

CANADA'S NORTH

# Battle for the Arctic heats up

Last Updated: Friday, August 20, 2010 | 4:11 PM ET

[CBC News](#)[Back to accessibility links](#)

## Beginning of Story Content



*The midnight sun shines on the Canadian Coast Guard icebreaker Louis S. St-Laurent near Resolute Bay, Nunavut, last year. The Louis is on its annual voyage through Canada's Arctic that includes patrols through the Northwest Passage. Canada's sovereignty over the Arctic is coming into question, which makes ships such as this one of vital strategic importance. (Jonathan Hayward/Canadian Press)*

The Arctic is under siege as never before.

The Russians send submarines deep below the North Pole. The Americans dispatch surveillance planes to monitor new threats in the North. And Canada scrambles to defend territories it has ignored for too long.



19-year-old Sarah McNair-Landry, of Iqaluit, took a trip from Russia to Ellesmere Island via the North Pole to raise awareness of the environment. The Arctic region is becoming increasingly important for military, commercial and environmental reasons. (Canadian Press)

In 2007, the stakes were raised considerably when Russia launched a naval manoeuvre designed to plant an actual Russian flag, in a titanium capsule, at the base of the North Pole, 4,200 metres below sea level.

Russia's game plan was to extend its territory almost up to the Pole itself, to claim the vast mineral and energy resources many feel lie underneath the Arctic ice.

The North Pole is considered an international site and is administered by the International Seabed Authority. But if a country can prove its underwater shelf is an extension of its continental border, then it can claim an economic zone based on that.

And that's what Russia is doing by systematically charting the reach of its Lomonosov underwater shelf. As a spokesman for its Arctic and Antarctic Institute said, "It's like putting a flag on the moon."

For Canadians, of course, this is more like waving a red flag in front of a bull.

### **'The true north, strong and free'**

Canadians have always tended to regard the northernmost reaches of their land as an integral, if isolated, part of the country. The vast and frozen Arctic archipelago even gets its own reference in the country's national anthem: "The true north, strong and free."

But how much of "Canada's North" is Canada's? Just about everyone agrees that the many islands that dot the Arctic to the north of Canada's mainland belong to Canada. But what about the water between them? Who, if anyone, has jurisdiction over the waters separating Somerset Island from Devon Island, or Melville Island from Banks Island?

The Canadian government says the jurisdiction is clear — they're Canadian waters. But the U.S. and some other countries, especially now Russia, don't agree. They see the Northwest Passage as an international strait that any ship should be free to transit. And increasingly, they are seeing the Arctic seabed as a resource to be carved up among certain northern nations. Who is right?

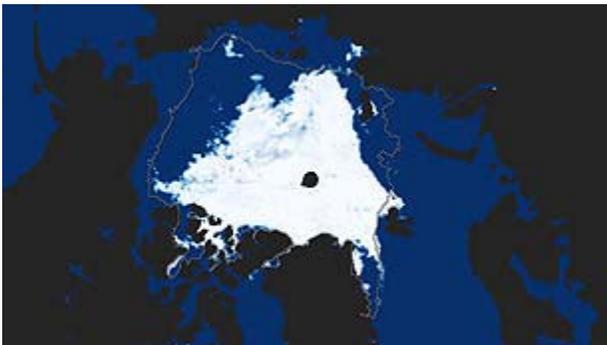
Canadian scientists are now joining the soldiers on the front lines of this battle, as they race to chart Canada's Arctic claims under the looming deadline of an international treaty.

## Borders being redrawn

Under the UN Convention on the Law of the Sea, which Canada ratified in 2003, coastal countries have the right to control access to the belt of shoreline along their coasts. Barring some exceptions, that belt is 12 nautical miles (22.2 kilometres) wide. But the waterways dividing some of the islands in Canada's north are often nearly 100 kilometres wide. That would seem to leave plenty of room down the middle for foreign ships.

Every country now controls the resources under its coastal waters up to 200 nautical miles from its shore. Under the treaty, a country's territory can be expanded much further if you can prove the ridges and rock formations underneath the water are connected to your continental shelf.

But it's a race against time. Countries have 10 years from when they sign the treaty to submit their scientific data to a UN commission. Canada has just four years left — until 2013.



*This image shows Arctic sea ice concentration on Sept. 8, 2008, as observed by the Advanced Microwave Scanning Radiometer Earth Observing System sensor on NASA's Aqua satellite. (NASA)*

Even if the world were to agree that Canada's Arctic waters are internal, a country might still lose the right to exercise absolute sovereignty over those waters if they include a "strait used for international navigation."

Donald McRae, a law professor at the University of Ottawa, says Canada must prove two things to win a sovereignty claim over its Arctic waters. "It must be demonstrated that the waters are the internal waters of Canada and that the waters of the Northwest Passage do not constitute an international strait," he wrote in a 1995 paper published by the Canadian Arctic Resources Committee.

