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Canadian Armed Forces Activities in the Canadian Arctic: Legal and Policy Considerations, Challenges, and Ways Forward

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In Canada, issues of sovereignty in the Arctic are important in discussions surrounding military capabilities as well as Indigenous rights and reconciliation. Protecting the sovereignty of the Canadian Arctic has long been a primary mission of the Canadian Armed Forces (CAF) (Dean, Lackenbauer, and Lajeunesse, 2014). Yet, in the past two decades, a competing vision of sovereignty has been supported by the Government of Canada (GC): the legal sovereignty of Indigenous First Nations and the Inuit in the Canadian Arctic. At the same time, due to the deteriorating international security environment and climate change, the government has demonstrated renewed interest in the strategic value of and concern over territorial sovereignty in the Arctic.

As the GC works towards safeguarding its interests in the region and reconciliation with Indigenous peoples, the concept of sovereignty is caught in the crossfire of these two lines of effort and clarification is necessary: When there are national security concerns, is the GC justified in acting unilaterally to protect the territorial integrity of and its interests in the Arctic? Is there a way the government can work with Indigenous groups to preserve their rights to self-determination and sovereignty in the Arctic while defending its interests? This report aims to answer these questions and is broken down into four sections: the first provides background about the geographic and demographic composition of the region, the Canadian Arctic's strategic importance, competing sovereignties, the history of Crown-Indigenous relations in the region, and the role of the CAF in protecting the area; the second explains the current ecological and security context in the Canadian Arctic; the third identifies key legal and policy considerations when reflecting on issues of sovereignty in the Arctic; and the fourth discusses challenges facing the government in protecting the North while working towards reconciliation and proposes ways the government can move forward on these issues.

Overall, this report argues that the GC is allowed to unilaterally authorize CAF activities in the Arctic, but is obliged by its policies, legislation, and the common law to ensure that CAF activities in the Arctic are conducted with Indigenous peoples' consent, Indigenous communities benefit from CAF activities in the region, and national security concerns do not push the government into constitutional habits where Indigenous concerns are ignored.

Geographic and Demographic Composition of the Canadian Arctic

The Arctic region is the area of the globe north of the 60th latitude, where Canada, Denmark, Finland, Norway, Russia, Sweden, and the United States possess territory (Exner – Pirot, 2020; Röver, 2014). In Canada, over 40 percent of the country’s landmass is in the Arctic and is inhabited by approximately 200,000 residents, over half of whom are Indigenous (Global Affairs Canada, 2023; Standing Committee on National Defence, 2023). The Canadian Arctic is made up of the Northwest Territories, Nunavut, Yukon, Northern Quebec, and parts of Labrador (Crown-Indigenous Relations and Northern Affairs Canada, 2019). The region’s land and waters are also known as Inuit Nunangat and are the homeland of the Inuit in Canada (Crown-Indigenous Relations and Northern Affairs Canada, 2019; Crown-Indigenous Relations and Northern Affairs Canada, 2022). The sustained presence of the Inuit has and continues to be central to Canada’s establishment of sovereignty in the Arctic (Standing Senate Committee on National Security, Defence, and Veterans Affairs, 2023).

Strategic Importance of the Arctic

According to Global Affairs Canada, “the Arctic is central to Canada’s national identity, prosperity, security, values and interests” (2023). Since the Cold War, the Arctic has been thought of as a strategic approach to North America, where Soviet and now Russian military threats may seek to strike at the United States or Canada (Exner-Pirot, 2020). This has prompted Arctic states, including Canada, to invest in defending their sovereignty in the North. The area is also resource rich, and home to gas, oil, and critical minerals that are essential components in electronics and defence equipment (Senate of Canada, n.d.). As well, the Arctic boasts emerging shipping routes that are 30 to 50 percent shorter than routes that utilize the Panama or Suez canals (Lynch et al., 2022). The economic allure of the Arctic’s resources and routes has drawn attention from Arctic and non-Arctic states alike, with countries including China investing heavily in infrastructure and building relationships that will allow them to exploit these opportunities for decades to come (Standing Senate Committee on National Security, Defence, and Veterans Affairs, 2023). These military and economic factors make the Arctic a region of significant strategic importance for Canada and one in which Canada has a vested interest in defending its sovereignty over.

