

THE ARCTIC VACUUM IN CANADA'S FOREIGN POLICY

Terry Fenge and Tony Penikett



Asserting sovereignty and jurisdiction in the Arctic is a recurring theme in Canadian history, and Stephen Harper has repeatedly and unequivocally shown his commitment to assert Canada's full jurisdiction over the Northwest Passage since he became Prime minister. Notwithstanding, say Terry Fenge and Tony Penikett, "the northern foreign policy vacuum suggests that Canada is neither fully prepared or well equipped to influence and shape international debate on the future of the region." In this article, they examine the international environmental, political and economic developments that require the adoption of a coherent Northern policy framework. In bringing "Arctic issues, concerns and perspectives into the heart of Canada's foreign policy," they conclude, Canada would gain significant leverage, "the holy grail of foreign policy."

L'affirmation de la souveraineté du Canada dans l'Arctique est l'un des thèmes récurrents de notre histoire. Et depuis son arrivée au pouvoir, Stephen Harper s'est maintes fois et fermement engagé à défendre notre pleine compétence dans le passage du Nord-Ouest. Pour autant, estiment Terry Fenge et Tony Penikett, « notre politique étrangère pour le Nord se caractérise par un vide qui laisse penser que nous ne sommes ni prêts ni aptes à influencer sur le débat international entourant l'avenir de la région ». Les auteurs examinent, à l'échelle mondiale, les développements économiques, politiques et environnementaux qui nécessitent l'adoption d'une politique-cadre cohérente pour le Nord. En intégrant « les enjeux, préoccupations et perspectives arctiques au cœur de sa politique étrangère », concluent-ils, le Canada renforcerait considérablement son influence, élément crucial de toute politique étrangère.

In a January 17, 2009, interview with Canwest News Service, Foreign Affairs Minister Lawrence Cannon called the Arctic a "masterpiece" in Canadian foreign policy. Two days earlier an editorial in the *Globe and Mail* under the heading "Clarity and Contrast" had taken a very different view, characterizing Canada's approach to the Arctic as "obtuse" and the result of "policy ruminations" in campaign and Throne Speeches. Canada, it was suggested, could benefit from a "coherent statement of its interests in the Arctic." These divergent characterizations of Canada's approach to the Arctic had been prompted by the Arctic Policy of the United States, released the week before. The *Globe and Mail* might have added that filling the Arctic vacuum in Canada's foreign policy would help to counter the impacts of a political revolving door — seven foreign affairs ministers in less than the last eight years.

We are of the view that the *Globe and Mail* is correct and that Minister Cannon should abandon "feel good" rhetoric and embark on a serious exercise to bring Arctic issues, con-

cerns and perspectives into the heart of Canada's foreign policy. A northern component of Canada's foreign policy should reflect three fundamental facts.

First, the Arctic is increasingly affected by events and processes outside the region. These include the emission in industrial countries of persistent organic pollutants, which end up in the Arctic and bioaccumulate in the food web, with worrying public health implications, and greenhouse gases, which cause climate change, the results of which are amplified in high latitudes. Second, accelerated development of the region's substantial oil, gas and minerals is advocated by an increasing number of non-Arctic states and transnational corporations hungry for the region's natural resources. Third, the Northeast and Northwest passages and the Northern Sea Route directly across the Arctic Ocean seem likely to be developed for transit shipping between industrial areas in Asia, North America and Europe.

These three facts have considerable geopolitical relevance. As a result, it is imperative that Canada think in

long-term, big-picture, strategic terms when developing a northern component to its foreign policy. We must understand our national interests in the region if our foreign policy is to equip us to respond to the increasingly significant challenges that lie ahead.

The United States is not the only nation that has defined its Arctic interests in a formal policy. The Government of Russia recently released a national directive focusing on its Arctic Ocean offshore claims. The Europeans are also increasingly vocal about “Europe’s interests in the Arctic’s energy resources, fisheries, new shipping routes, security concerns and environmental perils.”

