The Canadian Coast Guard and National Security

Chris Henderson

Credit: P. Dionne, Fisheries and Oceans Canada

*This 2008 photo shows the icebreaker CCGS **Pierre Radisson**. The ship is based in Quebec and in winter it is assigned to icebreaking and ship escort operations in and around the St. Lawrence River.*

Seapower runs the gamut from relatively benign regulatory power to the use of lethal force to stop an invasion. This spectrum requires subtle management and the smooth hand-off of responsibility to appropriate authorities as the needle moves from side to side. That function is complicated dramatically by the nature of the maritime domain – and, in Canada's case – by its extreme climate, small population and enormous distances, especially of the Arctic environment.

The federal government has maintained two fleets to manage this operational spectrum: the Royal Canadian Navy (RCN) for war-fighting; and the Canadian Coast Guard (CCG) for everything else. Recognizing the exclusive jurisdiction of the RCN to provide the lethality and firepower needed to ensure the maritime defence of Canada, this article will limit its examination to the improvement of the CCG's toolkit necessary to deal with the enormous range of activities, challenges and threats that are 'left of bang' on that spectrum.

The CCG was created in 1962 to bolster marine safety in response to growing oceanic trade and the opening of the St. Lawrence Seaway in 1959. In its initial manifestation, the CCG was part of the Department of Transport,[1] but was transferred to the Department of Fisheries and Oceans (DFO) in the 1990s as a cost-saving measure.

The CCG derives its mission and mandate from a variety of statutes.[2] These include the *Oceans Act*, the *Canada Shipping Act, 2001*, the *Marine Liability Act*, the *Arctic Waters Pollution Prevention Act*, and the *Wrecked, Abandoned or Hazardous Vessels Act (WAHVA)*. The last was written specifically to confer new enforcement authorities on the CCG.

While seemingly precise in their articulation of the CCG's missions, these enabling statutes (with the notable exception of *WAHVA*) are mostly silent on *how* the CCG is to do its job. For example, within the *Oceans Act* there is a single section of exactly 175 words (including the title) that defines the entirety of the CCG. A single sub-section, 41(1)(e), allows the Minister to "… support … departments, boards and agencies of the Government of Canada through the provision of ships, aircraft and other marine services" – in essence a blank cheque that allows the coast guard to do practically anything asked of it by another federal department. This generality provides beneficial operational flexibility but does not facilitate policy innovation or capability development as the CCG's operating environment evolves rapidly.

The CCG has remained at DFO until this year as a 'Special Operating Agency' – an organizational category that in all practical respects is a distinction without a difference.


Credit: P. Dionne, Fisheries and Oceans Canada

A CCG Bell 429 helicopter approaches an unspecified lighthouse in this 2015 photo.

It is an important marine safety organization subordinated within DFO and entirely dependent on that department's corporate enablers for connection to the rest of the federal government. Its many responsibilities include, *inter alia,* marine search and rescue, pollution response, vessel traffic management, icebreaking, maintaining 'aids to navigation' (more commonly understood as buoys and lighthouses), supporting scientific research, and ferrying around various law enforcement agencies. The CCG is the unsung 'rent-a-ship' company of the federal government, and it impressively and perennially meets or exceeds all the expectations placed on it by Canadians and their elected leaders. The iconic red-and-white hulls of its ships are a familiar and comforting sight on all of Canada's coasts and waterways, and it is often the only federal maritime presence in Canada's vast Arctic.

In the face of irresistible international pressure to invest in Canada's defence over the past few years, one of Prime Minister Mark Carney's early decisions in the spring of 2025 prompted a sea change in the CCG's fortunes. The Liberal government introduced Bill C-2. Ostensibly a proposal to thicken the Canada-US border, the legislation includes an important first step toward the codification of a national security mandate for the CCG. The proposed bill directs the CCG to assume new responsibilities for "security, including security patrols and the collection, analysis and disclosure of information or intelligence."[3] The intent is to capitalize on the presence and presumed capabilities of the CCG fleet to contribute to what is known as 'maritime domain awareness' – the ability for the government to understand who is in or approaching Canadian waters and what they are doing there.

The Prime Minister followed up quickly with a defence spending announcement on 9 June 2025, which elaborated on Bill C-2 and, importantly, included a machinery of government change for the coast guard. The plan included "expanding the reach, security mandate, and abilities of the CCG and integrating it into our NATO defence capabilities – to better secure our sovereignty and expand maritime surveillance."[4] The details of how that change will unfold remain to be seen, however, the new mandate includes conducting surveillance and collecting intelligence in support of national security, and moving the CCG from DFO to the Department of National Defence (DND). In the meantime, the CCG's mission set remains as impressive and daunting as its budget is small and its ships and infrastructure are aging.