Sovereignty Over the Canadian Arctic

Yet, sovereignty and authority over the Canadian Arctic can be defined in two ways: state sovereignty and Indigenous sovereignty. As a sovereign state, the GC has authority over and provides security for its land, waters, air space, and people (Leveque, 2019). Historically, Canada’s state sovereignty in the Arctic stems from England transferring its claim of sovereignty over the Arctic Archipelago to Canada in 1880 (Royal Commission on Aboriginal Peoples, 1994). Since 1905, the GC has claimed that it owns the entire Archipelago from the 141st to 60th line of longitude, up to the North Pole, and has used its military to project force and assert this claim in the region (Leveque, 2019; Royal Commission on Aboriginal Peoples, 1994). Indigenous peoples, however, have been residents of the area that is now considered the Canadian Arctic for hundreds of years (Freeman, 2023). Section 35 of Canada’s *Constitution Act, 1982*, as well as the common law, has confirmed that Indigenous

peoples have a right to title over their traditional territories (Campbell, 2015). As per Canada's *United Nations Declaration of the Rights of Indigenous Peoples Act* (UNDRIP), enacted in 2021, Indigenous peoples also have a right to self-determination (*UNDRIP*, S.C. 2021, c. 14). In exercising this right to self-determination, Indigenous peoples in the Arctic may challenge Canada's state sovereignty and the GC's role as the sole protector of the Arctic and the interests of Canadians in the region (Inuit Circumpolar Council, 2009).

In Canada's federal system, the GC has exclusive jurisdiction over defence issues, Indigenous peoples, and their lands, including in the Arctic (*Constitution Act*, 1867 (UK), 30 & 31 Vict, c 3, reprinted in RSC 1985, App II, No 5.). This includes what are now known as the territories of the Northwest Territories, Nunavut, and the Yukon (Graham and Yarhi 2020). Unlike provinces, the territories are controlled by and obtain their legislative authority from the federal government (Graham and Yarhi 2020). Since their creation, the federal government has gradually given the territories control over responsibilities such as education, housing, health, language, resource management, and social services (Graham and Yarhi 2020). This division of powers has been codified through the making of five modern treaties, also known as comprehensive land claim agreements, between Canada's settler government and the Indigenous peoples in the Canadian Arctic (Crown-Indigenous Relations and Northern Affairs Canada, 2022). Despite this devolution and increased recognition of Indigenous peoples' right to self-govern, the federal government retains its constitutionally enshrined powers over defence, national security, and Indigenous peoples and lands and sovereign authority over Canada and its people.

History of Crown-Indigenous Relations in the Arctic

Historically, the relationship between Indigenous peoples and settlers in the Canadian Arctic has been centered around trade, resource exploitation, and expressions of sovereignty (Crown-Indigenous Relations and Northern Affairs Canada, 2019). In the nineteenth century, settlers established training posts, missionaries, churches, schools, and hospitals in the Arctic (Indian and Northern Affairs Canada, 2006). Gradually, the Inuit became reliant on participating in trade with the Europeans and moved away from purely subsistence living (Indian and Northern Affairs Canada, 2006). By 1930, disease brought by settlers had ravaged the Inuit population and a decline in the fur trade resulted in widespread starvation (Indian and Northern Affairs Canada, 2006; Royal Commission on Aboriginal Peoples, 1994). This led the GC to take legal responsibility for the Inuit and relocate families to areas where there was an abundance of game they could rely on for food (Indian and Northern Affairs Canada, 2006; Royal Commission on Aboriginal Peoples, 1994).

