

## “The Arctic Is Ours”: Canada’s Arctic Policy - Between Sovereignty and Climate Change

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- Arctic policy is not new to the political landscape of Canada. However, an increased level of public and international interest has been observed in the past few years.
- Canadian Arctic policy is found to span national debate from regional, social, and environmental policy on one side to foreign policy on the other.
- Contemporary Canadian Arctic policy can be found to stand squarely under the motto “Arctic Sovereignty” – which lends legal, military, and security policy overtones to the changes currently taking place. This discourse has developed over time and is an important part of Canadian national identity. The discourse also addresses Canada’s most significant economic and security partner: the U.S.
- Ottawa’s most recent Arctic policy has been based on non-federal stakeholders. This strengthens the position of the Provinces, which have taken the lead on coordination in the Arctic region.
- The Canadian government is emphasizing the cooperative motif of their contemporary Arctic policy. As evidence, one can look at their cooperative relationship with the Arctic-abutting states. In addition, Ottawa supports related international and Arctic Circle institutions.

### International Developments: The Arctic, Re-Discovered.

Climate change has changed the Canadian Arctic, and above all, it has made it more accessible. Studies predict a sizeable rise in temperature and an ice-free Arctic in the next decade, a navigable Northwest Passage could

shorten the shipping route from Europe to Asia by 30-40% in comparison to the current route through the Panama Canal. Nations including China, Japan, and South Korea have therefore begun their own ambitious programs to build icebreakers, Arctic-ready container ships and tankers. Additionally, the Arctic holds vast natural resources, including oil, gas, minerals,

and valuable metals. According to a study by the U.S. Geological Survey, the entire Arctic region could hold up to a quarter of the world's undiscovered oil and gas resources. Finally, because of melting ice, the ocean currents as well as the water temperature could change – meaning that in the future, fish stocks in the Canadian arctic could increase.

Along with the economic prospects that accompany better accessibility come many problems. The Arctic ecosystem is very fragile. Increased transit volume and exploration opportunities could severely disturb the sensitive ecological balance. A tanker accident in this region would be catastrophic – as tragically shown by the example of the *Exxon Valdez* in 1989. Change in the Arctic region also changes the living space and conditions for the indigenous populations. Traditional forms of survival and community living are threatened. At the same time, these changes could mean new opportunities for economic, social, and political participation.

Further challenges can be identified in the realm of classical security policy. In the future, it could be easier for criminals, smugglers, illegal immigrants or terrorists to reach North American soil. In fact, there are already examples of this. In summer 2007, a group of Norwegians affiliated with the illegal group *Hells Angels* succeeded in infiltrating Canadian territory, undiscovered, by sailing through Cambridge Bay. Only recently, studies have been completed that deal with potential terrorist attacks on energy production facilities and transport infrastructure such as pipelines and tankers.

### Canadian Arctic Policy Is Nothing New

The Canadian government is anxious to react to these international developments. However, it would be erroneous to assume that Canada has only recently developed an Arctic policy. Since Canada's former colonial power, Great Britain, ceded the Arctic islands to the young Canada in 1880, the government has had to re-affirm their territorial claims over those of the Arctic neighbors (*sovereignty*). During the Second

World War, military considerations led to closer cooperation between Canada and the United States in the Arctic region. This continental security cooperation was intensified during the Cold War era, in order to be prepared for a potential Soviet attack through the North Pole (*security*). Security and sovereignty stand in the foreground of Arctic policy; however, the primacy of security during the Cold War meant that Canadian sovereignty interests have been de-prioritized in favor of issues of North American security. Economic interests in the Arctic region were sporadic, and never as meaningful as the worries over security and sovereignty. Although in the course of the first oil crisis in the 1970s, oil and gas sources were discovered in the Canadian East and West Arctic, oil and gas have been developed commercially only in the West Arctic region until very recently. Many of those sources lie under the ocean, mostly in the *Sverdrup* basin - until today, these regions have been barely accessible.

