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IN PURSUIT OF A BI-NATIONAL COMPREHENSIVE DEFENCE AND SECURITY AGREEMENT – A CONCEPT WHOSE TIME HAS COME

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There can be no greater role, no more important obligation for a government, than the protection and safety of its citizens.[1]

INTRODUCTION

Security and defence are fundamental to the viability, stability and economic prosperity of any nation. For Canada and the United States (US), a heightened awareness of vulnerability and co-dependence has developed as a result of numerous domestic[2] and continental[3] crises since the early 1990's, and in particular since the terrorist attacks of September 11th, 2001. In the years since 9/11, both countries have independently introduced initiatives to transform their respective organizations and institutions of national security and defence in order to better meet real and potential threats.[4] However, critical gaps still remain,[5] particularly in terms of inter-

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[1] Canada, Privy Council Office, *Securing an Open Society: Canada's National Security Policy* (Ottawa: PCO Canada, 2004), vii.

[2] The Canadian Forces have deployed 15 domestic operations since 1989 (not including "routine" domestic and continental missions), compared to 3 from 1970 to 1989. Specifically, military forces have provided support to civilian authorities in response to floods in Quebec and Manitoba; the 1998 ice storm; and the Year 2000 transition. The Canadian Forces have also deployed more than 5,000 personnel in support of the G8 Summit in Kananaskis in 2002, as well as, 2,600 troops to fight forest fires in British Columbia in 2003. This information is drawn from a body of work (Briefing Notes, Presentations to the Minister of National Defence, and Operational Research documentation) prepared by the Directorate of Defence Analysis in the Director General Strategic Planning of the Department of National Defence. Of particular note are the following documents: Department of National Defence, DRDC ORD TM 2005-08, L.A. Willner, *Canadian Forces Operations Database*, (Ottawa: Operational Research Division, 2005); Department of National Defence, DRDC ORD TM 2005-13, Paul L. Massel and Sean R. Pollick, *The Ops Personnel Tempo Data Table*, (Ottawa: Operational Research Division, 2005); and, Department of National Defence, Draft ORD Project Report, P.L. Massel, S. Pollick, Maj K. Simonds, and D. Blakeney, *The Canadian Forces Personnel Force Employment Study*, (Ottawa: Operational Research Division, 2004).

[3] Examples of security incidents that have involved both a Canadian and US emergency response are: the 1998 Red River Flood; the 1998 ice storm; the terrorist attacks of September 11th, 2001; the 2003 SARS pandemic; the Blackout in 2003; and, Hurricane Katrina in 2005.

[4] National security is defined in relation to "threats that have the potential to undermine the security of the state or society. These threats generally require a national response, as they are beyond the capacity of individuals, communities or provinces to address alone." See Canada, Privy Council Office, *Securing an Open Society: Canada's National Security Policy* . . . , 3. Threats manifest themselves across a broad continuum, including: economic and infrastructure vulnerabilities; natural and manmade disasters; public health emergencies; integrity of transportation and boarder security; and, defence concerns encompassing traditional threats, as well as, terrorism or domestic extremism. The spectrum of threats for National security are discussed in several Canadian strategic documents, most notably: Canada, Privy Council Office, *Securing an Open Society: Canada's National Security*

agency cooperation; information sharing; effective command, control, communication and computer (C4) architecture; collaborative inter-agency training and exercises; and, a lack of coordinating mechanisms and agreements.[6] The challenge is how to best address these identified shortcomings, but this dilemma is not confined to the national sphere alone. What has become clear is that the well-being and security of one nation is intricately linked to that of the other. Coordination and communication between Canadian and US organizations is now considered vital for reduction of seams and gaps that are recognized to exist within and between cross-border security and defence networks.[7] This realization has lead to the implementation of political and military policies that acknowledge and commit to strengthened alliances and partnerships to meet the common interests, security and defence challenges of both nations.[8]

Policy . . . , 3; and, Canada, Privy Council Office, *Securing an Open Society: One Year Later – Progress Report on the Implementation of Canada's National Security Policy* (Ottawa: PCO Canada, 2005).

[5] Office of the Auditor General of Canada, "2005 Reports of the Auditor General of Canada – National Security in Canada: The 2001 Anti-Terrorism Initiative, Air Transportation Security, Marine Security and Emergency Preparedness," Available from http://www.oag-bvg.gc.ca/domino/reports.nsf/html/20050402ce.html; Internet; accessed 7 March 2006, 27.

[6] Bi-National Planning Group, "Predecisional Final Draft on Canada and the United States (CANUS) Enhanced Military Cooperation" (Colorado: BPG United States, 2006), Executive Summary, 12. See also Office of the Auditor General of Canada, "2005 Reports of the Auditor General of Canada – National Security in Canada: The 2001 Anti-Terrorism Initiative, Air Transportation Security, Marine Security and Emergency Preparedness,". . . . The gaps noted have also been consistently identified in After Action Reports and Lessons Learned associated with domestic and continental emergency operations, such as Hurricane Katrina, and the SARs epidemic. Due to their number, the reader is referred to the bibliography of this paper for specific citations.

[7] Bi-National Planning Group, *"Predecisional Final Draft on Canada and the United States (CANUS) Enhanced Military Cooperation"*. . . , n.p.

[8] Bi-National Planning Group, *"Interim Report on Canada and the United States (CANUS) Enhanced Military Cooperation"* (Colorado: BPG United States, 2004), 1. As noted by the Honourable Bill Graham, in a post-Cold War and post-September 11th 2001 security environment, the Government of Canada recognizes that meeting its National security interests can not be achieved in isolation; there is the need to apply a Continental perspective and consider defence and security challenges in cooperation with the United States. See "*Message from the Minister*," in Canada, Department of National Defence, *Canada's International Policy Statement: A Role of Pride and Influence in the World – DEFENCE* (Ottawa: DND Canada, 2005), n.p. Canada's commitment to the pursuit of security and defence initiatives that consider Continental partnerships and ramifications are also expressed in documents such as Canada, Privy Council Office, *Securing an Open Society: Canada's National Security Policy* . . . , and, Canada, Department of Foreign Affairs and International Trade, *Canada's International Policy Statement: A Role of Pride and Influence in the World- OVERVIEW* (Ottawa: DFAIT Canada, 2005), n.p., in which the Prime Minister states, "Our security, our prosperity, our quality of life-these are all dependent on the success with which

However, despite the trend in practice toward increased interoperability and integration of emergency response organizations, a coherent overarching framework to guide and align their efforts remains elusive. This paper will argue that the time has come to seriously pursue the development and implementation of a bi-national multi-domain framework and agreement, not only to ensure efficiency and effectiveness, but also to assure the integrity of national and continental security and defence interests.

To assist with the analysis of this thesis, the paper will begin with an overview of ***effective emergency response and why it's so important***, followed by the ***essential conceptual elements of a Canadian-US (CANUS) Comprehensive Defence and Security Agreement (CDSA).***[9] The paper will then review the ***Canada-US defence and security relationship*** and the opportunities and costs that implementation of a CDSA might represent for Canada; this section will include political, economic and military considerations, as well as explore opposing views. Finally, the paper will present some ***considerations for the way ahead***, highlighting aspects of the viability and relevance of a CDSA to enhance how security and defence networks function and interact.

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we help to manage the North American continent. All Canadians understand that our most important relationship is with the United States . . . What is increasingly obvious in the 21st century, however, is that there are more and more challenges that affect all of North America - challenges that require North American solutions that respect our differences as sovereign countries, but that also recognize our profound interdependence as neighbours on this continent." American commitment for a cooperative approach to defence and security has been expressed by the President when he stated "… there is little of lasting consequence that the United States can accomplish in the world without the sustained cooperation of its allies and friends in Canada …," United States, *National Security Strategy (NSS) of the United States of America*, 25.

[9] While the discussion of a CANUS CDSA will draw upon, and use examples from, the concept recently presented by the Bi-National Planning Group (BPG), it is felt their work is incomplete and should be viewed as a start point rather than an end-state. This paper will endeavour to highlight additional critical areas for consideration that had not been addressed by the BPG proposal itself.