During the Second World War and the Cold War, the GC took unprecedented interest in the Arctic, constructing defence installments to protect against German and Soviet threats with little regard for how these instalments would affect the Inuit (Royal Commission on Aboriginal Peoples, 1994). In the 1950s, the government went so far as to forcefully relocated Inuit families to the High Arctic to further establish Canada's sovereignty over the region (Indian and Northern Affairs Canada, 2006; Royal Commission on Aboriginal Peoples, 1994). Taken together, these colonial actions had wide ranging negative impacts on Indigenous peoples in the Canadian Arctic, affecting their culture, health, livelihoods, and family ties (Crown-Indigenous Relations and Northern Affairs Canada, 2019). Recognition of these impacts has prompted the GC to prioritize reconciliation

with Indigenous peoples in the Arctic and recognition of their rights (Crown-Indigenous Relations and Northern Affairs Canada, 2019).

The Canadian Armed Forces in the Arctic

The GC has utilized the CAF to safeguard Canada's state sovereignty in the Arctic since the 1940s (Eyre, 2020). During the Cold War, the Arctic was seen as a northern front where Canada had to protect against potential Soviet threats (Exner – Pirot, 2020). Alongside the United States military, the CAF developed the Distant Early Warning system as well as the North American Aerospace Defence Command (NORAD) to detect, deter, and prevent attacks on North America (Eyre, 2020). From the 1950s to the 1990s, the CAF patrolled the region, conducted exercises, and operations, allowing the military to familiarize themselves with the Arctic, gain skills operating in the inhospitable environment, and protect Canada's territory (Eyre, 2020). After the dissolution of the Soviet Union, the Arctic was largely demilitarized and became an area of international cooperation between states as well as Indigenous leaders (Exner – Pirot, 2020). However, the CAF has continued to maintain year-round presence in the region to detect threats, surveil and control the area, and ensure that the GC has the ability to respond to national security and safety risks as required (Department of National Defence, 2023a). Today, Canada's Department of National Defence (DND) continues to boast a large Northern footprint, owning and operating over 60 sites and 800 buildings across the Arctic, allowing the government to exercise its sovereignty in the region through military means (DND, 2017).

Context

In recent years, the international security environment, as well as the geopolitical security environment in the Arctic, has experienced rapid deterioration. Since Russia's invasion of Ukraine in February 2022, tension between Arctic states has risen to levels unseen since the Cold War (Standing Committee on National Defence, 2023; Standing Senate Committee on National Security, Defence, and Veterans Affairs, 2023). Although military and policy leaders agree that there is no immediate threat of a foreign military invading the Canadian Arctic, there is concern about foreign interference, the safety of critical infrastructure, and lacking CAF capabilities in the region (Senate of Canada, n.d.; Standing Committee on National Defence, 2023). This has prompted the GC to make major investments in the region, including \$38.6 billion over the next twenty years to modernize the NORAD (DND, 2023b). As conflict in Europe, the Middle East, and Africa proliferates, scholars and decisionmakers have shifted their attention north, paying attention to Canada's ability to protect its sovereignty and interests in case conflict from other regions spill over into the Arctic.

The ecological environment in the Arctic is also changing, increasing international competition over resources in the region (Standing Committee on Foreign Affairs and International Development, 2019). Warming temperatures in the Arctic are melting sea ice and permafrost, uncovering valuable trading routes and natural resources (Standing Committee on Foreign Affairs and International Development, 2019). Recent studies estimate that the Arctic has warmed four times as fast as the rest of the globe (Rantanen et al., 2022). This has led to fish stocks moving north, as well as increased accessibility to an estimated 90 billion barrels of undiscovered oil, 1669 trillion cubic feet of natural gas, and 44 billion barrels of liquid natural gas in the Arctic

(Arctic Athabaskan Council, n.d.; United States Geological Survey, 2008). By 2030, the Arctic is posed to be ice-free during the summer months, making competition over shipping routes more intense (Kim et al., 2023). These environmental changes are also having profound effects on Indigenous communities. Changes in migratory patterns and availability of game and fish, melting permafrost threatening infrastructure and traditional travel routes, and coastal erosion causing land around communities to collapse into the ocean negatively affect Indigenous peoples in the Arctic's safety and overall wellbeing (Standing Committee on Foreign Affairs and International Development, 2019).

