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Canadian Security & Defence Post-9/11 / Sécurité et défense du Canada après 9/11

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ABSTRACT

This paper explores Canadian security and defence relationships with the United States (US) in a post 11 September 2001 environment. Prior to the terrorist attacks of 9/11 against the United States, Canada enjoyed a relatively secure and prosperous interdependent relationship with the United States. The Canada-US border was touted as the world's longest undefended border, with approximately 87% of all Canadian exports going to the United States. Canada and the United States have, for nearly 70 years, shared a long standing bilateral relationship in the defence of North America, underpinned by the 1940 Ogdensburg Agreement and best exemplified through NORAD.

The terrorist attacks of 9/11 dramatically changed the United States' sense of 'Fortress America' security, revealing the vulnerability of America to terrorist attacks. This vulnerability resulted in an immediate response by the United States, as they closed their domestic airspace, then closed the Canada-US border and urgently began to identify and implement measures for the enhanced security of America and Americans. Many in the United States had perceived Canada as a potential risk to the security of America, with rhetoric such as 'liberal' Canadian immigration policies and Canada being a haven for terrorists. Canada needed to take immediate measures to address the security concerns raised by the United States and visibly demonstrate that Canada was not a potential risk to the security of the US.

This paper examines Canada's response to the United States' concerns and requirements for enhanced security. This paper will demonstrate that Canada effectively responded to the US requirements to enhance domestic or 'border' security, due principally to the economic imperative for Canada to ensure the unimpeded flow of trade and personnel across the Canada-US border. This paper will argue that Canada has inadequately addressed the second concern raised by the United States, that being the security and defence of North America at its approaches, and specifically in the maritime domain. This paper will demonstrate that while the Government of Canada has clearly articulated its priorities, policies and requirements for the defence of Canada and North America, there has been very few initiatives progressed on this national security matter and little done to increase Canada's capabilities to either monitor or control the maritime approaches to Canada, a fundamental requirement of national sovereignty. This paper will identify how Canada has established a viable construct for enhanced bilateral security and defence requirements with the creation of Canada Command, and further identify surveillance capabilities that are still required to address the requirement for maritime domain awareness and control.

Canadian Security & Defence Post-9/11

Introduction

Canada is a sovereign nation whose development over the last two centuries has been very much influenced by its geography. A nation surrounded by three oceans, Canada's territory has served as a natural defence from external attack, especially given the fact that most wars or major armed conflicts for the last 150 years have essentially been on other continents. As a result of this territorial isolation, coupled with the fact that Canada also shares what was once commonly referred to as the 'world's longest undefended border' with an ally and superpower, Canadians in general have come to assume that their national security and defence from external attack were almost guaranteed. This sense of security has only been reinforced through bilateral security or defence agreements and understandings with the United States, such as the so called 1938 'Kingston Dispensation', and later the establishment of the North American Aerospace Defence Command (NORAD), as well as multinational collective defensive agreements such as the North Atlantic Treaty Organization (NATO). As a result of Canadian geography and collective defence agreements, Canadian governments' have tended to focus their national attention more on issues of economic prosperity and social programmes rather than on military defence funding. This trend was most evident in Canada following the end of the Cold War when, like many other nations, Canada sought to reap a peace dividend by reducing both military force structure and spending, which

added significantly to a growing shortfall in resources and further exacerbated an already critical military commitment to capability gap. While Canadians in general did not appear to be overly concerned over the state of their military, many of Canada's allies and especially the US continued to voice their concerns during the 1990s over the lack of defence spending in Canada and the resultant erosion of Canadian Forces' capabilities this was creating, despite how active the Canadian Forces remained in participating in international operations.

On 11 September, 2001, members of the al Qaeda terrorist group hijacked four aircraft in the USA, flying two of these aircraft into the World Trade Centre in New York, another into the Pentagon, while the final aircraft crashed in an isolated area. The

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Following the attacks of 9/11, there emerged two immediate areas of security concern to the United States, the first being domestic security and control of their land borders with both Canada and Mexico, and the second being continental security of North America, which entailed the surveillance and control principally of the air and sea approaches to North America, and specifically those approaches that would impact on American domestic security. Sokolsky and Lagassé best describe the US approach to domestic security as the ‘suspenders and a belt’, in which security of the American homeland is developed in a layered defence approach, with continental or perimeter security of North America being the suspenders and land border security with Canada and Mexico being the belt.² The terms ‘security’ and ‘defence’ are commonly used somewhat interchangeably in the post 9/11 era in terms of measures and initiatives that were being implemented, and this has inherently left some ambiguity in terms of what constituted a civilian or military responsibility. This paper will use the distinction between the two as articulated by Sloan who contends that ‘Homeland security’ refers to civilian-led measures to protect people, property and systems of a country for which the military could play a supporting role, whereas ‘Homeland defence’ is a subset of the overarching security concept but refers mostly to military-led measures to defend national territory.³ This description will be further expanded upon as this paper analyzes US and Canadian institutions that were established post 9/11 to specifically address the requirements for both security and defence.

² Joel J. Sokolsky, and Philippe Lagassé. "Suspenders and a Belt: Perimeter and Border Security in Canada-US Relations." *Canadian Foreign Policy* 12, no. 3 (2005/2006): 15.

³ Elinor C. Sloan, *Security and Defence in the Terrorist Era: Canada and North America* (Montreal: McGill-Queen's University Press, 2005), 44.

This paper begins with a review of Canada's recent historical relationship with the US to gain a better appreciation for both the 'security' concerns and ultimately the reaction of the US regarding the terrorist attacks of 9/11. It then examines critical security measures that the US and Canada have implemented, as well as key institutions that have been established to address two fundamental concerns; those being homeland security and continental security and defence. It has been acknowledged and accepted by Canadian governments since the 9/11 attacks that it is imperative that Canada take the necessary measures and exercise due diligence to ensure that it is not perceived by the US as a potential risk to their national security. This paper will argue that Canada has, thus far, basically addressed the US concerns about domestic and border security elements, but has taken little substantive measures to adequately address the issue of and requirement for continental security, especially as it pertains to the maritime coastal environment. This paper will further argue that it is in Canada's national interests, in terms of both its security and sovereignty, that the issue of continental security be immediately addressed and will demonstrate how this can best be achieved through the development of a comprehensive intelligence, surveillance, reconnaissance and control (ISR&C) capability with centralized data fusion and sharing of a consolidated intelligence picture.

Domestic/Homeland Security

Immediately following the attacks on the World Trade Centre, the US closed its national airspace to all inbound international flights and NORAD launched its alert

aircraft in both Canada and the US to secure North American airspace and establish Combat Air Patrols (CAPs) over key cities in anticipation of additional airborne attacks. Canada openly supported the US by allowing inbound international aircraft to the US that were too low on fuel to return to their points of departure to divert and land at Canadian coastal airports. While Canada visibly demonstrated its support to the US, it did not gain a realistic appreciation of the impact that the attacks had inflicted on the American leadership and the general American psyche until the US closed its border with Canada on 9/12. As Clarke notes “the Canadian political agenda is economic security: for Americans it is homeland security.”⁴ With over \$1.8 billion in trade passing across the Canada-US border daily, Canada’s immediate concern was in addressing any issues or security measures that would be required by the US to keep the border and Canada’s economic lifeline open to the trans-border flow of trade and people. This element of border security between Canada and the US was later referred to by then US Ambassador to Canada, Paul Celluci, when at breakfast speech to the Economic Club of Canada in 2003; he remarked that for the US, “Security will trump trade.” The fundamental question that must initially be asked is what security concerns caused the Canada-US border to be closed?

In order to answer this basic question, it is essential to put into context some key aspects and political sensitivities that existed over domestic security and the Canada-US border prior to the attacks of 9/11. First, the border between Canada and the US is over

⁴ Tony Clarke, Murray Dobbin and Ed Finn. National INsecurity – Bowing to U.S. “security” demands will make Canadians less secure. *Canadian Centre for Policy Alternatives*. (Ottawa: January, 2005), p 4, available from http://www.polarisinstitute.org/files/national_insecurity.pdf; Internet; accessed 21 February 2007.

