

## GUERRE EN UKRAINE

### UN RÔLE POUR LE CANADA DANS LA GOUVERNANCE MONDIALE

HENRI-PAUL NORMANDIN ET SEPT AUTRES SIGNATAIRES\*

La Presse, 26 Mars, 2022

Découlant de toute évidence de la seule volonté du président autocratique de la Russie, Vladimir Poutine, la guerre contre l'Ukraine constitue une attaque envers le système international fondé sur des règles et le droit international.

Elle viole la norme fondatrice de l'Organisation des Nations unies (ONU), à savoir l'interdiction de recourir à la force à l'encontre de l'intégrité territoriale et de l'indépendance politique d'un État souverain. Elle est également une violation flagrante du droit humanitaire et des règles régissant les conflits armés, tout particulièrement eu égard au bombardement des civils.

Qui plus est, elle constitue la première menace directe de guerre nucléaire depuis la crise de Cuba.

Face à notre incapacité, à ce jour, à faire respecter les règles de base du système international dans ce conflit, certains constatent l'obsolescence de ce système et ont tendance à baisser les bras. Au contraire, nous croyons que cette catastrophe aux conséquences humaines dramatiques pour le peuple ukrainien et pour l'ensemble de la planète fait ressortir on ne peut plus clairement le besoin d'un système international ancré dans les règles et les institutions.

Malgré le pessimisme ambiant bien compréhensible, retrouvons-nous plutôt les manches et passons à l'action.

Le conflit ukrainien que le président Volodymyr Zelensky n'hésite pas à qualifier de Troisième Guerre mondiale témoigne éloquemment des vives tensions entre autocraties et démocraties. L'ordre mondial change, il faut en prendre acte et s'adapter. Cependant, même dans ce nouvel ordre en évolution, nous avons besoin de normes et de règles pour régir les relations entre États afin de nous donner une meilleure chance de préserver la paix, protéger les civils, rehausser le respect des droits de la personne et assurer une meilleure fondation pour le développement économique, la réduction de la pauvreté et la protection de l'environnement.

#### LA RUSSIE ENFREINT LES RÈGLES

On pourra rétorquer « à quoi bon » puisque les règles ne sont pas respectées. Or, dans la majorité des situations, les règles sont respectées. Si la Russie fait l'objet d'un opprobre général et d'une batterie de sanctions, c'est justement parce qu'elle a enfreint les règles.

Il est dans l'intérêt de la très grande majorité des pays, y compris les grandes puissances, de pouvoir bénéficier d'un système international fondé sur les règles. Profitons du fait que 141 pays sur 193 ont condamné l'agression russe à l'Assemblée générale de l'ONU, et ont réaffirmé haut et fort les principes fondamentaux de gouvernance internationale.

Il va de soi qu'un système fondé sur des règles est dans l'intérêt d'une puissance moyenne comme le Canada.

Le Canada a été un grand contributeur à l'établissement des règles et institutions du système international. De l'élaboration du droit de la mer à la Convention d'Ottawa sur l'interdiction des mines antipersonnel à la création de la Cour pénale internationale, sans oublier la création des Casques bleus, la responsabilité de protéger et la problématique des enfants soldats, le Canada a une feuille de route fort enviable.

Il y a ici une occasion pour le Canada de rehausser son niveau de jeu d'un cran et d'assumer un leadership accru afin de revivifier un système international fondé sur les règles, de le bonifier à la lumière des nouveaux défis, et de renforcer les institutions afférentes. Cela suppose également un système où prime le respect de la règle de droit et des normes, et où la communauté internationale a les moyens de contraindre et sanctionner les États et les individus pour non-respect de celles-ci.

#### CONTRIBUER À UNE MEILLEURE GOUVERNANCE MONDIALE

Il serait prématuré de prescrire ici une feuille de route détaillée. Il y a d'abord lieu de mener une réflexion approfondie avec d'autres États et la société civile afin d'identifier les chantiers prioritaires et de stimuler une mobilisation. De même, il faut mettre à contribution nos leaders politiques et nos diplomates, notamment à New York et à Genève. Et enfin, il s'agit de faire preuve d'audace, d'innovation et d'une action soutenue sur plusieurs années.

Utopique ? Non. Évidemment, les intérêts divergents et le jeu des grandes puissances constitueront un défi, notamment eu égard à toute réforme du Conseil de sécurité de l'ONU. Il faudra d'ailleurs composer avec le fait que le monde occidental n'est plus seul à faire des règles. Le système de règles et les institutions que nous construirons seront toujours imparfaits. Toutefois, si nous pouvons faire des avancées pertinentes sur plusieurs fronts, et contribuer ainsi à une meilleure gouvernance mondiale, ce sera déjà œuvre utile.

Ce que nous savons, d'expérience, c'est qu'avec un leadership politique inspiré et l'engagement de l'appareil diplomatique, le Canada est capable de mettre de l'avant des idées, de travailler avec de nombreux États et partenaires, de mobiliser, et de favoriser des consensus suffisants pour faire avancer les choses et offrir au monde une meilleure chance. Par définition, il s'agira d'une œuvre collective. Mais pour faire avancer la collectivité, il faut que des leaders se lèvent.

Le Canada s'est affirmé dans la crise en Ukraine, entre autres en saisissant la Cour pénale internationale de la situation. Il pourrait également contribuer à la mise sur pied d'un tribunal international spécial pour les crimes de guerre commis par la Russie et proposer des actions innovantes eu égard à l'utilisation des avoirs russes gelés par les sanctions comme réparation pour l'Ukraine.

