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**Monday, March 23, 2009**

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**Chair**

**The Honourable Maxime Bernier**

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Monday, March 23, 2009

• (1540)

[Translation]

**The Chair (Hon. Maxime Bernier (Beauce, CPC)):** Good afternoon, everyone. I call our eighth meeting to order.

As per our agenda today, we have a witness representing the Embassy of Russia.

[English]

Pursuant to Standing Order 108(2) and the motion adopted on Monday, March 2, 2009, this is a briefing on the recent incident of a Russian military aircraft approaching Canada's airspace.

[Translation]

Now we are going to hear from the witness from the Embassy of the Russian Federation, Mr. Dmitry Trofimov, Head of Political Section.

Mr. Trofimov, the floor is yours.

[English]

**Mr. Dmitry Trofimov (Head of Political Section, Embassy of the Russian Federation):** Thank you.

Senators, members of Parliament, ladies and gentlemen, it's my great honour and pleasure to be a guest speaker of one of the pivotal committees of the upper chamber of the Canadian Parliament.

Actually, I might have started with the traditional British small talk about the weather: sunny—it used to be—but a bit chilly, and hopefully it has nothing to do with the subject we're discussing today.

As for the episode that gathers us today, one might characterize it in pretty different ways. You might use the words “misunderstanding, misapprehension, misinterpretation”...[*Inaudible—Editor*] whatever. Let us analyze the whole story, but let us not over-exaggerate it; at least we don't.

I'll start with what happened. On February 18, 2009, two Russian long-range strategic aircraft, Tupolev 95MS, took off from Engels Air Force Base in Saratov region, in the Russian Federation, and flew over the Arctic up to the Beaufort Sea, where they turned back home. The approximate vicinity to the Alaska-Yukon border was about 200 kilometres. It was a regular preplanned flight in international airspace. The flight was undertaken according to Russian Ministry of Defence regular military training and air patrol plans in the northern latitudes, and all the international flight regulations were strictly respected.

Nine days later, a press conference in Ottawa took place and the respective comments of both Prime Minister Stephen Harper and Minister of Defence Peter MacKay ensued. The only public comment from the U.S., since as you mentioned... I started by saying that it was in the vicinity of two borders and two states. So the only public comment from the U.S. was that of U.S. General Gene Renuart, commander of North American Aerospace Defense Command, which was this: “The Russians have conducted themselves professionally; they have maintained compliance with the international rules of airspace sovereignty and have not entered the internal airspace of either of the countries.”

As far as I can see, there are several aspects to analyzing the whole case. First and foremost, we should view it from the international law perspective. As you will understand, relations among states in the 21st century are, first and foremost, based on international law. When it comes to international flights, particular rules should be derived from the relevant international treaties, either multilateral or bilateral.

Number two is the specific issue of notification, which is partly a legal issue, but mostly it's an issue of mutual confidence, which on its own part should be based on the balance of interests, which in actual terms means something very simple: reciprocity.

Point number three is a very popular and very widespread question nowadays: Is there any hidden agenda? In other words, why do Russians do that?

• (1545)

Point number four is the issue of political rhetoric, which seems to be on the radar screen of both the media and the public but which might be quite detrimental. I might remind you that America-bashing or, generally speaking, west-bashing used to be extremely widespread in the former Soviet Union, while Russia-bashing appeared to be extremely popular on the other side of the hill. The Cold War has been over for many years, but regretfully, that Cold War mentality is still there, which is deplorable. All that rhetoric about “the Russian Bear in the air” in the Commons and in the media—that's from not even yesterday but the day before yesterday. Besides rhetoric being useful for domestic purposes, if there are any, it can hardly be of any help for interstate relations. Anyway, I should have stated that the only bears that really matter today are those that are responsible for this slump in our stock markets, whether it's in London, New York, Toronto, or Moscow.

Last but not least, while analyzing the whole case, we should not forget about the background. We should not forget about our bilateral relations. We should not forget about what the Germans call the *zeitgeist*, or the spirit of the times, which, as far as I can see, is pretty much not in tune with what was going on and what was said.

