

**Personal Reflections on the Estey Centre
1999-2014
by James Leach, Executive Director**

The idea of an Estey Centre for Law and Economics in International Trade was conceived some time during the mid-1990's when the late Willard Z. (Bud) Estey, a retired Justice of the Supreme Court of Canada, initiated discussions with the then-Dean of Law at the University of Saskatchewan about his interest in establishing a legacy by raising funds for a Chair in International Trade Law at the University's College of Law. Mr. Estey was subsequently persuaded to think in terms of a centre with a much broader mandate than simply a Chair, and thus the Centre was created.

Although Justice Estey had spent most of his legal career in Ontario and served on that province's Court of Appeal and later as Chief Justice of the High Court before being appointed to the federal Supreme Court, he had been born and raised in Saskatoon and had received his first law degree from the University of Saskatchewan. His father had been Attorney General of Saskatchewan and had also served on the Supreme Court of Canada. His brother had served as a cabinet minister in the Government of Saskatchewan and as a Queen's Bench judge in that province. The name of the Centre, therefore, was intended to recognize the contribution that the Estey family had made to the legal profession, to the country and to the University.

In 1997, the Centre was incorporated as a not-for-profit corporation under the Canada Corporations Act. Although some donations from the Estey family, Potash Corporation and others had been made in trust to the University of Saskatchewan for the Centre, it was not until March 1999 when federal funding was provided under the Canada-Saskatchewan Western Economic Partnership Agreement (WEPA) that sufficient funds became available to launch the Centre into operation. With the first tranche, the Board was able to engage a consultant to locate, lease, furnish and equip the office space which the Centre occupied for more than a decade and to recruit an executive director. The Centre essentially opened for business on September 1, 1999.

Until the WEPA funding ended during FY 2001-02, the focus of the Centre's activities had been on research. The first project approved by the Board was the Estey Centre Agricultural Trade Policy Program, in cooperation with the University of Saskatchewan, an initiative which also resulted in the creation of *The Estey Centre Journal of International Law and Trade Policy*. The Board also established a Research Priorities Committee and contracted a law professor to prepare a possible legal research agenda.

In **2000**, the Centre engaged in a project to expand and publish a primer or guide to the Millennium Round of multilateral trade negotiations on agriculture, a project which had been initiated by CATRN, the Canadian Agricultural Trade Research Network, which was a joint project of the universities of Laval, Guelph and Saskatchewan. It was also peripherally involved in an international conference on agricultural trade in Saskatoon called "Globalization and the New Agricultural Trade Rules for the 21st Century", organized by the Department of Agricultural Economics at the University of

Saskatchewan, and the papers and proceedings of the conference were subsequently released as a book, *Globalization and Agricultural Trade Policy*, published and distributed by Lynne Rienner Publishers of Boulder, CO as “A Project of the Estey Centre for Law and Economics in International Trade”.

That same year, the Centre prepared a submission for the Department of Foreign Affairs and International Trade (DFAIT) on the proposed Canada-Costa Rica Free Trade Initiative, and a background paper for a Member of Parliament, Investment Partnerships Canada and DFAIT on international trade action in the semiconductor industry and the issue of countervailability of government subsidies.

The Asia-Pacific Economic Cooperation (APEC) Business Advisory Council approached the Centre about the possibility of its direct involvement in support of APEC initiatives in the food, agriculture and biotechnology areas. The Centre was subsequently named the so-called “domestic champion” for Canada within the APEC Food System Domestic Champions Network, but unable to attract any funding to support such an initiative, it was eventually dropped altogether. In September 2000, on the occasion of Minnesota Governor Jesse Ventura’s visit to Saskatoon for a series of joint meetings organized by the Alliance of Manufacturers and Exporters of Canada and the Saskatchewan Trade and Export Partnership (STEP), the Centre signed an MOU with the Director of the Master of International Management degree program at the University of St. Thomas in Minneapolis. Among other things, it was intended that the Estey Centre would prepare and deliver a course in the political economy of NAFTA from a Canadian perspective for graduate students in the UST’s Graduate School of Business. Unfortunately, nothing ever came of this initiative either.

During a visit to Vancouver that year, an effort was made to try to convince the head of the Council of Forest Industries (COFI) that, with its assistance, the Estey Centre would be able to make an important contribution to the trade policy challenges facing the forestry sector, not the least of which would be the softwood lumber issue. As numerous follow-up overtures to COFI continued to fall on deaf ears, nothing materialized.

