

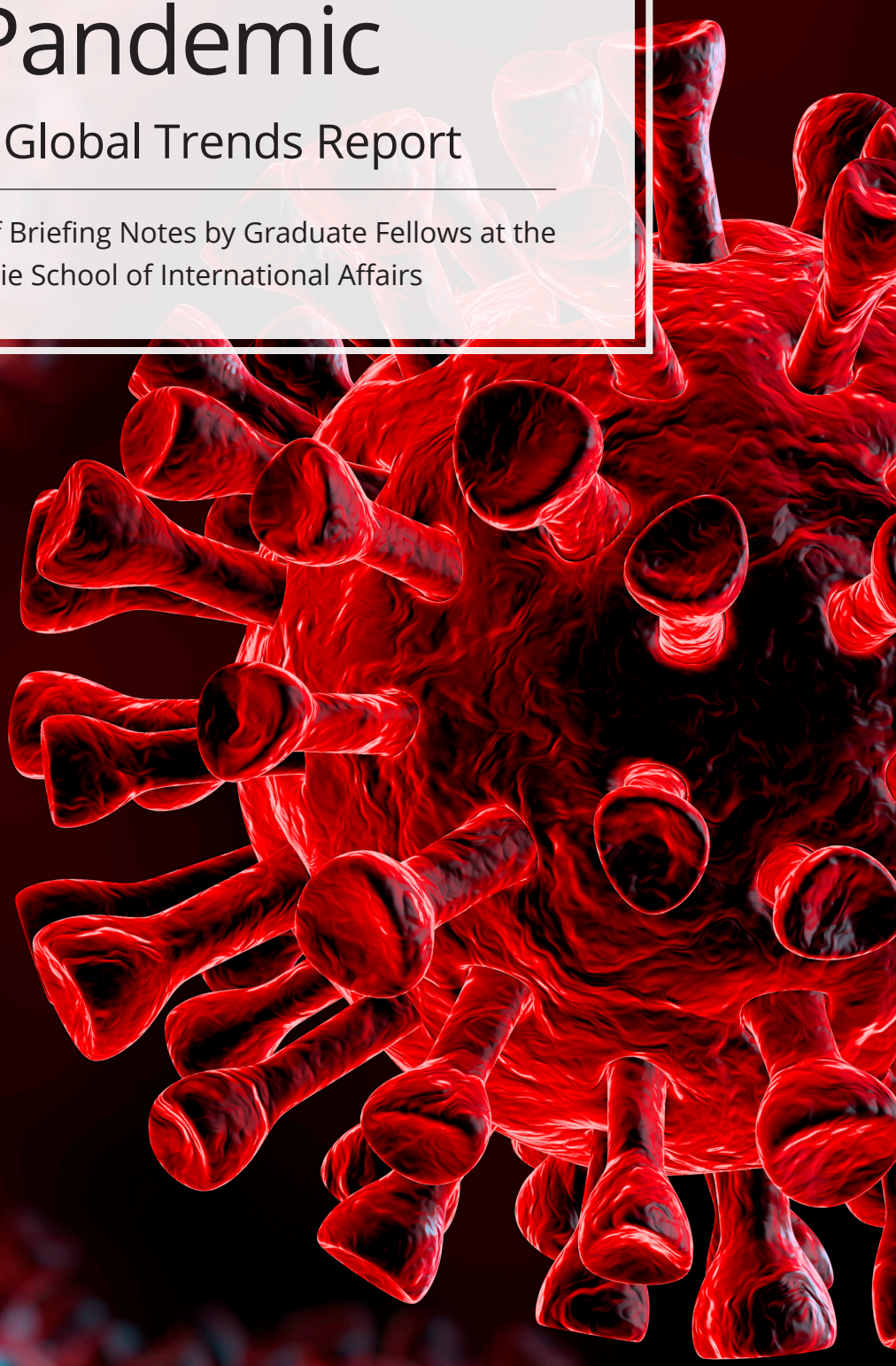


BALSILLIE SCHOOL
OF INTERNATIONAL AFFAIRS

Pandemic

2021 Global Trends Report

An Anthology of Briefing Notes by Graduate Fellows at the
Balsillie School of International Affairs





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The Foreign Policy Research and Foresight Division at Global Affairs Canada is proud to support and be associated with the Graduate Fellowship Program/Young Thinkers on Global Trends Initiative. The challenges facing Canada today are unprecedented and truly global. Tackling those challenges requires fresh ideas and engagement with new generations of thinkers, researchers, and activists to help create opportunities for a sustainable future. We would like to thank the students and professors of the Balsillie School of International Affairs for their time, effort and commitment throughout the year to make this initiative successful. The results of their work, which has been encapsulated in this anthology, will help inform the work of Global Affairs Canada as it relates to foreign policy, trade and international development.



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Introduction

It is almost assured that 2020 will go down in history as a watershed year, perhaps even a pivotal moment for humanity. It will, of course, be remembered for COVID-19, the novel coronavirus that has caused the worst global health crisis since the Spanish Flu of 1918 to 1920 and HIV/AIDS. Across the globe, COVID-19 has had a disproportionately large and harmful effect on vulnerable communities, whose already precarious physical and economic security were only deepened by the crisis. At the time of writing, more than 65 million people worldwide have been infected with the virus, with more than 500,000 reported new cases every day. Of those infected, more than 1,500,000 lost their lives.

In this context, 2020 will undoubtedly be remembered as a moment of profound economic, political and social upheaval. In response to COVID-19, governments around the globe saw no choice but to temporarily shut down their economies. In the process, millions of individuals lost their jobs, businesses closed and governments were forced to provide trillions in emergency stimulus spending to prevent total economic collapse.

The pandemic also accelerated trends that had been reshaping the international order. The Trump administration in the United States withdrew funding to the World Health Organization, a move that not only handcuffed the agency's ability to help combat COVID-19, but also further compromised a UN system that, prior to the outbreak, had been hamstrung by its worst budget crisis in decades. Relations between China and the West worsened on several fronts, prompting renewed speculation of a second Cold War based on great power rivalry.

In the late spring of 2020, the pandemic became the backdrop to mass protests around the world. was the mass protests around the world demanding greater social justice

and an end to systemic racism in all its manifestations. George Floyd's murder by Derek Chauvin, a white police officer in Minneapolis, was the spark that ignited mass demonstrations led by the Black Lives Matter movement calling for both an end to police brutality against Blacks and for a more just, less violent, and fairer world.

Canada was not immune to any of these phenomena. More than 400,000 Canadians were infected with the virus, with more than 12,000 fatalities. The minority Liberal government of Justin Trudeau was forced to close the border with the United States — the lifeline of the Canadian economy — and subsequently run a deficit of more than \$300 billion to keep the economy afloat. Relations with China hit an all-time low, principally because of the lengthy extradition case involving Huawei CFO Meng Wanzhou, and China's retaliatory detention of the “two Michaels” (former Canadian diplomat Michael Kovrig and businessperson Michael Spavor). Black and Indigenous Canadians led solidarity marches protesting their treatment at the hands of Canadian police, while demanding that Canadian society confront its long legacy of racism and colonialism of the past, as well as their present-day manifestations.

For historians, a watershed moment implies a sharp departure from what came before. Whether the world is truly different after the pandemic passes or whether things revert to the way they were is still to be determined. Whether it is the former or the latter will come down to the choices made today, and the extent to which we as a collective are willing to dare to imagine the world not as it is, but as it could be.

That is the overarching purpose of this year's student anthology, *Pandemic: 2021 Global Trends Report*. The volume is the final product of the 2019-2020 Graduate Fellowship program, a professional development program

that the Balsillie School runs in partnership with Global Affairs Canada (GAC). The aims of the program are simple yet ambitious: to develop students' research and policy analysis skills, and to push them to come up with international governance solutions for a better world.

Pandemic is divided into five sections. Section 1: An Illiberal Order includes two short essays, the first of which offers a critical assessment of Canada's place and role in an international order that is simultaneously liberal and illiberal; the second proposes a new approach to multilateralism via engagement through the Arctic Council. Section 2: Energy Transitions, Climate Justice and Geopolitics consists of two briefing notes that examine the geopolitical implications of a decarbonized world and the implications for Canadian foreign policy; and call for a gendered analysis of climate adaptation and mitigation so that women and girls are not left behind in a green economy. In Section 3: China, students offer recommendations for salvaging the Sino-Canadian relationship by developing mechanisms to facilitate greater economic and scientific collaboration, specifically in the areas of global health and climate change mitigation. Section 4: Trade Diversification and Development contains three briefing notes that, respectively, make the case for greater trade diversification with Africa, champion the development of an intersectional feminist analytical framework for Canadian aid, and argue that Canada can make a significant contribution to global health by advocating for a fair migration regime for female nurse migrants. Finally, Section 5: Disruptive Technologies and Outer Space features four briefing notes that collectively explore how Canada can advance human rights standards in the digital age through international organizations such as the G7 and the Organisation for Economic Co-operation and Development, and contribute to the establishment of a legal framework governing the global commons in outer space.

In closing, some thanks are in order.

The Balsillie School is deeply indebted to GAC's Foreign Policy Bureau for their many contributions to the BSIA-GAC partnership, notably Manuel Mulas and John Kotsopoulos for their hard work in managing the GAC side of the collaboration. Along with Manuel and John, we would also like to thank Jordan Guthrie and Sulamita Romanchik for taking time out of their busy schedules to travel to Waterloo in March to meet with students.

Last but not least, we would like to thank the many GAC officials who read the brief notes, and for taking seriously the students' recommendations.

Special thanks to copy editor Nicole Langlois and graphic designer Melodie Wakefield for their work in getting this anthology to press.

I would also like to thank the many BSIA faculty, mentors and staff who worked with the students throughout the year. The program could not happen without their support and dedication.

Finally, a tremendous thanks and congratulations to our graduate students for exercising insight and agility in adapting their projects mid-course because of the pandemic — and for producing such high-quality work under considerable pressure. Well done to all.

Ann Fitz-Gerald
Director, BSIA

An Illiberal Order

Liberalism and Illiberalism in the Rules-based International Order: Navigating Their Co-Existence in Canadian Policy and Practice

Emaan Ali, Brittany Ennis and Danielle Wood

Scholars, journalists, activists and political leaders have long questioned the extent to which “liberal” approaches, policies and practices, domestic and international, are embraced or critiqued. In the current moment we are witnessing pointed critiques and ominous predictions that moving away from liberal conventions, or what is more often referred to as “illiberalism,” threatens to destroy the rules-based international order (RBIO). After the global financial crisis of 2008 (and, we would argue, in response to it), the question of whose interests are represented by the RBIO has surfaced, even within states that have been at the centre of that order. For example, in the United States and the United Kingdom, winning political campaigns have centred on economic nationalism and moved away from the liberal trade agendas of the 1990s. What do these shifts mean for Canada? Are they a threat to the RBIO, or can states implement seemingly illiberal policies while also participating in a more liberal order? Have global crises, such as the COVID-19 pandemic, changed our perspective, and will we need to shift our approach?

Our team has been tasked with exploring the resilience of an RBIO in an increasingly illiberal world. Over the past eight months, we engaged in this project by reviewing academic and popular literature, presenting initial insights to representatives from Global Affairs Canada (GAC) and integrating feedback from GAC representatives, Balsillie School of International Affairs project supervisors and other faculty members. By way of collecting and

sharing our findings, this short paper will discuss the associations of the terms “liberalism” and “illiberalism,” the relationships between them, and their applications to and implications for Canadian international affairs.

To be clear, this paper does not define liberalism or illiberalism because there are no standard definitions. Further, as we will demonstrate, applying these terms uncritically is analytically and practically unhelpful. Instead, what is necessary is a clearer appreciation of the ways in which these labels are used to promote certain political agendas. That said, we find it useful to ground our analysis in the associations made when the labels “liberal” or “illiberal” are invoked. Our goal is to make connections to the theoretical understandings of these terms (or like terms). Along the way, we attempt to avoid falling into reproducing false binaries between liberal and illiberal policies and practices.

The end of World War II and the founding of the United Nations marked the beginning of a US-centrism dedicated to advancing a type of liberalism at the level of international institutions, systems and structures.¹ This type of liberalism sought to embed multilateral cooperation, coupled with domestic interventionism, into

¹ Nicholas Kitchen and Michael Cox (2019) claim that the post-war era was an opportune “system-making moment” through which the United States embedded its power into the structure of the RBIO.

the international order. Doing so helped to secure the interests of the United States and its allies as they emerged from a period of great instability (Ruggie 1982). As an American ally and a beneficiary of “embedded liberalism,” Canada followed suit.² Since the middle of the twentieth century, Canada has supported and maintained liberal values rooted in multilateral cooperation, international law, collective security, free trade and global governance. In this sense, Canadian foreign policy can be characterized as liberal to the extent that we value our participation in multilateral organizations such as the United Nations, our commitments to bilateral and regional free trade agreements (FTAs) such as the Canada-United States-Mexico Agreement (CUSMA), and our feminist approach³ to the provision of international development assistance, defence and security. These policies and practices are believed to deliver benefits for Canada by fostering multilateral cooperation, cultivating economic prosperity and protecting and promoting human rights. Indeed, pursuing these policies and practices, and securing their associated benefits, has been identified as a priority for GAC, as stated in their objectives of advocating for inclusive trade in FTAs, eradicating poverty and crafting and implementing feminist policies (GAC 2019a). Here, Canada, a middle power, uses liberal policies and practices to bolster its position and status in international affairs by aligning itself with other liberal Western states and liberalizing non-Western states.⁴

However, the benefits of Canadian liberal policies and practices generate inconsistencies and contradictions that are not always easily reconciled. Oftentimes, these benefits produce tensions and conflicts that prioritize some values associated with liberalism over others. As a result, not all values can be upheld at once, and further, some values become compromised in favour of others (Gray 1996). A well-studied conflict lies in the present reality that prioritizing trade liberalization often leads to compromising human rights. For example, although Canada’s Feminist International Assistance Policy is explicit in its goals of fostering “rights-based, open and inclusive societies, where all people, regardless of their gender, can fully benefit from equal participation in economic, political, social and cultural life,” these goals are compromised in FTAs such as the CUSMA (GAC 2019b). Specifically, while Canada has promised action on gender inclusion in “diplomacy, trade, security, development and consular services,” there is no chapter dedicated to it in the CUSMA (GAC 2019b). While there are certain provisions linked to gender issues, the absence of a gender chapter raises the following question: is Canada compromising its commitment to liberal values such as gender equality, in pursuit of economic benefit? Here, Canada risks perpetuating the undervaluing of women’s paid and unpaid labour and the violation of women’s rights both domestically and by trade partners. It is predictable that partners may not prioritize gender equality when concluding FTAs, but without a gender chapter — and with the emergence of “non-binding but compulsory” FTAs — Canadian trade policies and practices could easily be labeled as “in the national interest” and associated with illiberalism.

The term “illiberalism” has been used to describe a series of political, economic, social and cultural upheavals contemporarily associated with a surge of right- and left-wing populisms, an increasingly nationalistic United States⁵ and United Kingdom, the projection of state power via border securitization, territorial invasions and occupations, and violence against women, religious and

2 In a speech delivered to the Montreal Council on Foreign Relations on August 29, 2019, Prime Minister Justin Trudeau (2019) explains how Canada has come to be situated within, benefits from and is a champion of the RBIO.

3 After being elected in 2015, Prime Minister Justin Trudeau introduced the Feminist International Assistance Policy to ensure gender was at the forefront of foreign aid programs. This was considered to be progressive and a step in the rights direction. However, there is still much to improve on as gender essentialism can leave programs close minded while women and girls are not included in decisions that pertain to their education, position in the workforce, health, as well as the future of these programs if foreign aid assistance were to stop. Also, while describing the approach as being feminist, there are no documents explaining the type of feminism this approach derives from and some consider the term’s use as being a way to maintain a Canada’s relevance in mainstream politics.

4 In the context of the Washington Consensus, a pillar of the RBIO, Sarah Babb (2013) argues that although it is declining, it retains relevance because developing countries subscribe to it.

5 John Ikenberry (2017) contends that the RBIO is being threatened by one of its main architects: the United States. He worries that the country’s lack of commitment will lead to the RBIO’s eventual demise.

ethnic minorities and Indigenous peoples.⁶ However, it is critical to note that illiberalism has existed in the RBIO for decades. The difference between past and present illiberalism is that states now openly adopt and espouse illiberal policies and practices. This openness became apparent after the 2008 financial crisis, when some illiberal states seemed to recover faster than states that championed the RBIO. Given this discrepancy, citizens began to ask political leaders why they were adhering to an international order that benefited states in an uneven manner and often at the expense of their own national economies (Boyle 2016). While Canada was not spared from this questioning, two contemporary upheavals have been particularly consequential for our role in the RBIO.⁷ Specifically, an “America First” approach to American foreign policy has left the relationship between Canada and the United States, a relationship on which Canada is deeply reliant, increasingly fragile, at least in the areas of trade and diplomacy.⁸ Further, Canada’s relationship with

“non-liberal” China remains particularly tense amidst the unfolding extradition case of Meng Wanzhou, the arbitrary detainment of the “two Michaels” and China’s previous bans on Canadian exports of canola products and meats.⁹ Currently, given the onset of the COVID-19 pandemic and the public health advantage of tracking cases to control the spread of the virus, state practices of population surveillance, social control and tighter borders suggest that illiberalism is a readily available and even to some desirable option for states such as Canada.

Canadian foreign policy and practice has held that illiberal trends threaten the benefits that Canada derives from its participation in the RBIO, as these trends foster a world

in which balance of power politics drive international relations. In this world, military and economic might dictate international political processes and outcomes, alongside and in spite of the liberal values of cooperation and collaboration ostensibly upheld in the existing RBIO. The survival of a middle power such as Canada is not guaranteed and Canada has had to accept that it relies on the RBIO for its security and prosperity.¹⁰ However sound this analysis may be, Canada nonetheless benefits from engaging in both liberal and illiberal policies and practices in accordance with its interests. The case of the CUSMA provides compelling evidence.

