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## COMMENTARY

# United States-Canadian maritime boundary interface relations in the Asia Pacific region

Tim Lynch\* and Rick Gerbrecht\*\*

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The phrase 'good fences make good neighbours' is frequently used to describe how people should learn to get along and respect each other's differences. Border relationships between the United States of America (US) (2007 population estimate: 301,621,157) and Canada (2007 population estimate: 33,091,200) are all about respecting each other's differences.

Prior to 9/11, Americans and Canadians often referred with pride to the 6,440 kilometre (km) border between their two countries as the world's largest undefended border. It was portrayed as a model for all international boundaries. In the post 9/11 era, Canada is striving to adapt to a new reality of living so close to the US rather than surrender to calls by US officials for a North American perimeter.<sup>1</sup> Such arrangements are seen as Canada having to give up some of her sovereignty in such areas as immigration. The US authorities are investing in many forms of technology to reduce illegal border crossings from Canada to the US. A March 2008 report by the Canadian Broadcast Corporation (CBC) estimated that Canada has spent 24 billion dollars updating its border security and defence arrangements since 2001.<sup>2</sup> Canadians are having to adjust to the Western Hemisphere Travel Initiative, a US law that requires all travellers, including Canadians and Americans returning from Canada, to carry a passport or other appropriate secure documentation, when travelling to the US.<sup>3</sup>

Most Canadians live a long way from the coast. In large part, they have gained a nautical sense of their country from speeches made by their

political leaders describing Canada as 'a country from sea to sea to sea' thereby emphasising Canada's Atlantic, Polar and Pacific shorelines. On its Atlantic coast the principal Canadian port city, Halifax, is 659 kilometres North West of the US port City of Boston. Most of the northern shores of Canada are along the polar shoreline which faces the North Pole. Parts of British Columbia share a common boundary with the State of Alaska. Global warming means that Canadians are becoming increasingly aware of their polar coastline, the Northwest Passage and the need to defend their country's maritime domain in that region.

The Pacific maritime boundary between the US and Canada is more complex than the Atlantic maritime boundary because the two mainland ports, Vancouver in Canada and Seattle in the US, gain access to the Pacific Ocean via the Strait of Juan de Fuca which is bisected by the international boundary. This requires shipping to cross the international boundary arriving at or leaving their port(s) of call. This paper outlines from a civilian perspective the unique features of US-Canadian maritime boundary management on the Pacific Coast in supporting access to the ports of Seattle and Vancouver. It also provides an account of the kind of law enforcement and military arrangements between both nations that serve to combat transnational crime and subversive elements threatening their societal values.

The methodology for developing this paper involved interviewing individuals who are

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Figure 1: Juan de Fuca Strait



Source: [www.worldatlas.com](http://www.worldatlas.com)

knowledgeable about maritime affairs on the West Coast of Canada. An example of such an interview with Rear Admiral Roger Girouard (Canadian Forces (Retired)) was published in *Maritime Studies* in 2007.<sup>4</sup> The authors acknowledge that this paper would not have been possible without the cooperation and insight provided by those who agreed to be interviewed.

**The Strait of Juan de Fuca and cooperative vessel traffic service**

The Strait of Juan de Fuca (SJDF) is 161 km long and 18-27 km wide. Its northern shoreline is Vancouver Island, British Columbia. Its southern shoreline is Washington State (see Figure 1). The Strait links the Pacific Ocean with the Canadian Strait of Georgia and the US Puget Sound, both regions being a treasure trove of marine wildlife and idyllic island

communities bisected by an invisible international boundary. The Strait's largest port, Victoria, British Columbia, is located at its eastern end on Vancouver Island.