In March **2001**, the Centre completed and published its first independent trade law research project, *Export Subsidies and the World Trade Organization*, and began work on a second independent interdisciplinary study, *International Regulation of Trade in the Products of Biotechnology*, which was published in February 2002. Because of very limited financial resources and the fact that the WEPA funding would end before the end of the year, it became clear that the Centre could no longer consider any other major independent research projects.

Lobbying efforts in Ottawa finally began to pay some dividends, and two contracts were secured from DFAIT. One was for a study of the implications for Canada of the Association of South East Asian Nations (ASEAN) Free Trade Agreement (AFTA) and the other for an analysis of ASEAN trade and investment opportunities. As well, the Centre received another small contract, also from DFAIT, to develop an interdisciplinary discussion paper concerning the issue of transparency in Canadian trade policy

development and the trade negotiation process. A study of Canada-Brazil trade relations in the wake of the Bombardier-Embraer dispute, funded by the Canadian fertilizer industry, was also undertaken. Bids were submitted on a number of other studies being funded by APEC and DFAIT but were unsuccessful.

In May 2001, the Centre organized its first conference on the *Impact of NAFTA on Aboriginal Business in North America*, in cooperation with the Native Law Centre of Canada and the Minneapolis office of Dorsey & Whitney LLP, and with sponsorship funding from several federal and provincial government departments, three provincial law foundations, and the CanWest Global Foundation. The conference attracted 75 participants and from all accounts was a great success.

In response to an RFP, the Centre submitted a proposal to undertake a project to assist China's textile sector in building institutional and regulatory capacity to satisfy the conditions of WTO membership. This was a small sub-project which was part of the much larger Canadian International Development Agency (CIDA) project, the Public Sector Reform Program for China. We thought that we had assembled an outstanding team of associates and put together a strong proposal, but we lost out to the Centre for Trade Policy and Law (CTPL) which had been in operation since the 1980's and had built an enviable track record over the years. During the debriefing on our proposal, we learned that we probably could never successfully compete against CTPL for CIDA contracts because the Estey Centre, as an organization, had no experience with CIDA and therefore we would not receive any of the points awarded for this.

During 2001, we decided to package what we had to offer as a comprehensive project which we called the *Pan-Western International Trade Initiative* designed to focus on the international trade policy challenges and opportunities in Western Canada and thus promote the further development and diversification of the Western economy. The initiative had five pillars: an agricultural trade policy program; an aboriginal trade policy program; the Asia-Pacific connection; education and advocacy; and assuring access to international markets for Western Canadian natural resource products. It seemed like a great idea at the time, in fact we still think it is. However, after many fruitless months of trying to sell the concept and secure funding, we finally abandoned it.

Our outreach activities in 2001 included an exhibit at the Canadian Bar Association Annual Conference and Trade Show in Saskatoon.

By **2002**, we were no longer receiving financial support from WEPA and were on our own. By mid-year, it became painfully apparent that the Centre's survival as an independent organization would depend on our having to focus on net revenue generating activities.

We undertook a study for Natural Resources Canada which provided an overview of the Canada-EU trade, investment and regulatory relationship, pertaining to forest products, metals and minerals. We also did a study of the evolving international trade regime for food safety and environmental standards, funded by the Law Foundation of

Saskatchewan and the provincial department of agriculture, with the strong support and endorsement of the Canadian Cattlemen's Association and the Canadian Beef Export Federation. In addition, we were contracted by Agriculture and Agri-Food Canada (AAFC) to do an economic assessment of the implications of ratifying the Cartagena Protocol on Biosafety. I reported to the Board for the first time, however, that we were something less than enthusiastic about actively and aggressively seeking commissioned or contract research work, but we would, of course, respond to any perceived opportunities. Although contract research had been helpful in enabling us to build profile for the Centre, especially with the federal government, the projects were not financially rewarding in terms of net revenue for the Centre. Nonetheless, they required a surprising amount of resources to secure, supervise and administer, and of course we had an obvious responsibility for the results.

Other training activities included a contract with the Southwest Regional Roundtable in Manitoba to develop a comprehensive investment development training program specifically for small communities. The long-term ramifications of this undertaking were totally unforeseen. We also concluded an agreement with the Forum for International Trade Training (FITT) in Ottawa to deliver their program which leads to the Certified International Trade Professional (C.I.T.P.) designation, and we were contracted to deliver the FITT Global Entrepreneurship module to students enrolled in the international business certificate program at the then-Saskatchewan Indian Federated College in Regina.

By now, *The Estey Centre Journal of International Law and Trade Policy* was in its third year of publication and attracting a growing international reputation.