Canada is on record as saying it can satisfy both of those requirements. Over the years, Canada has cited several reasons or precedents spelling out why its Arctic waters should be considered entirely "internal."

An International Court of Justice ruling in 1951 established that the 12-mile limit could be extended in some instances. Countries could draw a straight baseline across coastal areas dotted with many islands and basically declare that all the water between that line and the mainland is internal, even if it lies outside the 12-mile limit. The ruling was about a case involving Norway, but some observers say Canada's geographic case is similar.

## Occupied territory

When it comes to Arctic sovereignty, Canada also points out that the waters separating most of the islands in Canada's Arctic are frozen over most of the year. Inuit hunt and spend large amounts of time working and even living on the ice — in effect turning it into an extension of the land.

We also boast one of the few year-round sites of human habitation close to the North Pole at Alert, a military base at the northern tip of Ellesmere Island. A formidable presence, Alert is more than 700 kilometres north of the nearest Inuit town at Grise Fiord (and more than 4,300 kilometres north of Toronto, just to give an example of how far north it is.)

But it is still 817 kilometres from the Pole, and the Russians are edging closer on that front as well. Since 1994, they have staffed year-round a research base called Ice Station Borneo on the deep Arctic ice, only 60 kilometres from the Pole.

If ice counts for Canada's Inuit when it comes to international negotiations over the Arctic, then it might count for the Russian researchers as well.

As for whether the waters of the Northwest Passage can be considered an international strait under maritime law, one study reported that there were just 11 foreign transits between 1904 and 1984. Because it has not been an international navigation or shipping route, many observers say it fails the required "use" test.

But other analysts say Canada's sovereignty case is weak, and it might lose if tested in international courts. Even worse, the critics say, is that Canada hasn't been doing enough to declare and enforce its jurisdiction.

That explains the [Harper government's moves](#) to beef up Canada's presence in the North.

During the 2005 election campaign, the Conservatives promised to buy three huge, armed icebreakers to patrol the melting Arctic seas, build a deep-water port, and establish an Arctic warfare training centre.

The port and the training centre are being assembled, but the plan for icebreakers was scaled back years ago to smaller patrol ships.

### 'Use it or lose it'

When it comes to the U.S., at least, Ottawa and Washington may disagree on the issue of whether the Arctic waters are internal, but the dispute rarely boils over.



*Commander Major Bergeron, right, scouts a route through rough ice on Eureka Sound hill during sovereignty patrol in Nunavut. The last time this area was visited was in 1905 by Admiral Peary. (Diane Whelan/Canadian Press)*

However, whenever the dispute has surfaced, it has garnered more than its fair share of headlines.

When the U.S. sent the oil supertanker Manhattan through the Northwest Passage in 1969, environmentalists and others were outraged by the implications. Canada responded by bringing in the Arctic Waters Pollution Prevention Act, in which Canada asserted the right to control navigation in waters extending 161 kilometres offshore. The government was clearly alarmed by the prospect of an environmental disaster should a tanker spill its contents in the sensitive area.

The most direct challenge to Canada's sovereignty in Arctic waters came in 1985, when the U.S. sent its icebreaker Polar Sea through the Northwest Passage without informing Canada or asking permission. The political skirmish that followed led to the 1988 Arctic Co-operation Agreement between the two countries. Boiled down to its essence, the agreement said the U.S. would not send any more icebreakers through the passage without Canada's consent, and Canada would always give that consent. The wider issue of whether Canada's Arctic waters were internal or international was left unresolved.

While most of the Arctic sovereignty disputes are Canada-U.S. affairs, Denmark has also weighed in. The Danish navy recently occupied Hans Island, a barren hunk of rock between Ellesmere Island and Greenland that Canada claims as its territory. For now, the countries agree to disagree on Hans Island's status.

The dispute over whether Canada has sovereignty over Arctic waters might seem like an academic dispute. After all, they are locked in ice for the vast majority of the year.

But there are two main issues to consider.

The first deals with security. Even though the Arctic waterway is frozen over most of the year, military subs are able to make the trip year-round by simply diving under the ice (and there are reports that many countries have secretly sent their subs through). Right now, we cannot routinely detect submarine transits through those waters. Critics say the world is right to wonder how we can claim an area as our sovereign territory if we don't patrol or monitor it more thoroughly.

The second point is about the ice. Plainly put, the Arctic ice is thinning at an alarming rate. Because of global warming, there are predictions that the Northwest Passage could be open for large parts of the summer in as little as 15 years.

Critics say that risks turning the Northwest Passage into the commercial sea route that explorers began searching for in the 15th century.

The rest of the world is sure to take more notice of a shipping route between Asia and Europe that would knock 5,000 kilometres off the current route through the Panama Canal.

