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Chair

Mr. Dean Allison

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• (0850)

[English]

The Chair (Mr. Dean Allison (Niagara West—Glanbrook, CPC)): Good morning, everyone. Pursuant to Standing Order 108 (2), our study of Canada's Arctic foreign policy will begin.

As we discussed before the break, we are having at our first meeting the Department of Foreign Affairs to talk a bit about what we're looking at in terms of Arctic foreign policy. I want to thank our officials from DFAIT for being here today.

We have Ms. Jillian Stirk, assistant deputy minister, global issues, strategic policy and Europe. I know you've been here before, so welcome back. We're glad to have you.

We have Alan Kessel, who's the legal adviser. Welcome, Alan. It's good to see you.

And we have Sigrid Anna Johnson, who's the Canadian senior Arctic official. We look forward to hearing from you as well.

We're going to hear from all three of you. Ms. Stirk, why don't we start with you? We'll turn the floor over to you, then to Mr. Kessel, and then to Ms. Johnson. We'll open it up for questions after that.

Ms. Stirk, welcome. The floor is yours.

Ms. Jillian Stirk (Assistant Deputy Minister, Global Issues, Strategic Policy and Europe, Department of Foreign Affairs and International Trade): Thank you very much, Mr. Chairman.

Thank you once again for having invited us to address the committee this morning and for giving us the opportunity to outline some of the elements of Canada's Arctic foreign policy, which was launched in August 2010.

[Translation]

As you know, the north is undergoing rapid change, and this has sparked unprecedented international interest.

Not a week goes by without an international meeting, conference or roundtable on the Arctic taking place. Just last week, Sweden hosted a meeting of Senior Arctic Officials in Haparanda in the context of the Swedish chairmanship of the Arctic Council. At about the same time, the Standing Committee of Parliamentarians of the Arctic Region met in Inari, Finland. In attendance was a Canadian member of Parliament.

As is often the case, change presents both opportunities and challenges. The Arctic is no exception to this rule. Through the development of its Northern Strategy, Canada has positioned itself at

the forefront of these developments, identifying four pillars for Canada's engagement in the north.

[English]

The four pillars can be described as follows: exercising our sovereignty; promoting economic and social development in the region; protecting the Arctic environment; and enhancing and delegating northern governance by empowering the people of the north.

Mr. Chair, our Arctic foreign policy provides the international platform from which to project and promote our national interests on the international stage, on the basis of the four pillars of the northern strategy, through leadership and stewardship. It also recognizes the importance of a comprehensive Government of Canada approach to addressing the broad range of issues facing the region, and it puts a clear emphasis on respect for international law.

Canada's vision for the Arctic as a stable, rules-based region with clearly defined boundaries, dynamic economic growth and trade, vibrant northern communities, and healthy and productive ecosystems is fully supported by our northern strategy and the Arctic foreign policy. For example, in the area of sustainable economic development, our embassies across the world promote Canada's northern leadership in science and industry innovation. They seek out opportunities for international partnerships, including joint research and development and technology partnering and transfer.

Our embassies have also helped to promote the Canadian service industry, including Canada's polar marine technologies and Yukon's excellence in cold weather climate technologies.

In the environmental field, Canada has long been at the forefront of protecting the Arctic marine environment. As far back as the 1970s, we enacted the Arctic Waters Pollution Prevention Act. We ensured that our approach would be covered by the 1982 Convention on the Law of the Sea. Then, in August 2009, we expanded its application from 100 to 200 nautical miles.

Today Canada is pressing for a robust, mandatory polar code. The objective of the ongoing negotiations by the International Maritime Organization is to establish international shipping regulations that will enhance ship safety in the Arctic region, strengthen pollution controls, and enhance the protection of the fragile marine environment.

Canada has also been working to reduce Arctic pollutants. Along with the U.S., Sweden, and other international partners, Canada launched the Climate and Clean Air Coalition to Reduce Short-Lived Climate Pollutants in February 2012. The benefits of reducing emissions of short-lived climate pollutants, such as methane and black coal, will be felt in the near term and will substantially improve air quality and help in the fight against climate change.

• (0855)

[Translation]

Mr. Chair, building on the success of the International Polar Year in 2007-2008, which mobilized over 60 countries and 50,000 individuals around the world, Arctic-related scientific co-operation and research are going well. Scientists continue to work with their counterparts from other countries to come up with innovative and practical solutions to polar issues.

[English]

Mr. Chairman, in terms of northern governance, Canada recognizes that international cooperation strengthens our national efforts to address the opportunities and challenges emerging in the north. In that context, a common commitment to a rules-based Arctic region was reinforced when representatives of the Arctic Ocean coastal states—Canada, Denmark/Greenland, Norway, the Russian Federation, and the United States—met in Greenland in 2008 and again in Canada in 2010. They confirmed that an extensive international legal framework applies to the Arctic Ocean, providing a solid foundation for peaceful uses and responsible management of this ocean.

But improving and devolving governance also requires the direct involvement of northerners. That is why Canada continues to strongly support the participation of indigenous participant organizations at the Arctic Council. Canada's current policies and initiatives are grounded in strong collaboration and reflect the outcome of direct consultations with Canadian northerners. We will have an opportunity to showcase our achievements and further implement Canada's Arctic foreign policy during Canada's upcoming chairmanship of the Arctic Council, starting in May 2013 for a two-year period. During this period, we will closely collaborate with our Arctic neighbours on a broad range of issues that require international cooperation, seeking to promote the application of Canada's high standards and best practices throughout the region.

My colleague, Alan Kessel, legal adviser, will address how Canada is exercising its sovereignty by strengthening our Arctic presence and enhancing stewardship while managing our boundary disputes. I will turn to my colleague, Sigrid Anna Johnson, who is Canada's senior Arctic official, to deliver some remarks about the Arctic Council.

Thank you very much for inviting us this morning. I look forward to taking your questions.

Thank you, Mr. Chair.

The Chair: Thank you very much, Ms. Stirk.

I'm going to move over to Mr. Kessel.

Welcome. The floor is yours, sir.

Mr. Alan H. Kessel (Legal Adviser, Department of Foreign Affairs and International Trade): Thank you, Mr. Chairman.

As my colleague mentioned in her introduction, Canada's sovereignty over its lands and waters in the Arctic is long standing and well established. An understanding of the legal framework within which we are working will demonstrate how there are, in reality, few geopolitical tensions in the region.

[Translation]

I would like to take a few minutes to describe the reality on the ground with respect to the legal disputes we are currently dealing with and to demonstrate that Canada has a secure legal foundation in the Canadian Arctic. Let me first make something completely clear—there is no legal vacuum in the Arctic.

[English]

There are no legal vacuums in the Arctic.

[Translation]

There is an extensive international legal framework that applies to the Arctic. I am talking about the United Nations Convention on the Law of the Sea. Negotiated over many years, with considerable Canadian contributions, that convention is the most comprehensive instrument governing the oceans, with 164 states parties—3 of which are our neighbours in the Arctic region. The U.S. administration has indicated that it is a priority for them to ratify the United Nations Convention on the Law of the Sea. In the meantime, they will extensively apply the legal principles found therein.

• (0900)

[English]

Mr. Chairman, I hope that a review of the facts will help dispel some other myths and clarify the realities of the situation in the Arctic. Some commentators and academics tend to conflate the concepts of Arctic sovereignty with security in the Arctic. Some have suggested that a regime similar to that found in the Antarctic could be suitable for the Arctic region. We disagree.

The Antarctic is a land mass that is covered by ice and is in dispute. The Arctic Ocean, on the other hand, is just that, an ocean covered by ice with the surrounding land owned by sovereign states: Canada, the U.S.A., Denmark, Norway, and Russia. These states are sovereign over their waters and their land and apply their domestic and international obligations with respect to the environment and navigation.

The reason for a special regime in the Antarctic is precisely to reduce the friction between disputing states and to protect the sensitive environment. It appears that the Antarctic Treaty is doing the job it was designed to do.