We also organized two more conferences. The first, in cooperation with the U.S. Hispanic Congressional Advisory Council, STEP, the U.S. Consulate General in Calgary, and the Canadian Council for the Americas, and with funding from Saskatchewan Industry and Resources, was called *NAFTA and Beyond* and explored trade issues in both NAFTA and the broader hemispheric context, including the Free Trade Agreement of the Americas (FTAA). In the wake of Mr. Justice Estey's death in January 2002, the following November we organized a conference with the Canadian Legal History Project, Faculty of Law, University of Manitoba, and in cooperation with the College of Law at the U of S, to examine his judicial legacy and his impact on Canadian law. Although we were very pleased to have had the opportunity to present both conferences, I told the Board at the end of the year that we were very reluctant to attempt any others for the foreseeable future because of the tremendous drain on our very limited resources.

By far, the most important event in 2002 was our partnership with the Conference Board of Canada to bid on an important CIDA-funded project, the *APEC Economic Integration Program*. The RFP was finally issued in July, and the Conference Board/Estey Centre proposal was submitted in mid-September. By year-end, we were still waiting for the results of CIDA's evaluation of the proposals.

Our bid for the *APEC EIP* project was not officially accepted by CIDA until September 2003 because of an appeal launched by one of the other bidders. Meanwhile CIDA continued to ask us for extensions of the validity of our proposal. The contract with CIDA was not signed until January 2004.

Our involvement in Southeast Asia began, however, in **2003** when we undertook a project with the International Trade Institute of Singapore (ITIS) to develop and deliver an in-country trade training program in Cambodia, Laos and Vietnam. This small project was jointly funded by the Singapore Ministry of Foreign Affairs and CIDA

During the year, we also successfully delivered the complete FITT program leading to the C.I.T.P. designation and “graduated” our first class of C.I.T.P.’s at the FITT Annual Conference in Ottawa in early June. The project was modestly profitable for us. The Centre for Continuing Education at the University of Regina expressed keen interest in partnering with us in the delivery of the program, and we signed an MOU with the U of R to that effect. We had expected the U of R to take over the administrative burden and be more actively involved in promoting the program, but this didn’t happen, and in the end, the MOU was simply allowed to lapse. We were also contracted by First Nations University to deliver two FITT modules, Global Entrepreneurship and International Marketing, to students in the international business certificate program. In March 2003, we delivered a two-day trade policy training workshop to officers of AAFC from across Canada, and were later contracted to deliver similar workshops for AAFC and Industry Canada the following year.

In 2003, we thought that we had successfully identified a niche role for ourselves in aboriginal trade issues and packaged that initiative as our *Aboriginal Trade Policy Program*, which focused on the impact on aboriginal businesses of the increasingly complex trade policy dynamics of the global marketplace. The products and services of many aboriginal businesses in Canada have unique characteristics which make them more vulnerable in foreign markets. Our interest in this file really began with our successful conference, *Impact of NAFTA on Aboriginal Business in North America*, in 2001. The papers, presentations and proceedings of the conference were published on our website, and one conference participant, a professor at Washington State University, subsequently published a paper on the subject in *The Estey Centre Journal*. The conference also served as a catalyst for bringing together a major aboriginal-owned and –operated forest products company with legal counsel having expertise in international trade law, for the preparation of a submission to the U.S. Department of Commerce to seek an exemption for any punitive action taken by the U.S. related to the softwood lumber dispute. As a result of the conference, we were invited to participate in a conference on indigenous people and multilateral trade regimes at New York University Law School in 2002. For the conference, we produced a paper entitled *Shadows of a Talking Circle: Aboriginal Advocacy Before International Institutions and Tribunals*, and identified a number of aboriginal trade law/policy issues which we thought should be examined. As noted above, we delivered several FITT modules to students at First Nations University (FNU) and began preliminary discussions about the possibility of designing an investment/economic development program for band officials concerned

with economic development. Finally, we even proposed a partnership between FNU and the Estey Centre to create an Estey Centre for International Business Studies at FNU which, in our view, would have established FNU as the centre for aboriginal business in Canada, and the focal point for all related research and training. We tried unsuccessfully to attract funding for our Aboriginal Trade Program, not only from the federal government and the World Bank, but also from a number of private foundations, and in the end, we abandoned the idea.

During **2004**, we continued to undertake a modest amount of contract research, including a study for AAFC on the international context of trade policy issues associated with the commercialization of new agricultural products, and a study for DFAIT on the implications for Canada of the Australia-USA Free Trade Agreement.

The contract with CIDA for the implementation of the *APEC EIP* project was signed in January of that year and our involvement began with a project inception mission in February to meet with the key stakeholders in the six countries, viz. Indonesia, Thailand, the Philippines, Cambodia, Vietnam and Lao PDR.

