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Chair

Mr. James Bezan

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• (0850)

[English]

The Chair (Mr. James Bezan (Selkirk—Interlake, CPC)): I call this meeting to order.

We're at meeting number two of the Standing Committee on National Defence. Just so that everybody is aware, we are being recorded.

We are continuing with our briefings on Libya.

Joining us today is Her Excellency Sandra McCardell, the ambassador of Canada to Libya.

From the Department of National Defence, we have Major-General Jonathan Vance; Jill Sinclair, the assistant deputy minister of policy; and Captain Geneviève Bernatchez, the deputy judge advocate general of operations.

From DFAIT, we are joined by Marie Gervais-Vidricaire, director general of the stabilization and reconstruction task force.

From CIDA, we have Leslie Norton, director general of the international humanitarian assistance directorate, multilateral and global programs branch; and Bob Johnston, the regional director general for Europe, the Middle East, Maghreb, Afghanistan, and Pakistan.

I want to welcome all of you back to committee. We're looking forward to hearing your comments and how things are progressing.

With that, we'll kick off with Ambassador McCardell.

Her Excellency Sandra McCardell (Canadian Ambassador to Libya): Thank you.

Members of the committee, it is a pleasure to meet with you today against the backdrop of a Libya much changed since our informal discussions of just over one month ago. At that time, our attention was focused on the pace and direction of change on the ground as we continued to look for actions by Canada and the international community that would improve the protection of civilians in Libya in the near and long term. The “tipping point” we spoke of was much nearer than many of us dared hope: ten days after our meeting on August 12, most of the Libyan people, including those in Tripoli, were freed from the control of the Gadhafi regime.

Since that time, Canada has responded quickly with a number of steps to support the new Libya. On August 25, Canada accredited the new Libyan chargé d'affaires appointed by the National Transitional Council and committed to interact with the NTC as Libya's government until an elected government is in place.

On September 1, Prime Minister Harper attended the Paris conference on Libya, where he met with the chair of the executive office of the NTC, Mahmoud Jibril, and informed him directly of the lifting of unilateral sanctions imposed on the Libyan government under the Special Economic Measures Act. At the same time, Canada approached the United Nations to make available to the Libyan people funds frozen under multilateral sanctions.

After receiving the necessary authorities from the UN sanctions committee, Minister Baird announced on September 13 the unfreezing of all Libyan assets held in Canada and by Canadian institutions, worth roughly \$2.2 billion. Today the Prime Minister is participating in a high-level meeting hosted by the United Nations secretary-general to coordinate international assistance to the Libyan-led transition.

[Translation]

In addition to support for Libya, Canada is also focused on returning full services to Canadians in Libya, including support for Canadian companies. Following an assessment mission by the Department of Foreign Affairs and International Trade and the Department of National Defence, Canada has re-established its diplomatic presence in Libya, six-and-a-half months after evacuating all personnel and suspending operations. The embassy is currently operating out of a temporary location while repairs on the chancery are completed. As soon as an appropriate level of security is in place, it will re-open fully operational to provide services to Canadians as quickly as possible.

[English]

Given Canada's role in liberating Libya and the greater atmosphere of opportunity post-Gadhafi, the embassy complement will be expanded to increase our capacity for political analysis, engagement with the NTC, and promotion of Canadian commercial interests. We are currently examining ways of supporting Libya's transition through targeted stabilization assistance, and consultations are under way with the UN and with the NTC to ensure that Canada's contribution is coordinated with international partners and responds to the needs identified by the Libyans themselves.

Officials are in regular contact with companies previously active in Libya, or who have indicated an interest in becoming so, to discuss how the Government of Canada can best support their interests. The early re-establishment of Libya's economy and the construction and reconstruction of key infrastructure are important contributions to Libya's long-term stability and prosperity.

[Translation]

As part of the assessment mission in Tripoli, I witnessed personally changes on the ground. Traffic jams are back in Tripoli—a sign both that basic commodities like fuel are now available and that the people have the confidence to leave their homes.

The overall atmosphere was almost festive, with flags of the new Libya prominently displayed throughout the city, and children and adults alike dressed in t-shirts and ball caps with red, black and green stripes. You now see a degree of civil responsibility—street-cleaning, neighbourhood distribution of water and food when both were scarce—that did not previously exist.