The Pacific North West coastline of North America facing the Pacific Ocean has not been commercially developed. It is largely uninhabited for most of the year due to extreme weather. Similarly, with the exception of some aboriginal communities (Makah Indians), both the Canadian and US coastlines of SJDF are largely uninhabited. The Strait is frequented by pleasure craft during regattas and sports fishers and some tourism adventurers visit the areas on both sides of the Strait in the summer months. At the western entrance from the Pacific Ocean there is no serious traffic intersecting the shipping lanes in SJDF going from Vancouver Island to Washington State and vice versa. At its eastern entrance there are ferry routes between Victoria and Seattle and Port Angeles as well as between Sidney and Anacortes.

There are several scheduled ferry services connecting Vancouver Island with the Canadian and US mainland. Vessels of all description, from industrial barges to pleasure craft and fishing boats, cross the area all year round. The Canadian Forces Maritime Command operates its fleet of seven major and six minor warships out of Esquimalt harbour, which is located four km west of downtown Victoria. The US Navy operates a carrier battle group and squadron of Los Angeles submarines out of Everett and Bangor Washington respectively.

In 1979, at the time many countries were setting up Vessel Traffic Services, SJDF was recognised as a highway on the water. It was realised that it would be impractical to have the Americans going in and out on one side and the Canadians doing the same on the other side. In December 1979, the US and Canadian governments established an arrangement that ensures safe travel of marine vessels travelling in SJDF and crossing Boundary Pass between the Canadian Gulf Islands of British Columbia and the US San Juan Islands of Washington State and protects the delicate marine ecology in the area. This agreement, the Cooperative Vessel Traffic Service (CVTS), is administered under the authority of the Commissioner of the

Canadian Coast Guard and the Commandant of the US Coast Guard.

Through the CVTS agreement, the monitoring of a vessel is handed over from one country to the other when the vessel passes between the jurisdictions. Routing systems are facilitated to reduce the risk of casualties, including traffic separation schemes, two-way routes, recommended tracks, areas to avoid, inshore traffic zones, roundabouts, deep water routes and precautionary areas. A 'precautionary area' is a routing measure comprising an area within defined limits where ships must navigate with particular caution and within which the direction of traffic flow may be recommended. 'Recommended route' means a route of undefined width, for the convenience of ships in transit, which is often marked by centreline buoys. Sectors within the applicable waters are geographically defined for purposes of allocating the responsibility for vessel traffic management to one of the jurisdictions independent of the international boundary.

Traffic Separation Streams starts before entry into SJDF. This process is managed by the Canadian Coast Guard's, Marine Communications and Traffic Services (MCTS), at Tofino. Transport Canada puts out regulations concerning the size and kind of vessels that are required to report to MCTS.<sup>5</sup> The Tofino station directs traffic coming in through US waters and out through Canadian waters. At the 'hand off line', vessels enter the Victoria Area and their routing is managed by a US network of radar stations located along the Olympic Peninsula. The US manages all vessels going out of Canadian waters and coming into US waters. Canada manages vessels proceeding into the Vancouver area and Victoria Port.

All ships coming through SJDF are un-piloted because this waterway is deep. Ships are required to participate in the traffic scheme by carrying out minor course alterations during passage. The US and Canada require vessels greater than 300 tons to retain the services of pilots in order to aid navigation among the islands and river ways. Pilots embark in Port Angeles for travel into US waters and in Victoria for Canadian waters.<sup>6</sup>

MCTS Victoria picks up responsibility to make sure vessels get past Victoria, up into Haro Strait and around Turn Point and on through Boundary Pass into Vancouver. The MCTS operator at Taff Bay on the west coast of Vancouver Island directs vessels passing through US waters. Here we have Canadian services managing ships in US waters. Most of the traffic here is Canadian, with some US vessels going to Point Roberts on a peninsular of the Canadian mainland that is south of the US-Canadian boundary and only accessible by land through Canada.

The quid pro quo to these arrangements is that the US manages traffic coming out of Canadian waters. Both countries have mutual responsibility for traffic in these waters, in order to reduce the threat of collisions and environmental contamination. The centre in Seattle takes over traffic that comes down and goes into US waters. There is complete inter-change of responsibility between stations at Tofino, Victoria and Seattle. Under the CTVS agreement, Coast Guard personnel from both nations are at ease operating within each other's jurisdictional waters. This may be a unique aspect of marine vessel management in the world.

