



The Canadian Defence Policy Review

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The Defence of North America

With the prolonged absence of military threats to North America, the prime Canadian security objective is to ensure that they remain so. Meeting that objective is more a diplomatic challenge than it is a defence problem, but defence policies and military forces in North America certainly have a role in preserving this region as a cooperative security community – that is, a community of states that continues to enjoy the reliable expectation that its members will not “resort to war or military attacks to prosecute their disputes.”¹ That happens also to be the formally affirmed expectation of the five states bordering the Arctic Ocean,² where the same principle applies – preserving the Arctic as a region free of military threats and counter threats is the primary security objective. Once again, diplomacy is key, but defence policies and the operations of military forces play a major role.

These welcome circumstances notwithstanding, it remains the case that the world’s pre-eminent military power is a towering presence in North America and the two rival superpowers of the Cold War are a formidable presence in the Arctic. Despite of the absence of military threats, North America and the Arctic are still locations where war preparations proceed unabated and where formidable military arsenals, notably including nuclear weapons that both powers are actively “modernizing,” are on stand-by and have the capacity to instantaneously transform both regions into scenes of combat and devastation.

In such a context, countries like Canada are clearly not masters of their own fate. If diplomacy were to fail, and if Cold War habits returned to restore a full-fledged global military confrontation, no Canadian military preparation, whether modest or ambitious, would have much impact on ours or the world’s fate. But that is a reality not unique to Canada – indeed, it is the condition of most states. Security is all about context and cooperation, and helping to build favorable contexts and regional cooperation is a key point of defence policy. Even super powers are incapable of imposing their will by military means in contexts of entrenched political conflict – witness, Iraq or Afghanistan or Libya. Nor could the most powerful of military powers determine favorable political outcomes from confrontations with other major powers. They, not unlike middle powers such as Canada or much more modest powers, ultimately depend for their security on an international order that is rules based, that respects the sovereignty and territorial integrity of States, and that recognizes that security cooperation is essential to well-being and the prevention of chaos.

The diplomatic challenge is to promote security cooperation in support of such an order, and the primary defence imperative in Canada is to reliably confirm the ongoing absence of military threat. That creates a serious obligation to know what is happening within Canada and in the sea and air approaches to Canadian territory. To that in turn must be added an ability to control – to be able to prevent unauthorized entries into Canadian territory and to enforce the rules and laws of Canada within its area of jurisdiction. Primary responsibility for that rests with civilian law enforcement agencies, which are supported by the Canadian Armed Forces – military aircraft, for example, are regularly scrambled to track and intercept civilian aircraft entering Canadian airspace without a duly filed flight plan.

Knowing what is going on within Canadian jurisdiction is a national security imperative, but it is also an essential contribution to regional security and stability. While monitoring and controlling (i.e., preventing unauthorized intrusions, ensuring enforcement of Canadian laws and regulations) Canadian territory serves Canadian defence and public safety, it also helps to fulfill obligations to our neighbors (southern and northern). It is the responsibility of any sovereign state to provide its neighbors with credible assurances that there are no events or conditions permitted within its own territory that could represent a genuine threat to a neighbor. So, again, that requires a clear and demonstrable capability of knowing what is happening within Canadian territory and the approaches to it and to ensure that there are no blind spots or areas of neglect tolerated within Canadian borders which would undermine the credibility of Canadian assurances that there are no threats to its neighbors within this security community.

Providing such assurances is now primarily a civilian responsibility. In the post-Cold War era, particularly since 9/11, domestic Canadian security efforts have focused much more on public safety concerns, for which civilian departments and agencies have primary responsibility, than on national defence and sovereignty protection concerns. The latter, monitoring potential threats and sovereignty protection, are obviously never off the security agenda, but the relative attention has shifted. Air defence operations, for example, which were once pre-occupied with Soviet bombers, are now overwhelmingly focused on unauthorized civilian aircraft.

Canada and the United States do much of this cooperatively and there is a thoroughly entrenched tradition and infrastructure for bilateral defence cooperation.