EFFECTIVE EMERGENCY RESPONSE – WHY IT'S SO IMPORTANT

For Canada, the events of 9/11 precipitated significant changes, not only to federal policies and programs but also to governmental structures and organizations dealing with issues of national security. However, without diminishing the tremendous effort and accomplishments that have been achieved to date, critical gaps still remain; the Auditor General of Canada notes,

> The new Public Safety and Emergency Preparedness Canada (PSEPC) faces many challenges to achieving the goals set for it by government …In our opinion, without strong and clear support from all areas of the federal government, PSEPC will be years away from meeting the goals it has established and that have been established for it. And the gaps in Canada's ability to respond to an emergency will remain.[10]

Given the clear requirement for effective domestic and continental emergency response, waiting years for a coherent process seems an unacceptable option. However, finding a timely means of addressing the challenges faced by PSEPC, while considered a priority, may be difficult to achieve. But why is there an imperative to act quickly?

As Jack Goldstone, a leading authority on Regional Conflict has noted, "short-term and large-scale disasters, such as hurricanes, droughts, floods, earthquakes, and industrial accidents"[11] can have a significant impact on a government and/or a nation. Studies indicate that "political mobilization and unrest are often sharply increased following a disaster."[12] While not all disasters have such results, a number of factors are considered important for limiting the

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[10] Office of the Auditor General of Canada, "2005 Reports of the Auditor General of Canada – National Security in Canada: The 2001 Anti-Terrorism Initiative, Air Transportation Security, Marine Security and Emergency Preparedness,". . . , 27.

[11] Jack A. Goldstone, "Demography, Environment, and Security," in *Environmental Conflict*, ed. Paul F. Diehl and Nils Petter Gleditsch, (Boulder: Westview Press, 2001), 93.

[12] Ibid., 93.

potential for negative effects: the robustness of a state;[13] the context of the disaster; and, most particularly, to what extent the government is seen to have contributed to, or mitigated the effects of a disaster.[14] While the research of Jack Goldstone, and others in this field of study, focus on factors leading to instability in weak, or failed and failing states, their work can also provide relevant insights when examining domestic security vulnerabilities in what are otherwise considered strong states; for instance, the political unrest that followed Hurricane Katrina in the United States.

> In short, natural disasters provide an opportunity for the regime to display its flaws or to demonstrate its competence. Where the latter is shown, natural disasters can be a cause of increased support for the government; but where flaws come to the fore, political unrest and violence [or as was seen post-9/11, significant institutional transformation], is a widely observed response.[15]

For Canada, the acknowledgement of shortcomings in its ability to respond to domestic/continental security and defence emergencies has potentially significant implications in terms of expectations, perceptions and public confidence in the government, not only in relation to its citizens, but within the broader continental context. The loss of American confidence, whether justified or not, can result in potentially devastating political and economic ramifications, as was experienced post-9/11. It is for reasons such as these, that effective emergency response is considered a no-fail event. The question then, is not why effective

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[13] State strength is defined as "the capacity of the state to command loyalty - the right to rule - to extract the resources necessary to rule and provide services, to maintain that essential element of sovereignty, a monopoly over the legitimate use of force within defined territorial limits, and to operate within the context of a consensus-based political community." See Kalevi Holsti, *The State, War, and the State of War,* (Cambridge: Cambridge University Press, 1996), 83, as discussed in *The Journal of Conflict Studies*, "The Causes of War," (New Brunswick: JCS, Spring 1999), 3, Available from http://www.lib.unb.ca/Texts/JCS/bin/get4.cgi?directory=spring99/&filename=rickard.htm; Internet; accessed 1 April 2006.

[14] Jack A. Goldstone, "Demography, Environment, and Security,". . . , 93.

[15] Ibid., 94.

emergency response is necessary, but rather how and when can a coherent framework and process be implemented.

ESSENTIAL CONCEPTUAL ELEMENTS OF A CDSA

Since December 2002, the Bi-National Planning Group (BPG), under the auspices of the *Canada-United States (CANUS) Agreement for Enhanced Military Cooperation*, has been exploring "optimal defence arrangements in order to prevent or mitigate threats or attacks, as well as respond to natural disasters and/or other major emergencies in Canada and the United States."[16] More recently, the BPG has called for a CANUS *Comprehensive Defence and Security Agreement* (CDSA); a strategic vision document that would provide essential direction and authority[17] in support of effective, coordinated and interoperable security and defence organizations.[18] In light of concerns raised about gaps in emergency preparedness, both nationally and bi-nationally, the proposal for a CDSA appears both opportune and relevant.

However, initiatives between Canada and the United States which advocate increased interoperability in the realm of continental security and defence remain controversial. Proponents of a CDSA represent it as an opportunity to shift paradigms and outdated organizational cultures toward plans, policies and procedures that can more effectively cope with

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[16] See Bi-National Planning Group, *"Interim Report on Canada and the United States (CANUS) Enhanced Military Cooperation"*. . . , i.

[17] Bi-National Planning Group, *"Predecisional Final Draft on Canada and the United States (CANUS) Enhanced Military Cooperation"*. . . , n.p.

[18] Ibid, n.p. The Comprehensive Defence and Security Agreement speaks to a new role and expanded mandate of NORAD. The Agreement envisions a similar degree of cooperation between participating partners as currently found in NORAD but which includes all security and defence domains. The Agreement would potentially encompass: "Development of deliberate plans for the joint and combined defense and security of North America as well as bi-national civil support; Conduct of seamless bi-national information sharing; Development of command, control, communications and computer architectures to support information sharing; Conduct of joint and combined training and exercises; and, Development of coordination mechanisms, including agreements among the military stakeholders and the homeland security and foreign policy communities." See Ibid, Executive Summary, n.p.

the new threat environment.[19] Conversely, opponents of such an agreement use the recent suggestion of closer CANUS interoperability and cooperation as a means of reintroducing concerns "that interoperability will compromise Canadian sovereignty by constraining Ottawa's policy options and undermining . . . Canadian operational autonomy."[20] Interoperability between military and civilian security and defence organizations is seen as a potential threat to civil liberties, privacy, and an unacceptable expansion of the role and mandate of the military into domestic jurisdictions.[21]

Notwithstanding these divergent views, in practice, integration of North American security and defence networks at all levels, both formal and informal, have advanced to a point that any attempt to return to a pre-9/11 *status quo* would be extremely difficult,[22] and would be unlikely given today's threat environment. The question is not whether integration and

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[19] Ibid., n.p.

[20] Williams, Richard, L."Weighing the Options: Case Studies in Naval Interoperability." Available from http://centreforforeignpolicystudies.dal.ca/pdf/msop13.pdf; Internet; accessed 26 March 2006, 2. This document speaks to the concerns many Canadians express (rightly or wrongly) about the link between interoperability and the erosion of Canadian sovereignty. The basis of the concern is the perception of very distinct differences in CANUS foreign policy positions which could be compromised as a result of organizations and structures that are too closely aligned.