### **Transport Canada**

Anything to do with marine traffic lanes in Canadian waters is the responsibility of Transport Canada (TC) under its administration of the Canada Shipping Act 2001. TC makes all the regulations concerning shipping. These regulations are managed by the Canadian Coast Guard (CCG), which is administered within the federal government as a special operating agency of the Department of Fisheries and Oceans (DFO). CCG has no regulatory authority over shipping in Canadian waters. TC inspectors are responsible for all aspects of marine safety, including ship inspections, marine examinations and issuing operating certificates. They also oversee the emergency movement of ships going in and out of harbours.

TC is responsible for the policy coordination of Canada's marine transportation security activities through its leadership as Chair of the Interdepartmental Marine Security Working

Group. TC provides horizontal coordination among federal departments in assessing marine security threats and risks, identifying gaps and recommending mitigation strategies. It represents Canada at the International Maritime Organization (IMO) and is responsible for negotiating bilateral marine transportation security arrangements with the US, which are designed to harmonise the marine security regimes of the two countries. TC is also responsible for the operational oversight and enforcement of marine security regulations – its inspectors monitor and enforce security regulations within Canadian waters, including port facilities and vessels. The department administers the requirement for vessels to provide '96 Hour Pre-Arrival Reports' before their arrival in Canadian waters. These reports are valuable tools for making security decisions on a vessel's worthiness to enter Canada.<sup>7</sup> TC maintains close ties with its regulatory counterparts internationally, particularly those in the US, the United Kingdom, and Australia.<sup>8</sup>

TC serves the Government of Canada in policy coordination of the following areas: developing regulations in support of marine security initiatives notably the International Ship and Port Facility Security (ISPS) Code and Canada's Marine Transportation Security Clearance Program; managing the oversight and enforcement of the Marine Transportation Security Act (MTSA) and Regulations (MTRSR); and managing the 5-year \$115 million Marine Security Contribution Program (which is designed to assist ports and port facilities to meet the requirements of the ISPS Code and MTRSR). TC, in partnership with the US, has established enhanced security procedures for vessels entering the Great Lakes-St Lawrence Seaway system. It also works with international organisations (notably the IMO, Asia Pacific Economic Cooperation (APEC), Organization of American States (OAS) and G8) to develop new international marine security requirements and capacity-building programs.<sup>9</sup>

Through its involvement with IMO, Canada is in the process of implementing Long Range Identification and Tracking (LRIT) capabilities. This satellite-based technology will allow Canada to receive information about ships

entitled to fly its flag irrespective of their location, as well as ships that have indicated an intention to enter a port within its jurisdiction, and ships entitled to fly the flag of other participating States if they are navigating within 1,000 nautical miles of the Canadian coastline.<sup>10</sup>

### **Canadian Coast Guard**

The CCG, in addition to managing ship-land communications, operates the tender ships for the maintenance of buoys and marine markers in Canada's lakes, rivers and seaways. The CCG also has a role to play in Search and Rescue (SAR), which is under the mandate of the Canadian Forces. The Commander of Maritime Forces Pacific (a Rear-Admiral) is the head of SAR located in Her Majesty's Canadian Dockyard Esquimalt. The CCG has no regulatory authority over ships, security or safety. They may have a role to take Royal Canadian Mounted Police (RCMP), officers and TC Inspectors out for embarkation purposes, but they are not trained or authorised to provide armed assistance in support of embarked law enforcement officials. Currently the role and responsibilities of the CCG is under some significant policy review and debate within Canada.<sup>11</sup>

### **US Coast Guard**

The US Coast Guard is a para-military fleet. It is a mandated maritime law enforcement agency. The Puget Sound area is served by US Coast Guard Pacific District 13. It operates two cutters and is supported by three dedicated rotary wing aircraft. Coast guard personnel are trained in boarding operations, small arms marksmanship and law enforcement. The US Coast Guard is concerned with domestic operations. On very rare occasions they may request assistance from the US Navy.

