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Chair

Mr. Dean Allison

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● (0850)

[*English*]

The Chair (Mr. Dean Allison (Niagara West—Glanbrook, CPC)): Pursuant to Standing Order 108(2), we are studying Canada's Arctic foreign policy.

I'd like to thank our witness for being here. We have P. Whitney Lackenbauer, associate professor and chair of the Department of History at St. Jerome's University.

Mr. Lackenbauer, welcome. It's great to have you here today. We look forward to hearing your testimony. We're going to give you 10 minutes to do that, and then we'll go back and forth across the room with questions.

Please introduce yourself and tell us a bit about yourself, and then we'll hear your testimony.

Dr. P. Whitney Lackenbauer (Associate Professor and Chair, Department of History, St. Jerome's University, As an Individual): Thank you very much, Mr. Chairman, and thanks for the opportunity to appear before the committee.

With a long-standing interest in the Arctic, not as long as Dennis Bevington, who lives there, but from a southern standpoint, I've had a couple of decades of work there and have been fortunate to travel through the north—in the north, not just to the north—with the Canadian Rangers and other groups, and also internationally, to get a feel for the pulse of how Canada's messages are being perceived around the world.

So to start as a historian, historically the catalyst for our foreign policy interest in the Arctic has been a rather neurotic concern about sovereignty over anything else. We have a long history of perceiving sovereignty threats, particularly from the United States, followed by a brief surge of political interest and commitments to invest in our north. Then when the immediate crisis passes and Canadians realize sovereignty is not in clear and present danger, our usual track record is to lose interest in the north and fail to fulfill political promises.

This time I hope, and I sense, it is different.

Since 2007, Canadians have been keenly interested in the Arctic. Unfortunately, popular attention again fixates on an alleged sovereignty crisis precipitated by climate change, a supposed international race for resources, and uncertainty about boundaries. This attention has been useful insofar as it's propelled the Arctic back to the top of the policy agenda. Unfortunately, an ongoing sense of alarmism is fed by problematic phrases like “use it or lose it”, which I have been grateful not to hear uttered in official circles for the last few years.

These phrases continue to echo in Canada and internationally. Alongside Russia, Canada finds itself bizarrely cast in a position of the primary Arctic aggressor, in words if not in deeds. This has the unfortunate effect of deflecting attention from the constructive leadership role that Canada can and should play as a mature actor in the circumpolar world.

I'll begin laying out what I see as some key misconceptions that sometimes lead us away from conveying a clear, confident international message that reflects our northern strategy and our Arctic foreign policy statement, both of which are reasonable, sober documents that reflect a foreign policy grounded in our national interests and values and that are in sync with those of our circumpolar neighbours.

First and foremost, threats to Canadian sovereignty have been dramatically overblown. Our strong legal position in the Arctic is owed to more than a century of careful and prudent diplomacy, and the logic of “use it or lose it” simply does not apply. If you don't take anything else away from what I say than that, please take that away.

As you probably heard from Alan Kessel on Tuesday, sovereignty is a legal concept that entails ownership and the right to control over a specific area. So under international law, Canada has successfully established its ownership to all of the Arctic lands that fall within our nation, except for the very minor question surrounding Hans Island. Our maritime boundary disputes are manageable. Our efforts to secure international recognition for the full extent of our continental shelf are on schedule. These are unfolding according to international law.

Our position that the northwest passages through our archipelago are internal waters is legally strong. So confused messaging that suggests searching for Franklin's lost ships or investing in surveillance capabilities bolsters our legal position at this point is both unfounded and counterproductive and should be avoided.

How, then, should we think about Arctic issues in the foreign policy domain? First, I think we need to be careful in differentiating between global dynamics that play out in the Arctic region but are best dealt with through global instruments. Second, truly regional issues, meaning those that are particular to the Arctic, are best handled through Arctic Council or bilateral agreements with our circumpolar neighbours. Third, we need to distinguish domestic issues or messages that are best dealt with in Canada.

Some Arctic issues, as they're popularly understood in Canada, are global issues. Climate change is an obvious one. Yes, we can pursue some adaptation measures domestically and with our circumpolar neighbours. Efforts at mitigation have to be explored globally. The same holds true for mercury and other pollutants.

I think the same logic applies to defence issues. Commentators like my friend Rob Huebert suggest we find ourselves in the midst of an Arctic arms race. This argument conflates capabilities that are intended for global force projection and those that are a direct response to Arctic dynamics. The Arctic ones tend to be constabulary and defensive. These are not offensive capabilities. This in turn has a direct implication in whether we examine defence and security trends as Arctic issues or whether we look at them as broader ones.

NATO's relations with Russia and the strategic balance between nuclear deterrent forces are grand strategic issues. We can't manage these issues through a narrow Arctic lens.

● (0855)

In a similar vein, deciding on how to respond to Russia's growing authoritarianism, or Chinese takeovers of Canadian companies in the resource sector, should not be hived off and treated as “Arctic” issues. These are issues of broader foreign policy and international trade.

The same holds true of the law governing the delineation of our extended continental shelf resources beyond our 12-mile territorial sea, our sovereign rights. We're simply applying generally accepted international principles to an ocean. So when China or other countries raise questions about the Arctic coastal states unfairly dividing up the Arctic Ocean, they are really taking issue with the Law of the Sea as it is written. This is the problem, so this is the message that we should be delivering to them. If we react in an ultra-nationalist way, trumpeting how we are going to “stand up for Canada” against foreign encroachments, I fear we dilute the more substantive message that we are simply applying international law appropriately. That's what we're doing.

So once we acknowledge that the Arctic is not a closed system, that changes in the region are inherently tied to global processes, I think we can develop a greater openness to accepting why non-Arctic states and other stakeholders have some valid interests in the region. And once the Arctic coastal states move beyond superficial rhetoric proclaiming simply that “the Arctic is ours”, once we instead emphasize the more precise and correct idea that we have sovereign rights to resources under UNCLOS, then I think the criticisms emanating from non-Arctic states are going to diminish accordingly. After all, the vast majority of Arctic resources lie within national jurisdictions, resources that the world can most easily access through trade and investment.

So despite all of the media hoopla over this alleged “race for resources”, the simple fact remains that most of the Arctic's exploitable resources lie within clearly defined national jurisdictions. Conflict over Arctic resources remains highly unlikely, particularly in the North American part of the circumpolar world.

Cooperation is the current and growing norm. Nevertheless, some commentators recommend expanding the Arctic Council's mandate to include military security issues. I think this is a bad idea. It would undermine the council as a high-level forum for open dialogue. By introducing military concerns, the council will be trapped in traditional diplomatic posturing rather than open dialogue. If this is the case, I fear that the permanent participants, northern indigenous groups, will be pushed to the margins.

This leads to Canada resuming the chair of the Arctic Council next year. I think a couple of general considerations should guide our approach. First, now that the council has gone through a full rotation of chairs, Canada should celebrate the council's achievements since 1996. We should not get caught up in the push by some pundits to recreate the council as a typical international organization with a treaty and a clunky bureaucratic tail that wags the dog. I think the council can be strengthened, but it does not need to be fundamentally reformed.

As chair, Canada should continue to clarify the place of permanent observers—non-Arctic states and organizations—in the council. The Nuuk declaration began this process. We should take it to the next step, recognizing that if states like China and organizations like the European Union are not granted observer status, they will pursue Arctic issues through other venues, and that will diminish the Arctic Council's place as “the premier forum for Arctic dialogue”, as our Arctic foreign policy statement describes it.

As for our goals as chair, I'm anxious to hear the findings of the dialogues Minister Aglukkaq has held in the north over the last month. I think we should quietly continue to focus on council-directed research programs—this is the bread and butter of the organization—but we should invest more energies in finding ways to package these research findings in policy-friendly formats. The work generated by the council should be more digestible to policy-makers, to journalists, and residents of the Arctic states, particularly northerners, if we want to create a new Arctic narrative to replace that problematic “Arctic race” one that still prevails.

Some commentators seem to measure the Arctic Council's success by the legally binding instruments that are negotiated under its auspices. I think this is the wrong mindset. The desired goal is scientifically informed policy, most of which should be generated at the state level as per the original intent of the council. What this does is it allows policies to accommodate regional diversity, because there are different realities depending on where one lives or operates in the circumpolar world.