We submitted two more proposals, in partnership with ITIS, for funding by CIDA and Singapore as part of the Singapore-Canada Trilateral and Technical Cooperation Project, for workshops on trade development and export promotion strategies in Cambodia, Laos and Vietnam, and one of those proposals was accepted. The Conference Board asked us to participate with them in a bid for another major CIDA-funded project, the so-called Canada-China WTO capacity building project to improve China's capacity to respond to the challenges of WTO accession, but unfortunately our bid was not successful.

Our fledgling economic development training program, which had originally been developed in 2002 for the Southwest Regional Roundtable in Manitoba, continued to grow, and we were contracted by the Manitoba Community Development Corporations Association to provide presentations in seven different communities throughout that province. Later that year, we were contracted by the City of Humboldt, Saskatchewan, to develop a program for that community. Trade Team Saskatchewan contracted us to deliver a series of *Going Global* workshops in a number of communities throughout the province, and we delivered trade policy workshops for AAFC and Industry Canada in Atlantic Canada.

The *Journal* continued to flourish. The *Journal of Economic Literature (JEL)*, a publication of the American Economic Association, evaluated and accepted our *Journal* for listing in the AEA electronic indexes as well as publication of abstracts in the *JEL*. Two other major online information services – ProQuest Information and Learning, Ann Arbor, Michigan (which has the largest commercially available microfilm collection in the world), and Agricola (the bibliographic database created by the National Agricultural Library in Washington, DC) – agreed to include the *Journal* in their databases. These listings greatly expanded international awareness of the *Journal* and the Centre.

Not all of our initiatives were successful, of course. For example, we were invited by Western Diversification (Policy and Planning) in Edmonton to bid on an opportunity to undertake the coordination, organization and facilitation of the Western Canada Technology Capabilities Study Tour for trade commissioners and sector specialists at the Canadian Consulates General in the western U.S. Unfortunately our proposal did not win but apparently was a close second to a Calgary consultant. At the beginning of the year, CIDA signed an agreement with the Inter-American Development Bank (IADB) to establish a new IADB-Canada Trade Fund to finance small trade-related capacity building projects as part of the FTAA Hemispheric Cooperation Program. We subsequently discussed the possibility of collaboration with the Institute for International Trade Negotiations, a São Paulo, Brazil-based independent think tank, but there were no further developments.

An enormous amount of our time in **2005** was devoted to the *APEC EIP* project. We launched delivery of the introductory workshop of the training program and led a two-day workshop on trade facilitation for officials of all six countries in Manila. We participated in a substantive workshop on trade facilitation at the Annual Meeting of the APEC WTO Capacity Building Group in Korea. We undertook a grueling project-related institutional assessment mission to the region to evaluate academic and government institutions and private think tanks in all six countries to assess their interest in and capacity to participate in the delivery of some of the training, and also to provide sustainability after the project concluded. In addition, we began our technical assistance activities, initially by assisting officials in Laos prepare for and respond to the demands of the WTO Working Party on the Accession of Lao PDR. Two other small projects focused on trade negotiations skills and interdepartmental team building in the telecommunications sector in Thailand, and later working with the Philippines on trade remedies.

Although the *APEC EIP* project was certainly our biggest and most important undertaking, it was by no means our only activity in Southeast Asia as we also delivered two more in-country training programs in Cambodia, Vietnam and Laos in partnership with the International Trade Institute of Singapore. We were also invited by a Hanoi-based consulting firm, and a large Australian international development consulting firm, to consider forming a consortium to bid on an Asian Development Bank project to help implement the Strategic Framework for Trade Facilitation and Investment in the Greater Mekong Sub-region, but nothing further developed from this.

We continued to do a modest amount of commissioned research, including one study, *Preferential Market Access in the Canadian Market: Maximizing Benefits for Bangladesh*, for the Centre for Policy Dialogue, Dhaka, Bangladesh. We completed the economic development training project in Humboldt, and were approached by Sask Agrivision Corp. to take the lead in the preparation of a report for the provincial government and Western Diversification with respect to the development of a framework for effective rural economic development in Saskatchewan. In addition, we delivered a workshop in Regina for Trade Team Saskatchewan on assisting the service exporter, as

well as a two-day training workshop in Winnipeg for federal officials of Industry Canada to better assist communities on economic development issues.

Our relationship with the University of Saskatchewan further developed with a formal agreement concerning our involvement in the Master of International Trade (MIT) graduate degree program.