In the Arctic context, leadership and confidence-building by the Arctic Ocean states has reduced any potential for misunderstanding as to the mutual interests in the region. My colleague mentioned the Ilulissat Declaration, which was a landmark discussion between ministers in May 2008. Canada, together with the other four Arctic Ocean coastal states, met at the political level in Ilulissat, Greenland. The objective of this high-level meeting was to dispel the myth that the five Arctic coastal states were not taking their responsibilities seriously. The ministers stated unequivocally that:

...an extensive international legal framework applies to the Arctic Ocean... Notably, the law of the sea provides for important rights and obligations concerning the delineation of the outer limits of the continental shelf, the protection of the marine environment, including ice-covered areas, freedom of navigation, marine scientific research, and other uses of the sea. We remain committed to this legal framework and to the orderly settlement of any possible overlapping claims.

This framework provides a solid foundation for responsible management by the five coastal States and other users of this Ocean... We therefore see no need to develop a new comprehensive...legal regime to govern the Arctic....

This was stated by the foreign ministers at the time. Of course, the complete text is available and we can supply you with the website.

As for disputes, there are three that Canada is concerned with in this region. These are well managed and will be resolved peaceably in accordance with international law. I'll run through them very quickly.

Many of you will be aware of Hans Island. It's the only land under dispute in the Canadian Arctic. This is a 1.3 square kilometre barren and uninhabited island and is claimed by Denmark. Since the maritime boundary between Canada and Denmark in the Kennedy Channel, where Hans Island is located, was settled by treaty in 1973, the dispute about Hans Island has no implication for the surrounding waters or the seabed. This dispute is well managed in accordance with a joint statement of September 19, 2005, between Canada and Denmark, and regular bilateral discussions take place to move toward a mutually acceptable solution.

In the Lincoln Sea north of Ellesmere Island and Greenland, Canada and Denmark dispute two small maritime areas of approximately 65 square nautical miles in total. Canada and Denmark agreed in the 1970s that the boundary in the Lincoln Sea should be an equidistant line, but disagreed on some technical aspects about how the equidistant line should be drawn. Canadian and Danish experts have met informally to exchange technical information about the Canada-Denmark boundary, including the Lincoln Sea, and are continuing their technical work. Canadian and Danish officials believe the work of technical experts will provide a good basis to move forward on this dispute.

In the Beaufort Sea north of the Yukon and Alaska, Canada and the United States dispute the maritime boundary. The United States does not agree with Canada's consistent and long-held position that the 1825 Treaty of St. Petersburg establishes the maritime boundary along the 141st meridian of longitude, resulting in a disputed maritime area measuring approximately 6,250 square nautical miles. The United States and Canada have both offered oil and gas exploration licences and leases in the disputed zone, but neither country has allowed exploration or development in the area pending resolution of the dispute.

Further to the understanding reached between former Minister of Foreign Affairs Cannon and U.S. Secretary of State Clinton, government experts from both countries are engaged in a dialogue on technical aspects of the maritime boundary in the Beaufort Sea and the extended continental shelf. Surveys and other work being done by Canada and the U.S. to define the outer limits of their continental shelves will be helpful to this dialogue. Experts have met or otherwise been in contact regularly as part of the dialogue.

● (0905)

[Translation]

I would like to turn briefly to the work being done to define the limits of Canada's continental shelf.

The United Nations Convention on the Law of the Sea provides that coastal states have sovereign rights over the natural resources of the sea bed and subsoil of the continental shelf beyond 200 nautical miles from coastal baselines, as well as jurisdiction over certain activities on the extended shelf. The convention sets out a process the states must follow to determine with precision where they may exercise those rights and jurisdiction and gain international recognition for those limits.

The first step in this process involves making a submission to an expert body called the Commission on the Limits of the Continental Shelf. As an aside, I would like to note that Minister Baird welcomed the election, in June 2012, of Richard Haworth for a five-year term. He is the first Canadian member of the commission.

Canada is currently engaged in the scientific, technical and legal work necessary to prepare its submission to the commission to define the outer limits of its shelf in the Arctic and the Atlantic, and is co-operating with other Arctic Ocean coastal states in this work. Canada intends to file its submission with the commission in December 2013.

A few years later, the commission will review Canada's submission and provide recommendations, based on which Canada will define its outer limits. The continental shelves of Arctic Ocean coastal states may potentially overlap, but the extent and location of these overlaps is not yet known. Any overlaps will be resolved bilaterally in accordance with international law.

[English]

Mr. Chairman, briefly, there's been a lot of speculation by commentators and academics with respect to the Northwest Passage. No one disputes that the various waterways known as the Northwest Passage are Canadian waters. The issue is not about sovereignty over the waters or the islands; it's about the legal status of these waters and, consequently, the extent of control Canada can exercise over foreign navigation.

Some have argued that these waters are straits used for international navigation, and as such, a right-of-transit passage should be permitted through them. Canada's position is that these waters are internal waters by virtue of historic title and not an international strait. For greater clarity, Canada drew straight baselines around its Arctic islands in 1986. As a result, Canada has an unfettered right to regulate the Northwest Passage as it would land territory.

Let there be no misunderstanding, Mr. Chairman. Canada welcomes navigation in its Arctic internal waters, provided that ships respect Canadian conditions and controls. Shipping in the Arctic will be instrumental for the responsible and sustainable development of the north, the second pillar of the government's integrated northern strategy.

Thank you, Mr. Chairman.

The Chair: Thank you, Mr. Kessel.

We'll now turn it over to Ms. Johnson.

• (0910)

Ms. Sigrid Anna Johnson (Canadian Senior Arctic Official, Department of Foreign Affairs and International Trade): Thank you, Mr. Chairman.

Thank you for inviting me to speak on a very timely subject today: Canada's 2013-2015 chairmanship of the Arctic Council.

As Jillian Stirk mentioned earlier, the Department of Foreign Affairs and International Trade plays an important role in delivering the international dimension of Canada's integrated northern strategy, as well as the 2010 statement on Canada's Arctic foreign policy. The statement highlights the key areas where we are working internationally in pursuit of Canada's Arctic interests. Chief among these is our work at the Arctic Council.

As you may be aware, Canada led in the establishment of the Arctic Council in Ottawa in 1996 and was its first chair from 1996 to 1998. Through federal and territorial government departments, northern aboriginal organizations, and science and other research bodies, Canada contributes expertise and leadership to Arctic Council projects and initiatives. Working in the Arctic Council helps to leverage our resources with those from the seven other Arctic Council countries to produce truly circumpolar outcomes.

Some of the past council deliverables where Canada played a significant role include developing the science that formed the basis for the Stockholm convention on the elimination of persistent organic pollutants, an Arctic search and rescue agreement to respond to the growing numbers of people travelling in the north, and an Arctic marine shipping assessment that is helping policy-makers develop rules and procedures for safe shipping in the region. There are many more.

Mr. Chairman, you will be aware that the Prime Minister recently appointed the Honourable Leona Aglukkaq as minister for the Arctic Council and Canada's chair of the Arctic Council. Minister Aglukkaq is responsible for the development of the priorities that Canada will pursue during its chairmanship of the Arctic Council. The appointment by the Prime Minister of a dedicated minister for the Arctic Council and of someone with such a deep understanding

of Canada's north and its peoples reflects the importance the Government of Canada attaches to the north and to the work of the Arctic Council.

Earlier this month, Minister Aglukkaq completed a series of engagement round tables with territorial premiers and cabinet ministers and round tables with aboriginal leaders, permanent participants, and interested parties from industry, municipalities, non-governmental organizations, and research institutions. The Department of Foreign Affairs and International Trade has in turn led an interdepartmental process involving federal government departments to identify areas where Canada may wish to focus some attention. From these meetings we heard a clear message from northerners, and that was to place people first in our Arctic Council priorities. This has been reflected in the overarching theme for our chairmanship, which will be development for the people of the north.

[*Translation*]

Beneath this broad theme will be three sub-themes.

The first of these is responsible Arctic resource development. Central to the economic future of the circumpolar region and the long-term prosperity of northerners is the development of natural resources.

We believe that the council can play an important role in making sure that Arctic resource development takes place in a sustainable manner. We also believe that the current efforts under Sweden's chairmanship to engage the industry and the business community in the work of the council should continue, and we will explore ways on how best to achieve this through initiatives such as a circumpolar business forum.