Key Considerations

The GC has signalled, through its defence and Arctic policies, announcements, and investments, that it is committed to preserving Canada's state sovereignty over the Arctic, including via military means (Crown-Indigenous Relations and Northern Affairs Canada, 2019; DND, 2023a). Due to the changing security and ecological environment in the Arctic, defending the region is more important now than ever before. However, the GC has also committed itself, through legislation and Arctic policies, to consulting with Indigenous peoples prior to having the CAF conduct activities in Indigenous lands or territories (*UNDRIP*, SC 2021, c. 14, article 30). This leaves considerable uncertainty around how the GC should respond to national security risks in the Arctic going forward. The following subsections discuss key considerations stemming from Canada's constitutional and common law, legislation protecting Indigenous rights, defence policy, *Arctic and Northern Policy Framework*, and *Inuit Nunangat Policy*.

Legal Considerations

Constitutional and Common Law

Indigenous rights are recognized in Canada's constitution and have been further expanded through judicial interpretation (Monahan and Shaw, 2013). In 1973, the Supreme Court of Canada (SCC) found that Indigenous peoples' historic occupation of their lands gave them title over it (*Calder v British Columbia [Attorney General]*, 1973, S.C.R. 313). Less than a decade later, Aboriginal and treaty rights of Indigenous peoples in Canada were recognized and enshrined in section 35 of Canada's *Constitution Act, 1982* (Schedule B to the *Canada Act 1982 (UK)*, 1982, c. 11). This means that the rights of Indigenous peoples can no longer be extinguished or limited by federal legislation (Monahan and Shaw, 2013). Later in *R.v. Guerin*, the SCC elaborated on their interpretation of Aboriginal title, finding that title gives Indigenous peoples the right to occupy and possess lands but that ultimate authority over land in Canada remains in the possession of the GC (*Guerin v The Queen* [1984] 2 S.C.R. 335). *R.v. Guerin* was also important in that it was the first case where the court established the Government of Canada's fiduciary obligations to Indigenous peoples in Canada (Monahan and Shaw, 2013). Subsequent SCC cases further elaborate on what Aboriginal rights and title are, as well as treaty rights and the government's duty to consult with and accommodate Indigenous communities in good faith (Monahan and Shaw, 2013). Despite the developing recognition of Indigenous rights in Canada, the SCC has been reluctant to address whether Indigenous peoples have a right to self-government (Monahan and Shaw,

2013). Further litigation is necessary to establish whether Indigenous groups in Canada have a right to self-government and self-determination, which is associated with the concept of Indigenous sovereignty.

Legislation

If a case came before the SCC where conceptions of state sovereignty and Indigenous sovereignty clash over CAF activities in the Arctic, UNDRIP may offer indication about how the courts would rule. UNDRIP provides a framework for reconciliation and recognizes Indigenous peoples' right to self-determination and self-government (SC 2021, c. 14, articles 3 and 4). The Act also calls for Canada to "consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them" and bars Canada from authorizing military activities in Indigenous peoples' lands or territories, "unless justified by a relevant public interest or otherwise freely agreed with or requested by the indigenous peoples concerned" (UNRIP, SC 2021, c. 14, articles 19 and 30). This piece of legislation supports the conception of Indigenous sovereignty, significantly advances Indigenous rights in Canada, and pits these rights against the GC's obligation to preserve its national security and defence. Although UNDRIP has not been litigated and has limited enforcement mechanisms, its enactment is a major development in the recognition of Indigenous rights and sovereignty in Canada.

Policy Considerations

Our North, Strong and Free: A Renewed Vision for Canada's Defence

The DND released its current defence policy, entitled "Our North, Strong and Free," in 2024. The policy, like its predecessors, places emphasis on the importance of the CAF's ability to operate in the Arctic (Dean, Lackenbauer, and Lajeunesse, 2014; Department of National Defence, 2024). According to *Our North, Strong and Free*, the GC's most urgent task is asserting its sovereignty in the Arctic (DND, 2024, ix). It calls for increased CAF presence, investments in defence capabilities, and renewed relationships with Indigenous partners in the Arctic (DND, 2024, ix). Along with Indigenous partners, the policy calls for the GC to continue and strengthen with its other Arctic allies and partners including North Atlantic Treaty Organization allies and the United States, whom Canada relies on for collective defence (DND, 2024, x – 1, 4 – 5). The policy builds from Canada's 2017 defence policy *Strong, Secure, Engaged* that committed the GC to investing in new CAF assets for Arctic operations over the next decade, including communications satellites, Arctic and Offshore Patrol Vessels, surveillance technology, and snowmobiles (DND, 2017). Investments like these ensure that the CAF will be capable of addressing security challenges and allow the military to maintain effective deterrence in the Arctic (DND, 2017). The commitments in both of Canada's most recent defence policies aim to allow the GC to preserve the safety and security of Canada and its people while building relationships with Indigenous peoples.