During **2006**, the *APEC EIP* project occupied a great deal of our time and was by far our biggest and most important undertaking. Nevertheless, we also delivered another in-country training program on trade negotiations strategies in Cambodia, Vietnam and Laos, once again in partnership with ITIS and funded by CIDA and the Singapore Ministry of Foreign Affairs. As well, we were asked by the Partnership Branch of CIDA to submit a concept paper on a training and technical assistance program for the Palestine Trade Center, but nothing came of it after all development assistance to the Palestine Authority was later frozen in the wake of political developments.

With respect to *APEC EIP*, we completed development of the project training curriculum, including the 5-day introductory workshop, *Introduction to Trade Policy and the WTO*, plus three advanced or specialized modules on *Trade in Agriculture*, *Trade in Services*, and *(Non-Agricultural) Market Access*, and all were delivered successfully. In addition, our technical assistance activities were beginning to become more varied and more complex.

In August of that year, we spent several days in the Dominican Republic delivering a workshop which we called “*Controla Tu Destino o Alguien Más lo Hará: Construyendo una Cultura de Competitividad para la Exportación*” (“Control Your Destiny or Someone Else Will: Building a Competitive Export Culture in the Dominican Republic”) for which we had been contracted by the Consejo Nacional de la Empresa Privada (CONEP), the National Competitiveness Center, and the government’s Center for Exporting and Investment. In our view, it was hugely successful with very high profile attendance throughout the workshop, including four cabinet ministers and a senior advisor to the President. The objectives of the workshop were to identify the DR’s strategic competitive advantages and explore the possibility of developing new ones, determine what the private sector needed to do, with the support of the government, to ensure the country’s success in export markets, and to develop a vision and action plan for the future. The organizers were so enthusiastic at the conclusion of the workshop that we were asked to submit a proposal for six additional workshops at other locations throughout the DR. Unfortunately, nothing came of this, probably because the president of CONEP, who had taken the lead in this project, stepped down, and her successors apparently did not share her enthusiasm.

With respect to our collaboration with the U of S, we completed our work to develop and implement a recruitment plan for the MIT program and began work on developing the course which we would eventually be teaching.

Our only independent research included a number of articles by our then-student Research Assistant in leading academic journals, such as the *Journal of World Trade*, *The Journal of World Intellectual Property* and *Journal of International Biotechnology Law*.

2007 was both very satisfying professionally and our most financially rewarding to date. Once again the *APEC EIP* project continued to dominate our activities. The training program was expanded to include an additional workshop on *Multi-Stakeholder Consultation and Coordination in the Development of National Trade Strategy*, and a so-called capstone course, a simulation-based trade negotiations training workshop which in fact had a “test run” at the U of S in early January. In addition, our technical assistance activities continued to be many and varied, ranging from work with Royal Thai Customs to other projects in Cambodia, the Philippines, Indonesia, Laos and Vietnam.

We did, however, submit two more Concept Papers to the Private Sector Directorate of the Canadian Partnership Branch of CIDA, one for an investment/economic development training project in Indonesia, and another for training in trade policy and multi-stakeholder consultations in support of the private sector in Cambodia. At CIDA’s request, we submitted a proposal for an in-country training program on SME development in Cambodia, Vietnam and Laos, once again in partnership with the International Trade Institute of Singapore, but it was turned down. However, the Saskatchewan Trade and Export Partnership (STEP) asked us to participate in and provide the technical expertise for their bid in response to an RFP issued by the U.N. Economic Commission for Europe for the preparation of a guide to trade facilitation implementation, a bid which was subsequently successful.

In June 2007, we were contracted by the Saskatoon City Solicitor on behalf of 12 cities in Saskatchewan (Saskatoon, Lloydminster, Humboldt, Melville, Prince Albert, Moose Jaw, Swift Current, Estevan, Yorkton, Weyburn, North Battleford and Melfort, i.e. all but Regina) to participate, as trade experts, in a study of the impact of the Trade, Investment, and Labour Mobility Agreement (TILMA) between Alberta and British Columbia on city jurisdiction.

Our Senior Associate, Dr. William Kerr, and our former student Research Assistant, Laura Loppacher, published a number of articles in their capacity as Estey Centre associates in *The Geneva Post: The Journal of World Affairs*, and the *Internet Journal of the Centre for Energy, Petroleum and Mineral Law and Policy*, University of Dundee. The most important development, however, was the publication by Edward Elgar Publishing (UK) of the *Handbook on International Trade Policy*, edited by our Associates, Dr. William Kerr and Dr. James Gaisford. This book was a major undertaking and considered an invaluable resource for researchers, academics, policy makers and practitioners concerned with international trade policy. As it was published *in association with the Estey Centre for Law and Economics in International Trade*, that reference to the Estey Centre appeared on both the title page and the back cover. The Estey Centre logo was also featured on the front cover, and the international profile of the Centre could only have been enhanced by this involvement.