8,000 kms in length and, while there are established and controlled border-crossing points, the vast majority of this border is neither controlled nor effectively policed or monitored making it essentially a 'porous' border. As Andreas contends, despite the clandestine smuggling of drugs, cigarettes, migrants and arms across the border, the boom in the legal flow of commercial goods across the border tended to overshadow the illegal activities with both countries exercising mutual restraint to avoid politicizing the illegal border crossings.⁵ This approach stands in stark contrast, however, to the militarized security measures that the US had established decades prior at its southern border with Mexico to control similar clandestine activities, especially the flow of illegal migrants and drugs into the US. The second aspect that must be appreciated is that during the 1990s, the American populace was generally becoming more aware and concerned about the threat of terrorist attacks. Fortman and Haglund noted that for Americans, the concept of a terrorist attack on the USA was increasingly becoming an important domestic issue. The February 1993 bombing of the World Trade Centre had demonstrated that the continental USA was not immune to a terrorist attack. This was followed, in March 1995, by a nerve gas attack in the Tokyo subway, reflecting terrorist will to make use of a weapon of mass destruction (WMD), and later that year Americans witnessed the destruction of the Murrah Building in Oklahoma.⁶ In the Spring of 1999, Gallup found that the number one threat in the minds of 84% of Americans polled was the threat of international terrorism.⁷

⁵ Peter Andreas, "The Mexicanization of the US-Canada Border: Asymmetric Interdependence in a Changing Security Context." *International Journal* 60, no. 2 (Spring 2005): 451.

⁶ Michel Fortmann, and David G. Haglund, "Canada and the Issue of Homeland Security: Does the Kingston Dispensation Still Hold?" *Canadian Military Journal* 3, no. 1 (Spring 2002): 18.

⁷ *Ibid.*, 19.

While none of these attacks had a Canadian dimension to them, there was an increasing concern being voiced by US political leaders over Canada's 'liberal' immigration policies and the fact that Canada appeared to be becoming a potential haven for terrorists.⁸ Although this rhetoric was essentially baseless and was likely being used to advance certain US political agendas, a direct Canadian tie to terrorist activities was clearly established in December 1999. It was then that Ahmed Ressam, an Algerian who had been living in Canada for five years (and under a false identification) was caught attempting to enter the US at the Washington border with a trunk full of explosives enroute to bomb the Los Angeles airport. This incident had serious and lasting political ramifications, from hardening of US concerns over Canada's soft laws on immigration and political asylum to the beginning of the politicization of the border.⁹ Charters stated that the Ressam case raised American security concerns about Canada being a potential haven or operating base for terrorists, and notes that CSIS (Canadian Security Intelligence Service) had previously acknowledged that most terrorist (cells) had a presence in Canada.¹⁰ Given the rising American concern over the threat of terrorism and attacks against the US, coupled with both the Ressam incident and the political friction between Canada and the US over Canadian immigration policies, it could be argued that the stage was set for the border closure that occurred on 9/12. Andreas notes that immediately following the attacks of 9/11, US border inspectors were put on a Level 1 alert, which is defined as a sustained, intensive antiterrorism operation,¹¹ reflective of

⁸ Sokolsky and Lagassé. "Suspenders and a Belt ...", 25.

⁹ Andreas, "The Mexicanization of the US-Canada Border ...", 454.

¹⁰ David A. Charters, "Terrorism and Response: The Impact of the War on Terrorism on the Canadian-American Security Relationship." in *Conference Publication: Canadian Defence and the Canada-US Strategic Partnership*, (September 2002), p 9; available from http://www.cdfai.org/PDF/can-us_strat-partners.pdf; Internet; accessed 20 February 2007.

¹¹ Andreas, "The Mexicanization of the US-Canada Border ...", 457.

an inherent fear that follow-on attacks could occur across the Canada-US border from enclaves of terrorist cells believed to be operating in Canada.

The Canada-US border closure on 9/12 was therefore a reactive response by the US to what it now perceived as a potential risk to American domestic security, that being Canada. As Sokolsky and Lagassé contend, “if the US is harmed or perceives any imminent threat from the Canadian approach, the American government will do whatever is required to protect the homeland...”¹² Canada found itself in an extremely tenuous position, one in which not only was its national economic lifeline with the US at risk due to the sudden border closure, but its basic mutual security arrangement with the US was now fundamentally challenged. The economic imperatives were obvious as 87% of Canada’s exports are to the US, accounting for 40% of its GDP.¹³ Less obvious, but equally important, was that Canada was now viewed as a potential security risk by the US, and as Fortman notes under the ‘Kingston Dispensation’ of August 1938, then Prime Minister King had pledged that Canada would ensure that nothing it did would jeopardize the physical security of the United States.¹⁴ During the Cold War, Canada’s strategic location and vast territory had served as a security buffer for the US, providing it with the time and space to react to a detected Soviet military air attack coming from over the Arctic, which led to the requirement for and creation of NORAD. Canadian territory became less important with the increased threat of Soviet Inter-Continental Ballistic Missiles (ICBMs) for which there was no opportunity to intercept, only to respond with a US counter-attack of ICBMs.

¹² Sokolsky and Lagassé, "Suspenders and a Belt ...", 20.

¹³ Andreas, "The Mexicanization of the US-Canada Border ...", 458.

¹⁴ Fortmann and Haglund, "Canada and the Issue of Homeland Security ...", 18.

Terrorists, however, are non-state actors using conventional means to conduct non-conventional attacks, and they are difficult to detect or identify and provide little or no warning of an impending attack. With terrorists known to be operating in Canada, and with roughly three-quarters of the Canadian population living within 200 miles of the border, Canada and its territory was perceived as a security risk to the US. Sokolsky and Lagassé point out “the Canadian nightmare is not so much a terrorist attack on Canada...but what would happen to the bilateral relationship, and the Canada-US border, if a terrorist strike against America emanates from Canada.”¹⁵ It was therefore essential that Canada demonstrate both willingness and an ability to implement new security measures that would secure Canadian territory from being used for a terrorist attack against the US.

Post 9/11, the Government of Canada gave the Canada-US border security requirements the highest national priority due to Canada’s economic dependency on cross-border trade, and the imperative to alleviate American concerns over the ‘porous’ border and Canada’s ‘liberal’ immigration policies. The Government identified over \$7 billion (Cdn) in new spending over a five-year period to enhance Canadian internal and border security.¹⁶ Canada launched numerous counter-terrorism initiatives both on its own and in parallel with new security measures the US was implementing. In December 2001, the Government of Canada’s Anti-Terrorism Act was passed into law, which provided the government with comprehensive legal measures to more effectively and

¹⁵ Sokolsky and Lagassé, "Suspenders and a Belt ...", 17.

¹⁶ Charters, "Terrorism and Response ...", 13.

proactively combat terrorism and terrorist-related activities, similar to the anti-terrorism measures that the US implemented under the USA Patriot Act in October 2001. Canada and the US also signed the Canada-US Smart Border Declaration and its accompanying 32-Point Action Plan in December 2001, which called for mutual collaboration and commitment to enhance a more secure border to facilitate the ‘legitimate’ flow of people and commerce. Key action items were the establishment of Integrated Border Enforcement Teams (IBETS), which facilitated bi-national intelligence sharing and security investigations regarding cross-border illegal activities; the Safe Third Country Agreement to deal more effectively with refugee claimants; and the Canadian Air Transportation Security Authority (CATSA) which assumed full responsibility for pre-boarding screening activities at all Canadian airports.¹⁷ Canada also enhanced its Migration Integrity Officers in 39 key locations worldwide, which have since been responsible for stopping nearly 40,000 people with improper documents from gaining entry to Canada.¹⁸ It is important to note that the majority of these new or enhanced ‘security’ measures were directed for the most part to stop the illegal movement of people specifically and goods in general by formally established means, processes and routes between Canada and the US.

While these new domestic security measures and Acts were being developed and implemented on both sides of the border, it soon became evident that there was a fundamental lack of both centralized control and oversight for all of these diverse

¹⁷ Foreign Affairs and International Trade Canada, Campaign Against Terrorism,” http://geo.international.gc.ca/can-am/main/rightnav/campaign_terrorism-en.asp; Internet; accessed 17 January 2007.