Arctic and Northern Policy Framework

In 2019, Crown-Indigenous Relations and Northern Affairs Canada released its much-anticipated *Arctic and Northern Policy Framework*. The framework was co-developed with Indigenous partners and sets forward a vision for Crown – Indigenous relations in the Arctic, goals to enable Indigenous peoples in the North to be full participants in society, and principles for future policymaking, including that Northerners are included in making northern policy (Crown-Indigenous Relations and Northern Affairs Canada, 2019). The *Arctic and Northern Policy Framework* highlights the need for increased CAF presence and domain awareness in the Arctic in response to the changing security context (Crown-Indigenous Relations and Northern Affairs Canada, 2019). It also calls for the rights of Indigenous peoples, including to self-determination, to be upheld (Crown-Indigenous Relations and Northern Affairs Canada, 2019). These calls to action can be complementary if the government takes care to adequately consult and work with Indigenous peoples in the Arctic.

Inuit Nunangat Policy

In 2022, Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) released another policy pertaining to Indigenous peoples in the north, entitled “Inuit Nunangat Policy.” This policy applies to the federal government and aims to guide federal departments and agencies in designing, developing, and delivering initiatives, policies, programs, and services that are applied in Inuit Nunangat to ensure that they support Inuit self-determination (CIRNAC, 2022). The policy recognizes Inuit Nunangat as a distinct region and the inequalities facing the Inuit and aims to rectify them and promote rights affirmed in UNDRIP (CIRNAC, 2022). Yet, it explicitly states that “nothing in this policy compromises or undermines Canada’s commitments and obligations... to national security and defence interests” (CIRNAC, 2022, subsection 1.10). This subsection reveals the author’s understanding that the policy’s promotion of Inuit self-determination could be perceived to undermine national security and defence commitments. To remedy this, the GC should align its national security and defence interests with the Inuit to ensure that neither defence or reconciliation is compromised when making decisions involving military activities in the Canadian Arctic.

Challenges

The GC faces three related challenges in achieving both its defence and reconciliation related goals and obligations: competing notions of sovereignty, supporting reconciliation in situations when decision-making must be done quickly, and its constitutional habits. These challenges are explored below before solutions are proposed in the next section that would allow the GC to simultaneously advance both its defence and reconciliation agendas.

Competing Visions of Sovereignty

As discussed in the background section and illustrated when exploring key legal and policy considerations, the federal government holds legal sovereignty over Canada and Canadians but has enacted legislation and published policies that challenge this notion. UNDRIP, *Arctic and Northern Policy Framework*, and *Inuit*

Nunangat Policy recognize Indigenous peoples' right to self-determination, self-governance, and sovereignty. The principles of self-determination, self-governance, and Indigenous sovereignty compete with the idea that Canada, as a state, has exclusive authority over its territory and people. That being said, Section 35 of the constitution, the common law, Canada's defence policy, *Arctic and Northern Policy Framework*, *Inuit Nunangat Policy*, and UNDRIP leave room for Indigenous sovereignty to coexist with Canada's state sovereignty if the GC adequately consults with Indigenous peoples and receives consent for its actions that may impact Indigenous rights. This nested sovereignty does not give Indigenous peoples or the Canadian government full autonomy but does work to advance reconciliation and build cooperative relationships between the GC and Indigenous groups.

