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Strong Together: Dilemma in the Arctic

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STRONG TOGETHER: DILEMMA IN THE ARCTIC

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STRONG TOGETHER: DILEMMA IN THE ARCTIC

INTRODUCTION

With the melting Arctic ice cap, passage from the Atlantic to the Pacific oceans and vice versa has become more accessible via the Northwest Passage (NWP). The NWP was officially discovered mid 18th century is a much quicker way to deliver goods from Europe to Asia. We are now far from wind powered ships and nomadic Inuit tribes in northern Canada, the NWP which is open year-round has become a major shipway for international trade, a haven for eager fisherman trying to catch a quick heavy bounty and for countries vying for its rich oil deposits and plentiful resources. Unfortunately, this passage lays heavily in Canadian territorial waters. The Canadian Arctic is a majestic beauty that needs protecting for generations to come. In 1996 Canada played a key role in the Ottawa Declaration that created the Arctic Council (AC), the pre-eminent forum for international cooperation in the Arctic on sustainable development and environmental protection¹. The primary state actors which legislate actions in their territorial waters in the Arctic are the eight (8) members of the AC which include: Canada, Denmark, Finland, Iceland, Norway, Russian Federation, Sweden, and the USA. The UN also has multilateral agreement legislation governing the use of the Arctic by non-AC members. Canada, being an Arctic nation has long been interested in finding ways to cooperate with other Arctic and non-Arctic states on shared goals and challenges. <Every year, more ships, including large government research vessels and commercial cargo vessels, navigate Northern waters. In 2017, more than 190 vessels undertook 385 reported voyages through the Canadian Arctic, a 22%

¹ Canada's Arctic and Northern Policy Framework:
<https://www.rcaancirnac.gc.ca/eng/1560523306861/1560523330587#fn1-rf>

increase over 2016. Tourism vessels are also not uncommon in the Canadian Arctic. In 2016, Northerners saw the first transit of a modern, 1000-passenger, foreign-based cruise ship through the entire Northwest Passage. Canada must be ready to respond in an emergency, the protection of its boundaries and federal legislation governing the fragile Arctic landscape²>. But whose job is it to police our waters? Should it be the Royal Canadian Navy (RCN) or would the Canadian Coast Guard (CCG) be better suited for the task. I would argue that it's a combined national effort. The RCN has the ships and capabilities to safeguard on the outer rim of the Canadian littoral, as the CCG would be better suited for inner security. To do so, I will be discussing each elements capability and what they bring to the table, the environmental aspect as well as the cohabitation factors that would be a necessity to properly engage the north and assure its security.

ARCTIC COUNCIL

The AC is the leading intergovernmental forum promoting cooperation, coordination and interaction among the Arctic States, Arctic Indigenous peoples and other Arctic inhabitants on common Arctic issues. In particular on issues of sustainable development and environmental protection. The AC is a forum but it has no programming budget. All projects or initiatives are sponsored by one or more Arctic States. Some projects also receive support from other entities. The Arctic Council does not and cannot implement or enforce its guidelines, assessments, or recommendations. That responsibility belongs to individual Arctic States or international bodies. The AC's mandate, as articulated in the Ottawa Declaration, explicitly excludes military

² Arctic and Northern Policy Framework : Safety, security and defence chapter
<https://www.rcaanc-cirnac.gc.ca/eng/1562939617400/1562939658000>

security³. Therefore, the AC is not a military alliance. Each state enforces their national laws in their territorial waters. However, this forum allows states to discuss issues that other states can adopt in their legislation allowing for a concerted effort for all member states. Policing the north is not just about making sure our waters are secure, but its also about the safeguard of the people who live it. Its safeguarding nature and the fragile ecosystem that is held within. This multinational forum provides a voice to the aboriginal population who are imbedded in the council from all member states that thrive and need the resources to survive in the harsh weather conditions the Arctic is known for. By assembling a nonmilitary action council, they can discuss issues pertaining to the territory that all nations can apply if so desired and that is applicable to each state. There is no one state that is stronger than the other, and the chair country rotate every two years as to make the council as transparent and inclusive as possible.

CAPABILITIES

The problem with Canada's north is its vastness of its mass. Spanning three Territories and stretching as far as the North Pole, Canada's North is a sprawling region, encompassing 75 percent of the country's national coastlines and 40 percent of its total land mass. The sheer expanse of Canada's North, coupled with its ice-filled seas, harsh climate, and more than 36,000 islands make for a challenging region to monitor – particularly as the North encompasses a significant portion of the air and maritime approaches to North America⁴. In my opinion, the RCN has a large roll to play in its outer defence and the CCG the inner mass. The RCN is on the front lines when it comes to patrolling Canadian territorial boundaries. With plans to acquire five