¹⁸ Sokolsky and Lagassé, "Suspenders and a Belt ...”, 16.

activities associated with domestic security. In the USA, the Department of Homeland Security (DHS) was established in November 2002, as a Cabinet department of the Federal Government. With its establishment, it consolidated 22 disparate agencies and nearly 180,000 people into a single department with a mission to lead a unified national effort to secure America, prevent and deter terrorist attacks against the nation, and to ensure safe and secure borders while promoting the free-flow of commerce.¹⁹ Within the DHS are two key directorates that would require close coordination and cooperation with Canada: the Border and Transportation Security directorate, with a mandate to secure America's borders, transportation systems and territorial waters; and the Information Analysis and Infrastructure Protection directorate, responsible for integrating intelligence and information pertaining to threats to the homeland.²⁰

It would take another year before Canada was able to create a similar institution that would be able to coordinate Canadian domestic security activities across the whole of government and coordinate cross-border measures and requirements with the DHS. In December, 2003, the Department of Public Safety and Emergency Preparedness Canada (PSEPC) was created which integrated the Solicitor General of Canada, the Office of Critical Infrastructure Protection and Emergency Preparedness and the National Crime Prevention Centre, and also incorporated key agencies such as the Royal Canadian Mounted Police, the Canadian Security Intelligence Service and the Canada Border

¹⁹ Department of Homeland Security. *Securing Our Homeland: U.S. Department of Homeland Security Strategic Plan 2004*, 1. http://www.dhs.gov/xlibrary/assets/DHS_StratPlan_FINAL_spread.pdf; Internet; accessed 19 February 2007.

²⁰ Sloan, *Security and Defence...*, 45-46.

Services Agency.²¹ This new department, like the DHS, was created to coordinate the broad activities associated with Canadian domestic security elements under a single organization. Canada was now organized to share and coordinate similar domestic security initiatives, intelligence, requirements and operations with the US between the DHS and the Department of PSEPC.

Despite all the measures that Canada has implemented since 9/11 to enhance its domestic and border security, as well as to share information and coordinate activities with the US, it is apparent that the Canada-US border still poses some security concerns to the US. This is evidenced by the fact that, as Sokolsky points out, not only did the US triple the number of US Border Patrol agents assigned to the Canada-US border, but due to its ongoing concerns over cross-border terrorist infiltration at other than established crossings, the DHS has already established five new air and marine operations (AMO) bases employing sophisticated helicopters, boats and advanced surveillance capabilities to monitor the border for illegal crossings.²² This is just another clear indication that regardless of what security measures Canada takes, the US will continue to advance its own security agenda to take whatever measures are deemed necessary to secure America from another terrorist attack. As Harvey adeptly notes, the events of 9/11 led to a massive amount of investment in US homeland security, and that spending anything less on security is not an option in the event that there is another attack and the US government was seen as doing nothing.²³ So while Canada has taken the necessary

²¹ *Ibid.*, 54.

²² Joel J. Sokolsky, "Northern Exposure? American Homeland Security and Canada." *International Journal* 60, no. 1 (Winter 2004): 46.

²³ Harvey, *The Homeland Security Dilemma...*, 12.

measures to show due diligence in addressing US domestic security concerns, it is apparent that the US will continue to enhance its security surveillance measures along the Canada-US border. As Andreas notes, the northern border could soon be ‘militarized and monitored’ similar to the Mexico-US border, but the deterrent value of these new measures on the northern border remain questionable due to the fact that the more comprehensive measures the US has implemented on the southern border have still been ineffective in keeping out hundreds of thousands of illegal entries every year.²⁴

As mentioned at the start, this paper would analyze the elements of domestic and continental security as they specifically applied to Canada and its relationship with the US. The previous section identified the numerous domestic security measures that Canada has implemented post 9/11 to reassure the US that Canada would not be a security risk to the US. In the absence of another terrorist attack carried out against either Canada or the US since 11 September, 2001, and given the fact that the Canada-US border has remained open to the cross-border flow of commerce and people, it could logically be deduced that the enhanced domestic security measures that Canada has implemented to date have proven effective and have essentially met and/or satisfied the basic security concerns that the US had identified. As Sokolsky notes, regarding our bilateral border security relationship, “the Canada-United States security relationship flourished at a time when the American people felt most vulnerable.”²⁵ This paper will now assess how Canada has progressed with the requirement for continental security and defence.

²⁴ Andreas, "The Mexicanization of the US-Canada Border ...", 456.

²⁵ Joel J. Sokolsky, “Walking the Line: Canada-US Security Relations and the Global War on Terrorism.” *Breakthroughs* (Spring 2006): 40.

Continental Security and Defence

Desmond Morton contends that Confederation provided the British with a solution to the defence issue for Canada, in that a British military withdrawal from Canada would encourage Canada to take over its burden of self-defence through other alliances.²⁶ For the next seventy years, Canada remained a member of the British Empire and than Commonwealth and enjoyed a relatively peaceful coexistence with the United States. It was not until the start of the Second World War and the rapid expansion of Nazism in Europe that the United States became concerned about potential attacks on North America, principally due to Canada's entry into the war. As a result of this concern, President Roosevelt told an audience at Queen's University in August, 1938, that America would "not stand idly by" were the physical security of Canada threatened by a great power adversary [reference to Germany]. Prime Minister King, speaking a few days later, stated "Canada would ensure that nothing it did would jeopardize the physical security of the United States."²⁷ What seemed on the surface to be a 'mutual security' agreement in which Canada had the assurances that it would be protected by the US should Canada ever be attacked, was in fact more of an assurance for the US that Canada's territory would not be used for an attack against the US. Roosevelt's declaration was a reflection that the US could not afford Canada to become a security liability to the US, while King's response was one designed to satisfy American concerns without jeopardizing Canadian sovereignty by declaring that Canada would essentially

²⁶ Desmond Morton, "Understanding Canadian Defence." (Toronto: Penguin Group, 2003), 8.

²⁷ Fortmann and Haglund, "Canada and the Issue of Homeland Security ...", 18.

take the necessary measures to secure its territory.²⁸ According to Sokolsky, “the US does not help Canada defend itself against threats to Canada. Rather the US helps Canada defend itself against threats to the US. While sharing concerns about such threats, Canada is also wary about having to defend itself against American help.”²⁹

This declaration of mutual security, often referred to as the ‘Kingston Dispensation,’ was later formalized by the Ogdensburg Agreement in 1940. Not only did this agreement result in the formal creation of the Permanent Joint Board on Defense (PJBD) between Canada and the United States to provide policy level discussions on bilateral defence issues, but as Granatstein notes the creation of the PJBD meant that Canada had essentially gone from being a British military protectorate to a US military protectorate.³⁰ Following the Second World War, Canada emerged as a military power and a sovereign nation on the cusp of economic expansion and prosperity. Canada began moving towards collective security with the United Nations (UN) and, with the onset of the Cold War, into collective defence alliances with the US in NORAD and other allies including the US in NATO. Throughout the Cold War, while it was said that Canada was both ‘undefendable and unconquerable’³¹, Canadian territory featured prominently in the security of the US from attack by Soviet bombers flying over the Arctic, giving the US the means for early detection of incoming bomber aircraft by radar sites established on Canadian territory and the time to intercept and engage the bombers before they reached

²⁸ Joel J Sokolsky, “Realism Canadian Style: National Security Policy and the Chretien Legacy.” *IRPP Policy Matters*, Vol 5, no. 2 (June, 2004): 27.

²⁹ *Ibid.*, 27.

³⁰ J.L. Granatstein, “A Friendly Agreement in Advance: Canada-US Defense Relations Past, Present, and Future.” *C.D. Howe Institute Commentary*, No. 166, (June 2002): 3.

³¹ Charters, “Terrorism and Response ...”, 8.