### **Canada Border Services Agency**

The Canada Border Services Agency (CBSA) administers customs and immigration services, and oversees close to one hundred pieces of legislation on behalf of other federal departments, provinces and territories. Its law enforcement duties include the detention of individuals deemed to be inadmissible to

Canada for such reasons as posing a danger to the public or to national security, being unlikely to appear for an immigration process or for whom identity has not been confirmed.

CBSA personnel have traditionally been unarmed Peace Officers responsible for overseeing the administration of their legislation. They relied on the RCMP for backup in law enforcement situations. In 2006, the Canadian Government budgeted \$101 million over two years to begin the process of providing CBSA officers with firearms and hiring 400 new officers. Approximately 4,800 officers at land and marine ports of entry, as well as officers who perform enforcement, investigative and intelligence work inland, will be trained and equipped with firearms, like members of the RCMP, once the arming initiative is fully implemented. During this period of transition, CBSA officers will continue to perform their duties as un-armed Peace Officers, relying on the RCMP to provide backup if the need arises.

In April 2004, CBSA marine security operations established the Advance Commercial Information (ACI) program. Under this program, importer businesses must report marine data on all containers destined for Canada to CBSA 24 hours before loading shipping containers at ports of departure. This program provides an intelligence function that assesses the need for inspection of containers prior to their arrival in Canada.

The CBSA's National Risk Assessment Centre conducts risk assessments on vessels and containers heading for Canada. Decisions are made based on this information about whether to inspect cargo at a foreign port to investigate potential security threats. The ACI program is part of the Canada-US Smart Border Declaration. Currently the ACI program is only used in maritime security. However, plans are in place to expand its application to air, highway and rail transportation gateways and corridors.

In October 2005, CBSA and US Customs and Border Protection (CBP) signed a Container Security Initiative Partnership Arrangement. This agreement allows CBSA officers to travel

to foreign ports to assess any security risk associated with a specific container shipment heading for Canada in collaboration with the country of origin. The purpose of this program is to protect the Canadian public from offshore subversive elements, organised crime or terrorists and ensure that the Canadian economy is not affected by such activities.

The Canada-US Joint In-Transit Container Targeting at Seaports Initiative serves to achieve maximum effectiveness in identifying high-risk containers at the first point of arrival in North America, and to share important law-enforcement information between the US and Canada through their respective immigration and customs officers.

Under Action Point 18 of the Smart Border Declaration, CBSA officers are stationed at seaports in the US and CBP officers are stationed at Canadian seaports. By working together, Canada and the US can improve container inspection by jointly targeting marine in-transit containers that arrive in Canada or the US en route to the other country. US officials are stationed at Vancouver, while Canadian officials are stationed in Seattle-Tacoma and Newark. The program simplifies the inspection process and helps to avoid the duplication of examinations.<sup>12</sup>

### **US-Canadian border law enforcement**

There are significant differences in the organisation of law enforcement practices between the US and Canada. Canada has a national police force, the RCMP, which is responsible for compliance with Canadian federal legislation concerning customs, immigration and border security. US federal law enforcement practitioners are more diffused. They are located in several departments, including Border Patrol, Immigration Customs Enforcement (ICE), US Coast Guards, and some agencies such as the Drug Enforcement Agency.

Law enforcement along the US-Canada border, on land and at sea, is managed through Integrated Border Enforcement Teams (IBET). These teams comprise law enforcement officers from both countries. In the marine sector along

the Pacific coastline, members of the RCMP marine unit work in coordination with US ICE and the US Coast Guard. The three law enforcement agencies share intelligence when the situation demands through the Integrated Border Intelligence Team that is located in Blaine, Washington.