Canadian citizens benefit from FTAs and corporate practices that provide us with cheap consumer goods, but that also, wilfully or not, ignore the inhumane working conditions of millions of workers around the globe. By protecting and multiplying the wealth of Canadian corporations, Canada also engages in illiberal practices. A clear example lies in the Barrick Gold Corporation and its mining activities. With operations in the United States and Mexico, and headquarters in Canada, Barrick Gold should follow the guidelines laid out in the CUSMA. When drafting the FTA, Canadian and American legislators sought to include new labour provisions that would include higher labour standards for Mexican workers. At first, Mexican legislators were wary of these provisions, but after being promised Canadian assistance in their implementation, they agreed (Webber, Politi and Badkar 2019). However, the Working Group on Mining and Human Rights in Latin America (2014) submitted a report outlining the negative effects of Canadian mining on the miners and Indigenous people of the region, including “forced displacement,” “community division,” “criminalization of social protest,” “violent deaths and serious injuries” and “health consequences.” All of these issues remain unresolved, and in this way, Canadian corporations, including Barrick Gold, continue to benefit from illiberal practices at the expense of workers and populations within developing countries party to seemingly liberal FTAs.¹¹

6 We reviewed numerous sources detailing the economic, political and social manifestations of illiberalism:

- A publication from CIVICUS (2019) discusses the implications of illiberalism for global civil society.
- An expert panel convened by the Council on Foreign Relations (2018) debates the rise of illiberalism in democracies.
- Anthony Messina (2010) explores the perpetuation of anti-immigrant illiberalism in Western Europe.

7 The implications of illiberalism for Canada are elaborated in a conference report by the Canadian Global Affairs Institute (Hadley, Li and McClelland 2019).

8 Jasmin Habib and Michael Howard (2019) discuss how populist nationalism has informed American domestic and foreign policy.

9 Michael Petrou (2020) suggests that Canada is becoming more aware of the threats posed by China to Canada and to the RBIO.

10 In a report for the Canadian Global Affairs Institute, Eugene Lang (2019) considers the challenges and opportunities of Canadian middle power status.

11 Brandon Garrett (2014) argues that corporations are not held accountable for their actions because of their importance in the world financial system, and he asks whether contributions to the global economy are more important than national laws and regulations.

Thus, it is evident that there are inherent tensions and conflicts within the associations of the term “liberalism.” Illiberalism, then, should not be imagined as simply its opposite.¹² Accordingly, Canadian foreign policy and practice cannot be described as conforming to either liberal or illiberal values, nor are Canadian policies and practices necessarily an indication of its commitment to a liberal versus illiberal international order.¹³ Moreover, Canada can execute and espouse both liberal and illiberal policies and practices at the same time, and it can do so while maintaining its participation in and reliance on the RBIO.¹⁴ The degree to which Canada adheres to liberal or illiberal policies and practices should be understood not within the context of its rhetorical commitment to the RBIO, but with an eye to its need to exercise economic independence and defend national sovereignty.

The foundational promise of the RBIO is perceived to be one of global benefit- and burden-sharing, economic, political, social and cultural integration and democratic decision making. As we have demonstrated, this promise has achieved uneven benefits between states, but in the context of Canada, this unevenness is also experienced domestically. Because of the ways in which Canada identifies itself as a champion of liberal values internationally, and for other reasons, its domestic illiberal practices may not always be evident. In fact, domestic illiberalism can be masked with international liberalism.¹⁵ For example, in the case of Indigenous peoples in Canada, it is hard to find scholars in the field of international relations who recognize the significance of the Indian Act and the fact that it authorizes the federal government to issue qualifying citizens an Indian status card, allocating limited provisions in the form of, for example, federal tax exemptions (Government of Canada

2020).¹⁶ Unfortunately, while these provisions have long been misapprehended as forms of compensation, Canada is only in the beginning stages of truth and reconciliation for the injustices long endured by Indigenous peoples.¹⁷ “Indian status” still remains deeply rooted in assimilationist objectives that empower the government to police Indigenous identities (Joseph 1991) and, of course, their lands.¹⁸ This policing persists even though Canada has become a signatory to the United Nations Declaration on the Rights of Indigenous Peoples.

It is also important to recognize that the engagement of the Canadian government and other Western states in illiberalism has not gone unnoticed. To the contrary, illiberal practices have been met with liberal responses on the part of the free press, industry- and sector-specific groups and civil society organizations. For example, in Canada, protests by Wet’suwet’en hereditary chiefs and community members, as well as Indigenous and non-Indigenous allies, are rooted in liberal claims to property ownership, resource use and human rights. They are articulated within an illiberal context of police and military violence, environmental exploitation and corporate greed. While these clashes with the Canadian state unfold domestically, they are also mirrored internationally, as we noted in the above example of Barrick Gold.¹⁹ Canada is thus both a liberal and illiberal state. It professes liberal interests in trade, but falls back to claiming national interests when it comes to the rights of Indigenous peoples. If Canada wishes to be a liberal champion of the RBIO, it needs to prepare for liberal uprisings in response to its own illiberal policies and practices.

Bearing these dynamics in mind, we argue that the RBIO can retain its relevance in an increasingly illiberal world,

12 Hans Kundnani (2019) cautions against perceiving liberalism and illiberalism as binaries.

13 Michael Desch (2007) draws out connections between the liberal tradition and illiberal policy making by exploring liberal illiberalism in American foreign policy.

14 In the separate but related cases of Brexit and the Scottish independence movement, X. Hubert Rioux (2020) argues that economic nationalism and trade protectionism can be exercised alongside economic integration and trade liberalization.

15 Clifford Bob (2019) illustrates several examples of illiberal policy and practice and reveals how liberal rhetoric is often used to push illiberal agendas. Although he does not use the Indian Act as a case study, this example was selected for the purpose of this paper.

16 The Truth and Reconciliation Report (2015) in particular highlights the fact that the federal government had and still has the authority to determine the criteria for Indian status. The federal government could further veto band council decisions and remove chiefs and councillors.

17 The Royal Commission on Aboriginal Peoples (1996) suggests that reconciliation cannot be achieved by securing the restoration of land or by offering benefits to Indigenous peoples. Instead, reconciliation must be founded on a relationship of trust, purpose and respect.

18 The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls (2019) further demonstrates the ways in which the Indian Act is not representative of the voices or rights of First Nations women, but resides in a place of patriarchal privilege.

19 Hayden King (2017) reveals how Indigenous rights are not merely a matter of domestic politics but are actually a subject of foreign policy.

although, due to the trajectory of current international trends, the form that this order takes will depart from what has come before.²⁰ Just as the “embedded liberalism” of the post-World War II era has been plagued by a series of inconsistencies and contradictions, the liberalism of today is equally challenged by and bound up with illiberalism.

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²⁰ In the area of human rights, the RBIO is predicted to remain resilient (Thompson 2018; Petrusek 2019).

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An Arctic Focus for Canada's Post-COVID Multilateralist Posture

Ariela Collins, Carly MacArthur and Khurram Shamim

Transformative global trends that emerged both before and during the 2020 outbreak of the COVID-19 global pandemic have reinforced the importance of international cooperation and Canada's strong multilateral relationships. Prior to the pandemic, the rise of right-wing populism in many of Canada's traditional partner countries forced these allies to increasingly look inward and become less engaged in multilateral initiatives. While Canada has remained outspokenly committed to achieving collective global goals — addressing and mitigating the consequences of climate change, in particular — its far-reaching policy priorities can gain traction only through collective efforts with partners. With support dwindling from previously like-minded partners, and a global pandemic that has exposed aspects of Canada's vulnerabilities, the need to redefine and strengthen the country's multilateral approach has become glaringly clear.

Historically, the Arctic has been a space where relationship building and peaceful international cooperation have thrived. With the looming consequences of climate change threatening the Arctic region first and foremost, the Arctic Council offers the opportunity for meaningful collaboration on policy issues pertaining to climate change and security. Although not all members of the Arctic Council are like-minded to Canada, and the council's place within global governance architecture is small, the Arctic Council has the potential to serve as an avenue for Canada to strengthen alliances with nations that share Canadian policy priorities and strategies beyond the

Arctic. Ultimately, Canada's multilateral posture moving forward will need to support a sense of alignment between populist-vs-climate change sentiments and multilateral vulnerability preparedness. This paper will examine how a renewed commitment to engagement in the Arctic could be a viable avenue for Canada's multilateral agenda, and thus should be considered a key domestic and foreign policy priority.

The paper considers Canada's multilateralist posture and the key trends that have impacted and shaped multilateral priorities for Canada in recent years. It begins by examining linkages between populist-driven tensions within Canada and its traditional partner countries and the global climate change agenda (Serhan 2020). The paper then explains Canada's multilateral priorities, which include a significant focus on the Arctic region. Conclusions indicate that, based on the need for fora that allow the deepening of like-minded partnerships and the resetting of other relationships — at the same time as supporting domestic interests and US bilateral relations — a renewed commitment to the Arctic Council should serve as a defining feature of Canada's multilateral positioning moving forward.

Key Trends Shaping Multilateral Priorities

As right-wing populist movements have gained political traction in many of Canada's traditional partner countries,

discussion of these populist trends have often focused on immigration policies. With the urgency of the climate crisis being prioritized on the international agenda, greater attention is now being paid to the relationship between right-wing populism and climate skepticism.

While on the one hand there has been a global rise of “green parties,” climate-focused politicians and environmental advocacy groups, these actors must now contend with powerful populist figures, such as US President Donald Trump, who has openly denied the seriousness of the climate crisis (ibid.). Concerning narratives from other populists have branded climate change an “elitist hoax” that warrants no further attention (ibid.). A report exposing links between populism and climate skepticism suggests that most climate-forward global policies have been driven by the mandates of international organizations (Dibley 2019). To populists, a sense of collaborative unity toward a common goal is unappealing and even viewed by some as a threat to state sovereignty. An economic argument is also held up, since populist narratives often argue in favour of the economic benefits for those working in the extractive or industrial sectors (Gunster 2019). The perceived battle between the economy and the environment emerges clearly in populist-vs-climate narratives.

The COVID-19 global health pandemic has exposed gaps in Canada’s preparedness to address such crises (Fitz-Gerald and Segal 2020). It has also served as a reminder that the changing climate could bear responsibility for the next global crisis. This is further underscored by research that indicates the climate crisis could hit Canada’s north first and worst. Dedication to addressing the climate agenda is therefore seen as being beneficial to Canada’s global and domestic constituencies (Burn 2019).

The local nature of this significant global threat, and the need to address the climate agenda through robust and well-functioning multilateral partnerships, suggest that current levels of climate skepticism remain a concern for Canada. This is particularly the case when combatting climate change continues to be prioritized across government policy agendas. As these policy agendas can gain traction only with the support of partners, a call for shifts in our multilateral positioning is required. Global crises require multilateral engagement, preparedness and responses. As countries around the world come together to share information, best practices, resources and future

plans to reduce the risk of a repeat of the COVID-19 experience, Canada’s multilateral posture moving forward will need to reflect this cooperative spirit and apply lessons learned from these initiatives to strengthen future multilateral vulnerability preparedness.

Canada’s Multilateral Priorities Supporting Climate Change

Justin Trudeau’s 2019 mandate letters to his Cabinet indicate a strong policy directive at the federal level to work toward making Canada a pioneer and global leader in embracing green technologies and mitigating the effects of climate change (Trudeau 2019a). Defining features of this directive include land and ocean conservation, emissions reductions and the setting of achievable goals and legally binding milestones (ibid.). These letters also prioritize Canada’s role as a leading advocate for utilizing a combination of scientific and Indigenous knowledge to support the reduction of the harmful effects of climate change (ibid.). Other policy directives outline Canada’s duty to continue scientific research addressing “the great challenges of our age, including climate change, clean growth and a healthy society” (Trudeau 2019b).

Although these commitments demonstrate a desire for Canada to be a global leader in supporting the climate change agenda, political initiative to achieve this leadership through multilateral fora appears to be lacking. Canada’s efforts may bear more fruit if coordinated through a multilateral organization that prioritizes climate change and also prioritizes the Arctic, as the Arctic is a vulnerable global region and an important domestic concern for Canadians.

Among Canada’s Arctic priorities in the prime minister’s mandate letters are defending the nation’s Arctic sovereignty, monitoring the effects of climate change and safeguarding those living in the Arctic, who are often Indigenous communities (Trudeau 2019c). These Arctic priorities involve Canada leveraging its membership within the Arctic Council, the North Atlantic Treaty Organization (NATO), and the United Nations in a way that provides Canada with greater influence on Arctic issues and further supports the rules-based order, especially when engaged in Northern affairs (ibid.). The Polar Continental Shelf Program and the Eureka Weather Station are important Arctic infrastructure that must be maintained in order to fulfill scientific and defence

goals; these goals can also be pursued through activity in the Arctic Council, as environmental science is a priority for the council, and defence is a critical issue to many of its members (Trudeau 2019d). Lastly, ongoing defence relations between Canada and the United States, especially those relating to monitoring, surveillance and interoperability, reinforce the importance of increased involvement with the North American Aerospace Defense Command (NORAD) to secure the continent and “demonstrate international leadership with respect to the navigation of Arctic waters” (Trudeau 2019e). Whereas NORAD’s scope as a bilateral organization is more narrowly focused, NATO and the United Nations are multilateral institutions with broader policy remit that, at the moment, do not pay significant attention to climate-related Arctic issues. The Arctic Council is the most appropriate forum for Canada to seek further multilateral support in tackling climate change issues, as it accommodates a more optimal multilateral platform, and a climate-Arctic policy focus. Additionally, this would serve to support one specific federal policy priority: that of increasing engagement with the Arctic Council (Trudeau 2019c).

While the Arctic Council provides Canada with an opportunity to be a more influential leader in the field of climate change, it does not include the full spectrum of states that have interests in the Arctic region. Asia-Pacific states such as China and Japan, both with observer status on the council, have trade interests in the Arctic. As Canada looks to pursue new trade agreements with these states, further engagement with them through the Arctic Council is logical (Trudeau 2019f). Since Canada enjoys a unique position as being the only G7 nation to have a trade agreement with every other G7 nation, expanding on and benefiting further from those agreements remain in its interests (*ibid.*).

Similarly, while the Arctic Council is a good starting point for Canada’s multilateral engagement on climate change issues, members of the council are not the only states interested in mitigating the effects of climate change. While campaigning in 2019 and 2020 for Canada’s bid for a seat on the UN Security Council, Trudeau and Minister of Foreign Affairs François-Philippe Champagne met with leaders from Africa and the Caribbean who expressed climate-based concerns that require collective attention (Cullen 2020). Also worthy of note are comments that highlight the balance that Canada must strike

on the Arctic Council between economic opportunity and environmental conservation, in particular amidst attractions for states to take advantage of the Arctic region and risk creating environmental degradation in their pursuit (Lackenbauer 2014). The council thus provides Canada with the political and institutional space for deeper multilateral engagement on issues concerning Canada’s social, environmental and economic interests in the Arctic.

Canada’s Arctic Multilateralist Experience to Date

Canada has played an important role on the Arctic Council, beginning with its advocacy for the council’s creation. With the support of Finland, Canada endorsed the expansion of the Arctic Environmental Protection Strategy into the Arctic Council and the inclusion of a wider array of Arctic issues (Charron 2012). This led to the Declaration on the Establishment of the Arctic Council (known as the Ottawa Declaration), signed in Ottawa on September 19, 1996. The agreement included Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden and the United States (Arctic Council 1996).

Following the council’s formation, Canada continued its leadership position as the council’s rotating chair for two years and again from 2013 until 2015. During its second term, Canada emphasized the need for economic development primarily through resource extraction and shipping (Exner-Pirot 2019). This led to the creation of the Arctic Economic Council, which emphasizes responsible, sustainable and regulatory-based development (Arctic Economic Council 2020), and is one of Canada’s most significant contributions to the Arctic Council (Exner-Pirot 2016). Canada also led initiatives to mitigate the impacts of excessive carbon and methane in the Arctic by addressing oil pollution and supporting nature conservation initiatives (*ibid.*). Canada’s time as chair demonstrated effective multilateral skills, not only in introducing new initiatives to the council, but also in reinforcing previous mandates.

The future of the Arctic Council and Arctic cooperation will be at its greatest crossroads when Russia takes the chair from 2021 to 2023. This will come at a moment when there has been increasing worry about Russia’s military influence in the Arctic (NATO Parliamentary Assembly 2017), as well as its actions in the Middle East and Ukraine (Charron 2017). At the time of writing,

Russia is among the nations hardest-hit by COVID-19 (Thomson Reuters 2020), which, together with the economic damage incurred as a result of oil price wars with Saudi Arabia, has put the country under tremendous strain. Historically, Canada and Russia have had their disagreements, especially over Canada's inclusion of the Ukraine issue during its last term as chair of the Arctic Council (Exner-Pirot 2019). But moving forward on some of these difficult bilateral relationships, which some analysts have referred to as requiring the adoption of a policy of "pragmatic realism" (Fitz-Gerald and Segal 2020), may be best pursued within a less controversial multilateral context, a context that perfectly describes the Arctic Council. Russia's leadership could provide Ottawa with an opportunity to increase its role in Arctic affairs by "resetting" its relationship with the Kremlin and perhaps assisting Canada in increasing its standing in the council. This would give Canada a strategic and important role in Arctic affairs and provide a path toward a more productive relationship with the existing chair. Engaging Russia in a multilateral manner may also help diversify its Arctic interests beyond a military focus.