Indeed, something new and unanticipated is taking place in the Arctic that virtually compels us to think in these terms: governments in Europe and some in Asia want a role, perhaps a significant role, in determining how and by whom the region will be developed and governed through international law, policy and diplomacy. Others are asserting interests in a region that Canadians have long considered their backyard. Notwithstanding Prime Minister Stephen Harper’s unequivocal and most welcome commitment to assert Canada’s full jurisdiction over the Northwest Passage and to increase the operational capabilities in the Arctic of Canada’s armed forces, the northern foreign policy “vacuum” suggests that Canada is neither fully prepared nor well equipped to influence and shape international debate on the future of the region.

The rapidly growing interest in the circumpolar Arctic largely reflects the projected and perceived impacts and effects in the region of climate change. The 2004 circumpolar Arctic Climate Impact Assessment, Canada’s 2008 national climate change assessment and the Intergovernmental Panel on Climate Change all project significant ablation of Arctic sea ice, with the most recent data supporting the proposition that the Arctic Ocean will be ice-free in summer in 5 to 15 years. As a result, access by sea to the

region’s hydrocarbons, which are estimated by the US Geological Survey to be globally significant, is becoming easier, and transit shipping through the region is a distinct possibility.

These developmental possibilities have prompted some pundits, includ-

ing Scott Borgerson writing in *Foreign Affairs*, to predict diplomatic gridlock and anarchy leading “the Arctic to erupt in an armed mad dash for its resources.” Oran Young has suggested in *Polar Record* that these concerns are highly exaggerated, particularly in light of the significant growth in the 1990s of state and non-state cooperative institutions and processes in the region dealing with environment, culture, education, science and other topics. Sensationalist coverage by the press of the summer 2007 planting by Russia of a titanium flag on the floor of the Arctic Ocean to express its claims to an extended continental shelf (ECS) outside its 200-mile exclusive economic zone should not hide the fact that claims by all five Arctic Ocean rim states, including Russia, are being handled by the Commission on the Limits of the Continental Shelf pursuant to the UN Convention on the Law of the Sea (UNCLOS).

Many stakeholders, both governmental and non-governmental, are getting serious about the Arctic, and their interests reflect environmental, conservation and social factors as well as economic development and transportation opportunities. For example, the governing council of the United Nations Environment Programme passed resolutions in 2003 and 2008 effectively characterizing the Arctic as the world’s climate change barometer. The 2005 G8 Heads of Government

Meeting in Gleneagles, Scotland, issued a communiqué that singled out the circumpolar Arctic for similar reasons. Scientists from more than 60 countries are participating in the soon-to-be-completed International Polar Year, and many of these countries are trying to find out what the barometer is reading and what trends in the Arctic portend for the world. China and South Korea recently joined the eight-nation Arctic Council as observers, and it is rumoured that India and Japan may apply as well.

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The November 20, 2008, European Commission “communication” on the Arctic addresses a wide range of European interests in the region and, of particular note, seeks to “improve Arctic multilateral governance.” This objective reflects the resolution passed by the European Parliament on October 9, 2008, pressing for negotiations “to lead to the adoption of an international treaty for the protection of the Arctic.” Environmental and conservation organizations, such as World Wide Fund for Nature, have similarly called for new legally binding international governance arrangements to conserve wildlife and wildlife habitat and to restrict and/or ban industrial fishing in the Arctic Ocean. These stakeholders look to the Antarctic Treaty System as their preferred governance model.

The five Arctic Ocean rim states, including Canada, interpret this advo-

cacy as challenging their sovereign rights to exploit their natural resources. Meeting in Ilulissat, Greenland, in May 2008 and with the Russian Arctic Ocean seabed flag planting firmly in mind, they reaffirmed their commitment to use UNCLOS to resolve competing ECS claims and to manage the region's environment, concluding: "We therefore see no need to develop a new comprehensive legal regime to govern the Arctic Ocean."

This is all very well, but recommendations to reform governance in the circumpolar region and to expand the role of non-Arctic states and nongovernmental organizations in these arrangements continue to be generated. The Aspen Institute in the United States, for example, has established an international commission to inquire into policy and governance for the circumpolar Arctic in the wake of climate change. Similarly, in January 2009 a consortium of US and Canadian foundations initiated an 18-month Arctic Governance Project.