Outside specific areas of fierce fighting, such as Misrata, the infrastructure is largely intact. In Tripoli, the precision of NATO strikes over the past months was evident; some government buildings are damaged, but little else.

As well, Libya enjoys oil wealth, which will be of great assistance in its rebuilding. While there has been some damage to oil facilities, repairs are already beginning.

[English]

Despite these very positive signs, there are real challenges on the horizon. Many of the demands for a better quality of life that preceded the conflict remain—demands for improved education, medical services, and employment—and the expectations for rapid improvement after four decades of stagnation are rising quickly.

The NTC, which has done good work so far in maintaining order and establishing itself as a new government, must now tackle the key issues, as we discussed in our previous meeting. These include maintaining cohesion among disparate elements and those with personal ambition now that the shared goal of ridding the country of Gadhafi has been largely achieved; introducing transparency and respect for human rights and the rule of law in a country that has little experience of democracy; reconciling diverse elements and preventing retaliatory attacks so that all may find their future in the new Libya; gaining control of the many thousands of weapons now in circulation and the young men who carry them—all this against the backdrop of Gadhafi, who remains at large with an unknown degree of influence.

These are significant hurdles to overcome. The importance of how they are addressed now cannot be underestimated, as these early steps will establish the country's path for the months and years to come.

In closing, I would like to share with you the goodwill that Canada enjoys in Libya as a result of our decisive action within the NATO mission. Those I met in Tripoli frequently expressed their thanks for Canada's strong support of the revolution over the past months. The chair of the NTC, Mustafa Abdul Jalil, in his first public address of his return to Tripoli, thanked Canada specifically for its assistance. Given the near unanimous support in Parliament for Canada's participation in Operation Unified Protector, I pass their thanks on to you.

• (0855)

The Chair: Thank you, Ambassador.

General Vance, you have the floor.

[Translation]

Major-General Jonathan Vance (Director of Staff, Strategic Joint Staff, Department of National Defence): Mr. Chair, members of the committee, thank you for this opportunity to brief you on Operation MOBILE, Canada's military contribution to the international effort to respond to the crisis in Libya.

[English]

I am Major-General Jonathan Vance, director of the strategic joint staff at National Defence headquarters. With me this afternoon I have Jill Sinclair, assistant deputy minister of policy at National Defence, as well Captain (Navy) Geneviève Bernatchez, deputy judge advocate general for operations.

[Translation]

Before you are slides that outline the Canadian Forces involvement in the NATO mission in Libya. I would like to walk you through our past and present contributions to the mission, after which we would be pleased to answer your questions.

[English]

Slides 1 and 2 are what I'll be referring to now: the Canadian Forces' role in the Libyan crisis.

[Translation]

I will focus my comments on the military aspects of the international effort.

In February of this year, in response to the emerging crisis in Libya, the Government of Canada advised Canadian citizens to leave Libya. Soon after, the Department of Foreign Affairs began a concerted effort to evacuate all Canadians. The Canadian Forces were asked to assist, and we deployed two C-17 Globemaster and Hercules transport planes to help evacuate Canadians and other eligible individuals.

[English]

On March 2 Her Majesty's Canadian Ship *Charlottetown*, with an embarked CH-124 Sea King helicopter, departed from Halifax for the Mediterranean. On March 14 the *Charlottetown* joined the NATO fleet off the coast of Libya, and began enforcement of the arms embargo shortly thereafter.

In total, the Canadian Forces during this period conducted seven flights and assisted in evacuating 153 Canadians and entitled persons from Libya. In addition, the NCC, the non-combatant evacuation operation centre, assisted with the departure of 4,431 entitled persons, including 308 Canadians, before ceasing operations on March 9.

As you know, this initial 90-day Canadian military response was supported unanimously in the House of Commons. In June the House voted to support the extension of Canada's commitment to the NATO mission until September 27, 2011.

I'm looking now at slide three, which addresses CF support to Operation Unified Protector. Operation Unified Protector, which is the NATO name for this operation, has three clear objectives known as the Berlin goals, which were set by NATO foreign ministers last April: an end to all attacks against civilians, the verifiable withdrawal of the regime's military and paramilitary forces to bases, and full and unhindered access to humanitarian aid to all those who need it across Libya.

