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## Closing Remarks

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## CLOSING REMARKS

STEPHEN PETRAS: Great. Thank you very much, Peter, Kathryn, Andy, Andy Leslie. Outstanding, outstanding panel. Given the fact that it's getting late in the day, my proposal is that we dispense with the break, and we move into our summary at this point. It's a tradition here. Do I hear any objection? Please, help yourself to something to drink if you'd like. But it's a tradition here at our annual conference to dig in deep on many issues, take in a lot of information and then sit back and wonder, well, what exactly did we learn today?

We have someone [to do that] and it's traditionally Chi Carmody, our Canadian National Director, who comes in. He pays close attention throughout the conference and summarizes for us and assimilates what we've learned. Chi comes to us from the University of Western Ontario. He's a member of the Faculty of Law there. He teaches courses in public international law, international trade law and international business transactions. He's been a visiting fellow at Georgetown University and also at the Jean Monnet Centre for Regional and International Economic Law & Justice at NYU Law School. Chi is a noted legal expert on international trade, climate change, and Canada-US relations and he's widely published on those areas. Chi, over to you.

CHIOS "CHI" CARMODY: Thank you, Stephen. I'll be very brief in my remarks today. I've attended these conferences since the year 2000 with a couple of lapses recently due to the COVID-19 pandemic and the subject of this year's conference: *Stronger Together Leadership for New Security and Economic Challenges* promised to be one of the more interesting and immediately important annual conferences. I say important because [it's evident] that the last few years have brought about challenges that were probably present in the past, but not so nearly visible or pressing as they appear today. Challenges that now seem acute and that seem to threaten our common way of life here in North America.

As the title of this Conference infers, it is suggested we're in great need of leadership to address them. These challenges are apparent; they consist of topics that have been the subject of previous annual conferences: climate change, economic renewal, continental defense; but also subjects that have been given new urgency and acuteness and indeed poignancy by what we see now happening, taking place beyond our shores and beyond our borders. China's stealth takeover of Hong Kong, Russia's unjustified and illegal war in Ukraine, calls for racial and climate justice in our own territories, and suddenly and fantastically, in this age of globalization when we were supposed to have better lives and more of everything, constraints, bottlenecks, and threats everywhere.

Taken together, I think they're a stark reminder of the paradox that was originally pointed out by the Italian writer, Giuseppe Tomasi di Lampedusa, in his famous 1958 novel, *The Leopard*, about the decline of the Sicilian aristocracy during the unification of Italy in the mid-19th century. In that novel, Lampedusa had one of his characters make the insightful observation that, "things are going to have to change in order for them to remain the same." On multiple fronts, our two countries, Canada and the United States, seem to be gripped by that paradox today. How are we

supposed to change in order for things to remain the same? How are we going to reimagine our lives so that we can continue to enjoy our common life and well-being together?

In his opening remarks last night, Ambassador Jacobson suggested that the answer to this question lies in first recognizing the values we possess together, the commitment to personal freedoms, but also to the basic civil obligations in the rule of law, to free and fair elections, and to representative democracy. Those keystone ideas are easy to take for granted but they've also been under considerable threat and strain in both of our countries recently. They're emblematic of the urgent need on both sides of the border to rebuild and reinforce and reimagine our communities.

Much has been made about the possibilities that are presented to us by the Internet and social media which are often touted as adding so much to our lives, but less often do we pause to think about what it is that they might have taken away from us, and the way in which so many people today are isolated, silenced, and alone. This is not to suggest, therefore, that we need to return uncritically to some sort of pre-Internet idyllic past.

As I've mentioned in my closing remarks at previous conferences, and in many ways, the past was not so idyllic. We have to remember that, and we have to remember as Lampedusa wrote, that things are going to have change in order for them to remain the same, and hopefully, to get better. There's an element of change in keeping things as they are but there's also an urgent need to address what is new, new threats, and new challenges.

Last night, Ambassador Jacobson suggested that we have to work on big things together in order for the smaller things between our two countries to sort themselves out over time. And what are those big things? Well, chief among them, among all the panels that we heard from today is the idea of our relationships. Our first panel, chaired by Diane Francis, emphasized the point that relationships matter. As she noted, we're sort of like siblings, not neighbors. At the same time, there's a constant need—at least on the Canadian side—to be seen as and recognized and relevant to that relationship to be equals and not merely as junior siblings.

As James McCarten pointed out, the summit between the US President and our Prime Minister a few weeks ago was long in coming. There were open questions about President Biden's commitment to Canada and as Robert Schoenberger has observed, probably some cleanup from the past that needed to get done. However, the war in Ukraine has been a pivot and has helped to bring both Canada and the United States together to reinforce their relationship.