Revisiting security cooperation in North America

Ever since Ogdensburg 1940 and the creation of the Canada-US Permanent Joint Board on Defence, there has been a strong defence relationship with the United States, but it has not been a static relationship – the point being that when security circumstances change, defence policies and arrangements also have to change. And there is no question that circumstances have changed.

In the earliest days of the post-WWII Cold War, the Americans needed access to Canadian territory for early warning and engagement of a Soviet bomber attack traversing the Canadian north. The assumption was that the Americans were going to take whatever steps they felt they needed to take in the Canadian north for their own security. So in the interests of safeguarding Canadian sovereignty, Ottawa agreed to cooperate in air defence, and thus NORAD was created. But no sooner had NORAD been created when the Soviet Union launched Sputnik and signaled the arrival of the intercontinental ballistic missile race – nuclear armed missiles against which there was and still is no defence. The bomber threat became secondary and the air defence mission was significantly downgraded. Air surveillance and warning continued, but there was no longer even the pretence of mounting a major defence against Soviet nuclear armed aircraft. Nuclear deterrence became the primary response to both the missile and bomber threats.

The US continued to value the radar line on Canadian territory for early warning of the much reduced Soviet bomber threat, but missile early warning and the nuclear deterrent were mounted by the US without reference to Canadian territory or armed forces. NORAD's own account of its history describes the shift: "...the ballistic missile threat caused policy makers to reassess the effectiveness of the air defense system," and led to a significant "reduction of the USAF interceptor forces and closure of various portions of the radar network." Strategic air defence became a hard sell, so "in 1974, [US] Secretary of Defense Schlesinger stated the primary mission of air defense was to ensure sovereignty of air space during peacetime"³ – and that remains the core mission, now carried out primarily in support of civilian authorities.

In 2006 the indefinite extension of NORAD included an expansion of the mandate to include maritime warning, although some wondered why, since both the US and Canada have extensive maritime surveillance and warning facilities, aided by international reporting measures. International regulations require large vessels and all passenger ships to transmit identification signals which are received by Long Range Identification and Tracking systems, and in Canada the Coast Guard operates the relevant data centre. Vessels are also required to carry transponders transmitting signals to shore stations. Three Maritime Security Operations Centres in Canada, operated jointly by National Defence, Fisheries and Oceans, Transport Canada, the Coast Guard, Border Services, and the Royal Canadian Mounted Police, receive the data and manage responses. In the North the Northern Canada Vessel Traffic Services Zone Regulations (NORDREG) requires vessels to file a sailing plan prior to entering Canadian northern waters and to provide daily position reports while in Canadian waters.

Air defence, still NORAD's primary mission, involves three missions in Canada: detect, and control when necessary, aircraft near or entering Canadian air space; monitor and control wayward aircraft already within Canadian air space (referred to as Operation Noble Eagle and operational since 9/11); and provide air surveillance and control related to special events (like the Olympic or G8 meetings). None of these missions is primarily a defence mission in the sense of responding to military aircraft and threats. Coastal radars identify aircraft entering Canadian airspace without a filed flight plan, and, when necessary, aircraft are sent to identify and escort the intruders to an airport or landing strip where civilian authorities can deal with them.

The Canadian NORAD region is all of Canada (the Americans operate two NORAD regions, one for Alaska and one for the Continental US). As a bilateral agency, NORAD's primary function is to receive information from separate national assets or facilities in each country. NORAD does not itself gather information, it receives it from national sources, integrates it into a comprehensive continental (still excluding Mexico) picture (generating domain awareness), and in the event of a threat requiring a response (for example, to identify an undocumented aircraft and force it to land), that response too is deployed by independent national authorities through their respective national command structure. Canadian forces operate within Canadian territory under national command, and American forces operate within American territory. "NORAD does not...tell Canada or the US what to do or what to deploy when there is a threat in their territory – these are national decisions."⁴