● (0900)

Last, a message that Canada cannot stress enough is the central place and role of northerners in our northern strategy and Arctic foreign policy. When we get caught up in overheated rhetoric about the need to defend or assert sovereignty, the world tends to overlook the strongest basis for our ownership of our part of the Arctic: the historic use of our lands and waters by aboriginal people, who are active participants in all aspects of the Canadian state and our northern activities at home and abroad.

We should be reinforcing that our northern strategy is built around a vision where northerners, “live in healthy, vital communities, manage their own affairs and shape their own destinies”. This is the message we want to project to the world, to our Arctic neighbours, to Canadians, and especially to our northern citizens.

Thank you, Mr. Chairman.

The Chair: Thank you, Mr. Lackenbauer. We appreciate the opening words.

We're now going to move to questions by the members.

Mr. Dewar, you have seven minutes, please.

Mr. Paul Dewar (Ottawa Centre, NDP): Thank you, Chair.

Thank you to our witness.

I'm going to start off with a question and then share my time with Mr. Bevington.

I appreciate how articulate you were on the differences between the language of “use it or lose it”, or this notion that somehow it's a military equation.

I do, however, have a question about what kinds of investments we need with regard to monitoring the north. In fact, as you mentioned, climate change is an issue, ensuring that we have more capability, if you will, to support people there.

There are some discussions right now within government about our capacity with satellite and Radarsat, the next generation, Radarsat-3, and how we communicate in terms of weather. I know there are some discussions on how to coordinate and invest that.

Do you think that's a strategic interest that we should be investing in, in light of your comments about the importance of what we shouldn't invest in? Should we be investing in that and coordinating that piece of the equation?

Dr. P. Whitney Lackenbauer: Thanks. It's an excellent question.

For a long time, Canada has played a leadership role in terms of the satellite industry, something that I think is often downplayed or overlooked in Canadian circles. This is an area of particular competence for us.

It has applications for our neighbours. Certainly our Arctic capabilities, through the intelligence we gather through satellites—not only classified stuff about activities that are going on there, but also weather data. It is very important to our circumpolar neighbours as well.

I think this is very much a foreign policy issue. We tend to look at satellites often in terms of how they're instrumentalized for defence issues, the amount of information that's being gathered. A lot of this is being done through the private sector. There are constellations of polar orbital satellites that are being launched quite regularly, and a lot of Canadian companies are at the forefront of this.

Radarsat Constellation, I think, is a very important part of Canada moving forward and having something to deliver when we sit down at the table, particularly with the United States, when it comes to continental defence. I certainly think this is something that should be a high priority and it's something that should be considered, also recognizing that there is a lot of excessive capacity already up there in orbit that we can tap into. In some cases, it's not always about creating something new. In some ways, it's tapping into capabilities that are already there.

Mr. Paul Dewar: Thank you.

I'll pass it over to Mr. Bevington.

Mr. Dennis Bevington (Western Arctic, NDP): I have a number of questions. I could probably keep you going for an hour or so, but I only have a couple of minutes here.

Over the last number of years, the work of the Arctic Council has been ecosystem management areas. They've identified 17 of those around the Arctic. They want to see common international standards for those: search and rescue, common international standards; shipping, common international standards; environmental monitoring and reporting, common international standards. Those are all international issues, so the work of the Arctic Council has been to work on issues that are really not tied so much to land as to the rapidly opening Arctic Ocean.

The Chinese have just put an icebreaker over the North Pole. We know that shipping is going to be more about the Arctic Ocean than the Northwest Passage, and that the Russians have just laid the keel on an icebreaker that will keep the Russian route open through international waters, largely year-round.

Yet you say that national issues should be the ones that drive the agenda of the Arctic Council.

● (0905)

Dr. P. Whitney Lackenbauer: What I meant to say, and I'm sorry if I was unclear, is that setting up the Arctic Council as though it should be generating instruments, legally binding instruments bought into by all the member states to the Arctic Council, the Arctic eight, and as though the primary role of the Arctic Council as it moves forward is to generate these binding treaty-type instruments, in my mind, is the wrong direction.

A lot of these matters are dealt with. You mentioned shipping. That is going to be dealt with by the International Maritime Organization. As you said, that's a global issue. A mandatory polar code is not going to be negotiated under the auspices of the Arctic Council. It's got to be done globally, because there are shipping interests from all around the world, from Singapore to the Netherlands, that are going to have a say and have competency in those issues.

To set up the Arctic Council so that its primary role is to generate legally binding instruments deviates from the original intent of the Arctic Council and actually ties Canada's hands. In a lot of these issue areas we want to have flexibility at the state level to be able to deal with issues, particularly when you're talking about land and distinguishing from waters.

We don't necessarily want the world coming and telling us what these should be. In some cases, we're going to want common global standards that apply to Canadian waters as everywhere else. In other cases, we're going to want that flexibility. My concern is that if you take something like the Arctic Council, which has worked and has been so innovative because it's not trying to emulate other international organizations, because it's not one, and try to convert it into that, and then to suggest that it should be coming up with legally binding instruments to deal with a lot of these issues that, as you properly said, are truly international issues—

Mr. Dennis Bevington: Those are the issues they're dealing with now. When you talk about bringing in national issues, just think about what happened recently with the Russians. They're permanent participants. The Russians suspended those. Why did they suspend them? It was because they were concerned about bringing national policy forward at international gatherings.

That's one of the problems we're going to see, going forward, with the permanent participants, if we're not very careful with what we're doing with this Arctic organization.

Dr. P. Whitney Lackenbauer: I agree. I think—

The Chair: Mr. Lackenbauer, you have 45 seconds left.

Dr. P. Whitney Lackenbauer: I'm trying to make the opposite argument, which is to say it's about the direction from the Arctic Council down to the national level. I'm not suggesting that we are supposed to be coloured by taking national issues up to the Arctic Council. What I'm suggesting is that the process of decision making and policy-making comes after the Arctic Council produces research results. A lot of that policy-making, I believe, should be done at the state level, as it has always been done.

What I'm worried about is “mission creep”, if you will, at the Arctic Council. It becomes expected to reach into issues that are properly within the competency of the nation state.

The Chair: Thank you very much.

I'm going to move over to Mr. Dechert for seven minutes, please.

Mr. Bob Dechert (Mississauga—Erindale, CPC): Welcome, Professor Lackenbauer. Thank you very much for being here today and sharing your considerable expertise with us.

You mentioned in your opening comments the issue of other non-Arctic nations joining the Arctic Council as associate or observer members. Do you have any reservations or concerns about China, for example, being that kind of member of the Arctic Council?

Dr. P. Whitney Lackenbauer: I have manageable reservations. In essence, I think it becomes a net gain versus a net loss equation. In this particular case, my personal stance is to not include China as a permanent observer. They are not voting members. They are not a member state. They don't have a voice around the table when the senior Arctic officials or the ministers get together for discussions.

They will participate in working groups. They will bring funding, in theory at least, to the permanent participants, which will hopefully allow RAIPON, the Russian peoples, when they come back in six months, to have some stable funding as well.

The concerns, of course, on the part of some of the permanent participants, for whom I am not speaking, is that having more bodies, having more organizations around the table will dilute their voices. What allows the Arctic Council to work is the Arctic eight member states, with the permanent participants representing northern indigenous groups around the table, front and centre, when you're coming to the point of reaching consensus and coming up with common positions.

The concern is that more voices will drown out.... Okay, that makes it sounds like it would be a net loss, having countries like China there. My view is that they bring capacity. They're already active in the Arctic. They have interests. If they're closed out—

● (0910)

Mr. Bob Dechert: When you say they're already active.... Sorry to interrupt you. You said something that I thought was very important, which is that they're already active in the Arctic. How is China currently active in the Arctic?

Dr. P. Whitney Lackenbauer: Science, science, science. Right now, at this point, it's science. There is some investment that they have made in Canadian companies or multinational companies that are sometimes layers deep. You need to do some digging to find out where some of this ownership is happening in the 21st century world. There are interests, but for the most part, having been to China, having received Chinese delegations as part of a group of Canadian academics, their overarching message is an interest in climate change. They've got capacity.