## End of Story Content

[Back to accessibility links](#)

## Story Social Media

Comments (161)

[Hide comments](#)

This story is now closed to commenting.

Sort by:

Display: 5 | 10 | 25 | 50 comments per page

### 1BakerCharlie

2009/09/29  
at 5:32 PM ET

If Canada is going to assert it's sovereignty in the arctic, the government had better spend some serious money on heavy well armed naval ships that can patrol arctic waters in winter and also the summer months. One ice breaker is not going to do it. Neither is supplying the Inuit with Canadian flags and ancient 303 rifles going to have any effect.

Both Russia and the United States can go over or under the north pole and through the North West Passage at will, either by atomic submarines or super icebreakers 365 days a year.

Canada needs ten to twelve hours notice to get a worn out Orion aircraft into the arctic. The Canadian Navy's used submarines have the same reliability as the Orion's and are totally useless in the arctic, even if we could get them there.

If Canada cannot defend this territory, history will tell you that greed, and profit will triumph over diplomacy. Read between the lines, there is more than just ice and snow in this unfolding drama.

Canada - stop being so polite, DO SOMETHING !

Rating
20

21	1
----	---

[Report abuse \(0\)](#) | [Policy](#)

### canadiannorth

2009/08/22  
at 6:38 AM ET

May I suggest we protect the arctic with this - AVROARROW2.com

Rating
6

Rating
5

[Report abuse \(0\)](#) | [Policy](#)

11

6

**1CookieCrumbles**2009/08/20  
at 4:49 PM ET

Why is it that CDN's call our military a joke? Why not join it and make it "better"...or maybe we should make it mandatory to join for 2 year after high-school. The only people that call it a joke are the ones who couldn't or wouldn't defend a fly if they were called upon. CDN's don't want to join the army so don't denigrate the ones that do serve.

[Report abuse \(0\)](#) | [Policy](#)**justcase**2009/08/19  
at 11:40 PM ET

[if we want to populate the north I think we should build prisons for hard core dangerous repeat offenders. It would not need a lot of security]

Nice idea but soon it will be too warm to make a difference. Better to negotiate a way for the antarctic or for uninhabited islands to be used. Or for that matter, a surrounding area guards/staff will never enter, only prisoners can, and that area is mined, or at least left with hidden bear-traps. That will ensure no escapes for a long time.

Then again, we now have prisons people are let to walk away from, no fence or wall at all, only a head-count and then it's sometimes too late. Our system is a joke, a broken, dilapidated joke.

For the most serious crimes we need the death penalty. For most other crimes we need hard labour. For parole, we need a 2 strikes or 1 strike out policy - once violated/or twice, no parole ever again. no matter the crime. 2 for 1 credit for violent crime convictions needs to be eliminated or heavily restricted.

Our North can't do this for us and really, the people already living there should not be subjected to it. I live in a prison town and I truly wish the ugly gang families would never have come to join their kin, because it ruins my city in many places, most of the time. It makes highschool a very, very dangerous place for kids. We're talking entire families who believe in stabbing a kid because their own child says so, and much worse punishment for calling cops EVER. It's all criminal and nasty.

Rating
1

4	3
---	---

[Report abuse \(0\)](#) | [Policy](#)**justcase**2009/08/19  
at 11:05 PM ET

protecting Canada's economy and natural resources is very important. That being said, this whole NAFTA debacle that destroys Canadian jobs and decimates wage levels should be scrapped for the SAME REASON. SOVEREIGNTY AND THE ECONOMY.

Otherwise whatever benefit the North could provide will merely be sold off to the highest bidder, job wages will be driven down and it will be all legal, no complaints possible - except to editorial pages and web-diaries and facebook and such, just like now with NAFTA. Let's not make this mistake all over again!

Rating
5

5	0
---	---

[Report abuse \(0\)](#) | [Policy](#)


---

[First](#) | [Previous](#) | [1](#) | [2](#) | [3](#) | [4](#) | [5](#) | [6](#) | [7](#) | [8](#) | [9](#) | [10](#) | [Next](#) | [Last](#)

---

## End of Story Social Media

## Related News Content

### Stay Connected with CBC News

- [Mobile](#)
- [Facebook](#)
- [Podcasts](#)
- [Twitter](#)
- [Alerts](#)
- [Newsletter](#)

### Big Box Advertisement

### Top News Headlines



#### [B.C. journalist released from Iran](#) 17

[Dorothy Parvaz, a B.C. journalist who was detained on her way to cover anti-government uprisings in Syria and was deported to Iran, has been freed, family members say.](#) [more »](#)

#### [Canadians secretly added to U.S. security list: WikiLeaks](#) 60

Despite the experience with Maher Arar, CSIS continues to pass along to the U.S. the names of Canadians suspected of being security risks, WikiLeaks cables reveal. Neil Macdonald reports. [more »](#)