[Translation]

Let's now look at slide 4.

Canada has provided significant military support to the NATO mission in the form of both air and sea assets. Presently, we have seven CF-18 Hornet Fighters, two CC-150 Polaris Tankers, and two Aurora maritime patrol aircraft deployed in the region, as well as HMCS VANCOUVER with an embarked Sea King helicopter.

[English]

Canadian Lieutenant-General Charles Bouchard remains in the critical position of the NATO overall commander of the combined joint task force for Operation Unified Protector.

Slide five outlines the current situation as of mid-September. If you turn to this map on slide five, I can briefly discuss the situation. The National Transitional Council forces have made several breakthroughs since I last briefed this committee, in August. Most notably, the NTC now firmly controls Tripoli, and that city continues to move towards normalcy, as the ambassador described.

The most significant area of confrontation is now in the central region along the coast between Sirte and Bani Walid and south to Sebha. Pro-Gadhafi forces have consolidated, and are countering the advance of NTC forces. NTC forces are making progress. The fighting continues, and the NTC leaders are taking steps to ensure their legitimacy with the population, the international community, and even their opponents. Progress is being made, but it's slow and difficult.

The next slide looks at the status of NATO objectives. In terms of the first Berlin goal, an end to attacks against civilians, NATO allies and partners have severely reduced Gadhafi's ability to attack civilians but have not yet eliminated it. The no-fly zone and embargo have been enforced, and pro-regime threats are being eliminated. There remain, however, ongoing threats to civilians in areas controlled by pro-Gadhafi forces.

In terms of the second objective, a return of regime forces to bases, progress is being made in that pro-Gadhafi forces have been pressured to withdraw by increasingly effective NTC forces, but hostilities continue.

Finally, with regard to the third Berlin goal, ensuring unhindered access to humanitarian aid, as my CIDA colleagues may wish to comment further on, there has been much progress, with aid now being delivered safely by both sea and air into ports into Libya, into Tripoli.

On slide seven you'll see some figures on the Canadian contribution relative to the broader coalition total. These numbers simply update you from the last time I was able to speak with you.

Mr. Chair, I don't think I'll review all of the numbers. They're there. We continue to make contributions, and in fact our percentage of contributions has grown. We contribute 9% of the counter-offensive air sorties, 7% of all air-to-air refuelling sorties, 85% of maritime patrol aircraft, and 6% overall. Canada has expended approximately 600 laser-guided bombs in the process.

Under maritime forces there were 284 boardings for the coalition, seven of which came from Canada. HMCS *Vancouver* is now on station—when we last spoke, it was the *Charlottetown*—actively preventing pro-Gadhafi maritime forces from closing Misrata. *Vancouver's* continued presence ensures the delivery of vital humanitarian aid, and is indeed helping to establish the seaport in terms of its operations.

● (0900)

[Translation]

As you can see, Canada is more than pulling its weight militarily. Our ships and aircraft have had significant impact, successfully prosecuting targets that have been vetted extensively to minimize civilian casualties.

However, I would like to stress that we see our contribution as just one facet of a broader diplomatic and humanitarian effort to help the Libyan people. A sustainable peace cannot be achieved by military means alone.

[English]

but our forces have certainly contributed to the conditions required to move forward.

That ends my remarks.

The Chair: Thank you, General.

I'm going to open it up to our first round of questioning, which will be for seven minutes.

Mr. Harris, you can kick us off.

Mr. Jack Harris (St. John's East, NDP): Thank you, Chair.

Thank you for your presentations this morning to update us on what has happened since our meeting in August.

I would like to ask Ambassador McCardell, first of all, if she could outline the situation with respect to humanitarian aid and delivery of the same. Obviously, the situation is much different from what it was a month or so ago, with Tripoli now being in the hands of the NTC, diplomatic relations now being re-established, and a new interim government being recognized. I guess, in diplomatic terms, the Gadhafi regime doesn't exist as a regime in terms of governing Libya.

Can you tell me the nature of the current humanitarian needs, how they are being met, and what role Canada is playing in that? Are we using any of our assets, military or otherwise, to assist in the delivery of the same, and if so, to what extent?