NATO's expanded role would help Canada in meeting its multilateral security obligations, for which it has received criticism from the United States (Charron 2019). A more tangible and bolstered commitment to NATO could open pathways for greater multilateral cooperation with Norway,¹ which has also been vocal about an increased role for NATO in the Arctic (Huebert 2019). As most Arctic states are also NATO members, the overlapping membership would enable greater NATO and Arctic cooperation, although any NATO-led activities must be careful not to provoke a Russian response and should instead focus on deterrence (ibid.). Russia should not be made an enemy in these actions, as it has also encouraged greater collective cooperation in the region (Antonov 2019). NATO's increased role would act as a deterrent for future Russian military actions within the Arctic, as the Kremlin will need to focus on its internal issues and is unlikely to engage in a major multilateral conflict. This opens up a platform for multilateral negotiations as an alternative to dealing with Arctic issues. In this context, Canada's NATO operations could be broadened toward greater cooperation and deterrence across the Arctic in

order to respond to emerging global trends and the very collective security interests that NATO, under Article V of its governing North Atlantic Treaty,² is meant to protect.

Conclusion

The 2020 COVID-19 pandemic has not only exposed gaps in Canada's preparedness, but also served as a sobering reminder that we may not be so distant from the next global crisis. Changing political circumstances worldwide suggest that Canada must look beyond its traditional partners in order to effectively and collectively mitigate the effects of climate change at home and abroad.

In this context, and based on the fact that the Arctic region may be affected first and worst, Canada's post-COVID multilateral posture may be most impactful if it includes a strong Arctic focus. This would ideally be administered through the Arctic Council, an organization that includes like-minded nations sharing Arctic territory and focus, and one in which Canada has enjoyed traction in the past and been respected for its leadership. Canada would also benefit from working in partnership with states that are not members of the Arctic Council, but that have interests in the region.

The COVID-19 crisis has set the precedent for worldwide collaboration, sharing of best practices and resources, and collective research; the onus is now on multilateral alliances to apply the lessons learned to climate change. Canada's multilateral posture moving forward must balance populist pressures to revert inward with the need for multilateral cooperation on global issues such as climate change. An Arctic agenda provides Canada with the opportunity to be a global leader in climate change policy, sustain existing constructive partnerships, and form new partnerships.

1 Like Canada, Norway has been a strong advocate of both international peacekeeping and the human security agenda.

2 The North Atlantic Treaty underpinned the formation of the NATO alliance in 1949. Article V states that an attack against one NATO member would be considered an attack against all members of the alliance.

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Energy Transitions, Climate Justice and Geopolitics

Canada's Vulnerabilities in the Case of a Rapid Energy Transition

Kristen Gracie, Shawna-Rae McLean, Jacqueline Mah and Sarah Norton

Issue

The world is in the midst of a global energy transition that could take many forms and consequently have a range of geopolitical implications for Canada. Canada should take concrete steps now to prepare for the geopolitical fallout of an energy transition.

Background

The Transforming Energy System

The way the world produces energy is changing. Renewable and clean energy technologies make up an increasing share of global energy production (Bloomberg NEF 2019). Oil companies are expanding their portfolios to include green technology, and renewable energy sources are seeing a boom (International Renewable Energy Agency [IRENA] 2019). Solar, wind and battery technology are in a period of rapid development, buttressed by massive growth in investment. This has resulted in steep cost reductions for the technologies (Ritchie and Roser 2018).

Renewable energy stands to disrupt the status quo of an energy geopolitics dominated by the oil trade. What this geopolitical disruption will look like is heavily dependent on the nature (the timing, speed and linearity) of the energy transition. The COVID-19 pandemic is a perfect example that demonstrates the uncertainty of the transition. Canada must be prepared for whatever form the energy transition takes and its geopolitical consequences.

The First Scenario: Conventional Wisdom

The dominant perspective about the energy transition is that it is slow. The International Energy Agency (IEA) publishes the benchmark energy model for global energy production. It predicts that with current policies, growth in oil demand will slow before plateauing in the 2030s (IEA 2019). The demand for oil is a useful metric for the energy transition because to decarbonize our energy system, demand for oil has to decrease. Thus, the peak demand for oil can be a stand-in for when the transition happens. In this IEA scenario, renewable energy production increases significantly, but fossil fuel demand does not peak and instead plateaus. This is the path that Canada is prepared for with a diversified domestic energy grid and a capitalization on existing fossil fuel assets. In this scenario any change is slow, and thus the geopolitical disruptions during the transition are less severe than in a rapid transition.

The Second Scenario: The Unexpected Transition

There is a second scenario where the peak demand for oil happens sooner than expected. The trends discussed below are not enough individually to precipitate the peak of fossil fuels; however, they reflect current realities that could coalesce to produce a fast transition.

In the wake of the 2015 Paris Agreement, some signatories began taking steps toward decarbonization; however, many countries are still failing to meet their commitments. Meanwhile, an increasing number of subnational actors are driving energy transitions, regardless of national government priorities. For example,

California has invested in electrification to support its climate change and clean energy targets, despite the United States pulling out of the Paris Agreement (*California v U.S. Department of Energy* 2020).

Around the world, subnational actors are implementing bold decarbonization policies; they are becoming key actors in the energy transition and cannot be ignored. Clean technologies are changing the system beyond the expectations of prominent observers. The rapid growth of many renewable energy technologies has made them cost competitive with new installations of fossil fuel sources (Lazard 2019). With falling costs, predictions suggest that it will be cheaper to build new renewable sources than to run existing fossil fuel infrastructure within the next five to 10 years (Landale 2020). Despite consistent and exponential growth of renewables over more than a decade, many energy models have failed to predict this growth. For more than a decade, the IEA's yearly energy model has grossly underestimated the meteoric rise in photovoltaic additions (Hoekstra, Steinbuch and Verbong 2017). Even energy models produced by more progressive outlooks, such as Bloomberg New Energy, have underestimated the rise of electric vehicles (Stevens 2019).

The final trend to consider is that the continued demand for oil is not a certainty. There is a group of institutions including the Organization of the Petroleum Exporting Countries, the US Energy Information Administration, and the IEA that have ingrained institutional biases that favour the fossil fuel industry. The IEA was established with the purpose of ensuring that oil demand would grow, and as such it has a history of overestimating oil demand (ibid.). It is unsurprising then that the IEA would underestimate the growth in renewables. Moreover, its institutional bias results in a continued overconfidence in the demand for fossil fuels. Because the IEA is seen as the gold standard for energy models, it is difficult to explore alternative scenarios where demand for oil peaks sooner. The most compelling evidence for fossil fuels' near-term demise is the financial community's recent moves. Major investment and financial companies are losing confidence in the continued demand for oil and are preparing their portfolios for a quicker transition. Consultant companies, such as McKinsey, and investment corporations, such as BlackRock, are recognizing that the energy system is undergoing significant and fast change (ibid.).

The trends highlighted above are disparate, and they may not align to produce a decarbonized energy system. However, they illustrate the potential for a transition that happens much sooner than anticipated. Decarbonization becomes a possibility as green policy, growth in renewable energy and weak oil demand combine toward a tipping point. The final consideration is what happens after the peak in demand for fossil fuels. Decarbonization models compatible with the Paris Agreement all present a rapid uptake of renewable technology and a long, slow decline in fossil fuel use (IRENA 2019). However, these trends and unexpected developments could not only cause the demand for oil to peak soon, but could also trigger a feedback loop that results in a steep decline in fossil fuel use. For example, a fall in the demand for oil would significantly hurt government revenues for key countries in the Middle East, leading to unrest that would undermine the security of the world's major oil supply. To mitigate against high prices and uncertainty, oil-importing countries would be likely to move away from oil faster, further pushing down demand (Stevens 2019). This is just one aspect of the possible feedback loop; other reinforcing factors such as the rapid uptake of electric vehicles would only push it along.

Impacts of COVID-19 on Global Energy Transitions

The current COVID-19 pandemic highlights the serious plausibility of the second scenario. Countries that rely on oil as a main contributor to their national economies have experienced a concerning decline in oil demand, and Canada is no exception to this. Global disruptions such as COVID-19 unveil the price volatility of fossil fuels and lend weight to the possibility of an earlier energy transition. Efforts from Alberta Premier Jason Kenney to initiate another round of investments in the Keystone XL Pipeline have come at a time when Canadian crude oil is trading at an all-time low of less than \$5 per barrel (Lawrynuik 2020). Typical boom and bust cycles are destabilizing and, even as pandemic travel restrictions ease up, demand for oil will take time to return and may not even reach pre-pandemic levels (Bakx 2020). Other energy exporters, such as Saudi Arabia and Russia, are also struggling with this new reality, as seen in their recent price war, thus raising questions about oil's longevity in the era of an inevitable energy transition (Carrington, Ambrose and Taylor 2020). Meanwhile, countries such

as China stand to benefit from record-low energy prices as its energy demand returns to pre-pandemic levels (Meliksetian 2020).

Infrastructural adaptations to the COVID-19 pandemic make the future of oil demand highly uncertain. There is a potential post-pandemic scenario in which people solidify new lifestyles that rely less on fossil fuels. For example, increasing opportunities and capacities for employees to work remotely could lower the number of single-occupancy vehicles in use. There is already a global trend of cities reallocating urban spaces to accommodate safe social distancing for pedestrians and cyclists; Milan and Paris have expanded sidewalk space, closed roads and opened up more cycling lanes (Vanderbilt 2020). Governments may choose to facilitate energy transitions away from fossil fuel systems through swift public policy measures during the post-pandemic recovery (Hazan, Marteau and Fassenot 2020). The COVID-19 pandemic is the type of unexpected event that could be a tipping point for the move away from fossil fuels. It is an important lesson in how fast global systems can change. The abrupt shift in fossil fuel demand illustrates the need for Canada to prepare for an energy transition that could be slow and steady or fast and volatile.

Geopolitical Implications

In an energy system dominated by fossil fuels, geopolitics revolve around oil trade routes and each country's ability to access the fossil fuels they need to ensure security and prosperity. Renewable energy entails much different geopolitics. Energy resources will no longer be concentrated in the hands of a few countries. Rather, each country will be able to ensure its own energy security with the renewable sources within their borders. Essentially, mass reliance on renewable energy will have a stabilizing effect on global geopolitics (IRENA 2019).

The energy *transition*, however, will destabilize global geopolitics. The degree of destabilization depends on the nature of the transition. If the second scenario takes place, geopolitics will become very intense. Disruption in government oil revenues for countries such as Saudi Arabia, Iraq and Iran create the potential for regional destabilization. Given the reliance of these governments on oil revenue, any significant drop in revenue has the high possibility of sparking domestic unrest and even military conflict. This instability would have second-order effects on global geopolitical dynamics (Stevens 2019).

Moving forward, Canada must carefully consider its allies and its relations with key countries. Given the current domestic political context of the United States, it is difficult to say how US foreign policy would react to an abrupt and volatile energy transition. However, it is clear that at the national level, the United States has little interest in making the switch to renewable energy. At the other end of the spectrum, China is the undeniable leader in renewable energy and currently stands to gain the most in a world run on green energy. Their investment in technological innovation and manufacturing has positioned them to massively benefit from the transition to renewable energy (IRENA 2019). Whether the transition is slow and steady or unexpected and volatile, China will most likely have a secure position in the new world of renewable energy geopolitics.

In times of turbulent geopolitics, there is much opportunity for Canada to strengthen its economic position and global leadership. The COVID-19 pandemic, for example, opens doors for Canada to increase green investment and solidify itself as a strategic player in the long-term renewable energy market (*The Economist* 2020). Moreover, the energy transition will hit emergent economies the hardest. If Canada can develop robust renewable energy capacity, then it can support the energy transition of emergent economies. In terms of global leadership, Canada can leverage its membership in the IEA to raise awareness of the advancing renewable market and high probability of a fast and unexpected energy transition. Through these measures, Canada can safeguard its economic standing against oil demand volatility while also proving itself a leader in global climate governance.

Recommendations

1. **Canada should invest in the energy transitions that are happening in emergent economies.** A world run on renewable energy will be more geopolitically stable than an extractive, fossil fuel-based economy. Helping emergent economies build renewable capacity will be beneficial in terms of counterbalancing the disruptive effects of the energy transition on Canada's economic allies. In addition, it will reduce emissions and help prevent the worst effects of climate change.
2. **Canada should re-evaluate the trade potential of the domestic fossil fuel sector.** The COVID-19 pandemic has exposed the price volatility and instability of

fossil fuel demand. Canada's role in the fossil fuel sector should be re-evaluated with considerations of Canada's economic vulnerability in the event that the second scenario happens.

3. **Canada should invest in renewable energy trade.** China is currently the leader in renewables. Investment into the production and export of renewable energy technologies and products that align with the key sustainability priorities of Canada's natural resources base will help Canada become a strategic player in the industry as it continues to grow.
4. **Canada should forge connections with subnational actors to navigate the uncertainty of the energy transition.** Subnational actors are pursuing serious green energy policy, regardless of national government priorities. Diversifying Canada's network to include collaboration with subnational actors will promote regional energy stability and a strong domestic renewable sector. This will help Canada navigate the uncertainty of the energy transition.
5. **Canada should pressure the IEA to re-evaluate its assumptions about renewable energy and fossil fuel demand.** As a member of the IEA, Canada can advocate for the IEA to improve its renewable energy predictions and explore the second scenario of a fast and volatile transition. The IEA is the most trusted voice for energy predictions; governments and companies base investment decisions on its energy models. Consequently, there is a great danger if it does not recognize the second scenario as a possibility.

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Adding Value with Climate Compatible Development

Cassandra Hayward, Lauren MacDonald, Claire Perttula and Micah Winter

Issue

With rising climate pressures, demand exists for guidance on how to deliver integrated development policies for climate adaptation and mitigation, sustainable socio-economic development, and the empowerment of women and girls.

Background

Climate Compatible Development

Climate Compatible Development (CCD) is a policy approach that aims to integrate climate change mitigation and adaptation with the Sustainable Development Goals (SDGs) through a single initiative that delivers “triple wins” (Ellis, Cambray and Lemma 2013). The goal of CCD is to improve the economy, alleviate poverty, and promote and support peace across the globe, all while respecting the limits of the environment and seeking to do less harm than the development that has preceded it. CCD is a desirable policy approach for humanitarian assistance projects, emergency aid, long-term development projects and domestically run projects of all circumstances.

The Gender-Poverty-Climate Nexus

The goals of CCD are also positioned to address the gender-poverty-climate nexus. Research shows that climate change adaptation or mitigation projects that do not take women’s needs and concerns into account are less successful than those that do (Climate and Development Knowledge Network 2019). Likewise, projects addressing good governance and peace building are more successful when

they include women and girls (Government of Canada 2017). An added dimension is the vulnerability of women and girls and the poor to the effects of climate change. Drought, extreme weather events and threats to biodiversity have disproportionate impacts on health, gender-based violence, access to services, agriculture, nutrition, cultural practices and water security (Climate and Development Knowledge Network 2019). CCD does not work without one of its parts; it is a three-tiered avenue for transformative development that successfully confronts the climate problem (Mitchell and Maxwell 2010).

The Rules-based International Order

The rules-based international order (RBIO) is a shared commitment by all countries to conduct their activities in accordance with ever-evolving rules (United Nations Association of Australia 2016). It is embodied in institutions such as international financial architectures, international organizations and fora, international law and other regimes and agreements (Jefferson and Naselli 2019).

Several international regulatory instruments reference joint action on climate change mitigation, adaptation and the SDGs, which act as steering tools and can provide legitimacy to national policy initiatives. These include:

- the United Nations Framework Convention on Climate Change (UNFCCC) (specifically Article 2);
- the Paris Agreement on Climate Change (specifically Articles 2.1C and 4.7);
- the SDGs (specifically Goals 1, 5, 8, 13 and 17);
- the Sendai Framework for Disaster Risk Reduction;

and

- the United Nations Global Compact.

Certain international financial institutions can also act as tools to reward investment in cooperation on CCD strategies. These include:

- the International Monetary Fund;
- the World Bank; and
- regional development banks, including the African Development Bank, the Asian Development Bank, the European Bank for Reconstruction and Development, and the Inter-American Development Bank.

Finally, there are multiple global fora that can be used to reconcile clashing understandings and interests related to CCD strategies. These include:

- the United Nations;
- the G7;
- the G20;
- the UNFCCC Conference of the Parties; and
- the Organisation for Economic Co-operation and Development.

Where the RBIO Falls Short on CCD

Currently, CCD initiatives in multilateral financial institutions of the RBIO are under-resourced (Toronto Centre 2018). This is partially because there has not been enough direct regulatory action at the international level to close the gap between public funds and the mobilization of private funds. Canada has been using the multilateral system to unlock climate-smart private investment for developing countries through guarantees, equities and providing sufficient upfront risk capital, but it is not necessarily attracting new capital with blended finance (Global Affairs Canada 2019b). Green bonds, social bonds and other incremental steps are not sufficient because there is still a disconnect between private and public understandings of frontier markets, and market incentives for climate-smart investments are lacking (ibid.). Another reason many aspects of multilateral financial systems are currently not maximizing climate-resilient development is that alignment in global financial institutions on CCD is not a priority (Toronto Centre 2018).

Feminist International Assistance Policy

The Feminist International Assistance Policy (FIAP) is one of the mechanisms Canada uses to access and influence the RBIO, through regional, bilateral and multilateral partnerships, with an aim to drive positive action through FIAP's mandate (Global Affairs Canada 2019a). This mandate sets the standard for advocating and implementing women's empowerment and poverty reduction strategies by "supporting targeted investments, partnerships, innovation and advocacy efforts with the greatest potential to close gender gaps" (Government of Canada 2020). Despite the success of utilizing a feminist lens in international policy, sections of the FIAP do not fully integrate environmental and climate considerations.

Section One: Gender-responsive Humanitarian Action

In both the second action area (gender-responsive humanitarian action) and fourth action area (environment and climate change), FIAP recognizes that women and girls face specific and unique risks in both contexts (ibid.). However, there is no association of the intersectionality of climate and humanitarian action within the policy, demonstrated by the lack of commitment to ensure that humanitarian action is climate compatible (ibid.). A report funded by the United Kingdom argues that for humanitarian action to be considered climate compatible it must manage climate impacts and that "doing so could also help ensure actions do not exacerbate climate vulnerabilities or lead to maladaptation" (Peters et al. 2019). Without ensuring climate compatibility, recovery and assistance work is arbitrarily and harmfully siloed.