Naturally, I guess, most of you remember by heart that famous speech of Lord Palmerston in 1848, made before the British Parliament, when he reminded everyone that Britain had “no eternal allies” and “no perpetual enemies”. All the British interests are “eternal and perpetual”, he said, and “those interests” we are “to follow”. It's a very simple and very basic thought.

We should take into consideration, while analyzing any case like that, where are the real interests of Canada and where are the real interests of Russia. Where are the interests and the pace of our bilateral cooperation, which is undoubtedly mutually beneficial, whether it's in Afghanistan, where we prop up Canadian efforts in all the various ways we can, in the last while by sharing intelligence with Canadians, which in many cases was of great help? That is not saying a word about all of our cooperation in the Arctic, which initiated this Arctic bridge from 2007, while we are extremely important partners when it comes to international cooperation in Afghanistan, international terrorism, international disarmament, regional conflicts, or whatever.

● (1550)

The latter reminds me of yet another thing. Last November I took part in a debate at Ashbury College: “Canada should strengthen its military in preparation for the next Cold War”. The keynote speaker was one of the most prominent Canadian military men, General Rick Hillier. His answer to the question was crystal clear. Should Canada strengthen its military? Yes. Should that be in preparation for the next Cold War? Sheer nonsense. Naturally not. That type of Cold War Russian threat has gone. The real threat is, as he defined it, not a bear anymore; it's a barrel of snakes. It is the combination of international terrorism, drug trafficking, regional conflicts, piracy, and whatever. The list is very long. You know it by heart as well, as far as I can see. I can't agree more.

Actually, from the very beginning, I was informed that I wouldn't have much time for the introductory statement. It's my understanding that we will have approximately an hour for a question and answer period. I thank you for your attention and am now open to your questions.

**The Chair:** Thank you, Mr. Trofimov. I appreciate your remarks.

Our first speaker will be Mr. Wilfert.

I know you're sharing your time with Mr. Coderre, Mr. Wilfert.

**Hon. Bryon Wilfert (Richmond Hill, Lib.):** That's correct, Mr. Chairman.

Thank you, sir, for coming here today.

You've explained what apparently is a contradiction between what the Russian government has indicated and what the Minister of National Defence has stated. On February 27, I wrote His Excellency, the Russian Ambassador to Canada, Mr. Mamedov, and I have to say that I received a quick and cordial reply from him. In his letter, he says “there is regretfully no either Russia-Canada or

Russia-NATO relevant treaty or agreement, which would stipulate regular exchange of notifications on the military flights”. He did indicate that Russia does have an agreement with the United States through the 1991 START agreement.

In your opinion, sir, would it benefit Canada and Russia to establish such an official agreement on this issue? How do you see it taking place?

**Mr. Dmitry Trofimov:** Thank you.

To start with, let me clarify several legal issues along with the issue of notifications and your direct question, with your permission.

Very briefly, first, from the point of international law, the only issue was the correlations in the definitions of international air space and national air space. So all the notes that in most cases might be applied with regard to flights of military aircraft, for instance, do respond to the so-called Chicago Convention on International Civil Aviation of 1944, with all its regulations regarding national air space.

National air space, I might remind you, covers the air space over national territory, which is the land block with the adjacent territorial sea, which, according to the UN 1982 Convention on the Law of the Sea, is up to 12 nautical miles, or 22.2 kilometres—if I'm not mistaken, but that's an approximation—which means that whatever happened in the zone of approximately 200 kilometres from the coastline of either Canada or the United States has nothing to do with the regulations of this particular Chicago Convention of 1944. Naturally, it has something to do with the international space regulations, which are also applicable to the Chicago Convention, but only when it comes to civil aircraft.

Article 3 of the Chicago Convention indicates that there are special but pretty different rules. One applies to so-called state aircraft, and that is aircraft that are used for the purposes of the military, the customs, and the police. That's exactly the case, and there is not a single article in either the Chicago Convention or any other existent international conventions that might cover the flights of military aircraft when they are in international air space.

There are several special cases like the one that deals with the 1959 Antarctic Treaty, which is purely for demilitarized zones, but that's pretty different.