#### [Baird to get Foreign Affairs in cabinet shuffle](#) 352

Prime Minister Stephen Harper will unveil his cabinet Wednesday, giving new jobs to at least six members of his majority government caucus, and naming John Baird to another key role. [more »](#)

#### [Slave Lake evacuees complain of little warning](#) 265

Residents of Slave Lake, Alta., raised questions Tuesday about how little warning they had of the rapidly approaching wildfire that destroyed 40 per cent of their town. [more »](#)

#### [Queen to visit Irish massacre site](#) 8

Queen Elizabeth will continue her groundbreaking Irish trip with visits to a massacre site, a war memorial and the Guinness Storehouse. [more »](#)

[More Headlines »](#)

- [Watch](#)
- [Listen](#)

## Most Recent



## Latest Canada News Headlines



### [Baird to get Foreign Affairs in cabinet shuffle](#) 352

[Prime Minister Stephen Harper will unveil his cabinet Wednesday, giving new jobs to at least six members of his majority government caucus, and naming John Baird to another key role.](#) [more »](#)

### [Slave Lake evacuees complain of little warning](#) 265

Residents of Slave Lake, Alta., raised questions Tuesday about how little warning they had of the rapidly approaching wildfire that destroyed 40 per cent of their town. [more »](#)

### [B.C. journalist released from Iran](#) 17

Dorothy Parvaz, a B.C. journalist who was detained on her way to cover anti-government uprisings in Syria and was deported to Iran, has been freed, family members say. [more »](#)

### [Canadians secretly added to U.S. security list: WikiLeaks](#) 60

Despite the experience with Maher Arar, CSIS continues to pass along to the U.S. the names of Canadians suspected of being security risks, WikiLeaks cables reveal. Neil Macdonald reports. [more »](#)

### [Manitoba flood cost \\$200M and rising](#) 25

The flooding in Manitoba, which has displaced hundreds, has already cost more than \$200 million to fight, and that doesn't include massive post-flood damages that can only be tallied later. [more »](#)

[More Headlines »](#)

## On Tonight's National

### Top Stories

#### Surveying Slave Lake aftermath as fires rage on in Alberta

[Michael Dick, Ioanna Roumeliotis and Ian Hanomansing](#)

Ian Hanomansing reports on the losses in the fire-devastated town of Slave Lake, Ioanna Roumeliotis checks in with evacuees, and Briar Stewart updates the state of firefighting in the face of over 100 blazes which continue to rage on in the area.

#### Flooding focus moves to Lake Manitoba

[Cameron MacIntosh](#)

As the Assiniboine River crests without further problems from Brandon to Portage, the flood focus has shifted to the southern basin of Lake Manitoba, where high water levels and exposure to north winds have already caused land to be swallowed up by the rising lake.

#### Tight security in Dublin for Queen's historic visit to Ireland

[Susan Ormiston](#)

Despite the threat of violence, the four-day royal visit by Queen Elizabeth II to Ireland — the first since George V in 1911, when Ireland was still part of the British empire — is seen as a strong indication of improving relations between Britain and Ireland. More than 8,000 Irish police are in the streets of Dublin amid the tightest security ever seen in the Irish capital. About 1,000 Irish soldiers are also on stand-by.

#### Go Public: Dodge Ram steering under investigation

[Kathy Tomlinson](#)

Serious safety concerns are being raised by owners of late model Dodge Ram trucks — in complaints to government — over a problem automotive experts and consumers have dubbed the "death wobble." Several owners from Canada and the U.S. have reported they are scared to drive their vehicles after experiencing violent, uncontrollable shaking in their truck's steering system, triggered when their vehicles hit a bump in the road. However, Chrysler has concluded there is "no safety issue" related to this issue. It advises service technicians to check the vehicle's suspension and steering components and adjust the tire pressure.

[See more stories from The National](#)

### The Current

- [Parent Alienation Syndrome](#) *May. 17, 2011 5:06 PM* Too often divorce results in bitter child custody fights. But Pamela Richardson says the battle with her ex left her son so alienated from her that he eventually took his own life. She believes Parental Alienation Syndrome needs to be recognized as a Psychiatric Illness.

## Google Ads



AMERICAN EXPRESS

Travel wherever, whenever, and however you want.  
Welcome to the World of Yes.



The NEW Gold Rewards Card



Realize the potential™

## Don't Miss

 <p>Grande Prairie Slave Lake Edmonton</p>				
<b>MAP</b> Wildfires sweep across northern Alberta	<b>A GOOD DEATH</b> About this series	<b>PHOTO GALLERY</b> Manitoba dike breach	<b>PHOTOS</b> Slave Lake, Alta. ravaged by wildfire	<b>DAN MISI</b> Disaster-p digital life