Section Two: The FIAP Tool Kit

The tool kit advises how to properly utilize the Gender-based Analysis Plus when establishing a FIAP project. The tool kit states that economic, social, political, environmental, and institutional capacity assessments are informed by gender analyses in projects (Government of Canada 2019). However, there is no requirement or mention of incorporating environmental or climate capacity or risk assessments. This is a critical gap, as environmental and climate risk assessments should be used to identify existing and potential vulnerabilities in a project, as well as ensuring that development plans align with national- or regional-level climate adaptation and economic development plans (Peters et al. 2019). Environment capacity assessments are also essential to

ensuring partners can achieve climate and environmental goals while aligning with existing plans. The optional environment technical advisers that can be added onto projects do not have environment/climate capacity or risk assessments listed in their FIAP job description (Government of Canada 2019).

Emerging Threat: COVID-19

All active or anticipated development projects are now being carried out in the context of COVID-19. The United Nations Development Programme (UNDP) anticipates COVID-19's impact to reach well beyond 2020, extending as far as a decade from now (UNDP 2020). Post-pandemic recovery must not only address "a health crisis in the short term but [a] devastating social and economic crisis" (ibid.) in the long term. With estimated income losses exceeding a combined \$220 billion, there will be significant damage to education and health systems, human rights, and food security (ibid.). Addressing these damages with the long term in mind can further advance CCD goals.

Policy Options

1. Assure environment and climate change is addressed at every level of the development assistance policy process

Presently, Canada has identified the empowerment of women and girls as *the* necessary consideration within every development project. Moving forward, the universality of feminism needs to be supported by a universality of climate conscious development. In order to acutely and accurately address the climate change emergency, the environment and climate change aspect of development, as identified in FIAP, can no longer be only a secondary consideration. Canada can use the international regulatory instruments mentioned above to steer a transformative approach to CCD and add value to FIAP. In understanding that FIAP exists as an important mechanism for Canada to engage with the RBIO, a universality of climate conscious development can also ensure Canada's climate goals are projected on a global scale.

A) Climate compatible humanitarian assistance

Canada has been recognized as a global leader in providing humanitarian assistance to help those affected by natural disasters and conflict (Government of Canada 2020). Through FIAP, Canada has committed to increase support

for women and girls and local groups providing emergency assistance during humanitarian responses and ensuring that all partners invest and report on gender data and analysis (ibid.). These commitments should be extended to ensure that all humanitarian assistance and partnerships utilize climate compatible strategies, to ensure that maladaptation and further exacerbation of climate change does not occur.

B) FIAP 2021/2022 Target

FIAP states that "by 2021/2022, no less than 95 percent of Canada's bilateral international development assistance initiatives will target or integrate gender equality and the empowerment of women and girls, of which 15 percent will be specifically targeted gender equality" (ibid.). To better reflect and track Canada's commitment to climate action, this target could also include integrating CCD strategies into 95 percent of bilateral international development assistance initiatives. In the current commitment, environment and climate action initiatives may be used broadly as tools to create gender equality and empowerment to achieve the 95 percent, but without a specific target, there is no source of accountability to a percentage of environment and climate development. A concrete commitment to environment and climate action initiatives would further strengthen the goals of gender empowerment and equality, as the integration will better address the climate-poverty-gender nexus.

2. Support multilateral financing initiatives for CCD

Inclusive international financial systems and sound financial sector regulation that support CCD are needed. For example, blended finance is important for the implementation of CCD strategies and Canada could push for financial sector regulation to maximize opportunities for new catalytic tools and sources of capital to be identified. However, although blended finance has long been a priority for development assistance, certain development organizations are starting to question the effectiveness of reliance on the private sector, since public and private priorities are not always congruent (Pereira 2016).

Recommendations

1. **Canada should ensure climate mainstreaming in its development assistance programming.** All humanitarian action and assistance through FIAP should be committed to being climate compatible, to reduce the risk of climate change exacerbation and maladaptation. The FIAP bilateral agreement target should include a commitment to ensuring that 95 percent of all initiatives are climate compatible. Canada should also put CCD on the agenda at every meeting of the G7, G20 and the UNFCCC Conference of the Parties by proposing monitoring and evaluation systems with data and indicators that adequately assess the long-term impact of development finance on the climate; and by proposing that the empowerment of women and girls be integrated into international regulatory instruments and domestic policies.
2. **Canada should direct efforts toward CCD policy initiatives in multilateral financial institutions that bring about change using public funds.** For example, beyond physical infrastructure, Canada should support multilateral initiatives that reward public investment in international assistance for skills, education, insurance, and financial infrastructure should be used to build climate resilient communities, eradicate poverty and empower women and girls.

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China

Post-COVID-19 Possibilities: The Beginning of a New Relationship with Asia?

Felicia Clement, Varkpeh Gonowolo, Aniska Graver and Tesfaldet Mehreteab

Issue

The COVID-19 pandemic has challenged the robustness of Canada's international supply chains. Despite the current struggles, the pandemic provides Canada with an opportunity to renew and strengthen its partnerships with Asia, to diversify its trade portfolio and to build more stable, robust international supply chains.

Background

Canada and China have maintained a bilateral relationship since the 1970s. However, the arrest of Huawei CFO Meng Wanzhou in Vancouver in late 2018, put a strain on this relationship. This arrest has contributed to political tensions that have impacted trade, investment and diplomacy. These issues have also challenged Canada's relationship with the United States. Overall, Canada continues to improve and expand its bilateral relations with China, but some crucial challenges remain. These include but are not limited to:

- Canada is unable to negotiate a free trade agreement with China due to differing views on issues such as human rights and market access.
- Wanzhou's detainment and potential extradition request from the United States have led to a diplomatic feud that has exacerbated Canada and China's bilateral relationship (Labrecque 2019).

- China has arrested and detained two Canadian citizens, former Canadian diplomat Michael Kovrig and businessman Michael Spavor, and in 2019 China's courts announced the conviction and death sentence of Canadian citizen Robert Schellenberg (Abedi 2019).
- China is blocking the imports of Canadian meat products and agricultural goods such as canola products, soybeans and peas, stating concerns with pesticides and bacteria (ibid.).
- Currently, canola seed shipments from Richardson International and Viterra Inc remain blocked from export to China (Johnson and Gu 2020). Canola seed shipments from other Canadian companies have continued despite the expiration of their quota agreement on March 31, 2020 (Johnson and Gu 2020). These restrictions are unlikely to be resolved due to China's long-term agricultural policy goal to reduce its dependency on specific country suppliers (Wang and Leblond 2019).

These diplomatic events have presented minimal options for resolving the conflict. They are unlikely to improve until the end of Wanzhou's extradition proceedings and the release of the Canadian detainees. However, the current COVID-19 pandemic presents opportunities to repair and strengthen Canada's relations with China.

COVID-19 and the Breakdown of International Supply Chains

The disruption of international supply chains is among the most evident economic outcomes of the current pandemic. COVID-19 has shown that cooperation is essential in order to protect the global community, yet countries are turning inward and causing disruptions in supply chains to procure essential supplies for themselves (Schwanen and Hodgson 2020). These disruptions are severely impacting economies and trade relations between nations.

Several countries are implementing export restrictions, which limits the distribution of essential supplies outside of their borders (International Trade Centre [ITC] 2020).

These export restrictions have highlighted the vast inequalities between countries, where wealthier nations compete with each other to obtain supplies, and the small to medium economies are unable to pay the inflated prices (Cochrane and Harris 2020).

Canada has been hit particularly hard by the pandemic, as their perceived allies are placing trade restrictions that limit supplies it can import (Valdez Bettcher 2020). In response to these new regulations, Canada is looking for new avenues to build up their supply chains.

More Robust International Supply Chains

The supply chain disruptions comprise shortages in medical supplies such as personal protective equipment (PPE), gloves, facemasks, hand sanitizer and pharmaceutical products (ITC 2020). These shortages are pandemic contingent and will recover over time. However, this crisis highlights the need for countries to find a balance between emergency preparedness and business as usual.

For Canada, the pandemic demonstrates that it should not only build up its domestic infrastructure, but also build up supply chains with Asia. Internationally, many Asian countries are slowly starting to recover from the pandemic and now present an opportunity for Canada to establish renewed ties. South Korea, Taiwan and China have sent millions of masks and thousands of test kits to Canada (Valdez Bettcher 2020). China and Canada have also established a network to import PPE. Canada is buying from multiple Chinese factories to limit being

dependent on a single supplier (Cochrane and Harris 2020). Previously, Asian countries played a smaller role in supplying medical equipment (see Figure 2), but as of 2020, they have become central to providing Canadians with protective supplies (Valdez Bettcher 2020). Canada leaning toward Asia for support during this difficult time could represent the beginning of this re-balance toward diversified, modern and inclusive trade.

Figure 2: Asian Countries as a Source of Medical Supplies to Canada, 2019

Medical Supply	% share of Canada's Imports, 2019
Thermometers and Pyrometers	China - 21%
Gloves of Vulcanized Rubber	China - 15%
Specific Hand Sanitizers and Components	China - 13%
Spectacles and Goggles	China - 9%
Ultrasonic Scanning Apparatus	China - 8%, South Korea - 8% and Japan - 8%
Medical Electro-Diagnostic and Patient Monitoring Apparatus	China - 5% and Japan 14%

Source: Valdez Bettcher 2020.

Canada's Supply Chain and Patent Ownership

There is a growing gap between intangible assets created in Canada and those owned by Canadians (Gallini and Hollis 2019). This gap manifests in the disproportionate assignment of intellectual property rights to foreign firms for technology invented and commercialized in Canada. For instance, in terms of pharmaceutical innovation, Canada holds sixth place in the global ranking, but when it comes to ownership, it falls to eighth place (ibid.).

This limits potential economic benefits that accrue to the Canadian economy from scaling up and commercializing technology owned by foreign firms. Considering Canada's current initiative of emphasizing the Patent Act as part of its emergency response to the pandemic, foreign firms' ownership and control of access to patents may pose particular challenges to finding a quicker, cheaper and

universally accessible solution to the ongoing supply chain problem (Clavette and de Beer 2020).

In Canada, generic pharmaceutical products are commonplace due to their lower price points. Recently the United States has expressed concerns with Canada's plan to overhaul its drug pricing system (McCarten 2020). This plan threatens IP rights, as Canada will stop using the United States' and Switzerland's pricing mechanism to determine prices for Canadian consumers (ibid.). These tensions remain pronounced as pharmaceutical firms and governments race to ascertain future ownership rights over a potential COVID-19 vaccine or treatment.

The high degree of integration among the economies of the United States and Canada, with all its benefits, still presents risks and uncertainties to Canada's PPE supply chain during the current pandemic. It also poses challenges to Canada's promotion of generic pharmaceutical products as the United States continues to push for stronger IP protection. This could potentially delay the entry of generic products into the market and increase costs within the healthcare system. These issues suggest the need for Canada to diversify its trade engagement with Asia; more than 90 percent of China's 4,300 pharmaceutical manufacturers produce generic products (Palmer and Bermingham 2020).

Recommendations

These recommendations are in alignment with Global Affairs Canada's priorities of strengthening Canada's place in North America, pursuing diversified, modern and inclusive trade and revitalizing the rules-based international order.

- 1. Canada should continue to build up its domestic supply chains while keeping its options open to international collaboration.** Canada demonstrates we can innovate and adapt in times of crisis, and this presents an opportunity for our country to build up domestic output to compete and expand influence in the global market.
- 2. Canada should strengthen regional connectivity and build resilient supply chains through information sharing on policy measures within the Asia-Pacific Economic Cooperation (APEC) countries, beyond the current COVID-19 arrangement.** The commitment by APEC member countries to

collaborate and trade to limit global supply chain disruptions (Government of Canada 2020) provides Canada with an opportunity to establish more robust and diverse trade relations.

- 3. Canada should seize the opportunity to de-escalate tensions and begin repairing its relationship with China.** Currently, Canada has established new supply chains with China, mainly focusing on importing medical equipment. Canada can build on this COVID-19 partnership to expand trade in other areas and potentially promote Canadian values.
- 4. Canada should collaborate with China to combat the global pandemic, to conduct scientific research and disseminate information on global health issues.** As a result, the two countries could amalgamate financial and technological resources in supporting their scientists to develop a COVID-19 vaccine.
- 5. Canada needs to capitalize on its innovative capacity by expanding a significant portion of its trade engagement with Asia.** By establishing strong relations, especially with China, it may help mitigate economic consequences caused by disruptions in critical supply chains and trade in general.

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A Superpower Tug of War: Canada's Challenges and Opportunities in a post-COVID-19 World

Ashleigh Kong, Camelia Touzany, Jeremy Vander Hoek and Mengyun Zhang

Issue

China's rise to power poses challenges to the West's hegemonic position in the world order. Despite differences in many policy areas, Canada can seek further cooperation and engagement with China in the areas of climate change mitigation and global health to advance its values and interests without alienating itself from its traditional allies, the United States in particular.

Background

The current state of the United States-China relationship is characterized by growing tensions, uncertainty and rivalry, demonstrated through trade wars and the fight against the COVID-19 pandemic. Canada cannot afford to adopt an either-or position with regard to these states. The present reality requires the federal government to carefully consider and manage the relationship with Beijing. The challenge then is to determine the best practices to ease the tensions in the relationship while avoiding potential areas of alienation from the United States.

China's role in the rules-based international order can be framed in two ways. On one hand, the exponential growth it has undergone as a result of trade and private sector liberalization has led to significant legitimization. In other words, China has exhibited an increased willingness to not only acknowledge the existence of such rules, but also to ensure its practices exercise legitimate

bounds of authority within them. On the other, China's interpretation of this order is focused on the supremacy of sovereignty. This focus has led to a strict opposition to intervention, which includes but is not limited to human rights. Rather than opposing the international rules-based order, China aims to transform it (Lee 2019). For example, the country has released a memorandum of understanding supporting the Belt and Road Initiative and has generated some support for their illiberal treatment of Uighurs (ibid.; Cumming-Bruce 2019). These initiatives resist the pressure of intervention while simultaneously working to protect China's image as an ethical member of the rules-based international order. China's impact on the rules-based international order is not limited to a unipolar strategy. Instead, it demonstrates diversity that can be best highlighted through its global projects and policies (Hameiri and Jones 2018). Therefore, engagement rather than strict resistance will be fundamental in shaping Chinese foreign policy's influence on the rules-based international order (ibid., 593).

Canada-China Relations during COVID-19

Efforts by both China and Canada in the fight against COVID-19 reflect a potential resetting of the previously tense bilateral relationship. Yet despite recent efforts, the Canada-China relationship remains complicated, with increasing potential for deterioration.

First, the status quo remains for the Michaels-Meng dispute. China halted all visits from Canadian diplomats earlier in the year as part of its efforts to limit access to prisons during the pandemic (Fife, Chase and Vanderklippe 2020). Moreover, the most recent ruling on May 27, 2020, in favour of the Crown certainly disappoints China and points toward a lengthy seesaw game between the two countries on that issue. This disappointment is compounded by the condemnation Beijing has received from Canada and its allies over the proposed national security law to impose on Hong Kong (Chase and Fife 2020).

Second, China recognizes Canada's position within the World Health Organization (WHO) as separate from that of the United States, which accused the WHO of covering up the outbreak and on these grounds suspended funding to the organization. The United States also accused China of initially withholding information about the virus from the WHO. Canadian Foreign Affairs Minister François-Philippe Champagne and Prime Minister Justin Trudeau have made it clear that this politicization of the virus is not recommended, as it will only deter our joint efforts in fighting the global pandemic. However, China has also responded sternly against Canada's supporting position to give Taiwan observer status in a WHO meeting, seeing it as an infringement of Chinese sovereignty (Blanchfield 2020b).

Third, China and Canada are both committed to helping each other receive all the medical equipment and supplies needed during the pandemic. Canada demonstrated leadership by initiating the process of assistance and support for China, which was well received by their government. China is also actively resolving Canada's concerns over the quality control of one million face masks that were shipped to Canada, demonstrating integrity in our bilateral relationship. In matters of trade during the pandemic, China is actively streamlining the passage of Canadian goods through Shanghai's airports, and ensuring there are no restrictions on how long the ground crews of chartered cargo planes can wait on the ground (Blanchfield 2020a).

Finally, there is a growing hostility in public as well. On Canada's side, a recent poll by Angus Reid Institute (2020) suggests that only 14 percent of Canadians have a favourable impression of China, and 85 percent believe the Chinese government has not been honest about the pandemic. The poll also found that more than 80 percent

of Canadians wanted Huawei barred from Canada's 5G network, rising from around two-thirds before the pandemic (ibid.). On China's side, the ruling of Meng Wanzhou's case in favour of the Crown, while coming out of Canada's independent judicial system, may be read by the public negatively as Canada being an accomplice to the United States (Reuters 2020).

Canada-China Relations and Alternative Futures

Canada's strained relationship with China has deep implications for its broader diplomacy, especially with the United States. One possible future in a post COVID-19 world sees China in a weaker position within the world order. This may lead China to pursue greater adherence within the rules-based international order as it conforms to the WHO (Feldwisch-Drentrup 2020), the international human rights regime, and the World Trade Organization (WTO) (Singh 2019). However, another possibility is that China develops a stronger position, allowing the country to use its power to shun the world order and its rules. China's rise to power poses a challenge to America's hegemonic position in the world order and has placed middle powers such as Canada between a rock and a hard place, as they must decide between continuing to engage with Asia or to reassert traditional ties to allies such as the United States.

Areas of Difference

There are policy areas where Canada's and China's interests are clearly at odds. For example, positioning itself as a strong supporter of the United Nations human rights regime, Canada advocates individual freedom of religion, freedom of speech, the right to protest, and cares about individual welfare. By contrast, focusing on the importance of sovereignty in a collectivist culture, China underscores state control and refuses foreign interventions in its domestic affairs (Peerenboom 2005). Moreover, China places emphasis on different aspects of human rights, taking subsistence rights as fundamental and making poverty reduction the priority (Ibhawoh 2011). Internet governance is another area of disagreement. Canada is caught within the superpower competition between the United States and China on the application and promotion of 5G technologies. With the United States blocking Huawei and encouraging allies to follow suit, Canada is the only nation among the Five Eyes intelligence alliance that has yet to decide (Mank 2020).