Au-delà de la crise sous nos yeux, le Canada se doit de développer une politique étrangère d'ensemble, stratégique, cohérente et ambitieuse. Outre la défense de la démocratie, la promotion active d'un système international fondé sur les règles pourrait offrir un fil

conducteur structurant à la politique étrangère canadienne et asseoir un leadership susceptible d'impact dans un monde qui en a bien besoin.

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## Juno Beach Centre is under attack

Robert Hage.

March 15, 2022

On June 6, 1986, as a counsellor in the Canadian Embassy in Paris, I accompanied our military attaché to the annual D-Day commemoration at the Canadian War Cemetery at Bény-sur-Mer on the Normandy coast. Afterward, I walked along the beach, Juno Beach, where Canadian soldiers landed in 1944. To the left and right over a distance of 80 kilometres were Omaha, Utah, Gold, and Sword Beaches where the Americans and British came ashore.

While there were museums and monuments to commemorate these latter landings, all I could find on Juno Beach was a bent sign reading: "The Queen's Own Rifles of Canada landed here." There was, however, a Cross of Lorraine to mark the site where General Charles de Gaulle, leader of the free French, landed on June 14, 1944. That beach, at Courseulles-sur-Mer, was made safe by Canadian soldiers.

In his book *The Fight for History*, Canadian War Museum historian Tim Cook documents the way Canadians have remembered, forgotten, and remade the Second World War. He tells how a D-Day veteran, Garth Webb, who was present at the 50<sup>th</sup> anniversary of the Juno Beach landings, realized there wasn't much present for his children and grandchildren to tell the next generation the story of the Canadian forces. In Cook's words, Webb then "set out to build a museum to the Canadians in Normandy" on the beach at Courseulles-sur-Mer.

Webb contributed his own savings to the cause and started a fundraising campaign. Sadly, the Canadian government did not contribute, but Walmart, which was just opening its stores in Canada, came to the rescue. It put containers in its stores urging customers to donate to the cause.

This, plus contributions from the French regional governments — and, finally, the Canadian government — were enough to design and complete what became known as the Juno Beach Centre. It opened on June 6, 2003, with

then-prime minister Jean Chrétien in attendance, and an audience of 4,000 that included 1,000 veterans.

The Normandy Tourism Office describes the Centre as the only museum funded by veterans and their charities along the “D-Day coast.” It describes the Centre as “particularly family-friendly,” with “young tour guides to tell you the story.” This likely explains the thousands of students who visit, not only from France, but from throughout Europe.

Under the heading “The Land for their Forebearers,” the Tourism Office recounts that the ancestors of the Canadian francophone soldiers were descended from the Normans who’d settled in the New World in the 17th century. “Je me souviens” (I remember) is the motto of Quebec. Indeed, such men had not forgotten.”

While it’s hard to imagine, the memorial and museum built to commemorate Canada’s D-Day landing has just described itself as “under threat.” At a time when the Juno Beach Centre was looking forward to overcoming the losses from its pandemic closures and enlarging its museum, it’s faced with legal challenges from a French property developer, Foncim, that involve access to the Centre’s property. The developer has been given planning permission to erect a 70-unit condominium development on Juno Beach.

The Centre can only be reached by its private road, “la Voie des Français Libres,” the Free French Way. Given the geography of the site, including the curving Seullès River, the only access Foncim and the future condo owners have to the development, including its construction, is on the Centre’s narrow road. A recent legal decision has determined that Foncim has a right to use the road, now and in the future, since there’s no other access.

On its website, the Centre calculates there will be in excess of 850 vehicles using the road during the two-year construction period, which will impede access to the Centre. This, along with the loss of income from visitors during the pandemic, “will lead to the decline and possibly the eventual closure of the Juno Beach Centre.”

The time has come for the federal government to take a stand and pay tribute to those 14,000 Canadian soldiers who landed, and to the 359 who died on Juno Beach. We don’t need a condo development on a battleground, but a tangible reminder to following generations of our soldiers’ sacrifice and ultimate victory. The government must ask France at the highest levels to ensure there’s only one place “la Voie des Français Libres” is going, and that is to the Juno Beach Centre. De Gaulle would be pleased.

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## Countering Russian bombing, artillery, and missile attacks should top NATO's agenda

Gar Pardy

Hill Times, March 28, 2022

*The message from allied nations to Russia so far is it can continue to attack anywhere and anything—including hospitals and schools—knowing Ukrainian forces will be the only opposition.*

In the 75 years since the Second World War ended there has not been a war quite like the Russian invasion of Ukraine. The war itself stands as a unique moment for today's world. An experienced Russian military force of close to 200,000 personnel invades a small country on three sides and is held to a virtual standoff by a largely ad hoc Ukrainian semi-citizen force.

Amazingly, it is happening within the full view of the world. And even more amazing it is within the purview of the largest and arguable, the most successful and long-lasting military alliance – NATO - in the history of the world. Yet the war continues with death, destruction and millions of refugees and displaced persons.

Amazing, as well, has been the rapid and effective mobilization of the Ukrainian people based on the mottos and shibboleths that emerged in the aftermath of 1945 and have become rote for many. They are embedded in the Charter of the United Nations and while abused, avoided and abjured, still provide the foundation for a better future for all. It does not matter whether or not this is called “democracy” or “freedom” or “western values” they continue to reflect the hopes of millions.

Even more amazing have been the nearly four weeks of visits and discussions that have consumed our energies but have provided cover for our inability to provide effective military support for the Ukrainians.