The second sub-theme is responsible and safe Arctic shipping. We know that, as the Arctic navigational season extends, it will result in increased Arctic marine activity in what is a very challenging environment.

Under the Canadian chairmanship, we will want to continue, and look to extend on, the council's recent work on oil spill pollution prevention. Initiatives that seek to enhance Arctic tourism and passenger safety, support monitoring and policy enforcement, and strengthen environmental protection are areas that we think the council should focus on.

The third sub-theme is sustainable circumpolar communities. New opportunities and challenges are emerging across the Arctic, partly as a result of the impacts of climate change. The council can help bring together some of the necessary information and tools that will enable northern communities to adapt through initiatives that address the physical, socio-economic and cultural impacts of the changing Arctic in their communities.

Under the last three chairmanships, the Arctic Council's work on short-lived climate pollutants has been ground-breaking both in and outside the Arctic. A Canadian chairmanship will look for ways to continue this work and determine whether the council can pursue more ambitious action, possibly including the development of a regional instrument.

Finally, the Canadian chairmanship will build on the council's continuing efforts to improve coordination across all of the council's working groups and task forces, and to improve tracking and reporting to effectively implement our work. The objective of this internal work will be to achieve results and outcomes that benefit northerners.

In conclusion, the Arctic Council is an important forum where we advance northern Canadian interests internationally. Northerners have always contributed to the discussions taking place at the Arctic Council, and they will continue to have an important role in shaping Canadian policy on Arctic issues.

Through Canada's chairmanship of the Arctic Council, Canada will champion initiatives that benefit northern peoples and communities in Canada and throughout the circumpolar region.

• (0915)

I welcome any questions or comments you may have. Thank you.
[English]

The Chair: Thank you, Ms. Johnson.

We're going to start with Mr. Dewar for seven minutes.

Mr. Paul Dewar (Ottawa Centre, NDP): I have one very quick question and then I'll pass it over to my colleague, Mr. Bevington.

Thank you very much for a very crisp, very thorough presentation. I have a question regarding the issue of climate change and where it fits, because I think I heard it maybe once or twice. Among its four pillars, I was surprised the government didn't have that as one of the issues.

Every single partner we have on the Arctic references climate change as a key issue. Where does the issue of climate change fit in with the government's strategy?

Ms. Jillian Stirk: It's a very important question. Indeed, I would say that in many respects everything we do in the north is driven by the realization that there are rapid changes taking place in the north as a result of climate change. Much of the work we have been doing in the Arctic Council, and will continue to do, will in fact reflect this.

I have a couple of examples. My colleague spoke about safe shipping. We certainly recognize that as a result of climate change there is increasing access to the Arctic region. Many of the steps we will be taking to ensure safe passage and to ensure that ships that are increasingly entering this region meet certain regulatory requirements are part and parcel of that.

My colleague also spoke about the importance of sustainability of northern communities. Adaptation to climate change will be a very important aspect of that, whether it's looking at infrastructure issues or indeed the health and well-being of northern communities and how those can be impacted by climate change. This will be an

important part of our ongoing work in the Arctic Council and of Canada's northern foreign policy.

Mr. Paul Dewar: I will turn it over to my colleague, Mr. Bevington.

Thank you.

Mr. Dennis Bevington (Western Arctic, NDP): Thank you for the presentations today. I think it's a very important topic. The Arctic is viewed by most of the world as a crisis area, where change is so rapid now that the assumptions we made even back in Ilulissat don't really hold up as well anymore because the conditions have changed so dramatically.

I have a question for Ms. Johnson. This Arctic Council is an international body dedicated to international issues. You see the agenda is very importantly speaking about responsible Arctic resource development and sustainable communities. Those are really national issues. They are of great importance, but they are national issues. How do you see that those particular issues, which need to be played out in Canada prior to being played out on the international scene, represent the best foot forward here? Quite clearly, the Arctic Council has been engaged in issues—such as search and rescue, ecosystem management areas, and shipping—to do with the importance of the connections between the countries and the international aspect of the Arctic.

What we see here are sub-themes that focus very much on responsible resource development, which is part of Canadian policy. How do you see that this is the best direction forward when we see a circumpolar Arctic requiring so much international cooperation on the issues that are not simply national but international?

• (0920)

Ms. Sigrid Anna Johnson: Thank you for the question, Mr. Bevington.

I hate to disagree with you, but I think in fact sustainable communities are relevant to the entire circumpolar region. If you look at the north of Russia, the north of Scandinavia, Alaska, and the three Canadian territories, they are all facing many similar issues.

I just spent last week in an Arctic community in Sweden that is dying. The majority of people who live in that small community are unemployed. It struck those of us who were there as being very similar to the situations in many northern Canadian communities. We know it's the same in Alaska and in Russia as well.

Under the theme of sustainable communities, we have adaptation. When you take the term “sustainable” in the strongest fashion, it's about whether communities can continue to exist where they currently are. Adaptation to climate change is a theme that has been in the Arctic Council for a number of years already. It's a priority for Canada. Government money is already being put into that program. We will continue the work that is already ongoing in the Arctic Council on adaptation to ensure that those communities that are affected by the impacts of climate change can continue to sustain themselves physically, culturally, and socio-economically as well.

Mr. Dennis Bevington: Can you tell me what efforts have been made so far by your department and by the new minister in charge to engage the other countries that are part of the Arctic Council? A chairperson and a chairman must, of course, represent the group that is in front of them. I noticed such a difference in the briefing notes we received from DFAIT on the draft conference statement for the Conference of Parliamentarians of the Arctic Region, in which many of the major items were virtually rejected by DFAIT and this government.

Where is the consultation that has taken place between this government and the other Arctic nations in terms of the development of this agenda?

Ms. Sigrid Anna Johnson: Very soon after Minister Aglukkaq was named, she spoke immediately by telephone to Foreign Minister Carl Bildt, who is the current chair of the Arctic Council. She will be having a bilateral meeting with him in Sweden in about two weeks' time. As her representative, I continue to meet regularly with the other senior Arctic officials of the Arctic Council. She is also planning a trip in the new year to meet with the other Arctic Council ministers.

The Chair: Thank you very much.

We're now going to move to Ms. Brown, for seven minutes, please.

Ms. Lois Brown (Newmarket—Aurora, CPC): Thank you very much, Mr. Chair.

Thank you very much for being here this morning. I really appreciate the material you've given us from your speeches. I think that's going to be very helpful for us. I think this helps to set the table for us for this investigation our committee is going to be doing.

I have two questions that I suppose actually seem to be juxtaposed and contradictory, almost, but I think they work together.

I'm particularly interested in our pillar on promoting economic and social development in the region. On Sunday, when I was flying back, I had the opportunity to sit beside a gentleman who works for a company called Richardson International. They are grain sellers. They are probably one of Canada's largest grain sellers. He was talking about the activity now taking place at the Port of Churchill and the jobs being created at the Port of Churchill in the shipping industry.

I wonder if you could talk to us about how that kind of activity is going to impact the livelihoods and the lifestyle of people in the Arctic region.

My second question comes from a visit I had from one of my constituents. This is why it seems almost contradictory. He was looking at arranging an art show of Inuit art in Europe, and he met some barriers. Some were barriers of access and continuity in getting the art pieces. I wonder if you could maybe talk about how some of this opportunity we see is going to impact opportunities for cultural renewal, cultural extension, and cultural visits. Do you see that happening in the context of the growth of the north?

● (0925)

Ms. Jillian Stirk: Indeed, I think the issue of economic and social development was very much something emphasized by the Prime Minister during his tour of the north this summer. While I think there are a number of different opportunities coming forward in the north, certainly, as you said, I think some of the shipping will prevent tremendous potential for economic growth and jobs for the people of the north.

While it may be some time before we can actually take full advantage of these northern shipping routes, there is still only a very short period of the year when there is full access to some of these ports. Certainly, looking at the longer term, I think we recognize that there could be real possibilities to expand shipping and take full advantage of these ports. I think there has been some work going on for some time with respect to the Port of Churchill as a gateway, if you like, to North America, certainly for grain and perhaps for other commodities as well.

