

## **Breaking the Ice on Canada-U.S. Arctic Co-operation**

### **Franklyn Griffiths**

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Prime Minister Harper is surely doing the right thing in seeking a radical improvement in Canada-U.S. relations. The same applies to his appointment of Michael Wilson as Canadian ambassador. But if the Prime Minister and our man in Washington are to turn things around, the Prime Minister will have to undo one of his election pledges. This is the pledge, made December 22, to defend Canada's Arctic sovereignty by military means. Specifically, Mr. Harper undertook to place anti-submarine sensors in the Northwest Passage, and to build and deploy three heavy, troop-carrying naval icebreakers to enforce Canada's exclusive jurisdiction in its Arctic waters.

As every schoolchild knows, in treating the varied waterways of the Northwest Passage as an international strait, the United States leads the rest of the world in its opposition to Canada's Arctic sovereignty claim.

When our would-be Prime Minister proposed to rely on armed force in defence of Arctic sovereignty, he was actually proposing to deploy and if necessary employ force against the United States.

The speech of December 22 therefore referred to recent "reports" of illicit U.S. nuclear-powered submarine activity in the Canadian Arctic Archipelago. It also saw Mr. Harper say that, "As Prime Minister, I will make it plain to foreign governments – including the United States – that naval vessels travelling in Canadian waters will require the consent of the government of Canada."

Elections are one thing. So also are mistakes made in them. But for the Prime Minister to persist in a mistaken naval defence of Arctic sovereignty would be worse than counterproductive for Canada-U.S. relations. Consider first what might happen when new naval icebreakers and sensors are in place.

A submarine is detected and the acoustic signature tells us whose it is. It's American. What then do we do? Have troops lean over the icebreaker rail and shake their fists at the sub as it passes by under the ice? Launch depth charges from an icebreaker onto a nuclear-powered submarine, thereby going to war with the superpower, risking nuclear contamination of the Archipelago, and visiting who knows what upon the people of Nunavut?

To avert any such insanity (and to save some billions of dollars), the Prime Minister ought to cancel the naval icebreaker commitment right away. Suppose however he is determined to emplace submarine sensors at key chokepoints in the Passage. After all, why shouldn't the sovereign have full knowledge of what's going on in their space? Unfortunately it's not that easy.

When the first submarine went through we'd launch a protest to the offending government. Be it to Beijing, London, Moscow, New Delhi, Paris, or Washington, the protest would be turned aside. Further unauthorized transits would be met with further protests, all to no avail and possibly with media attention. Actually, the appearance of sensors in the Passage could provide a new incentive for others to contravene the Canadian claim.

To provide Canada with temporary relief, the United States might propose that we together seek an adjudication of the status of the Northwest Passage at the International Court of Justice. But if sensors in the Passage are eventually to take us to the Hague, why not take the initiative ourselves and proceed now to court with a state opposed to our claim? The answer is that Canada could lose the Northwest Passage at the World Court. You never know. But we do know that the government and the political party that gave the Passage away would be crucified by the Canadian people.

To rely mainly on military means is to court disaster in the defence of sovereignty. We do however have a practical and inexpensive way of exercising Canadian jurisdiction in the Arctic waters we call our own. Strangely, it involves talking to Washington about matters of common concern.

Derek Burney, the man who has been leading the current transition in Ottawa for the Conservative government, negotiated an Arctic cooperation agreement with the United States in 1988. It saw both countries suspend their differences in law and, on this basis, cooperate in Coast Guard icebreaker operations in one another's Arctic waters without prejudice to whatever might be said and done if ever we went to court.

The 1988 agreement to disagree has worked well. The two Coast Guards collaborate smoothly and effectively. The framework could now be enlarged to authorize without-prejudice naval cooperation including transits by U.S. submarines through the Canadian Arctic Archipelago. Or, under the NORAD agreement which is soon to be renewed, Canada and the United States could act jointly on the need for Arctic maritime security cooperation against non-traditional as well as naval threats. Here again it's not the Navy but the Coast Guard and our law-enforcement agencies that are likely to be cost-effective in the exercise of sovereignty.

Best for the Prime Minister to call Derek Burney in for a sovereignty talk before Michael Wilson has to start explaining Canada's Arctic intentions in Washington.

***Editor of Politics of the Northwest Passage, Franklyn Griffiths is Ignatieff Chair Emeritus of Peace and Conflict Studies at the University of Toronto.***

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