America. While the value of Canadian territory to the security of the US may have diminished with the advent of ICBMs and later Submarine-Launched Ballistic Missiles (SLBMs), and further waned following the end of the Cold War, it had effectively demonstrated the value of a layered defence for the security of the US homeland. This is likely why, as Stancati points out, the US has accepted Canada as a defence and security partner despite Canada's actual military contributions.³²

The attacks of 9/11 on the United States demonstrated how vulnerable America could actually be to terrorist attacks. The immediate military response was the closure of US domestic airspace to commercial aircraft by NORAD and the launching of armed combat air patrols to counter any potential follow-on air attacks, both in Canada and the US. This domestic airspace or 'inward' focus by NORAD and the armed combat patrols continues today as part of the NORAD military operation called Noble Eagle. In the days that followed the 9/11 attacks, the US began developing its military options and plans to strike back at the perpetrators of the attacks, which had been linked to the al-Qaeda terrorist group, who were operating training bases in Afghanistan with the support of the Taliban regime. With both UN Security Council sanctions and the collective support of NATO invoked under Article 5 of its treaty, the US was preparing to lead a military coalition campaign against Afghanistan. Canada, despite having a Canadian Forces which was already overextended on international military operations and experiencing a chronic and growing commitment-to-capability gap, was quick to show its support to the

³² Bernard Stancati, "The Future of Canada's Role in Hemisphere Defense" *Parameters* (Autumn 2006): 105.

US by committing significant naval, air and army forces to this military campaign, or as it was being called in the US, a ‘War on Terrorism.’

The events of 9/11 fundamentally altered the Cold War defence and security mindset and for the US, created a new continental defence paradigm formulated on a threat and enemy that is amorphous and asymmetrical.³³ This required a fundamental review of how the US was structured to protect America from attack. The creation of DHS established the necessary measures and means for the US to guard against and respond to terrorism both at its borders and within them. A key element that had not specifically been addressed by the US was the aspect of security beyond its borders, in particular the land, sea and air approaches to continental America as opposed to the measures being implemented overseas to combat terrorism at its source. From a military perspective, the only strategic continental structure that existed at the time of the attacks was NORAD, which had been established in 1958 as a bi-national aerospace surveillance and defence agreement between Canada and the US. As Fergusson highlights, “NORAD provided Canada with a cost-effective method to ensure the surveillance of its national territory and airspace.”³⁴ It was therefore logical for the US, following the attacks of 9/11, to make a proposal to Canada to expand on the effective construct of NORAD to include surveillance and defence for land and maritime domains in a similar manner to the existing air domain. The Canadian government, however, had some serious reservations over this offer, as there was an inherent apprehension that the proposed

³³ *Ibid.*, 113.

³⁴ James Fergusson, “Canadian Defence and the Canada-US Strategic Partnership: The Aerospace Dimension.” *In Conference Publication: Canadian Defence and the Canada-US Strategic Partnership*, (September 2002), p 21; available from http://www.cdfai.org/PDF/can-us_strat-partners.pdf; Internet; accessed 20 February 2007.

expansion of the NORAD mandate could potentially result in Canadian forces being placed under US command, even in a response to a threat in Canadian sovereign territory. As Charters notes “A shared North American security perimeter might make sense from a practical standpoint, but ... the sovereignty ‘optics’ are unsellable.”³⁵ According to Stancati, “If there is one theme that best characterizes the Canada-US partnership, it is the issue of sovereignty versus cooperation in continental defense.”³⁶

When this concept of NORAD expansion was originally offered to Canada, there was an established timeline for a response. It would appear that Canada did not fully appreciate that the US was essentially on a war footing and was rapidly moving forward to implement urgent measures and requirements to secure America from further or future attacks by trans-national terrorist groups. As Granatstein notes, the US was striving to bolster the security of the American homeland and pressing Canada to join more effectively in the defence of North America. The US was deadly serious about homeland defence and, while they would prefer Canadian cooperation in defending their common territory, they would act alone if required.³⁷ When the Canadian government did not respond to the offer of a NORAD expansion, the US proceeded unilaterally with their plans for the establishment of a US-only unified continental military command structure without Canadian participation.³⁸ Canada then proposed the creation of a Bi-National Planning Group (BPG) which would continue to progress discussions on ways to enhance bi-national military planning, surveillance and cooperative measures. Sokolsky and

³⁵ Charters, “Terrorism and Response ...”, 16.

³⁶ Stancati, “The Future of Canada’s Role ...”, 106.

³⁷ Granatstein, “A Friendly Agreement in Advance: ...”, 13.

³⁸ Stancati, “The Future of Canada’s Role ...”, 108.

Legassé contend that a US-only command structure would have likely been created even if Canada had accepted the concept of a NORAD expansion, for it would have been symbolic of the US' layered defense principle and the fact that the US would maintain its own national forces and defenses to protect the American homeland.³⁹

In October 2002, the US formally established the US Northern Command (USNORTHCOM) with a mandate of homeland defence. Its responsibilities also included the protection of US sovereignty, territory and domestic population against 'external' threats by detecting, deterring and defeating threats as early and as far away from its borders as possible.⁴⁰ While the mandate and responsibilities of USNORTHCOM appear both measured and reasonable for homeland defence, what is disconcerting from a Canadian perspective is the actual assigned area of responsibility (AOR). The AOR for USNORTHCOM encompasses not only the entire North American continent, including Canadian and Mexican territories, but it was also included seaward boundaries of 500 miles off the continental coasts.⁴¹ It is therefore somewhat ironic that when Canada was afforded an opportunity to collaborate bi-nationally with the US in the continental defence of North America through the expansion of the NORAD mandate, Canada essentially declined due to fundamental concerns over the potential loss of national sovereignty, to then only find themselves isolated from a US-only military command whose AOR completely overlays Canadian sovereign territory, airspace and coastal areas. It is also worth noting that the construct of USNORTHCOM is not unique,

³⁹ Sokolsky and Lagassé, "Suspenders and a Belt ...", 22.

⁴⁰ Thomas Goss, "Who's in Charge? New Challenges in Homeland Defense and Homeland Security." *Homeland Security Affairs*, Vol 2, Issue 1, Article 2, (2006): 8.

⁴¹ Joel J. Sokolsky, "Guarding the Continental Coasts: United States Maritime Homeland Security and Canada." *IRPP Policy Matters*, Vol 6, no. 1 (March, 2005): 25.

as the US has several other combatant commands around the world, each with an AOR that overlays/incorporates many sovereign countries. Under the US unified combatant command construct, an AOR is a reflection of the US Combatant Commander's regional area of responsibility within which the Commander has authority to conduct a full range of operations, unilaterally if situation required or in concert with coalition partners.⁴² However, post-9/11, the US has demonstrated a will and an ability to operate both preemptively and unilaterally should it deem a situation to be an issue of vital national interest in the context of security to the US.

It is important to note that while Canada was actively spending funds and implementing numerous measures to address the immediate concerns over domestic and border security, it was concurrently deploying the majority of its high readiness, combat capable military forces to South West Asia (SWA) despite the concerns that were also being raised over continental security and defence. This introduces an element that will appear later in the analysis of continental security and defence. That element, as Sloan identifies it, is the offence (away) and defence (home) theory, which acknowledges that while North America had historically been a defensible geography, the attacks of 9/11 demonstrated how international terrorism by non-state actors was able to reach across the oceans into downtown America. This, as she notes, raises the fundamental question on how best to address the threat of terrorism: "If a state has one dollar to spend on national

⁴² US European Command Home Page, available from <http://www.eucom.mil/english/Command/mission.asp>; Internet; accessed 28 April 2007.

security, is it more cost-effective in security terms to spend that dollar on defensive measures and forces at home, or on offensive forces for operations abroad?”⁴³

From a US military perspective, the best defence has traditionally been an offence, and is reflective of US military tradition and doctrine whereby the US military forces have moved farther away from their frontier defences and “embraced the projection of offensive power as the best defence of physical security, liberty, and economic well-being.”⁴⁴ From a Canadian perspective, however, the CF has not been used as a means of ‘offensive power projection’ for the defence of the physical security of Canada as much as a means to demonstrate Canadian participation in global security and international operations. As for the away game, the CF had been permanently stationed at Baden-Soellingen and Lahr, Germany, during the Cold War as part of Canada’s visible commitment to NATO during the Cold War. However, following the end of the Cold War, Canada withdrew its ‘major’ formations from Europe back to Canada⁴⁵, and then only committed forces to international operations as the need arose and in keeping Canadian foreign policy objectives and national values for international security, stability and assistance.