It is true that strategic or military air defence remains relevant inasmuch as Russian bombers and other military aircraft still patrol in international airspace near North American territory over the Arctic, Atlantic, and Pacific Oceans. These are Russian training and flag-showing exercises that do not pose a military threat, nevertheless, Canadian and American fighter aircraft still routinely respond, also as training and flag-showing exercises. The frequency of Russian strategic bomber flights in the vicinity of North America will be known by NORAD, but it doesn't share that information in any comprehensive or systematic way. Fragments of information are available – enough to get a general sense of the frequency with which Canadian fighter aircraft actually encounter Russian bombers. The Ottawa Citizen reported on a 2010 NORAD study which said that US and Canadian forces had been facing 12 to 18 Russian flights a year in international air space, noting that the majority of these did not involve interceptions by Canadian aircraft.⁵ That rate of encounters is consistent with the findings of an academic study from 2010⁶ which recounts a 2009 incident in which Canadian fighters intercepted Russian Tupolev Tu-95 "Bear" bombers in international airspace near Canada and quotes Canadian officials as saying this was the 20th such incident in the previous two years. A June 2012 report out of the US Elmendorf-Richardson joint air force and army base in Alaska confirms roughly that frequency of incidents. It shows that from 2006, when Russian patrol flights resumed after a long post-Cold War absence, to the end of 2011, there was an average of nine NORAD intercepts annually of Russian military aircraft, all in international airspace⁷ (but with no indication of how many involved Canadian aircraft). In other words, these are occasional events.

Missile defence, a topic for a separate briefing, is not under NORAD or any joint operation in North America – and it is Canada rather than the US that seems most interested in changing that. A 2015 paper on “Canada’s International Security and Defence Policy” calls on Canada to “seek to locate the continent’s missile defence command and control within NORAD, thereby strengthening the binational command’s status as North America’s joint regime for aerospace defence well into the future.”⁸ The defence policy review discussion document also asks whether Canada’s decision not to participate in the US strategic ballistic missile defence system (BMD) should be revisited (DPCD, pp. 12-13). This interest in ballistic missile defence actually has less to do with any protection the system might offer to Canada, and more to do with finding ways to entrench the Canada-US defence relationship in an era in which the NORAD role has lost much of its urgency and, some fear, is leading to a certain American indifference toward a joint defence command.

The future of NORAD

The Government’s defence review public consultation document (DPCD)⁹ emphasizes the “need to evolve and modernize” NORAD, noting Russia’s growing “presence” in the Arctic and “assertiveness” in Eastern Europe and North Korea’s nuclear arsenal. It asks how far the Canadian Armed Forces (CAF) should be integrated with the American military in the defence of North America, and even emphasizes trilateral cooperation with US and Mexico in meeting security challenges – and referring to “regional security challenges, such as transnational criminal organizations, narcotrafficking, and humanitarian assistance and disaster relief activities.”

Canada-US defence integration has settled into a model that promotes cooperation in surveillance and domain awareness – using national assets for intelligence gathering, surveillance, and reconnaissance, but sharing data and information designed to create a continental picture – while maintaining enforcement as a national function. Even though NORAD provides for a joint command in air defence control, the peacetime norm has been for each country to use its own assets in enforcement – separation of warning from reconnaissance and control operations. The same model is used in the space domain as well. The logical extension of that model is for NORAD to serve as a continental warning and attack assessment service, with surveillance and enforcement roles carried out in all domains by national forces and assets under national commands in each country – arrangements that should become continent-wide and include Mexico. A separate arrangement for defence cooperation in the event of security emergencies would also make sense at the continental level, involving Mexico (the US and Canada are already linked by NATO). The defence policy review discussion document declares that “Canada views trilateral collaboration with the United States and Mexico as paramount in addressing regional security challenges” (DPCD, p. 13). The Canada-U.S. Civil Assistance Plan already provides for the armed forces of each coming to the aid the other “in support of civilian authorities during an emergency such as a natural disaster.”¹⁰

In 2015 the House of Commons Standing Committee on National Defence (NDDN) issued a report on “Canada and the Defence of North America,”¹¹ pointing out that the Canada-US defence relationship has always evolved in response to a changing international security environment, noting especially the impact of the September 11, 2001 attacks on the United States for new approaches to public safety and homeland security, including the 2008 Canada-US Civil Assistance Plan and the 2006 broadening of NORAD’s mandate to include maritime warning (NDDN 2015, p. 45). When the consultation document asks just how integrated the Canadian and American armed forces should be, the earlier answer to that question from an NDDN dominated by the previous government offered no note of caution – the testimony of one DND commander being that Canada and the United States are in “a full-fledged bi-national command” and are in what is “arguably the world’s most intimate military arrangement between two allies” (NDDN 2015, p. 45).