The Bill C-2 legislative proposal is necessary but not sufficient. The size and ubiquity of the CCG fleet suggest that it can and should be employed much more deliberately in aid of Canada's national security without infringing on the monopoly of force that must reside with the RCN. But this welcome attention being paid to the coast guard raises some important questions. Is DND the correct home for the CCG? Second, is there more the CCG could be enabled to do to strengthen its contribution to the safety and security of the country?

Moving the CCG to DND added a minimal amount of national treasure to Canada's NATO defence spending, and there is a superficial alignment with respect to intelligence and surveillance. Also, there is a logic to strengthening the pre-existing operational bonds between the Canadian Armed Forces (CAF) and the CCG through joint operation of the federal search-and-rescue system and co-management of the Marine Security Operation Centres. However, the two services have fundamentally different roles that can be distilled to the basic issue of lethality or the monopoly on the use of force of the CAF. The CCG's current role – and any additional future roles – therefore, are and must remain objectively civilian.

The CCG's traditional missions include support to law enforcement along with its wide-ranging and complex

Prime Minister Mark Carney makes a defence announcement, including that of expanding the security mandate for the Canadian Coast Guard, at a Toronto military base on 9 June 2025.

marine safety roles. Combined with the proposed new mandate for surveillance and intelligence collection in support of national security, there is an argument that the CCG would be better aligned within the Department of Public Safety's stable alongside the Royal Canadian Mounted Policy (RCMP), Canada Border Services Agency (CBSA), and Canadian Security and Intelligence Service (CSIS). That alignment would not diminish the benefits of joint operations with the CAF, but it would simplify and accelerate the coordination of CCG activities with national law enforcement agencies, the intelligence service and the rest of the national security apparatus. It would also leverage the 'portfolio' approach that has existed and matured within Public Safety for more than 20 years whereby separate agencies have their own Deputy Heads and corporate enablers and contribute on a level playing field to the pursuit of policy objectives and the resolution of crises.

While there is a 'defence portfolio' of sorts, the only other player on that team other than DND/CAF is the Communications Security Establishment (CSE), which has carefully carved out its highly specialized niche and bureaucratic independence from DND. The alignment within Public Safety would also not prevent a larger portion of the CCG budget from being counted as a NATO contribution, nor would it prevent the integration of relevant CCG capabilities into the country's defence system. It would, however, protect the CCG from the bureaucratic predation that has prevented the realization of its operational potential since its inception.

A constructive and more aggressive approach would be to enshrine the CCG as a robust instrument of national power and an equal partner in Canada's defence and security apparatus through completely new enabling legislation – *Canadian Coast Guard Act*. That new statute should create the CCG as a discrete department of the federal government with the Commissioner as its own Deputy Head reporting directly to a Minister with responsibility for securing Canadians, as opposed to remaining in an economic department such as DFO. It would also require the full suite of corporate enabling functions and internal services (e.g., policy, human resources, legal services, real property, information technology, etc.) to allow it to operate autonomously and effectively in accordance with government priorities, request funding and formulate its own policies and strategies.

Such a change would mean the CCG would become responsible for a wide range of federal functions from intelligence, surveillance and reconnaissance (ISR) to law enforcement to its traditional marine safety programs. It would also safeguard the principle of a civilian coast guard with a constabulary and national security role, while counter-balancing any retrograde impulse to militarize the CCG. A discrete coast guard statute would replace the current pastiche of legislation and the important work of resolving decades of ambiguity and equivocation about the authority and reach of Canada's civilian fleet could begin.

Credit: Fisheries and Oceans Canada

*Crew and inspectors from CCGS **Sir Wilfrid Laurier** (far background) board a fishing vessel from their RHIB in summer 2025 as part of **Operation North Pacific Guard**, a counter-illegal, unreported and unregulated fishing operation led by Canada.*

Credit: Donavan Maytum via Fisheries and Oceans Canada

*The **Hero**-class mid-shore patrol ship CCGS **Private Robertson V.C.** is seen with its POLICE boards displayed to indicate its constabulary authority in this undated photo at an unspecified location.*

Among many things COVID taught us about governance in Canada in the summer of 2020 was that this country suffers from a fundamental misalignment of authorities and resources for law enforcement at sea. Two examples serve to illustrate the point. The first was that among many federal government measures intended to protect Canada and Canadians was the diktat from the Minister of Transport that "[a] passenger vessel must not navigate, moor or berth in Canadian waters."[5] When issued in the first week of April 2020 this ministerial direction hardly caused a ripple given the convulsions reshaping the day-to-day lives of Canadians. As the weather warmed, however, and recreational boaters looked to the water to escape the grip of the pandemic, the unprecedented nature of the directive came into focus. While not exclusively directed at Americans, the practical impact was that it became, for the first time in history, illegal for recreational boaters from the United States to enter Canadian waters. US boaters had always been required to clear customs upon entry, but there had never been an outright ban.