So if we're talking about the Arctic, there is nothing we might use as an obligatory international obligation with regard to either behaviour if it is just an air training flight—naturally I'm not speaking about military activity—or when we're speaking about notifications.

With regard to notifications—and I'm speaking about the period of the Cold War—as early as the process of detente starting in the early 1970s, both sides realized that there was really a grey zone in international law and something should be done to regulate, one way or the other, the flights of military aircraft, which eventually made a start for different multi-layered confidence- and security-building measures based on a variety of international and bilateral—actually, Russian, or Soviet and American at that period of time—and multilateral treaties. One of those is the so-called Stockholm Document of 1986—

• (1555)

**Hon. Bryon Wilfert:** I'm going to interrupt you. Your ambassador clearly says that there is no Russia-Canada or NATO-Russia relevant treaty agreement, and he said that's regretful. The essence of my question is, in your opinion, would it benefit Canada and Russian to establish such an agreement, and if so, what would you suggest?

**Mr. Dmitry Trofimov:** The only effective and efficient thing we have nowadays is the START I agreement, which expires on December 5 of this year. That was the only international bilateral agreement that stipulates such notifications. So step number one, let Russia and the States...and hopefully after all this, the reset button will be pushed. There are all the indications that it will and might happen, so let Russia and the States sit at the bargaining table and have either a renewed or yet another agreement instead of START I so as to keep those notification procedures afloat, because that is the only element we might use. As a matter of fact, while the Americans are informed on a permanent basis—as it used to be in that particular case—whether or not they pass this information to Canada is a pretty different issue. I think we might naturally think over the possibility of elaborating on this particular issue, and actually, the extremely extensive political dialogue—

**The Chair:** Mr. Trofimov, thank you very much. We don't have enough time. You'll be able to answer that another time.

**Hon. Bryon Wilfert:** Mr. Chairman, I'll take that as a yes, because I notice that in the handwriting of the ambassador, it does say something about START.

**Mr. Dmitry Trofimov:** It is naturally yes. It will just need normal diplomatic channels to be used and normal procedures to be switched on, nothing but that, but it will take some time.

**The Chair:** Thank you very much.

[Translation]

Mr. Bachand, you have seven minutes.

**Mr. Claude Bachand (Saint-Jean, BQ):** Thank you, Mr. Chair.

Welcome, Mr. Trofimov. You said that the aircraft that flew over, or came close to, Canadian airspace were Tupolev Tu-95s, often known as Bears. I assume that these planes are equipped with the latest GPS technology.

With a GPS, can you come within a few centimetres of Canadian airspace without really entering it? Do those planes have that technology?

Please answer quickly because I have three other questions to ask you.

• (1600)

[English]

**Mr. Dmitry Trofimov:** It's a pretty technical question, and to start with, it's definitely not my cup of tea. To be pretty clear, I've never flown any military plane, not a single time in my life. I understand they should have something like what you're talking about, definitely. If I understand you correctly, you're implying that the planes of whatever country might fly in the extreme vicinity, up to centimetres of the restricted zone of national airspace. In most cases none of the international players do that. As a matter of fact, American flights or American aircraft or NATO aircraft with, as a matter of fact, Canadian crews on board do fly in the very vicinity of St. Petersburg on a regular basis, on pretty much the same legal basis, which I've mentioned, because there are no restrictions on doing that. Naturally, we would both prefer not to have those flights at all, theoretically, but that means we'll just push ahead with the disarmament and we'll specifically focus on the bombers. Well, the Russian side has indicated many times that we are in favour of radical reductions of the bombers of, first and foremost, the Russian and American air forces, no doubt.

[Translation]

**Mr. Claude Bachand:** For your information, Tupolevs are equipped with extremely accurate equipment that allows them to fly very close to the border.

Is it possible that these flights are taking place to test the efficiency of the NORAD response? That was a very common tactic a few years ago. By coming close to Canadian airspace, is Russia looking to go back to that approach in order to test the NORAD response?