In a 2007 pilot project, referred to as 'Shiprider', RCMP and US Coast Guards operated as joint crew on RCMP and US Coast Guard law enforcement vessels. During this project, arrangements between both countries gave law enforcement authority to the participating officers on both sides of the border independent of their national affiliation. The program enabled pursuits to continue across maritime boundaries. When US law enforcement officers were in Canadian waters they had the status of Canadian Peace Officers with full arresting authority and a similar arrangement existed for Canadian officers in US waters. These arrangements required the front line officers to undergo special training in the laws of the host country.

The Shiprider initiative is seen as a successful initiative and is being assessed by both countries for permanent implementation. It allowed cross designations pursuant to statutory authorities in each country and those designations were to specific individuals for the two month duration of the initiative. The challenge with giving reciprocity to US and Canadian law enforcement officers on both sides of the maritime border is that it is a sovereignty issue. Such matters have to be negotiated by Foreign Affairs (Canada) and the State Department (US).

There are many statutory and political hurdles that must be overcome before such arrangements could become routine. An example is Canada's Import Export Permits Act (R.S., 1985.c.E-19), which requires all firearms coming into Canada to have a permit. That means every time an American police officer crosses the border into Canada she/he needs to have a permit in order to carry a gun - this is not practicable when chasing criminals or terrorists across international borders.

During the Shiprider initiative, a procedure was put in place so that at the start of a shift phone calls were made to the customs authorities in both countries. The names of the officers involved and their shift start was reported to the customs authority of each country. These arrangements were necessary to comply with the Customs Act which stipulates that all officers must report to a customs officer immediately upon entering the country. Both law enforcement entities are subject to the laws of their own country as well as the one they are visiting, as is any citizen from either country. Law enforcement officers have not been exempted from these requirements.

### **RCMP West Coast Marine Services Detachment**

The RCMP provides a West Coast Marine Services (WCMS) Detachment as part of a Provincial Policing Services Agreement between the Canadian Government and the British Columbian Government. The RCMP provides police services for most communities in British Columbia under contract with each municipal authority. Larger municipalities, such as the cities of Vancouver, Victoria, New Westminster and Port Moody, have their own police forces which work in close collaboration with the RCMP. WCMS provides policing service to 350 coastal island and mainland communities that are only accessible by air or water.

The Waterfront Joint Forces Operation (JFO) works at the Vancouver Port Authority and consists of RCMP resources from Border Integrity (including National Ports Enforcement and Customs and Excise), Drug Enforcement, and Criminal Intelligence. The Vancouver Police Department Marine Unit is a uniform police unit that works closely with the Waterfront JFO. CBSA also has personnel who are part of the JFO. The JFO works closely with CBSA Marine. The JFO also has a marked RCMP enforcement rigid hull inflatable boat (RHIB) enabling the JFO to have a marked police presence on the water in the port environment. The JFO is responsible for conducting organised crime investigations in the Vancouver Fraser Port Authority as well as

any other port facilities within the BC lower mainland.

A similar JFO is established in Prince Rupert with five resources from Border Integrity (Customs and Excise and Federal Enforcement Section), two Drug Enforcement and two Criminal Intelligence Resources. Police supervision at the Port of Prince Rupert is much less complicated than in the Vancouver port environment because in Prince Rupert the RCMP is the Federal, Provincial and Municipal police. There are currently no National Port Enforcement resources in Prince Rupert but hopefully there will be in the future.

WCMS has four 70 foot Catamaran Patrol Vessels and seven RHIBs that are funded by the Province of British Columbia. Each catamaran has a crew of four plus an engineer. The crews are in a program where they achieve qualifications and designations in accordance with TC regulations. The highest designation that vessel skippers can achieve is a '350 ton Command Endorsement'.

The mandate of WCMS is to support general police operations and to provide a police presence in remote coastal communities where there are no shore based police detachments. The catamarans are also able to participate in border enforcement operations. They are crewed by four fully trained RCMP officers who choose a career path in the WCMS detachment.