Nevertheless, the 2015 NDDN report identifies four possible futures for NORAD:

1. Return to the pre-2006 arrangement which limited NORAD's roles to aerospace warning and control;
2. Maintain the status quo in which NORAD continues its aerospace warning and control functions and develops its maritime warning role;
3. Expand NORAD's warning role to include all environments: air, land, sea, space, and cyber;
4. Expand NORAD further to include warning and control (operational responses) in all environments.

Significantly reducing or even ending the NORAD relationship – the option some Canadians have long feared could be one favored by some in Washington – was not put on offer by the Committee and is not one that any of the main parties would now support. Canadian-US defence cooperation is in the Canadian DNA, and indeed North American regional security cooperation is the only rational course to take. But regional security cooperation is not the same as a bilateral joint defence command. If NORAD was being built for the first time today, the third option (the focus of collaboration on domain awareness, not on enforcement) would be the most logical direction, with an effort to get Mexico involved through a comprehensive (military and civilian), continent-wide, domain awareness regime that would leave control and enforcement to national authorities and commands.

Security cooperation in the Arctic

Geography and the dynamics of the Cold War made Canada-US air defence cooperation essential and inevitable. Geography also makes Arctic security cooperation essential, but history and shifting controversies far from the Arctic make cooperation an ongoing challenge, and far from inevitable.

The Arctic is primarily a maritime environment, but the long Canadian frontier and the region's strategic location on the route of a high volume of civilian air traffic make it a major air defence zone as well – a primary challenge being a civilian airliner coming down in an inaccessible region of the Arctic. And of course it remains a place where the world's most prominent nuclear weapons states still insist on facing each other directly.

Any North American arrangement for shared domain awareness and national enforcement is a mechanism that could potentially be multilateralized in the Arctic region in the interests of transparency and information sharing. Provisions for cross border assistance under particular emergency conditions would be part of the region-wide arrangement – elements of which are already contemplated in the Arctic-wide search and rescue and oil spill agreements. In other words, the Arctic calls for an institutionalized regional security arrangement that emphasizes shared domain awareness in the context of national enforcement and mutual respect for the sovereignty of each.

In 2012 Canada and the US entered into a tri-Command¹² (two national commands and NORAD) arrangement in the Arctic.¹³ A key strategic assumption of the Arctic tri-command framework is that, in the Arctic, the primary issue or requirement is not defence against military threats, but is the need to build up a capacity to monitor civilian commercial activity in the north and support civilian agencies and Government departments in ensuring compliance with laws and regulations and thus to effective governance there. So, while there will be "increases in human activity and resource development" in the Arctic, the framework insists that "the types and level of international activity in the Arctic will not result in armed conflict in the foreseeable future," and "relationships among Arctic nations will remain stable and cooperative." The framework goes on to emphasize that Arctic strategies in the three participating commands will be developed "within a whole of government framework" – a reinforcement of the tri-command framework's assertion that "defence issues do not drive Arctic affairs" and that "the Canadian and US militaries will support other departments and

agencies in response to threats and hazards in the region when requested and directed.”¹⁴ It is a formula they should apply to the entire Arctic region.

Equipping the forces for North American security cooperation

A May 2015 report out of the University of Calgary¹⁵ offers a positive account of Canadian Armed Forces capabilities in the Arctic – namely, “limited but suited to the threats they face.” Author Adam Lajeunesse notes a capability to deploy small self-sufficient rapid response units to support the work of locally based Rangers. Naval operations continue to face communications and maintenance challenges but are currently meeting needs. Foreign vessels are compliant with Canadian laws and regulations. Submarine detection is far from certain, but “they present no immediate sovereignty or security threat.”

