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Back to the Future: How to Engage With the Biden Administration

After four years during which Canada arguably handled the perpetual cross-border crisis of the Trump presidency as well as any neighbour could, Ottawa is looking forward to a return to a less fraught relationship with the United States. Senator Peter Boehm, chair of the Standing Senate Committee on Foreign Affairs and International Trade, unpacks the state of the bilateral union.

Sen. Peter Boehm

January 6, 2021

“True friendship is a plant of slow growth, and must undergo and withstand the shocks of adversity before it is entitled to the appellation.”

George Washington

Canada is no different than any other country in terms of both the desire and the need to engage with the incoming administration of President-elect Joe Biden. Most of the world — and certainly the allies of the United States — is looking for a significant reset after the past four years. Pundits in Canada (and every Canadian is one when it comes to relations with the US) will measure the success of any approach in terms of the number of times Biden mentions Canada in his early public statements as president as well as the public euphoria, after four years of a president deeply unpopular among Canadians, that would have come with Canada being the first foreign destination for Air Force One of this presidency.

But, as events in the United States at this writing illustrate, we are in different times. While the results of the Georgia runoff elections have given control of the Senate to the Democrats, the outgoing president is fomenting an anti-democracy backlash. The combination of the COVID pandemic and the apparent nihilism of the Trump administration has rubbed the world raw, US allies in particular. Much of the Biden administration’s early effort will be domestic: focused on dealing with the pandemic within the US, managing the economic recovery and bridging a clearly demarcated domestic political divide. The attention devoted to other issues and relationships, including with neighbours and close allies, will initially be transactional and reactive in terms of handling emerging or long-simmering issues. And the US system being what it is, especially after a fraught transition, it will take some time after January 20th for the Biden administration to get up and running. Canada will need to focus and curb our bilateral and foreign policy expectations (and even our enthusiasms); so will everyone else.

Nonetheless, we are neighbours and enjoy a symbiotic relationship in economic and geostrategic terms. Engagement at the highest political and bureaucratic levels will be critical. Personal contacts matter. That Justin Trudeau has an established relationship with Joe Biden is well-known. He is not starting from scratch this time. Nor are the Americans. Biden's cabinet picks thus far all have some professional or personal familiarity with, and connections to, Canada and our mutual, often "intermestic" issues. Nonetheless, the "hardy perennials" among our bilateral irritants — softwood lumber and dairy supply management — are already high on the list for 2021, and are going into arbitration, notwithstanding the new NAFTA.

We also need to remember that many of the senior bureaucratic positions in the Trump administration were really never filled, other than by individuals in acting capacities, and those whose tenure was short because they either chose not to stay or were summarily dismissed (sometimes on Twitter). So, the logical interlocutors, who may have had some decision-making authority or influence at the political level, were never really there for their Canadian counterparts during the Trump era. We should expect these positions to be filled quickly and not all will require Senate confirmation. These individuals will need to be cultivated, as they are nominated and then confirmed by the Senate. This is not just the job for our talented team at the Canadian Embassy in Washington led by Ambassador Kirsten Hillman, but also for senior Ottawa-based bureaucrats and their ministers as an early opportunity to press Canadian interests. While in-person meetings remain a future reverie, by this point everyone has become quite adept with virtual platforms as venues for advocacy on issues. We should also not forget parliamentary diplomacy, important as the new Congress convenes in January: the Canada-United States Inter-Parliamentary Group has an eclectic Canadian membership of MPs and Senators as well as bipartisan Senate and House membership on the American side.

And, while we're at it, we should ensure that the various binational bodies and arrangements we enjoy, from NORAD to the International Joint Commission (IJC) (established by our oldest treaty instrument, the Boundary Waters Treaty of 1909), among others, are fully staffed, funded and publicized. Our friends in the executive and in Congress should be aware of how effectively we work together.

The immediate bilateral issues are the obvious ones: beating the pandemic (and revising border controls at the appropriate time) fostering economic recovery and climate change.