In the decades preceding the 9/11 attacks, the capabilities and force structure of the Canadian Forces had been gradually reduced as a function of competing domestic fiscal demands and a changing global environment. These reductions were most

⁴³ Sloan, *Security and Defence...*, 10.

⁴⁴ Sokolsky, "Northern Exposure? ...", 38.

⁴⁵ Department of National Defence, *1992 Canadian Defence Policy* (Ottawa: Canada Communications Group, 1992), 15.

pronounced during the 1990s when the then Liberal government of Canada, like many other nations of the world, was seeking ways to capitalize on the post-Cold War peace dividend. The reductions were clearly articulated in Canada's 1994 Defence White Paper, especially with statements such as "Defence policy must respond to challenges at home – in particular to current fiscal circumstances" and "Although National Defence and the Canadian Forces have already made a large contribution to efforts to reduce the deficit, the Government believes that additional cuts are both necessary and possible."⁴⁶ Among the key cuts that were directed in this policy were the reduction of the force structure down to approximately 60,000 Regular and 23,000 Reserve Force personnel, and a reduction of \$15 billion in planned capital acquisitions over a 15-year period. Despite these significant reductions, the Government remained committed to maintaining a 'prudent' level of military force to principally deal with sovereignty challenges in peacetime, to participate effectively in multilateral peace and stability operations and, if and when required, in the defence of North America. This combination of requirements led the Government to retain, in its national interest, core multi-purpose combat-capable forces.⁴⁷ However, while these directed military reductions were being implemented, the Government of Canada was concurrently committing the CF to a marked increase in the 'away' game of international missions and sustaining an operational tempo unprecedented since the Korean War.

While the immediate concern by the US was the security and defence of the homeland, the US military was still fully capable of taking the offensive abroad to strike

⁴⁶ Department of National Defence, *1994 White Paper on Defence* (Ottawa: Canada Communications Group, 1994), 3-4.

⁴⁷ *Ibid.*, 3.

back at terrorist elements in SWA. This is because the US has essentially two militaries available to it, one being DoD and the other being its National Guard elements and the US Coast Guard (USCG). Under the United States' Posse Comitatus Act of 1878, DoD is generally prohibited from undertaking any 'law enforcement' tasks inside the US. These tasks as part of domestic security were now part of the basic mandate of DHS. The Act specifically applies to the US Army and by extension to the Air Force. While it does not apply to the Navy and Marine Corps, DoD has consistently held that they would operate as if the Act also applied to them. DoD military forces can and have, at times, been utilized to assist in enforcing domestic law and order, but only when directly ordered to do so by the President.⁴⁸ The USCG is basically a military, maritime organization and the principal agency responsible for, among other things, maritime border security. It was transferred under DHS in 2003 with a role to guarantee a 'safe and secure' maritime domain under the Maritime Homeland Security Strategy. This armed maritime force has a combined active and auxiliary force of over 75,000 personnel employing over 250 Cutter ships and 197 aircraft.⁴⁹ The US is therefore essentially able to employ Guard units and USCG in what can be viewed as a continental/perimeter security and defence capacity, thereby enabling DoD military forces to be employed abroad as part of a forward defence doctrine (away game).

⁴⁸ John R. Brinkeroff, "The Posse Comitatus Act and Homeland Security", p 4; available from <http://www.homelandsecurity.org/journal/Articles/brinkeroffpossecomitatus.htm>; Internet; accessed 5 April 2007.

⁴⁹ United States Coast Guard, *Coast Guard Fact Sheet*, <http://www.uscg.mil/top/about/doc/2006%20coast%20guard%20snapshot.pdf>; Internet; accessed 23 April 2007.

Unlike the US, Canada does not have another ‘military’ armed force that can provide for the defence of Canada and cooperative defence of North America. While Canada does possess a Canadian Coast Guard (CCG), it is essentially a civilian federal agency responsible for marine Search and Rescue, icebreaking operations, and aids to navigation. Unlike the USCG, none of its ships or personnel are armed and the task of security and defence of Canada’s maritime sovereignty remains a task assigned to the Canadian Navy.⁵⁰ Fundamentally, the only agency with the mandate and armed capabilities that can provide for the actual defence and security of Canada and, by extension continental North America, is the CF. However, while other Canadian Federal agencies were actively focused on domestic security through law enforcement security measures and initiatives for the ‘home’ game to keep the Canada-US border open, Canada had committed the majority of its high-readiness military capabilities to the ‘away’ game in SWA. This left very few combat-capable forces or viable military resources available in Canada to provide for the credible physical security or defence of Canada, let alone of North America. It was only the CF-18s in their NORAD role that were essentially employed as part of the collective security and defence of North American airspace. Therefore the basic question that arises is whether Canada can afford to participate in the ‘away’ game, and this can only be answered by examining the requirements that exist for the ‘home’ game, which is essentially the security and defence of Canada and the North American continent.

⁵⁰ Canadian Coast Guard, *Wikipedia, the free encyclopedia*, p 4; available from http://en.wikipedia.org/wiki/Canadian_Coast_Guard; Internet; accessed 23 April 2007.

At the core of this question resides the fundamental if not critical aspect that while any nation can participate with the US in its international war on terrorism, it is only Canada that can provide the US with the necessary assistance to secure the northern portion of the continent from external, illegal entries into Canadian sovereign territory. Sokolsky refers to a statement made by General Ebhart, then commander of USNORTHCOM/NORAD, who said “In war, just as in sports, it is the away game that you want to win, but it is the home game that you must win.”⁵¹ Sloan identifies the requirement for a balance of capabilities and states that “Canada and the United States will need to defend themselves offensively and defensively, through some combination of civilian and military measures, against the primary threat of international terrorism as well as other threats. The challenge is to find and undertake the necessary balance of activities.”⁵² This ‘balance’ is also identified in Canada’s National Security Policy (NSP) which states “Getting the right balance between domestic and international security concerns will be an important consideration in determining the roles and force structure of the Canadian Forces (CF).”⁵³

Canada had responded rapidly to the urgent requirements to enhance domestic security, investing billions of dollars in new security measures and initiatives, as well as creating a federal department responsible for the overall coordination and control of Canadian domestic security activities similar to the US creation of DHS. In terms of domestic security, immediate action was required for it was in Canada’s national

⁵¹ Sokolsky, “Realism Canadian Style: ...”, 38.

⁵² Sloan, *Security and Defence...*, 29.

⁵³ Privy Council Office, *Securing an Open Society: Canada’s National Security Policy* (Ottawa: Privy Council Office, 2004), 50.

economic interests to keep the Canada-US border open. In terms of Canadian and continental North America security and defence, Canada was basically left with two choices: to stand back and allow the US to plan for the overall protection of Canadian territory, or to actively participate in providing for our own defence of Canada.⁵⁴ Obviously the latter was the only viable option, and Canada had to take some visible measures to again reassure the US that Canada remained a serious security and defence partner and was not a security risk to the US.

Harvey recommended in a 2002 report that “If Canadian security and sovereignty is a priority, then Ottawa should accelerate Canada-US joint planning under NORTHCOM and establish integrated enforcement mechanisms with the US.”⁵⁵ However, as noted by Charters, while Canada would like to influence the mission of NORTHCOM so that it does not infringe on Canadian sovereignty, Canada has little to offer in return.⁵⁶ This sentiment is shared by Granatstein, who argues that the way for Canada to maximize its independence from US policy is to start acting like a sovereign state and accept the price of doing so, which will fundamentally require a stronger military capability able to protect Canadian sovereignty by carrying out its share of continental defence.⁵⁷ So while Canada was concerned about potential infringements on its national sovereignty by joining the US in a strategic, bi-national continental defence

⁵⁴ Granatstein, “A Friendly Agreement in Advance: ...”, 11.