You also raise a very interesting question about cultural exchange. I would say that for quite some time there's been growing interest in the traditional culture of the Canadian north and in the Inuit people in particular. We've seen a number of exhibitions of this type in Europe and Asia and elsewhere. I would say that in many respects there is ongoing cultural renewal. Our Arctic Council chairmanship will certainly be a good opportunity to highlight some of that for a wider audience.

Ms. Lois Brown: I was on the transport committee when we reviewed the Navigable Waters Protection Act and the extension of the area Canada wanted to protect. Do you think it would be beneficial for this committee to have some sort of review of the criteria we put into that act, such as thicker hulls for ships, just as an assurance that Canada is doing what it needs to do to protect our waterways in the north?

Ms. Jillian Stirk: May I defer to my colleague Mr. Kessel on this one, Mr. Chairman?

Mr. Alan H. Kessel: That is a very good question, and in fact it's something that's been preoccupying successive governments of Canada: how we deal with protection of our north. That is precisely the reason we are so active in the discussions of the International Maritime Organization with respect to developing the standards that shipping will use in all northern, Arctic countries.

Shipping companies are thinking 20 years ahead. When you're looking at building ships—whether you are in Korea, Russia, or Norway—you're thinking about the next 20 years. Governments have to be thinking beyond the next year in order to ensure that what we want as policy for the next 20 years is already in the minds of the shipbuilders. We've been working in concert with the private sector and the shipbuilding industry and transportation in general in the Arctic.

I think we're pretty much of a single mind as to how we should be doing it. Canada's extension of its Arctic Waters Pollution Prevention Act to the 200-mile limit was part of a strategy of this government to ensure that we have the utmost control about who comes into our area. Not only that, but with the concert of the other countries in the Arctic, we have a pretty strong like-minded group that wants to achieve similar standards. I think this is one area where we are actually ahead of the game.

• (0930)

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

For the last question of the first round, we're going to move over to Mr. LeBlanc, for seven minutes, please.

Hon. Dominic LeBlanc (Beauséjour, Lib.): Thank you, Mr. Chairman, and thank you to the witnesses.

I agree with my colleague, Paul Dewar, that it was a very succinct and rather compelling beginning to our work. Thank you for the time you've put into the presentations.

Mr. Kessel, one phrase you used struck me. I think you said that no legal vacuum exists in the Arctic—or legal void, or words to that effect. You referred to the Law of the Sea. I had a chance to spend some time with the former ambassador, Mr. Legault, who was one of Canada's great architects of that work for a number of decades. I'm somewhat familiar with the Law of the Sea—and legally I have no reason to think you're not very accurate—but there is a perception, and I think you might agree with me, in the minds of Canadians that there's some confusion as to Canada's sovereignty in the Northwest Passage, or there's some dispute.

A number of countries are calling for the Arctic to be managed outside the Law of the Sea process. You referred to the Antarctic context. We see media reports of Russian bombers and we justify fighter aircraft purchases based on sovereignty in the north. I'm wondering if the legal framework is as solid as you claim. What more can we do as a country to convince our own population and our partners in the Arctic region that this is the case? I think if you ask people on the street whether it is true that there's no legal void or vacuum with respect to Canada's sovereignty and to compare it to a land mass—you talked about a land territory. It surprises me. If somebody flew a Second World War Russian bomber over northern New Brunswick, people would react differently, and yet we had reports of this happening a few years ago.

I'm just wondering why we seem to have missed the mark as a country. It's not a judgment of this government; successive governments have failed to implant in the public imagination a legal principle that you think is so solid.

Mr. Alan H. Kessel: Thank you.

I really do appreciate the question, because I think part of what we're doing here today, and what this committee is doing, which we are so appreciative of, is actually raising the consciousness of Canadians, and not only of Canadians but of those who are listening to and reading *Hansard* on these discussions, because we are not alone in this. People do look at the words that are used in our committees and in Parliament and by our government, especially the five Arctic literal states. I'm not excluding Sweden, Finland, and Iceland; I'm just saying that the ones around the Arctic Ocean share very much the same concerns you have as to how we raise the consciousness amongst our populations as to what is real and what is a myth, and how we dispel fears that are unfounded by providing them with accurate information.

I think governments—of whatever stripe, of whichever country—have a duty to explain that in the clearest possible terms. I think we appreciated being able to do it today. In my statement, I've tried to reduce to the essentials the real issues out there, to reduce the myth that we really are dealing with an area under siege, under attack, and under exploitation without any kind of control.

The reason I explained the difference between the Arctic and the Antarctic is because in the Antarctic, of course, you have land that is, in legal terms, *terra nullius*: land that was not owned by anyone is now really a disputed area. What was thought at the time—and we actually participate in the Antarctic Treaty, not as a full member but as an interested observer, because it does deal with things we care about—was to say, look, we don't have the clarity that we have in the Arctic where we all own our land. We have land that we are designating ourselves by putting up shacks or flags and just saying, this belongs to us. You name the number of explorers who have gone out there and done that.

So they said to themselves...and this is really tremendous, because post-World War II we decided that we shouldn't be fighting over things that we can really resolve around a table. They said, you know what? There are some key issues. One is, how do we protect the environment? And how do we not bump into each other? How do we look towards resolving problems in a negotiated way? They dealt with that through the Antarctic Treaty. Transpose yourself to the Arctic and you'll find a completely 180-degree perception. We're all sovereign states. We're around a sea. We developed, over 40 years, the Law of the Sea convention, which we did in order to deal with those gaps.

I think the message to Canadians and the message that we as the Arctic states are trying to get out there is to say that we've actually been working on this, and to say, you may have discovered this recently, but hello, we have been dealing with this for 40 or 50 years, and guess what? We've come up with a really decent system. Is it 100% implemented? No. Most of us would hope that we could implement more parts of it. We would hope that the Americans would sign on as soon as possible, in which case it would be full parties, but I must say—

●(0935)

Hon. Dominic LeBlanc: To the Law of the Sea, you mean?

Mr. Alan H. Kessel: To the Law of the Sea, yes, but I must say that the Americans have been extremely good stewards as well. While they have not been able to go to their Senate to get acceptance of the treaty, what they have done in actual fact is abide by many of the tenets in there. We appreciate that.

The other point you raise—and I think this is a very important point—is that you have talked about a combination of security, sovereignty, and fear. I think we have to try to take those bits and bobs apart. When I talk about legal sovereignty, Canada owns every part of the Arctic, as it owns every part of downtown Toronto, Halifax, Vancouver, or Coquitlam. There is no question that Canada is sovereign.

When you talk about issues related to security and how we deal with—

Hon. Dominic LeBlanc: I'm sorry to interrupt you, Mr. Kessel, but you would agree, then, that we as a country have more trouble—and again, perhaps this is a perception—impressing on the public's mind our ability to exercise sovereignty over that territory than we would in downtown Toronto. If the same legal regime applies, there is a massive perception that somehow we're not really in control of the Northwest Passage. Nobody is going to drive a submarine down Yonge Street, granted, but there is a perception that this control—sovereignty—is not exercised. The legal framework is there. This is not the first time that we haven't applied a law in Canada, but I think there's a public perception that it's weaker than perhaps we want it to be.

The Chair: Mr. LeBlanc, that's all the time we have.

Mr. Kessel, please reply with a quick answer.

Mr. Alan H. Kessel: That's why you and I are here. We're here to help dispel that myth, because both you and I know it's not true. If you can come up with an example where we have problems, certainly we can take a look at them. Our job is to take the real thing, which is to say Canada is in control of its north. You can see that by the amount of resources we put into development, into our military presence, and into ensuring with our neighbours that we live in a safe environment.

If you were to say that we lived in a volatile environment in the Arctic and that our neighbours were threatening us, I could understand you might be correct and then the person on Yonge Street might have some reason, but if you take a look at everything that all five of the governments in the Arctic have done, everything they have done is about dispelling that myth. I think our job as officials of government and as members of Parliament is to say to our constituents, whoever they are, that we should look at the facts and decide if we need to be worried about things that are not real. We're happy to provide those facts to this committee and to help you do your job.

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

We're into our second round, which will be five minutes for questions and answers.