1. On the pandemic bilateral front, it would appear that the Biden administration intends to follow a more science-based approach; push a far stronger lockdown together with vaccination rollout measures and put the onus squarely on Congress to provide required funding. Biden may invoke the Defense Production Act and use the military to ensure a comprehensive vaccination program for all Americans. The vaccine rollout in both countries, as well as the COVID case load, will require close mutual observation and synchronization with respect to the eventual loosening of border restrictions. The protocols that have been established — including Canadian Border Services Agency/Department of Homeland Security and PMO/Embassy/White House contacts —

have worked relatively well. Canadian ministers and officials should ensure this continues through and beyond the transition in Washington.

2. On the economy, stimulus measures have, to some degree, been coordinated through the G7 and G20, particularly with respect to monetary policies of injecting greater liquidity into the global economy. Fiscal support measures differ from country to country but a quick survey of G7 economies shows that wage, rent and sectoral support measures have been adopted to mitigate the economic collapse and stimulate the expected rebound. Canada has plans for infrastructure renewal; Biden does too. Negotiation on the modernization of the 1964 Columbia River Treaty to reflect environmental and Indigenous concerns in addition to those of flood control and hydro-electric power in the Pacific Northwest, should continue.
3. On climate change, Biden has obviously made it a priority, including with the appointment of former Secretary of State John Kerry to a cabinet-level, National Security Council seat climate envoy post and a commitment for the US to re-enter the Paris Agreement. Our federal government recently presented its strengthened climate plan, “A Healthy Environment and a Healthy Economy”. There are many intersection points between the two that could be explored for mutual environmental and economic gain on our continent. At the last “Three Amigos” summit in Ottawa in 2016, Trudeau, Barack Obama and Enrique Peña Nieto agreed to trilateral measures in a collective climate action plan for North America that can be the basis for further continental collaboration. In the past, there have been specific cap-and-trade linkages between some provinces and US states. Further subnational, regional and even municipal cooperation on climate change should be encouraged. Canadian environment and energy ministers should engage with their US counterparts early as should their senior bureaucrats. A frank exchange on the ongoing construction of the Keystone XL pipeline (to which Biden had indicated opposition during the election campaign and which Kerry vetoed as secretary of state) should be at the top of the list, as this is important to Canada, especially Alberta. Oil and gas drilling in the Alaska National Wildlife Reserve, recently enabled by the Trump administration, should be reviewed in terms of cross-border environmental and socioeconomic impacts in the Arctic. By doing our homework, not being recalcitrant and bringing an array of bilateral issues forward at the right level and at the right time, Canada can succeed in establishing a more level playing field.

The world has high hopes for the Biden administration on a list of international issues that could go on for pages. Biden and his team will need to deal with hot spots as well as strategic competitors who will wish to exploit the transition of power in the US. Realpolitik and allies will matter and there is much the incoming administration can do within the decision-making latitude that executive authority allows in US foreign policy. Biden has said that he wants the US to re-engage in the world as a force for good and to work closely with its allies. That means summitry will be back in one form or another. The US G7 presidency of last year was a bust, complicated by both the urgency of the pandemic and Trump’s own whims, to say nothing of the hesitancy of G7 leaders to engage with an unpredictable host and chair ahead of an election. The United Kingdom takes over this year, and is expected to restore some semblance of order to G7 planning, and to summits

(the UK is also hosting the “COP” on climate change in Glasgow), urged on in part by its aim to establish a “Global Britain” following its formal departure from the European Union. If Trudeau continues into the autumn and with Angela Merkel stepping down following elections in Germany in September, he will become the “dean” of G7 leaders. While by no means a formal title, in my experience the leader who has been at the table the longest does enjoy a certain gravitas and influence. There are, of course, other annual global and regional summits that would benefit from a reset.

Our best cooperative international successes with our neighbour have come when we have focused on specific issues, initially informally and then at leader level. Brian Mulroney was particularly effective on this front: acid rain, NAFTA and apartheid in South Africa come to mind. The personal rapport at the top level between Mulroney and first Reagan, then George H.W. Bush mattered. Leave it to the EU to set out a formal “New EU-US Agenda for Global Change” while also, in the past weeks inking an investment agreement with China. So, the US and the EU will have much to discuss in the yin and yang of their relationship. The vaunted 2 percent of GDP defence spending mantra for NATO members has been a commitment since 2012 (pre-Trump for those who will recall); defence burden-sharing will not go away.