Culminating in these meetings were the three summits on March 24 in Brussels. Then heads of governments of the G-7, the European Union and NATO met and confirmed existing policy. The meetings included representatives from the 30 NATO members as well as Japan, Finland and Sweden.

In the NATO Communique there was “support for the independence, sovereignty and territorial integrity of Ukraine” but nothing new by way of direct military assistance nor aircraft nor tanks nor armed personnel carriers as requested by the Ukrainian President in his speech to the meeting.

In practical terms, the 33 countries were intimidated by Putin in accepting as the most important issues was not take any action that could trigger a wider war in Europe and to maintain NATO coherence and unity. Putin was reassured he would not be constrained or countered by NATO forces in his war in Ukraine. As the war so far indicates, Russia can continue to attack anywhere and anything, including hospitals, schools and places of civilian security knowing that the only opposition is that offered by Ukrainian forces.

A look at the record so far.

The NATO Secretary General Jens Stoltenberg announced that the European security environment had entirely changed and NATO will change too. We have already activated our defense plans to shield the Alliance, the Secretary General stated. He went on to say “There are now hundreds of thousands of forces at heightened alert across the alliance, 100,000 US troops in Europe and around 40,000 troops under direct NATO command . . . backed by major air and naval power, as well as air defenses.”

The UN International Court of Justice, in what was probably the fastest decision since its formation in 1945, on March 16 ordered Russia to end its war in Ukraine immediately. In doing so the court stated there was no genocide against Russians living in Ukraine. Unsurprisingly, two of the 15 judges on the court, a Russian and Chinese, dissented in the decision.

In the past few days, the President of the United States spoke to the President of China and warned against possible military assistance from Beijing for Russia. The President of China in his public response spoke of the need for the two countries to use their offices to bring the war to an end. Even the President of China is now seeing the conflict as a war.

Meanwhile, the Prime Minister of Hungary, Victor Orban, and a member of NATO was reported saying, Hungary “cannot get between the Ukrainian anvil and the Russian hammer” and would not send weapons nor troops to the fight. Hungarian state-controlled media repeated Russian assertions on the legitimacy of its “special military operation” in Ukraine. Mr Orban is facing a united opposition in the looming April 3 elections which, undoubtedly, he will try and delay because of Hungary’s closeness to the Ukrainian anvil.

In the midst of Mr Orban’s fantasy offerings, three leaders of neighbouring countries decided to provide a public manifestation of support for Ukraine. The Prime Ministers of the Czech Republic, Poland and Slovenia bordered a train and travelled direct to Kyiv and met with Ukraine’s President Volodymyr Zelensky and his Prime Minister Denys Shmyhal.

The Prime Minister of Poland in announcing the trip stated “In such critical times for the world it is our duty to be where history is forged. Because it’s not about us, but about the future of our children who deserve to live in a world free from tyranny.”

The President of France who is now electioneering for his second five-year term called President Putin last week in order to convince him the war had to stop. Unlike two years ago when President Macron stated that NATO was “brain dead,” Macron now believes the invasion has delivered “an electric shock” to NATO and provides “strategic clarity.”

In the meantime, the only French aircraft carrier along with associated naval and air assets has been deployed to the eastern Mediterranean in support of NATO in the region. Appropriately, the carrier is named *Charles de Gaulle*.

There are reports of American naval vessels in the Black Sea along with appropriate AWACS support providing real time intelligence on the war in nearby Ukraine. So far there have been no confrontations with the numerous Russian ships in the area. But four American soldiers were killed in an air accident in Norway which “had nothing to do with the war in Ukraine” and four American B-52s from the UK were reported to be patrolling over the Baltic states.

The Prime Minister of the United Kingdom, Boris Johnson has been loud in his support for NATO in the current conflict. In some measure, this is seen as an attempt to escape from his role as the party goer-in-chief when the country was in a public health lockdown or to lessen his role in the exit of Britain from the European Community. He did travel to the Middle East to see if he could promote the more production of oil replace lessening supplies from Russia.

And throughout these surrounding peregrinations and representations, the President of Russia decided the Russian people were not living up to his dreams for the new Russia. He told his cabinet a few days ago he was “convinced that a natural and necessary self-purification of society will strengthen our country.”

Putin went on to denigrate those who followed the ideas of from the west as the “Russian people are able to distinguish between true patriots and scum and traitors.” He then fired two senior military commanders for their failure in not delivering Ukraine back to mother Russia and his spokesman stated that the “self-purification” of the Russian people was well under way as many others are “disappearing” by leaving Russia or resigning from their jobs. In the meantime, the Americans reported that some 7,000 Russian soldiers have died in Ukraine for the new Russia.

To add to the surreal nature of this war there have been nearly daily discussions between the Ukrainians and the Russians largely fostered by the ICRC in an effort to provide for limited ceasefires allowing for the safe exit of civilians from the war zones.

In Ottawa, the government, daily announces the scope and intensity of Canadians support for Ukraine. The support is so open-ended that the government has seen fit to emphasize that its northern sovereignty was in need of greater protection. A decade or so ago another prime minister saw fit to remind Canadians, Santa was in danger of losing his citizenship. For several summers the prime minister donned military garp and sailed the north in a zodiac. This is Canadian defense policy?

On March 19 the Institute for the Study of War (ISW), an American organization, wrote: (a) the initial Russian campaign has failed; (b) the war will likely descend into a phase of bloody stalemate that could last for weeks or months; (c) Russia will continue to bombard civilians in order to break Ukrainians' will to fight.