For China, this is also about prestige politics. China sees itself as moving up in the world. If the western world is telling China that the Arctic is the place to be and it's going to be important in the 21st century, and China then repeats that back to us, and then western commentators get all nervous talking about China's Arctic ambitions, this is the cart leading the horse. In many respects here, it's sending very clear messages to China to make sure they realize their interests are confined to that doughnut hole, that open space that's beyond national jurisdiction.

In that particular case, the Chinese hopefully will be reasonable. How much of a revisionist actor China is going to be in terms of international law remains to be seen.

Mr. Bob Dechert: What do you think their primary interests are? Shipping or resources, or both?

Dr. P. Whitney Lackenbauer: I think it's going to be everything. Again, in the next 50 years, it's going to be resources, but that's not their current.... It's not as if China has some insatiable appetite and is hell-bent to ride roughshod over international rights to get access. The Chinese will recognize that a stable region where you can do your investments and have your trade is their desired end state.

Mr. Bob Dechert: I have one last question regarding China. To your knowledge, has China ever had any military assets in the Arctic region?

Dr. P. Whitney Lackenbauer: Not that I'm aware of, and again, if they were to be deploying up there, this is a grand strategic issue that we'd want to be very careful to calculate into our broader world view, as opposed to just looking at it as an Arctic issue.

Mr. Bob Dechert: Thank you for that.

I want to explore the difference between the Northwest Passage and the Arctic Ocean passage. Can you explain for us what the advantages and disadvantages are to Canada and to the broader international community of one route versus the other?

Dr. P. Whitney Lackenbauer: There's a more basic debate that we often avoid in this country, which is whether we actually want the world to use the Northwest Passage. That's really it. If we want the world to use the Northwest Passage, we have a lot of research to do to figure out the bathymetry of the region, to select safe routes, and to invest in infrastructure to make it attractive. Otherwise I think the world is, as Mr. Bevington said, literally going to bypass the Canadian archipelago, our internal waters.

We see some investments by China and others going into Iceland. Iceland would love to see itself as a major transshipment port for the over-the-top route. Depending on the way the ice melt occurs—and again, scientists are showing that these are not simple linear patterns, that this is a very complex environment to try to gauge what's happening—it does look like the over-the-top route is actually going to open up before the Northwest Passage does, in theory, if not in practice.

The Russians, of course, have served as a model, looking at their northern sea route, investing in a lot of infrastructure, such as icebreakers, as you said, to try to make it attractive to international shipping.

The basic question for Canada is, do we want to see the world come and use the Northwest Passage? Do we see benefits to Canadians and to northerners? Otherwise, if we do nothing, I happen to think that it's probably going to be bypassed.

Mr. Bob Dechert: Fair enough. The advantages to Canada would be some kind of transshipment port in the Arctic, maybe in Hudson Bay or further north. That would be the best we would hope for, but obviously going that route raises environmental concerns.

Dr. P. Whitney Lackenbauer: Absolutely, and that's where it all has to be managed.

One of the things we should be celebrating in this country—I know sometimes the processes come off to the private sector as being quite cumbersome—is the regulatory regimes and the environmental assessment processes we have in place. We want to make sure that any investment is being done in such a way that there will not be any major deleterious effects on northern ecosystems.

In many cases, you're right. The one way around the transit passage issue relating to the legal status of waters for the Northwest Passage—which I'm sure DFAIT gave you its line on, and I think it's actually the correct line—is if we encourage foreign shipping to come and go up to a Canadian port and stop there, there's no question they're entering Canadian waters and sovereign territory, and therefore the whole issue of the legal status of the Northwest Passage disappears.

This again is one way that we can get inside the minds of the international shipping community, but realize at the end of the day that we live in a world of "just in time" delivery. If these shipments are off by a matter of hours from Yokohama to Rotterdam, global logistics networks get thrown into disarray. This is not something that's going to happen tomorrow. This is something that is still a decade away. Again, making year predictions is really a problem, but we do have some time to get this right before the world starts to flood into our waters.

● (0915)

Mr. Bob Dechert: Would opening up the Northwest Passage, in your view, be helpful to resource development in Canadian territory?

Dr. P. Whitney Lackenbauer: Again, that's an internal waters issue; I'm not sure it's a Northwest Passage issue.

Mr. Bob Dechert: Infrastructure investment would presumably also help those companies that are interested in achieving the resources, or bringing the resources—

Dr. P. Whitney Lackenbauer: I agree very much.

The Chair: Thank you, Mr. Dechert. That's all the time.

Mr. Eyking, sir, for seven minutes.

Hon. Mark Eyking (Sydney—Victoria, Lib.): Thank you, Chair.

Thank you for coming today.

I have a couple of things. Of course, we're talking about this mainly because of global warming, and that all of a sudden we have more routes and passages. It's also well noted that the north has locked in a lot of hydrocarbons; it's one of the biggest sources in the world.

There's a statement from our government, which is a good statement, I guess, that says we have to create the conditions for dynamic economic growth, vibrant communities, and healthy ecosystems. That's a very good statement, but the challenge is how you do that with what is happening. Some of the challenges have already been discussed by my colleagues.

I have two questions. One is that sometimes it's not an advantage to be chair of something because you have to put your self-interests to the back of the table. You have to be diplomatic and see the greater picture. I think it was stated that we're going to be chair for the upcoming couple of years.

I think you alluded to how we have to make our decisions on the state or the nation and they have to go from the bottom up. Are we left at a bit of a disadvantage because we're the chair? Are we at an advantage to achieve what we want to achieve? How do you see us in that role? As with being the chair of anything, you have to take your hat off a bit and look for the greater good. What are the advantages and disadvantages of being chair at this very important time?

Dr. P. Whitney Lackenbauer: That's an interesting point and an interesting question.

In terms of hydrocarbons, once again, this is all tied to global supply and demand. The fracking in shale oil and gas and how we've seen that explode onto the scene in recent years may be a game changer. Some predictions are suggesting that the continental United States might be energy self-sufficient relatively soon. It really changes the equation about how much push there's going to be for offshore oil and gas in the Arctic, where a lot of the attention has been devoted to Arctic resources.

There's always a balance when we're looking at hydrocarbons and resource issues. The real centre of gravity is mining, right? This is in the NWT, and Mr. Bevington can speak to that with more knowledge than I can. In the Yukon, you look at what's changed in those territories, thanks to clearly Canadian resource on land. This is really pushing economic growth.

In terms of the chair, it's a really interesting point. It's always striking the right balance. I mean, the Arctic Council has been operating for 16 years to this point. There's a lot of work, research, issue areas that are already in the pipeline. Part of being a chair is that you can go in and celebrate what's already being done. A few of those things will become ripe while you're in the chair, so you can claim some of the credit for them. That's one approach to being a chair.

The other approach is to come in and say, “Here are some issues that we pushed for at the forefront.” For example, Canada was adamant that the Arctic environmental protection strategy, the precursor to the Arctic Council, had a social development component to it—a social development working group.

It's not necessarily about being the shining light of the Arctic Council. If Canada were to go in as chair, and there are some murmurs that we might, and say we're going to emphasize responsible development and health—after all, it's a health minister and a northern economic development minister who's also Arctic Council minister—these are ways of taking something that resonates with the Canadian national agenda but is also important to our circumpolar neighbours.... I think there are opportunities to harmonize.

I'm hopefully not leaving you with a sense that this should be a callous, self-interested, self-aggrandizing notion, where we go in as chair and start to broadcast to the world how great we've been for creating the Arctic Council. We're a mature, confident player on the international stage. Go in there and the world will draw that attention. It's much better if everybody else trumpets Canada's contributions to all of that. Approach the council with confidence and see this chair as a celebration, a culmination of 16 years.

Everybody knows the Arctic Council was largely a Canadian brainchild. In some way or another, whatever comes out of that chair, you can pitch it as a celebration that has been thriving. To me, that's a win-win. I think every party has a vested interest and a stake in being able to claim a constructive part in the creation of the Arctic Council.

● (0920)

Hon. Mark Eyking: Well, this present government will be in power for those couple of years. I don't see them ever doing shameless self-promotion in anything they do, so we won't see that.