Among many, there are five international files where Canada could make a difference in initial bilateral discussion with the new US administration.

1. First is the international response to the pandemic. As a country that has supported the UN system and particularly the World Health Organization (WHO) as the key UN specialized agency and having joined the “COVAX” initiative to provide vaccines to developing countries, Canada is in a unique position to point out some of the challenges if not flaws in the initial positions taken by the WHO but also its strengths and the need for increased international support, including funding. Biden said the US wants back in and we can help. This could also be a harbinger for more discussion on the “rules-based” multilateral system as a whole, particularly shoring up international development assistance efforts and the role of the international financial institutions, including the International Monetary Fund (IMF), in dealing with developing country debt.
2. Second, the World Trade Organization (WTO). The Bush, Obama and Trump administrations all had their complaints about the WTO, particularly its dispute settlement mechanism. Trump ensured that by not filling the WTO Appellate Body positions and blocking consensus on the new director general, the work of the WTO would essentially grind to a halt. The Canadian-inspired and led “Ottawa Group” of countries is making headway in setting out much needed meaningful, realistic and pragmatic reforms of the WTO. Regardless of our own and others’ bilateral trade concerns with the US (there are and there will be many), why could Canada not promote a meeting and have a full discussion with the Americans on the WTO?
3. Third is the complex long game with China, an issue clearly on the minds of Biden and his team. Solidarity among allies, including the G7, has proven elusive. In terms of engaging the world’s second largest economy and for many a key trading partner, the list

of issues is vast: investment and trade initiatives, abuses of human rights (Uyghurs), the quashing of internal dissent (Hong Kong), coercion of small states with respect to the “One Belt, One Road”, initiative, “hostage diplomacy” (we have unfortunate experience there), disproportionate and unrelated reactions to real or perceived slights (Australia, the Nordics and us) and China’s belligerent projection of strategic power, particularly in the South China Sea. There should be a very clear-eyed conversation early on — best at the leaders level — as to what measures could be taken by the US, Canada and others to engage with China on a variety of fronts. Going it alone for middle powers such as Canada and Australia may not be the most effective strategy as we individually simply lack the heft to have an impact on Beijing’s behaviour regardless of the satisfaction that may come from taking the moral high ground.

4. Fourth, Venezuela. In recent years the US has often looked to us to provide some extra thinking on hemispheric issues. As a founding and active member of the “Lima Group”, Canada has explored various formulae to get Venezuela back on a democratic path and out of its economic death spiral. While the Maduro regime seems more entrenched now than ever, with the independence of the National Assembly completely subsumed and provisional leader Juan Guaido essentially powerless, there may be more diplomatic opportunities to explore. Draconian measures are unlikely to resolve the situation. On this complex file, some of our efforts should run through Mexico City and Havana, where without the historical baggage the Americans bring, we might arguably pursue interesting parallel channels for discussion.
5. Fifth, next to the pandemic, the longer-term issue set of cyber, Big Tech, social media and the economic impact of artificial intelligence is the defining global problem of our time. It may be time to expand the “Five Eyes” tent on intelligence sharing with respect to countering the subversive efforts of malign actors in cyberspace. The national security implications for us are huge as they are for NATO and NORAD. We have differing proposals on how to deal with the monopolies created by the tech giants, their avoidance of taxation and the absence of effective regulation on internet social media content platforms as well as their global reach. There will need to be a serious multilateral discussion involving many actors. There is no reason why the pump could not be primed through an initial bilateral encounter between Canada and the United States.

But back to realpolitik. We live in democracies currently ravaged by an ongoing pandemic that are also suffering severe economic strain. The new US administration will out of necessity have an acute and sustained domestic policy focus. The Canadian government in its minority status will be no different. Bilateral initiatives and irritants between our countries will need to be carefully calibrated and prioritized. Foreign policy will require amity and cooperation among the allied and the willing across the planet. Working together, friends like Canada and the US should be able to crack hard issues in order to — per our national bard, Leonard Cohen — let the light in.

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