In the meantime, and back to the war, the President of Ukraine, also on March 19, called for a meeting with Putin to deal with the damage done with the invasion. "This is the time to meet, to talk, time for renewing territorial integrity and fairness for Ukraine," the President wrote. Zelensky went on to write "I want to be heard by everyone, especially in Moscow" and with the ultimate riposte and a dose of audacity, he wrote "Otherwise, Russia's losses will be such, that several generations will not recover."

President Zelensky message to the Russians should be the text for NATO's governments. There is now an urgent need a reiteration of the collective will of NATO to see the war end. This did not happen in the meeting on March 24. NATO leaders must create a higher degree of ambiguity and action on just how far militarily they are prepared to go in supporting Ukraine. The countering of Russian bombing, artillery and missile attacks should be at the top of NATO's agenda.

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## Canada should back Ukraine no-fly zone request

Gar Parady

Hill Times, March 16, 2022

It is now time for NATO to change its approach and offer Ukraine direct military assistance in countering the Russian invasion.

A number of assertions, if not conclusions, have emerged after three weeks of war in Ukraine, including the action of the countries directly and indirectly involved. These include:

- The performance of the Russian military has been less than expected or forecasted.
- The political unity of the Ukrainian leadership and people along with the performance of its military forces has been greater than anticipated.

- The political and military unity of NATO, the European Union and allied countries has become greater and more effective in the aftermath of the Russian invasion.
- Significant western military equipment and economic assistance to Ukraine has played a significant factor in its ongoing and successful efforts so far to delay and limit Russian political and military control of the country.
- Political and economic sanctions imposed against Russia and Belarus will take considerably more time to influence Russian policy.
- Russian action has garnered exceptional world-wide condemnation including a large vote within the General Assembly recognizing that the invasion is contrary to the charter of the United Nations and its very reason for existence.
- Russian action was prompted by its earlier successes in Chechnya, Georgia and the Donbas and Crimea regions of Ukraine as well as its support for the government of Syria in its ongoing civil war.

In the meantime, the war continues generating widespread deaths and destruction and millions of refugees needing assistance by neighbouring countries. There are no signs Russian determination for military domination of the country and regime change in Kyiv has been affected by the actions of NATO and associated countries.

The inevitability of Russian success in Ukraine is now well underway and existing policy by NATO will not change its military slow grind throughout the country. In these circumstances, it is now time for NATO to change its approach and offer Ukraine direct military assistance in countering the Russian invasion.

At the very top of the agenda for direct military assistance by NATO is agreement to the request by the government of Ukraine for a “no-fly zone” for Russian aircraft throughout its country.

There are many reasons against such action being taken by NATO and these are not without significance. The key is the concern such action would enlarge the war to one where NATO forces would directly engage the forces of Russia.

However, the prospects are increasingly certain without direct military action by NATO, Russian forces will be at the borders of several more member countries. In these circumstances and given the increasing likelihood the war in Ukraine will become one of a “forever” insurgency, NATO and its members will be engaged in an ongoing nasty war of attrition for years to come.

The Russian adventurism in Ukraine will not end there. It is not alarmism to suggest there are other locations, including the three Baltic states along with Finland, would be subject to increasing Russian pressure to adapt and adjust to its specific demands.

Increasingly, more Russian forces on the borders of Poland, Hungary, Romania and Slovakia will carry large dangers that would be attenuated by direct military support for Ukraine.

There are good reasons for such action now. The Ukraine has formally requested such support from NATO and has on several occasions reiterated its expectation for full membership. NATO could declare the Russian invasion and the Ukrainian requests as establishing a de facto membership and engaging the interest of all its members.

The declaration of a “no-fly zone” over Ukraine and a willingness to provide for its enforcement is not a perfect answer. But there are few such answers left, other than full war, and a declaration now would re-enforce the willingness of Ukrainians to fight. Equally it would create some measure of caution and possibly, alarm, in Moscow that this is no longer 2008 and 2014 when its actions in Georgia and the Donbas largely went uncontested. The political and economic sanctions against Russia so far have been unique but in a gunfight they do not provide the needed protection.

American action to counter the Soviet efforts to have nuclear missiles removed from Cuba in 1963 and the united efforts by a broad coalition of countries to deal with the invasion of Kuwait by Iraq still stand as unique monuments for the enforcement of post-World War Two political arrangements. In both cases the threat and actual military countering action created the necessary reversals of policy for foreign adventures.

Central to our common futures is the territorial integrity of all countries and the Russian invasion of Ukraine is an exceptional attack on those arrangements.

Canada should initiate changes in NATO policy by publicly supporting the “no-fly zone” request by NATO by Ukraine. A resolution by the House of Commons would be an appropriate vehicle for doing so.

When the Ukrainian president quoted the most famous of all English writers to the British parliament a few days ago, he was speaking for all of us. “To be” is a motto for all of us, he said, as “not to be” is completely contrary to the world we want. Sometimes, we need more dramatic steps thorough “actors” who represent us on the world stage to combat a nasty, ugly invasion.

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Are we to let Vladimir the Terrible intimidate and dominate Europe and the democracies of the wider world with his threats?

Paul Heinbecker

Ottawa Citizen, March 9, 2022

The Russian government is a bullying power, insisting on the letter of the law when that

suits its purposes and ignoring the law when it does not, litigious sometimes in its defence of the UN Charter, contemptuous and destructive of it at others.

Moscow intimidated NATO into excluding Ukraine from its ranks and, in flagrant violation of international law, brutally attacked Ukraine when NATO left that country to its own devices. Putin correctly judged that the West's oft-repeated aversion to putting boots on the ground practically guaranteed him a free hand. Article 5 of the NATO Treaty — an attack on one is an attack on all — is reserved for club members only, and even then might not always be reliable.