Mr. Van Kesteren, please, you have five minutes.

●(0940)

Mr. Dave Van Kesteren (Chatham-Kent—Essex, CPC): Thank you, Mr. Chair.

Thank you for being here.

I have a number of questions, and I'm going to go to Mr. Kessel. I'm looking at the map that we received from the Library of Parliament. I think I understand where the Northwest Passage goes. Does it top off around Baffin Island and then head straight to that line? How long is that water open now? How long can we expect to see...? Are we looking at a month, two months? I know that's increasing, but....

Mr. Alan H. Kessel: You've raised a very interesting point. You had trouble finding the Northwest Passage, didn't you? That's because it is a concept, not a reality. The reality is that we have a series of different channels that run east-west, west-east through the Arctic Archipelago. If you look at your map—and I don't have the map you have, I just have my own map—you will see that we have a large number of islands, and depending on the year and the navigability between those islands, that could be the Northwest Passage.

The Northwest Passage was an idea. It was a creation of those who believed that if they could only get through the Arctic and find the way to India, there would be massive riches. A lot of them died in the process. The reality is that those channels, each of which has its own name, comprise the Northwest Passage.

The other question you are dealing with, and that's the kind of thing that we as officials of government and as members of Parliament need to get our heads around, is that there is no question from anyone as to whether we own the land, those islands, or whether we own the water. The only discussion people are having right now is, like the Strait of Malacca or the Strait of Hormuz, that the channels through the Northwest Passage are an international strait, and our argument is simple: no. Why? Because you can't create something that didn't exist before. It has to have been used for international navigation. Until very recently, for 10,000 years, you couldn't get through. The poor guys who died there 100 years ago couldn't get through. You can't create a right out of something just because the nature of water changed from ice to liquid.

So we have a very simple argument. It's a strait. It's never been an international strait, and it won't be an international strait because it's internal to Canada. Why is it so different? If you go to the Strait of Malacca, they have 10,000 ships going through a year. If you go to the Strait of Hormuz, they've been doing that since time immemorial. It's not the same here.

Mr. Dave Van Kesteren: I've read that the Chinese have had a successful passage. That was north of Siberia. When I look at the map, it occurs to me that if there were a trade route it would probably go to Europe and to the United States. So one would be used on the Russian side and the other would be used on the Canadian side.

We're taking a lot of things for granted, that we have to see a continuation of global warming and opening of the passages. That would be correct as well. There would not be just one passage, but two, correct?

Mr. Alan H. Kessel: They are two passages. There's the northern passage, and I would point out to you that because of the way the currents in the Arctic work, the northern passage is open a lot of the time in the summer.

The Russians, very entrepreneurially, have decided to make this a major business. They have guaranteed shipping; they will get you through with the fastest times from east to west or west to east. They have, in fact, updated their ports to do so. They have icebreakers that you can rent to ensure your vessels get through. The Russians are pretty good at this.

We don't have the same luck. The reality is that as the ice is melting, it doesn't just melt like a couple of ice cubes in a glass of Scotch, where it just disappears and things taste better.

A voice: It leaves you with the Scotch.

Mr. Alan H. Kessel: Yes, it leaves you with the Scotch.

The reality is that the ice, as it breaks up, gets into places where ice never was before. So those large chunks of ice are now becoming much more of a greater peril to shipping.

This is all to say that someone at Lloyd's of London is really making the decision as to what traffic will go through Canada's Northwest Passage, based on the insurance they're willing to give those vessels. At the moment they're more likely willing to give that insurance to vessels going through Russia than through Canada. But we're hoping that at some point in the future we too will have a capacity to benefit from traffic.

The Chair: Thank you very much.

In the time we have we're going to move to Mr. Bevington.

You have another five minutes, sir.

Mr. Dennis Bevington: Thank you.

The debate on the Northwest Passage, of course, has been overshadowed by the Chinese icebreaker that went right over the North Pole very successfully this summer. The direct route across the North Pole is, of course, the shortest way between Europe and Asia. As well, the Russians just laid the keel on one of the largest icebreakers that will guarantee all-season passage in their Arctic waters. The Northwest Passage issue is one that is going to fade very quickly.

You talked about how, in the Beaufort Sea...that we're working away at that. Why, then, have the Americans over the past three years passed fishing regulations, passed air emissions regulations in the disputed area? Are the Americans building a better case internationally for ownership of the water through these regulations that they continue to pass in the area of dispute? Canada has fallen dramatically behind the U.S. in this regard.

Could I get your comment on that? Could you make it brief, too, please? I have something for Ms. Stirk as well.

● (0945)

Mr. Alan H. Kessel: None of the issues you've raised actually impede Canada and the U.S. from negotiating a resolution to our boundary dispute.

The issues you've raised are really about managing resources and environment, as Canada is doing as well. If you try to separate those two, it really confuses the issue. When it comes to where the line should go, that's going to be about where the line should go, not about what's in the air or how we're dealing with fish. Both of us are concerned about fish and both of us are concerned about the air. We do that together. Where the line goes is a negotiation between two sovereign states to eliminate a dispute.

What I indicated in my statement was that the two governments are now meeting at the scientific and official level to determine just how and when we can start a real negotiation. The Americans are pretty keen on having much more science at this point, in terms of the seabed, before they want to come to the table. Canada is happy to work with them. We've had the *Louis S. St. Laurent* and the USCGC *Healy* working together to make those soundings.

A lot of these disputes will be dealt with by science, and the rest of it will be dealt with by lawyers like us.

Mr. Dennis Bevington: And as a lawyer, you know that those who exercise jurisdiction over an area have a better case.

I'll move to Ms. Stirk.

You talk about the involvement of northerners. In the draft statement from the conference of Arctic parliamentarians, the position was made that permanent funding should be sought and obtained for the permanent participants at the Arctic Council, yet the Government of Canada said it wasn't interested in that.

If you're interested in expanding the role of northerners on the Arctic Council through the permanent participants, wouldn't it make a lot of sense to push for permanent funding for those organizations so they could interact correctly with the Arctic Council, rather than funding simply on an ad hoc basis?

Ms. Jillian Stirk: Perhaps just to clarify, the Government of Canada, through the Department of Foreign Affairs, does support the Canadian-based permanent participants with some financial resources to help them participate in the work of the council. This I think has been ongoing since the creation of the council in fact.

Of course, the Department of Foreign Affairs cannot be the only funder of permanent participants. That said, we do find means to support both their travel and their participation, and in some instances also in helping them to strengthen their policy capacity, but not for the entire operation of the organization.

I would say that the permanent participants play an extremely important role in the Arctic Council and on northern issues in general. We certainly look to them as a valuable source of advice and input on a whole range of issues facing the north. I think their participation has been actually critical to the success of the Arctic Council. In many respects it makes it quite a unique organization; you have states and civil society organizations, like the permanent participants, sitting around the table together at the international organization dealing with the issues that of course affect these groups directly.

● (0950)

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

We're going to move back over to Mr. Schellenberger for five minutes.

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

This question is for Ms. Johnson.

In one of your statements in response, you mentioned a northern community in Sweden that was dying due to a lack of work. Was this a long-established town or was it newly developed? What were the former jobs that supported this area? What sort of northern development do you or the council foresee to make this and other northern communities viable?

Ms. Sigrid Anna Johnson: The name of the community that we met in last week is Haparanda. You'd be interested to know that apparently in the 1800s, Thomas Cook, of Thomas Cook travel agencies, said that to honestly become a true globetrotter one has to visit three places on earth: Samarkand, Timbuktu, and Haparanda.

We were quite skeptical looking around Haparanda, which was a town with no one in the streets. It used to be a port. It's at the top of the gulf where Sweden joins Finland. There used to be a lot more timber-related exports and imports, imports of other products, fish, the whole thing, and that is now dying off. The town is still alive because an Ikea has been built, and it's where all the Russians come across Finland to buy their Ikea products. I'm not sure that putting Ikeas into all northern communities in Canada would have the same success, but you can see that innovation is being used to try to come up with ways to keep a community alive.

While there may be roads to this town of Haparanda, and we don't have roads to a lot of Canadian northern communities, the issues of economic and social sustainability are themes that are very common throughout the circumpolar region, and we find we do have much to talk about when we get together to discuss those issues.