[English]

**Mr. Dmitry Trofimov:** Well, once again, I've specifically mentioned the so-called principle of reciprocity, which is one of the basic principles in international relations. If we're talking about flights in international airspace that are very close to the national airspace, then naturally we should put at the bargaining table all the active participants of those international military flights, participants from all the countries that are engaged. That includes the States, Canada, France, and the U.K. That, I would say, would be a proper discussion. I think so. Otherwise, it would be rather difficult to focus on the Russian side. Besides, since we haven't heard even a single remark from Washington but for the above-mentioned statement made by the head of NORAD, the American general, which was, as you might indicate, pretty positive, it means a very simple thing. It means that both sides are very much aware of normal training or activities of the opposite side.

There's one more important aspect, if I may, just for you to understand in that particular case why Russians do those flights. A very brief answer is operational efficiency, reliability, and international responsibility. I will explain what I have stated. I've recently glanced at the—

•(1605)

[*Translation*]

**Mr. Claude Bachand:** I have to interrupt you, because I will not be able to ask my questions otherwise. I am going to ask them one after the other, and, if you do not have time to answer—the chair is telling me that I have two minutes left, in fact—I would appreciate a written response. Is that possible?

It is said that Russia is spreading its wings internationally at present to show its military capabilities, not just in the air and in space, but at sea as well. People say that Russia wants to demonstrate its great military prowess, that its period of decline is now in the past and it wants to be seen as a world power once more. I would like to know your views on that.

For my second question, I would like to know if, in your opinion, the fact that this incident took place on the day before the American president's visit was a coincidence, and if so, why? If it was not a coincidence, I would like to know what Russia's intentions were.

Finally, some Canadian political commentators are telling us that the Conservative government wants to increase its military presence in the Arctic and that, in order to do so, it has to show that a formidable adversary is periodically testing our borders. What do you think of that statement?

**The Chair:** You have 30 seconds, Mr. Trofimov.

[*English*]

**Mr. Dmitry Trofimov:** Okay.

As for whether it was a coincidence, naturally it was nothing but a coincidence. It was not a strong coincidence, but it was nothing but a coincidence, because it's a budget issue for the military on either side. It's a preplanned thing for a year or half a year before that. It's the same way the Canadian military works, absolutely the same.

With regard to the second part of your question, being a foreign diplomat and therefore being a guest of Canada, I'd rather refrain from speculating on the domestic reasons of the Government of Canada.

Thank you.

**The Chair:** Thank you.

Ms. Black.

**Ms. Dawn Black (New Westminster—Coquitlam, NDP):** Thank you, Mr. Chair.

Thank you very much for appearing at our committee today. We appreciate your time.

In your opening comments, you mentioned, and your own military sources have been quoted as saying, that these flights are routine training missions and that Canada is routinely notified in advance. As you also mentioned, the American general from NORAD said they were notified. But Canadian sources, including a member of this Standing Committee on National Defence, have disputed this and have said that Canada was not informed in advance. I'm rather perplexed by this contradiction. It seems to me that it's a matter of fact and we should be able to straighten that out. It's kind of

concerning that there's such a breakdown in communication between Canada and Russia at the diplomatic end or at the military level.

Could you tell us the process that occurs on your end, the Russian end, to notify the Canadian government before one of these flights occurs, in terms of how far in advance this notification is sent, from what department it's sent, and from what level of that department the notification is sent? What form does this notification take? Also, what steps, if any, are taken to ensure that the notification has been received at the other end?

I have another question, so I'd appreciate it if you'd give me enough time to give you that question as well. Thank you.

**Mr. Dmitry Trofimov:** Thank you.

Point number one is that the Russian side hasn't stated that Canada specifically was given the notification. It has been stated several times that the countries adjacent to the flight path were notified. My reading of this statement—because I know how it works—is very simple. We've already discussed it. We have the so-called nuclear risk reduction centres, where the States, according to the bilateral 1987 agreement... We have the START I Treaty, which contains the specific notification protocol. When it comes to the military flights, as I mentioned from the very beginning, there are no other international instruments that make it obligatory for either of the sides to share this information with other parties, so all this information goes straight to the States.