With the end of the Cold War, military considerations were increasingly complemented by environmental and social questions. The existing security discourse was individualized and bound to social and environmental threats. Since many of these threats affected indigenous populations the most, representatives of the *Inuit* and *First Nations* became important political stakeholders in the decision making process. This political participation reached a high point with the successful formation of semi-autonomous territories in the Arctic region, and in 1999, *Nunavut* was founded.

National political themes such as social issues, environmental concerns, and indigenous efforts were integrated into a cohesive Arctic policy in the 1990s. It was not only the content of these policies that had changed, but also the format and the participants. Non-state, transnational actors were taking an increasingly important role in the political process, and North American security cooperation was expanded through multilateral circumpolar control. Indeed, by 1977, the transnational *Inuit Circumpolar Council* had been founded. Today, this links

indigenous groups from Canada, the U.S., Russia, Denmark, Norway, Finland, Sweden, and Iceland, as well as other indigenous organizations. Above all, the group is preoccupied with the effects of climate change and has divided itself into six working groups with environmental and social themes.

An additional international regime that came into power in the 1990s was the United Nations “Law of the Sea” Treaty, which Canada signed in 2003. This contains one of the most important regulatory structures for the Arctic. This international agreement regulates the borders of the respective territorial waters and the so-called Exclusive Economic Zone, which lies 200 nautical miles from the coast into the ocean, and where natural resources can be used exclusively by that coastal nation. The legal language of the treaty included a special paragraph on the Arctic, that advises as to the unique role of the Arctic as a maritime space. Even more important is the stipulation of Article 76, which claims that coastal nations can widen their Exclusive Economic Zone if they can prove scientifically that underwater geological formations (like the *Lomonosov Ridge* at the North Pole) create a natural extension of the continental shelf. All five Arctic coast nations are searching for ways to furnish this evidence, in order to allow themselves exclusive rights to Arctic raw materials.

#### [The Canadian And International Public Take Notice](#)

Although a Canadian Arctic policy is nothing new, it must be stated that in daily political life, this has been a side issue – and remained for many years unobserved by the wider public. Only twice – in 1969-70 and again in 1985 – did the attention of the public turn North. In both cases, U.S. vessels were plying the Northwest Passage, which was claimed by Ottawa as an internal body of water. The public outcry was immense, and both times, the government reacted with lawmaking effort meant to back up the Canadian claims on the region. Up until today, the status of the Arctic East-West connection remains under debate. Canada sees

the passage as an internal body of water. The U.S. counters that it is an international maritime passage. In the 20<sup>th</sup> century, the Arctic made headlines only in cases where the U.S. undermined Canada’s territorial claims. This has changed fundamentally in the past few years. One reason for this is the increasing international interest in the Arctic.

Anxiety over the effects of global climate change and the search for new resources in times of energy shortage and high oil prices has brought the Arctic into the eyes of the international public. In this case, it is extremely important to observe the effects of global warming. Melting and breaking icebergs, as well as polar bears – and their threatened natural habitat – are symbols of global climate change. It is not only the United Nations that sees the Arctic as a sort of “early warning system” of global warming. The European Union is also displaying a growing interest in the Arctic, following the conviction that Europeans care more and more about the environment and climate change. Many also fear for the future relationships between the Arctic nations. A race to the North Pole, a power play for the Arctic, even a new “Cold War” – these are fears that have been recently discussed. The international public is alarmed and confused, whether or not the current institutions – The Law of the Sea and the Arctic Council – are enough to keep the process on a peaceful and cooperative track. Ottawa’s Arctic policy must respond to these international points of view.