Speed of Decision-making

To respect Indigenous rights, put forward and supported by constitutional and common law, legislation, and policy, the GC must engage in potentially lengthy consultations with Indigenous groups. These consultations may hinder the government's ability to make decisions quickly, including when discharging its obligation to protect Canada's national security. National security threats can emerge instantaneously and demand equally speedy responses, as demonstrated by the February 2023 Chinese "spy balloon" incident where the NORAD was required to shoot down a high-altitude surveillance balloon and three other objects that entered North American airspace, including in the Arctic, without authorization (Yilek, 2023). Article 30 of UNDRIP allows the GC to engage in military activities on Indigenous territory if it is justified by public interest, but the scope of what public interest is has not yet been interpreted by the courts. Thought should be given as to what public interest would include when justifying military activity in Indigenous lands and how consultation can be streamlined to allow for decisions to be made quickly while representing Indigenous interests.

Constitutional Habits

The last challenge is the existence of constitutional habits (Feltès et al., 2023). Constitutional habits are "patterns of public decision-making that emerge in the immediate response to an emergency" (Feltès et al., 2023). In cases where security concerns flare up, government actors have been found to routinely ignore and displace Indigenous jurisdiction (Feltès et al., 2023). An example of this occurred in 2017, when wildfires in British Columbia prompted the provincial and federal governments to fall into constitutional habits where the province announced a state of emergency and evacuation orders which were enforced by the Royal Canadian Mounted Police (Feltès et al., 2023). In this case, the exercise of jurisdiction by the T̓silhqot'in First Nation's Chief was met with threats of violence and the government's handling of the situation resulted in preventable damage to the Nation's land, cultural sites, and burial grounds (Feltès et al., 2023). These colonial constitutional habits where levels of government in Canada ignore predetermined Indigenous jurisdiction undermine Indigenous rights and will be difficult to unlearn.

Conclusion

If the GC wants to continue advancing reconciliation while fulfilling its national security and defence obligations, the government must ensure that CAF activities in the Arctic are conducted with Indigenous peoples'

consent, Indigenous communities benefit from CAF activities and investments in the region, and national security concerns do not push the government into constitutional habits where Indigenous rights are ignored. The GC's duty to consult and accommodate Indigenous peoples when government actions may infringe on Indigenous rights is well documented and cemented into Canada's legal system (Monahan and Shaw, 2013). However, UNDRIP requires that free, prior, and informed consent be given before CAF activities occur, including in the Arctic; conversations and consultations with Indigenous leaders in the Arctic about continued and increased military presence in the region is necessary to fulfill this requirement. As the CAF increases its activities and investments in the region, the GC should aim to ensure that they are beneficial to both defence aims and Indigenous communities. One way of doing this is ensuring that new defence infrastructure in the Arctic is multipurpose and can be used by civilians as well as the CAF (Standing Senate Committee on National Security, Defence, and Veterans Affairs, 2023). The GC should also practice and prearrange expedited consultation processes in preparation for if, and when, national security concerns arise in the Arctic. By doing so, the Government can forge new reconciliatory habits instead of falling into their colonial constitutional ones. These proposed ways forward merge competing visions of sovereignty, speed up decision-making, and avoid colonial patterns of ignoring Indigenous rights and jurisdiction.

This report sought to answer whether the GC would be justified in acting unilaterally to protect the territorial integrity of and its interests in the Arctic when motivated by national security concerns and if there is a way the government can work with Indigenous groups to preserve their rights to self-determination and sovereignty in the Arctic while defending its security and defence related interests. Although the GC has the constitutional authority to unilaterally authorize CAF activities in the Arctic, it is obliged, by its policies, legislation, and the common law, to ensure that such activities in the are conducted with Indigenous peoples' consent. By adequately consulting Indigenous peoples in the Arctic, ensuring Indigenous communities benefit from CAF activities and investments in the region, and practicing and prearranging expedited consultation processes in preparation for if, and when, national security concerns arise in the Arctic, the GC can advance reconciliation and preserve Indigenous peoples' right to self-determination while fulfilling its national security and defence obligations. By following these ways forward, the GC will be prepared to address security and defence concerns if conflict in the Arctic erupts, without ignoring the rights of Indigenous peoples.