The effectiveness and the valour of the Ukrainian response to Putin's aggression surprised NATO leaders, but also apparently surprised some who might have preferred Ukraine to go quietly.

But the Ukrainians said they would stand and fight, and, contrary to many expectations, they are doing so — magnificently. NATO members who had been preparing to sacrifice Ukraine and its democracy to the complexities of history and the power of Russian arms found themselves following the Ukrainians' lead. Instead of salving their consciences with token contributions — e.g., Kevlar jackets and helmets — NATO members, Canada included, are rushing to provide lethal weapons as the Ukrainians put up the fight of their lives, literally. Enduring the ultimate in human costs, the Ukrainians are defending both their homeland and their democracy.

But the odds against their succeeding are still long. Ukraine and Ukrainian democracy are in the deepest jeopardy, and the West's help risks being too little and too late.

NATO members have put most of their effort into economic sanctions, which have proved extraordinarily successful in damaging the Russian economy and putting the holdings of Putin's oligarch collaborators at risk. Deputy Prime Minister Chrystia Freeland has played a leading role.

Ultimately, Russia will pay an enormous financial price. But treasure is one thing and

blood is another. Sanctions don't stop tanks. The Ukrainians cannot prevail without serious military help now. To quote the heroic President Volodymyr Zelenskyy when offered a rescue by the Americans, "I need ammunition, not a ride." But NATO has declined

Zelenskyy's invitation to impose a no-fly zone over Ukraine, an invitation he is legally entitled to make and NATO is legally entitled to accept, was explicitly declined, with no room for ambiguity that might have given Putin pause. Zelenskyy characterized NATO's

decision as "weak" and a "green light for further bombing of Ukrainian cities and villages." In vowing no planes in the air just as it had earlier pledged no boots on the ground, NATO is playing poker with all its cards face-up on the table.

There are precedents for a no-fly zone. NATO jets were sent into action successfully in Kuwait in and in the Balkans in the 1990s, and in Libya in 2011 to avert slaughters of the innocents and restore borders changed by force. Nonetheless, Russia is not Iraq or Serbia or Syria. It is a heavily armed military power with nuclear weapons, led by a barbarian who apparently sees himself belonging in the Russian imperial pantheon of brutal authoritarian leaders. And Putin does not shrink from threatening recourse to Russia's nuclear arsenal.

Still, are we to let Vlad the Terrible intimidate and dominate Europe and the democracies of the wider world with his threats? How much conquest will be enough for him? Will we let the rules-based international system under which we have lived mostly at peace since the Second World War become a casualty of his ambitions and fantasies? Are we on the slope to a might-is-right world, where power not principle determines nations' choices?

In Russia there is just one, unpredictable decision-maker. In NATO, there are 30.

Because NATO decisions are made by consensus, Putin can be confident that NATO's

30 members will never agree unanimously to initiate a nuclear war against Russia. But he cannot be sure that NATO's nuclear powers will not retaliate in kind if he starts one. That is a powerful disincentive for Putin and the people around him to employ his nuclear forces, powerful enough for the democracies to face down Putin's threats aggressively and give the plucky Ukrainians real help. NATO can transfer Russian-made Polish aircraft to Ukraine, whose pilots are appropriately trained to use them. It can also provide advanced ground-to-air missile systems. It should do so urgently

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Paul Heinbecker  
Globe and Mail  
March

NATO has cards to play against Russia — like sending Ukraine those Polish aircraft

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The Russian government is a bullying power, insisting on the letter of the law when that suits its purposes and ignoring the law when it does not, litigious sometimes in its defence of the UN Charter, contemptuous and destructive of it at others. Moscow intimidated NATO into excluding Ukraine from its ranks and, in flagrant violation of international law, brutally attacked Ukraine when NATO left that country to its own devices. Putin correctly judged that the West's oft-repeated aversion to putting boots on the ground practically guaranteed him a free hand. Article 5 of the NATO Treaty — an attack on one is an attack on all — is reserved for club members only, and even then is not always reliable.

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MON CHER VLADIMIR

Ferry de Kharckhove

La Presse, 4 mars 2022

Mon cher Vladimir, j'ai un gros problème... que tu commences à régler : à qui ressembles-tu le plus ? Hitler, Staline, Yvan le Terrible ?

Ce dernier ne fait pas le poids ; d'ailleurs le nom Grozny veut dire « redoutable » plus que terrible et puis cela rappelle la capitale de la Tchétchénie dont la démolition est autant le produit initial de Eltsine que le parachèvement de Poutine. En plus, crever l'œil de son architecte pour qu'il ne reproduise pas la merveilleuse cathédrale de l'Intercession ailleurs n'est qu'une preuve – douloureuse – de l'estime que le Tsar lui vouait... autre temps, autre mœurs !

Staline comme compétiteur, c'est assez costaud, incontestablement. Sous sa gouverne, on parle de 20 millions de morts, tous critères confondus, civils et militaires, 10 millions dans l'horreur des purges et 10 millions dans l'honneur vénéré d'une guerre brutale et inhumaine. Les crimes commis ont été révélés par Nikita Khrouchtchev dont la grande famine d'Ukraine, « Holodomor », harmonieux mélange de famine et de meurtre imposé par le dictateur parce que les Ukrainiens refusaient la collectivisation..