⁵⁵ Frank P. Harvey, “*Terrorism, Proliferation and the Myth of American Independence: Multilateral vs. Unilateral Approaches to Security after 9/11 and the Implications for Canada.*” in Conference Publication: Canadian Defence and the Canada-US Strategic Partnership, (September 2002), p 34; available from http://www.cdfai.org/PDF/can-us_strat-partners.pdf; Internet; accessed 20 February 2007.

⁵⁶ Charters, “Terrorism and Response ...”, 16.

⁵⁷ Granatstein, “A Friendly Agreement in Advance: ...”, 16.

arrangement, Canada had little substantive capabilities to provide for this national responsibility itself, let alone being able to use its capabilities to influence US decisions concerning continental defence.

For Canada and its use of CF military capabilities, it was a question of balance between the 'home' and 'away' games, and post-9/11 the Canadian government placed the priority for the CF on demonstrating military support for the US by voluntarily committing the majority of its combat capabilities to the War on Terrorism in Afghanistan. This commitment clearly tilted the balance of Canadian military capabilities to supporting the 'away' game vice the 'home' game, a balance that still needs to be adjusted if the priority for the CF as articulated in the National Security Policy (NSP) is in fact for the defence of Canada and North America. So what has, or can, Canada do to address the outstanding Canadian and continental security and defence requirements for the 'home' game?

Canada's Requirements for the Defence and Security of Canada and North America

The Canadian commitment of military forces in support of the US following the attacks of 9/11 was substantial. Between October 2001 and January 2002, Canada deployed: a Naval Task Group which comprised six warships and nearly 1,500 Navy personnel which constituted nearly one-third of the entire Navy's forces; the 3rd Battalion

PPCLI Battle Group; a CC150 Polaris aircraft for strategic airlift; a Tactical Airlift Detachment of three CC130 Hercules aircraft; and a Long Range Patrol Detachment of two CP140 Aurora aircraft.⁵⁸ Of these assets, and in consideration of the fact that the 'home' concern for continental security and defence was principally in the maritime domain arena, only the navy warships and LRP aircraft could have been effectively utilized at home. This meant that Canada could still have committed the remainder of the assets above to the away game, as they would not add any value to the home maritime surveillance requirement but would still have demonstrated Canadian military support to the US in the away game. Therefore the balance between the home and away game of current CF military assets was not that far out of balance.

Maritime domain awareness (MDA) and security require the capabilities to initially gather intelligence, surveillance and reconnaissance (ISR) of the maritime areas of interests and then the means to control, interdict and defend against any potential threat. With a coastline of over 234,000 kms and over 11 million square kms of ocean area alone, the ISR requirement is a daunting challenge for Canada.⁵⁹ However, as Peter Avis points out, Canada lacks the physical surveillance assets required for the wide area coverage that would be required for MDA.⁶⁰ Warships do have a surveillance capability, but their effectiveness is inherently limited by the range of their sensors, such as radar, and are therefore more effectively employed for the mission of interdiction and control once cued to a vessel of interest. LRP aircraft are ideally suited for maritime

⁵⁸ DND/CF Backgrounder; available from http://www.dnd.ca/site/Newsroom/view_news_e.asp?id-490; Internet; accessed 5 April 2007.

⁵⁹ Peter Avis, "Surveillance and Canadian Maritime Domestic Security." *Canadian Military Journal* 4, no. 1 (Spring, 2003): 9.

⁶⁰ *Ibid.*, 10.

surveillance, both above and below the water, but their small fleet size and limited availability does not enable them to effectively conduct wide-area or persistent surveillance, which is required to truly establish MDA. Therefore had Canada not deployed the navy warships and LRP aircraft in support of the US led War on Terrorism, they would have provided little substantive value to the larger requirement for comprehensive MDA as part of continental security and defence. What is required to meet this ‘surveillance’ mandate is additional, as well as more capable, ISR assets.

Sloan states that Canada does not have an advanced ISR capability and lacks dedicated satellites for surveillance, meaning that Canada will have to invest more heavily in unmanned aerial vehicles (UAVs) to fill existing gaps in surveillance coverage.⁶¹ This statement is only partially correct. While Canada currently does not have dedicated satellites for surveillance, the solution is not necessarily UAVs as MDA is a complex requirement and there is no single platform that can provide the necessary ISR. With USNORTHCOM’s AOR covering out to 500 miles off the continental coasts including the Arctic, Canada will likely need to provide surveillance to that range for the coastal approaches of Canada. The Arctic region is particularly challenging from a surveillance perspective and could be viewed by terrorists as the ‘soft underbelly’ of the continent, from which they could seek undetected entry into North America and potentially threaten gas and oil development activities and supplies.⁶²

⁶¹ Sloan, *Security and Defence ...*, 117.

⁶² *Ibid.*, 80.

Due to the sheer size of Canada's surveillance area (which is effectively its sovereignty area), and the inherent limitations of surveillance platforms, Canada will need to adopt a 'layered' approach to its surveillance requirements, which is a concept that the CF has discussed since the mid-1990s. The outer layer requires wide area surveillance, to initially detect and track marine vessels entering or already within this zone. Due to the distance from shore and the area that needs to be covered, satellites provide the logical answer. The next inner layer would be closer to the coast and could therefore be covered by an airborne platform, such as a manned LRP type aircraft or a Long Endurance UAV. In this zone, the platform can obtain more detailed intelligence or reconnaissance information on vessels of potential interest, or actually fly patrols to gap-fill areas not covered by a satellite. As vessels get closer to the coast, other assets such as tethered surveillance platforms or coastal surface-wave radars could provide the final surveillance and tracking function. MDA requires comprehensive area surveillance as a means to detect, track and monitor vessels which creates a Recognized Maritime Picture (RMP). As Avis concludes, while there are a variety of options for ISR platforms, it is essentially space or airborne platforms that will be most effective in providing wide area surveillance, with ships being the best reaction vehicles.⁶³

It should be noted that several security measures have already been implemented within the International Maritime Organization (IMO) to assist in the development of MDA 'intelligence'. Key among these are the requirement for vessels to report 96 hours prior to entering North American territorial waters, as well as the implementation of the Automatic Identification System (AIS), a vessel transponder that automatically reports a

⁶³ Avis, "Surveillance and Canadian ...", 12.

variety of a vessel's particulars such as position, cargo, and last port of call.⁶⁴ While these measures will serve to enhance RMP compilation, they will only serve in assisting with vessels operating legally and willing to comply with these measures. Terrorists, on the other hand, if they are intent on entering North America illegally or attempting to ship a weapon of mass destruction (WMD) into North America by sea, will obviously be seeking to conduct their operations in a clandestine manner, similar to the illegal smuggling of drugs or migrants, and will not be reporting or transmitting their position. Therefore a comprehensive layered surveillance approach is designed to not only develop an RMP, it is more specifically intent on detecting and interdicting illegal activities and attempted entry by maritime vessels into NA.

While Canada does have a maritime surveillance capability, it is essentially limited to the development of an RMP for the Atlantic and Pacific coastal areas, and much of the information is time-late due to the manner and agencies through which the information is reported. However, the fundamental lack of a comprehensive national surveillance capability continues to be a risk to the integrity of Canada's national sovereignty, and post-9/11 it remains a potential risk to the US concern for continental security through perimeter MDA. In Dec 2004, President Bush, in his directive for national security, had underscored the importance of securing the maritime domain. In the US National Plan to achieve Maritime Domain Awareness (MDA), it notes that there are few areas of greater strategic importance to national prosperity and security than the

⁶⁴ *Ibid.*, 11.

maritime domain by which most international trade still flows.⁶⁵ Further, it stated that the greatest threat and concern today in the maritime domain would be its exploitation by terrorists to enter North America with a Weapon of Mass Destruction (WMD).⁶⁶

The US has clearly identified their concern over security in the maritime domain and the importance of maritime trade for economic prosperity. As Vice-Admiral (Ret'd) Murray notes, "More than 100,000 vessels transit Canadian waters annually, transporting more than 360 million tons of goods with an annual import/export of approximately \$85 billion. Canada's oceans currently contribute more than \$22 billion annually to the national economy through oceans-related industry."⁶⁷ While this aspect of maritime activity and trade may be less obvious to most Canadians than the trade across the Canada-US border, it is very apparent that Canada has a large economic interest in the security of its maritime approaches, maritime trade and its ports where containers are offloaded for onward transport including to the US. As Hillmer, Carment and Hampson note in their article, while Canada's dependence on the US is well-known, [whether it be for trade or defence], Canada and the US are interdependent, and "Canada is relevant to the US because it needs a stable, secure northern partner in order to feel prosperous and safe."⁶⁸ MDA and security is just as important to Canada as it is to the US, and Canada needs to engage in measures to secure the maritime approaches to Canada as it did for its

⁶⁵ Department of Homeland Security, *US National Strategy for Maritime Security, National Plan to Achieve Maritime Domain Awareness*, p 2. http://www.dhs.gov/xlibrary/assets/HSPD_MDAPlan.pdf; Internet; accessed 19 February 2007.