[21] Peter Brownfield, "Defining the Domestic Role of the Military," Fox News, 23 February, 2004; Available from http://www.foxnews.com/story/0,2933,112156,00.html; Internet; accessed 15 March, 2006. See also, Bradley Graham, "Military Expands Homeland Efforts: Pentagon to Share Data with Civilian Agencies," Washington Post, 6 July 2005; Available from http://www.washingtonpost.com/wp-dyn/content/article/2005/07/05/AR2005070501669.html; Internet; accessed 15 March, 2006; and, The Council of Canadians, "Crossing the Line: A Citizen's Inquiry on Canada-US Relations;" Available from http://www.canadians.org/documents/Crossing_the_Line_Report05.pdf; Internet; accessed 1 April 2006. It is interesting to note that, at least with respect to civil liberties, perceptions are not borne out by the polls. EKOS Public Security Monitor research has found that "For the majority of the Canadian public security continues to trump civil liberties as the preferred area for Government focus; The plurality of Canadians continue to trust the Government of Canada to strike the right balance between security and civil liberties, despite some decline compared to the 2004 data; and, Canadians continue to indicate that there is room for compromise on privacy in exchange for security guarantees, although once again this 'room for compromise' is getting smaller." See Thiessen, Tracy. PSEPC Emergency Management and National Security Branch. "Emergency Response: A PSEPC Primer." Presentation given March 9, 2006.

interoperability between responder agencies[23] should take place, rather one must ask within what strategic context these organizations will function so as to ensure relationships are formalized, aligned and coordinated to be consistent with national and/or continental interests. While there are significant gaps in the BPG definition of, and proposal for a CDSA,[24] the concept itself offers a useful catalyst for discussion of this important question. The BPG, for instance,

> is convinced that it is vital to adopt a continental approach to defence and security in order to optimize the effectiveness of both countries' defence and security organizations. The lack of a vision that includes a continental approach will not preclude progress; however, an articulated vision, which provides for a continental approach to be implemented by a Comprehensive Defence and Security Agreement, is necessary to optimize the efficiency and effectiveness of our collective efforts.[25]

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[22] Canadian Council of Chief Executives "Task Force on the Future of North America: Summary of the Toronto Meeting," Available from http://www.canadians.org/documents/TF_ReportFeb05.pdf; Internet; accessed 1 April 2006, 1.

[23] Within the domestic and continental context, whether a crisis is the result of a natural disaster or is man-made, first responders include such individuals as "police officers, firefighters, emergency medical care providers, and emergency management officials who make up specialty trained hazardous materials teams, urban search and rescue units, bomb squads, and tactical units." See Office of the Auditor General of Canada, "The Role of the Canadian Forces," in *National Security in Canada – The 2001 Anti-Terrorism Initiative – Air Transportation Security, Marine Security, and Emergency Preparedness*, (Ottawa: OAG Canada, 2005); Available from http://www.oag-bvg.gc.ca/domino/reports.nsf/html/20050402xe05.html; Internet; accessed 7 March, 2006, 12. For the most part these people, their capabilities and associated resources reside at the provincial, territorial and municipal level of government. In this respect, the federal component of the emergency management system functions primarily in a supporting capacity. See For further discussion on this see, Ibid.; and, Canada, Privy Council Office, *Securing an Open Society: Canada's National Security Policy*. . . .

[24] Discussions regarding gaps and weaknesses within the BPG CDSA proposal will be discussed at appropriate points throughout the paper. Most notably however, are the lack of engagement of civilian emergency responder communities in the development of the proposal, and the assumption that there is a willingness and ability to have the military take a lead role in domestic/continental emergency response.

[25] Bi-National Planning Group, "Predecisional Final Draft on Canada and the United States (CANUS) Enhanced Military Cooperation" . . . , 32. The BPG uses the term 'continental approach' to mean combined operations that are conducted in a systematic and routine manner that is both combined and joint. The stated objective between defence and security organizations is cooperation rather than integration. As such, it is not intended to "violate sovereignty or impair the national interests of any country, nor does it preclude bilateral agreements." See Ibid., 43. It is argued that such a definition of continental approach is consistent with strategic–level policy and Agreements such as: the Ogdensburg Agreement(1940); NORAD Agreement (1996-2001); NORAD Terms of Reference (2003); Joint Statement by Canada and the United States on common security, common prosperity: A new partnership in North America (2004); The Security and Prosperity Partnership of North America (2005); the Canadian National Security Policy; The Canadian Policy Statement; the United States National Security Strategy; the US National Strategy for Homeland Security; US National Military Strategy (2004); and, US Security Cooperation Guidance (2005).

A CDSA is best understood in terms of a taxonomy of concepts between policy, strategic guidance, and the conduct of emergency response that facilitates the development of organizations and processes that are aligned with national interests, as well as continental defence and security imperatives. Specifically, a CDSA provides the necessary means by which senior leadership can establish and express unequivocal political intent and clearly defined goals for what is required and expected of security and defence communities. A CDSA defined and applied in this way allows stakeholders across the spectrum to focus their efforts on the methods by which to best accomplish national and continental security and defence objectives.[26] The value of a CDSA structured as an overarching conceptual framework that supports a multitude of security and defence operating concepts is that it would allow for clear alignment of concept and capability development within a top-down process. This introduces the possibility of capability based planning, strategic capability acquisition and combined training processes that facilitate alignment of strategic guidance and requirements, both nationally and continentally, with employment and generation capabilities of emergency responder communities. Canadian and American military Force development processes already incorporate these planning principles.[27] A consistent approach across government responder organizations in particular, would greatly enhance interoperability, coherence of effort, and would potentially optimize capability, capacity and resource requirements across stakeholder communities.

The BPG depicts continental defence and security in terms of a coherent military command structure encompassing all defence and security domains.

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[26] Ibid., 30.

[27] K.C. Simonds, Major, Directorate of Defence Analysis, Director General Strategic Planning, "Capability Based Planning; and, the Canadian Forces Strategic Operating Concept: An Overview," A presentation made on 26 November 2004.

> A [Comprehensive Defence and Security Agreement][28] (CDSA) providing national authority and intent could replace the current NORAD Agreement and provide the mechanism that streamlines national policy with regard to bi-national defence and security. The new Agreement is envisioned to provide the national policy authority under which an all domain command would be established, enabled and matured. If a CDSA is adopted by both Governments, an expanded, multi-domain North American Defence Command could be established.[29]

While the general concepts of a CDSA are promising, the BPG proposal that the military take a more prominent, and possibly even a lead role, in national and continental emergency response is more problematic; the details of which will be discussed later in this paper.

CANADA-US DEFENCE AND SECURITY RELATIONSHIPS

Defence relations between Canada and the US are described as "longstanding, well entrenched and highly successful."[30] Since 1938, the mutual National commitments first expressed by President Franklin D. Roosevelt and Prime Minister MacKenzie King have shaped the CANUS defence relationship; the fundamental principle being "that North America is a single military theatre, that each country has a duty to help the other to defend it, and that this will be accomplished together."[31] The interrelationship that has developed between Canada and

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[28] The BPG Interim Report identified the Agreement as a Continental Defence and Security Agreement. The name was subsequently amended in the predecisional Draft Report to read Comprehensive Defence and Security Agreement.

[29] Bi-National Planning Group, *"Interim Report on Canada and the United States (CANUS) Enhanced Military Cooperation"* . . . , ii.

[30] Department of National Defence, "Canada-United States Defence Relations," available from http://www.forces.gc.ca/site/Newsroom/view_news_e.asp?id=836; Internet; Accessed 16 October 2005, 1. "Canadian and US maritime, land and air forces conduct numerous military training exercises together each year, cooperate on defence research and development, and are partners in both the North American Aerospace Defence Agreement and the North Atlantic Treaty Organization." Ibid., 1. In addition, CANUS collaboration and cooperation with respect to defence issues are also exercised through the Permanent Joint Board on Defence (PJBD), the Military Cooperation Committee (MCC), and the Bi-National Planning Group, to name just a few. See Ibid.; and, Department of National Defence, "Defence Cooperation: Principal Agreements," Available from http://www.forces.gc.ca/site/focus/canada-us/agree_e.asp; Internet; accessed 16 February 2006.

[31] Bi-National Planning Group, "Predecisional Final Draft on Canada and the United States (CANUS) Enhanced Military Cooperation" . . . , 33. See also, Dwight Mason, "Canada and the Future of Continental

the US in support of common defence interests is best illustrated by the "over 80 treaty-level defence agreements, more than 250 memoranda of understanding between the two defence departments, and approximately 145 bilateral forums in which defence matters are discussed."[32]

Within the broader spectrum of security, there also exists an increasingly complex and interdependent CANUS relationship involving bilateral and bi-national federal government initiatives, as well as trans-boundary interactions between stakeholder organizations at the sub-national level. Specifically, "a dense network of formal and informal relations, institutions [and] mechanisms"[33] has developed involving provincial, territorial governments and non-government sector stakeholders, such as the Red Cross, voluntary associations, and private businesses.[34] While cross-border interaction between CANUS sub-national stakeholders has been motivated primarily by regional economic drivers such as trade and investment, security has increasingly become an integral consideration. The development of agreements and the identification for

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Defence," Policy Papers on the Americas, Vol.XIV, (Washington: Centre for Strategic and International Studies, September 2003), 1-2.

