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2020 Canada-U.S. Law Institute Experts' Meeting The United States and Canada: Outlook for Bilateral Relations in 2021 -- Welcom & Opening of the 2020 CUSLI Experts' Meeting

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2020 CANADA-U.S. LAW INSTITUTE EXPERTS’ MEETING – THE UNITED STATES AND CANADA: OUTLOOK FOR BILATERAL RELATIONS IN 2021

DECEMBER 10, 2020

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WELCOME & OPENING OF THE 2020 CUSLI EXPERTS’ MEETING

*Speakers: Stephen J. Petras, Jr., Dr. Christopher Sands
& The Honorable Jane Harman*

MR. STEPHEN J. PETRAS: Welcome, everyone, to a program put on by the Canada-United States Law Institute and the Canada Institute of the Woodrow Wilson Center. This program is on “The United States and Canada: Outlook for Bilateral Relations in 2021.” We’d like to welcome all of you. The Canada-United States Law Institute is happy to collaborate again with the Canada Institute of the Woodrow Wilson Center on assessing the impact of an important election. We did this together last year, assessing the Canadian national election, and it’s been a pleasure to work again with the Wilson Center.

Let me briefly tell you a little bit about the Canada-United States Law Institute. CUSLI is, first, a law institute focused on legal and policy issues facing and impacting the two countries. We have two presidents: Erika Chamberlain, dean of the Faculty of Law at the University of Western Ontario, and Michael Scharf, co-dean of Case Western Reserve University School of Law.

We also have two co-chairs: Jim Peterson, former Minister of International Trade of Canada, and Jim Blanchard, former congressman from Michigan, former governor of Michigan, and former U.S. Ambassador to Canada. We also have two national directors. Chi Carmody, professor at the Law Faculty of the University of Western Ontario, is our Canadian national director, and I am the U.S. national director from Case Western Reserve University School of Law.

CUSLI focuses on policy and legal issues facing the two countries. We do this through our Experts' Meeting, our Annual Conference, and our scholarly articles published in the *Canada-United States Law Journal*. This coming year, in 2021, we will have our Annual Conference on April 22 and 23—hopefully in person, but at least virtually—that will focus on the Arctic. And it'll focus on the impact of climate change on regional security issues in the Arctic, on Indigenous peoples in the Arctic, on the environment of the Arctic, and on international relations in the Arctic. So, please mark your calendar for that important event.

Today, we are here to assess the results of the election of Joseph Biden as the forty-sixth president of the United States. To lead this event is Christopher Sands, professor of the John Hopkins School of Advanced International Studies and the director of the Canada Institute of the Woodrow Wilson Center. Chris holds many distinguished positions and posts, and he has testified before the federal legislatures of both countries, and published widely on U.S.-Canada relations. Moreover, we are very proud that Chris is a member of the Executive Committee of the Canada-United States Law Institute. So, Chris, over to you to moderate today's important event.

DR. CHRISTOPHER SANDS: Thank you very much, Steve, and I'm so pleased to have the chance to have the Canada Institute host the Canada-United States Law Institute's Experts' Meeting for a second time running.

Last year, when we gathered, we were looking ahead to the potential of the election to reshape bilateral relations. And at that time, I was a speaker, but I wasn't working for the Woodrow Wilson Center. One year later, I'm pleased to be able to offer to host this important conference at the Woodrow Wilson Center. And, more importantly, I'm pleased that I've been with the Canada-U.S. Law Institute now, believe it or not, for almost ten years. I joined the Executive Committee in 2011, so this is a milestone event for us all.

And to make it truly special, it's my honor to be able to introduce my boss, director, president, and CEO of the Woodrow Wilson International Center for Scholars, the Honorable Jane Harman. Congresswoman Harman served nine terms in the U.S. Congress in the U.S. House of Representatives. She has been on almost every important committee of foreign policy, homeland security, and national defense. She's played a major role in shaping U.S. policy and U.S. foreign policy around the world, and now she continues that leadership role as the head of the Woodrow Wilson International Center for Scholars—started as a memorial for President Woodrow Wilson, and part of the Smithsonian Institution, a collection of fine organizations.

One distinction, though, I think I'm happy to convey about Jane Harman is that she has always been a great friend of Canada, and that comes through very strongly. It came through the first time I ever met her, and her support for the Canada Institute, and for sensible policy and exchange with Canada is just unmatched from senior Americans that I have met. So, with that, let me turn the program over to my boss, Congresswoman Harman.

THE HONORABLE JANE HARMAN: Well, thank you, Chris. You'll now get a promotion. That was quite impressive.

(Laughter.)

But hello, everyone. And hello to many good friends that I'm looking at on my Zoom, including Jim Blanchard, a former colleague.

Anyway, I call myself a recovering attorney and a recovering politician. I say it's not a twelve-step process. But I'm not a recovering lover of Canada and the U.S.-Canada relationship, having been there many, many times, having missed, sadly, the Halifax Security Conference this year, where I have become a regular.

So, we're talking about Canada and the U.S. election. And I would just observe that, over the past four years, America has quite frankly exhausted Canada. From the negotiations over USMCA [United States-Mexico-Canada Agreement], which was a huge success, and a credit to the Trump administration and the Congress—I mean, it's hard to always say these two things work together—and to Canada, and to Mexico. From that huge negotiation—some of us call it NAFTA 2.0—to tariffs, to defense, to our handling of the COVID crisis, Canada has stood beside a less predictable, and sometimes less reliable, ally than she has had in the past. And while Canada, I would say, is not only our neighbor, our popular neighbor to the north, but our most trusted ally. The enduring friendship between our nations would not be possible without the talent and grit of our diplomats.

So, with that, please join me in welcoming Kirsten Hillman, who was appointed Canada's Ambassador to the United States in March of this year, and is the first woman to serve in the role.

By the way, there are so many first women now. One of whom, Karen Pierce, is from Britain, and someone I've gotten to know well. Another of whom is from Germany. And it is just fun. We ought to have, if we ever can get together again, a power women lunch, breakfast, or whatever, in Washington. I highly recommend that. Chris, you might be appointed for the day, or for the event, an honorary member of the tribe. But, at any rate, we won't go there right now.

DR. SANDS: I hope so.

(Laughter.)

HON. JANE HARMAN: From August 2019 to her nomination, Ambassador Hillman served as Canada's Acting Ambassador to the United States, and prior to that she served as Deputy Ambassador to Washington from August 2017 to August 2019. So, she's got lots of experience. Before joining the embassy in Canada to the United States, Ambassador Hillman held the position of Assistant Deputy Minister of Trade Agreements and Negotiations Branch at Global Affairs Canada, which oversees Canadian trade policy and trade negotiations—perfect experience for what is going on now. She was also Canada's chief negotiator for the Comprehensive and Progressive Agreement for Trans-Pacific Partnership—the CPTPP—which, speaking for myself, I wish the U.S. were still participating in. Ambassador Hillman has held various positions both at home and abroad, including Associate Assistant Deputy Minister for Trade Policy Branch and senior legal advisor at the Permanent Mission of Canada to the World Trade Organization in Geneva.

Ambassador, thank you for joining us. I think we'll get all of our technical problems sorted out, quietly somehow, while you are giving a keynote address, and I will ask you a few brief questions after that before we proceed with the

program. Welcome. Welcome to this jointly sponsored event. We're so happy that you could be here.

(Applause.)