While enforcement of such a prohibition might appear superficially straightforward to Canadians, it soon became obvious to operational authorities in the CCG that there was a problem. While the CCG might have the vessels necessary to patrol boundary waters, its personnel lack any authority to enforce the laws of Canada. Incidentally, the CAF also lacks that law enforcement authority and so found itself in the same scenario of mismatched resources and authorities. Those enforcement powers currently reside with several agencies whose officers must be embarked on CCG or RCN vessels for those ships to be used in enforcement actions but who were otherwise occupied during the pandemic. In a word, the federal agencies with the enforcement authority did not have the operational resources, and the agencies with the marine resources lacked the authority. Coordination, good will and the phenomenon that most people will comply with the law meant that the prohibition was, by and large, respected.

But not everyone respects the law. In August of 2020, with the prohibition on entering Canadian waters well publicized among mariners, a solo sailor from New Zealand chose to ignore the direction and sailed his yacht eastward through the Northwest Passage.[6] Given that there had not yet been any COVID cases reported in Nunavut, the federal and territorial governments were acutely concerned about all potential vectors for the disease. But rather than stop the sailboat and force it to turn back, the government defaulted to investing significant resources including CCG icebreakers, Royal Canadian Air Force (RCAF) long-range maritime patrol aircraft, RCMP detachments, and Inuit marine monitors into tracking the sailboat's progress. In a word, Canada watched its law flagrantly broken for a vanity project during an international public health meltdown by one bellicose, stubborn sailor from a like-minded country, and effectively did nothing. COVID laid bare the fragility of Canada's ability to exercise effective, sovereign control of its maritime domain.

While the foregoing examples underscore a specific law enforcement gap in the maritime domain, there are similar weaknesses relating to surveillance of national waters, maritime security coordination, aviation roles and support, hydrography, marine safety, and the 'machinery of government.' These challenges are not unique to Canada although many of the factors with which Canadian authorities must contend are extreme. So how do other countries solve these problems? An important consideration for Canadian policy-makers is that virtually every littoral state guards its coasts differently. What does begin to appear as a common denominator among coast guards is whether they have a constabulary role. With the

notable exception of His Majesty's Coastguard, which is the closest analogue to the CCG from an operational program point of view, most useful comparator coast guards possess law enforcement authority. Good models exist to help inform a Canadian solution that is sustainable and consistent with national interests, but there is no perfect model that can or should be carbon copied to the Canadian context.

Thus, a strong first outcome of the proposed *Canadian Coast Guard Act* would be to confer on the CCG a mandate and the authority for law enforcement at sea. In this manner, the CCG fleet would adopt a constabulary role and be able to respond to potential or actual violations of Canadian law whenever and wherever they happen to come upon them. It would increase the government's options and flexibility to deal with the unexpected when the CCG is conducting its regular programming without embarked police, when exigent circumstances demand a rapid response, and when coordination with law enforcement agencies prevents a timely or effective response. This is particularly true in the Arctic where the CCG is often the only federal presence. Furthermore, such authorities – and their visible execution – would increase the deterrent effect of government of Canada vessels in the eyes of all mariners.

The granting of such authorities to the CCG need not be at the expense of existing authorities or operational practices. To operate effectively, federal law enforcement agencies need at least all the powers they currently have. Granting additional powers to the CCG to act in the absence of the RCMP, CBSA, or DFO would augment the overall capacity and effectiveness of Canadian law enforcement at sea. And the excellent joint work conducted by those agencies with the CCG under the current rubric of Section 41 of the *Oceans Act* would continue under the auspices of the *Canadian Coast Guard Act.*

Credit: Transport Canada

Transport Canada's National Aerial Surveillance Program operates aircraft, such as these Dash 8s, in support of other government departments/agencies like the Canadian Coast Guard.

The establishment of a constabulary role for the CCG would necessitate *inter alia* significant new training structures and routines, regular exercise planning and execution, professional development of all ranks, and the adoption of intelligence capabilities and enforcement tools, techniques and procedures. Undoubtedly such a change would require leadership, careful management and close collaboration with bargaining agents – not to mention a considerable runway to get it off the ground. As the creation and subsequent arming of the Canada Border Services Agency amply demonstrate, one does not create an effective organization overnight, but the precedent exists.