[32] Department of National Defence, "Canada-United States Defence Relations,". . . , 1. "On a day-to-day basis, contact between Canadian and US defence officials is extensive. There are approximately 600 CF personnel currently serving in the US, mostly in NORAD-related assignments … As well, over 20,000 visits are conducted annually to the US by Canadian government and industry representatives related to defence activities." See Canada, Canada School of Public Service, "Action-Research Roundtable: Building Cross-Border Links – A Compendium of Canada-US Government Collaboration," (Ottawa: Canada School of Public Service, Canada, 2004), Available from http://dsp-psd.pwgsc.gc.ca/Collection/SC103-6-2; Internet; accessed 26 March 2006, 99.

[33] Dieudonne Mouafo, "Regional Dynamics in Canada-United States Relations," Canada School of Public Service, Paper prepared for the 2004 Conference of the Canadian Political Science Association University of Manitoba, Winnipeg, June 3rd, 2004. Available from http://www.cpsa-acsp.ca/papers-2004/Mouafo.pdf; Internet; accessed 26 March 2006. See also, Canada, Canada School of Public Service, "Action-Research Roundtable: Building Cross-Border Links – A Compendium of Canada-US Government Collaboration,". . . .

[34] The Heritage Foundation, James Jay Carafano and Richard Weitz, "Learning from Disaster: The Role of Federalism and the importance of Grassroots Response," Backgrounder #1923, March 21, 2006. Available from http://www.heritage.org/Research/HomelandDefense/bg1923.cfm; Internet; accessed 1 April 2006, 3. See also, Shropshire, Don, "Hurricane Katrina Response, Lessons Learned and Recommendations, Report of the Debriefing, November 6, 2005, Quebec City" A report prepared 15 January 2006.

protection of critical systems and infrastructure interdependencies are seen to be vital for the continued stability of cross-border regional economic networks.[35]

North-South economic watersheds, electrical power grids, oil and natural gas distribution, telecommunications and transportation systems are extensive.[36] Cascading effects associated with disruptions to such networks can be devastating, whether they are the result of manmade or natural disasters;[37] the 1998 Red River flood, the 1998 ice storm, and the 2003 blackout of the Eastern seaboard are recent examples. At the current time however, there is no comprehensive plan on how to deal with emergencies related to national and cross-border economic and security interdependencies. This has generated North-South regional initiatives that depend upon a network of trust and personal relationships built at the local and sub-national level.[38]

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[35] Dieudonne Mouafo, "Regional Dynamics in Canada-United States Relations,". . . , 17. See also Matt Morrison, "Protecting Critical Infrastructure: Taking Stock of the Challenges and Approaches to Assuring Resiliency," A presentation given at the Conference Board of Canada, First Public-Private Sector Summit on National Security, in Ottawa, 25 and 26 May 2005. PSEPC defines National Critical Infrastructure to be "those physical and information technology facilities, networks, services and assets, that if disrupted or destroyed, would have a serious impact on the health, safety, security or economic well-being of Canadians or the effective functioning of governments in Canada." See Janet Bax, "Protecting Critical Infrastructure: Taking Stock of the Challenges and Approaches to Assuring Resiliency," A presentation given at the Conference Board of Canada, First Public-Private Sector Summit on National Security, in Ottawa, 25 and 26 May 2005. The ten Sectors identified include: energy and utilities; communications and information technology; finance; health care; food; water; transportation; safety; government; and, manufacturing. Proposed factors to determine potential impacts on and priority of critical infrastructure include: concentration of people and assets; economic impacts in direct costs; critical infrastructure sector; interdependency and impact on other critical services/sectors; service delivery in terms of qualitative impacts on the general economy; and, public confidence in the government. Ibid.

[36] In the area of energy security alone, Canada represents the largest energy supplier to the United States, "accounting for: 94 percent of natural gas imports; almost 100 percent of electricity imports; and, more crude and refined oil products than any other supplier, including Saudi Arabia, Iraq or Venezuela." See Thomas D'Aquino, "Security and Prosperity: The Dynamics of a New Canada-United States Partnership in North America," A presentation to the Annual General Meeting of the Canadian Council of Chief Executives, 14 January 2003, in Toronto; Available from http://www.ceocouncil.ca/publications/pdf/b10f; Internet; accessed 16 February 2006, 2.

[37] Matt Morrison, "Protecting Critical Infrastructure: Taking Stock of the Challenges and Approaches to Assuring Resiliency,". . . .

[38] Dieudonne Mouafo, "Regional Dynamics in Canada-United States Relations,". . . , 17. "Informal interaction is the dominant feature of Canada/US relations at sub-national level but provinces and territorial governments are taking advantage of constitutional provisions on shared jurisdictions, and the flexibility of the Canadian federalism to engage into international activities… Whereas Canada and the US central governments retain prerogative to conduct international trade negotiations and conclude treaties, they must rely on sub-national entities for compliance to, or implementation of agreements." Ibid., 17.

The challenge which currently exists, is to coordinate this multitude of networks so as to ensure that effective communication exists and that application of resources are optimized during times of crisis. As noted in Canada's National Security Policy,

> National emergency co-ordination currently suffers both from the absence of an effective federal-provincial-territorial governance regime and from the absence of commonly agreed standards and priorities for the national emergency system.[39]

It is in this respect that the concepts associated with a CDSA are worthwhile to consider. The key to success is believed to be a commitment from both Canada and the United States "to adopt a continental vision for defence and security, which results in an interagency approach to bi-national issues and challenges."[40] From this perspective, synergy of effort in support of effective North American defence and security is best achieved through a strong CANUS partnership founded on interconnectivity between political, economic, and military spheres of influence across all levels of stakeholder networks.[41]

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[39] Canada, Privy Council Office, *Securing an Open Society: Canada's National Security Policy* (Ottawa: PCO Canada, 2004) as quoted in Office of the Auditor General of Canada, "2005 Reports of the Auditor General of Canada – National Security in Canada: The 2001 Anti-Terrorism Initiative, Air Transportation Security, Marine Security and Emergency Preparedness,". . . , 13. The traditional stove-piped and linear exchange of information between organizations is no longer adequate to meet the practical realities of today's threat environment. The suggestion is that "If Canada and the United States continue to perpetuate these linear relationships, then another 9/11-type attack may be very difficult to prevent." See Bi-National Planning Group, "Predecisional Final Draft on Canada and the United States (CANUS) Enhanced Military Cooperation,". . . , 5. Building on the 9/11 Commission Report, what is proposed is that inter-relational information sharing become the objective so as to harmonize security and shared knowledge between CANUS agencies. See Ibid., 5. The PSEPC Government Operations Centre, the Integrated Threat Assessment Centre are but two examples of interagency information sharing initiatives.

[40] Bi-National Planning Group, "Predecisional Final Draft on Canada and the United States (CANUS) Enhanced Military Cooperation". . . , 41.

[41] Ibid., 7.