The RCMP Border Integrity Program has RHIB enforcement vessels in Victoria and Vancouver that are deployed as part of IBET's mandate to conduct border enforcement in conjunction with US agencies (ICE and US Coast Guard). These services are part of the federal government's mandate and are funded as part of the IBET program. The members of the IBET Marine Team are RCMP Officers who are experienced in conducting complex investigations and also have marine experience. They are provided with the necessary training to operate the RHIBs.

### **Canadian military and law enforcement**

The Canadian Forces have no statutory mandate to conduct domestic law enforcement operations. Through Memorandum of Understanding



protocols and Federal Government direction, Canadian Forces routinely provide support to the RCMP and the Department of Fisheries and Oceans (DFO) as the two Federal Government Law Enforcement Agencies with statutory jurisdiction in the maritime domain. The Naval Formation in Esquimalt operates a 'Ready Duty Ship', either a major or minor warship, which is in a state of preparedness to deploy at short notice in support of SAR or missions of other government departments. The Ready Duty Ship is mandated to respond on a twenty-four hour basis every day of the year and is typically trained to intercept and board a vessel for inspection or seizure when providing direct support to an accompanying RCMP or DFO officer. A dedicated ship-borne helicopter may be assigned to the warship. If necessary, it will be controlled by Canadian Forces authority.<sup>13</sup>

### Canada Command

On 1 February 2006 the Canadian Forces established Canada Command as part of the widely publicised plan to transform the armed services into a fully integrated and responsive military force to interact with federal, provincial and local government authorities to support domestic operations.

The main priority of Canada Command is to 'Defend and Protect Canada'. Canadian Forces are not only fighting abroad, but are also deeply committed to the protection and defence of Canadians at home. Canada Command focuses on the areas of preparedness and response, and is aimed at providing specific capabilities and expertise in some of the most extreme scenarios. Canada Command leads SAR operations and also responds to requests from civil authorities for assistance in a wide spectrum of operations such as:

1. disaster relief;
2. territorial and aerial surveillance and protection;
3. coast surveillance; and
4. support to federal Counter-Drug Operations.

The Naval headquarters at Esquimalt have been transformed into Joint Task Force Headquarters Pacific and the Rear-Admiral commanding the Pacific fleet is appointed as the Joint Task Force Commander who has the authority to task air force and army assets in the Pacific region (via concurrence of Commander of Canada Command) to coordinate and provide assistance to civilian authorities in terms of expertise, equipment and personnel. Assistance to law enforcement agencies and the protocols to trigger such support have not changed under the Canada Command concept. Additionally, in the context of the Canadian Pacific Fleet, the area of responsibility and level of cooperation between US law enforcement agencies have not changed given long-established working relationships that are not in conflict with the mandate of Canada Command. Canada Command serves as the operational link with US Northern Command.<sup>14</sup>

### NORAD

The North American Aerospace Defense Command (NORAD) is a bi-national US and Canadian organisation charged with the missions of aerospace warning and aerospace control for North America. Aerospace warning includes the monitoring of human-made objects in space, and the detection, validation, and warning of attack against North America whether by aircraft, missiles, or space vehicles, through mutual support arrangements with other commands. Aerospace control includes ensuring air sovereignty and air defence of the airspace of Canada and the US.

From its inception in 1940, the NORAD Agreement has undergone several renewals. The March 1996 renewal redefined NORAD's missions as aerospace warning and aerospace control for North America. In May 2006, the Agreement was renewed to include a maritime warning mission, which requires both countries to share in their awareness and understanding of the activities conducted in the US and Canadian maritime approaches, maritime areas and inland waterways. The command is currently developing a concept for implementing the new maritime warning mission.<sup>15</sup>

### **The Vancouver 2010 Integrated Security Unit**

The security aspects of boundary management procedures described above will be put to the test during the Vancouver 2010 winter Olympic and Para-Olympic Games. The Vancouver 2010 Integrated Security Unit (ISU) has been formed in preparation for this event. It comprises members from the RCMP, Vancouver Police Department, West Vancouver Police Department and the Canadian Forces. The unit is led by the RCMP. The ISU is responsible for

- criminal record background checks for accreditation of credentials, aviation security and management over designated Olympic venues and sites;
- tactical emergency response;
- working with RCMP units responsible for Internationally Protected Persons, other 'very important persons' and Olympic family security;
- communications security;
- security within designated Olympic venues and sites;
- community relations relating to olympic planning;
- traffic control during the games timeframe; and
- training for police involved in securing the games.