Secondly, with respect to the governance issues, which are considerable, what is Canada bringing to the table to assist the NTC in developing the capability and the capacity to engage in governance and building? I know the UN resolution, which hasn't really been translated yet from last Friday, does talk about assisting the intellectual process. Is there a role that Canada is contemplating, and if there is not, then why not?

Ms. Sandra McCardell: Thank you.

I'll comment just briefly based on my experience and what I saw on the ground there. Then I will ask my colleague from CIDA to speak more broadly on the humanitarian situation, and my colleague from the stabilization and reconstruction task force to speak on Canada's role going forward.

In short, as I indicated a bit in my presentation, the situation on the ground has improved considerably, certainly in large parts of the country. I would exclude the areas of ongoing conflict in the south, where there is still difficulty in accessing the population. I'm speaking here of those areas under conflict: Bani Walid, Sirte, and Sabha. In Tripoli itself, a few days before we arrived, water was turned back on. That being done obviously relieves a considerable humanitarian concern we had. As well, the United Nations is present and was coming in, in a very significant fashion. They're standing up their mission on the ground again, and while I was there I was able to meet with representatives of UNHCR and IOM, the International Organization for Migration, who were in Tripoli assessing the situation for future support.

I can come back to the situation on the ground later on, but I think it's important that CIDA provide a broader perspective.

• (0905)

Ms. Leslie E. Norton (Director General, International Humanitarian Assistance Directorate, Multilateral and Global Programs Branch, Canadian International Development Agency): Thank you very much.

As noted by the ambassador, at the beginning of September the UN did re-establish its presence. They also stood up what they call a humanitarian country team, which assisted the UN in identifying humanitarian needs, and they did so through a 30-day action plan. Essentially they took the 18 May flash appeal, which is what the UN produces and develops to bring together all the humanitarian actors to have a humanitarian action plan, and extended it until September 30. Currently they're assessing needs. The UN will provide, in very short order—we expect by the end of September—a 90-day action plan.

The current humanitarian needs, as outlined in the plan, include water; protection for migrants; fuel to run basic things like electricity, water, and sanitation facilities; medical supplies and personnel; and there's an issue around some food and security. A large issue, of course, is the high level of explosive remnants of war—there's a certain amount of contamination—and there's also a deteriorating capacity of the communities who are most affected to cope day to day.

The 90-day action plan will probably focus on these elements. It will be from October to December, and we anticipate it will extend the existing flash appeal to round off the year. The focus, of course,

is going to be on sustained and safe access to all in need, to reinforce capacity and preparedness, providing assistance to those who need it, and to support and develop institutions.

To go to the point of your question about what is Canada doing and what assets are we bringing to this, as you know, Canada has provided over \$10.6 million in humanitarian assistance funding. The asset we have provided is funding. Our key partners include the International Committee of the Red Cross, which is one of the main actors in providing humanitarian assistance in country, as well as the International Federation of Red Cross and Red Crescent Societies; the IOM and UNHCR, who work on the borders to ensure that the migrant workers who have left, as well as refugees, are getting the assistance they need. That is also complemented by the work of the World Food Programme, both in and outside the country, as well as UNFPA, which is the UN Population Fund, and the Canadian Red Cross.

Thank you.

Mr. Jack Harris: Are you going to address Canadian assistance on the governance issue, or will the ambassador?

Okay.

Mrs. Marie Gervais-Vidricaire (Director General, Stabilization and Reconstruction Task Force, Department of Foreign Affairs and International Trade): Thank you.

Yes, we are indeed working in very close coordination with the UN, which is the main coordinator for this post-conflict assistance. We have been involved in discussions since the London meeting in June.

The first step, frankly, is to see the results of the assessment missions that will be largely coordinated by the United Nations to evaluate needs, in consultation with the NTC. The goal, obviously, is to establish an environment in Libya where the citizens of Libya can go back to a normal life and have an environment that is conducive to economic prosperity, which would also eventually be in the interests of our Canadian companies.

The ambassador mentioned that our Prime Minister is in New York at the moment. I think he is about to go into a meeting with the group called "Friends of Libya". After that, there will be a meeting at the level of officials to discuss the stabilization of Libya, and we will be represented at that meeting.

