 1964 and has continued to hold elected and appointive positions including Minister of Labor and Minister of the Environment under Prime Minister Trudeau. He has contributed to several publications, including *Policy Options, The Toronto Star*, and *Sustaining Earth*, which included his essay, *The OECD Nations and Sustainable Development*. He has lectured at several universities and has participated in many international conferences organized by the OECD, the United Nations, and others. Mr. Caccia received his degree in Forestry Economics from the University of Vienna in 1954.

**BARRY CAMPBELL** served as a Member of the Parliament of Canada from 1993 to 1997. He served for two years as vice chair of the House of Commons Standing Committee on Finance, and two years as chair of the Greater Toronto Federal Liberal Caucus. From January 1996 to June 1997, he served as Parliament Secretary to the Ministry of Finance. Prior to his election to Parliament, Mr. Campbell was with the Toronto firm of Tory Tory DesLauriers & Binnington, where he advised major Canadian clients on acquisitions, international mergers, international banking matters, and competition and trade law. Mr. Campbell, at one time, was legal counselor at the International Monetary Fund in Washington, D.C., and practiced in the firm of Arnold & Porter. He graduated from McGill University, and McGill University School of Law, and from Harvard Law School. He is currently Chairman of APCO Canada which is a public affairs and strategic communications company.

SHIRLEY COFFIELD is a partner in the law firm of Keller and Heckman, L.L.P. She has specialized in international trade law and policy for more than twenty-one years. In addition to her practice, she is an adjunct professor of U.S. international trade law at Georgetown University Law School where she has taught since 1982. Previously, Ms. Coffield served in the U.S. Department of Commerce Office of the General Counsel and as Senior Counsel to the Deputy Assistant Secretary of Commerce for Textiles and Apparel. She also served as Assistant General Counsel to the U.S. Trade Representative from 1975 through 1979. She is the author of many articles on international trade law and policy and has lectured on multilateral and regional trade agreements and on U.S. international trade law and policy. Ms. Coffield received her B.A. in political science from Willamette University, a graduate degree from the University of Wisconsin, and a J.D. with honors from George Washington University.

**RICHARD CUNNINGHAM** is a partner at the law firm of Steptoe & Johnson, L.L.P., where his current practice is devoted primarily to issues of international trade policy and to international trade litigation. He has both prosecuted and defended import relief cases under the anti-dumping and countervailing duty laws and sections 201, 337, and 406. He has also participated in product liability and class action litigation in the U.S. trade in services, customs, and intellectual property issues. Further, Mr. Cunningham advises United States and foreign companies on international transactions, on countertrade, and other aspects of dealing with non-market economics, and on the development and implementation of international competition strategies. He is the Co-Chairman of the American Bar Association's Task Force on the Relationships Between Competition Law and International Trade Law as well as Chairman Emeritus of the American Bar Association Standing Committee on Customs Law. Mr. Cunningham has a B.A. and a law degree from George Washington University.

**ARTHUR DOWNEY** is Vice President-Government Affairs of Baker Hughes Incorporated, a Fortune 500 company headquartered in Houston, Texas. Mr. Downey is based in the Washington office of Baker Hughes. Prior to joining Baker Hughes, Mr. Downey was a partner in a major Washington law firm, was Assistant Secretary of Commerce, and was a member of Henry Kissinger's National Security Council staff. He also served in the State Department in Washington, D.C. and Berlin, Germany, and was an adjunct professor of law at Georgetown University. Mr. Downey is a member of the President's Export Council Subcommittee on Export Administration and is a member of the Board of Directors of the American Drug Company. He received his J.D. from Villanova University and LL.M. from Georgetown University.