Philippe Lagasse, argues, "Canada understands continental security in bilateral terms and has worked to convince the United States to think along similar lines."[42] Considering this, a CDSA that is based on negotiated bilateral and bi-national CANUS agreements would allow Canada to continue to use such means "to narrow its power asymmetries with the United States and arrive at continental security solutions that serve …the Canadian national interest."[43] This approach is also in the interests of the US. Incremental bilateral negotiations are valued because they enable both governments to develop moderate and cooperative policies that facilitate solutions to potentially politically contentious security and defence issues.[44]

A CDSA would therefore represent a means of bringing an overarching bi-national vision and clear goals that would allow regional networks to align their initiatives with national and continental interests. While building trust across national responder agencies or across regional stakeholder groups is generally more difficult than at the local level, a CDSA would represent a means to facilitate the development of trust vertically and horizontally between the numerous agencies functioning at the national and bi-national level. A CDSA could also provide the necessary framework, organizational structure, and environment in which stakeholders at various levels would feel safe to discuss their issues and concerns candidly and share valuable lessons learned from actual emergency events or from table top exercises.[45]

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[42] Philippe Lagasse, "Suspenders and a Belt: Perimeter and Border Security in US-Canada Relations," a paper presented to the Annual Meeting of the American Political Science Association in Washington DC, 4 September 2005; Available from http://www.carleton.ca/csds/events/SokolskyLagasseAPSA%28Final%29.doc; Internet; accessed 16 February 2006, n.p.

[43] Ibid., n.p.

[44] Ibid., n.p.

[45] To date, assurances of confidentiality for proprietary or critical infrastructure information have been a limiting factor for the full engagement of the business community in emergency preparedness planning. A CDSA framework and Agreement could facilitate an environment conducive to their increased involvement.

Political and Economic Considerations

Desmond Morton, a Canadian Historian, has observed that Canada's interests over time have remained consistent, namely,

> …to do what we must do to make the Americans feel secure on their northern border. Americans may remember 9/11; we must remember 9/12, when American panic closed the US border and shook our prosperity to its very core.[46]

In this respect, Canada's defence and security interests are seen to be intricately linked with the ability to maintain a viable economic relationship with the United States.[47] CANUS security cooperation is shaped by the imperative to protect North America from man-made and natural disasters which may pose a threat to the institutions, infrastructure and interactions that provide the necessary foundation of economic success and political stability.[48] In recent years Canadian Liberal governments have been particularly sensitive to the need "to balance economic interests with a shielding of Canada's sovereignty and values."[49] But with the change to a Conservative

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[46] Desmond Morton, from a speech presented to the Canadian Conference of the Inter-University Seminar on Armed Forces and Society at McGill University, Montreal, 1 October 2004, as quoted in Philippe Lagasse, "Suspenders and a Belt: Perimeter and Border Security in US-Canada Relations,". . . , n.p.

[47] In terms of economic trade, $US 1.2 billion is traded across the boarder each day. "Two-way trade between Canada and the US has more than doubled in value since 1994… Canada supplies 16.5% of all US imports of goods and services, while Canada bought 19% of all American goods and services." See Mapleleafweb, "Trading Partners: The dynamics and history of the Canada-US trading relationship," Available from http://www.mapleleafweb.com/features/economy/us-canada/trading-partners.html; Internet; accessed 16 October 2005, 1. In fact, Canada, a market of 30 million people, buys almost three times as many goods from the US as Japan, a market of over 125 million. Canada also represents "a larger market for US goods than all 15 members of the EU combined." Ibid., 1. "Canada's importance to the US is not just a border-state phenomenon: Canada is the leading export market for 35 of 50 US states, …and is the third largest foreign investor in the US," with investment estimated at $90.4 billion. See Wikipedia, "Economy of Canada," Available from http://en.wikipedia.org/wiki/Economy_of_Canada; Internet; accessed 16 October 2005, 2-3. As these figures illustrate, any form of disruption to positive economic relations can impact both nations in significant ways.

[48] Philippe Lagasse, "Suspenders and a Belt: Perimeter and Border Security in US-Canada Relations,". . . , n.p. "70 percent of companies that suffer a major catastrophic event do not survive; 80% of the companies in the World Trade Centre who did not have Business Continuity Plans in place are out of business today…" See Ivan Kusal, "Building a Blueprint for Business Resilience and Continuity," A presentation given at the Conference Board of Canada, First Public-Private Sector Summit on National Security, in Ottawa, 25 and 26 May 2005.

[49] Ibid., n.p.

government in 2006, it remains to be seen whether political decisions will reflect a different interpretation of what is in the national interest and to what degree national sovereignty may be conceded in support of economic, military or political gains associated with national defence and security.[50]

The BPG argues that "from a bi-national perspective, the North American economy and related critical infrastructure is a shared center of gravity that must be defended to preserve our ways of life."[51] While each nation has its own distinct economic and social policies particular to its unique needs and institutions, the open marketplace that has developed between Canada and the US must be protected. "To preserve that economic freedom, our defence and security initiatives should be planned and coordinated continentally."[52]

For nationalist groups who fear that the asymmetric CANUS relationship by its very nature will undermine Canadian sovereignty and distinctly Canadian values, argue interoperable or integrated defence and security organizations are counter to the national interest of

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[50] Liberal Party decisions on Ballistic Missile Defence, NORAD renewal, and the establishment of a continental security perimeter are just a few of the bi-national defence and security issues that may be revisited by the new Conservative government, with potentially far-reaching implications for CANUS relations depending on the decisions rendered. But with a Canadian public which is increasingly concerned about the nature and extent of CANUS relations, it is open for debate whether the Conservative government actually has much latitude to make defence and security decisions that the public may not agree are in the national interest. As Arnold Wolfers comments, in reality, security policies and the level of security a nation chooses to pursue tends to be a compromise that balances "adequate protection" with "domestic factors such as national character, tradition, preferences and prejudices." While the underlying values of wealth and power are seminal to influencing that balance, decisions of security cannot realistically be superimposed above all other national values. See Arnold Wolfers, '"National Security' as an Ambiguous Symbol," in *National and International Security*, edited by Michael Sheehan, 3-24 (Aldershot, UK: Ashgate, 2000), 8; and, K.C. Simonds, Major, "The United States Ballistic Missile Defence Programme: Understanding Why Canada Chose Not to Participate," an unpublished paper submitted in fulfilment of one of the requirements of the Course of Studies in the Canadian Forces College, 2005.

[51] Bi-National Planning Group, "Predecisional Final Draft on Canada and the United States (CANUS) Enhanced Military Cooperation". . . , 3.

[52] Ibid., 4.

Canadians.[53] But is Canada's sovereignty, meaning its ability for self-government really in jeopardy?[54] Canada, as an independent nation continues to develop and express distinctly unique values and interests from those of the US.[55] While it is clear that Canada shares common interests with the United States in regard to continental defence and security considerations, and that this will necessitate some measure of compromise, such a cooperative relationship can be argued to afford Canada considerable economic and political benefits.[56] Nevertheless,

> In determining whether it is appropriate to limit sovereignty, it is important to consider: whether the objectives sought by limiting sovereignty are important; whether it is necessary to limit sovereignty to accomplish these objectives; and whether it is reasonable to limit sovereignty to accomplish these objectives.[57]

In Canada the sovereignty debate has been a polarized one. There is however, clear evidence that in practice stakeholder groups, whether government or non-government, have identified the importance of developing and maintaining close cooperative relations with the US.[58] Similarly, since 9/11 political, economic and military strategic direction has identified the

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[53] Philippe Lagasse, "Suspenders and a Belt: Perimeter and Border Security in US-Canada Relations,". . . , n.p. See also, Council of Canadians, *Five Things You Should Know about the Security and Prosperity Partnership of North America,* Available from http://www.canadians.org/documents/Why_Waco_eng.pdf; Internet; accessed 1 April 2006.

[54] "In world politics, sovereignty is the foundation of international law and is given meaning through several principles, rights, and doctrines: The principle of the sovereign equality of states entitles each country to full respect by other states; The right of independence guarantees a country's autonomy in their domestic affairs and external relations; The doctrine of autonomy permits countries to avoid involvement in other's conflicts and coalitions; and, The principle of non-interference obliges each country to refrain from uninvited involvement in another's internal affairs." See Mapleleafweb, "Interpreting Sovereignty," Available from http://www.mapleleafweb.com/features/border/interp.html; Internet; accessed 8 April 2006, 1.

[55] Canada's decision on Ballistic Missile Defence (BMD) is but one example.

[56] As noted in footnote 46, Canada's economic prosperity is intricately tied to that of the US. Similarly, Canada has benefited politically from its proximity to, and relationship with, the US in international forums.