Ces Ukrainiens sont insupportables, ils le prouvent encore aujourd'hui. Ils résistent comme le village gaulois d'Astérix et Obélix et ils n'ont pas la potion magique de Panoramix. Le résultat : 4 millions de morts, 15 % de la population... Mais le monde a pardonné à Staline parce que, sans lui, la Seconde Guerre mondiale aurait duré passablement plus longtemps. C'est ce que le président français, Emmanuel Macron, a rappelé quand il a évoqué l'effort de guerre commun pour mettre fin à la folie hitlérienne et appelé le peuple russe à se rappeler des valeurs communes que leur président bafoue.

Mais Poutine, c'est autre chose parce que nous sommes à une époque différente et transparente qui, étonnamment, loin de renforcer la vérité des propos, facilite la construction de réalités alternatives et conduit à un renforcement des modalités de contrôle des messages. Le médium est le message, disait le célèbre penseur de chez nous, Marshall McLuhan... mais ce n'est plus tout-à-fait vrai. Les supports des messages se sont démultipliés et le mensonge ou la désinformation l'emporte sur la vérité trois fois sur quatre, semble-t-il.

**Et Poutine, comme Hitler, joue le rôle de l'attaqué pour se transformer en attaquant. Parler de dénazification à un président juif qu'il exècre parce que non seulement il est le successeur de la révolution du Maidan, mais qu'il a été élu par plus de 70 % des voix.**

C'est un résultat presque identique à celui que Poutine a obtenu en 2018 avec 77 %. Si les présidents démocratiquement élus commencent à obtenir des scores de dictateurs, cela devient dangereux. Il faut mettre fin à cette turpitude éhontée...

Créer des petits États indépendants en pleine Ukraine, même si c'est sidérant pour le reste du monde, serait risible si ce n'était une preuve additionnelle que le locataire à long terme du Kremlin déraile complètement, ou plutôt qu'il légitimise son action de « défense » sur une surréalité qui rivalise avec celle de l'œil crevé de l'architecte d'Ivan le Terrible.

Alors, mon cher Vladimir, parlons plutôt de tes ambitions : recréer l'Union soviétique. Ton grand copain Lavrov que j'ai eu l'insigne – pardon, l'indigne – honneur de fréquenter à l'occasion, nous a bien dit que « l'opération militaire spéciale » ne visait pas les civils. Il faudrait aller le dire aux 500 Ukrainiens et plus qui ont déjà perdu la vie, au près de 1 million de réfugiés qui fuient les bombardements ! Bravo aussi pour l'utilisation d'armes interdites ! Peut-être Poutine devrait lire le Code Lieber du temps de la guerre civile américaine qui est à l'origine des conventions de La Haye de 1899 et 1907, raffinées et élargies au fil des ans, comme l'interdiction des mines anti-personnel, gloire canadienne, que la Russie n'a jamais signé – il faut bien garder quelques joujoux dans son arsenal, surtout contre les civils. Ton copain chinois te regarde avec admiration car il pense qu'Ukraine rime avec Taiwan (il n'est pas un grand poète, mais ce n'est pas une des conditions pour devenir dictateur !).

J'ai quand même une nouvelle pour toi : tu es un émule de Hitler mais on te fait confiance pour être tenté de le dépasser. Malheureusement, tu es déjà fini. À court terme, tes oligarques vont décider de t'éliminer et l'Ukraine restera indépendante. Si tu restes au pouvoir et que tu ne transformes pas ton pays en autre chose qu'une station d'essence, ce seront les Chinois qui domineront la Russie et seront heureux d'un accès sans ambages à tes ressources naturelles. Si tu ne joues pas leur jeu, ils sauront à leur tour t'envahir... en protégeant les civils, bien entendu... Déguerpis !

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## The Democracies Need to Push Back Hard

*Unless the democracies stand up — and stand together — there will be more Ukraines*

Colin Robertson

Financial Post, March 01, 2022

Our fraying rules-based international order is in danger of unravelling completely. Might makes right is enjoying a come-back. Unless the democracies stand up — and stand together — there will be more Ukraines. Democracy, under assault at home and from outside, is on the line. For Canada, standing up means we need to increase our defence and security premiums and, in concert with our democratic allies, rethink our global strategy

Bob Rae, our ambassador to the United Nations, got it right when he [tweeted](#) that Vladimir Putin is a “war criminal” and that “every possible assistance must be provided the people and government of Ukraine.” For now, that will mean money and equipment, including arms, to the Ukrainian patriots resisting Russian aggression, as well as humanitarian aid through the Red Cross and other organizations for the victims of the war, especially the displaced within Ukraine. We also need to open our doors to those who do not want to live under the Russian yoke.

After the Soviet Union dissolved in 1991, Canada was the first western nation to recognize Ukrainian independence. The ties of history and family are strong, especially in western Canada, with over 1.4 million Canadians claiming Ukrainian roots. Canadian governments, both Conservative and Liberal, have actively supported initiatives to grow and strengthen Ukrainian governance and, since 2015, to help train Ukraine’s armed forces.

The great strength of democracies is our fundamental belief in norms of fairness and decency. But Vladimir Putin and China’s Xi Jinping have never shared these values. A democratic and prosperous Taiwan and a Ukraine moving in that direction disprove their claim that autocracy is superior to democracy. And let’s not delude ourselves, if Putin gets away with Ukraine, Xi will soon swallow Taiwan.

The weakness of the West is our failure to robustly defend our values. But push back we must and so the next tranche of sanctions must bite not just the personal pocketbooks of President Putin, his cronies and kleptocratic entourage, but their passports as well. Why should they and their families enjoy their mansions in London, study at Harvard or skiing in the Rockies?