Overall, Lajeunesse argues that Canada “does not need a combat capability” in the Arctic because “there is no one in the Arctic to fight,” and there is “no need for a large permanent presence” there. That is not to say there are not serious roles for the Canadian Armed forces in the Arctic:

The [Canadian Armed Forces], in partnership with [other government departments], will have to police and assist foreign vessels operating in the Northwest Passage, respond effectively to emergencies and other unconventional security threats, while maintaining situational awareness that will enable it to undertake those responsibilities.”

A June 2015 report by Michael Byers¹⁶ of the University of British Columbia includes compelling analysis and a series of recommendations for equipping the armed forces to perform roles appropriate to the contemporary security environment. Surveillance, search and rescue, and limited combat roles in all domains are addressed.

Notes

¹ “Defence in the Absence of Military Threats,” The first briefing in this series of briefings on the Canadian Defence Policy Review. <http://www.thesimonsfoundation.ca/highlights/defence-absence-military-threats>

² The Ilulissat Declaration of 2008 is a commitment by Arctic states to settle disputes by peaceful means in accordance with international law in general and the Law of the Sea in particular. [The Ilulissat Declaration, Arctic Ocean Conference Ilulissat, Greenland, 27–29 May 2008. http://www.oceanlaw.org/downloads/arctic/Ilulissat_Declaration.pdf]

³ “A Brief History of NORAD,” North American Aerospace Defense Command Office of History, 31 December 2013. www.norad.mil

⁴ Andrea Charron, “Canada, the Arctic, and NORAD: Status quo or new ball game?” *International Journal*, 2015, Vol. 70(2), 215-231.

⁵ David Puglise, “Selling Canada on the need for fighters,” *Ottawa Citizen*, 12 December 2010. <http://www2.canada.com/ottawacitizen/news/story.html?id=581f5e63-5feb-4983-9d70-f2d8cd0cc4fa&p=2>

⁶ Nancy Teeple, “A Brief History of Intrusions Into the Canadian Arctic,” *Canadian Army Journal*, Vol. 12.3 (Winter 2010), pp. 45-68.

⁷ The report, made available through an access to information request, is not clear on where these intercepts occurred or who carried them out.

⁸ “Canada’s International Security and Defence Policy, Report of the International Security and Defence Policy Working Group, Centre for International Policy Studies, University of Ottawa, November 2015. cips.uottawa.ca

⁹ Government of Canada, Department of National Defence, “Defence Policy Review: Public Consultation Document 2016. Subsequent references will be to the DPCD (the Defence Public Consultation Document), with the page number.

¹⁰ “The Canada-U.S. Defence Relationship,” Backgrounder, 4 December 2014.

<http://www.forces.gc.ca/en/news/article.page?doc=the-canada-u-s-defence-relationship/hob7hd8s>

¹¹ “Canada and the Defence of North America,” Report of the Standing Committee on National Defence, House of Commons, the Hon. Peter Kent, M.P., Chair, 41st Parliament, Second Session, June 2015.

¹² See a briefing in this series: Ernie Regehr, “Canada-US Military Cooperation in the Arctic: Bilateralism or Multilateralism? *Disarming Arctic Security*, The Simons Foundation, 25 April 2013.

http://www.thesimonsfoundation.ca/sites/all/files/Canada-US%20Military%20Cooperation%20in%20the%20Arctic%20-%20DAS%2C%20April%2025%202013_0.pdf

¹³ http://www.cjoc.forces.gc.ca/fs-ev/2012/12/Tri_Command_Arctic_Framework_final_En_29_Nov_2012.pdf

http://www.cjoc.forces.gc.ca/fs-ev/2012/12/Tri_Command_Training_Exercise_Statement_of_Intent.pdf

¹⁴ “The Canada-United States Military-to-Military Relationship,” DND, BG-12.005, 24 January 2012 (last updated 21 January 2013). <http://www.forces.gc.ca/site/news-nouvelles/news-nouvelles-eng.asp?id=4073>

¹⁵ Adam Lajeunesse, “The Canadian Armed Forces in the Arctic: Purpose, Capabilities, and Requirements,” Canadian Defence and Foreign Affairs Institute, University of Calgary, May 2015.

¹⁶ Michael Byers, “Smart Defence: A Plan for Rebuilding Canada’s Military, The Canadian Centre for Policy Alternatives and the Rideau Institute, June 2015.