[57] Mapleleafweb, "Interpreting Sovereignty,". . . , 2.

[58] Not only is this espoused in strategic level documents, but is increasingly reflected in lessons learned and recommendations put forward by governmental and non-governmental stakeholders at all levels within the security and defence communities. For strategic level documents see, Canada, Privy Council Office, *Securing an Open Society: Canada's National Security Policy* . . . ; Canada, Privy Council Office, *Securing an Open Society:*

necessity for continental solutions to the new threat environment. Depending on the particular defence or security issue, plausible alternative means may or may not be readily apparent. The real concern for those who raise the issue of sovereignty appears to be with the concept of reasonableness and "whether the benefits of limiting sovereignty are proportionate to any possible negative impacts."[59] The difficulty and fear is that by the time the potential implications for Canadian sovereignty are fully recognized it may be too late to correct.

The Council of Canadians, for instance, view increased economic and security integration with the US as a fundamental threat to Canadian independence.[60] It is their position that the focus in recent years toward deep integration "to harmonize Canada-US programs and procedures…has lead to an incremental and systematic harmonization of Canadian and American regulations and standards…"[61] that are contrary to Canadian values and interests.[62] Big-business and economic interest groups are identified as instrumental in influencing government toward such harmonization processes without appropriate public consultation,

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One Year Later – Progress Report on the Implementation of Canada's National Security Policy . . . ; Office of the Auditor General of Canada, "2005 Reports of the Auditor General of Canada – National Security in Canada: The 2001 Anti-Terrorism Initiative, Air Transportation Security, Marine Security and Emergency Preparedness,". . . ; Canada, Department of National Defence, *Canada's International Policy Statement: A Role of Pride and Influence in the World – DEFENCE*. . . ; Canada, Department of Foreign Affairs and International Trade, *Canada's International Policy Statement: A Role of Pride and Influence in the World- OVERVIEW*. . . . The bibliography to this paper lists numerous additional documents focused on lessons learned and recommendations from actual defence and security operations that support this claim. They are too numerous to cite here.

[59] Mapleleafweb, "Interpreting Sovereignty,". . . , 2.

[60] The Council of Canadians, "Crossing the Line: A Citizen's Inquiry on Canada/US Relations – Summary and Key Findings, October 2005," Available from http://www.canadians.org/documents/Crossings_the_Line_Summary05.pdf; Internet; accessed 1 April 2006, 1.

[61] The Council of Canadians, "Deep Integration," Available from http://www.canadians.org/browse_categories.htm?COC_token=23@@a4b42bd56c343de3f...; Internet; accessed 1 April 2006, 1.

[62] The Council of Canadians, "Five Things you should know about the Security and Prosperity Partnership of North America," . . . . It is argued that closer security ties with the US will: make it more difficult for Canada to make independent Foreign policy decisions; will compromise Canada's Human and Civil rights; result in loss of Canada's control over energy supplies, networks and resources; and, undermine Canada's social programs.

particularly since 9/11.[63] It is through increased harmonization and standardization of policies that political orientations will be affected. "Canada must deal with the United States' foreign, trade, defence and social initiatives on a case-by-case basis, not on an integrated basis."[64] It is the position of the Council of Canadians that the Canadian government should begin to de-link economic concerns from those of security; "trade should not be the primary factor driving the security agenda."[65]

Those who actively lobby for deeper security integration include the Canadian Council of Chief Executives (CCCE).[66] Their belief in the requirement for strong CANUS ties rests upon the perception that it is an economic necessity. Both economic institutions and security mechanisms currently fail to adequately address the continental security imperatives presented by the threat environment. It is their position that closer CANUS cooperation represents an opportunity that leaders should not squander with "outdated concerns about sovereignty [that may] cloud their vision."[67] Notwithstanding this unfortunate choice of wording, there are striking similarities between the principles and approach presented by the CCCE and the BPG. Both call for "a realistic definition of the North American community …[within the meaning of]

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[63] The Council of Canadians, "Crossing the Line: A Citizen's Inquiry on Canada/US Relations – Summary and Key Findings, October 2005,". . . , 1.

[64] Ibid., 7. "It is the duty of government…to ensure that Canadians know the consequences that free trade and more recent moves toward deeper integration with the US are having on Canada, and to give all Canadians the opportunity for meaningful input into the future direction of Canada-US relations." Ibid., 7.

[65] The Council of Canadians, "Crossing the Line: A Citizen's Inquiry on Canada/US Relations,". . . , 52.

[66] Philippe Lagasse, "Suspenders and a Belt: Perimeter and Border Security in US-Canada Relations,". . . , n.p. The basic principles driving the CCCE are their understanding and belief that "North American economic integration is irreversible…[and] that North American economic and physical security are indivisible." See Thomas D'Aquino, "Security and Prosperity: The Dynamics of a New Canada-United States Partnership in North America,". . . , 3.

[67] Ibid, 3.

more effective management of economic integration and closer security co-operation while preserving the political independence and distinctiveness"[68] of each nation.

However, as Philippe Lagasse notes, it would be naive to think that the US would ever compromise on its own home land and continental security issues: "No matter what accords, agreements or treaties the American government subscribes to, the United States will never relinquish the right to seal its borders."[69] This insight has significant implications for the debate about cooperative defence and security initiatives and a concept such as a CDSA; the question becomes one of plausible alternative means and the issue of reasonableness. In this context, the validity of the economic rationale as a basis for interoperability must be carefully considered; what sovereignty concessions will Canada face without there being reciprocal implications for the US, and is this acceptable? Concepts such as a CDSA rest upon the principle of interoperability. However, this implies more than just compatible technologies.

> [Interoperability] requires compatible training, doctrine, and command and control procedures…[only by bringing] these elements together …[can] forces from different nations …function together seamlessly, building on each others strengths and achieving objectives while minimizing risks.[70]

The challenge becomes, how Canada will balance the need for common policies and standards with fundamentally unique Canadian interests, values, and goals[71]

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[68] Ibid., 5.

[69] Philippe Lagasse, "Suspenders and a Belt: Perimeter and Border Security in US-Canada Relations,". . ., n.p.

[70] Department of National Defence, "News Room Backgrounder: Canada-United States Defence Relations," Available from http://www.forces.gc.ca/site/Newsroom/view_news_e.asp?id=836; Internet; accessed 16 February 2006.

[71] One example of how this balance is effected pertains to the requirement for tighter boarder security. The debate that took place asked the question, to what extent should CANUS immigration and customs policies be integrated? This has been an area in which Canada has tended to make unilateral decisions that have balanced CANUS security needs against national sovereignty interests and values. The proposed US objectives, while

Role of the Military

There are also conflicted views about the scope, role and mandate of the military in relation to domestic and continental security and defence. Notwithstanding that the Canadian Defence Policy has defined "the defence of Canada as [it's] first priority,"[72] the Auditor General points out that "[w]hile the entire Canadian Forces is potentially available to provide support [in the case of National emergencies], its primary role is not that of a first responder."[73] In the Canadian Forces, this reality has in the past been reflected in basic operating principles, which have emphasized: the military as a resource of last recourse; maintenance of a reactive posture;

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important, were not seen to be reasonable or necessary; alternative means existed to address the issue and still maintain Canadian sovereignty. See Mapleleafweb, "Fortress North America and Canadian Sovereignty," Available from http://www.mapleleafweb.com/features/border/sovereign.html; Internet; accessed 8 April 2006. This same type of evaluation process takes place for all areas of security and defence. A CDSA need not represent a threat to such a process of checks and balances.

[72] The Honourable Bill Graham, "*Message from the Minister*," in Canada, Department of National Defence, *Canada's International Policy Statement: A Role of Pride and Influence in the World – DEFENCE*. . . , n.p. Categories of domestic operations include: Domestic Emergency; Aid to the Civil Power; Assistance to Federal Law Enforcement; Assistance to Provincial Law Enforcement; Humanitarian Assistance; and, Provision of Service. See Steff Kummel, Colonel, "CF Domestic Operations," presentation made to Canadian Forces College Course 32, 2 December, 2005.