With respect to *The Estey Centre Journal*, we signed a licensing agreement with EBSCO Publishing Inc. of Ipswich, MA to include the *Journal* articles in EBSCO's databases, which are sold to the library marketplace. In addition, the Centre for International Governance Innovation at the University of Waterloo asked us to become a content partner and contribute our publications, including articles in our *Journal*, for their distribution to researchers, students and practitioners concerned with global development issues.

We also had several other possible projects, but they were long-shots and never materialized. One, for example, involved training for Saudi judges in commercial matters, and another, some form of technical assistance for the chief WTO negotiator in Kazakhstan.

2008 was another rewarding year, mainly because of the *APEC EIP* project.

The focus of the training portion of our involvement in *APEC EIP* was on the transfer of the 5-day introductory workshop, *Introduction to Trade Policy and the WTO*, to our institutional partners in all six countries, viz. Trisakti University International Business School in Jakarta, the International Institute for Trade and Development (IITD) at Chulalongkorn University in Bangkok, the Philippine Trade Training Center in Manila, the Economic Research Institute for Trade in Vientiane, Laos, Foreign Trade University in Hanoi, and IIC University of Technology in Phnom Penh, Cambodia. This also led to the creation of SEATRANET, the South East Asia Trade Policy Training Network, with the secretariat housed at IITD. In addition to this course being offered by different institutions with our only involvement being that of "advisor/coach", the advanced or specialized modules, which formed part of the overall training curriculum that we developed for the project, were delivered once again for officials from all six countries. The textbook which was used in the delivery of the introductory module, *The Economics of International Business: A Guide to the Global Commercial Environment*, was published by the Estey Centre. We signed a licensing agreement with Foreign Trade University of Vietnam to translate the book into Vietnamese for use in courses in economics and international trade taught at the university.

Once again, our technical assistance activities related to *APEC EIP* were varied and challenging. They included a major undertaking to help Cambodia with the implementation of TRIPS (Agreement on Trade-Related Aspects of Intellectual Property Rights) Article 39 including drafting WTO-compatible legislation and sub-decrees dealing with trade secrets and undisclosed information. This project was subsequently expanded to include the preparation of teaching materials as well as training sessions to build capacity among Cambodian magistrates, lawyers and government officials on intellectual property issues. In the Philippines, our work with officials of the Bureau of Import Services, Office of Legal Affairs at the Department of Trade and Industry, and the Tariff Commission continued to focus on issues related to trade remedies, subsidies, CVD, trade defence and dispute settlement, including the preparation of an Administrative Practices Manual. In Vietnam, we worked on issues related to the management of trade disputes in cooperation with the EU-funded Multilateral Trade

Assistance Project (MUTRAP). We were also involved in another MUTRAP project concerning information dissemination and awareness-raising on Vietnam's WTO commitments and obligations. In Laos, we undertook several technical assistance projects including a workshop for senior officials to promote interdepartmental coordination and cooperation on trade facilitation. Another activity was related to technical advice on import licensing issues, and a third dealt with the organization and management of the government department responsible for foreign trade policy.

Our bid with STEP for the UNECE project was successful and the contract signed in March 2008. Our role had been to provide the technical expertise for the development of the Guide and the training manual, the evaluation of case studies prepared by various organizations in a number of developing countries, and the development and delivery of two pilot workshops in Uganda and Malaysia, as well as several meetings with the UNECE project team in Cape Town and Geneva.

Our proposal to provide training and capacity building in investment/economic development in Indonesia continued to move forward at CIDA. The process had been painfully slow as the proposal, the project performance framework, and the budget all had to pass the scrutiny of a variety of different specialists at CIDA (private sector directorate, gender equality, governance, financial, and environment) as well as the Canadian embassy in Jakarta, all of whom had comments, questions and suggestions, which in turn had to be reflected in countless revisions.

STEP had also asked us to participate in their bid for an Asian Development Bank-funded project in Laos, but it did not succeed.

With respect to research, we undertook a small project on geographic indicators of origin and developing countries for the World Bank-funded *Fundación CIMS (Centro de Investigación de Mercados Sostenibles)* in Costa Rica. And our study on TILMA, *A Space for Cities in Trade Agreements*, was completed in January 2008 and presented to a meeting of the mayors and city managers the following month. That report was then made public and sent by the mayors to the Federation of Canadian Municipalities, the 22 mayors of the Big City Mayors Caucus, the Saskatchewan Urban Municipalities Association, the Saskatchewan Association of Rural Municipalities, and various other municipal organizations.