References

Cases

Calder v British Columbia (Attorney General) [1973] SCR 313

Guerin v The Queen [1984] 2 S.C.R. 335

Legislation

Constitution Act, 1867 (UK), 30 & 31 Vict, c 3, reprinted in RSC 1985, App II, No 5.

Constitution Act, 1982, Schedule B to the *Canada Act 1982* (UK), 1982, c. 11.

United Nations Declaration on the Rights of Indigenous Peoples Act, SC 2021, c. 14.

Policies

Crown-Indigenous Relations and Northern Affairs Canada. “Arctic and Northern Policy Framework.” *Government of Canada*, September 2019. <https://www.rcaanc-cirnac.gc.ca/eng/1562782976772/1562783551358>.

Crown-Indigenous Relations and Northern Affairs Canada. “Inuit Nunangat Policy.” *Government of Canada*, April 2022. <https://www.rcaanc-cirnac.gc.ca/eng/1650556354784/1650556491509>.

Department of National Defence. “Strong, Secure, Engaged.” *Government of Canada*, June 2017. <https://www.canada.ca/en/department-national-defence/corporate/reports-publications/canada-defence-policy.html>.

Department of National Defence. “Our North, Strong and Free.” *Government of Canada*, April 2024. <https://www.canada.ca/en/department-national-defence/corporate/reports-publications/north-strong-free-2024.html>.

Secondary Sources

Arctic Athabaskan Council. “Shifting Food Stocks.” *Arctic Council*, n.d. <https://arctic-council.org/explore/topics/arctic-peoples/our-changing-home/shifting-food-stocks/>.

Campbell, Robin. “An Introduction to Inuit Rights and Arctic Sovereignty.” *LawNow*, 2015. <https://www.lawnow.org/introduction-inuit-rights-arctic-sovereignty/>.

Dean, Ryan, P. Whitney Lackenbauer, and Adam Lajeunesse. “Canadian Arctic Defence Policy: A synthesis of Key Documents, 1970-2013.” Centre for Military, Security and Strategic Studies, 2014. <https://pubs.aina.ucalgary.ca/dcass/82112.pdf>.

Department of National Defence. “Arctic Security – CAF Operations and Exercises.” *Government of Canada*, August 22, 2023. <https://www.canada.ca/en/department-national-defence/corporate/reports-publications/proactive-disclosure/secd-april-24-2023/arctic-security.html>.

Department of National Defence. “NORAD Modernization Project Timelines.” *Government of Canada*, March 24, 2023. <https://www.canada.ca/en/department-national-defence/services/operations/allies-partners/norad/norad-modernization-project-timelines.html>.

- Exner-Pirot, Heather. "The Arctic in International Affairs," In *The Palgrave Handbook of Arctic Policy and Politics*, eds. Ken S. Coates and Carin Holroyd (Cham: Springer International Publishing, 2020): 307–18. <https://doi.org/10.1007/978-3-030-20557-7>.
- Eyre, Kenneth C. *Custos Borealis*. Edited by P. Whitney Lackenbauer. Peterborough: North American and Arctic Defence Security Network, 2020. <https://www.naadsn.ca/wp-content/uploads/2020/02/custos-borealis-eyre-lackenbauer-NAADSNweb-jan20.pdf>.
- Feltes, Emma, Jocelyn Stacey, and the Tsilhqot'in National Government. "Crisis, Colonialism and Constitutional Habits: Indigenous jurisdiction in times of emergency." *Canadian Journal of Law and Society* 38, no. 1 (2023): 1–22. <https://doi.org/10.1017/cls.2023.2>.
- Freeman, Milton. "Arctic Indigenous Peoples in Canada." *The Canadian Encyclopedia*, January 27, 2023. <https://www.thecanadianencyclopedia.ca/en/article/aboriginal-people-arctic>.
- Global Affairs Canada. "Canada and the Circumpolar Region." *Government of Canada*, June 12, 2023. https://www.international.gc.ca/world-monde/international_relations_relations_internationales/arctic-arctique/index.aspx?lang=eng.
- Graham, Katherine A., and Eli Yarhi. "Territorial Government in Canada." *The Canadian Encyclopedia*, November 30, 2020. <https://www.thecanadianencyclopedia.ca/en/article/territorial-government>.
- Indian and Northern Affairs Canada. "Canada's Relationship with Inuit: A History of Policy and Program Development." *Government of Canada*, June 2006. https://publications.gc.ca/collections/collection_2010/aicn-inac/R3-82-2008-eng.pdf.
- Inuit Circumpolar Council. "A Circumpolar Inuit Declaration on Sovereignty in the Arctic." April 2009. <https://iccalaska.org/wp-icc/wp-content/uploads/2016/01/Signed-Inuit-Sovereignty-Declaration-11x17.pdf>.
- Kim, Yeon-Hee, Seung-Ki Min, Nathan P. Gillett, Dirk Notz, and Elizaveta Malinina. "Observationally-constrained Projections of an Ice-Free Arctic Even Under a Low Emission Scenario." *Nature Communications* 14, no. 3139 (2023): 1-8. <https://doi.org/10.1038/s41467-023-38511-8>.
- Leveque, Joshua. "Canadian Arctic Sovereignty: Not So Strong At Home." *Canadian Forces College*, 2019. <https://www.cfc.forces.gc.ca/259/290/308/305/leveque.pdf>.