#### [Arctic Sovereignty: The Arctic Belongs To Canada](#)

The conservative Canadian government, under Prime Minister Harper, is pushing for an Arctic policy that places the threat to Canadian sovereignty in the foreground. He is combining programs to militarize the Arctic along with a push for legal claims – and is building up this agenda with a considerable rhetoric that seems to emphasize the threat to Canadian territorial integrity. Under the motto “Arctic Sovereignty”, this policy relinquishes cooperative and multilateral perspectives to the background. In the summer of 2007, for example, the Prime

minister gave the following speech: “Canada has a choice when it comes to defending our sovereignty over the Arctic. We either use it or lose it. And make no mistake: this Government intends to use it. Because Canada’s Arctic is central to our national identity as a northern nation. It is part of our history. And it represents the tremendous potential of our future.”<sup>ii</sup>

An important recipient of this discourse is the United States. For many Canadians, the fight over the Northwest Passage is at the center of concerns over the Arctic. The discourse surrounding the sentiment: “*The Arctic Is Ours*” has grown over time and illustrates the interest that Canadians have in the region. Although many Canadians haven’t been there, and may not be experts about the region, the North plays a basic, almost mythological role in the definition of the Canadian identity. It is not just that the Canadian national anthem glorifies “The true North, strong and free” – it is also that the national history constructs Canada as a keeper of the North and speaks of “*the great white North*”.

The construction of the Arctic as the essence of Canadian identity encourages the idea that the whole Arctic – including the islands and sea north of the Canadian mainland – can be claimed by Canada. Objections to this have created a public outcry in the past. For example, Canada and Denmark have had a high-profile argument over an island in the East Arctic, which is only 1.3 square kilometers in size. This has occurred even though both are NATO partners committed to cooperating on a scientific survey of the North Pole’s seabed. In the western Arctic, Canada is at odds with the U.S. over the natural resource-rich *Beaufort Sea*. Similarly, Russian claims on the North Pole have created a public outcry in Canada.

One way these territorial claims could be solved is through legal means. Therefore, Ottawa is attempting to cement its sovereignty over the Arctic Sea by exercising the rules of the Law of the Sea Treaty. In this case, the argument of a historical claim is highlighted. Other arrangements would depend more upon military means. If this becomes the case, then military

presence in the Arctic – by land, air, or water – would be displayed. Under the previous liberal government, military exercises already took place in the Arctic, and a better air surveillance system was installed. The *Canada First* defense strategy of May 2008<sup>iii</sup> included the construction of armed ice-breakers and patrol ships, radar and satellite technology as well as a buildup of the arctic *Rangers* -- a reserve group mainly made up of Inuit members. Beyond that, a deep-sea harbor is planned for the eastern Arctic. Whether these programs will be realized in today’s economic climate and whether the massive Arctic territory can truly be completely monitored, remains to be seen.

### The Rise of the Government

Arctic policy under Harper has been not only characterized by militarization and confrontational rhetoric, but also by a changing constellation of stakeholders. The indigenous and transnational non-state actors of the late 1990s have lost some of their importance to the political process. This was particularly important in May 2008, when the five Arctic-abutting states (Canada, the U.S., Russia, Denmark and Norway) met in Greenland and approved “*The Ilulissat Declaration*”<sup>iv</sup> They came together to work against public perceptions of a contentious race to the north, and referred to the pre-existing cooperative mechanisms for dealing with the Arctic. They tried to accentuate the fact that the existing structures of the Arctic Council and the Law of the Sea were adequate. Nevertheless, the other members of the Arctic Council were not invited to the meeting, and neither were Arctic nations that had no geopolitical claim on the region around the North Pole (Iceland, Sweden, and Finland), nor the indigenous representatives (the Circumpolar Inuit Council).