•(1610)

**Ms. Dawn Black:** It goes to NORAD?

**Mr. Dmitry Trofimov:** Actually, it's not obligatory that it go to NORAD. When I say the States, I mean Washington.

As far as NORAD is concerned, those confidence- and security-building measures that we—by “we” I mean the international community first and foremost, the States and then the Soviet Union—started elaborating in the early 1970s eventually included some non-obligatory steps, which are still being undertaken on both sides, that might include NORAD as well. As a matter of fact, we recently had bilateral military staff talks with Canada. They were on January 21 here in Ottawa. The Canadian side specifically raised the issue of those notifications, but in only one particular respect. They expressed gratitude on behalf of NORAD, for sharing notifications of the flights with NORAD. We were not obliged to do that, but still we did that.

**Ms. Dawn Black:** Thank you very much.

So it may be that Canada wasn't specifically notified, then.

**Mr. Dmitry Trofimov:** No.

**Ms. Dawn Black:** Thank you for that clarification.

The Arctic has been a big topic of concern in Canada recently, and not just because of this flight issue, but also because of the issue of the Northwest Passage and submarines. I think it's a much more critical component of our own Arctic sovereignty than are the trainer flights that might approach our own airspace, so I want to ask you some specific questions. If you don't have time to respond to them, I'd really appreciate it if you would share your responses with this committee later.

Can you state the position of the Russian Federation on the legal status of the northern sea route and the Northwest Passage? Does your government agree that they are Canadian internal waters? Do Russian submarines undertake missions in the Northwest Passage? Are similar processes of notification in place before Russian submarines undertake a mission in the Canadian Arctic? Finally, what steps are undertaken to ensure that there are no collisions or accidents involving Russian or Canadian submarines or any other vessels that might be in Arctic waters?

Thank you.

**Mr. Dmitry Trofimov:** Okay. That's quite a lot, I should admit.

**Ms. Dawn Black:** No, I understand if you want to share the answers through another method with the committee later, but whatever you can answer would be appreciated.

**Mr. Dmitry Trofimov:** Yes, no doubt. With regard to the Arctic, I have several general remarks.

Point number one is that nowadays we do have regular consultations between our two countries. This year there has already been one round of consultations over in Moscow. The second round will be sometime in spring, closer to summer, here in Ottawa, between two departments of foreign affairs.

There was quite an extensive exchange of experts and representative of the departments of foreign affairs last year. The basis for all those consultations and exchanges was the general attitude of two sides, which is very simple. There are international law provisions. There is the 1982 UN Convention on the Law of the Sea, and both Canada and the Russian Federation will strictly adhere to the provisions of the international law. We might from time to time agree to disagree, but that is a solid base for both countries.

Point number two, there is a very—

**The Chair:** You won't have enough time for that. I must give the floor to Mr. Hawn.

**Mr. Dmitry Trofimov:** I'm sorry. Sure.

**Mr. Laurie Hawn (Edmonton Centre, CPC):** Thank you, Mr. Chairman.

Thank you, Mr. Trofimov, for being here. I'll try to be brief.

In August 2007, then President Putin stated that air patrols would resume, signaling they would become more frequent. He also stated, quite correctly, that international law does not stipulate obligatory norms for states to inform other states about the flights above the international waters bordering upon their territory.

There are two kinds of airspace, international airspace and national airspace. There's also a third kind. We have, as you do, what we call air defence identification zones, where aircraft operating in those zones are matters of interest to our particular countries. In 2007-08 there were 30 penetrations of air defence identification zones in Canada and the U.S. There were 28 NORAD intercepts of those penetrations, eight of which were conducted by Canadians. On only three of those cases was there notification given. So I would question a little bit the assertion that notification was given. And this is from NORAD documents.

Our interests in the Arctic are quite clearly, I think, economic, environmental, and security/sovereignty. Recently Vice-Admiral Oleg Burtsev of the Russian Federation stated that the Russian Federation was prepared to use submarines to enforce what they saw as Russian sovereignty in the Arctic. Could you elaborate on Admiral's Burtsev's statement?

● (1615)

**Mr. Dmitry Trofimov:** Once again, there are several aspects.

First, you've mentioned the air defence identification zones used by both the States and Canada. These are also used by other countries, such as Australia, Japan, and Iceland. According to international law, those are self-proclaimed zones that are not in strict conformity with the existing international law.