But as Robert Schoenberger also pointed out, [the war in Ukraine] has also emphasized how the extreme degree of interdependence between our two economies means that any real rupture between us is probably unthinkable at this point. It probably means that we are going to have to continue to live and work together and to work out our differences peacefully in a mutually respectful way.

Another issue which the two countries have had to grapple with recently and a common theme returned to again and again in this last day-and-a-half has been the issue of climate change. We live with the threat of climate-induced destruction on a scale unseen in recent human history. Every week now, it seems that there's news of some new climate induced catastrophe sweeping across North America, whether in

the form of atmospheric rivers that dump record-moisture and heat on British Columbia or California, ice storms that, like the one that blanketed much of Quebec and Southern Ontario just prior to Easter, or cyclones that tear through much of the Southern United States but also now parts of Canada with growing frequency.

These episodes, taken together, might seem just to be another series of news items. [But] there will come a point at which recovering from all of this climate-induced catastrophe is going to become too much, as some people recently in British Columbia have realized. People will just have to be left where they are in the sad and twisted environment that they live in or possibly to move on—and where will that be?

Particularly, if they're confronted with climate migrants from even greater climate-induced catastrophes elsewhere, as now seems to be happening, we have to wonder. The plain fact is that we have to get a grip on climate change. That is one change that we're going to have to address squarely and solidly. We have to be moving as fast as possible towards net-zero carbon emissions and the question is are we moving fast enough? That question is something that came up in our critical minerals panel.

Jeff Labonté and Russell Singer emphasize that critical minerals are essential to the clean energy transition and to reducing our environmental footprint and Jocelyn Douh  ret detailed Quebec's efforts to build a forward-thinking circular economy to access its critical minerals sustainably and responsibly. Another area where we have to be thinking about working together is on big things, like defense. Ambassador Jacobson's remarks last night, that Canadian Prime Minister Trudeau's continued resistance to meeting Canada's 2% commitment to defense spending, was telling. If we can't agree even to do that much, then our ability to protect our relationship and our common way of life is a big question mark.

Now, as Ambassador Cohen emphasized at lunch, perhaps there is a Canadian way out of this dilemma. James McCarten also suggested that intelligence about the Prime Minister's statement, that Canadian defense spending on two NATO partners may have left something important out. We may see what that is in the form of Canadian training operations going forward and in Canadian aid for Ukraine.

I was heartened in reading *The Economist* [Magazine] several months ago to note that Canada was one country that was identified by *The Economist* as supplying operatives to Ukraine, something that certainly raised my eyebrows and probably that of many other people who are interested in defense. But also, in Canada's contributions to civic reinforcement efforts in Haiti and in Mexico and Canada's decision to join the Indo-Pacific economic strategy and NORAD modernization. There's also the matter of threats and threat assessment which Ambassador Cohen intriguingly pointed out is perhaps the real way we should be measuring Canada's defense spending.

We have to cooperate because we need to rebuild and relate to each other. This is true at home, as it is abroad. As President Biden has noted and Ambassador Cohen repeated at lunch, we live in an age of possibilities. We live in an age of possibilities, and we cannot allow ourselves to languish. We have to live according to our ideals and our values, and we have to do so together. We cannot allow Haiti to become another Venezuela. We cannot allow Taiwan to become another Ukraine.

As General Leslie noted, in all of this we have to remember Lampedusa's observation about change being necessary for things to remain the same.

In closing, I'd like to thank all of our sponsors—our platinum sponsor: DLA Piper; our Gold sponsors: Cleveland Cliffs and the Consulate General of Canada in Detroit; our Bronze sponsors: Formica, Barudan America, Ontario Power Generation, the Délégation du Québec à Chicago, and Taft, Stettinus & Hollister LLP—as well as our community partners: the Greater Cleveland International Lawyers Group, the District Export Council, the Cleveland Council on World Affairs, Ohio Aerospace, the Council of the Great Lakes Region, and the Wilson Center.

I'd also like extend particular thanks to Eric Siler—Case Western Reserve University Law's Director of Academic Centers—for the many hours of hard work behind the scenes to make sure that this Conference unfolded smoothly as in fact it did, to my fellow Institute director, Steve Petras, and his lovely wife Colleen., and especially to the Institute's indefatigable Program Director Steve Paille, as well as our Managing Director Ted Parran, who unfortunately wasn't able to join us this time.

The "Steves" as I call them have worked very hard over the last month or two to put this Conference together and continue to do so with great efficiency, imagination, and verve in this inspiring venue of the Cleveland Botanical Garden. Thank you very much everyone, merci beaucoup. We look forward to seeing you next April here in Cleveland for the 48<sup>th</sup> Annual Canada US Law Institute Conference. Thanks very much.