Voices: Oh! oh!

Hon. Mark Eyking: A hundred years ago the Americans did the Panama Canal. Of course, they had a lot of control over Panama, but they opened up the canal. And it wasn't only for Americans; it was for the world trade, or whatever. This Northwest Passage could be the next Panama Canal, where all of a sudden trade is going to move fast, so we can't simply say it's Canada's and nobody can go through it. We're going to have to come to some sort of agreement.

Do you see us having some sort of a treaty protocol for ships coming through there?

It's noted that if there's a spill in the Arctic, the enzymes or the bacteria in the water do not break down those hydrocarbons as they would in, say, the Gulf of Mexico or somewhere like that. That's the biggest problem. It gets locked in and it gets spread around for decades. If we're going to embark on letting that route be more of a great economic opportunity for the world, because there's going to be a lot of countries investing in these mining.... It's simply a given. I mean, Canada can't do all of the investment, so you have this very international area that we technically own.

Do we need to start looking at some sort of treaty protocol for anybody coming through?

Dr. P. Whitney Lackenbauer: No. I think the key message is that these are our internal waters. This means we get to control access. It's always been very clear. I'm sure you've heard from Foreign Affairs. One of our big messages is that Canada is open for business. We're a coastal state. We're also a maritime nation. We access the waters of other countries around the world; they access ours. The key is that they must do so according to Canadian regulations.

If we choose to regulate our domestic laws regarding passage through Canadian waters, including Arctic waters, with those of the International Maritime Organization—if they get around to a mandatory polar code—that's our prerogative as a sovereign state with sovereignty over the Arctic waters. In that sense, it precludes a treaty. The big question is, a treaty with whom? Again, it's not an issue of ownership of the waters or the islands. That's crystal clear to all of us now. There were so many misconceptions perpetuated about that at one time that it leaves lingering doubts in some people's minds. Those doubts should not be there. These are Canadian waters.

Now, there's a question about transit status, not in Canada but—

Hon. Mark Eyking: But if they're Canadian waters—

The Chair: Mr. Eyking, I'm sorry, that's all the time we have. Thank you very much.

We'll now start our second round of five minutes for questions and answers with Ms. Grewal.

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Thank you, Chair.

The north has a very unique ecosystem that has been affected by the impacts of climate change, and northerners have had to learn to adapt to these impacts since their traditional trades, such as hunting and fishing, have been affected. One of the four pillars of Canada's Arctic foreign policy is to protect its environmental heritage through actions such as pollution prevention legislation. Can you explain how Canada is helping northerners to adapt to these changes in the spirit of protecting its heritage?

Dr. P. Whitney Lackenbauer: It's an interesting question from a foreign policy standpoint because there are a lot of domestic aspects to the question you're posing. Certainly, we've done it in terms of maritime protected areas, national parks, and environmental regulations more generally. I'm not even sure how to approach that question.

From a foreign policy standpoint, we have made moves toward Lancaster Sound to be recognized internationally as a unique and special ecosystem. That's very progressive on Canada's part.

I think we might look at trends in Antarctica and some interesting developments in recent weeks, with China stridently opposing, at the last possible minute, the creation of green protected areas off the coast of Antarctica, and then Russia doing a 180-degree turn and all of a sudden finding itself backing China, to say that it wasn't going to proceed forward. We all understand how much preparatory work goes into getting agreements over areas like that in place, and for China to come in and basically veto it at the 11th hour and 59th minute is very disconcerting.

I think we're going to face big challenges in terms of getting international buy-in to carve out marine protected areas and the like, and this relates to the reality that the Arctic Ocean is fundamentally different from Antarctica. Antarctica is a continent. It's a land mass surrounded by water, and the Arctic Ocean is an ocean surrounded by nation states, with sovereignty and sovereign rights to parts of that sea basin. In this particular case, a lot of the instrumentation—a lot of the tools—is what we're going to undertake as a nation state. I think we can continue to build. Again, we have sovereignty. We exercise our sovereignty. These are functions of having the right to govern activities within our jurisdiction, like the creation of parks, and I think it sends a confident message to the world. Also, when we're invoking mechanisms under, say, the Nunavut land claims agreement, that helps to reaffirm the internal sovereignties within Canada and the connectedness between northerners and the Canadian state. I think all of this sends helpful messages.

I do applaud the government on their approaches to dealing with the expansion of Nahanni National Park, a very appropriate way of balancing the interests of development and ecosystem management to accommodate multiple stakeholders who otherwise might have found themselves in conflict. I believe there are models there that can be applied elsewhere.

● (0925)

Mrs. Nina Grewal: The search and rescue agreement negotiated by the Arctic Council in 2011 has a highly collaborative spirit for each party involved. It defines an area of the Arctic where they will have some responsibility in responding to search and rescue incidents as well as a commitment to provide assistance to the growing search and rescue needs in the Arctic regions.

Do you feel that this agreement can serve as a model for future binding agreements?

Dr. P. Whitney Lackenbauer: It may serve as a model, for sure.

There's an oil spill response instrument being developed under the auspices of the Arctic Council. It's the Arctic states and other states that are the signatories to the agreement. It's not an Arctic Council agreement; it's not governed by the Arctic Council per se. There is a certain collaborative spirit that came out of it to suggest that the Arctic Council, in certain areas like search and rescue, can help to facilitate agreements.

My message is to set the expectation that the Arctic Council should be doing that—that's its primary goal, and that's the primary metric of determining whether the Arctic Council is relevant and successful. But that is problematic.

In fact, there are of lot of things the Arctic Council does on a regular basis. There is monitoring; there is core research that informs not only Arctic issues but also international issues and has been very useful in setting international agendas on things like persistent organic pollutants and mercury. I don't want to throw out the baby with the bathwater by saying this model is the one that should be followed in all situations. But there's certainly some good spirit there.

A search and rescue treaty shows that a lot of the investments in military capabilities have a purpose that is very civilian friendly. It helps to create a stable region that's going to be attractive to investors. And the spirit that animates most of the Arctic countries is one of recognizing that collaboration and cooperation is going to get us further than all of this sword-waving that's been going on in media circles.

The Chair: Thank you very much. That's all the time we have. Thank you, Ms. Grewal.

We're going to start over with Madame Laverdière, and then go to Mr. Bevington again.

[*Translation*]

Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP): Thank you, Mr. Chair.

And thank you for your presentation. It was very interesting.

You mentioned one thing that we come back to from time to time, and that was…

[*English*]

the need for a place for northerners in our overall vision. If you could, I'd like you to expand a bit on that.

Dr. P. Whitney Lackenbauer: Northerners are involved in our foreign policy processes on multiple levels. As permanent representatives at the Arctic Council meetings and also at the working groups, we see it.

The permanent participants, in many cases, don't only operate within the Arctic Council; they're also representing themselves in other venues, too, which is key. We have northerners representing themselves through territorial governments and through land claim governments, which is very key. They're doing this not only internally but internationally, on an increasing level.

Also, within the machinery of government and decision-making, we also see northerners involved in things like the Arctic Council Advisory Committee, which is key. One of the misconceptions that is sometimes out there is that unless northerners are representing themselves, northerners aren't being represented by the Canadian state. In particular, this came up during the Chelsea meeting and the Ilulissat meetings in 2008 and 2010, when there was quite a bit of blowback.

If one looks at even the Inuit Circumpolar Council's Inuit declaration on sovereignty, there's a really interesting formulation up front that Inuit are Arctic peoples, Inuit are Arctic aboriginal peoples, and Inuit are aboriginal peoples, but Inuit are also citizens of states, so in some cases northerners are being represented by the Canadian state. When we're dealing with issues like extended continental shelves and sovereign rights to resources beyond 200 nautical miles—I've yet to see any indigenous claim to traditional use of resources beyond 200 nautical miles—the systems to delineate those jurisdictions are actually state-based processes through the UN Commission on the Limits of the Continental Shelf. There, I think, it's appropriate that northerners be represented by the Canadian state.

But what that means is that within our own machinery, within Canada, it's imperative that we have conversations and dialogues. Again, I applaud the process. I was in Europe on a speaking tour for the last number of weeks and felt a sense of frustration from Europeans about what is Canada's agenda for the Arctic Council chair. The response I was giving, which I think was a fair one, is that in Canada we have dialogues before we announce our agendas.