Interest continued in our economic development training program, particularly our work with the city of Humboldt. We were invited by the Rural and Cooperative Secretariats of AAFC to make a presentation to senior officials who were meeting in Gatineau to discuss the new Rural Partnership Development Program, and to brief the then-Secretary of State (Agriculture), Hon. Christian Paradis, on the Estey Centre program

We also signed a contract with Trade Team Saskatchewan to deliver four *Going Global* workshops in different locations in the province before the end of March 2009.

Our work on the interdisciplinary MIT graduate degree program at the U of S continued apace and we delivered our course, *International Business Environment*, for the first time during the summer May-August 2008. The previous year, we had been appointed Professional Affiliates of the College of Graduate Studies and Research for a five-year term, and after the MIT program moved under the operating umbrella of the Johnson-Shoyama Graduate School of Public Policy, we were invited to become Professional Affiliates of that School.

At times **2009** seemed almost a bit overwhelming. In addition to the *APEC EIP* project, we responded to an RFP issued by the Commonwealth Secretariat and were subsequently contracted to undertake a project to benchmark the trade facilitation system and processes in the Commonwealth Caribbean region. We were also asked by the Commonwealth Secretariat to submit a proposal for a similar project in Sri Lanka, but that contract was eventually awarded to a consulting firm based in Singapore because we were still working on the Caribbean project. Work on the UNECE project continued and included the preparation of a UNCEFACT/UNECE *Trade Facilitation Guide and Case Studies*, the development and delivery of two pilot workshops in Entebbe, Uganda, and Kuala Lumpur, Malaysia, and the preparation of a *Trainer's Manual*. We had hoped that this project might have led to additional follow-on work funded by other U.N. organizations, but the project was terminated before completion. Our project in Indonesia, *Training and Capacity Building in Community Investment and Economic Development in Indonesia*, at long last received final approval from the office of the Vice President at CIDA, and we began work on it. This project involved at least five trips to Indonesia over the next twelve months. We delivered three of the four *Going Global* workshops for Trade Team Saskatchewan. In anticipation of CIDA issuing an RFP for the Latin America-Caribbean trade project, a tripartite consortium comprising Agriteam Canada, the Estey Centre, and the Centre for Trade Policy and Law was created to bid on this project. We were also committed to the U of S to deliver our MIT course once again during the spring/summer semesters.

In **2010**, the *APEC EIP* project, which had been extended by CIDA for a sixth year, finally wrapped up, and we were involved with our colleagues at the Conference Board in the preparation of the extensive End-of-Project report. We also completed our economic development training project in the province of Central Kalimantan in Indonesia, and presented our Final Report to CIDA. We submitted an Expression of Interest for an International Development Association/World Bank-funded project in Lao PDR to design and deliver a training course in international trade and competitiveness for government trade officials in that country. We were subsequently shortlisted along with what we considered formidable international competition. Our proposal was successful and the contract was eventually signed at the beginning of 2011. We were also contracted by CIDA to mentor the design, delivery and management of a trade policy training workshop in Jakarta for the ASEAN Secretariat and ASEAN officials from Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam. Although it was only a small project involving a single workshop, it enabled us to establish a number of key contacts with senior officials of ASEAN and with the ASEAN Business Advisory Council. In addition, we were

contracted by the Asian Development Bank to deliver a trade facilitation and logistics development workshop in Bangkok, as part of a larger ADB technical assistance project to give civil servants in countries of the Greater Mekong Sub-region the skills to manage and promote regional cooperation and integration activities. In partnership with a large Montreal-based consulting firm, we bid on two UNDP projects in Ethiopia, one a study of the implications of Ethiopia joining a new initiative to create a tripartite free trade agreement, and the other to undertake an impact assessment study of the TRIPS regime in Ethiopia. Neither bid was successful and the work was apparently undertaken by another U.N. organization based in Geneva. We also submitted a number of other Expressions of Interest, delivered another *Going Global* workshop in Weyburn, Saskatchewan for Trade Team Saskatchewan, and for the third consecutive summer delivered our course, *International Business Environment*, as part of the Master of International Trade (MIT) graduate degree program at the U of S.

By **2011**, however, it had become clear that although we were continuing to undertake a variety of interesting and challenging assignments abroad, these could not generate sufficient revenues to enable to Centre to maintain financial self-sufficiency, and that without another major project to replace the *APEC EIP* project, the Centre must either downsize or seek an association or accommodation with another like-minded organization. We had hoped that the tripartite consortium (Agriteam, CTPL and Estey Centre) bid for the CIDA-funded Canada-Americas Trade Related Technical Assistance Program might have been successful and would have resulted in a significant boost in our revenues. However, we were all very surprised and obviously disappointed that our bid did not win, as we had thought that the consortium's bid was very strong and the team which had been assembled was second-to-none. In the end, CIDA had apparently changed its mind and decided that it wanted only minimal support apart from fund management, rather than the full-service approach we had proposed. The only other potential major project was a proposal to CIDA to implement the recommendations in our final report to the Caribbean Customs Law Enforcement Council in 2009, but the timing of any decision by CIDA was contingent upon a satisfactory conclusion to the Caricom/Canada FTA negotiations which had been underway for a very long time and continue.