For the moment, we are looking at options and expect to see soon—I think in the coming weeks—the results of these assessment missions before we make decisions on our contribution.

• (0910)

The Chair: Thank you, Mr. Harris. Your time has expired.

We'll continue with Mr. Opitz.

Mr. Ted Opitz (Etobicoke Centre, CPC): Actually, it's Mrs. Gallant's turn.

The Chair: Thank you.

Mrs. Gallant.

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Thank you, Mr. Chairman, and through you to our witnesses.

Ambassador, our soldiers just spent a decade routing al-Qaeda out of Afghanistan so that it would not be used as a launch pad for terrorism against North America. Now, with our air force and navy enforcing the no-fly zone in Libya to protect citizens from being murdered by its own government, it's been reported that al-Qaeda has been fighting with the rebels. How can Canadians be assured that our efforts in Libya have not inadvertently assisted al-Qaeda or other terrorist groups from using Libya as a launch pad for terrorism against the western world?

The Chair: Ambassador McCardell.

Ms. Sandra McCardell: Thanks.

It is an important question. I think part of why we have taken such an interest in Libya and why this government has been committed to action in Libya.... Certainly our focus has been on the mandate of 1973 and the protection of civilians, but we've been fully aware of the strategic importance of Libya and the presence of al-Qaeda elements in the Maghreb, in the broader Sahel region. Certainly our interest in having a democratic government in place in Libya also relates to regional interests, beyond simply the concern we have for the Libyan civilians.

In our previous discussions I think we've certainly been clear that within the broader National Transitional Council there are groups that we would consider to have an Islamist trend. What we've said previously, and what we believe is still the case, is that these people represent part of the fabric of Libya but their influence is limited, and that the commitment of the NTC to a democratic transition has absolutely been clear from the beginning and, with their constitutional declaration, continues to be.

Certainly we would not support in any way al-Qaeda elements taking root in Libya and we do not see that this is the case. There are those within the Libyan government who have been part of Islamist movements in the past. They have not in any way demonstrated a stepping away from the democratic principles that the NTC has espoused. Certainly part of the reason why we have re-established our diplomatic presence on the ground is to have a better network of contacts in Libya, to have a better understanding of what's taking place, and to ensure that our role in establishing a democratic transition continues and that this is what takes place in that country.

Mrs. Cheryl Gallant: Thank you.

General Vance, we've heard that Canadian Forces accompanied Ambassador McCardell on her recent trip to Tripoli. Can you tell us if Canada has any boots on the ground, any Canadian Forces fighting on the ground? Do we intend to send Canadian Forces to Libya to help the National Transitional Council combat the remaining pockets of pro-Gadhafi militants? Down the road, do we have any intention to assist the new government with training their military or other security forces?

MGen Jonathan Vance: Thank you for the question.

First and foremost, I think it's important to realize that there aren't boots on the ground in the sense in which one would often describe boots on the ground. So no, we're not fighting on the ground. We did support the re-establishment of the mission in Tripoli with small numbers of forces to assist in the security of the ambassador and her assessment team and in airlift and transportation. We will continue to

be at the disposal of the government to help re-establish the mission presence there.

As for future plans at this point in time, particularly given that the Prime Minister is at a high-level meeting today, future plans for the mission in terms of our contribution would be premature to discuss. We're prepared for any eventuality, of course. We do contingency planning all the time, but we are not anticipating an on-the-ground role at any point in the future.

• (0915)

Mrs. Cheryl Gallant: Mr. Chairman, I'm not sure who best to direct this question to, but what incentive is there for Gadhafi to surrender if there is an international criminal code indictment against them? Is this indictment actually an impediment to finally getting him to come forward?

The Chair: Ambassador?

Ms. Sandra McCardell: The best questions come to me.

Certainly I think we have seen through the last six and a half months of this that Gadhafi and those around him are determined to stay in power for, we've presumed, a variety of reasons: their own interests, the interests of those around them, their unwillingness to cede power, and the determination to protect themselves, regardless of the cost it has for their own people. We've seen a variety of reasons—or we can imagine a variety of reasons—why he would not surrender.

Even now, reduced to a small corner of Libya, he's still determined to remain in place, and again with no consideration for the damage he's doing to his country in the long term. Within that is the calculation of the ICC part of his thoughts; that would be into speculation on my part. There is certainly a demonstrated will for him to remain in place regardless, and we would be in a difficult position to assess what his thinking is on why he's staying in power.