The minister responsible for the Arctic Council is up in the north, in all three territories, having dialogues and speaking with northerners to help shape that agenda. Again, I wasn't part of those dialogues, so I don't know how substantive they were, but in terms of process, it's very important when Canada is going to present an agenda that it be done in a way that's based upon conversations. Some of them are going to be informal and some of them are going to be very formal. Some of them are going to be institutionalized.

But I think it's very helpful if we keep a very flexible approach and continuously reinforce the message internationally that one of the things that makes us such a responsible actor is that our northerners are front and centre, always keeping in our minds the Inuit motto: Canadians first, first Canadians. It's one that warms my nationalist soul. This is really a positive thing that Canada should be broadcasting to the world: that we are at the forefront of true engagement and dialogue, and this is something that I think animates the policies of all of the parties in Ottawa.

● (0930)

The Chair: Mr. Bevington, there is about one minute left.

Mr. Dennis Bevington: Well, that's going to be tough.

Certainly, the dealings with social development are really about dealing in our territories. Our governments are really responsible for that. I don't want to see that diluted in any way, shape, or form.

I think there are a number of things that you have to clarify. One of them is that this region is a new ocean; it's not an ocean that has existed. It's changing rapidly. It's a crisis situation when you consider the degree of geographic differentiation that is occurring in a period of decades, rather than centuries, as we first thought when the Arctic Council was set up.

As we think of the future.... The changes in the Arctic are a result of the global human presence around the globe. That's why we have changes in the Arctic. When we talk about how we deal with the Arctic, we have to recognize that. The fact that Singapore came with a delegation to the conference of Arctic parliamentarians to say that they were concerned about the Arctic says that the world is concerned about the Arctic—

The Chair: Thank you. That's all the time we have. I'm sorry. We have to move on to the next round. Maybe you can fit it into another answer.

Mr. Schellenberger, I believe you're splitting your time with Mr. Williamson. We'll turn it over to you for five minutes.

Mr. Gary Schellenberger (Perth—Wellington, CPC): Thank you, Mr. Chair.

Thank you very much for all the information that you've given us this morning. I've found it very educational.

In general, does your view of the future international relations of the Arctic foresee a greater potential for conflict or for cooperation, and why?

Dr. P. Whitney Lackenbauer: My answer is that I'm unambiguously expecting cooperation. One hopes for cooperation, the desired end state to accomplish all of the objectives of our northern strategy —and of northern strategies that preceded the latest one going back to the northern dimension of Canada's foreign policy in 2000, even.

This doesn't have to be looked at in a partisan way. To achieve the objectives of everyone, we should be aspiring towards cooperation; that goes without saying. It doesn't mean that we can pretend there isn't the potential for a flare-up of some sort of defence issue—more likely it's going to be a security or safety issue in the region that requires an immediate Canadian response—for that would be naive. But to treat the Arctic as though the threats we face there are more acute than in other parts of the country is part of the problem of this alarmist mindset.

In that sense, I think the region is already rich in cooperation. What has happened is that cooperation has broken out all over the place since 1990. Since the end of the Cold War, there really has been an opportunity to have a lot of agreements reached on a bilateral basis—things that are often overlooked.

With the United States, we have a very deep, longstanding relationship, which goes back to the end of the Second World War, to figure out ways of accommodating different grand legal positions on international law—not about the Arctic per se; they manifest themselves as or are about global positions of the U.S. Navy and the right to freedom of navigation, or force projection.

The reality is that on a functional level, Canada and the United States are incredible partners and cooperate regularly in the Arctic. There isn't a lot of true friction in that particular relationship when it comes to some of these core issues.

At the end of the day, I think cooperation is the norm. Maybe this ties back to the question about what is new about the Arctic. No, it's not a new ocean by any stretch of the imagination. It's water; it's an ocean. Whether it's in a frozen state or in a liquid state doesn't change the fact that it's an ocean. Yes, there's more and more interest in it, not in terms of legal status—no way. The only change relates to Article 234 of the UN Convention of the Law of the Sea.

No, it's an ocean; it has always been called the Arctic Ocean and the Arctic Sea. The rapid change, I think, is the issue. Does rapid change portend uncertainty and therefore set up the groundwork for conflict?

Conflict in some scenarios may be possible. My suggestion is that it's highly improbable. International interest in a region doesn't mean that we should inherently feel threatened. We can look at it as an opportunity to educate countries such as Singapore about where they can make appropriate targeted investments in conformity with Canadian goals and regulations to achieve circumpolar effects.

To me, it's all about mindset. If one wants to see this as a threatening place where everything is changing overnight—forget about history; we need to react immediately because, by God, if we don't act now, things are going to change 16 years from now.

What I'm trying to say is, and my general message is, take pause. We have some time to lay the proper foundation, and a solid foundation is key to building the right sort of house on top of it.

● (0935)

The Chair: Thank you.

We have about a minute and a half, but we also have the next round. Why don't you get started? I'll let you know when the time is up and see how you guys want to proceed.

Mr. John Williamson (New Brunswick Southwest, CPC): Sure.

Thank you for coming. I'm going to jump right into this because time is short.

I hope you're right, and I think you largely are, when you talk about sovereignty over the land and over the resources. But as this part of our country changes, as right as you sound today, if an American came in from the State Department, or a naval official, they might claim innocent passage and that they can put through anything they please in those waters.

Do you dispute that—the innocent passage—or where would you...?

Dr. P. Whitney Lackenbauer: I think Canada's position is strong legally, that these are internal waters. I think we've built it up effectively over a long time. It was almost an *étapiste*, step-by-step approach to doing it.

We weren't bold; we didn't come out of the gates when people were talking about it in 1946. In that sense, I think the U.S. could in theory do that. There are a whole bunch of eminently practical reasons why it wouldn't be in the U.S. grand strategic interest to push it.

So it's possible, but improbable.

Mr. John Williamson: That's true, but as has been noted before, Americans will do the right thing once they've done everything else, so who knows what their first inclination will be?

You think there could be a dispute, then.

Then I question your introductory comments about its being possibly counterproductive to take some of the actions the government has taken to have a presence there and about the notion of “use it or lose it” being something we should not be concerned with. I would argue that if the Americans can claim just on the notion of innocent passage, then we need to be there, as a country and as a government, exerting sovereignty over our land.

The Chair: John, that's all the time.

We're going to start the next round, but why don't you answer the question? Then we'll come back here to—

Dr. P. Whitney Lackenbauer: It raises a very important core question. I think the key is not to confuse sovereignty as the legal right to control activities in a region with those instruments and capabilities that we develop to actually assert that control. I have been a supporter, right from day one, saying that these are smart, targeted investments. What has been invested in defence is dealing with capabilities that were allowed to atrophy during the 1990s. That was identified by Paul Martin's government as well, so this is something that doesn't have to be cast in partisan terms.

The key at the end of the day is that we have very rich arrangements with the United States, some of which are on service-to-service levels between our militaries. NORAD has a maritime surveillance component to it as well.

Again, at the end of the day there are possibilities. But I don't see Canada as ever winning, if we push the United States into a situation —which I think is what we would have to do—of taking some dramatic step such as you're suggesting. Realistically, our relationship is too strong and our friendship is too solid, and we get one another's respective legal positions at the level where it counts. Those are not the issues we should be worried about.

● (0940)

The Chair: Thank you.

Ms. Brown, you will probably have just one question. You still have about three and a half minutes left, but I think we should cut it off. So put one question, and then we'll get—

Ms. Lois Brown (Newmarket—Aurora, CPC): Thank you.

And thank you, Professor. It's been most interesting this morning. I think we could keep you busy here for the rest of the day.

I am interested in the whole aspect of observer status. We were provided in our notes with a list of the criteria that would be used to assess whether or not a country had the right to observer status. There are about seven or eight of them in it. I won't read them all, because I'm sure you know them, but we have states such as China, Japan, South Korea, and Singapore that have already expressed an interest in observer status. The European Commission applied. It was rejected by Canada.

My question really is, where does it stop? Everybody can say they have an interest, but Singapore? What is Singapore's interest in the Arctic? Why would it want to be there?