The West also needs to continue beefing up its deterrence through NATO’s collective security alliance. At their Wales summit in 2014 the allies each pledged to commit two per cent of their GDP to defence spending by 2024. Canada currently spends just 1.39 per cent, which means we are outpaced by all our NATO G7 partners: the United States (3.52 per cent), the United Kingdom (2.29), France (2.01), Germany (1.53, and rising to at least 2.0, Chancellor Olaf Scholz announced in the wake of the Russian invasion), and Italy (1.41).

Our habit of seeing the world as we would like it to be is no longer sustainable. As John F. Kennedy put it, “only when our [arms are sufficient](#) beyond doubt can we be certain beyond doubt that they will never be employed.” Surrounded by three oceans, and with the Russians and Chinese now active in the Arctic, we need a deployable, combat-capable Navy with destroyers, frigates, submarines, and attendant air and logistical support.

In addition to the ongoing disinformation and cyberattacks, Putin may decide to counter western sanctions by cutting off the Russian energy supplies to which our European allies, especially Germany, are addicted. Canada and the United States need to help out by ramping up production and getting tankers across the Atlantic (another reason we need more Navy). In the longer term, as a matter of national security, we need gas pipelines to both coasts and the LNG terminals that complement them.

As of last week, we live in a much messier and meaner world. The defining struggle going forward is between democracy and autocracy. Checks on abuse of power and human rights violations have eroded. Democracy is on the back foot. [Freedom House](#) reports 16 consecutive years of decline in global freedom, with fully 38 per cent of the world’s population living in “not free” countries, 42 per cent in only “partly free” countries and just 20 per cent — only one in five people on the planet — in “free” countries.

No democracy is perfect, but Canada’s is clearly in the top tier. We can share our experience, especially in managing pluralism, which is increasingly important in an age where tribalism and identity politics are on the rise. The Trudeau government needs to move now on its long-promised initiative to help advance “peace, order and good government.”

In the decades after World War II, the United Nations promoted the notion of fundamental rights. Canadian John Humphrey was instrumental in drafting the United Nations Universal Declaration of Human Rights. During the Cold War the democracies actively advanced, albeit imperfectly, the cause of liberty and representative institutions in their domestic and foreign policies. It was all part and parcel of the larger effort to create an open, rules-based international system built on shared resistance to totalitarianism.

The system worked so well that we have enjoyed a remarkable period of peace and prosperity. But complacency set in. We are now called on once again to redeem and reinforce the norms and rules that ensure our democratic values and protect our way of life.

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## A CANADA-TAIWAN FIPA: THE TIME FINALLY SEEMS RIGHT

Hugh Stephens

University of Calgary, School of Public Policy, February 11, 2022

The announcement on January 9, 2022, that Canada and Taiwan have agreed to launch exploratory discussions toward conclusion of a Foreign Investment Protection Agreement (FIPA) has been a long time coming—and is very timely. It may constitute a down-payment on an Indo-Pacific Strategy that is [reportedly under preparation](#) in Ottawa. Discussion of a possible FIPA with Taiwan first started back in 2013 on the margins of APEC, but did not progress. Canada’s official position then was that it was undertaking a review of its FIPA model agreement and was therefore not in a position to engage in discussions until the review was completed. That was a convenient fig-leaf at a time when there was still widespread expectation that a Canada-China Free Trade

Agreement (FTA) was on the horizon. Those [hopes were dashed](#) in December of 2017 when the Chinese refused to sign on to Canada's "progressive" trade agenda during Prime Minister Trudeau's visit to Beijing, despite [speculation](#) in Canada that an announcement regarding a launch of negotiations was imminent. Any hopes that the FTA might be resurrected were dashed with the arrest of Huawei executive Meng Wanzhou at Vancouver Airport in December of 2018, followed by the retaliatory arrests by China of Canadians Michael Kovrig and Michael Spavor on national security charges.

In May of 2021 Canada finally [released](#) the framework of its new standard FIPA template. The new model agreement [clarified a number of issues](#), including application of national treatment, most-favoured nation (MFN) treatment, and minimum standards of treatment. It specifies more clearly where governments may act in the public interest to restrict investment without violating the treaty's terms, includes but tightens investor-state dispute settlement processes (ISDS) and in particular aims to be more inclusive, taking account of the interest of small and medium sized enterprises (SMEs) while stressing greater gender equality and respect for Indigenous rights. There is no reason to think that Taiwan will have any particular difficulty in applying these standards if an agreement is reached with Canada. The [new model](#) reflects lessons learned from earlier FIPAs, with updates drawing on provisions in Canada-EU Comprehensive and Economic Trade Agreement (CETA) and the Comprehensive and Progressive Trans-Pacific Partnership (CPTPP). The intent of a FIPA is to reassure investors that they will be treated fairly and not subject to abusive expropriation. It also provides a transparent and time-limited dispute resolution process. Taken together, the assurances provided by a FIPA generally help promote and increase bilateral investment.

If exploratory discussions are fruitful, Canada and Taiwan will then decide whether to launch formal negotiations. There are good reasons why it would be in Canada's interests to proceed. During the COVID recession, Taiwan's economy has been one of the strongest in the Asia region, enjoying a steady rate of economic expansion while growth in many other economies has stagnated. Taiwan produces many of the products that have been in great demand during the COVID lockdown periods, such as IT and communications tools. It is one of the world's largest producers of semi-conductors that are so essential in most electronic products today, from autos to computers to medical equipment. TSMC, Taiwan's leading producer of semiconductors, is building a \$12 billion chip fab in Phoenix, AZ and already has an R&D facility in Ottawa.