⁶⁶ *Ibid.*, 5.

⁶⁷ VAdm (Ret'd) Larry Murray, "Canada's Oceans: Maximizing Opportunities for Canadians from a Sovereignty and Security Perspective" in *Conference hosted by Centre for Foreign Policy: What Canadian Military and Security Forces in the Future World? A Maritime Perspective*. (June, 2005): 1.

⁶⁸ Norman Hillmer, David Carment and Fen Osler Hampson, *Introduction: Is Canada Now Irrelevant?* P. 21-22, available from <http://www.cdfai.org/PDF/CAN%20intro%202003%20FINAL.pdf>; Internet; accessed 20 February 2007.

domestic border. As mentioned earlier, Granatstein had argued that Canada needed to start acting like a sovereign state and accept the price of protecting Canadian sovereignty by carrying out its share of continental defence. Canada is no longer suffering the deficits of the 1990s and, as a G8 nation, should be able to spend more to address its national security interests and requirements. Sloan states that it is imperative, both in terms of sovereignty and security, that Canada maintains sufficient military capability to be able to respond to an external threat, as territorial security remains a sovereign responsibility and “If we don’t secure our own territory, then the Americans will do it for us.”⁶⁹

In 2004, the Liberal Government released Canada’s first ever National Security Policy (NSP) called ‘Securing an Open Society’, which was designed to identify core national security interests and to propose a strategic framework to prepare for and respond to both current and future threats. It clearly states that “The Government is determined to pursue our national security interests and to be relentless in the protection of our sovereignty and our society in the face of these new threats.”⁷⁰ The most important portion of this document is the government’s articulation of its core national security interests, which initially states “Although threats to Canada will change, our security interests are enduring.”⁷¹ The first of three core national security interests is the protection of Canada and the safety and security of Canadians both at home and abroad. This security interest is further expanded upon to state “the Government has a responsibility to be able to defend against the threats to Canadian sovereignty, ranging

⁶⁹ Sloan, *Security and Defence...*, 93.

⁷⁰ Privy Council Office, *Securing an Open Society...*, Chap. 1, 1.

⁷¹ *Ibid.*, Chap. 1, 4.

from illegal entry to incursions into our territorial waters.”⁷² As the first stated core national security interest, it can also be assumed that this would be Canada’s national priority. The second core national security interest identified was to ensure that Canada is not a base for threats to our allies. In this regard, the policy states “Canada is committed to strengthening North American security as an important means of enhancing Canadian security.”⁷³ Finally, the NSP identifies Canada’s third core national security interest as contributing to international security which it states “may require the deployment of military assets to protect against direct threats to international peace and security ...”⁷⁴ When viewed together, and again assuming that the core national security interests were also introduced in order of national priorities, then it is evident that the first two priorities reflect the defence and security of Canada, or the ‘home’ game, while the third reflects international security operations, or the ‘away’ game. What is also evident upon closer examination of the NSP is that it is focused mostly on aspects related to domestic security and response, with very little articulation of military and defence requirements.

In 2005, the Liberal Government followed up on its National Security Policy with the release of Canada’s International Policy Statement, which contained a section on Defence titled ‘A Role of Pride and Influence in the World’. As a lead-in to this Defence Policy Statement (DPS), the Minister of National Defence (MND) identified the fact that the attacks of 9/11 proved that Canada was vulnerable to the threat of terrorism, and that this defence policy would establish the defence of Canada as the first priority, and that

⁷² *Ibid.*, Chap. 1, 5.

⁷³ *Ibid.*, Chap. 1, 5.

⁷⁴ *Ibid.*, Chap. 1, 6.

the CF would be reorganized and retooled to tighten their focus on this primary mandate. Further, as to the effective defence of Canada and North America, the MND stated that Canada would build on successful bilateral defence arrangements such as NORAD and seek to develop new and innovative approaches to defence cooperation with the US.⁷⁵ The DPS continues to identify and expand on the requirements for the CF, and indicates that “the first challenge is to strike the right balance between the Canadian Forces’ domestic and international roles” and that “The Government believes, however, that a greater emphasis must be placed on the defence of Canada and North America than in the past. This must be the Canadian Forces’ first priority.”⁷⁶ The consistency in previous Defence Papers, the NSP and now that DPS is clear...the defence of Canada and North America remains the CF’s priority mission, and continues on the earlier theme in this paper of balance between the home and the away game.

The DPS also indicated that it was all about change, and introduced how the CF would transform. For the purpose of this paper, three of these key transformation elements are highlighted. The first of these was that the CF would treat Canada as an integrated theatre of operations (read AOR), and establish a single operational command headquarters (Canada Command) to more effectively meet their fundamental responsibility to protect Canadians at home. Second, the CF would improve its coordination with other government departments and interoperability with allied forces, particularly with the US. Finally, the CF would update their command, control, communications, computers, intelligence, surveillance and reconnaissance capabilities

⁷⁵ Department of National Defence, *Canada’s International Policy Statement: A Role and Pride of Influence in the World – DEFENCE* (Ottawa: ADM(PA), 2005), Message from the Minister.

⁷⁶ *Ibid.*, Intro, 2.

(C4ISR) to provide for the rapid acquisition and sharing of intelligence and information.⁷⁷

Unfortunately, despite the recognized imperative for continental defence and security through MDA, which requires comprehensive ISR capabilities, and the clear articulation in the NSP and DPS that the defence and security of Canada was a core national interest and CF priority, there has been little funding identified in recent Federal Budgets or any noticeable change in CF acquisitions to address this priority. It was not until Budget 2006, with a focus on “Canada First”, that funding was specifically identified for the transformation of military operations, the acquisition of equipment to support a multi-role, combat-capable CF and to increase the CF’s capacity to assert Canadian sovereignty, albeit in the Arctic. In June 2006, the Government of Canada announced a comprehensive capital procurement strategy, valued around \$17 billion dollars, which would see the acquisitions of strategic and tactical aircraft, medium to heavy lift helicopters, medium sized logistics trucks and support ships for the Navy.⁷⁸ On closer examination, however, it is evident that while most of these acquisitions are fundamentally required to support a multi-purpose, combat-capable CF, they are essentially capital items previously identified as urgent operational requirements to support deployed operations or expeditionary forces.

Fergusson contends that a national approach to air-space surveillance and the sovereignty mission would require a significant portion of the current defence budget, or

⁷⁷ *Ibid.*, 12.

⁷⁸ DND/CF Backgrounder: “*Canada First*” *Defence Strategy Procurement*, available from, http://www.forces.gc.ca/site/newsroom/view_news_e.asp?id=1973; Internet; accessed 6 April 2007.

a significant increase in funding for this mission at the relative expense of commitments overseas.⁷⁹ Sokolsky contends that given limited Canadian defence budgets, a case could be made to reduce Canadian military overseas commitments as they draw resources away from the more immediate, critical domestic defence and security requirements⁸⁰. As identified earlier, had Canada not deployed its navy warships or LRP aircraft to SWA, they would not have provided any substantial value-added to Canada's current lack of a comprehensive wide-area surveillance capability. Therefore the balance between the home and away game is one of funding priorities for future capabilities and acquisitions, as current surveillance capabilities are inadequate to effectively meet the inherent challenges for MDA.