It was thought that circumpolar, multilateral cooperation such as the Arctic Council (founded in 1996) between Arctic-abutting nations and the indigenous organizations had a promising future, but this has been overshadowed by state action. Therefore, representatives of the Inuit, primarily the Circumpolar Inuit Council, responded with their own declaration of Arctic sovereignty in

early 2009.<sup>v</sup> The declaration explicitly criticized the fact that the Inuit were not invited to the *Ilulissat* talks, and were generally not made a part of discussion over Arctic sovereignty. Therefore, they exhorted the Arctic states to “accept the existence and role of the Inuit as a partner in Arctic international relations”. Such an active partnership should strengthen cooperative efforts in the circumpolar relationship, and ensure that political decisions consider the potential consequences and benefits for the indigenous populations of those areas. Conflict resolution in the Arctic should not only be a concern of the Arctic states. Indigenous peoples must also have the right to voice their concerns, as well as the international community, especially when it involves matters of global environmental security.

Similarly important is the support for continuing self-determination. Part of this includes the right to natural resources. In the Arctic, the ultimate question is who can claim the raw materials on the mainland and under the ice. It is not only the Arctic states that are in conflict over this question, but also the national government in conflict with indigenous groups. Despite successful negotiations, the Canadian government still faces difficulties combining indigenous rights to land and resources with national policies regarding energy security, territorial integrity, and sovereignty. This may also explain why Ottawa did not sign the “Declaration of the United Nations on the Rights of Indigenous Peoples” in September 2007 and why, furthermore, the Canadian federal government is responsible for the oil and gas activities in a large portion of the Arctic - for example, in the Northwest Territories, *Nunavut* and the Arctic Ocean.

However, it must be emphasized that the Canadian government has accepted the Inuit concerns as more legitimate than the European calls for a sweeping Arctic treaty. In particular, the Resolution of the European Parliament from October 2008 and the EU paper on Arctic policy from November 2008,<sup>vi</sup> which calls for a EU observer status in the Arctic Council, could be interpreted as meddling in circumpolar affairs.

The Canadians argue that they are not demanding to get involved in Mediterranean politics. Furthermore, the existing international institutions should be adequate in terms of solving the issues of the Arctic-abutting states. Admittedly, this argument is not completely persuasive. The Arctic Council, as well as the Law of the Sea Treaty, are both relatively weak when it comes to implementing and monitoring decisions, since they operate by consensus (Council) or by regulatory mechanisms which only provide for conflict reconciliation (Law of the Sea). In any case, according to Article 298, states can refuse conflict resolution. Nevertheless, Arctic policy remains an open political process, and offers a future in which cooperation can still outweigh conflict. Much hangs in the balance of Canada’s decision to follow territorial and national interests (*Arctic Sovereignty*) or, instead, to place more emphasis on social and environmental concerns. The Arctic might be Canadian, but a healthy planet is in the interest of everyone.

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*The position of the author does not necessarily represent that of the FES itself.*

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<sup>ii</sup> Prime Minister Harper Announces New Arctic Offshore Patrol Ships (9. July 2007).  
<<http://pm.gc.ca/eng/media.asp?category=2&id=1741>>.

<sup>iii</sup> Government of Canada, Department of National Defence. *Canada First Defence Strategy* (Ottawa: 2008).  
<[http://www.forces.gc.ca/site/focus/first-premier/June18\\_1910\\_CFSF\\_english\\_low-res.pdf](http://www.forces.gc.ca/site/focus/first-premier/June18_1910_CFSF_english_low-res.pdf)>.

<sup>iv</sup> The *Ilulissat Declaration* (May 28, 2008).  
<[www.oceanlaw.org/downloads/arctic/Ilulissat\\_Declaration.pdf](http://www.oceanlaw.org/downloads/arctic/Ilulissat_Declaration.pdf)>.

<sup>v</sup> Inuit Circumpolar Council. *A Circumpolar Inuit Declaration of Sovereignty in the Arctic* (April 2009).  
<<http://www.itk.ca/sites/default/files/20090428-en-Declaration-11x17.pdf>>.

<sup>vi</sup> European Parliament resolution of 9 October 2008 on Arctic governance.  
<<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P6-TA-2008-0474>>.  
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