Mr. Gary Schellenberger: The residents of that particular community then are not indigenous people?

Ms. Sigrid Anna Johnson: There are some Sami people and some non-indigenous people as well.

The Chair: You have two minutes.

Mr. Gary Schellenberger: Canada is working to define the outer limits of the continental shelf in the Arctic. Can you explain how this process works, and what is the status of the long-term project? I don't know who wants to answer that.

Mr. Kessel.

Mr. Alan H. Kessel: Yes, indeed, and I was pretty short in my statement at the beginning on this, but this is really one of the major success stories of the Law of the Sea convention, and also in the foresight that Canada had put into it many, many years ago.

In a nutshell, coastal states have the right to extend their exploitation of resources on the seabed to what is called the foot of the slope of the continental shelf. It sounds simple, but it's horribly complicated, from both a scientific and an analytical point of view. We have spent the past four years mapping the Canadian continental shelf on the east coast and in the Arctic. The east coast is a much easier endeavour, given that the ice conditions are pretty well non-

existent and we have a much greater season. We have almost completed the work on the east coast.

In the Arctic we have spent some considerable amount of time, and this is a case of working with our American colleagues and using vessels from other countries, too, to map the continental shelf. We have a commitment to complete our work by December 2013. By the time we're finished, the land mass equivalent will be that of the three prairie provinces in terms of the extension, with, as you can imagine, extraordinary hydrocarbon potential and the like. Whether we can actually harvest that in the near term is debatable, but we are planning for 100 and 200 and 300 years from now to ensure that Canadians have their right to the continental shelf. We will submit in 2013, and hopefully we will have a result in the near future on that.

• (0955)

The Chair: Thank you very much.

We're going to move over to Mr. Holder for five minutes.

Mr. Ed Holder (London West, CPC): Thank you, Chair. It's a pleasure to be on this committee today, even if I'm only here temporarily.

Mr. Kessel, no disrespect, but ice with Scotch just doesn't work, I have to tell you. I want to challenge that.

Voices: Oh, oh!

Mr. Alan H. Kessel: Only if it's not single malt.

Mr. Ed Holder: If it's not single malt, you can put anything in it. I don't care.

Ms. Johnson, I think you're brilliant. Maybe the answer to establishing sovereignty once and for all in the north is to put Tim Hortons in every corner of the north.

It was rather interesting. I was listening to colleagues opposite. Mr. LeBlanc, I listened with great interest when you talked about the massive perception that we're not in control of the Arctic. There's this massive perception of Canadian people. I think there's a greater perception amongst Canadian people, at least according to my Cape Breton mother, that Cape Breton is its own sovereign territory. I certainly don't believe there's that perception.

Hon. Dominic LeBlanc: Do they have Tim Hortons there?

Mr. Ed Holder: Tim Hortons is in Cape Breton too. There you have it.

It's interesting. When I look at what has been done to establish Canada's consistent sovereignty of the north...obviously I think we're all clear that this Prime Minister has shown a very strong commitment to the north. You see that with his regular visits up there, the first prime minister I have seen in my life do that on such a consistent and committed basis.

Mr. Kessel, or perhaps Ms. Stirk, you made reference to our military exercises in the north and our resource development in the north as well. It's very, very strong, and that's why I actually agree with Mr. Bevington. Those who exercise jurisdiction have the influence in that jurisdiction. You're absolutely right, and I think that's where Canada can comfortably lay claim. "Lay claim" sounds like it's tentative; it's not. This is our north, and I think it's very consistent and clear. Anybody who wants to have an argument on that can come see us and I'll be happy to have that discussion with them. I don't think as parliamentarians we should ever be suggesting that's even in doubt at all. We should not ever have that as imaginary, because as soon as you sow a seed of doubt, that gives credence to someone else's argument. I think we have an obligation as Canadians and as parliamentarians to consistently take that position.

I have a question for you, Ms. Johnson. It was interesting to hear some of your testimony about the Arctic Council. I'd like to understand more about it, because I must admit I'm not that familiar with it. I was trying to understand why it's so critical for Canada. I know we talk about the four pillars, but why, from a Canadian perspective, is this Arctic Council so critical?

Ms. Sigrid Anna Johnson: The Arctic Council is viewed as the primary forum for engagement on circumpolar issues and it has had great success since it was established 16 years ago in 1996, because of the way it works. The combination of the eight states plus the six permanent participants, which are the groups—

Mr. Ed Holder: You see clear measurables coming out of that.

Ms. Sigrid Anna Johnson: I do see very clear measurables coming out of that.

It has had enormous success in doing a lot of the baseline research, which has led to international instruments, such as the POPs convention in Stockholm. We hope international mercury negotiations will be finalized in January of 2013. That would be as a result of a great deal of research done by the council in its early days as well.

It started out as very much a scientific body. It has evolved into a policy-making body now. You see that with the recent search and rescue agreement. With the increasing attention on the circumpolar region, it's clear that this will be a role the council will rise to, to ensure that there is appropriate governance in the region.

Mr. Ed Holder: Thank you.

Ms. Stirk, I appreciate the written comments you provided us in which you talked about, "Canada's vision for the Arctic—that of a stable, rules-based region with clearly defined boundaries, dynamic economic growth and trade".

I sit on the Standing Committee for International Trade and—I'm not sure if we took it from you or you took it from us—but that feels like what we're trying to do in all of our trade deals. When you talk about a rules-based region, surely you're not talking about Canada vis-à-vis the north; you're talking about Canada vis-à-vis other countries. Is that correct?

Can you clarify what you meant by that?

•(1000)

The Chair: And if you could do that in 30 seconds, that would be great.

Ms. Jillian Stirk: I will do my best. Thank you.

Yes, exactly. That's really in terms of all of the things that Mr. Kessel has been talking about: basic application of international law across the Arctic region and mutual recognition of boundaries, of regulatory regimes, and so on, so it's very much from the international perspective.

Mr. Ed Holder: I'm sorry I didn't have time to ask Mr. Kessel questions. I think he's brilliant.

The Chair: Thank you very much. It must be because of the Scotch.

Mr. Dewar, go ahead for five minutes, please.

Mr. Paul Dewar: Thank you, Chair.

I want to pursue further the subject of governance of the Arctic within Canada.

Who is in charge of the file? Obviously you have a lot to do with it because you are here today. In terms of the governance, as Mr. Bevington touched on, it is kind of a Venn diagram of sorts. There are our foreign policy interests and then there are our domestic.... I'm just wondering how this file is treated within government.

I think, Ms. Johnson, you—or maybe it was one of your colleagues—talked about a whole-of-government approach.

Could you just elaborate on how you are working with other departments and how that actually works? I think one of the issues that everyone agrees on is that there need to be inputs from people of the north, and from a domestic side, there need to be policy markers and an agenda, so that when we're working with other countries it's clear what our domestic agenda and interests are as well as what our foreign policy interests are.

Ms. Jillian Stirk: Yes, indeed, I would say this is very much a whole-of-government issue. The Department of Foreign Affairs and International Trade is largely focused on the international dimension, whether that is in the negotiation of various agreements that Mr. Kessel has spoken about or whether it is in the work that we do on the Arctic Council, or even in some of the bilateral cooperation we have with a number of the Arctic states.

Many government departments have an interest in and a role to play on northern issues. Just to name a few, there are certainly Fisheries and Oceans, Industry Canada, Aboriginal and Northern Affairs, Health, Environment. I would say all of these departments and others are actively engaged. There is the coast guard on issues related to shipping, and of course National Defence when it comes to security issues.

I would say there's a very good exchange of information across departments. We do meet regularly to talk about these issues, because we know that no one department will be able to develop all of the answers on these questions and that a whole-of-government approach is really required.

There is also the question of jurisdiction and the very important role of provinces and territories in the north.

Mr. Paul Dewar: Obviously you are the lead on it.

Ms. Jillian Stirk: We're the lead on the international dimension, but not on northern issues writ large by any means.