**Mr. Laurie Hawn:** I'm not questioning your right to fly in that airspace. You have a right to fly in that airspace. Could you comment on Admiral Burtsev's comments, please?

**Mr. Dmitry Trofimov:** You know, when it comes to aircraft or submarines, there is one important thing: they should fly and swim. Otherwise they will simply kick the bucket.

In my answer to that particular remark, I can give you an illustration. Four years ago, data was published by the IISS publication *The Military Balance* with regard to so-called flying hours. The average hours were as follows for air forces: 275 for the U.S., 210 for the Canadians, 207 for the British, and 25 for the Russians.

**Mr. Laurie Hawn:** And submarines?

**Mr. Dmitry Trofimov:** With regard to submarines, we do need reliability. We do need the submarines to be operationally efficient. Why? I can cite a very recent incident. It took place on February 4. As a matter of fact, it involved none of the Russian submarines. It was a collision between a British submarine and a French nuclear submarine, both armed. Well, actually, the rough assessment was that they had approximately one-third of the two countries' nuclear potential on board. It was within a hair's breadth of unprecedented catastrophe—

**Mr. Laurie Hawn:** Sir, that's interesting, but what does that have to do with Russia's intent, or not intent, to use submarines to enforce Arctic sovereignty as the Russians see it?

**Mr. Dmitry Trofimov:** Let me say a very simple thing: whatever Russia is doing or will do in the Arctic, it will be in strict adherence to international law—full stop. Nothing will be done, or might be done, but for that.

The positions of our two countries are pretty much the same. We are in the same boat. We have cooperation in the Arctic, and I mean real cooperation, when it comes to the Arctic region. Our search and rescue in the Arctic, which is, as a matter of fact, a trilateral endeavour with the United States, sets quite an example of what is really going on.

With regard to the statement you mentioned, there are lots of statements made on both sides, but there is a reality here. In reality, there is cooperation that is mutually beneficial. There is a long chain of examples of this mutually beneficial cooperation in the Arctic. Naturally, we will not under any circumstances act against the provisions of the international law; that is for sure.

•(1620)

**Mr. Laurie Hawn:** That's good.

Before I pass to my colleague Ms. Gallant for a quick question, we were talking about quotations. I'll give you one from Ronald Reagan—I mean this in a friendly way—and that is “Trust, but verify”. That's what we both would be interested in.

I'll turn it over to Ms. Gallant.

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Thank you again for accepting our invitation to testify at this committee and for the work and cooperation your country is participating in on the war on terrorism.

My question has to do with point number two. You used the word “reciprocity” a couple of times in your testimony. With respect to reciprocity—and we're discussing the incursion of Bears into our airspace today—are you stating that Canadian fighter jets are invading Russian airspace?

**Mr. Dmitry Trofimov:** Thank you.

I should respectfully beg to disagree, because we are not discussing the incursion of the Russian aircraft into the Canadian national airspace. It did not happen, and none of the official representatives of the three countries have ever mentioned these particular facts. We're talking about flights in the international airspace, which did happen in the vicinity of the national airspace of the respective countries.

My remark about the reciprocity was very simple: Canadian jets or American jets or British jets or NATO jets, generally speaking, are flying in the same vicinity of the Russian national airspace and likewise not interfering in it.

[Translation]

**The Chair:** Thank you, Mr. Trofimov.

Mr. Coderre, you have the floor.

**Hon. Denis Coderre (Bourassa, Lib.):** I am impressed, Mr. Trofimov. If you want to play politics the Canadian way, our Parliament has what we call a filibuster. You are asked a question, you talk for seven minutes and the time expires. It works like a charm. My compliments to you.

I would like to go back to two extremely serious questions. A lot of Canadians are listening to us today.

First, does Russia recognize Canadian sovereignty in the Arctic? I want a simple answer. Yes or no. I will have to interrupt you if you are not quick enough.

[English]

**Mr. Dmitry Trofimov:** I have two sentences. First, yes. Second, there are mapping procedures ongoing. Russia already did it in 2007, and Canada will be over with the same process by 2013. And actually, all the papers will be for the international commission to observe. That's all.