Asserting sovereignty and jurisdiction in the Arctic is a recurring theme in Canadian history, but Canada has simultaneously attempted to promote cooperation among Arctic states. Even in the midst of the Cold War, when East and West glared at each other across the Arctic Ocean, Canada undertook scientific exchanges with the Soviet Union. In 1989 Canada participated very effectively in negotiations initiated by Finland that resulted in the 1991 Arctic Environmental Protection Strategy (AEPS). Prime Minister Brian Mulroney's national Green Plan, announced in 1990, provided a firm basis for Canada's advocacy in AEPS negotiations. Using funds provided by the Walter and Duncan Gordon Foundation, the Arms Control Centre in the late 1980s convened a panel of well known individuals working with the

Inuit Circumpolar Conference (now renamed Inuit Circumpolar Council) and the Canadian Arctic Resources Committee (CARC), which successfully pressed the Government of Canada to adopt the establishment of an Arctic Council as a key foreign policy objective. CARC even published a draft convention, prepared by Donat Pharand of the University of Ottawa, to illustrate how such a council could be conceived and established as a legal entity. Both the panel and the Government of Canada intended the council to broad-

At the time it looked as though northern concerns were to occupy an expanding niche within Canada's foreign policy. This expectation was reinforced by the prominent place of the Arctic in the extensive foreign policy, but this expectation was misplaced. Even as Prime Minister Harper repeatedly visited the region and devoted time and political energy to assertion of Arctic sovereignty and security, and northern issues took centre stage in the 2007 Speech from the Throne, the NDFP lapsed, the Office of the Arctic Ambassador was disbanded, and the budget of the Department of Foreign Affairs and International Trade, including that devoted to northern issues, was cut.

en circumpolar debate to include sustainable development. It was hoped, as well, that the council would encourage Arctic states to move beyond discussion, as in the AEPS, and commit to collective action.

The Office of Arctic Ambassador was established in 1994 and staffed by Mary Simon, a well-known Inuk and former president of Makivik Corporation and the Inuit Circumpolar Conference. Ambassador Simon pressed Canada's case for the council, which was established in 1996, attracting

international acclaim and reinforcing Canada's reputation as a foreign policy multilateralist. Largely as a result of Canada's support, three Arctic indigenous peoples' organizations (Inuit Circumpolar Conference, Russian Association of Indigenous Peoples of the North and Sami Council) gained permanent participant status on the council, enabling them to engage in face-to-face debate with ministers under the same rules governing interventions by states, still a unique arrangement in international relations. Three other permanent participants now sit at the Arctic Council table, two of whom — the Arctic Athabaskan Council and the Gwich'in Council International — are, in part, Canadian-based.

Building upon recommendations of a 1997 report of the Standing Committee on Foreign Affairs of the House of Commons, and following consultation with northerners, the Government of Canada released in June 2000 a formal Northern Dimension of Canada's Foreign Policy (NDFP), which promised Canadian leadership in the circumpolar world.

While genuflecting to "big ticket" issues — including security and prosperity, sovereignty assertion and human security — the NDFP focused on strengthening and promoting the place of the Arctic Council in circumpolar relations and policy coordination; helping to establish a University of the Arctic and promoting a Canadian and circumpolar policy research network; expanding opportunities to assist Russia through bilateral and circumpolar initiatives; and promoting sustainable economic opportunities and trade across the circumpolar region. A European Union component to the NDFP was added after the policy was approved by the federal cabinet.

Some of the objectives of the 2000 NDFP remain appropriate almost 10 years later, although the commitment to help Russia, now resurgent and increasingly belligerent, illustrates how quickly circumstances can change. Only \$2 million per year was budgeted for the five-year NDFP — a sure sign of the still peripheral place of the Arctic within foreign affairs.