³ About the Arctic Counsel, 2021 Arctic Counsel Secretariat

⁴ Strong Secure Engaged Canada's defence policy, June 2017

to six Arctic Offshore Patrol Ships⁵ (AOPS) with state-of-the-art detection capabilities, the RCN have to be at the forefront of the detect, shield and act functions for Arctic defence. At its core, the navy has the right capabilities to exert its naval power projection into Canadian waters. The RCN need to assure our sovereignty at the borders. However, operating in the north is not as easy as one may think. Shifting ice, cold weather and the elements make navigation in the Arctic difficult, and this is not considering the complex task of replenishment or refueling. To mitigate these factors, Op Nanook has been the premier Arctic naval exercise to maintain readiness and test naval operation SOP's. The Halifax class destroyers were not necessarily built for Arctic interventions, although their capabilities have been pushed to the limits by going further and further north when the conditions permit. With its compliment of 200 plus sailors, armed to the teeth, the RCN platforms are uniquely qualified to deter any threat or unwanted guests that may encroach our borders. The RCN is responsible for naval operations in Canada's maritime environment. Enforcement of Canada's maritime-related federal statutes may be carried out by peace officers serving with various federal, provincial, or even municipal law enforcement agencies. These agencies hitch a ride when needed.

The CCG is a civilian non-military service working for Fisheries and Oceans Canada. Their primary mandate is to ensure the safety of mariners in Canadian waters, protect Canada's marine environment and support the movement of maritime trade⁶. The CCG is the lead federal organization responsible for ensuring marine safety throughout Canadian waters. They do not have a policing mandate. That mandate is given to the RCMP, all territorial waters are under federal jurisdiction. The CCG are responsible for aids to navigation, channel maintenance,

⁵ *ibidem*

⁶ Canadian Coast Guard: <https://www.ccg-gcc.gc.ca/index-eng.html>

marine search and rescue, marine pollution response, icebreaking and ice-management services, marine communications and traffic management services, support of other government departments, boards, and agencies by providing ships, aircraft and other services. They may operate vessels in support of naval operations⁷

The CCG do have armed vessels to aid in deterrence and support fisheries officers. One of their main tasks in the Arctic include icebreaking with one of three available vessels. Ice breaking is an important task not only in the Arctic but in the St-Lawrence seaway and in the great lakes. In the CCG's AO, they maintain, and service fixed and floating aids to navigation that mark safe passages through our waterways⁸, and this includes the Northwest passage through Canadian ice filled waters. The CCG are first responders on all marine pollution incidents within Canada's internal waters, territorial seas and Exclusive Economic Zones which include the Canadian Arctic.

SUSTAINMENT

Either it be with the RCN or the CCG, at the heart of Canada's northern defense is its logistics. Combat arms win battles, but logistics wins wars. And in the war on Canada's protection of its northern borders, the sustain function becomes a major player in the fight. As you can see, as of today, Canada has no northern refueling station, although Nanisivik Naval Facility is slated to offer refuelling in 2022. The RCN have only a couple options when it comes to refuelling and replenishment. Firstly, by utilising bilateral agreements with Denmark, who maintain a fuel depot in Nuuk, the RCN can top up when required, however this is not an economical nor a

⁷*Ibidem*

⁸*Ibidem*

sustainable option on a national defense perspective⁹. Secondly, by rendezvous with the CCG, ships can refuel when anchored. Even ship operations are severely hampered by northern conditions. As of today, ships heading north need to stop in St-John's Newfoundland to replenish at sea before taking their journey north. With the imminent arrival of two 2 new logistical vessels, Joint support Ships (JSS), sea replenishment will be easier and adapted to our needs in the Arctic. The construction of a deep-water port in the Arctic will go a long way to assert Canadian legitimacy in the north. The proposed base at Nanisivik, on Baffin Island in Nunavut would be used by RCN and CCG vessels alike in the summer months when the NWP is practicable. Allowing vessels to permanently police the waters is as important as border security in airports. The port will mainly be used to replenish the new AOPS. The facility will serve as a staging area for naval vessels on station in the high Arctic, enabling them to re-supply, refuel, embark equipment and supplies, and transfer personnel. This will extend the range of our ships in the Arctic.

ENVIRONMENTAL ISSUES

Climate change is having ill affects on the north in general. There is growing international interest and competition in the Canadian Arctic from state and non-state actors who seek to share in the region's rich natural resources and strategic position¹⁰. This comes at a time where climate change, combined with advancements in technology, has made access to the region easier. While the Canadian Arctic has historically been, and continues to be, a region of stability and peace, growing competition and increased access brings safety and security challenges to which we

⁹ Canadian Naval Review Bridging the Gap: The Limitations of Pre-AOPS Operations in Arctic Waters, Commander Paul Forget, VOLUME 7, NUMBER 4 (WINTER 2012)

¹⁰ Rob Huebert, "Canadian Arctic Maritime Security: The Return to Canada's Third Ocean," *Canadian Military Journal* (Summer 2007)

need to be prepared to defend it. Canada has adopted many maritime laws that protect our waters, however the restrictions in the north are that much more stringent. May it be waste disposal or bilge dumping, there are specific regulations that ships need to abide by when entering Canada's Arctic. The Arctic Waters Pollution Prevention Act (AWPPA) aims to prevent pollution in the Canadian Arctic waters. And who better to enforce such laws than ships that need to abide by them. During exercises, all vessels that are in Canadian waters must abide by the laws and regulations of the host nation, in my opinion, this is not where the problem is. It's when authorized foreign non-military vessels enter our boundaries, this is where the danger lies, and honestly, I don't believe the RCN is the best federal organisation to enforce such laws inside our borders. The CCG should be patrolling the inner waters of the Canadian Arctic. Their nonmilitary approach to a nonmilitary situation would make them a prime choice for such an intervention. However, if the RCN was to detect a vessel, they can quickly intercept the vessel and make sure it abides by Canadian regulations.