**JONATHAN FRIED** is Assistant Deputy Minister for Trade and Economic Policy in Canada's Department of Foreign Affairs and International Trade. He has responsibility for Canadian multilateral trade policy in the WTO, OECD, and various regional agreements, and for ongoing implementation and administration of the North American Free Trade Agreement. He was formerly Principal Counsel for the Trade Law Division, providing advice on WTO, NAFTA, and other trade agreements. In 1992, Mr. Fried was elected to the Inter-American Juridical Committee and was re-elected in 1996. Mr. Fried was formerly Assistant General Counsel of the Canadian Trade Negotiations Office, a visiting professor at the University of Toronto, and an adjunct professor at several U.S. and Canadian universities. He received his B.A. and LL.B. from the University of Toronto and his LL.M. from Columbia University.

GILES GHERSON is currently the National Economics columnist for Southam News Services in Ottawa. His career as an economic and political journalist began at Toronto's The Financial Post, where he eventually became the Washington Bureau Chief. Mr. Gherson also held the position of Ottawa Bureau Chief for The Financial Times of Canada. His journalism work has centered not only on regional issues, but also on national affairs, including the National Energy Program and NAFTA, and his work has earned him several national journalism awards. More recently, Mr. Gherson served for a year as the National Political Correspondent for The Globe and Mail, and undertook the strategic management of Canada's social security reform under the Minister of Human Resources Development. Mr. Gherson's expertise has led to his appearance as a commentator on numerous radio and television programs, including CBC's Prime Time News and PBS's Washington Week. He also serves as a regular weekly business panelist for CBC's Midday and CBC Radio's Morningside. Educated in England, Mr. Gherson earned his B.A. from Queen's University.

**JOSEPH GRIFFIN** is the Manger of the International Section of Morgan, Lewis & Bockius, LL.P. He has substantial experience representing U.S. and foreign companies in negotiations, litigation, and arbitration involving international business transactions. Active in civic and professional organizations, he was a member of the Secretary of State's Advisory Committee on Private International Law between 1987 and 1997. He is an adjunct professor at Georgetown University Law Center and former chairman of the American Bar Association's 16,000-member International Law and Practice Section. Mr. Griffin's most recent book is the revised edition of U.S. International Antitrust Enforcement. After graduating from the University of Virginia, Mr. Griffin received his law degree from the Georgetown University Law Center and Diploma in Law from Oxford University in England.

LAWRENCE HERMAN is Associate Counsel at the law firm of Cassels, Brock & Blackwell specializing in international trade and international business transactions. He represents clients from the private sector as well as governments and international agencies in the trade area, dealing primarily with the GATT, WTO, FTA, and NAFTA. Mr. Herman is a member of the Canadian Government's International Trade Advisory Committee (ITAC) Task Force on Trade Policy, the Council of the Section on Energy and Resource Law of the International Bar Association, and is a member of the Advisory Board of the Canada-United States Law Institute. He also teaches international trade in Osgoode Hall Law School's graduate program and writes a regular column on international business law for *The Financial Post* in Toronto. Mr. Herman holds a B.A. and an LL.B. from the University of Toronto, and is a member of the Saskatchewan and Ontario bars.

GARY HORLICK is a Washington-based partner at the law firm of O'Melveny & Myers, L.L.P. specializing in international trade in goods and services. He also currently teaches at Georgetown Law Center and has taught international trade law at Yale Law School. He served as Deputy Assistant Secretary of Commerce for Import Administration from June 1981 to June 1983, and was responsible for U.S. investigations of anti-dumping and countervailing duty complaints and for the negotiations and implementation of the U.S.-E.C. trade arrangements on steel and the administration of statutory import programs and foreign trade zones. He is a member of the Council on Foreign Relations and of the Trade Subcouncil of the Competitiveness Policy Council. He is one of five members of the World Trade Organization's permanent group of experts dealing with subsidies. He is also a member of the U.S. Court of International Trade's Advisory Committee on Rules. Mr. Horlick is a graduate of Dartmouth College, Cambridge University, and Yale Law School.