Canadian policies that negatively affect Chinese interests could, in turn, result in an even more punitive backlash from China that could endanger Canadian citizens and Canadian national interests in areas such as trade. Both countries support multilateralism in a rules-based trading system underpinned by the WTO. However, while Canada strives to promote trade liberalization, China has circumvented these rules in order to achieve its national objectives without liberalizing its trade (Blustein 2019). Both nations are negotiating and implementing preferential trade agreements with others. Despite the initiation of a joint feasibility study on a China-Canada free trade agreement, trade talks would be halted if the United States accuses Canada of entering into negotiations with a “non-market economy,” and threats to quit the trilateral trade deal between Canada, the United States and Mexico may occur as an act of deterrence (Vomiero 2019).

Areas for Cooperation

There are two areas where China and Canada have an opportunity to cooperate based on shared policy goals: climate change and global health. The nations are allies in the fight against rising temperatures on a domestic and global scale. Relevant to this fight is the growing consensus on the need not just to reduce carbon emissions but also to invest in renewable infrastructure that can transform the global energy market (Azevedo et al. 2020). Notably, China has invested heavily in the development and manufacturing of renewable energy sources, including wind turbines, solar panels and batteries (Baker, Shultz and Halstead 2020). This investment demonstrates a keen commitment to emissions reduction and innovation. Canada ought to take advantage of this overlap in policy priority. COVID-19 and the broader global health regime provide another unique opportunity for Canada and China to collaborate. Ultimately, global health concerns not only health policy but geopolitical considerations as well. As Australia calls for an inquiry into China's handling of the 2020 COVID pandemic, anti-Chinese sentiment has grown in the face of an increasingly hostile Chinese leadership (Erlanger 2020; Pei 2020). Canada has an opportunity to renew its commitments to global health standards while helping ease the growing tension between China and the global community.

Recommendations

- 1. Canada should develop and innovate upon existing track two diplomacy partnerships with China in the areas of climate change and global health.** Canada and China recognize that in both issues, scientific innovation is a key to success. By partnering through university and other initiatives, Canada and China can expand their research and development aspirations together. This development not only leads to the achievement of policy goals, but also helps improve the relationship that has stagnated in the past few years. The form of this relationship can build upon the Canada-China Joint Committee on Environmental Cooperation, but must include more investment from the federal government.
- 2. Canada should develop a formal Canada-Sino Scientific Council responsible for consistent scientific collaboration between Canada and China.** A new council or committee dedicated to scientific initiatives must be created. Essential to the success of these programs is the establishment of concrete research-sharing projects as well as the centralization of academic or research-focused actors, not the states. As an independent and permanent association, this organization will consistently embed Canadian and Chinese technological and scientific achievement within each other's national interest. Key to the success of this program is a recognition that the global problems of tomorrow require our vision of self-interest to extend beyond national borders.
- 3. Canada should strengthen the bilateral Sino-Canadian relationship with the first prime ministerial state visit post-COVID-19 in Beijing.** As China continues to receive an international backlash over COVID-19, creating a geopolitical public relations crisis, Canada has an opportunity for diplomacy to demonstrate leadership and willingness to strengthen its relationship with China. Initiating the first state visit by the prime minister to Beijing would signal Canada's willingness to work with and not against China. This would be of special importance when China is facing international criticism about its initial approach to dealing with COVID-19 and growing anti-China sentiment globally. It would be a goodwill gesture that, when combined with the track two and scientific council proposals, would provide

an opportunity for Canada to reset the relationship and soften tensions, and advance climate change and global health goals without compromising its values with respect to democracy and human rights.

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Trade and Development

Diversifying Inclusive and Mutually Prosperous Trade: The Case for Africa

Kaleigh Campbell and Angela Fangeat

Issue

Canada is aiming to diversify its trade and investment partnerships beyond North America and Europe in a manner that advances the inclusive trade agenda in a mutually prosperous way. Canada has an opportunity to pursue innovative approaches to trade diversification by strengthening trade relations with non-traditional partners in Africa.

Background

In 2018, the United States continued to be Canada's largest trading partner. Although the bilateral trading relationship is significant for both countries, Canada's dependence on the United States for trade is disproportionately high, which has increased its exposure to the risks caused by volatile and unstable conditions (Global Affairs Canada [GAC] 2019a). This was exemplified in 2018 through the unprecedented US imposition of tariffs on Canadian steel and aluminum (GAC 2019b). In addition, according to the International Monetary Fund (IMF), US economic growth is projected to decelerate in the short term (GAC 2019a). Therefore, Canada must engage in broader trade diversification to hedge against the potential risks of political uncertainties, trade tensions and protectionist policies.

Since 2017, Canada has diversified trade and supported its inclusive trade agenda with like-minded partners, such as the European Union through the Comprehensive Economic and Trade Agreement, but it has not been successful in the context of partners with divergent values.

For example, in 2018, Canada diversified trade to the Asia-Pacific region through the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) (GAC 2020). While the CPTPP is projected to produce long-term economic gains for Canada and decrease Canada's reliance on imports from the United States, the CPTPP does little to advance the social priorities of Canada's inclusive trade agenda, aside from the gender aspect included in the preamble (GAC 2018).

If Canada wants to pursue trade diversification in conjunction with its inclusive trade agenda, it must either renegotiate agreements with existing partners or concentrate on establishing new trading relations in contexts of divergent values. Based on the complex renegotiation process of the North American Free Trade Agreement, which produced the Canada-United States-Mexico Agreement, our findings suggest that the most viable option for Canada is to pursue further geographic trade diversification (Macdonald 2019) by prioritizing greater trade with Africa.

Why Africa?

There are three prominent reasons why trade diversification to the African continent is a viable and beneficial option to pursue. First, there is a strong economic case for trade diversification to Africa. While advanced economies such as the United States and Canada have experienced decelerating economic growth, developing economies, including those in Africa, have experienced higher rates of economic growth (IMF 2020a; African Union and United Nations Development Programme [AU and

UNDP 2019]). This is evident at the subregional level in Africa, where East Africa experienced the highest economic growth (6.2 percent) in 2018, followed by West Africa, which witnessed economic growth of 3.2 percent in 2018 (UNECA 2019). In consequence of increasing economic growth, the International Trade Centre (ITC) has identified significant untapped potential for Canadian exporters in several African countries and subregions, including Ethiopia, Ghana and South Africa (ITC 2020). In addition, David Luke and Phil Rourke (2019) have also identified the African continent as having significant economic potential for Canadian exporters. The strong economic case for pursuing trade relations with African countries has also been realized by the Canadian private sector. In 2020, the Business Council of Canada projected that if Canada develops stronger trade relations with African states, Canadian exports to the continent could reach more than CDN\$92 billion by 2030 (Business Council of Canada 2020).

Second, the ratification of the African Continental Free Trade Agreement (AfCFTA) in 2018 signalled that countries in the AU are preparing to increase trade within the continent through regional integration. Although the AfCFTA has just entered into force, the IMF, the United Nations Economic Commission for Africa and the World Trade Organization predict that in conjunction with continued Aid for Trade (AfT), African countries will be able to address infrastructure gaps and reduce other trade barriers (IMF 2020b; UNECA and World Trade Organization [WTO] 2019). Further, although the AfCFTA does not contain specific inclusive trade provisions, article 3(e) identifies “inclusive socio-economic development” and “gender equality” as general objectives of the AfCFTA. The AU has also signalled its commitment to attaining inclusive development in Agenda 2063: The Africa We Want, which identifies the “empowerment of women, young people, and other disadvantaged groups” as a fundamental goal (UNECA and WTO 2019). Therefore, while the African continent presents an economic potential for Canadians, the AfCFTA and Agenda 2063 also suggest that African countries aspire to expand trading relationships with a focus on ensuring inclusive trade and development in the future.

Third, while Canada has not established trade agreements with African countries, under the Stephen Harper government, Canada acknowledged Africa as a potential region for trade diversification through developing

foundational trade infrastructure (Dawson 2013). While Harper was criticized for overemphasizing the development of trade relations with African countries, his administration’s diversification efforts included negotiating foreign investment promotion and protection agreements (FIPAs) with several African countries. Export Development Canada has also distributed substantial financing and insurance to Canadian exporters operating in Africa (ibid.). Although these developments created an existing trade foundation for Canadian companies, the research reveals that FIPAs provide little more than marginal economic benefit for receiving countries (Babic, Bernardo and Heemskerk 2019). Therefore, in pursuing future trade relationships with African countries, the disproportionate distribution of benefits from existing agreements must be addressed to achieve inclusive trade and shared prosperity.

Benefits

In addition to the identified economic benefits for Canada, trade diversification to Africa would also have significant political and social benefits for Canadians and Africans. First, diversification to Africa could provide the opportunity for Canada to lead as an exemplar and non-exploitative trading partner with African countries. While the United States has initiated the African Growth and Opportunity Act, as well as Prosper Africa, these initiatives are focused on economic benefits and neglect to address the potential social implications and benefits of trade (International Trade Administration 2019). The EU has also been criticized for its Economic Partnership Agreements (EPAs) with African states, as the EPAs have “imposed premature trade liberalisation” and hindered regional integration (Gronning 2019). By examining previous North-South trade relationships, Canada can examine lessons learned to ensure that diversification to African countries is indeed inclusive and prosperous for both partners. Thus, Canada would benefit further from obtaining substantial political clout by facilitating and maintaining equitable North-South trade relationships with African countries.

Moreover, diversification to Africa that is inclusive and prosperous could assist African governments with the provision of social services and programs. While African countries have made substantial progress in education and health, other social outcomes, including inclusive growth, could be achieved if African countries increased

and mobilized public revenues (AU and UNDP 2019). Since exporting commodities is one of the most significant sources of public revenue in Africa, Canadian trade diversification presents the potential to increase revenues and assist with the provision of social services (UNECA 2019). Further, in the long term, this could “contribute to meeting national development objectives and global targets,” such as the Sustainable Development Goals (AU and UNDP 2019). According to the AU and UNDP (*ibid.*), as a trade and international development partner, Canada could have an influential role in improving the lives of Africans.

Challenges

While trade diversification to Africa presents economic, political and social benefits, there are three predominant challenges to establishing such a relationship. First, GAC (2019a) has identified that although free-trade agreements (FTAs) are beneficial for Canadian trade diversification, research suggests that in the context of developing countries, FTAs produce inconsistent benefits. For example, since value-added taxes and taxes on specific goods and services are the most substantial sources of public revenue for African states, it is possible that an FTA would reduce the revenues of African governments and hinder their ability to provide services (AU and UNDP 2019). Hence, it would be challenging for Canada to establish an FTA with an African state without jeopardizing the foundations of its inclusive trade agenda and its aspiration for a mutually prosperous trade relationship. While AfT offers the opportunity to mitigate reductions in tax revenues for African countries in the short to medium term, it remains uncertain whether these practices are sustainable or would be offset by the increased revenue from trade (Gnangnon 2016). Therefore, if trade relations with African countries are to be equitable and in alignment with Canada’s inclusive trade agenda, new strategies and agreement structures must be devised to address this challenge.

Second, trade diversification to Africa could be hindered by limited infrastructure across the African continent. Based on data from 2016, in Africa there is less than 50 km of paved roads per 1,000 square km (Thomas 2019). While countries such as South Africa have strong infrastructure, several other African countries, such as Ghana and Eritrea, have limited infrastructure (AU, African Development Bank [AfDB] and UNECA

2020). This presents a challenge for internal, regional and international trade. Although the COVID-19 pandemic has prolonged the implementation of the AfCFTA, African governments and the AfDB remain committed to continuing efforts to accelerate regional integration through infrastructure development (Mohamed 2020). In the long term it is possible that the infrastructure in African countries might improve from implementation of the AfCFTA and the AfDB’s Strategic Framework, but in the short to medium term, this challenge signals the importance of maintaining tax revenue for African states to ensure that social services and development efforts have adequate financing.

Third, while Agenda 2063 and article 3(e) of the AfCFTA provide examples of state initiatives to address social issues, Canada must be cognizant that locally based human rights notions might differ from the more universal ideals presented in regional documents (Pavlish, Ateva and Ho 2017). Therefore, in pursuing an inclusive trade agenda in the context of divergent values, Canada must ensure that it does not impose its values on its trading partners or jeopardize its own inclusive values. Although achieving such a balance is difficult, Canada’s Feminist International Assistance Policy (FIAP) has demonstrated that Canada is equipped with the knowledge and resources to address this challenge (Nathoo 2017).

Recommendations

- 1. Canada should develop a tiered approach to inclusive trade and shared prosperity.** The evidence suggests that while the social values of African countries at the regional level are beginning to converge with Canadian values, state and local values are diverse (Pavlish, Ateva and Ho 2017). Since Canada should not impose its values through trade agreements with African countries, initial negotiations and agreement should focus on ensuring that the economic foundations are established. In the context of African countries, this means ensuring that proper levels of value-added taxes are maintained to fund social services and infrastructure development. While such provisions might limit the traditional degree of trade liberalization between the partners, it would guarantee that the agreement would be prosperous for both. Further, in developing a tiered approach, it is imperative that all phases of trade be addressed, including potential investor-state dispute settlement

(ISDS) processes. Since ISDS mechanisms continue to be a contentious aspect of trade, due to their role in perpetuating inequalities, Canada must ensure that when establishing ISDS mechanisms with developing countries it employs an inclusive lens and remains cognizant of inherent flaws of such mechanisms (Jones 2018).

2. **Canada should maintain the long-term goal of establishing FTAs with African countries.** As discussed, FTAs are the current norm, and while Canada should maintain this objective, Canada must monitor each phase of diversification through stringent empirical ex-post assessments. According to Erin Hannah, Adrienne Roberts and Silke Trommer (2018), while states are committed to conducting ex-ante observations, there are few intentions to gather ex-post empirics to evaluate the outcomes of trade agreements. Since African governments are dependent on tax and tariff revenue to provide social services, it is imperative that ex-post assessments be conducted to ensure that all phases of diversification are inclusive and prosperous for Canadians and Africans. Further, due to limited resources, African governments prioritize the distribution of social services, which reduces their focus on collecting and reporting administrative data (AU and UNDP 2019). Thus, African countries might not have the capacity to implement ex-post assessments. In these situations, it is possible that Canada would be required to provide technical assistance to ensure the data is collected, retrieved and analyzed.

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The Importance of Transparency, Accountability and Intersectionality in the Implementation of International Assistance

Lydia Callies, Alexandra Giorgis-Audrain and Laura Krizan

Issue

Effective and sustainable international bilateral assistance, within and across the humanitarian-development-peace nexus, requires transparency and accountability. Moreover, this effectiveness is heightened by adopting an intersectional feminist perspective that highlights the needs of the most vulnerable groups among affected communities. Nevertheless, the implementation of transparency, accountability and intersectionality is challenging in practice.

Background

In February 2019 the Organisation for Economic Co-operation and Development's (OECD's) Development Assistance Committee (DAC) adopted the Recommendation on the Humanitarian-Development-Peace Nexus. DAC defines the triple nexus as the "interlinkages between humanitarian, development and peace actions" and the "nexus approach" as the "aim of strengthening collaboration, coherence and complementarity, capitalizing on the comparative advantages of each pillar" (Development Initiatives 2019). The need to work at the nexus between emergency assistance and longer-term approaches has long been recognized for the approach's capacity to reduce risk and vulnerability of crisis-affected populations while supporting sustainable enhancements to wellbeing. This notion builds on the precedents established by

other articulations of best practice for development and humanitarian assistance such as the Sustainable Development Goals, the Grand Bargain and the 2016 Agenda for Humanity.

The Government of Canada (GoC) employs the logic of the triple nexus in its international assistance, which is understood to comprise international development, humanitarian assistance, and peace and security initiatives (Global Affairs Canada [GAC] 2019a). Canada is actively pursuing the implementation of best practices and lessons learned for effectively working at the triple nexus. At the forefront of these efforts is the Feminist International Assistance Policy (FIAP), launched in 2017 (GAC 2017). To this end, GAC has developed a range of guidance documents and tools to facilitate a consistent and coherent implementation of the government's policy, such as the "Feminist approach — Innovation and effectiveness guidance note" (GAC 2019b).

Canada engages across and within the triple nexus with a gender-based approach, based on an intersectional feminist perspective. GAC's feminist perspective applies a human rights-based approach for transformative change, with the aim of making societies more equal, prosperous and peaceful (*ibid.*). Grounded in the FIAP, this approach seeks to eradicate poverty and build a more inclusive world, while ensuring the promotion of gender equality and the empowerment of women and girls (GAC 2017). In this context, the GoC defines gender equality as

enabling the full participation of diverse groups of men, women and non-binary people in all spheres of life (GAC 2019b). The FIAP applies a feminist approach to six action areas: gender equality and the empowerment of women and girls; human dignity; growth that works for everyone; environment and climate action; inclusive governance; and peace and security.

Transparency

While the goals and objectives of the GoC aim to address the most vulnerable groups, existing data lacks the level of detail needed for the Canadian public and international assistance recipients to accurately evaluate the effectiveness of certain programs and initiatives. The policy outlines several general goals, such as intending to encourage greater political participation by women and girls (GAC 2017). Yet in order to effectively evaluate the impacts of a policy, the data that is produced should incorporate not only the successes that have been produced but also the failures. Current findings that are reported and made available to the general public often highlight only the successes in relation to the policy. While GAC intends to improve the means of data collection with an increased focus on success stories (Kilroy, Kirby and Bhatia-Murdach 2019), there are no good criteria currently in place to analyze data in which goals and objectives have ultimately failed. By increasing transparency with the data that is available and reporting on all outcomes and not simply the successes, we can better evaluate if the gender-based approach is having a significant impact on women. Evidently, effective program monitoring and evaluation are important components of ensuring that collected data is transparent and detailed. This allows for effective conclusions to be made regarding the action plans that are set out in the policy.