Mr. Paul Dewar: I just have a question. Maybe it is not under your purview, but I know that other governments have models that include representation of peoples of the north. I know that Greenland has representation with the Danes, and there is kind of an integrated approach. We have Nunavut, so arguably that is taken care of in a sense, but I think what many people are looking to—and this was touched on in your overview, and Mr. Bevington has mentioned this—is that it is absolutely critical to have representation of the people of the north.

Notwithstanding what we have already heard about providing some funding, having a seat at the table is extremely important. Is there any idea about how to expand representation in the north, particularly of the Arctic Council, so that there's more integration of representation of the people of the north?

Ms. Jillian Stirk: I've already mentioned, I think, that we have the permanent participants at the table on the Arctic Council. There are six aboriginal or indigenous groups represented there, several of which are based in Canada. Some of them, of course, straddle several international jurisdictions.

Mr. Paul Dewar: I should be clear that I didn't mean for consultation. I meant for participation at the table.

• (1005)

Ms. Jillian Stirk: They are full participants, yes.

Mr. Paul Dewar: They're at the table when you're talking about your policy designs, etc.

Ms. Jillian Stirk: Do you mean at the Arctic Council? Yes.

Mr. Paul Dewar: And they are there for domestic policy.

Ms. Jillian Stirk: They participate on other issues. Certainly a lot of the preparatory work we do on Arctic Council issues includes the permanent participants.

As my colleague mentioned, Minister Aglukkaq was recently in all three territories. She met with the territorial governments and also the permanent participants' organizations and other northern stakeholders. They are very much part of the process, I would say.

The Chair: Thank you very much.

We're going to now move to Ms. Grewal, for five minutes, please.

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

One of the issues related to the Arctic Council's future is the question of adopting an exclusive treaty between member states. Specifically, it seems that the Arctic Council is considering becoming a formal international organization with a treaty and all that. What would give the member states more binding powers?

Also related to the Arctic Council's future is the question of whether they will revisit the decision to exclude military security from council matters. As it is, the council does not attempt to address issues of a military nature in regard to these future considerations.

How might Canada benefit from a move towards each of these? In other words, how might Canada benefit from the Arctic Council becoming a formal international organization? Second, how might Canada benefit from bringing military security into the discussions of the council?

Ms. Jillian Stirk: I think we would argue that the Arctic Council is an international organization. In terms of treaty-making capacity, that responsibility lies with the sovereign states, not with the organization itself.

I think, really, the value-added of the council has been that it works on a consensus basis. The real value-added they have brought is, as my colleagues mentioned, advancing work in the scientific area, and, more recently, moving on into policy issues. Their good example was the agreement on search and rescue. But of course the responsibility for the application of these decisions rests with the states that are participants in the council.

When the council was established, it was decided that military issues would be specifically excluded. I think the sense is that there are other forums in which we can deal with those issues as required, whether that's bilaterally or through other arrangements.

Mrs. Nina Grewal: One of Canada's biggest challenges is to ensure that we maintain our claim to the Northwest Passage as an internal waterway. So while Canada reached an important agreement with the U.S. in 1988 to permit certain U.S. vessels through the passage on a case-by-case basis, this did not settle the question of sovereignty.

Can you elaborate on the position of the Arctic Council member states, as well as the current position of the U.S., on our internal passage claim? Also, what elements do you think need to be in place before the U.S. would publicly recognize the Northwest Passage as an internal waterway?

Mr. Alan H. Kessel: This is a really important question you've raised, because I think it's part of what we were discussing earlier in terms of the awareness-raising. Are you going to find countries agree with each other on everything, all the time? Probably not. The reality is how does it play out in real time?

We have dealt with the issue from both a legal and a practical point of view. Yes, indeed the Americans, I think mainly from a geopolitical strategic point of view, look at straits with one point of view in mind: they like to keep them open. Our point of view, from Canada, is that you can keep your straits open in other places. This is not a strait that fits that dynamic. But let's be practical.

When President Reagan was up visiting Prime Minister Mulroney, this issue came up at the time. They decided that instead of us bickering about this, why don't we just set up a practical arrangement? The practical arrangement is that you can have your views and we'll have our views, but in the meantime we will get on with business.

That has worked very well. We do not see a problem in terms of the legal reality we have. Canada has done what it needs to do to ensure its exercise of sovereignty. Vessels that do come into Canada come into Canada with permission. One of the exercises of sovereignty is that when someone asks and you give them permission, you're in control. We have been in control, and we've been strengthening that control over the period of time under question.

I would just raise a point of lexicon. I think lexicon is really important in this discussion, and it was raised by one of your members. We don't talk in terms of "claim", because you don't claim something you own. If you raise that question, then you are raising the doubt. And there is no doubt. We do not claim the Canadian Arctic. It is Canada's.

Part of the consciousness-awareness exercise is to be aware of the language we use, as people who people look up to. So in my presentations, not only to this group but to others, I am always careful to ensure that there is never a doubt as to who owns what. There is never a doubt what part of Norway is owned, what part of Denmark is owned, what part of Russia is owned. We will not insert a doubt into that discussion where it doesn't belong.

Thank you.

• (1010)

The Chair: Thank you very much.

We have time for one more round, so we'll have Mr. Bevington, and then we'll finish up with Mr. Williamson.

Mr. Bevington, five minutes, please.

Mr. Dennis Bevington: Thank you.

I want to go back to the issue of working with the partners on the Arctic Council, because I think that's quite clearly what has happened in the past and has been very successful. Sweden, in the previous chairmanship of the Arctic Council, set up a four-year agenda.

The two-year agenda for an organization like this is going to be very difficult, because of course it doesn't give you much time to accomplish the things that need to be accomplished, especially if you're taking a direction that's obviously a little different from what the other countries were looking for.

Have you entered into any discussions with the United States, which is going to be the next chair of the Arctic Council, in order to work on an agenda that could provide some kind of continuity through four years rather than simply two years?

Ms. Sigrid Anna Johnson: Thank you for the question.

Mr. Dennis Bevington: Has there been any discussion?

Ms. Sigrid Anna Johnson: As the council has evolved over the 16 years, its ways of working to make it more effective have evolved, clearly. Particularly under the Scandinavian chairmanship, as they call it, the three Scandinavian countries worked very closely together. They had one secretariat for the three of them.

What we have done with Sweden, who is coming before us, is that we made sure, right from the first time Sweden took over the chairmanship, that their entire team came to sit down with the

Canadian team. We looked at what was on the Arctic Council agenda —

Mr. Dennis Bevington: That wasn't my question. My question was about the Americans.

Ms. Sigrid Anna Johnson: I'm getting there.

Mr. Dennis Bevington: Have you entered into any discussions with the Americans?

We don't have much time here, so I can't really.... I'd ask you to be very specific.

Ms. Sigrid Anna Johnson: Canada and Sweden have worked very closely on the—

Mr. Dennis Bevington: I asked you a particular question: have you had any discussions with the Americans?

The Chair: Mr. Bevington, let her answer the question.

Mr. Dennis Bevington: Well, I'm limited in time here.

The Chair: She's getting to it.

Ms. Sigrid Anna Johnson: Canada and Sweden have been working very closely on the existing Swedish chairmanship. Canada will do exactly the same thing with the United States as we are delivering our chairmanship.

We are moving towards a troika system, where there is the former chair, the current chair, and the future chair. It's a very effective way to run an intergovernmental forum, and Canada will certainly be continuing that process.

Mr. Dennis Bevington: Why was that not indicated in your briefing notes to the conference of Arctic parliamentarians? Why was the opposite indicated, if you weren't considering a joint agenda with the United States?

Ms. Sigrid Anna Johnson: I think as we've discussed a couple of times—Mr. Kessel perhaps articulated it best—it's frequently an issue of language. We will certainly be working very closely with the Americans.

Mr. Dennis Bevington: I'll certainly be tabling that document with this committee.

Mr. Kessel, who is ultimately doing the negotiation on the issues of Canada/U.S.? Is there a special committee that's been established to deal with this particular issue of the Beaufort Sea? Is it budgeted to do the work? Does it have the proper authorities to go ahead and effect an agreement?

