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VOLUME 20

1994

# PROCEEDINGS OF THE CANADA-UNITED STATES LAW INSTITUTE CONFERENCE

# SOVEREIGNTY IN THE NORTH AMERICAN CONTEXT AND IN A CHANGING WORLD

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#### Speakers at the Canada-U.S. Law Institute Conference on An Industrial Policy for North America (Canada/U.S.): Legal and Economic Considerations

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KATHARINE F. BRAID is the Senior Vice-President for Legal Services and Strategy Development at the Canadian Pacific Rail System, in Ontario. She previously served as Toronto Regional Counsel, Assistant Vice-President and finally Vice-President of Canadian Pacific Legal Services. Prior to that she was a Legal Officer at the Federal Department of Justice. She is a member of the Canada-U.S. Law Institute Advisory Board, the Professional Conduct Committee of the Law Society of Upper Canada, the Canadian Bar Association, the County of York Law Association, Canadian Corporate Counsel Association, and the Association of Canadian General Counsel. Ms. Braid received her degrees from Bryn Mawr College (B.A.), Sorbonne (U. de Paris) (M.A.) and the University of Toronto (LL.B).

ROBERT D. BROWN is Chairman and Senior Partner of Price Waterhouse. He is an active participant in the world organization of Price Waterhouse, where he is currently a member of the World Management Committee and World Policy Board. Mr. Brown has served as a tax advisor to many of Canada's largest corporations, and has undertaken projects for the federal government and a number of provincial governments. He has written and spoken extensively on tax and public policy issues, and his articles have appeared in The Financial Post, The Globe and Mail, The Chartered Accountant Magazine, and The Canadian Tax Journal, among others. Mr. Brown is a member of the Policy Committee of the Business Council on National Issues, and was recently the Chairman of the Canadian Tax Foundation. He was edu-

cated at the University of Toronto, with a post graduate degree in economics at the University of Chicago. He received the Ontario gold medal in the CA examinations, and an FCA awarded to him by the Ontario Institute in 1970.

ROBERT F. DRINAN, S.J. is a Professor of Law at Georgetown University Law Center, specializing in human rights, constitutional Law, professional responsibility, and arms control. From 1971 to 1981, he served as a member of Congress in the U.S. House of Representatives, where he was chairman of the Subcommittee on Criminal Justice of the House Judiciary Committee, and a member of several committees including Internal Security, Government Operations, and House Select Committee on Aging. Mr. Drinan has been chairman of the American Bar Association's Standing Committee on World Order Under Law, and the Section of Family Law. He has travelled extensively on official congressional delegations, private delegations, and privately sponsored human rights missions. He has written several books, and has been a columnist and regular contributor to various periodicals. Mr. Drinan received his B.A. and M.A. from Boston College, his LL.B. and LL.M. from Georgetown University Law Center, and a Post-Doctoral Fellowship in Theology in Florence, Italy.

JOHN L. ELLICOTT is a senior partner at Covington & Burling practicing in the fields of U.S. export trade and foreign transaction control regulations. His practice deals with economic embargoes, strategic trade controls, foreign economic boycotts, and controls on proliferation of weapons of mass destruction. Mr. Ellicott has served on the faculty of the Salzburg Seminar in Austria; he has conducted a series of programs for the Stockholm Chamber of Commerce in Sweden, and he has lectured at various institutions including the Southwestern Legal Foundation and the Practicing Law Institute. Formerly, he was a Professor at the George Washington Graduate School of Public Law. From 1989 to 1991, Mr. Ellicott served on a panel of experts to advise Congress on export control reform, and has recently agreed to serve as chairman of a new committee of the International Law Section of the ABA dealing with export controls and economic sanctions. Mr. Ellicott graduated Summa Cum Laude in Economics from Princeton University and Cum Laude from Harvard Law School.

JONATHAN T. FRIED is a career Foreign Service Officer of Canada's Department of External Affairs, currently the Principal Counsel of the Trade Law Division of the Department of External Affairs and International Trade, providing advice on FTA, GATT, NAFTA and other trade agreements, litigating trade disputes thereunder, and ensuring Canadian implementation. He also serves as Principal Counsel for North American Free Trade Negotiations, with overall responsibility for legal advice on and drafting of the legal text of the North American Free Trade Agreement, including leading negotiations on dispute settlement and institutional arrangements. Before returning to Ottawa in 1991, Mr. Fried was Counsellor for Congressional and Legal Affairs at the Canadian Embassy in Washington, D.C. He was Assistant Gen-

eral Counsel of the Canadian Trade Negotiations Office and a member of Canada's negotiating team on the Canada-United States Free Trade Agreement. In December, 1992, he was elected by the OAS Permanent Council as the first Canadian member of the Inter-American Juridical Committee. Mr. Fried received his B.A. and LL.B. from the University of Toronto and his LL.M. from Columbia University and is a member of the bar of Alberta, Canada.

EARL H. FRY, Ph.D. is a Professor of Political Science at Brigham Young University and in 1990, was named the first holder of an Endowed Professorship in Canadian Studies. He is currently the President of the Association for Canadian Studies in the United States. During the 1991-1992 academic year, he also served as a Visiting Fellow at the Americas Society in New York City. Dr. Fry previously served as a Fulbright Lecturer at the Sorbonne, Director of International Education and Canadian Studies at the State University of New York at Plattsburgh, a Council on Foreign Relations International Affairs Fellow, and as Special Assistant in the Office of the U.S. Trade Representative. Dr. Fry has written three books, including Canada's Unity Crisis: Implications for U.S.-Canadian Economic Relations, and has recently co-authored, America the Vincible: U.S. Foreign Policy for the Twenty-First Century. He is also the co-editor of several books. During the past two years, Dr. Fry has made presentations on international and regional trade and investment at a number of forums throughout the world.