Recommendations in a May 2005 internal review of the NDFP exhibited some movement toward broader, strategic thinking:

- Strengthen the Department of Foreign Affairs and International Trade and Canadian leadership in circumpolar affairs... This implies greater integration and involvement on the part of [DFAIT] senior management and the Minister's office, heads of missions, and the Ambassador for Circumpolar Affairs, with [the Circumpolar Affairs Division of DFAIT] playing a key policy research, development and advisory role;
- Strengthen partnerships with other federal departments and agencies, territorial governments and land claim groups. With the new domestic Northern Strategy, [promised by Prime Minister Paul Martin in 2004 but not delivered] increasing emphasis on horizontal and whole-of-government solutions, and the continuing devolution of governance in the North, it is crucial that [DFAIT] work closely with the full range of partners to achieve Canada's aims respecting circumpolar issues.

At the time it looked as though northern concerns were to occupy an expanding niche within Canada's foreign policy. This expectation was reinforced by the prominent place of the Arctic in the extensive foreign policy review published by the Government of Canada in 2005, and Canada's significant financial contribution to the International Polar Year, but this expectation was misplaced. Even as

Prime Minister Harper repeatedly visited the region and devoted time and political energy to assertion of Arctic sovereignty and security, and northern issues took centre stage in the 2007

In the midst of this squeeze lies the Arctic Council, perhaps Canada's most significant foreign policy accomplishment in the last 15 years. We suggest that it is in the hands of the council to prove either Scott Borgerson or Oran Young correct in their Arctic projections. Canada should do its utmost to ensure that the council evolves so that it is Oran Young's vision that wins the day.

Speech from the Throne, the NDFP lapsed, the Office of the Arctic Ambassador was disbanded, and the budget of the Department of Foreign Affairs and International Trade, including that devoted to northern issues, was cut. All of this took place when non-Arctic states, including China and South Korea as well as the European Union, were expanding their interests in the region and other Arctic states were developing formal policies toward the circumpolar world.

Canada's commitment to the Arctic Council — a key foreign policy achievement in the mid-1990s — even came into question in 2006, when the Government of Canada neglected to send a minister to the biennial Arctic Council ministerial meeting in Salekhard, Russia, and was thoroughly embarrassed as a result. Instead of intervening first in accord with alphabetic precedence (Canada-Denmark-Finland-Iceland-Norway, etc.) Canada was demoted by the Russian chair to last place, and according to some onlookers, its interventions were politely discounted.

Prime Minister Martin promised in December 2004 to develop a northern strategy, and some months later his foreign policy review identified the North as a priority. These promises were overtaken by the change of governing party as a result of the 2006 federal election. The 2007 Speech from the Throne promised an integrated northern strategy but, as the *Globe and Mail* noted, nothing has been formally revealed.

Speeches by federal ministers, presentations at conferences by civil servants, and departmental Web sites all state firmly that the Government of Canada is adhering to such a strategy, which

addresses sovereignty, economic and social development, environmental protection and governance. Unfortunately, the strategy does not address the Arctic as a foreign affairs theme or venue, suggesting that whatever the strategy is, it is not integrated.

We suggest that the Canadian Polar Commission (CPC), established by Parliament in 1987 with an expansive mandate but a laughably small budget, has become a metaphor for the ad hoc manner in which Canada is approaching the circumpolar world. The commission exists, but it is languishing virtually unused, largely unlamented and, since summer 2008, without even a board of directors.

To exert influence commensurate with its self-image as an Arctic power, Canada must "get serious" in the region, a point made in *Arctic Front*, a recent book by Canadian historian Ken Coates and three academic colleagues. We need to stop treating the Arctic as a boutique, exotic and unimportant file. There is a policy malaise at the centre that must be recognized and dealt with.

In October 2006 we participated in a workshop sponsored by the Walter and Duncan Gordon Foundation to generate advice to the Government of Canada on the Arctic and Canada's foreign policy. Senior representatives of academia, indigenous peoples, the territorial governments and others attended. Key recommendations from this workshop to the Government of Canada bear repeating:



Harald W. Finkler

Karsten Klepvik, Chair of the Senior Arctic Officials to the Arctic Council and two delegates of the Sami Council at the meeting of Senior Arctic Officials, in Kautokeino, Norway, last November. The creation of the Arctic Council, write Terry Fenge and Tony Penikett, "is perhaps Canada's most significant foreign policy accomplishment in the last fifteen years." It attracted international acclaim and reinforced Canada's reputation as a foreign policy multilateralist."