[73] Office of the Auditor General of Canada, "The Role of the Canadian Forces," in *National Security in Canada – The 2001 Anti-Terrorism Initiative – Air Transportation Security, Marine Security, and Emergency Preparedness*,. . . . The Report also states, "The Forces can provide general support to provinces and territories to deal with the consequences of a chemical, biological, radiological, or nuclear event at their request but are not specifically tasked with this role. In December 2003, the government announced 'an increase in the Canadian Forces Reserves available for civil preparedness, including a capacity to deal with natural disasters and local emergencies.' The Reserves are not currently equipped and trained for this capacity, but National Defence is studying the feasibility of using them." The assumptions expressed within this statement are troubling when one considers that the capability and capacity of the Canadian Forces to provide support in the event of a chemical, biological, radiological, or nuclear event is, in reality, very limited at this time. For instance, as described by Colonel Steff Kummel, the Joint Nuclear Biological and Chemical Defence Company, J NCBCD Coy, has approximately 150 members whose mission focus is to support law enforcement agencies such as the RCMP in response to chemical biological, radiological and nuclear emergencies. However, the functions they provide only include: advice, detection, prediction, collection of samples, and casualty extraction/decontamination of first responders only. They do not have the capability to perform mass casualty decontamination. See Steff Kummel, Colonel, "CF Domestic Operations,". . . . The key word then, when considering the Auditor General's Report, becomes what is meant by general support and what are the government and public expectations of the role and capacity of the Canadian Forces should such an event occur. Similarly, while it is true that there will be an augmentation of 3,000 Reservists, how and when these numbers, if any, will translate into any meaningful domestic response force remains an open question.

and, emphasized the unique nature of military skills and capabilities[74] as a means of limiting their indiscriminate employment.[75] What is not clear from Canadian Forces transformation, the BPG CDSA proposal, and the stand-up of Canada Command, is whether there is an intent politically, legally and militarily to expand the scope, role and mandate of the military in domestic operations. If so, it raises many fundamental questions which must be carefully considered and opened for discussion.[76]

While the BPG advocates an interoperable bi-national approach to defence and security, the concept lacks a critical element namely, the engagement and insights offered by the civilian agencies that represent the lead in the area of emergency response. The heavy military bias and advocacy of structures that build upon military organizations imply (intentionally or not) a lead role for the military in any future defence and security structure. This seems at odds with the

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[74] Ibid. Specialist capabilities include: Disaster Assistance Response Team (initially intended primarily for international relief operations, the potential for an expanded domestic role is forseen); Joint Nuclear Biological and Chemical Defence; Nuclear Emergency Response Team; Major Air Disaster Role; Search and Rescue; Joint Operations Group providing a joint operational-level command and control capability; and, Immediate Readiness Units.

[75] Other principles which guide the employment of Canadian Forces in domestic operations include: the requirement to not compete with industry; recover costs; maintain the integrity of the military chain of command; and, employ a decentralized approach. Ibid.

[76] Besides the obvious questions relating to legal and operational mandates in support of an expanded role for the military, there are also questions pertaining to civil liberties, and practical realities associated with resourcing and capacity issues. Within today's political and economic realities it is unlikely that such an initiative could or would be implemented any time soon. However, one could also ask the basic question, why would it even be necessary for the military to take a lead role when, "[i]t is estimated that more than 90 percent of the emergencies that occur in Canada are handled locally or regionally and do not require direct federal involvement. Currently, the Government of Canada works with local or regional authorities and coordinates the national response when an emergency transcends provincial boundaries, when its impacts are mainly in areas of clear federal jurisdiction, or when an event is of clear national interest and is inter-jurisdictional and/or international in nature." See Public Safety and Emergency Preparedness Canada, "Modernization of the Emergency Preparedness Act: Consultation Paper July 2005," Available from http://www.psepc-sppcc.gc.ca/pol/em/motepa-en.asp; Internet; accessed 16 February 2006, 4-5. Also of note is that "[n]atural disasters have accounted for 69.9 percent of all disasters in Canadian history. Flooding has been, by far, the greatest cause of disasters in Canada in the 20th century, followed by severe storms." See Government of Canada, Office of Critical Infrastructure Protection and Emergency Preparedness, "Threat Analysis: Threats to Canada's Critical Infrastructure," Number: TA03-001 12 March 2003; Available from http://ww3.psepc-sppcc.gc.ca/opsprods/other/TA03-001_e.asp; Internet; accessed 25 March 2006.

military's current legal mandated authorities, budgetary and human resources allocations which identify the military as a resource of last recourse. As the division of authority and responsibility for emergency response is a highly political and sensitive one, this is perhaps the most potentially contentious area of the BPG proposal. If indeed, the intent is to change the role and mandate of the military, this is an area that would require considerable clarity to garner support. Such a representation of a CDSA is not considered to be realistic or appropriate. Advocacy for a military lead CDSA may even prove to be counterproductive and divisive for current efforts to develop a cohesive emergency response network.

The BPG itself has acknowledged that its work has focused predominantly on the relationships among defence organizations, rather than the relationships between defence and security organizations, or between the plethora of security organizations themselves. This is problematic because it is precisely the dynamic between the military/civilian communities and how non-military realms function in support of disaster relief that are least understood and least developed in a formalized sense. A CDSA will potentially encounter considerable scepticism if it can not demonstrate that it has considered and reflects the interests and realities of these significant stakeholder communities.

CONSIDERATIONS FOR THE WAY AHEAD

As previously identified, the critical gaps in National and continental security networks include: inter-agency cooperation; information sharing; effective command, C4 architecture; collaborative inter-agency training and exercises; and, a lack of coordinating mechanisms and agreements. Some brief comments highlighting aspects of the viability and relevance of a CDSA for resolution of these areas of identified shortcomings follow.

Inter-Agency Cooperation

For a CDSA to function effectively in support of inter-agency cooperation, deliberate planning must clearly define goals and responsibilities. There must in turn be a process which monitors and regularly updates plans and procedures which have been established. Mechanisms for coordination and facilitation between political, military and civilian levels of authority and agencies are essential. While the BPG suggests possible means to address the interoperability of military organizations within a CDSA concept, there remains the challenge of how civilian agencies (formal and informal) would interact within such a construct. This is arguably the critical element that continues to remain elusive in the dialogue on security and emergency response, both from a national and a continental perspective.

The tendency to think of national and continental security in terms of military structures and solutions is limiting and misrepresentative. Mandated authority and first responder responsibilities rest with civilian organizations, as mentioned previously. This is true for all but the direst of threats to the nation or continent; it is the military that is the supporting agency. There is no evidence to suggest that this relationship needs to change, other than the manner in which these communities interact.

However, an interoperable security and defence structure can not realistically be achieved if the process to develop such a construct has not been inclusive of all the stakeholders. Therefore, while the concept of a CDSA is realistic given today's defence and security challenges, it would be counterproductive to continue to develop such a proposal exclusively within the defence community construct. Hostility and resistance would almost be a given. In this respect, deliberate planning for a CDSA must take place within a political mandate that recognizes and addresses the need to develop collaborative systematic processes that are

appropriately aligned with responder mandates and authorities; "political agreements should indicate 'what' needs to be accomplished, and then the military [and civilian] leaders will decide 'how' to do it."[77] As such, involvement of appropriate civilian authorities and leaders is required from inception as an integral part of the conceptual and doctrinal development of a CDSA, if such a structure and process is to be successful.

Given that organizational culture and resistance to change generally represents a significant impediment to new concepts and procedures, now is the opportune time to introduce and build upon a CDSA. All agencies responsible for defence and security are in a period of significant transition in response to the new threat environment. It is when organizations are stood-up or reorganized that the prime opportunity to effect cultural change and realignment of focus and procedures exists.[78] Implementation of a concept such as a CDSA should not wait until defence and security organizations have firmly established themselves, their processes, and their organizational cultures.