Accountability to the Public

Best practices for implementing a nexus approach call for donor governments to be accountable to the public. Accountability to the public enables governments to pursue ambitious plans. This accountability relies on transparency regarding the bilateral initiatives in which the government is involved. Canada is dedicated to enhancing transparency around international assistance, as demonstrated by its commitment to the 2005 Paris Declaration on Aid Effectiveness, the International Aid Transparency Initiative and the Open Government Partnership (GAC 2019a). Making information readily

available, easily accessible and comprehensible to the non-expert public is crucial for informing citizens and cultivating trust in the government. Currently, there is no designated location for all information, which remains scattered across a variety of sources, including government databases, reports issued by non-governmental organizations, and the GAC Project Browser, making it difficult for users to collect. To this end, the narrative on international assistance should be framed around the tangible impacts and achievements of said assistance (Gouett 2019).

Currently, the available resources and data focus on overview information and provide few details of international assistance achievements, limiting the possibilities for the public to accurately evaluate the effectiveness of assistance initiatives. This lack of depth and transparency skews public perception. For instance, in the lead-up to Canada's 2019 federal election, then Conservative Party leader Andrew Scheer proposed a 25 percent cut to Canada's international assistance spending (ibid.). The resonance of this proposal among certain groups of Canadians is indicative of a lack of public understanding around international assistance, contributing to a systematic overestimation of Canada's international generosity. For instance, a 2019 survey by Nanos Research, commissioned by the Canadian Partnership for Women and Children's Health (CanWaCH 2019), found that Canadians believe the government spends 17 cents for every dollar on development aid—far more than the two cents per dollar of the federal budget that is actually spent (ibid.).

Accountability to Stakeholders and Affected Communities

Beyond accountability to the public, donor governments are also accountable to stakeholders and affected communities. This is recognized by the GoC in its intersectional feminist international assistance, which acknowledges that reinforcing accountability is critical for achieving transformative change through its international assistance (GAC 2019b). Accordingly, the FIAP advocates for initiatives that assume a long-term perspective, relying on tactics and strategies grounded in context-specific realities (GAC 2017). The GoC's guidance for reinforcing this accountability notes several actions to be pursued, including: considering the risks associated with altering traditional power relations; ensuring that the perspectives and voices of affected individuals—including diverse

groups of women and girls—are included in results-based management practices; facilitating communication; and targeting the most marginalized by promoting inclusive disaggregated data (GAC 2019b).

Despite global recognition of its importance, fostering this form of accountability in practice remains a challenge in the implementation of a nexus approach. Actors have pursued diverse approaches to overcome this challenge. For instance, humanitarian actors working in Chad and Haiti have increasingly made use of perception surveys with target communities to guide their planning and programming efforts according to context-specific needs (CIC 2019). Moreover, among development actors, the World Bank has adapted its jobs program in Ethiopia based on consultations with refugees and other actors, which highlighted specific concerns such as the distance between employment sites and refugee-hosting areas (ibid.).

Furthermore, some donors have adapted their international assistance strategies to incentivise joint humanitarian-development action, thereby increasing their accountability to stakeholders. Germany's Transitional Development Assistance (TDA) is a promising example of such initiatives (Center on International Cooperation [CIC] 2019). Led by the German Ministry for Economic Cooperation and Development (BMZ), TDA is designed to bridge immediate and long-term funding to build the resilience of people and institutions in fragile contexts (BMZ n.d.). For this purpose, BMZ works closely with the UNWFP and UNICEF, which gives them greater access to marginalized individuals within their communities of work.

Implementing Intersectionality

Canada pursues a gender-based approach to international assistance, based on the FIAP. Gender is a socially constructed and situated concept that varies across cultures (Hyndman and de Alwis 2003). GAC understands intersectionality as a model of analysis that recognizes and examines the consequences of interacting inequalities, including gender, race, ethnicity, sexual orientation and ability, on people who occupy different social locations (GAC 2019b). An intersectional feminist perspective is therefore aimed at addressing the unequal relationships between individuals based upon their social, economic, political, cultural and sexual differences (Hyndman and de Alwis 2003).

While intersectional feminism provides the basis for the proposals advanced among FIAP's action areas, the implementation of this idea in practice thus far has been insufficient as a means of spurring transformative and sustainable change (Tiessen 2019). While increasing participation of marginalized individuals is positive, these individuals must directly benefit from this participation (ibid.). For instance, while the FIAP proposes to increase women's participation in the formal labour force as a means of increasing economic empowerment, evidence demonstrates that this participation means little if women have no control over how their income is used within their household (ibid.). Equally, it is important to question assumptions around agency and the capacity of women in other societies to counter perceptions that women are weak and vulnerable.

Additionally, despite espousing an understanding of intersectionality, the FIAP has been criticized for prioritizing heterosexual and cisgender women and girls, overlooking other intersecting dimensions of marginalization such as gender identity and sexual orientation (Mason 2019). A persistent challenge to counter such critiques is the inadequacy of traditional monitoring and evaluation measures and indicators (Bardall 2020). For instance, an intersectional feminist evaluation of women and girls' empowerment is comparatively resource-heavy relative to traditional gender-based analysis, and it requires significant expertise to conduct. Moreover, progress across indicators such as these only appears incrementally (ibid.).

FIAP must address the root causes of structural and systemic inequities in an intersectional way (Action Canada for Sexual Health and Rights 2016). This brief makes recommendations on how Canada may improve the implementation of its feminist policy by having an approach that is accountable, transparent and intersectional to ensure the best impact on the livelihoods of women, girls and all vulnerable individuals around the world.

Recommendations

- 1. Canada should increase access to timely and easily comprehensible information regarding international assistance, inclusive of successes and failures, and improve information management.** Positive public opinion, within donor countries concerning international assistance, is necessary

to shape an environment conducive to the implementation of effective assistance efforts. The public, including both the expert and non-expert public, should share a common understanding of Canada's international assistance, based on facts. This understanding should recognize there must be transparency concerning both successes and failures, as the lessons learned from these experiences are equally valuable to inform more effective future initiatives (Development Initiatives 2019). This is especially necessary when working at the triple nexus where a high degree of risk is involved. Metrics should be developed to inform criteria on data transparency to ensure further accountability. Moreover, key performance indicators should be established and the results of monitoring and evaluation activities in relation to these indicators should be made available in a designated place to measure the progress of these international assistance initiatives.

2. **Canada should engage meaningfully with affected communities and individuals, in particular, women and girls.** To ensure accountability to affected communities, donors should move beyond tokenism to engage with those they seek to target in the spaces in which donor initiatives are to be implemented. This engagement should account for context-specific realities such as cultural perceptions of gender, age, race and other intersecting dimensions of inequality. Areas for meaningful engagement include the formal labour market, where women and girls are significantly underrepresented. Canada should adopt the best practices of BMZ by working closely with partners that can provide them with access to marginalized individuals to best respond to context-specific needs sustainably.
3. **Canada should incorporate a more comprehensive intersectional feminist approach to international assistance.** Although the FIAP mentions women and girls, other vulnerable gender groups must be identified and targeted for the improvement of gender equality. GAC should therefore ensure there are adequate resources for conducting meaningful evaluations, including resources for consistent training in intersectional evaluation that have been developed based on input from concerned stakeholders among both donors and recipients.

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Global Nurse Migration Pathways

Lena Gahwi, Savannah Guilbeault, Araba Maanan Blankson and Anjali Shanmugam

Issue

Canada can be a leader in shaping a fair migration regime that supports female nurse migrants and provides policy frameworks that recognize and enhance their skills.

Background

Nursing is increasingly important considering the current aging crisis in developed nations. Care demands are becoming more “transnationalized,” as migrants are drawn in to provide various forms of child and elder care. This work is both highly feminized and one of the few skilled migration pathways dominated by women. The international migration of health workers has been increasing over time and is primarily a global south to north flow. Migrant nurses often face exploitation by employers and the various private interests involved in their migration and employment process. There have been calls for international health worker migration to be shaped by “triple win” or fair migration policies that provide benefits for sending and receiving countries, and for migrant workers themselves. Nurse migration is the perfect avenue for Canada to model such policy changes.

The World Health Organization (WHO) Global Code of Practice on the International Recruitment of Health Personnel provides a global framework for countries to use as a guide when entering into bilateral or regional agreements to promote cooperation and coordination regarding international health worker migration. However, lower income nations often face the challenge of bilateral agreements failing to address the negative effects associated with the migration of health workers, as they often have less capacity to determine such provisions in

bilateral agreements. Canada, with its extensive policy expertise in the matter of immigration, as well as its pursuit of inclusive trade, poverty reduction and the advancement of gender equality, is well positioned to be a world leader in this area of shared responsibility.

Case Studies

Understanding the educational and training context in sending nations and how they are oriented to the global demand for health care workers is relevant for sending nations interested in engaging in fair migration agreements that uphold the principles enshrined in the WHO code, Canada’s Feminist International Assistance Policy (FIAP) and the Sustainable Development Goals. Three migrant source countries have been selected for analysis: the Philippines, India and Vietnam. The Philippines represents the oldest and most well-developed system of labour migration. It is a leading exporter of migrant nurses and has some of the most robust bilateral and multilateral agreements in this area. India is also a major provider of nurse migrants globally, second only to the Philippines. Especially in the Gulf nations, as well as member states of the Organisation for Economic Co-operation and Development, India is engaged in a range of nurse migration pathways, including an increasing uptake of the study-work migration pathway in Canada. Finally, Vietnam is increasing international labour migration, including in the field of nursing framed by bilateral agreements. Germany’s triple win model for elder care nurses includes a bilateral agreement with Vietnam. These three countries are differentially positioned in terms of the timing of external migration orientation to international demand in nursing, the scale and scope of migration, and the geography of the migration pathways pursued.

The Philippines

The Philippines has invested heavily in promoting overseas employment opportunities for its citizens. Ongoing national political and economic instability has made migration one of the most viable options for improving the lives of Filipinos. Since the 1970s labour out-migration has become a national strategy for improving economic growth (Sikorski 1994). Today, remittances make up 9.8 percent of the total GDP of the Philippines, growing to US\$34 billion in 2018 (World Bank 2019). The number of nurse migrants deployed by the Philippines has shown a recent upward trend as a result of increased demand for healthcare workers in developed nations. The Philippines has one of the most robust systems for supporting nurse migration and leads in the supply of nurses internationally, exporting nurses to more than 50 nations (Ortiga 2018). In the Philippines, nurse education is heavily privatized, as is the facilitation of nurse migration. Private interests have a great deal of power over migrants and the migration process itself (Masselink and Lee 2010). Nursing schools in the Philippines are seen as “migrant institutions,” and there are direct pipelines between nursing schools in the Philippines and American or UK hospitals (Ortiga 2018). Nursing schools in the Philippines are notably adaptable to the needs of foreign employers (Brush 2010). Several Canadian provinces, including Alberta, Manitoba, British Columbia and Saskatchewan, have bilateral agreements or Memoranda of Understanding (MOUs) with the Philippines, (Blank 2011). Although the MOUs do not directly govern nurses’ status in Canada, they outline migrant work as a pathway to permanent settlement. Moreover, they focus on promoting collaboration between the respective provinces and the Philippines and focus on development issues in the sending nation (*ibid.*). These MOUs are regarded as best practice by the Filipino government.

India

State-organized nurse emigration is less official in the Indian case, and Government of India policy appears to focus on the regulation of commercial interests in the international demand for nurses (Nair, Timmons and Evans 2016), together with state-controlled migration of nurses to certain geographical markets using the Emigration Check Required (ECR) provisions of the Emigration Act (Walton-Roberts and Rajan 2020). The international migration of nurses has coincided with a rapid increase in private nursing educational institutions; however, the expansion is not driven mainly to cater to

the global demand for nurses (Oda, Tsujita and Rajan 2018). The Government of India is party to at least 10 MOUs on labour migration. Most of the MOUs have been developed with countries that already have long-running migration flows (Sasikumar and Timothy 2015; Wickramasekara 2012). The Indian state restricts female domestic worker migration in the name of protecting their rights (Kodoth and Varghese 2012). Although the Indian state has sought to address recruiter exploitation of nurses, its adoption of these “protective” policies via the ECR process has overwhelmingly positioned women’s mobility as the problem rather than the structures that exploit them (Walton-Roberts and Rajan 2020).

Vietnam

Vietnam is experiencing a demographic dividend where the majority of the Vietnamese workforce is between the ages of 16 and 25. Vietnam is experiencing challenges to provide employment for its labour force. For instance, youth workers in urban areas are largely unemployed, and “the employed time of rural young people is less than 75 percent in a year” (Centre for Labour Market Studies 2011). Vietnam’s investment in education has been increasing, and the 2015 Law on Vocational and Educational Training reaffirmed the country’s commitment to reforming training programs and improving the quality of workers’ skills (OECD Development Centre 2017). Through the internationalization of their education system and encouraging students to study abroad (Trines 2017), Vietnam is taking action to improve its training of healthcare workers; however, there are issues with lack of capacity and knowledge to implement necessary changes (Kang, Ho and Nguyen 2018). The Vietnamese government recently increased the opportunity for foreign investment in the education sector. The Canadian International Development Agency (CIDA) funded the Vietnamese Nurses Association and the Canadian Nurses Association to form a global health partnership program from 1999 to 2012, which focused on establishing nursing education programs, updating the curriculum, and the sharing of expertise (Canadian Nurses Association 2012). CIDA investments in Vietnam have been reported by Vietnam’s Ministry of Education and Training as “having been critical to the overall success in the [education] sector” (CIDA 2010, 21). In addition, private sector development has allowed foreign firms operating in Vietnam to participate by sponsoring and providing services for Vietnamese nationals to migrate abroad for

study. Due to the shortage of skilled nurses in Germany, the Vietnamese and German government signed a bilateral agreement for Vietnamese nurses to receive nursing and language training and eventually work in the elder care sector in Germany.

Canada's Opportunity

The Philippines' report to the WHO (2018) regarding the Global Code of Practice on the International Recruitment of Health Personnel has identified the need for assistance in negotiating and dealing with recipient nations in order to better safeguard worker rights and safety, and improve nurse migration outcomes. India and Vietnam face similar realities. This is of particular interest for Canada as a middle-power state that aims to safeguard and strengthen the liberal world order. It is part of Canada's FIAP and diverse-trade agenda, and its SDG commitments to support capacity building in developing nations. More importantly, building capacity in sending states can benefit Canada economically in terms of having access to sustainable health care worker supply.

From the perspective of the Canadian government, fostering a stronger relationship with sending nations such as the Philippines has various benefits. The first is that nurses can help fill shortages in Canada as the population continues to age. This can be achieved in ways that fulfill Canada's commitment to values-based trade. The majority of migrant nurses are women. The federal government has taken strides to improve the lives of women and girls. Supporting women in the workforce will be important to fulfilling Canada's feminist policies.

Relevant Actors to Addressing International Nurse Migration

1. **Global Affairs Canada (GAC):** responsible for fostering the development of international trade and providing international assistance and humanitarian development. GAC's FIAP and SDG commitments will be valuable at the centre of the response to the issue of nurse migration (GAC 2020).
2. **Canadian Nurses Association:** works to shape and advocate for healthy public policy provincially, territorially, nationally and internationally. The association works to advance nursing leadership and engage nurses in advancing nursing and health. It helped develop the Vietnamese Nursing Association

and provide training with a project in 2002. The Canadian Nurses Association and other actors can build on previous success and engage in capacity building with sending nations (Canadian Nurses Association 2002).

3. **Immigration, Refugees and Citizenship Canada:** helps to facilitate arrival of immigrants and offers programming to help settlement. It also helps advance global migration policies in a way that supports Canada's immigration and humanitarian objectives (Government of Canada 2018).
4. **Provincial departments of health and regulatory bodies:** these include all relevant provincial departments and nursing colleges.
5. **Community Health Nurses Association of Canada:** a voluntary national association of community health nurses structured as a federation of participating provincial and territorial community health nursing interest groups (Community Health Nurses Association of Canada 2002).
6. **Advisory Committee on Health Delivery and Human Resources:** responsible for providing strategic advice on the planning, organization and delivery of health services, including health human resources (Government of Canada 2016).
7. **Citizenship and Immigration Canada's Foreign Credentials Referral Office:** mandated to provide internationally trained individuals with the information, pathfinding and referral services to have their credentials assessed and recognized. The office is also responsible for guiding and monitoring the implementation of pre-arrival services (Government of Canada 2013).

Recommendations

1. **Canada should promote partnerships between the Canadian health care sector and education providers in sending nations to fill the increasing demand for health care workers at home and overseas.** This recommendation is in reference to GAC's priority of pursuing diversified, modern and inclusive trade.
2. **Canada should support Canadian provinces' promotion of bilateral agreements between Canada and sending nations that ensure safe and just**

employment opportunities for migrant nurses. This recommendation is in reference to FIAP, Action Area 3: Growth that Works for Everyone, more specifically Canada's assertion to "promote women's economic rights and access to decent work" (GAC 2017, 38).

3. **Canada should focus on capacity building in sending nations in the areas of education and governance to help states enhance training and negotiate better bilateral agreements.** This last recommendation addresses both Action Area 3 of FIAP and Action Area 5: Inclusive governance.

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Disruptive Technologies and Outer Space

Canadian Democracy and Economy in the Algorithmic Age

Brody Spourdalakis, Elaha Musakheel, Laura Higgins and Chris Earle

Issue

The absence of clear global governance policies regulating the use of algorithmic-based technologies presents vulnerabilities for states utilizing them. Therefore, Canada must leverage its position in the rules-based international system and its experience governing algorithms domestically to mitigate risks and optimize economic opportunities in the algorithmic age.