POLICY BRIEF



Lynch, Amanda H., Charles H. Norchi, and Xueke Li. "The Interaction of Ice and Law in Arctic Marine Accessibility." *Proceedings of the National Academy of Sciences* 119, no. 26 (2022): 1-3. <https://doi.org/10.1073/pnas.2202720119>.

Monahan, Patrick, and Byron Shaw. *Constitutional Law*. 4th edition. Toronto: Irwin Law, 2013.

Rantanen, Mika, Alexey Yu Karpechko, Antti Lipponen, et al. "The Arctic has Warmed Nearly Four Times Faster than the Globe Since 1979." *Communications Earth & Environment* 3, no. 168 (2022): 1-10. <https://doi.org/10.1038/s43247-022-00498-3>.

Röver, Corinna. "The Notion of the 'Arctic' is Based on Canadian Ideas, According to Discourse Analysis Study." *SciencePoles*, October 23, 2014. <http://www.sciencepoles.org/interview/discourse-on-the-arctic-is-based-on-canadian-ideas>.

Royal Commission on Aboriginal Peoples. "The High Arctic Relocation: A Report on the 1953-55 Relocation." *Government of Canada*, July 1994. <https://data2.archives.ca/rcap/pdf/rcap-458.pdf>.

Senate of Canada. "Defending the North: The Arctic's strategic role and importance." *SenCA + Magazine*, n.d. <https://sencanada.ca/en/sencaplus/news/defending-the-north-the-arctic-s-strategic-role-and-importance/>.

Standing Committee on Foreign Affairs and International Development. "Nation-Building at Home, Vigilance Beyond: Preparing for the Coming Decades in the Arctic." *House of Commons of Canada*, April 2019. <https://www.ourcommons.ca/Content/Committee/421/FAAE/Reports/RP10411277/faaerp24/faaerp24-e.pdf>.

Standing Committee on National Defence. "A Secure and Sovereign Arctic." *House of Commons of Canada*, April 2023. <https://www.ourcommons.ca/Content/Committee/441/NDDN/Reports/RP12342748/nddnrp03/nddnrp03-e.pdf>.

Standing Senate Committee on National Security, Defence, and Veterans Affairs. "Arctic Security Under Threat." *Senate of Canada*, June 2023. https://sencanada.ca/content/sen/committee/441/SECD/reports/2023-06-28_SECD_ArcticReport_e.pdf.

POLICY BRIEF



United States Geological Survey. "Circum-Arctic Resource Appraisal: Estimates of Undiscovered Oil and Gas North of the Arctic Circle." 2008. <https://pubs.usgs.gov/fs/2008/3049/fs2008-3049.pdf>.

Yilek, Caitlin. "What We Know So Far About the Chinese Spy Balloon and the Other Objects the U.S. Shot Down." CBS News, June 29, 2023. <https://www.cbsnews.com/live-updates/chinas-spy-balloon-unidentified-objects-shot-down-what-we-know-so-far/>.