Mrs. Cheryl Gallant: If Gadhafi is captured, how will he be brought to justice? Will he be tried in a domestic court or will he go first to the International Criminal Court? Does Libya even have the capacity yet to conduct a trial of this nature?

Ms. Sandra McCardell: I'm not sure if you want to speak to the statute of the ICC.

Captain (Navy) Geneviève Bernatchez (Deputy Judge Advocate General, Operations, Department of National Defence): Thank you for the question.

And thank you, Madame Ambassador.

As provided under the statute of the International Criminal Court, there would be a two-tier process. First Libya would be offered the opportunity to exercise its jurisdiction over the indicted person. But should Libya be unable or unwilling to do so, then the International Criminal Court could exercise its jurisdiction.

The Chair: Thank you.

You have 20 seconds left if you want to use it.

Mrs. Cheryl Gallant: Do you plan on going back to Libya, Ambassador, in the short term? What are the plans in terms of timing?

Ms. Sandra McCardell: Yes, it's my intention to return in the near term.

Mrs. Cheryl Gallant: Thank you.

The Chair: Thank you.

Mr. McKay, you have the final seven minutes.

Hon. John McKay (Scarborough—Guildwood, Lib.): Thank you, Mr. Chair.

I was in South Africa last week. We met with probably more than 40 MPs, plus we had the benefit of the president's views on Libya. I can say with some assurance that their views are not our views. I just want to put that on the table, because as they see it—as the African Union sees it, I think—NATO has gone way past its mandate. It has effectively gone from protecting civilians to effecting a regime change. And they're not overly happy about it. They think the African Union and the Arab League should be far more engaged in this process. It is, after all, their neighbourhood.

If you had any other confirmation of their views, it was, if you will, the triumphalism of Sarkozy and Cameron, which in their view was not helpful. It reminds others of Mr. Bush's triumphalism, which extended the Iraq war another four years.

The issue is whether we are effectively being asked to supervise a low-grade civil war. This is a tribal society. It's very complicated. And the media reports there's a certain lack of enthusiasm on the part of the rebels to engage in the really tough fighting going on where Gadhafi's forces are. If you're looking at it as a Gadhafi-force person, you're saying, "Well, I have nothing to lose. So I'm going to fight, and I'm going to fight to the bitter end."

Ambassador, you said we had built up some goodwill. Madame, I'm prepared to buy that. What is the plan here? We may have squandered some goodwill in the African Union. We may have squandered some goodwill in the Arab League. We certainly have spent materiel and resources.

So it's not clear to me what exactly we're asking for in the extension of the mandate. Be far more clear as to how we're going to engage the African Union, the Arab League, the tribal factionalism, and the various competing interests. And how are we going to be, effectively, not supervising a low-grade civil war that will go on and on and continue to engage us for months and months?

• (0920)

Ms. Sandra McCardell: Thank you.

The points you have raised are important. Some of them, on challenges we're going to be looking at going forward, were highlighted in my presentation.

On the question of the African Union and the Arab League, certainly South Africa is a key player in the African Union, but it is not the only voice within the African Union. Certainly that country has taken particular positions and views on Libya that I think not all of their partners on the continent have shared. There are countries that have recognized the NTC, in which the NTC has opened its embassies or appointed its own diplomatic personnel, and those countries have been in positions similar to our own. I think in each case you find there are different positions reflecting a country's

position. There are different national interests, different histories, and different histories with Gadhafi specifically that have affected some of their positions. So this is something members of the African Union, as well as similar structures in the Arab League, need to address as sort of regional organizations.

I think there absolutely is scope to have these organizations play an active role in Libya going forward. In the end, it will be up to the Libyans and the Libyan government to determine exactly how they're going to address that.

With regard to the fighting—you mentioned the NTC doesn't seem to want to engage in the heavy fighting—just to be clear, I think at this point the NTC is very cognizant of the fact that it does not want to have a long-term civil war, and it's approaching the fighting in these three cities and the areas around them very carefully so it does not end up with anything that can be interpreted as reprisal attacks or any kind of tribal fighting. Bani Walid, for example, is the home of the largest tribe in the country, the Warfalla. When I was there, they explained to me that in fact they were quite determined that those NTC forces outside of the city be from the same tribe rather than from another tribe, precisely to avoid giving the impression that there was going to be inter-tribal fighting. I think they've been very cautious.