**DONALD MACDONALD** is Counsel at the Toronto office of Canada's national law firm, McCarthy Tétrault. Mr. Macdonald served sixteen years as a member of the Parliament of Canada. He subsequently, while in Pierre Trudeau's Cabinet, held the positions of President of the Privy Council, Minister of National Defense, Minister of Energy, Mines & Resources, and Minister of Finance. Since that time, Mr. Macdonald served as Chairman of the Royal Commission on the Economic Union and Development Prospects for Canada (the "Macdonald Commission") and thereafter, as High Commissioner for Canada to Britain. Mr. Macdonald has also held the appointments of the Chairman of the Advisory Committee on Competition in Ontario's Electricity System, as well as chairman and director of several commercial corporations in Canada and the United States. He received his LL.M. from Harvard University, his LL.B. from Osgoode Hall, and a Diploma of International Law from Cambridge University.

**PAUL MARTIN** is Acting Director of the Multilateral Trade Policy Division of Agriculture and Agri-Food Canada. Since 1989, he has worked in the International Trade Policy Directorate of Agriculture and Agri-Food Canada. He was involved in the negotiations of the Uruguay Round Agreements, in particular the Agreement on Sanitary and Phytosanitary Measures. He received both his Bachelors and Masters degrees in Agricultural Economics from the University of Guelph in Ontario.

JAMES McILROY is founder of McIlroy & McIlroy, Counsel on Public Policy where he advises clients on government regulations, international trade, intellectual property, and successful export strategies. In 1984, he was appointed Senior Policy Advisor to Canada's Minister for International Trade where he worked on launching the Canada-U.S. Free Trade Agreement and was involved with a wide range of trade policy issues. Mr. McIlroy has served on bi-national panels where he worked on disputes between Canada and the United States in anti-dumping and countervailing duty cases. Currently, he represents clients before government departments and agencies including the Canadian International Trade Tribunal. He holds a B.Sc. from Université de Montréal, an M.A. (Maîtrise) from the Sorbonne, and an LL.B. from Osgoode Hall Law School.

GUY PEVTCHIN is a partner with Squire, Sanders & Dempsey, L.L.P. in Brussels. He has practiced Belgian, E.U., and international corporate law for nearly four decades. Prior to joining Squire, Sanders & Dempsey in 1983, he served as Union Carbide Counsel specializing in E.U. and international matters in Europe, Africa, and South America. Mr. Pevtchin teaches E.U. law at the University of Paris Law School and has been a frequent lecturer at law seminars both in Europe and in the United States. He was previously Chairman of the Belgian Corporate Lawyers Association and Vice-President of the E.U. Committee of the American Chamber of Commerce in Brussels. Mr. Pevtchin received his Ph.D. from Brussels University.

JOHN RAGOSTA is currently a partner in the law firm of Dewey Ballantine and is an adjunct professor at Georgetown University Law Center in Washington, D.C. He has represented corporations, associations, and governments with respect to some of the most complex trade litigation and negotiations of the 1980s and 1990s. He was intimately involved in the successful prosecution of the Super 301 case against Japan brought by the U.S. Alliance for Wood Products Exports. He was also involved in the 1986 and 1992 countervailing duty cases against Canada brought on behalf of the U.S. Coalition for Fair Lumber Imports. He was instrumental in the subsequent negotiation of the U.S./Japan Wood Products Agreement, the U.S./Canada Softwood Lumber Agreement, and the relevant provisions of the U.S./Canada Free Trade Agreement, and FTA implementing legislation. Mr. Ragosta has advised clients on various aspects of the GATT Uruguay Rounds and NAFTA including NAFTA and GATT dispute settlement proceedings. Mr. Ragosta received his law degree from the University of Virginia School of Law and his B.S. from Grove City College.

SARAH RICHARDSON is the Program Manager of the NAFTA Environment Program for the Commission for Environmental Cooperation in Montreal. Prior to that, she served as Foreign Policy Advisor on the National Round Table on Environment and Economy in Ottawa, which is an advisory body to the Prime Minister of Canada on issues of sustainable development. Ms. Richardson has a degree in International Relations from the University of Toronto, an LL.B. from Dalhousie University in Halifax, and an LL.M. from Columbia University in New York.