JOSEPH P. GRIFFIN is a partner in the International Section of the Washington office of Morgan, Lewis & Bockius and is the Partnerin-Charge of the Firm's Brussels office. He has represented the British, Australian, Canadian and French governments in various matters. Mr. Griffin is a former Chairman of the American Bar Association's Section of International Law and Practice and a former Chairman of the International Division of the District of Columbia Bar. He is a member of the Secretary of State's Advisory Committee on Private International Law, the Panels of Arbitrators of the American Arbitration Association and the Euro-Arab Arbitration Systems, the Advisory Board of the World Trade Institute, the American Law Institute and the Editorial Advisory Boards of five legal publications. He has written widely on international business topics and has authored several legal publications. Mr. Griffin received his B.A. from the University of Virginia, his J.D. from Georgetown University Law Center and his Diploma in Law from Oxford University.

WILLIAM L. HAYHURST, Q.C. is a contributing editor to the European Intellectual Property Review, The Canadian Intellectual Property Journal, The Canadian Business Law Journal, and has authored a variety of papers and case notes on intellectual property matters. Mr. Hayhurst practiced in the intellectual property field at Ridout & Maybee in Toronto for over forty years, and taught intellectual property at the University of Toronto School of Law for over twenty years. Mr. Hayhurst has served as an advisor for the Government of

Canada on intellectual property matters, and is a former president and lifetime member of the Canadian Group of the International Association for the Protection of Industrial Property. Mr. Hayhurst graduated from Queen's University with the Gold Medal in electrical engineering and received his M.S. degree from the California Institute of Technology. He holds a law degree from the Osgoode Law School of York University (Gold Medal).

GARY N. HORLICK is a partner at the law firm of O'Melveny & Myers in Washington, D.C., specializing in international trade in goods or services. He lectured at Yale Law School from 1983 to 1986, and is presently teaching a course on international trade law at the Georgetown Law Center. Mr. Horlick was the Deputy Assistant Secretary of Commerce for Import Administration, and in 1981, was International Trade Counsel for the U.S. Senate Committee on Finance. Mr. Horlick also served as Assistant Representative for the Ford Foundation in Santiago, Chile, and Bogota, Colombia, subsequently serving as a consultant to the Foundation. He has written over thirty published articles and has spoken at and participated in over 100 conferences and panels in the past thirteen years. Mr. Horlick graduated Magna Cum Laude from Dartmouth College, with highest honors in history. He received an M.A. in international law from Cambridge University, and his J.D. from Yale Law School.

LAWSON A. W. HUNTER, Q.C. is a partner at Stikeman, Elliott, specializing in competition and trade law at its Ottawa, Ontario office. From 1986 to 1992, he was a partner at Fraser & Beatty. Previous to that, Mr. Hunter was the Assistant Deputy Minister for the Bureau of Competition Policy and Director of Investigation and Research. He has served in numerous governmental positions, including Departmental General Counsel, Director of Legal Services in the Department of Consumer and Corporate Affairs, and Special Assistant to the Deputy Minister of Justice. He is a member of the Board of Directors of the Canadian Retransmission Collective and a member of the Advisory Board of Dynatek Automation Systems, Inc., Canadian Corporate Counsel, and The Antitrust & Trade Regulation Report, a publication of the Bureau of National Affairs, Inc., in Washington, D.C. Mr. Hunter is the author of numerous published articles, and has spoken at several conferences, seminars, and in-house presentations. He received his B.S. and his LL.B. from University of New Brunswick, and his LL.M. from Harvard Law School.

HENRY T. KING, JR., is U.S. Director of the Canada-United States Law Institute and Professor of Law at Case Western Reserve University School of Law. A former U.S. Prosecutor at the Nuremberg Trials, a former General Counsel of the U.S. Foreign Economic Aid Program, as well as a former Chairman of the Section on International Law and Practice of the American Bar Association, Mr. King is U.S. Chairman of the Joint American Bar Association, Canadian Bar Association, Barra Mexicana Working Group on the Settlement of International Disputes which recently made recommendations for the Settle-

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R.K. MORRIS is the Senior Policy Director for International Trade at the National Association of Manufacturers. Mr. Morris was previously a Commercial Officer in the Trade Policy Section of the

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DONAT PHARAND is a Professor Emeritus Professor of the University of Ottawa and is currently a consultant on International Law, Law of the Sea and Arctic Affairs. He is the author of over 50 articles on international law focusing mainly on the law of the sea and the Arctic and also of several books dealing with related subjects. Prof. Pharand was a member of the International Arbitral Tribunal in Canada vs. France (La Bretagne Case) involving French Fishing Rights in the Gulf of St. Laurence. Prof. Pharand has been the recipient of many awards including the Excellence in Teaching and Excellence in Research Awards at the University of Ottawa as the John E, Read Medal for outstanding contributions to international law. He is a graduate of Dalhousie Law School and also holds degrees from University of Michigan Law School (LL.M.), from University of Paris (LL.D.) and from the Hague Academy of International Law.

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#### Canada/U.S. Law Institute Conference

on

#### SOVEREIGNTY IN THE NORTH AMERICAN CONTEXT AND IN A CHANGING WORLD April 22-24, 1994

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