

Introduction

Canada is a northern country that had the luxury of ignoring its own north throughout much of its history. The fierce climate and the vast distances in the Canadian Arctic have kept other countries and outside actors from coming to the region.

For more than a century, Canada's Arctic policy tended to be ad hoc, reactive, and piecemeal. This policy began to change after the Cold War as Canadian policymakers saw an opportunity to develop a cooperative international regime that could foster stronger and more productive relations among the former adversaries of the region; at the same time, policymakers could promote and protect Canadian interests. Successive Canadian governments have focused their attention on protecting Arctic sovereignty, from Americans, and Arctic security, from the Soviets/Russians. More recently, environmental threats are encouraging multilateral cooperation. Canada has pursued this dual track primarily through the development of a domestic policy framework and through the creation and support of new multilateral endeavors such as the Arctic Environmental Protection Strategy and the Arctic Council. Canada has been very successful in balancing and protecting both its domestic and international interests.

Canada now faces renewed challenges in the Arctic as forces continue to fundamentally transform the region and threaten Canada's carefully created balance of interests. Melting ice, new transportation technologies, and a global increase in demand for natural resources have drawn non-Arctic nations such as China and India to the vast potential of the Arctic region. Russia, a traditional Arctic power, is increasingly prioritizing its north for its future prosperity and security. However, problems and challenges far from the region are disconcertingly and increasingly making their way into Arctic affairs; the conflict in Ukraine has begun to

cast a shadow on the cooperation and goodwill that was characteristic of the Arctic region for decades.

The Protection of Canadian Arctic Sovereignty

Canada maintains that the Northwest Passage, which links the Pacific and Atlantic Oceans via the Arctic, are internal waters. The position of the United States—the only state that has officially challenged Canada on this issue—is that the Northwest Passage is an international waterway. For decades, discussions about the sovereignty of the Northwest Passage have been largely theoretical since there has been virtually no international shipping due to heavy ice. However, as the Arctic warms, there will be increasingly long periods of open water that will allow for more international shipping. If the Northwest Passage is considered an internal waterway, Canada can unilaterally determine the rules that foreign vessels must obey while transiting it. If the passage is an international strait, such as the Straits of Malacca or Hormuz, then all vessels must be allowed passage as long as they meet international standards.

Two international processes will soon require both the United States and Canada to revisit the Northwest Passage issue. First, there has been an ongoing effort by the International Maritime Organization (IMO) to develop rules—the Polar Code—for shipping in the Arctic region. These efforts do not directly address the international status of the Northwest Passage, but they will provide the rules for all shipping that operates in international waters. What would happen if an international shipper enters the Northwest Passage and complies with the Polar Code, but does not comply with Canadian regulation? Would the Canadian Government attempt to enforce its rules and risk provoking those supporting the rights of international shippers?

Or would it simply accept such actions, but risk facing a domestic reaction for failing to “protect” Canadian Arctic sovereignty. Secondly, Russia has moved to increasingly assert its control over its northern waterways—the Northern Sea Route. It has encouraged international shippers to use the route, but under its own terms; if an international shipper does not meet these terms, it is not permitted passage. Will its actions eventually provoke an American response protecting international shipping rights that, while directed against Russia, would inevitably impact Canada? It would be impossible for the United States to take a position against the Russians and ignore Canadian efforts to assert the same type of control.

Canada and the United States must resolve this politically sensitive issue sooner rather than later. Canada needs to be attuned to U.S. concerns regarding the freedom of navigation, but it is equally important that the United States recognizes the unique environment of the Northwest Passage, both in terms of the environment (protection from spills and accidents) and Canadian political sensitivities.

Canada can best respond to these new developments by building on its existing capabilities for surveillance and enforcement of Canadian laws and regulations in order to reassure its American allies. The more confident the United States can be of Canada’s ability to achieve comprehensive domain awareness of the region, the better the United States can be assured of protecting its northernmost flank from international threats that may develop in the future. In return, the United States should not actively seek to undermine Canada’s Northwest Passage positions internationally.

Protection of Arctic Security: NORAD

The North American Aerospace Defense Command (NORAD), designed for defense and deterrence against Soviet bombers and missiles, has provided for the joint defense of North American airspace since 1957. In 2006 the United States and Canada recognized the need to modernize the agreement, and decided to eliminate the requirement to renew it at regular intervals. In what is being called “NORAD Next,” U.S. and Canadian officials have begun to address the issue of how to improve Arctic and maritime domain awareness through NORAD, acknowledging that the melting ice-cover will make the region more accessible to maritime traffic. Russia’s resumption of bomber patrols in 2007 over the high Arctic, up to Canadian, U.S., and Norwegian aerospace boundaries, are a reminder of the need to maintain this deterrence capability.

NORAD Next will involve the modernization and expansion of NORAD’s existing surveillance systems, including updating the North Warning system (formerly the DEW Line), a series of radar sites that run from Alaska to Greenland, which was last updated in 1985. Beyond NORAD Next, Canada will also need to develop an expanded Arctic maritime surveillance system, which will require a mix of satellite systems, new ground-based radar systems, and unmanned aerial vehicles—all of which are currently under discussion by the government. While Canada’s RadarSat II has already proven very capable in ship detection, the Canadian government has committed to the next generation of Earth observation satellite. The collection of additional intelligence will require data fusion from all of these systems in order to understand the full surveillance picture.

Russian action in Ukraine. The result would be an Arctic Council with seven NATO members—and Russia, which would significantly reduce the effectiveness of the Arctic Council in the short term and likely in the long term as well. Such a situation would also be a blow to Canadian Arctic policy, since Canada was the creator of the Arctic Council and places it at the center of its Arctic foreign policy. At the same time, Canada has been one of the most vocal critics of Russian intervention in Ukraine. It is difficult to see how Canada could oppose the addition of the two Arctic “neutrals.”

Canada has a difficult policy route to follow. It must reconcile the need to foster cooperation among the entire Arctic community—including Russia—with its need to demonstrate opposition to states that use or support the use of military force to disassemble existing states. It may not be able to do both.

Conclusion

The Arctic is becoming a more complicated region for Canada, which to date has been very successful in protecting and promoting its

over its actions in the Ukraine. Cooperation will become increasingly less likely if the conflict