Royal Assent of the *Canadian Coast Guard Act* would be necessary but not sufficient. The core of a new constabulary force would need to be developed. In this regard, the CCG is blessed by the existence of the Conservation and Protection (C&P) Branch of DFO. Armed peace officers with an operational role buried in the policy sector responsible for juggling the kaleidoscopic dynamics of multiple fisheries are already an awkward fit. The CCG and C&P have been planning and executing operations together for decades and a strong argument could be made for the transfer today of C&P to the CCG. As the CCG already provides crews and maintains the patrol ships used by C&P – including the crew-served weapons used to protect boarding parties of Fishery Officers – the relatively straightforward, zero-to-low-cost transfer of the Director General Conservation and Protection to the CCG from DFO would initiate the evolution of a constabulary coast guard.

CCG Navigation Officers would need to be recruited, educated and trained to become Maritime Law Enforcement Officers. Thus, every ship in the CCG would have an inherent law enforcement capability vested in the authority of its crew when a Fishery Officer was not on board, as is most often the case. As is the case within the RCN where there is always more than one command-qualified Naval Warfare Officer on board a warship but only one Captain, there would only ever be one Commanding Officer on a coast guard ship whose authorities would enable fishery enforcement at sea. Enabling fisheries enforcement would be a useful first step but there are many other statutes requiring enforcement in domestic waters.

At this point, another useful analogue can be found within the CBSA. Border Services Officers are trained and delegated the authority to apply "more than 100 acts and regulations"[7] at Canadian ports of entry. While they

Credit: Master Corporal Antoine Brochu, Canadian Armed Forces Combat Camera

*Members of HMCS **William Hall** and CCGS **Pierre Radisson** from the Canadian Coast Guard operate rigid-hull inflatable boats during **Operation Nanook-Nunakput** in Pond Inlet, Nunavut, on 7 September 2025.*

are expected to enforce multiple laws, they can only do so within strictly prescribed limits. Overreach and excessive enthusiasm for law enforcement are easily constrained, which would become the case for CCG Navigation Officers vested with law enforcement authority. Over time, an argument could be made for CCG Commanding Officers to assume enforcement responsibilities at sea for customs and immigration offences, as well as criminal matters. Again, such a capability would be in addition to the authorities and capabilities that already exist, and must remain, within the RCMP and CBSA.

There are, however, many other authorities and capabilities that pertain to the maritime domain – and would reside ideally in a coherent, operational marine safety and security agency based in law – that are, unfortunately, currently spread throughout the bureaucracy for reasons that are long forgotten. A quick scan includes: the Canadian Hydrographic Service within DFO; the Canadian Ice Service of Environment and Climate Change Canada; the Office of Boating Safety; and the Aircraft Services Division of Transport Canada. All are primarily focused on the maritime domain, so the *Canadian Coast Guard Act* should concentrate these disparate resources on making a stronger, better coordinated contribution to Canada's maritime safety and security.

Five years after the COVID-19 pandemic focused everyone's attention on our collective vulnerability, some of the lessons learned remain unabsorbed and feasible remediations remain untried. Resources and authority remain misaligned and, short of the use of military assets, which are not intended for law enforcement purposes, Canada still has no effective means of asserting its authority in Canadian waters. Alternately, the articulation of the *Canadian Coast Guard Act* would be an opportune moment to rectify this and increase the effectiveness and flexibility of the CCG as an instrument of national power. If pursued diligently, the government of Canada would be able to maximize the already tremendous utility of the CCG. The CCG would be infused with 'guard power' and the synergy between it and the RCN would be magnified to provide more meaningful options to respond to threats from across the spectrum of conflict, and ultimately to protect Canada and Canadians better.

Notes

1. Government of Canada, "History of the Canadian Coast Guard," Canadian Coast Guard.
2. Government of Canada, "Our Mandate," Canadian Coast Guard.
3. Parliament of Canada, "Bill C-2," House of Commons of Canada, 3 June 2025.
4. Prime Minister of Canada, "Canada's New Government is Rebuilding, Rearming, and Reinvesting in the Canadian Armed Forces," News Release, 9 June 2025.
5. Government of Canada, "Repealed – Interim Order Respecting Passenger Vessel Restrictions Due to the Coronavirus Disease 2019 (COVID-19)," Transport Canada, 4 April 2020.
6. See Jane George, "Nunavut Spotter Sees New Zealand Yacht Heading East into the Northwest Passage," *Nunatsiaq News*, 24 August 2020.
7. Government of Canada, "Canada Border Services Agency," CBSA.

Chris Henderson is a retired senior executive with 37 years of military and public service. Recently, he was Deputy Commissioner of Operations at the CCG for four years and, prior to that, was Assistant Deputy Minister of Public Affairs at DND.