Background

Understanding the Algorithmic Age

The algorithmic age is an era characterized by the ubiquity of underlying algorithmic technology being implemented in nearly every aspect of daily human life. An average consumer smart-phone grants nearly every human on earth unfettered access to a global repository of data. Underlying this pocket-sized technology is a massive collection of algorithms that can enhance a user's cyber-security, assist them in instantly finding relevant information, and facilitate human interaction on an unprecedented scale. Although algorithms are simply a set of computerized mathematical processes, they are critical components in rapidly emerging technologies such as artificial intelligence (AI) and encryption applications. Algorithms are not limited to online media or personal communications. They are also present in modern vehicles, manufacturing equipment, and most other things critical to the ongoing functioning of society. AI and other algorithmic-driven technologies show great economic potential due to their ability to enhance efficiencies in

production processes. Early AI investments will position Canada to be a leader within the realm of emerging technologies while addressing responsible application and the role emerging technologies play in shaping our democratic and economic values.

The Global Environment

Despite the increasing prevalence of algorithms in our daily lives, responses from global governance institutions such as the United Nations have lacked the necessary coherence to address the new age adequately. There has nevertheless been significant progress in some global fora. The Organisation for Economic Co-operation and Development (OECD) and G20 have begun adopting principles to mitigate democratic, economic and human rights concerns related specifically to AI. The OECD Principles on Artificial Intelligence were adopted by member countries in May 2019; they were reinforced by the G20 when it adopted its “human-centred AI Principles” in June 2019 (OECD n.d.). Working toward further collaboration, Canada and France spearheaded an ongoing effort by the G7 to create the Global Partnership on AI, a collaborative body working to “support and guide the responsible adoption of AI that is human-centric” (Prime Minister of Canada 2018). These international efforts represent encouraging steps toward a coherent global framework to govern the algorithmic age. In addition, Canada can protect and advance its liberal democratic values and economic opportunities by collaborating with like-minded states on various initiatives related to governance in the algorithmic age.

National Efforts Across Jurisdictions

According to a repository of national AI policies developed by the OECD, hundreds of AI-specific initiatives have been developed across 60 countries, territories and the European Union (OECD Artificial Intelligence Policy Observatory n.d.). Among the array of policy instruments used, the vast majority can be grouped under the governance of AI, which includes approaches such as national AI strategies and oversight bodies. Otherwise, AI-focused policy instruments can be found in the following groupings: “direct financial support” (e.g., business grants), “indirect financial support” (e.g., risk-sharing schemes), “collaborative infrastructures” (e.g., networking platforms) and “guidance, regulation and incentives” (e.g., technology regulation). Research and student training are also frequent targets for many national AI policy approaches. Overall, the diverse range of policy instruments being employed to address AI is reflective of the complexity of the burgeoning algorithmic age.

A recent report by Oxford Insights — as commissioned by Canada’s International Development Research Centre — attempted to develop criteria to assess the “current capacity [readiness] of governments to exploit the innovative potential of AI” (Oxford Insights 2019, 5). In the study, four clusters were used to evaluate the AI readiness of governments: governance; infrastructure and data; skills and education; and government and public services. Based on the criteria, Canada was tied with Sweden for sixth in the worldwide rankings. The top five countries were Singapore, the United Kingdom, Germany, the United States and Finland. Canada was applauded for its impressive talent attraction, but a lack of domestic success in the private sector was noted as a point of weakness. Bearing that in mind, if private sector growth in the United States continues to outpace Canada, it could become increasingly difficult for Canada to retain the skilled labour it has been attracting through various programs (e.g., favourable immigration policy). While perhaps not definitive, the AI readiness rankings illustrate Canada’s relative advantage and the need for continued progress. Understanding Canada’s relative position in the global ecosystem of algorithmic technology governance can assist us in determining what sort of international influence the country may be able to exert. Moreover, it could also highlight which countries may serve as like-minded partners for the development of governance systems and policies concerning algorithmic technologies.

National Efforts in Canada

The Government of Canada has adopted digital systems into its operations and has begun establishing policies and positions to govern their use domestically. The work of the Department of Digital Government demonstrates Canada’s desire to adopt innovation in its operations and interactions across private and public spheres. A central element is Canada’s commitment to the responsible use of AI technologies. The government has developed the Algorithmic Impact Assessment tool, which is a questionnaire designed to help users assess and mitigate the risks associated with deploying an automated decision system (Government of Canada 2019). As a middle power that is active across multiple international fora, Canada could leverage its domestic experience with responsible use to play a role in shaping how these systems adapt in the evolving algorithmic age.

In 2017, Canada was the first country to release a Pan-Canadian AI Strategy. Through the \$125 million funding allocation for this strategy, Canada exhibits its commitment to build upon its existing AI ecosystem (Canadian Institute for Advanced Research n.d.). Canada continues to invest in this innovation and research through partnerships across academia and industry. Canadian researchers have made significant advancements in the field of AI. For instance, some of the most significant innovations in machine-learning research have stemmed from Canadian universities (Reflection AI n.d.). Importantly, Canada has established research clusters in multiple provinces that have positioned the country as a global leader. Canada differentiates itself from other countries with AI readiness through its openness and commitment to attracting and cultivating AI talent. Canada’s approach to attracting talent from abroad has addressed skill gaps that exist within the local labour force. As a result, Canada has developed a diverse talent pool of highly skilled workers contributing to its AI research. Despite Canada’s work in this sector, there continues to be a gap within the expanding AI ecosystem and labour retention. While Canada has been referred to as a platform country for its success in attracting workers from abroad, the United States continues to be a competitor in the AI field, which positions it as a global talent magnet. Therefore, to leverage its position as a growing leader in AI, Canada must improve its labour retention rate across the technology sector.

Opportunities and Risks

Globally, as reported by Deloitte, recent estimates predict AI spending could translate to US\$3.9 trillion in business value across the world by 2022 (Omnia AI 2019). Presently, however, the adoption of AI solutions into Canadian businesses is lagging, which limits its economic potential. It was determined that “only 16 percent of all businesses reported using AI technologies over the past year” (ibid.). Notably, that number remained unchanged from 2014 to 2018, which may indicate that Canada can improve the deployment of algorithmic technologies in its private sector. If Canada can achieve greater integration of algorithmic technologies into the value chain/business line, Canadian businesses may become more competitive globally through improved productivity, efficiency and the development of novel business operations and models fit for an algorithmic age. Furthermore, the potential benefits to be derived from algorithmic technologies and AI are not limited to economic gain. From a social perspective, the adoption of these new technologies can address different issues throughout our society. For instance, leveraging algorithmic technology could help aid in the mitigation of risks associated with the current COVID-19 crisis, such as contact tracing, and prevent or limit future crises through predictive analysis. Other examples of beneficial algorithms include blockchain for improvements to the agri-food chain toward limiting food insecurity and combatting climate change through the verification of carbon-offset projects.

There are two prominent forms of risk in the algorithmic age. First, risks arise from irresponsible use of emerging technologies. Some examples include: using invasive recommender systems to push political perspectives that undermine Canada’s liberal democratic policies; using facial recognition or biometric-based systems for intrusive citizen tracking; and built-in algorithmic biases that result in selective exclusion from government services or that may even be used for nefarious purposes. Second, social risks arise from not keeping pace with the technological investments that underpin many aspects of society. For example, many of the algorithms used in encryption protocols, such as SHA-256, may be threatened by emerging technologies such as quantum computing (National Institute of Standards and Technology 2017). Failure to continually evolve with the rapidly changing technological environment opens states, businesses, and individuals to massive structural risk.

Recommendations

1. **Canada should encourage the adoption of responsible AI principles globally through international institutions and strengthen these principles domestically.** The foundations of responsible use principles have begun to take form through their adoption in international fora, such as the G20. As a member of many international institutions, Canada should advocate for the continued adoption of responsible use policies to ensure alignment across global interactions in various democratic and economic practices. Additionally, as Canada learns from its domestic lessons regarding the governance of AI, such lessons can be transferred to the international setting.
2. **Canada should leverage Canadian research clusters and its impressive talent pool to support the Global Partnership on AI and increase collaboration with the G7, G20 and OECD.** Considering Canada’s value proposition as a beacon for talent cultivation and technological research, taking a leading role in a research-focused body is fitting. Canadian strengths and capacity to lead the Global Partnership on AI must be emphasized through diplomatic efforts within the G7. Examples of such leadership could include the leveraging of existing research clusters to serve as a “test-friendly environment” for future research and innovation conducted within the partnership. By exploiting our strengths (e.g., research clusters) to exhibit leadership in the partnership, the country can increase its influence over future policies and frameworks that will govern the algorithmic age. Such leadership will not only improve Canada’s position within the G7 — the sponsoring body of the Global Partnership on AI — but also across the OECD and G20, given the collaborative relationship that has been fostered between the bodies on this issue. With greater influence over the global conversation surrounding the algorithmic age, Canada can promote its democratic values, revitalize the rules-based international order and safeguard its economic opportunities.
3. **Canada should invest in Canadian businesses by supporting an economy-wide transition to AI- and algorithmic-based technologies while implementing targeted work programs to improve labour retention in the country.** Canada should

collaborate with relevant stakeholders to develop a program targeting small and medium enterprises to support them through a technological transition. The program should encompass policy options such as grants and tax rebates for the implementation of certain algorithmic technologies, increased access to skilled labour and consultative support concerning the transition. Relevant partners to accomplish such a program could include the Canadian Federation of Independent Business, the Canadian Chamber of Commerce, the Canadian Commercial Corporation and Export Development Canada. The adoption of algorithmic technologies and AI in the private sector will create a more prosperous economy — with competitive exports globally — and lead to a more robust and diverse talent pool, thus strengthening Canada’s position as a leader on an international scale.

4. **Canada should continue to invest in global public-private partnerships.** Canada should develop a public-private partnership committee that will promote economic development through algorithmic-based technologies by building strong ties with leading companies in the sector. By interfacing with foreign actors, the committee would provide a platform to advocate for risk mitigation and pursue partnerships that advance Canada’s values pertaining to emerging technology.

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Privacy Rights in the Digital Age: A North American Data Protection Framework

Jill Barclay, Bailey Cordrey, Gurleen Tak and Sarah Wyatt

Issue

In the digital age, as personal data becomes ever more central to private and public sector operations, the legal and normative frameworks set up by domestic and international governments to protect privacy rights have become outdated.

Background

The rapid proliferation of emerging technologies, along with advancements in data analysis, has created enormous opportunities for private and public sector organizations. Alongside these developments, an increase in predatory data practices has also occurred, due to intrusive technological systems becoming mainstream and widespread. In response to these challenges, Canadian digital privacy laws and enforcement mechanisms have not been adequately adapted to protect vulnerable populations in the digital age. Since the creation of Canada's Personal Information Protection and Electronic Documents Act (PIPEDA) 20 years ago, both technological advances and social change have altered the way personal data is collected, stored and used by industries, yet necessary changes have not been implemented. To hold data collecting enterprises accountable for violating international human rights, Canada has the opportunity to reform domestic data protection legislation and initiate the creation of a transnational data protection regime that addresses the interconnectedness of Internet infrastructure across North America.

A modern digital privacy regime can bring efficient

and adaptable approaches to the governance of online information while protecting Canadian citizens from exploitation. A North American-wide approach allows for coherent online protection of personal data while avoiding a patchwork of differing, and potentially competing, privacy regulations between provinces. The creation of such a regime also promises to create a level playing field for innovation and commerce. Global Affairs Canada (GAC) has the opportunity to lead the remediation of Canada's personal information protection through an expanded and modernized North American-wide framework.

The Right to Privacy in the Digital Age

The lives of Canadians increasingly revolve around data. From social media outlets, banks, retailers and governments, almost every industry we interact with involves the collection and analysis of granular personal information. These advancements have allowed for transgressions that include geolocation surveillance, misuse of biometric data, and many other breaches of personal security that threaten citizens' protection (Office of the Privacy Commissioner of Canada 2020). Although the right to privacy is internationally recognized, the global human rights regime was built prior to the widespread use of digital technology and therefore was not designed to protect people against the advanced surveillance and telecommunications technologies used by state and corporate actors. As former UN High Commissioner for Human Rights Navi Pillay explained in 2014, private enterprises have increasingly put themselves at risk of being complicit in human rights abuses through their

provision of personal data to states (UNHCHR 2014). Without the benefit of national legislative frameworks, oversight and enforcement checks, states have unchecked opportunities to infringe on privacy or restrict freedom of expression (ibid.). The government therefore has a role to play in safeguarding the privacy of its citizens as the centrality and profitability of their data grows and encourages the spread of hostile data practices.

The Landscape of Data Protection in North America

Canada's internet infrastructure has undergone significant developments over the past decade. The Canadian Internet Registration Association states that the number of internet exchange points (IXPs) within Canada has increased from only 2 IXPs in 2012 to 16 IXPs in 2019, with new IXPs emerging in almost every major Canadian city, including Vancouver, Calgary, Winnipeg, Montreal, Quebec City and Halifax. While this added infrastructure has significantly improved Canada's internet connectivity, IXP growth has had to accommodate both a growing Canadian population, which had the highest growth rate among the G7 countries in 2018–2019, and the increased demands of citizens' personal internet usage. This has resulted in much of Canadians' data being routed through the United States, where it is beholden to the precarious standards of the American private and public sector and therefore vulnerable to misuse. US private sector entities are bound first by a patchwork of sectoral law and state-specific regulations, while the public sector is governed by intrusive data laws such as the 2001 Patriot Act, which later became the USA Freedom Act. This approach requires novel legislation each time a new technology is introduced, creating challenges for enforcement and leaving gaps over time where privacy is vulnerable (Banisar and Davies n.d.).

In order to recapture Canada's internet traffic within its borders, the Canadian Infrastructure Registration Authority and entities within the telecommunication sector have argued for further development of IXPs. Though this could be an effective tool to safeguard the data privacy of Canadians it would require extensive investments from the federal government or private sector, as start-up costs alone for a single IXP are considerable. To avoid rerouting Internet traffic through bordering states and proximal cities such as Seattle, New York and Chicago, Canada could pursue multi-state compromise in order to effectively protect Canadian privacy rights. International

coordination on the North American scale currently exists in the form of trade agreements such as Canada-United States-Mexico Agreement. Beyond existing coordination on trade in North America, opportunities also exist regarding data privacy coordination due to the cross-border data transfers between Canada, the United States and Mexico. Having a North American framework therefore could fundamentally reshape North American cyber relations. This framework would offer opportunities for all parties involved, as data could be stored in Mexico for a fraction of the cost while creating job opportunities and economic gains for Mexico (Council on Foreign Relations 2020). The coordination and shared oversight could also promote action on privacy protection that would increase each state's capacity to monitor data within North American borders. Jim Balsillie, co-founder and retired co-CEO of BlackBerry, and chair of the Centre for International Governance Innovation, testified at the 2018 International Grand Committee hearings on Big Data, Privacy and Democracy: "Data governance is the most important public policy issue of our time. It is cross-cutting, with economic, social, and security dimensions. It requires both national policy frameworks and international coordination" (Balsillie 2019).

Last year, Innovation, Science and Economic Development Canada (ISED) released the Digital Charter, signalling the desire for change, but so far no significant improvements to Canada's digital regulatory landscape have been made (ISED 2019). Canada is well-positioned to strengthen existing legal instruments such as the Privacy Act (enacted in 1985) and PIPEDA, to bring them up to date. Privacy Commissioner Daniel Therrien has been advocating for these revisions for years, telling Parliament in 2018 that Canada's federal privacy regime is "sadly falling behind what is the norm in other countries" and gives companies wide latitude to use personal information for their own benefit. Currently, there is no comprehensive North American treaty regulating the protection of digital privacy. However, there have been international efforts such as the UN's adoption of the UN Right to Privacy in the Digital Age (UNHCR, 2018), which establishes the responsibility of member states to protect citizens online. This legal instrument provides a universal framework, which can be used as a guiding principle for a North American treaty.

Innovative Governance Solutions

In response to this global call to action, the European Union instituted the General Data Protection Regulation (GDPR) in 2018 as part of an effort to synchronize data privacy laws across member countries and affirm the online rights of EU citizens. The GDPR radically altered conventions around how data controllers and processors handle the personal information of data subjects. It limits how businesses and organizations can use individuals' data and assigns responsibilities to participants in the European data ecosystem. Under the GDPR, EU citizens have the right to request a copy of their data held by a corporate entity, withdraw their consent for further data collection, and, in some circumstances, ask that a controller or processor entirely erase all data held on the subject. Businesses and organizations are also required to appoint a "data protection officer" who is tasked with ensuring GDPR compliance and administering the entity's data protection strategy. Failure to comply with the GDPR can result in steep fines, of consequence to even the most profitable tech giants, ranging from two to four percent of their total revenue (Wolford 2020).

The GDPR is currently the world's most robust example of data protection legislation. As the first attempt at regulating data privacy at scale, it is far from perfect. However, it has set a new standard for internet privacy and initiated a long-overdue dialogue about how to ensure the rights of individuals are protected in digital spaces. Since its implementation, jurisdictions across North America have begun prospecting their own data privacy laws. California introduced the California Consumer Privacy Act of 2018, a privacy protection law based on the GDPR for citizens' personal data, which took effect in January 2020 (Petrova et al. 2019). After a series of data breaches exposed vulnerabilities in Quebec's privacy legislation, the province announced plans to update its Private Sector Act in the image of the GDPR. Should Quebec initiate these developments ahead of the federal government's data privacy modernization plans, it would further fragment the regulatory landscape in Canada. These local initiatives signal a desire for change and would be made much stronger by a cross-boundary agreement that speaks to the interconnectedness of internet infrastructure.

Next Steps: What could a data protection framework look like in North America?

Using PIPEDA as a baseline, GAC has the opportunity to initiate a North America-wide framework for data privacy that better protects citizens' privacy rights. Modernizing domestic and international privacy legislation would strengthen Canada's governance of online data while ensuring compliance of enterprises' data collection in accordance with the rights of Canadians.

To support the necessary administrative and oversight functions of a North American data protection framework, we recommend the creation of a multilateral organization made up of government, private industry and civil society representatives across North America. Achieving the domestic and interstate objectives we have outlined here will require formal coordination between a network of actors that largely operate in disparate spheres. Uniting these communities under a singular institution would create the space for open dialogue and integrative governance solutions that speak to the myriad of interests captured by a continental data privacy framework.