And is this really, then, essentially the start of the creation of another United Nations? How do we control it and hold it back?

Dr. P. Whitney Lackenbauer: First is to emphasize the language that we're not interested in reforming the Arctic Council; that we don't want to make it into a treaty-based organization. In fact, it works fine the way it is. Instead, it's a case of strengthening what's already there.

China and the European Union are already sitting as ad hoc observers, so their being granted permanent observer status doesn't necessarily change the practical look of the room itself. They're still sitting in the back rows watching what's going on during the main meetings.

But at the end of the day, those criteria setting up the possibility to put conditions on permanent observer status—"If you're going to be here, you must be contributing money"—which helps keep the Arctic Council functioning at the practical working group level, but also on the part of the permanent participants being able to represent the north at these meetings.... That's very key.

There's also a very tricky line, in terms of those criteria, saying that any permanent observer must recognize the legal rights of the coastal states. That's challenging, when we come back to the questions about the Northwest Passage. Which legal interpretation do you side with? If there literally is a difference in legal position, how do you navigate that and still meet the criteria?

Again, as I was suggesting, when Canada is chair...just because we have the Nuuk declaration, where these criteria are set out, I don't think the permanent observer issue has been settled, and as much as those criteria are taking us a couple of steps towards clarity, it's still as fuzzy as heck for me at this point.

Ms. Lois Brown: Just as a comment, as we see the emerging markets become more and more interested in getting their commodities through to other markets.... Right now we have the BRIC, so at what point does Brazil establish an interest in saying they want observer status? They have no connection to the Arctic per se, but they have an interest.

That's my question. At what point do you...?

Dr. P. Whitney Lackenbauer: It is an issue that's emerging, and it's one that I think warrants attention. This is where one has to be able to measure in a substantive way what contribution we bring and also hold countries that are being granted permanent observer status accountable, to say they're being constructive contributors to the Arctic Council, not only financially but in terms of substantive contributions to the research that's being conducted under its auspices.

The Chair: Thank you very much.

Mr. Lackenbauer, we asked you originally if you could stay for the second hour, didn't we? Are you able to stick around?

Dr. P. Whitney Lackenbauer: I am, yes, absolutely.

The Chair: Okay. Here's what the plan was originally. Our next guest could only make it for the second hour, so we're going to cut to our next guest.

I'm going to suspend to get set up. We'll hear 10 minutes of testimony from our new witness, and then we'll be able to ask questions of both people. We'll continue back and forth, just as we are on the list, and of course we'll make time for the Liberals to ask a question.

Even though we are in rotation back and forth, we'll make sure, Mark, that you get another chance to ask a question.

Is that all right?

So let's suspend for one second. We'll hook up the video conference; we'll ask you to stay.

We'll get the testimony and then we'll continue to ask questions of both people.

● (0940)

(Pause)

● (0945)

The Chair: Can I have the members back at the table? We'll get back at it here.

I certainly want to welcome, from Manitoba, Ms. Charron, an assistant professor of political studies at the University of Manitoba.

Welcome. Thank you for taking the time to be here.

Just to let you know where we are, as you know, we started our meeting about an hour ago. We have with us P. Whitney Lackenbauer, associate professor and chair of the history department at St. Jerome's University. We've been asking him questions for the last hour. He's going to stick around and field questions into the second hour as well.

What we'll do now is cut to you. We'll give you 10 minutes to give us your testimony. We'll then spend the remaining 45 minutes or so asking questions of both witnesses.

Welcome. It's great to have you here. We look forward to hearing your testimony.

The floor is yours.

Dr. Andrea Charron (Assistant Professor, Political Studies, University of Manitoba, As an Individual): Thank you very much. It's an honour to be able to speak to you today.

I heard only the final comments of Dr. Lackenbauer, so I apologize if there's perhaps repetition in our comments.

I want to start with an anecdote of a public meeting that I attended last night about the Arctic—from this, I think it's symptomatic of two criticisms of Canada's current foreign policy that I would like to raise—and end off with a possible solution.

Last night here in Winnipeg, there was a big public event to discuss Canada's Arctic. In the title it had the words “true north” and “final frontier”. There were approximately 200 members of the public. It was extremely predictable in its message, both for what it did raise and for what it didn't raise. Four academics were asked to speak about the Arctic. There were themes that they did raise: there are opportunities in the north, but we must be very concerned about who has those opportunities; the U.S. is our greatest challenge; and our sovereignty is under threat. There were lots of maps of the Durham map, which shows the potential conflict as a result of the continental shelf.

What was not raised was Canada's actual northern strategy. There was no mention of the living conditions in the north. There was absolutely no mention of the Arctic Council or the fact that Canada will chair it. I might add that there was no mention of the Canadian chapter chairing the ICC from 2014 to 2018.

I think this is symptomatic of the two main criticisms about our current foreign policy, which I want to raise. The first is a follow-up from the discussion you had on Tuesday with the DFAIT representatives. That's in reference to Canada's current northern strategy, and specifically its four pillars. For me, three of the four pillars are not actually foreign policy issues; they're in fact domestic issues.

The one foreign policy issue, which is the sovereignty card, I think is outdated and very jingoistic. Our sovereignty is not questioned, nor is it under threat. True sovereignty is vibrant, healthy, sustainable communities, and we don't have that right now.

I might add that the map we have in Canada's current northern strategy evokes the sector principle, and that, I had thought, was outdated and long since abandoned. I'm surprised it's still there.

What this criticism is about, in short, is that I think there's a chasm between the rhetoric and what Canada actually wants to and is trying to achieve when it comes to the Arctic, and especially on the world stage.

My second criticism, which is very much related, is that I think Canada suffers from what I call “ADD”, the Arctic distraction disorder. We tend to be very concerned, and panic, when there's any hint of a possible—quote, unquote—threat to the north, but at the same time we forget about our Arctic on a regular basis. I would point to our 1981 dollar coin, which is missing most of the north for aesthetic reasons.

This brings me to our potential solution. I think maybe we need a reset. The fact that Canada is about to chair the Arctic Council is a propitious time to do so.

With regard to our current northern strategy, I think we need to put it away. I think if we're talking about foreign policy, we need to separate out those issues that are in fact within the foreign policy purview and separate them from the domestic.

I have four areas that perhaps our foreign policy could take on. I might add that I think this is actually what Canada is trying to do, but it's perhaps language that's more reflective of that fact.

● (0950)

I've chosen four words that begin with “c”, for one thing because it reminds us about Canada, but also because I think they're truly in the foreign policy realm.

The first would be cooperation, and I think Canada is cooperating with the Arctic states, with the permanent participants. It's in our best interests.

The next is commerce. There are opportunities in the north, and they will be on an international level.

Next is the culture. Culture is extremely important for Canada, especially our northern culture and our indigenous and aboriginal peoples.

Finally, we need to talk about climate change. The whole point in being members of international fora like the Arctic Council is to try to work on common problems, and climate change is a problem that no one state can solve. We need everybody's assistance.

I think the Arctic Council does a lot of good, and Canada has a great opportunity in being the chair of the second round of state chairs. There are going to be challenges, no doubt. For example, what do we do with observer applications, such as Greenpeace?

But there are also observer issues to do with who is consistently missing from the table and who perhaps should be there—for instance, the International Maritime Organization.

That's where I'd like to leave you—with those two criticisms, really observations, about the chasm between perception and reality, and about the Arctic distraction disorder that Canada suffers from, and I'd suggest that now is the time for a reset.

Thank you.

The Chair: Thank you very much.

Just to let the members know how we'll proceed, we're going to continue from where we were, with five-minute rounds. We're going to start with Mr. Bevington, and we'll go back and forth. There is probably enough time for two actual rounds, so six interventions. Then we'll look at trying to wrap up at about 10:30 to look at some committee business. Does that make sense?

Go ahead, Bob.

Mr. Bob Dechert: Mr. Chair, I see from the agenda that we have a full two hours to deal with these witnesses. I think the first round with Professor Lackenbauer shows that people are very interested in what our witnesses have to say.

The Chair: Okay, so we want to go a little bit longer?

Mr. Bob Dechert: I'd like to continue, if possible.