J. MICHAEL ROBINSON is a senior partner in the Toronto office of Fasken Campbell Godfrey and is the director of the firm's International Practice Group. His practice emphasizes capital markets in several dimensions: domestic and international banking and other finance; regulation and operation of domestic and foreign banks and other financial institutions; and international trade and investment, including joint ventures and private infrastructure projects. He is Chairman of the Capital Markets Forum Advisory Board of the Section of Business Law for the International Bar Association and is the immediate past Co-chairman of the Capital Markets Forum. In addition, Mr. Robinson has served as a member of the advisory boards of the Ontario Center for International Business, Center for International Studies, Asia Pacific Centre for the Resolution of International Business Disputes of the American Bar Association, and as a faculty member of the Osgoode Hall Law School. Mr. Robinson received his B.A. from the University of Western Ontario and his LL.B. from the University of Toronto.

**DOUGLAS ROSENTHAL** has practiced in the law of international jurisdiction in the United States and internationally for twenty-five years. He co-authored with a senior British Civil Servant, William Knighton, *National Laws and International Commerce: The Problem of Extraterritoriality.* He has represented the Canadian, Japanese, and British governments and various foreign clients in U.S. legal proceedings involving issues of international jurisdiction. Much of his work has been in the field of international antitrust. He served as Chief of the Foreign Commerce Section of the Antitrust Division of the U.S. Department of Justice during the Carter Administration. He has international jurisdictional litigation experience in many other areas as well. He earned his doctorate degree in political science and his LL.B. from Yale. He has studied the concept of sovereignty in political and legal thought. Much of his law practice has involved jurisdictional issues between Canada and the United States.

**MATTHEW SCHAEFER** is an Assistant Professor of Law at the University of Nebraska College of Law. He teaches public international law, international business transactions, and a seminar on international trade law and policy. Prior to joining the faculty at the University of Nebraska, he served as an international trade consultant to the National Governors' Association and Western Governors' Association in Washington, D.C. during the legislative implementation of the NAFTA and GATT Uruguay Round. He also served as a consultant to two members of the European Parliament in Brussels, Belgium and the states of Hawaii, Texas, and Utah. Mr. Schaefer holds a B.A. from the University of Chicago, where he graduated with honors. He also holds a J.D. and LL.M. from the University of Michigan where he graduated *magna cum laude* and was Order of the Coif.

HOWARD SCHNEIDER joined the Foreign Staff of *The Washington Post* in 1996 and lived in Toronto for a three year assignment. He originally joined the staff of *The Washington Post* in 1988 as a reporter at the paper's Annapolis bureau where he was responsible for covering the Maryland state government. He later joined the *Post*'s Metro investigation team. He assisted in the paper's investigation of President Clinton's finances, and also wrote extensively about the financial affairs of the District of Columbia. Mr. Schneider has a degree in economics from the University of Maryland. He and his family moved to Cairo in July to become the *Post*'s Middle East correspondent.

**STUART SMITH** is Chairman of the Board of Ensyn Technologies, Inc. He has occupied senior positions in the fields of medicine, politics, science policy, and environmental business. For eight years he was a professor in the Department of Psychiatry at McMaster University Medical School in Hamilton, Ontario. He has been Chairman of the Science Council of Canada, alerting Canadians to the importance of new technology. Mr. Smith chaired the Peer Review and the Implementation Process for the Federal "Centres for Excellence" competition. In 1995, the Prime Minister appointed him Chairman of the National Round Table on the Environment and the Economy. Mr. Smith graduated with a degree in medicine from McGill University.

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### CANADA/U.S. LAW INSTITUTE CONFERENCE ON SOVEREIGNTY REVISITED AS CANADA AND THE UNITED STATES ENTER THE 21<sup>st</sup> CENTURY

## April 17-19, 1998

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