



NORAD Is About Continental Surveillance, Not Destroying Missiles

Comments by Peggy Mason on the CBC radio "Ontario Today" phone-in

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Dear Sirs:

Throughout the debate over Canadian participation in the American missile defence programme, Canadians have been poorly served by the chattering classes. But the level of confusion has actually increased since the Martin government announced its decision. Take for example the following paragraph from Jeffrey Simpson's article of today's date.

"If Canada will only allow NORAD to track, but not attempt to destroy, incoming missiles, why should the U.S. bother with having Canada in NORAD at all? That's exactly the question U.S. defence planners will now ask in the time left before NORAD's renewal in the first half of 2006."

Maybe, just maybe the USA will keep Canada in NORAD for the very same reason that they established the binational command in the first place - they NEED Canada in order to carry out the surveillance functions that are what NORAD is all about. It has NEVER been about attempting to destroy the incoming missiles. The tracking functions relate to both AIR and AEROSpace and, since the terrorist attacks of September 11, 2001 using domestic aircraft, monitoring air space has become significantly more important. Canada carries out ALL surveillance and control of Canadian airspace while American efforts are focused on American airspace. The only way the Americans could take over the Canadian role would be to fly planes and operate navigation systems inside Canadian airspace.

So important is NORAD to the USA that they have already agreed to consult on its expansion to include the maritime and land surveillance dimensions.

Second point, the USA has always separated the surveillance functions of NORAD and its binational command from those relating to the operational response. This is because the USA has never and will never agree to share operational decision making in relation to the defence of the USA. Thus, all during the Cold war (and continuing to this day), the missile and bomber tracking functions of NORAD were separate from the operational response handled by the solely American strategic command, STRATCOM.

Thus, DND's bid (under Minister David Pratt) to get the response function for BMD situated in NORAD was a complete NON-starter. NORAD will track incoming missiles and the info will be shared with the solely American command - NORTHCOM - responsible for launching the interceptor missiles. It is worth noting that the Brits will get NO decision making role even in relation to missile interceptors to be stationed on UK soil. Under the constitution, the authority of the Commander-in-Chief cannot be delegated to foreigners say the Americans. But more to the point, they don't want to share decision making!

So the ONLY BMD-related role for NORAD is the monitoring function and the August 2004 amendment ensures it will be carried out. Just take a look at the press release issued by Canada at the time of the NORAD renewal. See the full text below but two quotes should suffice:

" The amendment authorizes NORAD to make its missile warning function — a role it has been performing for the last 30 years — available to the U.S. commands conducting ballistic missile defence."

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"This amendment safeguards and sustains NORAD regardless of what decision the Government of Canada eventually takes on ballistic missile defence."

The essence of Martin's problem was that he was being asked to give a political endorsement to BMD but was getting absolutely nothing in return. This is the real story, and one that has been missed over and over again by the pundits. He was not getting any decision making role - that will be handled by NORTHCOM. He was not even getting a right of consultation - there is very little real time to do this and, in any event, this is anathema to the Pentagon. And of course he was getting nothing on the non-weaponization of space, a goal shared by virtually every other country in the world except the United States.

And now for the sovereignty issue. The current BMD system (groundbased midcourse interceptors) is intended to shoot down incoming missiles in outer space. Outer space is beyond the national jurisdiction of any state and activity there by the Americans does not engage Canadian sovereignty in any way. However, should the USA decide to engage in any activity in Canadian AIRspace -as Paul Cellucci suggested - then, under international law, they are required to first get Canada's consent and this has nothing to do with whether or not Canada is participating with the USA on BMD or anything else. This is a fundamental principle of territorial sovereignty. Just consider if we were telling the Americans that we intended to intrude on American airspace whenever we thought our security interests required it. In time of crisis the USA may well ignore Canada's sovereignty, but in the meantime, it is the Prime Minister's duty to remind the Americans of it. Otherwise, it could be argued in law that he is acquiescing to American plans to, in effect, trespass. (To put this another way, the Prime Minister's verbal insistence on

Canadian permission amounts in law to an assertion of, a tangible demonstration of, Canadian sovereignty.)

Finally, Jeffrey Simpson blithely asserts that Canada is kidding itself if we think that our rejection of BMD will have any practical effect. Nothing could be further from the truth. Our stance has strengthened the effort already underway in the USA to cut BMD funding even further than the one billion dollar hit it has sustained thus far in 2005. We have also provided a tremendous boost to all those fighting (both inside and outside the USA) against weapons in space and against American aggressive unilateralism.

Sincerely,

Peggy Mason
Chair, The Group of 78