The Chair: Okay, so let's—

● (0955)

Mr. Paul Dewar: My only reservation is can we deal with committee business and the motion that we agreed last meeting to deal with?

The Chair: Do you want to save five minutes for that, then? Is it possible?

Okay, why don't we get going, and we'll go from there?

Mr. John Williamson: This is just a reminder that I need to leave at 10:45.

The Chair: We'll be done by then, for sure.

Mr. Bevington, let's get started with you for five minutes, sir.

Mr. Dennis Bevington: Thank you, Ms. Charron. I appreciate your testimony here and your concern about the north.

I've lived in the north all my life. I recognize the lack of coherent northern policy and also the lack of resources for northerners in their own governments to create the kind of north that will be sustainable. It's not an international issue. It's going to be solved in the three northern territories, in northern Quebec.... Those are the places where we're going to solve our sustainability issues, and we need to do that. We need action on it.

When it comes to cooperation, the Arctic Council is a compendium of a number of international states. In the previous iterations of the Arctic Council, the chairs had joint agendas that stretched over more than two years. One of the recommendations of the Conference of Parliamentarians of the Arctic Region was that Canada work with the U.S. to establish at least a four-year agenda so that some of the larger issues can be dealt with in a good fashion. Two years is kind of a short timeframe if we're going to do anything differently.

Would you say that the most important aspect of cooperation right now on the agenda would be that Canada consult with its partners on the Arctic Council to understand where the international issues are on which they can cooperate, the directions they have to take, and the need for that continuing agenda that goes beyond two years?

Dr. Andrea Charron: The Arctic Council, as you know, is a continuation of the Arctic environmental protection strategy. Now that we've been a part of the Arctic Council for well over 10 years, going on 20 years, there are many agenda items on the Arctic Council that sort of roll over from chairship to chairship, so there's not a lot of room to include new agenda items because it's limited to environmental protection and sustainable development.

That being said, where I think the Scandinavians and their six-year agenda helped tremendously was in the area of fundraising. When you have a six-year timeframe, it does make fundraising easier, because you have the luxury of time.

It would make sense if Canada and the U.S. had sort of a North American chairship, but there's nothing then stopping the Russians who follow from being part of that six years as well.

My one concern with having the Scandinavian and then a North American chairship is that we get very mired into very specific national issues, when the Arctic Council is all about the issues affecting all of the Arctic. It can also squeeze out the permanent participants.

If we have coordinated agendas that don't clash, if we allow for predictable funding, and if we ensure that the timelines that are set are met, that's fantastic. The Scandinavians were very good about not strictly focusing on Scandinavian issues. As long as we keep it global and to issues of the Arctic generally, then there is an advantage to having a North American chairship.

Mr. Dennis Bevington: What we saw from DFAIT at the last meeting was that the focus is going to be on the northern strategy, on sustainable development, and on those economic development issues, which largely in Canada are on the land.

How do you think Russia is going to take that as an agenda for the Arctic Council moving forward? Can you give me some insight there?

The Chair: Dr. Charron, we've got about 45 seconds left.

Dr. Andrea Charron: Sustainable development is one of the raisons d'être of the Arctic Council, so I don't think Russia is at all opposed to that.

Sustainable development is like cultural awareness. It's like the health of northern inhabitants. It's like selling artwork and the like. There are lots of different aspects of sustainable development. I don't think Russia is opposed to any of that.

● (1000)

Mr. Dennis Bevington: They suspended their permanent participants. If you've been following it, you'll see that Russia tends to do these sorts of things in response to challenges to national policy, not to international policy.

The Chair: Thank you, Mr. Bevington. That's all the time we have.

We're going to move over to Mr. Dechert, for five minutes, please.

Mr. Bob Dechert: Thank you, Mr. Chair, and thank you, Professor Charron, for joining us today.

I was very interested in your opening comments. You mentioned the chasm between perception and reality. I believe Professor Lackenbauer also discussed that a little in his presentation. For example, there is the reality of land claims issues, boundary disputes, or the lack thereof, in the Arctic region, and the perception of the average Canadian.

In my constituency in southern Ontario, about 100 kilometres from the U.S. border, in the greater Toronto area, there is a significant amount of interest in Arctic issues. It quite surprised me. In every election I've run in, and I've run in four elections, people bring it up at the door. They want to know that Canada is protecting the north. They ask all the time, proactively, even if I don't raise it. They're concerned about sovereignty issues in the north. They want to see the Canadian military present in the region. It brings home to them the reality. These are people who have a great interest in the north, although most of them have never been north of Sudbury and probably never will be.

However, it's important to all Canadians; that's the point I want to make. They need to know, and we need to demonstrate through government action, that all those issues are being taken care of. They need to know that Canada is represented in the region, that we're looking after the northern people and providing opportunities for them. They need to know that we're looking after the environment and making sure there is sustainable development of our resources there, and that we're ensuring that everyone in the world knows where Canada's territory lies in the region. That is very important to the people in my constituency, and I suggest across Canada as well.

I want to ask you, because you brought it up and I think it's very important, about the northern people. How do you think Canada can, through the Arctic Council, ensure that whatever development takes place in the Arctic region primarily benefits the indigenous people of the region.

Our government, with the leadership of Minister Aglukkaq, has made sure that the northern people are involved in Canada's northern strategy. She's just completed a round of consultations in the north, primarily with the indigenous people in the region. I contrast that with what's happened recently in Russia, where there's a report that the indigenous people of the region have been excluded from participation in the Russian delegation to the Arctic Council.

I wonder if you could comment on that. I would be interested in Professor Lackenbauer's comments as well.

The Chair: You have about two minutes left, so maybe a minute each.

Dr. P. Whitney Lackenbauer: I'll respond to the perception versus reality part. This is where I disagree with Dr. Charron that there should be a reset. We already have momentum. There's a lot of national interest in Arctic issues. Reset is the wrong mentality. It's the same thing with our northern strategy. It's not a flawed document. It's rather imprecise, which on one reading one can say gives us a lot of room for flexibility and adaptation in terms of policy.

The call I would make would be that there are opportunities for greater clarification and priority-setting within the northern strategy, but I think it's one that resonates with all of the policies and platforms of...[*Technical difficulty—Editor*]

I would not advocate a reset, because I think we have to capitalize on this intense popular interest. The key is getting the correct narrative, the one that's been developed and broadcast in the northern strategy in 2009 and the Arctic foreign policy in 2010, to have that gain popular traction. It's about messaging and consistency of message. It's about correcting some of the misinformation that's circulated and convincing the media that there are very interesting frames involved in looking at these issues from the perspective of northerners.

In respectful disagreement with Andrea, I can say that there are foreign policy aspects to all four pillars of the northern strategy. The key is saying not all Arctic issues have a foreign policy aspect to them. I think that's a very important distinction that we need to make —that not everything in the northern strategy should be pushed up into a foreign policy portfolio. That's not appropriate.

● (1005)

The Chair: Professor Charron, before you comment, and you have about 30 seconds, we do have 30-minute bells for votes. I'm going to suggest that we have another round each and then we wrap it up.

Professor Charron.

Dr. Andrea Charron: Thank you.

Whitney and I are not that far apart. What I'm saying by reset is that we need to change the language to be more reflective of what's actually going on, rather than using the sort of jingoistic vocabulary that we've been using.

On the question of development, I would say that the best way for the northern residents to take advantage of development opportunities are things like having equal access to services, having infrastructure, and having access to mental health care professionals —the same things that southern Canadians have, which isn't the case right now.

This sort of protection and militarization of the north is connected because we in the south think that if we have more patrol vessels up in the north, ta-dah, we've fixed all our problems, when in fact the Canadian Forces don't have the mandate to deal with tuberculosis, lack of housing, and things like that. They don't have the mandate. We're setting them up for failure in that case. So the two are extremely connected.

As Whitney said, it's the inaccuracy and the mis-messaging that I think is really one of the biggest problems.

The Chair: Thank you very much. That's all the time.

We are going to move over to Madame Péclet for five minutes.

[*Translation*]

Ms. Ève Péclet (La Pointe-de-l'Île, NDP): Thank you, Mr. Chair.