Prior to the Olympic Games, policing in Olympic venues and sites remains the responsibility of the police force of jurisdiction, even if the matter is related to the Olympics.

### **Discussion**

This paper has presented an overview of the procedures in place between the US and Canada for managing their complex Pacific maritime boundary. It is written from a Canadian perspective highlighting the Canadian government agencies involved. Such a review from the US perspective would involve a greater appreciation of the many federal, state and municipal agencies that are involved in border management.

The events of 9/11 have increased tensions between the two countries. There has always been concern expressed by some US politicians and media outlets that Canada, with its more liberal laws and views, could be harbouring terrorist threats to the US.<sup>16</sup> Given the trade arrangements between the US and Canada, the emphasis from the Canadian perspective will always be one of accommodation and co-operation in accepting the new post 9/11 reality. The Shiprider pilot program between the US Coast Guard and the RCMP is an example of sorting out the challenges around sovereignty of the two countries. Perhaps the Shiprider program will become a precursor to a new US-Canada maritime agreement similar to the 1979 CTVS Agreement.

Rather than adopt a single North America perimeter customs and immigration policy, Canadians have shown no intention of giving up their sovereignty to the US in response to 9/11. Canada expects all visitors, as well as landed immigrants and citizens, to abide by Canadian law. It is the application of these laws that Canada believes will enable it to deal with any subversive element threatening Canadian societal values within or approaching its borders. As is demonstrated by the collaboration between CBSA and US Border Agencies, Canada is committed to integrating its security procedures with the US so that both countries are able to protect their citizens and achieve a common understand of potential threats.

This paper has attempted to show how the influence of the military and law enforcement cultures in the US and Canada influences maritime border management. US society appears to be impacted by battles fought in far off lands; many American families will display pictures in their homes of family members who are serving, or have served, in the military. The presence of a military culture is not as overt in a Canada. That said, as is evident from the support given to Canadian soldiers in Afghanistan, and the pride and compassion displayed by Canadians when fallen soldiers are brought home, Canadians do have a high respect for their military. While it did not support the US going to war in Iraq, Canada has a strong combat presence in Afghanistan.<sup>17</sup>

The tradeoffs between placing Canadian soldiers in harm's way and spending public funds to do so, relative to providing social support programs at home or allocating such funds for humanitarian purposes around the world are hotly debated among Canadians.<sup>18</sup> In contrast, as a general rule, the US is more accepting of a world policing role, even at the expense of domestic social programs. Canada has benefited by contributing to the world policing role adopted by the US. Such bilateral relations have provided Canada with the opportunity for developing a strategic military defence through its active participation in such organisations as NORAD and NATO.<sup>19</sup>

Maritime border management arrangements between US and Canada depend on both countries respecting each other's sovereignty and understanding and respecting each other's cultural differences. The arrangements for marine safety and transport between the US and Canada in the Pacific region were defined and established in the CTVS 1979 Agreement. The continued application of this agreement, its ability to adjust to an exponential growth in all kinds of marine traffic, and its effectiveness in the post 9/11 world, is testament to the tradition between US and Canada being able to figure out ways of getting along like good neighbours.

