

Why We Were Right and They Were Wrong

seminars and communication networks could educate panelists about their roles and areas of trade law that they may not be entirely familiar with. Public awareness campaigns could also be undertaken to educate interested parties about the expertise of the panelists who will review important trade cases. Extolling the expertise of panelists could only increase the confidence that policy-makers and interest groups have in the Chapter 19 system, and could therefore increase the probability that panel decisions were complied with in their entirety.

Finally, perhaps the most important means to encourage compliance is to demonstrate it. Personal relationships work best when individuals "practice what they preach." International trade relationships should be no exception. Canadian administrative agencies, governments, and trade policy-makers need to accept panel decisions and apply them quickly and completely, even if they seem to go against the "national interest." Better to comply with a binational panel decision regarding the administration of an aspect of domestic laws than to cause a trade dispute to escalate, and thus subject Canadian exporters to American protectionism. Furthermore, the federal government must continue to take the lead in encouraging individuals and administrative agencies in Canada to comply with the FTA/NAFTA in general, and Chapter 19 panel decisions in particular. In addition, the federal government should back away from the search for harmonized trade laws and focus their energy on strengthening the Chapter 19 system. If the American critics perceive that Canadians are not fully committed to the binational panel process because panel decisions are not implemented and/or Canadians are constantly searching for harmonized laws so that Chapter 19 would become irrelevant, they could convince others in the U.S. to weaken the system that has proven extremely beneficial for North American trade.