You said that the mandate of the Arctic Council, through negotiation, creates restrictive tools. The United Nations Convention on the Law of the Sea aims to define the boundaries of territorial waters, and not the use of a certain part of the planet. Do you think regulating the use and interstate relations related to the Arctic is sufficient?

A lot of problems have already come up with respect to the environment, and things are changing quickly. Both witnesses agree that the main issue is protecting the environment. Under these conditions, I'm wondering if the United Nations Convention on the Law of the Sea is really the international tool that should apply in the Arctic. There have already been a number of attempts to adopt a specific treaty for the Arctic. Unfortunately, the United States did not sign the United Nations Convention on the Law of the Sea and did not want to ratify that kind of treaty.

Do you not think the Arctic Council should encourage the adoption of an instrument of international law that would govern interstate relations, rather than let the states settle their issues themselves, bilaterally?

[*English*]

Dr. Andrea Charron: Thank you. There are a couple of comments.

First of all, the Arctic Council cannot make binding agreements. The one agreement that we have, a search and rescue agreement, is binding on the eight member states, but it's not binding on the Arctic Council. It was the forum in which it was negotiated.

UNCLOS is the most appropriate body of law to deal with oceans and seas. When we're talking about the Arctic, we do have a big ocean, so, yes, UNCLOS does provide a lot of the necessary regulation. It is well respected, and the U.S., even though it hasn't ratified it, treats it as customary law.

There are also many other international organizations that deal specifically with environmental protection. For example, the International Monetary Organization would like to create a mandatory, as opposed to voluntary, polar code. That's where Canada can certainly encourage that.

So I don't think we suffer from a dearth of international law and frameworks. Between the national legislation we have and the international, we have more than enough. What we need to do is understand what applies, making sure that international and domestic legislation don't clash or are not at cross-purposes.

● (1010)

Dr. P. Whitney Lackenbauer: I agree very much with that. I think the key is—and I'm sure you heard this from DFAIT on Tuesday—that there's not a governance vacuum in the Arctic, which is one of the drivers for people suggesting that we need to create a treaty-based organization or a need to beef up the Arctic Council to give it more teeth. Large clusters of international law apply. I think the centrality of UNCLOS is a reflection of the Arctic coastal states dispelling the myth that there is an Arctic race or that the Arctic is the next great game and that there is a potential for conflict erupting over uncertain boundaries.

I think the reason why UNCLOS has been pushed to the forefront is to say that driving myth, that misconception, is wrong. That was the message coming out of Ilulissat. I think your concern that people think UNCLOS is the solution for everything is a very simplistic way of looking at it. As you're suggesting, it's recognizing there are other areas and there are other global agreements: the Convention on Long-range Transboundary Air Pollution, the Convention on Biological Diversity, the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities. These are all things that relate to the environmental piece of what's happening in the Arctic.

I think there is a role for the Arctic Council to continue to do research to coordinate and figure out where those governance gaps exist, but I don't think that means that the Arctic Council takes responsibility.

Ms. Ève Péclet: The fact is that those instruments only regulate the land...not the international sea. A huge part of our planet is an international sea, and there's no treaty. Nothing covers environmental protection, exploitation of natural resources, and this is the most fragile part of the Earth now.

Do you really believe all these instruments that do not regulate this particular space are enough? I don't believe it.

But I have another question.

The Chair: That's all the time we have. We're just over time.

Mr. Dechert, I'll allow one question. I'll finish with Mr. Eyking. You'll have one question.

We can talk very quickly.

Mr. Bob Dechert: Thanks, Mr. Chair. I appreciate the time constraints.

Professor Charron, you mentioned that one of your four “c”s was commerce. You said there are commercial opportunities in the Arctic region. Can you tell us briefly what you think are the two most significant commercial opportunities? The other thing you mentioned, which I didn't quite understand, was that the U.S. is our greatest challenge. You said that came out of the academic conference you attended, and I wonder if you could expand on that a little and tell us what you mean by that.

Dr. Andrea Charron: I'll start with the second point. My comment vis-à-vis the U.S. was that for some reason the common perception is that the U.S. is our biggest challenge in the Arctic, despite the fact that Canada and the U.S. defend North America jointly. We seem to think that U.S. assistance, participation, ends at the treeline. I'm not quite sure why that's the case. The U.S. is not a challenger to Canada. We work in cooperation and to good effect.

As for your second one, in terms of commerce, this is why I am not a business person, because I don't have that kind of imagination. There are things like artwork, the possibility for shipping, for resource extraction. There are lots of opportunities up there, and certainly Canadian companies are taking advantage of that. We want to make sure they can continue to make those investments and have those opportunities, and that it includes the northern residents.

The Chair: Thank you very much, Mr. Dechert.

One question, Mr. Eyking, and then we're going to have to wrap it up.

Hon. Mark Eyking: Thank you, Mr. Chair, and thank you for coming, Ms. Charron. You made a very good presentation.

Some of the comments you made are interesting, and I truly believe that this so-called threat we are under and the rhetoric by the present government.... We saw that with the defence minister not too long ago: “The Russians are coming.”

I think all Canadians know the Arctic is very important. It's very important that we give them the right message about what we're dealing with, and the priorities. It's not only sometimes the wrong message but how it's portrayed. This Arctic distraction disorder you're talking about...I believe it's happening.

We are going to be chair of this council in a year. I think it's very important that as Canadians we set the table in a responsible way so that our messaging is right and we get some respect when we are chair.

What is your concern about how the present government has portrayed this to Canadians so far and how that's going to translate to how the rest of the countries on the Arctic Council are going to see this? Maybe we're going to be discredited in some respect, and we may not be able to achieve what we should be able to achieve at this very important time for the Arctic.

● (1015)

Dr. Andrea Charron: I think one of the main problems is that the Arctic Council, generally, is a very well-kept secret, and certainly the fact that Canada has been working on our agenda for the Arctic chairship has been very quiet.

Perhaps we need to tell people that we are actually working on this, that we are actually doing consultations.

It is a whole-of-government approach. It's to let people know that the agenda is coming, because lack of information then encourages people to come up with misinformation and to suggest that perhaps Canada doesn't think it is important when in fact we do.

The Chair: Just a quick response.

Dr. P. Whitney Lackenbauer: I think the messaging has been better since 2009. I think that's key. It's whether or not that new messaging, or more appropriate messaging, has traction. I think selection and maintenance is the aim. The aim is to correct a lot of the myths that were circulating, and that requires coherence and consistency on that particular part.

I think the key is to keep sovereignty for domestic audiences. The language of sovereignty for international audiences makes people question whether Canada has its priorities straight or actually recognizes that the world understands that Canada has sovereign rights. That's not a thing that is helpful to us. It makes us look like we're defensive, when in fact, as you are suggesting, we need to be constructive and proactive and take the leadership role that we should be playing.

The Chair: Thank you very much.

To our witnesses, thank you very much for being here.

Professor, we apologize that our time was short with you. We have bells that we have to move forward on, but I want to thank you very much.

Do we want to deal with this motion now, or do we want to deal with it the next time we meet?

Mr. Bob Dechert: There's something that comes up for next Tuesday, I want to mention right away, and that is, you requested that the minister appear. He is willing to appear, and next Tuesday is the only time he can come. He's available for an hour, but here's the rub: it has to be from 8:15 to 9:15. So we have to move the meeting to 8:15, if everybody agrees.

Mr. Paul Dewar: Can we deal with this?

We have a deal here on the motion. Perhaps I can read it into the record and get that done.

Mr. Bob Dechert: I think we should deal with the minister coming and the time, and let's deal with it on Tuesday.

The Chair: Is Tuesday okay?

Mr. Paul Dewar: I was hoping if we just agreed to something, we could get that done.

The Chair: What I will ask you to do in the meantime, Mr. Dewar, is this. Why don't you submit it so that it can be circulated? We will deal with it on Tuesday. Okay?

All right, so we are going to invite the minister for Tuesday.

Mr. Paul Dewar: Which minister? We have invited two, right? Did we hear back from your minister?

The Chair: It was actually three.

Mr. Bob Dechert: The Minister of Foreign Affairs.

The Chair: Okay, and we are still working on the Minister for—

Mr. Bob Dechert: We haven't heard from any of the others.

The Chair: Thank you very much, everyone.

The meeting is adjourned.

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