**Hon. Denis Coderre:** Okay, so you told me that you recognize Canadian sovereignty in the Arctic.

**Mr. Dmitry Trofimov:** No doubt.

**Hon. Denis Coderre:** Question number two, when you send those submarines—and I'm not referring to *The Hunt for Red October* here—do you notify, yes or no, Canadian authorities when you're going near the border? You said no notification regarding the air; now we're talking about submarines. Do we have notification when you send those subs nearby?

**Mr. Dmitry Trofimov:** Two things once again. Actually, I'm 45, which means I'm not young enough to know everything.

Point number two, there are pretty similar international regulations—naturally, different conventions, different treaties—that work very similarly.

•(1625)

[Translation]

**Hon. Denis Coderre:** You do not want to answer or you do not know. That is fine.

Here is my other question. After the Department of Defence reacted to the aircraft, to the bombers, the Prime Minister of Canada, whose role is to protect the integrity of, and our sovereignty over, the territory, said that there have been more and more aggressive incursions by Russian authorities.

Can you comment on that? You can take two minutes, it is worth the time.

[English]

**Mr. Dmitry Trofimov:** Okay. Well, you are very kind. I will try to do that.

First of all, back to the initial question, by saying there are clear-cut international regulations, I do not mean that I do not know. I do not know all the details. But the point is that there haven't been any incursions on the Russian side, if we are talking about either Canadian national air space or Canadian territorial seas.

[Translation]

**Hon. Denis Coderre:** Mr. Trofimov, please understand today that I agree that we are not in the Cold War and that we should not be throwing oil on the flames.

[English]

I am totally in favour of our talking to each other, so we don't play politics about that. But Canadians want to know. When everything is supposed to be classified and when we are having that kind of discussion, the Canadian people want to know. Arctic sovereignty is key, and if we have submarines that are not supposed to be there, we want to know. That's the only reason, respectfully, we ask those questions.

**Mr. Dmitry Trofimov:** Actually, to start with, we're talking about a certain submarine that is not supposed to be there. I have, frankly speaking, a very simple question: what submarine, whose submarine, and where exactly?

**Hon. Denis Coderre:** Well, we are asking questions—

**Mr. Dmitry Trofimov:** Because when it is clear whose submarine we are talking about, there are different international regulations.

[Translation]

**The Chair:** Thank you very much, Mr. Trofimov. We appreciate your reply.

Now I would like to give the floor to Mr. Boughen, from the Conservative party.

[English]

**Mr. Ray Boughen (Palliser, CPC):** Thank you, Mr. Chair. I'll share my time with Mr. Payne.

Thank you for taking part of your day to share your insights through the questions the committee has asked you. In that vein, I have a couple of questions.

First, what is the purpose of these kinds of flights, as you see it? Is it to teach pilots navigational skills, or is it for some sort of tactical operation? When we look at countries, we know that Russia has a massive amount of northern area, as Canada has. Why would an aircraft have to get close to an international line? I'm not sure why that would happen.

Second, if there is no communication link today, do you not think it would be a good idea to start to make a communication link with Canada and the U.S., similar to the American linkage, so that we don't have incidents turning out very badly and things happening that shouldn't happen simply because we haven't talked to each other?

**Mr. Dmitry Trofimov:** Thank you.

The first question is why. If you have a racer, he should run. Otherwise, there is no reason to have a racer. If we approach this problem from a different angle, it would be about the prospects for disarmament. Let's do it. Let's not have a single bomber or nuclear submarine over there in international air space or on the high seas. That is a pretty different thing. We inherited that—the Russians, the Americans, the British, the French—from the Cold War period, so it will inevitably take some time for eventual radical disarmament to be over. I don't know...[Inaudible—Editor]...sanctuary whatsoever. Within this period of time, we are, first, to guarantee operational efficiency and reliability to prevent the different submarines from colliding like those of the French and the British.

We should prop up and enhance additional confidence- and security-building measures. Actually, if it hadn't been, for instance, for the fact that the Americans lapsed, during the period of the administration, from the ABM treaty in 2002, we would now have both START II and START III instead of just START I, with much more detailed leverage for notification. That would eventually benefit not only Russia and the States but all other countries, Canada included.