The Ottawa facility is, to date, one of the few major direct investments in Canada by Taiwanese firms. It is estimated that Taiwanese direct investment in Canada amounts to just over USD \$500 million, [according to Taiwanese statistics](#), about half that [according to Canadian figures](#). Taiwan is the 42<sup>nd</sup> largest investor in Canada, with investments mainly in electronics, pharmaceuticals, chemicals and finance. Compare this to [estimated total overseas investment](#) by Taiwanese companies of over \$380 billion USD to the end of 2020, and whether the figure is \$250 million or \$500 million, (some Taiwanese investment is registered with offshore entities and foreign subsidiaries and may not be captured by official Canadian investment statistics as being of Taiwanese origin), it is clear that Taiwanese investment in Canada is miniscule. It is certainly not reflective of the full potential of the bilateral economic relationship nor of Taiwan's

global economic clout. Canadian investment in Taiwan, according to Canadian statistics, has grown in recent years to reach over \$550 million in 2020. Here too, there is scope to do so much more as Taiwan is just the [62<sup>nd</sup> largest recipient](#) of Canadian direct investment. This puts Taiwan behind such countries as Malta, Mauritius, Cambodia and Albania, to name just a few, as recipients of Canadian investment. In recent years, Canadian firms have made important investments in wind power in Taiwan, but there is good potential in other sectors where Canada has world leading expertise, such as in clean technology and ICT.

If Canada and Taiwan can conclude a FIPA this will be a welcome additional building block in the unofficial bilateral relationship, adding to the [Avoidance of Double Taxation Arrangement](#) reached in 2016 and a longstanding air services agreement. Because there are no official diplomatic relations between Canada and Taiwan, such agreements are signed between the unofficial local representative offices of the two parties, the Canadian Trade Office in Taipei and the Taipei Economic and Cultural Office in Canada and are referred to as “arrangements”. Taiwan has signed Free Trade Agreements with New Zealand and Singapore, in its capacity as a separate customs territory and member of the World Trade Organization. While a Canada-Taiwan FTA is unlikely to be in the cards, Taiwan’s application to join the CPTPP presents an opportunity to address bilateral market opening measures in a broader context, while potentially reducing the potential for Chinese retaliation against Canadian exports. The Chinese are not happy about Taiwan’s application to join the CPTPP, but they can hardly object since they themselves have also formally applied, and both China and Taiwan are already members of both the WTO and APEC.

Both China’s and Taiwan’s CPTPP applications will have to be considered by all the members of the CPTPP, not just Canada. In deciding whether to proceed with formal entry negotiations, as is currently the case with the U.K.’s CPTPP application, existing members will want to assure themselves that potential members are able and willing to meet the CPTPP’s high standards. Taiwan, as an increasingly open economy, should have little difficulty in doing so.

Launching exploratory discussions for a FIPA is a welcome concrete step in deepening the economic relationship between Canada and Taiwan, a dynamic and democratic economy of almost 24 million people, with a population and economy about the size of Australia. While ostensibly tied to the conclusion of Canada’s review of its model FIPA framework, the timing of Canada’s re-engagement with Taiwan on a bilateral investment agreement significantly comes at a time when Canada is actively exploring a new Indo-Pacific strategy that will seek to diversify its trade and economic relations in the region, with a de-emphasis on the role of China.

China will always be an important factor for Canada to consider in developing regional initiatives but the overriding policy concern of past years dictating that relations with Taiwan should not be allowed to impede closer economic ties with China appears to have abated, allowing Canada-Taiwan relations in the trade, investment and cultural areas to develop on their own merits. This is an important shift in emphasis and should allow Canada to derive greater benefit by attracting additional Taiwanese investment while strengthening Canadian investments in and exports to this important regional economy.

## **Links**

Jeremy Kinsman

CTV News Diplomatic Community, March 29, Day 34 – the End of the Beginning?

<https://www.ctvnews.ca/video?clipId=2412547>

CBC News March 27 – A month of Putin's stalemated war - the Biden speech

<https://www.cbc.ca/player/play/2016878147718>

CTV News, Diplomatic Community March 22, Day 27 of the War: How to save lives? and the Iran nuclear deal

<https://www.ctvnews.ca/video?clipId=2407858>

CTV News, March 16, Day 21 of the War: Zelensky speaks to US Congress

<https://www.ctvnews.ca/video?clipId=2404086>

CP 24, March 16, Ukraine-Russia

<https://www.cp24.com/video?clipId=2403332>

CTV news March 14: Diplomatic Community; Day 20 of The War: who's Ahead? What's Next? China?

<https://www.ctvnews.ca/video?clipId=2403418>

CTV News, March 12, Day 12: Refugee explosion: and what's inside Putin's head?

<https://www.ctvnews.ca/video?clipId=2396709>

CTV News March 5: What does Putin need?

<https://www.ctvnews.ca/video?clipId=2396178>

CTV News, March 4, Will the Russians Rise up?

<https://www.ctvnews.ca/video?clipId=2395768>

CTV News March 1: "Diplomatic Community" - Day 6 of the War, and Putin's Grip on Reality

<https://www.ctvnews.ca/video?clipId=2393236>

Ian Ferguson

“Chinese Scholars’ Stones: An Inspiration to Poets, Artists and Collectors.”

<https://www.youtube.com/watch?v=JOcX6cBVww0>

## **Podcasts**

CGAI

March 27

### Understanding Russia

Colin Robertson speaks to former ambassadors to Russia Jeremy Kinsman, John Sloan, and Ralph Lysyshyn about Putin and Russia’s motivations behind its invasion of Ukraine.

**[THE GLOBAL EXCHANGE PODCAST ARCHIVE](#)**