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## McLachlin, Breyer, Craig address law-power tension

*~ Renuart: Need to find way to operate in Arctic, U.S. needs to be at table ~*

**HALIFAX**, Canada (November 21, 2009) – After a day filled with discussions of hard security issues, Supreme Court of Canada Chief Justice Beverley McLachlin, U.S. Supreme Court Justice Stephen Breyer, and White House Counsel Greg Craig brought the day’s final panel to a more theoretical level by exploring the tension between law and power.

Speaking at the Halifax International Security Forum, Breyer said he believes that law is a form of reasoned power but has limits. “I don’t think you can stop wars with the law,” he said.

The panel focused largely on questions on the role of international law. “I think that if you take the long view, international law is growing in its importance,” McLachlin said. Breyer agreed but reminded the audience that, “with international authority there is no ultimate body to resolve disputes” he said. “There is no supreme court of the world.”

Craig said he believes that there is a changing perspective of the use of force in upholding human rights. “I think there is an increasing sensitivity that the international community has a legal right to assert itself to protect a population at risk,” he said.

The previous panel dealt with the burgeoning issue of Arctic security. United States General Victor E. Renuart, Jr., Commander of United States Northern Command (NORTHCOM) and North American Aerospace Defense Command (NORAD), said it is vital that the Arctic countries build capacity in order to address the challenges posed by a melting Arctic. “The Arctic is changing faster than anyone can appreciate,” he said. “It is clear we need to find a way to operate in that region.”

Canadian General Walter Natynczyk, Chief of the Defence Staff; Espen Barth Eide, Norwegian State Secretary of Defense; and Stephen M. Carmel, Senior Vice President of Maritime Services for Maersk Line, Ltd., agreed that change was fundamentally altering the Arctic and the world as a whole.

Carmel said that new trade routes could one day mean that Chinese agricultural products could be less expensive than those in the United States. "You could see China apples replacing Washington state apples," he said.

The panelists acknowledged that territorial disputes exist between the Arctic nations but there is a degree of co-operation through the Arctic Council and by using the UN Law of the Sea as a regulatory framework. "The fact is that the relations are tremendous, and we should be very happy about that," Natynczyk said.

Carmel noted that although it usually follows the guidelines, the United States remains the only Arctic country that has not ratified the UN law. Renuart responded by stating that all Combatant Commanders and many in the Pentagon agree that the Senate should try to ratify the legislation this year. "It does add us to the table, and that is very important," he said.

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*The Halifax International Security Forum is a high-level meeting that brings together leaders from around the world in politics, military, government, business, academia, and media. Over three days, more than 300 participants take part in an intellectual, interactive exchange on pressing strategic issues. The Halifax International Security Forum provides a unique venue for thought-leaders and policymakers to discuss such issues as nuclear proliferation, Arctic security, the conflict in Afghanistan, and maritime security.*

*The Halifax International Security Forum is organized by the German Marshall Fund of the United States ([www.gmfus.org](http://www.gmfus.org)) in cooperation with the Government of Canada, the Department of National Defence, and the Atlantic Canada Opportunities Agency. This major international conference – the first of its kind in North America – is being held November 20-22, 2009, in Halifax, Nova Scotia.*

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