## ENDNOTES

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- <sup>2</sup> Gillespie, B. 2008. 'The 9/11 effect: Has \$24 billion made Canada safer?', CBC News' security correspondent, 21 March [www.cbc.ca/news/viewpoint/vp\\_gillespie/2008/03/the\\_real\\_cost\\_of\\_911\\_has\\_24\\_bi.html](http://www.cbc.ca/news/viewpoint/vp_gillespie/2008/03/the_real_cost_of_911_has_24_bi.html).
- <sup>3</sup> For analysis of these changes in relationships, and their impact on Canadian and Mexican border relations, see Hussain, I. Pattanayak, S. and Hira, A. 2008. *North American Homeland Security: Back to Bilateralism?* Praeger Publishers, International Security Series (forthcoming).
- <sup>4</sup> Lynch, T. 2007. 'Challenges Confronting Canada in Maritime Security: An Interview with Rear Admiral Roger Girouard (Canadian Forces, Ret'd).' *Maritime Studies*. 156: 1-5.

- <sup>5</sup> Transport Canada's Radio Aids to Marine Navigation, (Pacific and Western Arctic) Canadian Coast Guard, Marine Communications and Traffic Services, Annual Edition, 2007. This publication is revised on a monthly basis when required through Notice to Mariners, Part III.
- <sup>6</sup> Lynch, T. 2006. 'Marine Piloting: A Symphony of Movement.' *Mariner Life*. November: 10-13 [www.infolyнк.ca/bcmaritimepolicy.html](http://www.infolyнк.ca/bcmaritimepolicy.html).
- <sup>7</sup> Marine Transportation Security Act 1994, c-40.
- <sup>8</sup> Transport Canada. 2006. *Marine Security Overview: Transportation Security Action Plan*, p 13, 23 February.
- <sup>9</sup> The following site provides a summary the role of the main federal departments involved in Marine Transportation in Canada: <http://www.tc.gc.ca/MarineSecurity/policy/enhancing/roles.htm>.
- <sup>10</sup> Report of the Marine Security Standing Committee, Canadian Marine Advisory Committee, Ottawa, 30 April - 3 May 2007.
- <sup>11</sup> Senate of Canada Committee on National Security and Defence, March 2007. This report recommends that CCG assume a constabulary or paramilitary role [www.parl.gc.ca/common/Committee\\_SenRep.asp?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/common/Committee_SenRep.asp?Language=E&Parl=39&Ses=1&comm_id=76); Lynch T, 2007. 'Canada's Coast Guards at the Cross Roads', *Fisherman Life*, August: 10-14 [www.infolyнк.ca/bcmaritimepolicy.html](http://www.infolyнк.ca/bcmaritimepolicy.html).
- <sup>12</sup> See Canadian Border Services Agency website <http://www.cbsa-asfc.gc.ca/agency-agence/what-quoi-eng.html>.
- <sup>13</sup> Lynch T, 2007. 'Canadian Maritime Security: From the Navy on Patrol: to the Police on the Beat.' *Maritime Studies*. 152: 22- 26.
- <sup>14</sup> See Canada Command website: <http://www.canadacom.forces.gc.ca> and United States Northern Command US NORTHCOM : <http://www.northcom.mil/>.
- <sup>15</sup> See North American Aerospace Defence Command website: [www.norad.mil/about/index.html](http://www.norad.mil/about/index.html).
- <sup>16</sup> Lynch, 2001, supra note 1.
- <sup>17</sup> As of 4 April 2008, the US has experienced 4,013 deaths (1.33 per 100,000 population) in Iraq. Canada has experienced 82 deaths (0.25 deaths per 100,000 population) in Afghanistan.
- <sup>18</sup> The Honourable John Manley, P.C. (Chair), Independent Panel on Canada's Future Role in Afghanistan, January 2008 © Her Majesty the Queen in Right of Canada, Minister of Public Works and Government Services, 2008 Cat. No: FR5-20/1-2008.
- <sup>19</sup> Chase, S. and Galloway, G. 2008. 'PM (Prime Minister Stephan Harper) leaves door open to extend Afghan mission', *Globe and Mail*, 3 April; Chase, S. 2008. 'NATO answers Harper's request for troops', *Globe and Mail*, 3 April.