COMMERCIAL ACTIVITIES

Arctic wildlife and indigenous people need the support of the Canadian government as well. The economic opportunities in the Arctic are not as developed as in the south. However, with the first tourist vessels passing through our territory, these opportunities are becoming more of a possibility. Tourist attractions and wildlife observation will become a large industry in the upcoming years. With the augmentation of tourist and industrial ships heading through the NWP, the coast guard will have their hands full with maintaining and supporting Canadian customs personnel and patrolling for law breakers inside our borders. The RCN must do their part in the interception of illegal commercial activities just inside Canadian territorial waters. The RCN need to be on the front lines whereas the CCG should stay inland, making sure of the security of

the people and intercepting illegal activities within our borders. The likely hood of an invasion from the north is very improbable. The biggest danger to the north in my opinion is illegal commercial activities. The RCN and the CCG need to be the vessels of protection, carrying the proper agents to act when required to do so. Illegal fishing, land encroachment and AWPPA violations are what both agencies need to look out for.

COHABITATION

It has been suggested that the CCG serve as an alternative to the RCN in northern maritime ops. I believe that the CCG is better suited and better equipped to work in the Arctic. Their experience is undeniable. Recommendations from the Senate Standing Committee on Oceans and Fisheries suggest that multi-mission polar icebreakers should be operated by the CCG in Arctic surveillance and sovereignty patrols¹¹. However, I echo Nancy Teeple statement regarding the RCN. I too believe that it is imperative the RCN have a role in Arctic Sovereignty. Therefore, an integrated approach between the CCG and the Navy in terms of roles and missions seems to be a viable recommendation. "...The Navy could participate in maritime sovereignty patrols with the support of the Coast Guard. Another suggestion involves the Navy embarking on CCG icebreakers, equipped with Command and Control capabilities, basic sensor and weapons systems for certain missions, in order to fulfill its defensive role"¹².

¹¹ Rob Huebert, "Canadian Arctic Maritime Security: The Return to Canada's Third Ocean," *Canadian Military Journal* (Summer 2007)

¹² Canadian Arctic Procurements Nancy Teeple PhD Candidate Political Science Simon Fraser University fall 2010

I sincerely believe that we need to consider a partnership within the RCN and the CCG. Delays and budget claw backs have delayed the AOPS delivery. Nevertheless, acquisitions for the Arctic defence would best consider options for interoperability between the Coast Guard, which has Arctic navigation experience, and the Navy, which will provide the necessary CF maritime element.

CONCLUSION

In this essay we have spoken about the AC how it's the leading governmental forum on Arctic issues regarding aboriginal people sustainable development and environmental issues. The AC is not a military organisation, it's a forum that allows its members to discuss issues in safeguarding the north and ways to implement at a local national level. The RCN and CCG have similar capabilities but are used in different ways. Both organisations have roles to play in the policing of the north. It is evident that the CCG have more experience in the Canadian Arctic than the RCN and has the ice-breaking ships to properly navigate through the NWP and beyond, however the RCN with its Halifax class frigates are able to do more than originally thought. The RCN is an expeditionary force, their experience in open water is undeniable, however in Arctic operations this may be more difficult to them than with the CCG. With the arrival of the new AOPS the RCN will have a platform from which to patrol our waters in conjunction with the CCG. The new deep water refueling station, the Nanisivik Naval Facility in Nunavut will be able to receive both CCG, RCN and international vessels. It will become an economic northern hub, essential for sustainable development in the region. This would amplify Canada's policing powers and stronghold in the north. This permanent base in the North would be a force enabler to both organizations who have unfortunately different mandates when it comes to taking care of Canada's Arctic. The melting of the northern ice caps has created a natural way to cross from the

Atlantic to the Pacific and vice versa. This passageway known as the northwest passage will become an increasing commercial route for supplies and goods from Europe to Asia. However, this route is at the heart of the Canadian Arctic who is fragile and must be protected from ships that would not abide by the laws established by the federal government. The biggest threat is definitely the commercial activities that would take place in Canada's North. To avoid the uninvited and illegal exploitation or harvesting of Canada's natural resources that have become more and more accessible due to the melting ice caps must be protected by both organizations. Canada's Arctic has become an international playground with tourist vessels and commercial vessels in our territorial waters. Just one organization does not have the manpower to protect the sheer mass of land and water that Canada holds North of the 60th parallel. Cohabitation of the RCN and the CCG is a must. Both have separate mandates but both are equipped to protect what is ours for generations to come. Both organizations need to work together to make sure that the proper training equipment personnel are on board too exact Canada's will on visitors that would not abide by its laws and to ensure economical growth sustainable development and protection of its inhabitants.

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