• (1015)

Mr. Alan H. Kessel: The Minister of Foreign Affairs under the Department of Foreign Affairs and International Trade Act has the authority to negotiate any international agreement with a foreign state. So the minister, through his officials, exercises that mandate, normally based on a mandate that's decided by cabinet and the minister. Any negotiation you see in the press is a negotiation that is undertaken either through the Minister of Foreign Affairs in collaboration with the appropriate minister—for instance, in trade agreements with the Minister of International Trade.

For your specific question as to the Beaufort, there is no ongoing negotiation with respect to resolving the current dispute. As agreed between then Minister Cannon and Hillary Clinton, there is a dialogue between officials to establish some of the scientific parameters.

You asked about budgets. Our department is really about negotiating. The budget for negotiations on particular issues is part of our normal, daily A-base.

The Chair: That's all the time we have.

We're going to move over to Mr. Williamson to finish up for five minutes.

Mr. John Williamson (New Brunswick Southwest, CPC): Thank you, Chair.

Mr. Kessel, I appreciated the comment you made about claim versus ownership, that you don't claim something you own. Can we infer, though, that when we see claims from other nations on our territory, what they're trying to do is chip away or create doubt in the minds of others? I suppose my question is how we counter that, but before I have you answer, I'll just come back to something Mr. LeBlanc was saying about the perception. I think you asked, perhaps rhetorically, for him to raise some examples.

We've seen over the years the back and forth on Hans Island with troops from both countries. We've seen the Russians dropping a flag into the ocean allegedly at the North Pole—a Russian flag, however many metres down—and then, of course, occasional excursions by Russian airplanes into our territory, or on the fringe anyway before they're chased out. So there is something going on here. There's a perception in the north about a shakiness that is not, to use his example, in downtown Toronto.

You might be absolutely correct in terms of the legality, but what's going on in terms of the competing claims, and do these actions by these foreign states, in your opinion, strengthen their claim for this territory despite our ownership?

Mr. Alan H. Kessel: I think the way you've articulated that question is precisely on the food groups within it, which we need to deal with. We need to dispel the mythology around them. Let me try with respect to disputes in the Arctic.

There are only three, and those are the three in the document I have given you that are in the Canadian Arctic. One is with respect to a line in the Lincoln Sea, and that hopefully will be resolved with geo-mapping in the near future. There's Hans Island, which we are managing as a dispute, but we're not going to go to war with Denmark, I can promise you that. So it's being managed. It's a rock, and we will deal with that.

The more interesting one is the Beaufort, of course, and clearly we have very good relations with our American friends. We look forward to the moment when we can sit down and try to resolve this, because our idea would be to have a clear map of the three disputes in the Arctic.

I'm trying to diminish the real sort of mythology around it, because one's a line in the water, one's a rock, and the other thing we're going to get to. Is this threatening our sovereignty? No.

We talked about flags being dropped on the North Pole. You know, the *National Geographic* puts flags on the Himalayas all the time. You don't own the Himalayas. The Americans put a flag on the moon; they don't own the moon. The Russians did a photo-op; they don't own the North Pole. Probably the Danes own the North Pole, actually, if you look at the map. I think what we have to do is try to diminish what some of these characters do, and the Russian guy was just trying to do exactly that—provoke.

You mentioned fly-bys. We have a very concerted North American air command, which takes a look at any aircraft that come near our territory. None of the aircraft in question actually did cross into Canadian territory, but we're very aware, and we watch how they manoeuvre in those areas. That's something the Department of National Defence does as part of exercising our sovereignty. So that is another example of how when we scramble jets to go up there from our northern air command, we're doing something to protect and exercise our sovereignty.

Just the combination of the questions and the sort of atmosphere around them is important, because when we go into other rooms where people are not as informed or have the depth that you have, in terms of what we do as government and as officials in protecting the interests of our country, they need to get the kind of clarity that we can give them and that you can give them. So anything we can do to give you those bullets, those bite-sized chunks, those very simple answers to complex questions, we'd be delighted to do so. In essence, the reduction of their concern for non-issues allows them to be concerned about real ones.

• (1020)

The Chair: Thank you very much.

Thank you, Mr. Williamson.

Ms. Lois Brown: Any tiny questions? I want to know if we're going to find Franklin's ship.

The Chair: No, that's all the time we have, Ms. Brown. Sorry about that.

Mr. Kessel, Ms. Stirk, and Ms. Johnson, thank you very much for being here today. We appreciate your time, and if we have any additional questions, we look forward to following up and sending them to you.

With that, we're going to suspend the meeting and go in camera for some committee business.

Thank you very much.

[*Proceedings continue in camera*]

• (1020)

_____ (Pause) _____

• (1025)

[*Public proceedings resume*]

The Chair: Could I have the members back to the table? We're going to stay public for this motion, just to read it into the record. Once we've dealt with the motion, we'll go in camera.

Mr. Dewar, why don't you read the motion.

Mr. Paul Dewar: Thank you, Mr. Chair.

I just want to bring forward the motion that I brought notice of a couple of weeks back, before the break. At that time, I had referenced the fact that after our committee hearings on Syria it was important to bring something forward to the committee in the way of a motion. So the notice of motion I brought forward on November 1 is in front of committee members. I'll be brief.

It does reference the fact that from what we heard in committee from witnesses about the humanitarian crisis in Syria, our committee is calling on the government to support, first of all, the peace-building efforts in Syria by making new financial contributions to the work of the UN-Arab League joint special envoy. The government has already done that. This is just a call to continue doing that.

Then the motion says “provide emergency humanitarian assistance to address the growing refugee crisis in Syria”.

I'll just take a moment to point out that people will probably have heard over the weekend, and as recently as yesterday, that the crisis deepens, and particularly, as we heard from committee a couple of weeks ago, because winter is coming. I know that sounds strange for many who might not be aware that notwithstanding where it is geographically, there are harsh conditions for people in winter in the area. Children, in particular, are suffering. We just had a report as of yesterday from an agency saying that children's welfare is suffering, and making a call for action.

This is just to support the refugees in Syria, and to give particular attention also to the violence against women.

The last point is to do—

Ms. Lois Brown: I have a point of order. Mr. Chair, I believe these are points for debate. We're supposed to be reading the motion into the record.

Mr. Paul Dewar: Sure. Okay. I've done this before.

And finally it is to expedite family reunification, as we have done in the past.

The motion is in front of you:

That, with regards to the growing humanitarian crisis in Syria, the Standing Committee on Foreign Affairs and International Development calls on the Government of Canada to: support the peace-building efforts in Syria by making

new financial contributions to the work of UN-Arab League Joint Special Envoy Lakhdar Brahimi; provide emergency humanitarian assistance to address the growing refugee crisis in Syria with particular attention to the issue of violence against women; and, expedite the process of family reunification for Syrians sponsored by Syrian-Canadians.

I'll stop there and leave it for the committee to debate and, if we can, vote on it.

The Chair: Ms. Brown.

Ms. Lois Brown: Thank you, Chair.

We have an amended motion that we've submitted to the committee. May I read that into the record, Mr. Chair?

The Chair: Go ahead, Ms. Brown.

Ms. Lois Brown: The amended motion reads:

That the Standing Committee on Foreign Affairs and International Development note and welcome the substantial efforts taken to date by the Government of Canada to respond to the ongoing humanitarian crisis in Syria and in the broader region; that the Committee encourage the Government to continue to consider additional financial contributions that would provide tangible results by assisting those most in need; support the Government's efforts to expedite family reunification for Syrians who are sponsored by Syrian-Canadians and who face individualized personal risk; and that, following its adoption, the Committee report this motion back to the House.

● (1030)

Mr. Paul Dewar: I thank Ms. Brown for that. We don't have it translated yet, so I'm wondering if—

The Chair: Do you want to think about it, and we'll bring it back next week?

Mr. Paul Dewar: I appreciate the offer and the amendment. I'd like to make sure that we bring this back as soon as possible, and I know we'll talk to Mr. LeBlanc about that.

The Chair: We'll make some time on Thursday.

Mr. Paul Dewar: Yes. I think he'll be in agreement with that. Thank you.

The Chair: Thank you.

Now we're going to go in camera for some committee business, so we'll take a second to do that, and then we'll have a look at the work plan.

[Proceedings continue in camera]

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