Information Sharing

A common operating picture is another critical area for success, one which is reliant on effective intelligence and information sharing among defence and security agencies. Insights from emergency operations in recent years have identified this as an ongoing area of vulnerability. While a network of people and organizations at many levels, both formal and

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[77] Bi-National Planning Group, "Predecisional Final Draft on Canada and the United States (CANUS) Enhanced Military Cooperation". . . , 16.

[78] Sundance Consulting, *Guiding Organizational Change in the 21st Century: Facilitator's Guide*, Sundance Consulting Inc., 2002. The comments noted are based upon the principles put forth by a large body of literature dealing with organizational change and management which speaks to the opportunities that periods of transformation and transition represent.

informal do communicate, such interaction has historically tended to be limited in focus and has been ad hoc in nature, particularly in times of crisis.[79]

> …[E]ffective sharing needs to incorporate all of the agencies that play a role in homeland defences and security [with the]…ultimate goal [being] timely and accurate sharing of information and intelligence between both countries and among all agencies, while operating within the parameters of national policies and laws.[80]

For such an objective to be met, senior political leadership must set the parameters and incentives that emphasize the importance of organizational commitment and alignment. By providing the necessary political authority and mandate, government can enable and empower the security and defence communities to identify and implement the most effective means to accomplish the aim, namely, a systematic information and intelligence sharing process across stakeholder communities.[81] While sharing of information military-to-military is becoming less restricted and initiatives like the Integrated Threat Assessment Centre and the Government Operations Centre facilitate common situational awareness between agencies such as PSEPC, the RCMP, CISIS, CANADACOM etc., this process would benefit from a CDSA concept of operations.

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[79] Bi-National Planning Group, "Predecisional Final Draft on Canada and the United States (CANUS) Enhanced Military Cooperation". . . , 17. See also Dieudonne Mouafo, "Regional Dynamics in Canada-United States Relations,". . . ; Canada, Canada School of Public Service, "Action-Research Roundtable: Building Cross-Border Links – A Compendium of Canada-US Government Collaboration,". . . ; and, Office of the Auditor General of Canada, "2005 Reports of the Auditor General of Canada – National Security in Canada: The 2001 Anti-Terrorism Initiative, Air Transportation Security, Marine Security and Emergency Preparedness,". . . .

[80] Bi-National Planning Group, "Predecisional Final Draft on Canada and the United States (CANUS) Enhanced Military Cooperation". . . , 17.

[81] Ibid., 21.

Effective Command, Control, Communication and Computer (C4) Architecture

Interoperability is vital for successful security and defence. It speaks not only to the issue of equipment, mechanisms and protocols but to a common vision that facilitates alignment. The BPG calls for

> a national and bi-national net-centric solution …which, to the extent possible, should be expanded [beyond NORAD-US Northern Command] to include Canada Command, Public Safety and Emergency Preparedness Canada, Department of Homeland Security and the Department of Justice.[82]

Effective command, control, communications and computer networks are required to foster a community-of-interest and a need-to-share approach to meet strategic security and defence objectives; clear decisive political direction is critical to the implementation of the necessary organizational structures and culture that support such goals.[83] A CDSA could provide the necessary framework and agreements from which to implement effective C4 networks that still respect national interests and unique confidentiality requirements of user groups.

Collaborative Inter-Agency Training and Exercises

Routine bi-national joint and combined strategic and operational level training is also seen to be a seminal component of effective security and defence. Such training must not only focus on CANUS military-to-military training but needs to incorporate civilian agencies as well. After Action Reports for domestic/continental emergency response are consistent in identifying this as vital for development of an understanding and expertise regarding the realities of the interface between military and civilian responder groups when faced with manmade or natural emergencies. As the BPG notes,

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[82] Ibid., 22.

[83] Ibid., 23.

> The NORAD, Canada Command and US Northern Command exercise programs should include extensive involvement from PSEPC and the US DHS and other members of the interagency community to develop a closer and more complementary relationship.[84]

While sovereignty concerns have been expressed by advocacy groups about cross-boarder troop movements, clear guidance and parameters defined in a CDSA, and that build upon Agreements such as the Civil Assistance Plan (CAP), would potentially provide a clearer understanding of the requirement and context for security and defence activities that are taken in support of national or continental interests.

Coordinating Mechanisms and Agreements

> From the perspective of the BPG, optimizing coordinating mechanisms is seminal to effective continental defence and security that encompasses military and civilian responder agencies at all levels.[85]

As this paper has identified, what a CDSA offers is a conceptual framework for development of coordinating mechanisms and agreements to meet national and continental challenges. Consultation with, and the involvement of stakeholder communities at all levels, is essential for success.

CONCLUSION

> Powerful synergies form the basis of a new Canada-United States partnership. Both countries have designated public and economic security as their highest national priorities. Both countries are vulnerable to and rely on one another to guarantee the most effective possible defence against terrorism. Both countries recognize that national strength and resolve depend on a healthy economic base. That economic base is increasingly a shared one. For these reasons, the interdependence of Canada and the United States has never been greater.[86]

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[84] Ibid., 26.

[85] Ibid., 28.

[86] Thomas D'Aquino, "Security and Prosperity: The Dynamics of a New Canada-United States Partnership in North America,". . . , 12.

In practice, the economic and security environment has resulted in a trend toward increased bi-national interoperability and integration of emergency response organizations. To date, this has occurred without the benefit of a cohesive overarching framework that ensures disaster response networks and their efforts are actually aligned with national or continental security and defence interests. This paper has explored and argued in favour of the viability of a bi-national multi-domain *Comprehensive Defence and Security Agreement*; discussed practical realities of political, economic and military considerations that influence security and defence communities; presented the essential arguments of both those who support a CDSA and those who oppose such a concept; and, commented on the relevance of a CDSA to address identified critical gaps in domestic and continental security networks. While the current proposal for a CDSA offered by the BPG has limitations, the concept itself represents a worthwhile start point for further discussion and development; it is a concept whose time has come.

For those who oppose a *Continental Defence and Security Agreement*, believing that the potential cost to Canadian sovereignty is both unnecessary and unreasonable, Charles Callwell's comment is particularly relevant, namely that, "[t]heory cannot be accepted as conclusive when practice points the other way."[87] This does not however, negate the need to consider the fundamental concerns that opponents raise or the valuable dialogue that such views precipitate, including the basic principle that "Canada should meet its security needs with prudence."[88]

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[87] Charles E. Callwell, *Small Wars* (1906) as quoted in Colin Gray, *Modern Strategy*, (Oxford: Oxford University Press, 1999), n.p.

[88] Mapleleafweb, "North America's Weakest Link? Domestic Security After Sept 11th: Final Thoughts," Available from http://www.mapleleafweb.com/features/border/conclude.html; Internet; accessed 8 April 2006.

Nevertheless, the time has come to seriously pursue the development and implementation of a bi-national multi-domain framework and agreement, not only to ensure efficiency and effectiveness across responder communities, but also to protect the integrity of national and continental security and defence interests. The real debate from a Canadian perspective, becomes how one ensures that a concept such as a CDSA is not only initially aligned with, but remains true to, stated Canadian national values, interests, and security objectives over time. This will remain Canada's challenge in our dealings with the US, namely the challenge of balancing similar interests, values and goals against uniquely different approaches to security and defence.[89]

> The Chinese use two brush strokes to write the word 'crisis.' One brush stroke stands for danger; the other for opportunity. In a crisis, be aware of the danger – but recognize the opportunity.[90]

[89] Bi-National Planning Group, "Predecisional Final Draft on Canada and the United States (CANUS) Enhanced Military Cooperation". . . , 7. Canada is described as a "country of alliances and multi-lateralism, whereas the US prefers alliances and coalitions, but must also conduct unilateral operations as well." Ibid., 7.

[90] Rick Good, "Building a Blueprint for Business Resilience and Continuity," A presentation given at the Conference Board of Canada, First Public-Private Sector Summit on National Security, in Ottawa, 25 and 26 May 2005.

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