This institution would need to bring together state delegations to establish mutually agreeable terms and domestic actions. To meaningfully participate, governments would need to build the technological expertise and legislative capacity within their agencies to implement the objectives of the data privacy agreement. The institution would be responsible for mediating and consulting between corporate entities and special interest groups. Additionally, the institution would be obliged to supervise and act on the reports of a network of data protection officers stationed across the private and public sectors and administer fines for noncompliance. Relevant civil society groups would be requisitioned for their expertise in the creation of institutional standards, and potentially contracted to perform research, monitoring and educational functions on its behalf (ISED 2019).

Recommendations

1. **Canada should improve domestic legal instruments on surveillance and privacy.** With the Digital Charter, Canada is well-positioned to enhance its Privacy Act and PIPEDA to adopt a more cohesive, nation-wide legal instrument that addresses digital privacy. This would allow for stronger enforcement power over public and private online data storage regimes.
2. **Canada should pursue a North American data protection framework.** As IXPs used by Canadians are not entirely contained within national borders, any amendment to our current privacy and data protection regulations must take into account the internet infrastructure overlap between Canada, the United States and Mexico.
3. **Canada should create a North American data privacy organization to provide administrative support and oversight functions.** This institution will be responsible for managing the continental data protection framework, coordinating necessary technical and human resources, and ensuring compliance among involved parties. It will also convene regular meetings between government delegations, corporate actors, special interest groups and civil society representatives from Canada, the United States and Mexico.

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COVID-19 — The Unexpected Game Changer: Artificial Intelligence and the Rules-Based International Order

Mackenzie Cassels, Dimitria Interlici, Michael Pulford and Bryn Sherman Parris

Issue

Artificial intelligence (AI) is reshaping international relationships and disrupting existing international governance frameworks. Canada is uniquely positioned to leverage AI to advance the interests of the rules-based international order (RBIO) by calling for the creation of a peer review mechanism at the Organisation for Economic Co-operation and Development (OECD) to enforce the OECD Principles on Artificial Intelligence, and leveraging AI to strengthen international criminal justice prosecutions.

Background

The RBIO relies on political leaders who understand, respect and “play by the rules” of established foreign policy practices. The rise of populism, nationalism and disruptive technologies is undermining these key principles, threatening internal state affairs and the legitimacy of the international system as a whole. AI is already integrated into every facet of modern life, making it one of the most significant technologies of the digital era. However, a significant gap has emerged between the private innovation of AI and the public policy to manage it. Without adequate governance, the unregulated use of AI will certainly threaten the already fragile RBIO. The United States and China receive the vast majority of global investment for technology and are fiercely competing over its industry and military applications (Perrault et al. 2019). Russia lacks a high degree of global tech-industry integration, relying instead on the manipulative and covert applications of AI. The European Union continues to be a legislative leader following the

momentum and international acclaim of the General Data Protection Regulation (GDPR), using AI as an industry bridge between member states and as a human-centric tool supporting global governance. Smaller and medium-sized states such as Canada must recognize this balance of power, and position themselves alongside like-minded countries that share their interests and values.

Despite these limitations, Canada was among the first few countries in the world to adopt a national AI strategy in 2017. The Pan-Canadian AI Strategy provides an average of \$25 million per year between 2017 and 2022, which supports three industry super-clusters in Edmonton, Toronto and Montreal (Canadian Institute for Advanced Research 2019). This expanded Canadian jobs in AI by more than 500 percent since 2017, securing an additional half-billion USD of venture capital funding in 2018 alone. Under the Trudeau administration, Canada has met demands for greater accountability and governance through the Responsible Use of AI Mandate (2019). Equally important, however, is how Canada chooses to represent these domestic values in the international arena, in competition with foreign state and non-state actors that are considerably more powerful and better funded. By maintaining a leadership position in AI governance, Canada has the opportunity to foster key state partnerships in advancing a human rights-based AI agenda, contributing to the overall security of the RBIO, which will become even more important in a post-COVID world.

Enforcing the OECD AI Principles

AI is challenging democracy and paving the way for illiberalism, in particular in a COVID-19 context. Hungarian Prime Minister Viktor Orbán passed a law permitting him to rule by decree during COVID-19 — an extraordinary power that is likely to continue in perpetuity (Walker 2020). Orbán is just one example of how a leader is using the global pandemic to normalize extraordinary power and entrench illiberalism. With this new-found power, leaders can deepen civilian surveillance. Once a government sets a surveillance precedent, surveillance becomes the norm. Intensifying surveillance is possible even though the GDPR is in place. Governments could use biased AI surveillance to inform policy which could lead to discrimination and reinforcement of social inequality (Feldstein 2019). The pandemic highlights why governments should share policies and knowledge, and promote coordination and collaboration (Calzada 2020).

Similarly, the 2016 US presidential election highlighted the far-reaching impact of the unencumbered political use of social media. Political parties used cyberspace to affect public opinion, including the targeting of individuals and special interest groups (Anderson 2017). This, combined with the massive amounts of data collected by tech companies (such as Google and Facebook selling data to the highest bidder), raises concerns about the impact AI has on domestic politics and international relations (Bessi and Ferrara 2016). These privacy questions have become even more relevant given the COVID 19 pandemic, as the increased collection and use of personal data raise questions about what will happen to such data after the crisis. Human rights-centric governance norms and laws that include limits on how data can be used — most notably the OECD Principles, which member states adopted in May 2019 — are a good start, but they are not enough. The stakes are too high. At a minimum, resources need to be invested in order to ensure member states adhere to the principles to which they have committed themselves, which has become even more vitally important in the pandemic and eventual post-pandemic contexts.

An AI peer review mechanism could help governments share policies, knowledge, and promote coordination and collaboration. Such efforts could be achieved through an AI peer review mechanism. Specifically, Canada should initiate the creation of such a forum within the OECD system that would be responsible for ensuring compliance

of the OECD Principles. Such a mechanism would allow OECD members to experience positive peer pressure by reviewing and assessing members' records with respect to AI policies, laws and institutional frameworks at regular intervals, as in other areas of global governance (Thompson 2018). With such a peer review mechanism, governments could be held accountable for their AI policies and practices against well-established international norms and rules.

International Criminal Justice

One of the pillars of the RBIO is that no one is above the law. Yet impunity for mass abuses is one of the most pressing threats to the order. Canada has the unique opportunity to leverage AI to help combat impunity and rising illiberalism by strengthening international criminal justice. For example, there have been more than 1,400 war crimes committed in Syria since 2011, which demonstrates the pervasive gap between human rights norms and justice (Koelbl 2016). The United Nations and several non-governmental organizations sort, catalogue and preserve terabytes of technologically derived evidence in the hope that these crimes can be brought to court. In April 2020, Germany made the first step toward bringing Syrian war criminals to justice by prosecuting two generals of the Assad regime for their role in Syria's state-sanctioned torture program. To bring criminals to justice, prosecutors need documentation that is probative, relevant and reliable — and AI has the unprecedented capacity to find documentation meeting this evidentiary standard (International Bar Association 2016). Canada has already taken a leading role in international criminal justice by helping establish the International Criminal Court. Developing evidence-sorting AI would be yet another invaluable Canadian contribution to international justice and would help Canada promote the RBIO.

Next Steps

COVID-19 is highlighting the fragility of human rights and showcasing the importance of international cooperation to address today's pressing issues. Canada is in a prime position to lead efforts to harness AI for the promotion of transparency, accountability and the advancement of a cooperative, strengthened RBIO. There is no single policy that any government can make to entirely eliminate the potential negative effects of AI; however, there are a few different ways governments can address this growing issue.

Recommendations

1. **Canada should advocate that a collective increase of resources within the OECD be put toward policing data collection and use.** Increasing resources available for policing data collection and use will remedy a main issue noted in EU efforts to strengthen online privacy through the GDPR policy. Allowing for stronger enforcement of regulations regarding data collection is vital to maintaining an effective regulatory framework.
2. **Canada should lead efforts to establish a permanent AI peer review mechanism within the OECD system.** A multi-stakeholder peer review mechanism to enforce compliance with the AI principles would allow for positive peer pressure and the sharing of best practices with regard to AI. It would strengthen international cooperation and address the need for designing AI policies, decision making and institutional frameworks within the AI system with accountability and responsibility.
3. **Canada should invest in developing AI capable of sorting digitally derived evidence based on the evidentiary standard of being probative, relevant and reliable.** By developing this AI, Canada can help close the international justice gap and advance the RBIO.

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Shaping the Final Frontier: Canada and the New Space Race

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Issue

The current international legal framework for state behaviour in space was created in the 1960s. With new technologies for emerging activities such as space mining, a number of states and private companies have become involved in a “new space race.” Is the existing legal framework inadequate for addressing the new opportunities and challenges of the twenty-first century’s space race?

Background

Recent technological developments and private commercial pressures have made possible outer space endeavours that were previously impossible. Canada stands to benefit greatly from increased space exploration, which will offer opportunities for partnerships, create jobs for Canadians and cement our place as a leading spacefaring nation. However, the new space race differs vastly from the one in the midst of the Cold War, and the existing international legislation needs to be updated to address new developments. There are two major themes in contemporary space activities that should guide Canadian policy moving forward: democratization and commercialization. Both present vital benefits and challenges for Canada.

The existing international legal framework for space governance today is the 1967 Outer Space Treaty (OST). However, its shortcomings are being exposed under the changing circumstances of the twenty-first century. The most contentious issue of the OST is manifested in the ambiguity between the right of use (article I) and the

prohibition of appropriation of outer space resources (article II). Article I states that the exploration of outer space should be “carried out for the benefit and in the interests of all countries, irrespective of their economic or scientific development, and shall be the province of all mankind.” This ensures that space exploration is a freedom given to all states, but the notion that space exploration should be “carried out for the benefit and in the interests of all countries” is ambiguous. How, and to what extent, wealth and scientific discoveries gained from space exploration are to be shared between states is unclear (Jakhu, Pelton and Nyampong 2016).

Article II states that celestial bodies are “not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by other means.” The phrase “province of mankind” in article I, in conjunction with the prohibition on appropriation, obscures what constitutes permissible activities in space. In the instance of space mining, for example, can a state own the extracted resource from a celestial body, but not the celestial body itself? Does the provision on the use of space for the benefit of all countries allude to space as a common heritage of humankind? The OST is unclear on these questions, which has allowed for states to interpret them to their benefit. There is a dire need for clearer rules in order to decrease uncertainty for investors in the space sector, minimize conflict and facilitate the sharing of benefits from space activities with all humankind. It is crucial for Canada to take anticipatory action, or else Canada runs the risk of being reactive to the regulatory development of private companies and states with divergent interests in space.

Democratization

One of the distinguishing features of the new space race is democratization. Rather than being a sector of interest only to superpowers, as during the space race in the 1960s, several states are getting involved. Democratization refers to the increasing number of states being active and having a vested interest in space-related activities (Masson-Zwaan 2019; Pekkanen 2019). More space programs and agencies aiming to send astronauts into space are developing in countries such as Nigeria (initiated in 2001), the United Arab Emirates (2014), Turkey (2018), and Australia (2018). Other countries, such as Israel, are leveraging their technological expertise to develop new infrastructure and technologies in space, such as micro-satellites and innovative launch programs (Chavez and Liebermann 2019). Furthermore, to the dismay of the international community, countries such as Luxembourg and the United States are staking out regulatory niches and unilaterally implementing legislation granting ownership of space resources (Daemrich 2020).

The benefits of space democratization are many. First, as alluded to in Canada's 2014 Space Policy Framework, the increasing number of active states provides opportunities for partnerships. These partnerships are helpful for the pooling of data and obtaining otherwise unavailable services. This can aid in the development of the space sector as a whole, which, in turn, provides socio-economic benefits for the involved states, as already seen in Canada (Euroconsult 2015). Second, it allows for higher degrees of specialization in the creation and innovation of space technology, as well as in their underlying production networks. Such specialization facilitates a rapid development of the space industry. This makes it possible for more states to benefit from the development of the space sector and increase wellbeing across the globe.

Commercialization

The new race to space is being championed by private corporations and countries eager to capture emerging economic opportunities. The benefits of such endeavours offer great incentives for Canada to pursue further exploration in space. Canada's space sector currently contributes more than \$5 billion to its GDP and directly employs approximately 10,000 Canadians with high-paying, high-quality jobs (ibid.). Meanwhile, the global space economy is conservatively projected to triple in

size by 2040 to US\$1.1 trillion (Canadian Space Agency 2014). Further benefits of the commercialization of space include: rapid technological advancement, such as cutting-edge communications satellites or advanced robotic systems; the collection of much-needed resources, such as water and precious metals found in asteroids; a shared burden between governments and private industry to provide financing for future space adventurism; and the potential to inspire international cooperation and partnerships (Canadian Space Agency 2019).

Advancements in space are developing quickly, with optimistic projections of a sustained human presence on the moon by and the arrival of asteroid mining projects coming before 2030 (Government Accountability Office 2019; Wall 2020). Canada, with its well-established space program, is in a uniquely advantageous position to capitalize on this burgeoning space industry. However, it will need a progressive and inclusive strategy shared by all government sectors in order to stay ahead of would-be competitors, such as the United States, corporate agendas, and private industries, like SpaceX. An example of this trend can be seen when examining Canada's robotic commitments to the Lunar Gateway Project. As Michael Byers and Aaron Boley (2020) argue, the lack of a proper governance structure before the completion of this new station leaves Canada vulnerable to the demands of the US government.

Challenges

While the commercialization and democratization of outer space activities may prove beneficial for Canada in many key areas, the new state and private actors also generate new challenges that need to be accounted for in any new policy initiative.

First, there are challenges related to the developments of the space sector as a whole. At this stage, Canada needs to consider issues of safety when it comes to the equipment, infrastructure and techniques used in the harsh environment of space. Endeavouring to ensure the safety of space activities thus relies on oversight and information sharing without infringing on intellectual property rights (as in the spirit of the OST). Furthermore, about 95 percent of privately developed space technologies have a dual usage for both commercial and military purposes (Pekkanen 2019). Therefore, additional oversight and guidelines are needed to ensure the peaceful use of outer space.

Second, a more operational issue is the increase in the number of actors and space technologies may lead to congestion in outer space and in the Earth–moon orbits. It has already been observed that the number of satellites in orbit are creating difficulties for the use of space. For instance, NASA is increasingly worried about orbital debris as SpaceX and other companies vow to launch thousands of satellites into space (Grush 2018). NASA argues that to mitigate catastrophic damages there is a great need to build the capabilities to decommission up to 99 percent of these satellites as soon as they have completed their space time (Liou et al. 2018). In order to keep the congestion on adequate and safe levels, there is a need for a more sophisticated traffic control system and a formalized dispute resolution mechanism for cases where damages do occur.

Third, the most contentious issue relates to the diverse state and corporate interests relating to articles I and II of the OST, that is, the right of use and prohibition of exploitation. Fragmentation on this issue can already be seen, and as the prospect of space mining develops, the pressure for clarity on this matter increases. As previously mentioned, the United States and Luxembourg are unilaterally introducing domestic legislation allowing for ownership of the resources extracted in space (Gradoni 2018; Luxembourg Space Agency 2019; US Congress 2015; The White House 2020). If sole ownership is granted to the spacefaring actors, there are risks that social and economic divides between those with and without capabilities for space exploration will be exacerbated.

Many actors are calling for similar types of equitable sharing of extracted resources as ensured under the Moon Agreement or the United Nations Convention on the Law of the Sea, which include provisions that make celestial bodies and the deep seabed legal global commons. The advocates of a more laissez-faire approach to space mining, however, argue that any notion of a global commons in space is unwarranted. They assert that it will stifle the pace of technological development we see today as it removes incentives to pursue such activities (Landry 2013). This approach is indeed extreme since, although the dominant interpretation of the OST is that appropriation is forbidden, rapid developments are occurring regardless (Jakhu and Pelton 2017). New international legislation therefore needs to be cognizant of enabling actors to continue the development of the space sector while also ensuring that the principles of equitable sharing in the OST are upheld.

Fragmentation and diverging state interests are making global collective approaches increasingly difficult, which creates a need for diplomacy and partnerships to be rapidly employed (Israel 2019). Canada can play a major role in overcoming these challenges if it advocates for stronger international legislation and progressive domestic policy. This would facilitate economic advancement in outer space in conjunction with Canadian values of equality and peaceful cooperation. Canada can lead the charge in clarifying and building upon the OST to ensure that the framework suits the challenges of the twenty-first century space race.

Policy Recommendations

- 1. Canada needs to increase its involvement in the UN Committee on the Peaceful Uses of Outer Space (COPUOS).** Canada has yet to provide its perspective on key issues at these meetings. Canada should use COPUOS to promote equitable access of space activities from the various state and private actors, in order to uphold the foundations of the OST. The Canadian foreign affairs agenda should *increase its prioritization of space to promote economic and social development*. Strengthening Canada's participation will likely: offer opportunities for economic growth; reinforce Canada's legal commitments to the principles outlined in the OST; and continue to build partnerships toward an inclusive international environment, which will prevent fragmentation of space law globally. This should be in accordance with fundamental principles of OST, including the promotion of equal opportunity of space exploration and the prevention of militarization.
- 2. Canada should establish unbiased international committees that will promote inclusivity by upholding the fundamental pillars outlined in the OST.** Formulating a dispute and resolution committee would contribute to mitigating issues involving intellectual property rights, damage disputes, legal interpretations and prevention of malicious militarization. Without a separate dispute and resolution mechanism, COPUOS lacks the authority and standard procedures to mediate conflict between actors in space.

3. **Canada should sustain multilateral cooperation with like-minded states to collaborate on legislation and standards for space activities.** Developing an international institution to address, implement and enforce legislation of space activities will lead to a decrease of uncertainties, minimize conflict and ensure the benefit for all humankind. Lessons can be learned from the provisions on equitable sharing as it relates to deep seabed mining stipulated in the UN Convention on the Law of the Sea.

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