While new funding may not have been specifically identified for ISR capabilities, progress is slowly being made to address the requirement for Canadian and continental security as part of the DPS identified transformation initiatives. The CF has been experimenting with UAVs since 2001 to assess their capabilities to conduct ISR. Littoral ISR Experimental (LIX) flights have been conducted off both the Pacific and Atlantic coasts in 2003 and 2004 respectively to determine the effectiveness of UAVs in improving situational (domain) awareness and in providing more timely ISR information.⁸¹ The results of these and future trials will provide the information necessary for developing a statement of requirement for the purchase of a specific UAV capability. For space-based wide area surveillance, Project Polar Epsilon was established

⁷⁹ Fergusson, "Canadian Defence and ...", 22.

⁸⁰ Sokolsky, "Realism Canadian Style: ...", 37.

⁸¹ DND/CF Backgrounder: *Atlantic Littoral ISR Experiment (ALIX)*, p 1, available from http://www.forces.gc.ca/site/newsroom/view_news_e.asp?id=1432; Internet; accessed 23 April 2007.

to enhance the CF's ability to monitor Canada's Arctic and maritime approaches. This project is designed to exploit RADARSAT 2 surveillance capabilities as well as information obtained from other civil and/or commercial space-based sensors.⁸² Lastly, in the summer of 2005, a single integrated national operational command structure called Canada Command was in fact established as a structure broadly analogous to America's Northern Command (USNORTHCOM).⁸³ With its creation, Canada was to be treated as an operational theatre (AOR) in which Canada Command would be responsible for routine and contingency operations in Canada, with the authority to deploy maritime, land and air assets across the AOR in support of domestic operations. Now that Canada had established a unified command structure similar to that of USNORTHCOM, the next requirement is to formally establish a bi-lateral agreement or arrangement between these two military commands for the cooperative security and defence of continental North America, and specifically for the development and sharing of a RMP as part of the MDA objective.

The Bi-National Planning Group's (BPG) final report was released in May, 2006, and among the accomplishments of this BPG was the conclusion of a review of existing Canada-US defense plans and military assistance protocols; drafting of new bi-lateral contingency plans; an analysis of information sharing practices; and the establishment of coordination mechanisms with relevant Canadian and US Federal departments and agencies.⁸⁴ As noted in the report, while each country had already independently formed

⁸²DND/CF, *Concept of Operations: Polar Epsilon*, 2.

⁸³ Sloan, *Security and Defence...*, 74.

⁸⁴ Bi-National Planning Group, *The Final Report on Canada and the United States (CANUS) Enhanced Military Cooperation* (Bi-National Planning Group, 2006), cover letter.

their own new command organizations, NORTHCOM and Canada Command, it was imperative from the BPG's perspective that these organizations coordinate and communicate effectively with one another at a level similar to that which exists in NORAD. One of the BPG's key recommendations was that the Governments of Canada and the US enter into a 'Comprehensive Defense and Security Agreement' that would provide the necessary political vision, legal authority and overarching guidance for increased information sharing and enhanced cooperation among Canadian and American defense and security partners.⁸⁵ While these are recommendations that still need to be accepted by both countries, they do reflect the potential synergy that can be developed between USNORTHCOM and Canada Command, especially in the acquisition and exchange of ISR information for MDA as part of continental security. In May, 2006, the NORAD agreement between Canada and the US was also renewed, and it was explicitly clear that NORAD was not given any responsibility for maritime surveillance or control, a function that was to remain a national responsibility but one that was still inherent in USNORTHCOM's mandate for maritime domain awareness.⁸⁶

The US MDA Strategic Plan states that maritime domain awareness is obtained through means of intelligence and surveillance, and is based on the ability to monitor and subsequently detect trends or anomalies in maritime traffic flow/activities. The plan also acknowledges that developing MDA is a demanding task based on area coverage requirements and the level of activity, and therefore requires a coordinated effort of national and international partners to develop and share the necessary intelligence and

⁸⁵ *Ibid.*, 32.

⁸⁶ Joseph T. Jockel, and Joel J. Sokolsky, "Renewing NORAD – Now if not Forever." In *Policy Options* (July-August, 2006): 57.

information to develop a fused common operating picture (COP).⁸⁷ This coordinated effort requires a national surveillance capability, and Canada Command currently provides the logical construct to serve as Canada's national surveillance organization for the centralized collection, fusing and sharing of a COP for MDA. First, for the US, MDA is part of continental perimeter security and defence and falls within the mandate of USNORTHCOM. Second, the CF has been tasked in the DPS, as part of the overall strategy for protecting Canada, to ensure the sovereignty and security of Canadian territory, airspace and maritime approaches, including the Arctic, as well as gathering, analyzing, integrating and using information gained from a combination of maritime, land, air and space surveillance systems.⁸⁸ Marine Security Operation Centres (MSOCs) have already been established on each coast, within current Navy command headquarters and under Canada Command, to facilitate the cooperation between Canadian maritime agencies and to draw upon existing surveillance capabilities to enhance MDA.⁸⁹ Finally, Canada Command's AOR is encompassed within NORTHCOM's AOR, therefore these two military organizations will need to work cooperatively to develop and maritime ISR data and information. However, for this 'national' surveillance construct to succeed in meeting the US concern for continental security in the MDA realm, two essential issues must be addressed. First, Canada must actually acquire the necessary ISR assets that will enable wide-area and layered surveillance for the approaches to Canadian territory, information necessary to develop MDA and compile a maritime COP. The Government of Canada must then take a whole of government approach to effectively coordinate and

⁸⁷ The White House, *US National Strategy for Maritime Security, National Plan to Achieve Maritime Domain Awareness* (White House, 2007), 2-4.

⁸⁸ Department of National Defence, *Canada's International Policy Statement...*, 17.

⁸⁹ Sokolsky, "Northern Exposure? ...", 47.

incorporate maritime surveillance intelligence and information into Canada Command for data fusion, especially since other government departments and agencies don't normally share their information for a variety of parochial as well as legislative reasons.⁹⁰

Conclusion

Prior to the attacks of 9/11 on the United States, most Canadians and at times the Government of Canada demonstrated little concern over issues such as the security and defence of Canada. Canada shared a single, and the world's longest, undefended border with a friend and ally, and was isolated from all other countries by three oceans.

Canadians did not believe that there was the threat of a military attack against them, and understood that the US would respond to the defence of Canada should it ever be attacked. This paper has illustrated that following the attacks of 9/11, the US became almost singularly focused on the security of America and Americans, which resulted in the closure of the Canada-US border on 9/12. It was then that Canada fully appreciated that its 'historical' relationship with the US had fundamentally changed, as Canada was now being perceived by the US as a potential 'security' risk to the US. The US articulated their concerns as being domestic homeland security and continental security.

This paper has shown that Canada was quick to fund and address any domestic security initiatives or measures required to keep the Canada-US border open to the flow of commercial trade, as it was in Canada's immediate economic interest. However, while continental security is also a US national priority as it pertains to the maritime approaches

⁹⁰ Avis, "Surveillance and Canadian ...", 10.

to North America, Canada has made little effort after several years to address this security concern. Canada used its military to demonstrate support for the US War on Terrorism as part of the 'away' game, but has not made any advances with its military for the 'home' game as part of continental security. This paper has argued that it is in Canada's national interests, in terms of both its sovereignty and security, to effectively address the outstanding continental security concern. To that end, this paper has also argued that the construct for a bi-lateral continental security arrangement exists with the creation of Canada Command, and that the only element that would still need to be addressed would be the acquisition of essential wide-area surveillance and ISR assets.

It was not the intent of this paper to recommend the specific types of wide-area surveillance or ISR assets that Canada should acquire, nor was it intended to recommend how the CF should prioritize the balance the military home and away games. However, based on the research conducted in this paper to argue and demonstrate the lack of Canadian capability to conduct comprehensive maritime surveillance, a fundamental requirement of national sovereignty and a critical component for US continental MDA security requirements, it is strongly recommended that this urgent maritime surveillance dilemma be researched in more detail such that viable options or solutions can be proposed for consideration by the Government of Canada and DND.

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