The remedy is very simple. Let's reset the whole process. We've already done it symbolically with the Americans during this recent meeting between Sergei Lavrov and Hillary Clinton. That's all I'll say about where we should go. That is very basic or general advice, although it's really complicated.

As for the communication link, that is a grey zone; I do admit it. That's a problem, and somehow that's deplorable. But the best way to discuss it is at the bargaining table through normal diplomatic channels. As a matter of fact, I should have made that—

• (1630)

**The Chair:** You still have one minute.

**Mr. Dmitry Trofimov:** Okay.

We might use those military START talks, for instance, as one of the channels for initial expert exchange, because it's an extremely complicated issue. It is not wishful thinking talks; it is really very focused on specifics. So while generally speaking we would never have anything against it—let's try—it is really a very complicated process. The core element is the disarmament process, which we should push ahead.

As a matter of fact, our Canadian partners, I should admit, are extremely instrumental, whether it's non-weaponization of space, the NPT process, the CTBT process, or whatever.

[Translation]

**The Chair:** Thank you, Mr. Trofimov.

Mr. Paillé.

**Mr. Pascal-Pierre Paillé (Louis-Hébert, BQ):** Thank you.

I am just going to ask one question and then I will yield the floor to Mr. Bachand.

People can view this incident in two ways. On the one hand, they can think that the flight met all the conditions and that is the government's reaction that should be questioned instead. Or, on the other hand, they can think that, while the flight observed the zone established by international law, it was in a grey area and was one more way for Russia to assert its claim of sovereignty in the Arctic.

Which view is closer to yours?

[English]

**Mr. Dmitry Trofimov:** To start with, I will not comment on the official comments made here in Canada. I would rather draw your attention once again to the fact that since this particular flight incident took place in the very vicinity of two states, and we haven't had any comments or reaction, either official statements or from the public, from the States, it speaks for itself. That's point number one.

Second, I imagine there is yet another grey zone—the problem of interoperability of different international and national legislations, while mentioning those self-declared air defence identification zones that several countries have, like the States, Canada, Australia, and Japan. From the Canadian perspective, as far as I can understand, the limit of this zone is up to 300 kilometres, if I'm not mistaken, but you should consult your own military; I'm not an expert. But it definitely stretches over the region where this particular incident—or episode, to be more precise—took place.

So from the point of international law, absolutely nothing happened. It's pretty much the same thing as happened when American or NATO aircraft flew along the national air space of the Russian Federation. Nothing happened at that time. We did not make any comments, any statements. We were probably not quite happy, but that is what we inherited from the Cold War period. We could not, regrettably—we would love to—be fair to traditions and practices in one day. It will take decades—probably less, but it depends on the politicians. Naturally, those politicians should demonstrate more flexibility and readiness to use normal diplomatic working channels to discuss all those issues.

Thank you.

•(1635)

[*Translation*]

**Mr. Claude Bachand:** When an incident of this kind occurs and comes to the attention of the public, you must receive instructions from Moscow. If I go by the answer you just gave us, Moscow told you that nothing illegal had taken place.

[*English*]

**Mr. Dmitry Trofimov:** I will tell you, quite frankly, that what I'm telling you is not the instructions from Moscow, but my reading of different international conventions. If you follow suit, you will

definitely come to pretty well the same conclusions. A fact is a fact, as I've said many times. If there is a particular provision of the international law, convention, or treaty, whether you like it or not, it is what it is. According to international law, the Russian side and the Russian aircraft did not do anything that was against the existing international law. We might not be happy that it does not cover all the spheres it should theoretically, probably, but that's a different matter.

[*Translation*]

**The Chair:** Thank you, Mr. Trofimov.

That ends this part of our session. On behalf of the committee, I would like to thank you for agreeing to be a witness today and participating so actively in our meeting. You were very forthcoming and you gave us very good information.

I am going to suspend our work for five minutes.

[*English*]

**Mr. Dmitry Trofimov:** Thank you very much. It has been my great pleasure.

[*Proceedings continue in camera*]

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