In early 2011, we signed the contract for the Lao training project and work on that project got underway. We had been shortlisted for a strikingly similar project in Cambodia to help the Royal School of Administration with trade curriculum design, but in the end we decided not to proceed with a full proposal. We were also shortlisted for another World Bank project in Cambodia to undertake the annual review of the Bank's Trade Development Support Program and submitted a full proposal. Unfortunately, our bid was not successful, but we were advised by the World Bank that we were a very close second. The World Bank official mentioned that he had personally followed the work which we had done elsewhere in Southeast Asia, and he encouraged us to keep applying for World Bank projects in the region as our bids were "generally at the top or nearly at the top of the competing companies". We were shortlisted for a project funded by the Inter-American Development Bank in Washington to assist the Peruvian agribusiness sector with its international marketing, and our bid was ultimately successful. We were also

contracted by the Purchasing Management Association of Canada to deliver a two-day workshop in Saskatoon on *International Business and Multicultural Skills* which is one of the six courses candidates for the Supply Chain Management Professional (SCMP) designation are required to complete.

In **2012**, our work abroad focused on the World Bank project in Laos and the IADB project in Peru, both of which were completed before the end of the year. We submitted an Expression of Interest for a project funded by the Caribbean Development Bank to prepare a national export strategy for Belize, and another to strengthen knowledge-driven development in South Asia, funded by the Asian Development Bank. Although we were shortlisted for the Belize project, we subsequently declined to bid as we deemed the amount of money on offer insufficient. At home, we once again delivered our course, *International Business Environment*, as part of the Master of International Trade graduate degree program offered by the Johnson-Shoyama Graduate School of Public Policy, and were once again contracted by the Purchasing Management Association of Canada to deliver the two-day workshop in Regina on *International Business and Multicultural Skills*.

Although several references have been made to *The Estey Centre Journal of International Law and Trade Policy* in this paper, we would be remiss if we concluded without stressing what a huge success the *Journal* had been. Since it was established in 2000, the *Journal* published more than 200 articles by scholars and senior officials from around the world. Professor Tim Josling of Stanford University has publicly referred to the *Journal* as “required reading among trade policy specialists”.

- *The Estey Centre Journal of International Law and Trade Policy* was a highly respected web-based academic journal, double-blind reviewed. It had an outstanding reputation and attracted many thousands of visitors, hits, page views and downloads each month. Our list of subscribers (no charge) continued to grow, and we know that the *Journal* was being read on six continents.
- The *Journal* was entirely electronic, i.e. no printed copies, although readers could download a PDF version of each article. Using the Internet allowed access to a worldwide audience of scholars, policy makers, and interested members of the public. It also enabled one to reach a far larger audience than was possible through print, without the costs associated with printing and mailing hard copies.

In early 2011, the Centre was downsized by terminating the employment contracts of the two full-time employees, and the following year the Centre relocated its office and the editorial office of *The Estey Centre Journal of International Law and Trade Policy* to the College of Law at the U of S.

Quite clearly, we had come a very long way since the Centre opened its doors for business in the fall of 1999. Although our focus shifted from government funded research to revenue generating activities, we feel that we delivered our Mission Statement

To achieve worldwide recognition as a centre of excellence for research, training and professional development in international trade, trade policy, law and economics.

However, we were not a professional consulting company, and we were not an academic institution, nor did we ever receive any further government grants after the initial funding to launch the Centre in 1999. We were an independent not-for-profit corporation.

Although we were not a professional consulting firm, some might argue that we were, in fact, engaged in consulting activities. Although we were not an academic institution, we were indeed actively engaged in academic pursuits including not only the publication of a highly regarded academic journal but also, of course, our collaboration with the U of S in the delivery of an interdisciplinary graduate degree program in international trade.

In our mind, we had a good run and we think we should be proud of the Centre's achievements. However, without a stable cash flow, given the uncertainty of project opportunities abroad, and no endowment fund, it was no longer feasible for the Centre to try to continue to operate. The Centre formally wound up its operations in the summer of 2014. *The Estey Centre Journal of International Law and Trade Policy* will continue to be published under the auspices of the College of Law at the University of Saskatchewan.