



Canada-United States Law Journal

Volume 30 | Issue

Article 31

January 2004

Fisheries: Fishers, Natives, Sportsmen, States and Provinces Proceedings of the Canada-United States Law Institute Conference on Multiple Actors in Canada-U.S. Relations: Fisheries: Fishers, Natives, Sportsmen, States and Provinces: Introduction

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Recommended Citation

James P. McIlroy, *Fisheries: Fishers, Natives, Sportsmen, States and Provinces Proceedings of the Canada-United States Law Institute Conference on Multiple Actors in Canada-U.S. Relations: Fisheries: Fishers, Natives, Sportsmen, States and Provinces: Introduction*, 30 *Can.-U.S. L.J.* 179 (2004)

Available at: <https://scholarlycommons.law.case.edu/cuslj/vol30/iss/31>

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FISHERIES: FISHERS, NATIVES, SPORTSMEN, STATES, AND PROVINCES

James P. McIlroy
Introduction

MR. McILROY: Thank you very much, Dr. King.

Good morning. My name is Jim McIlroy; and on this balmy Saturday morning, I salute you all for coming here so early. I have the pleasure of presiding a session that is very provocatively titled, "Fisheries". There are at least five actors involved in this session: Fishers, Natives, Sportsmen, States and Provinces.

I note that this shopping list excludes one of the key actors in the fisheries issue, the fish. Now, since the fish are unable to join us this morning, I would like to say a few words on their behalf before I introduce our two speakers.

First, we must all recognize that fish have no respect whatsoever for nation states like Canada and the United States. They do not hold passports, and they do not check in at a border station when they cross our borders. They shamelessly flout our borders. They always have and they always will.

In some ways, fish are similar to multi-national corporations. The world is their oyster. The point I would like to make is that nation states have learned lessons trying to regulate fish that may help us to better understand and manage a global economy and technologies like the internet, which also do not readily fall under our national jurisdictions.

So the bottom line is I believe that there is more to this panel discussion than readily meets the eye. And with this in mind, I think we're very fortunate to have two very experienced and big picture thinkers on this panel this morning, David Colson and Professor Don McRae.

Your conference brochure contains some good biographical information on these gentlemen, and I'm not going to read it back to you, but I'd like to highlight some key points, if I could. David Colson, who's right beside me here, is currently senior counsel in the Washington office of the law firm of LeBoeuf, Lamb, Greene & MacRae.

Now, in addition to his current private sector legal experience dealing with public international law, is what he does now, Mr. Colson has had an outstanding career in public service, including his role during the 1990s as lead negotiator for the United States in the international fishery, maritime boundary, and Law of the Sea issues.

And also during the 1980s, Mr. Colson was Deputy Agent of the United States before the World Court in The Hague, and the Gulf of Maine boundary dispute between Canada and the United States. So I think that we can all agree that his experience and expertise in this area are second to none.

Our Canadian speaker this morning is Professor Donald McRae, who is over on my far left. And as you know, he is no stranger to this institute. He brings a very strong academic perspective to our discussion today. He is currently the Hyman Soloway Professor of Business and Trade Law at Ottawa University. However, Professor McRae's experience transcends academia because he has represented his country in numerous capacities.

For example, he was Chief Negotiator for Canada for the Pacific Salmon Treaty. He has also been counsel for Canada in fisheries and boundary arbitrations including the Gulf of Maine case, with the United States in the St. Pierre and Miquelon dispute with France.

Mr. Colson will speak first, and after we'll hear from Mr. McRae. And after they've both spoken, we'll be able to engage in what I expect will be a very lively question and answer session. So please join me in welcoming our very distinguished panel of speakers.