- The Government of Canada should complete the "Northern Strategy/Northern Vision" initiative begun in December 2004. The resulting policy statement should act as a foundation for the northern dimension of Canada's foreign policy and should include a commitment to Canadian achievement in Arctic affairs commensurate with this region's growing global significance.
- The [NDFP] should be upgraded and expanded. Increased political, intellectual and fiscal resources should be devoted to its implementation. A firm commitment should be made to co-ordinate and bring to bear technical, legal and policy expertise within appropriate federal agencies to implement the northern dimension...
- The position and office of the Arctic Ambassador should be renewed and supported...
- A mechanism, such as a domestic equivalent to the Arctic Council, should be established to ensure regular and focused discussions among federal departments and agencies and territorial governments, Arctic Indigenous Peoples and northern organizations. This would assist in the development of more strategically oriented Canadian positions to be taken in international fora that address issues of concern to northerners and broader Canadian interests.
- Canada should take a more visible and assertive leadership role in the Arctic Council's sustainable development activities, including proj-

ects that assist northerners [to] adapt to the unavoidable impacts of global climate change...

- The [CPC] should be reformed, refinanced and re-energized to achieve the mandate detailed in its founding legislation...Following these reforms, the Commission should be given a more substantive role in the development and implementation of the [NDFP].

These recommendations seems as relevant and appropriate now as they were in October 2006, although it could well be argued that the time has come to focus political attention on the region through a ministry of state for circumpolar affairs housed within the Department of Foreign Affairs and International Trade.

In political terms the Arctic is being “squeezed.” Arctic states are increasingly assertive in defining and defending their interests and sovereignties in the region, and many non-Arctic states are pressing for new international governance arrangements to protect the region and/or to guarantee their access to its natural resources. In the midst of this squeeze lies the Arctic Council, perhaps Canada’s most significant foreign policy accomplishment in the last 15 years. We suggest that it is in the hands of the council to prove either Scott Borgerson or Oran Young correct in his Arctic projections. As a guiding principle of the northern component of its foreign policy, Canada should do its

utmost to ensure that the council evolves so that it is Oran Young’s vision that wins the day.


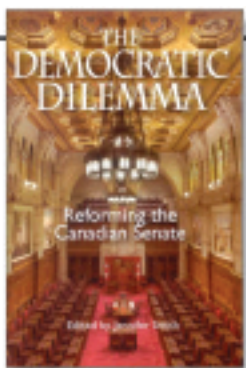
To bring Arctic issues to the heart of foreign policy formation requires political interest and leadership in Ottawa; clear, ambitious and defined policy objectives; vibrant, knowledgeable and independent advisory institutions; relationships between federal agencies that enable “whole of government” approaches to policy debate and implementation; and a cadre of “northernists” — individuals who have invested their careers in northern issues — upon whom the Government of Canada can rely for advice.

It is also important to include northern Canadians in the northern Canadian foreign policy. The three territorial governments issued a joint northern vision in 2007 seeking greater involvement in foreign policy as it relates to the North. Most northern indigenous peoples have signed and ratified comprehensive land claims agreements — modern treaties — with the Crown. Many of these modern treaties require the Government of Canada to engage northern indigenous peoples when it is negotiating international agreements that may affect their treaty rights.

In the last 20 to 30 years Canada’s foreign policy has increasingly been concerned with the political, social, and economic divide between the

developing and developed worlds, a reality that underlies or at least informs the foreign policy of many countries. Certainly dealing with this divide exercises some of the best foreign policy minds Canada has to offer in government and academia. Ottawa has yet to appreciate, however, that the growing interest in the circumpolar Arctic’s energy and mineral resources on the part of China, India, Brazil and other rapidly developing countries, as well as developed states in and outside the Arctic, and the characterization of the Arctic as the globe’s climate change “barometer” invest Canada with the holy grail of foreign policy — leverage. By invoking the Arctic, the Government of Canada may be able to broker and/or promote agreements between the developed and developing worlds on a range of global issues. In terms of Canadian foreign policy, it is time for the Arctic to come in from the cold.

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