There have been efforts to have humanitarian assistance sent in to these cities so the civilian population is not unduly affected. I'm not saying they're not affected, but there have been efforts to recognize that there are civilians in these centres and their needs need to be addressed. So I think they're being very careful this close to the end, if you will. They don't want to make some major mistakes that they will then have to live with for a long time in the future.

As for how this will all transpire in the longer term, it's a little bit difficult to tell right now. I think there is all the goodwill on their part to launch their country successfully. I think there is the goodwill on our part to assist them to do that and a very clear desire on everyone's part to avoid some of the continuing conflict within the country that maybe we've seen in other countries. At this point it's going to be up to them to negotiate very carefully with those who are in these cities in an attempt to bring this to a close.

Hon. John McKay: I agree with your analysis of the AU, particularly with respect to South Africa, and probably there is a unique history between Gadhafi and the ANC. I understand that.

So the question then becomes if it's not South Africa, which is a big player in the AU, then who can the west in particular and the Africans and the Arabs in general rely on to do that transition? Because the more it's seen as a NATO and western operation, ironically, the less chance it has of success. So who or what country would do the hand-off?

• (0925)

The Chair: Your time's expired, so perhaps the ambassador can give just a brief response to that.

Ms. Sandra McCardell: In short, I think we're going to need to look at who the NTC and the new government establish their strongest ties with. Also, I think we've seen some evolution in South Africa's position. The hard line they originally took has become much softer, and they've talked about a willingness to work with a Libyan government following elections and so on. So we may see evolution on both sides.

Hon. John McKay: Thank you.

The Chair: We're going to start the five-minute round.

Mr. Opitz, you have the first questions.

Mr. Ted Opitz: Thank you, Mr. Chair.

Mr. Chair, this question is for Her Excellency.

Excellency, going forward, have we had any indication of the role the United Nations will play in Libya's reconstruction, and do we have an assessment of where the European Union stands on Libya? Has there been any indication of whether it is willing to come forward and help the transitional government with its transition?

Ms. Sandra McCardell: I'll start and then turn it over to Madame Gervais-Vidricaire for some details.

On the UN reconstruction, absolutely, the UN has been engaged. Back when we still talked about a contact group, there was a UN special advisor on post-conflict stabilization, Ian Martin, who was attending those meetings and providing briefings to advise us on the plans the UN had in place. I was developing with the NTC the process we are in now.

I think just yesterday or in the last couple of days Ian Martin was named as the UN Secretary General's special representative for Libya. I think that shows they've recognized that's the phase we're now in.

The resolution passed on Friday lays out specific areas where the UN will be establishing a mission. The resolution created the UN support mission in Libya for an initial three months. What they've outlined is that they will assist and support Libya in national efforts—so continuing with the importance of this being Libyan-led—to restore public security and order and promote the rule of law; undertake inclusive political dialogue to promote national reconciliation and embark upon constitution-making and electoral process; third, extend state authority through the strengthening of emerging accountable institutions and the restoration of public services; fourth, promote and protect human rights, particularly those of vulnerable groups, and support transitional justice; fifth, take immediate steps to initiate economic recovery; and finally, coordinate support that may be requested from other multilateral and bilateral actors.

I guess the last point is really what we've been talking about all the way through, that what we do to support the NTC needs to be coordinated among ourselves.

The European Union has played an important role. They are sending in their own assessment missions to see where they can best fit in on the ground. Certainly one area that stands out for them is their interest in border control and issues that affect migration. That's something they were active in even before the conflict. And there are other areas they are going to be looking at.

Marie.

Mrs. Marie Gervais-Vidricaire: I think you've covered everything.

I would just maybe add that Ian Martin was in Tripoli at the end of last week. As I mentioned, there will be a meeting in New York this afternoon to discuss coordination and assessment missions. The goal is to have these assessment missions completed by the end of September, so we're not looking at months, we're looking at weeks.

As the ambassador said, we are working very closely with the UN—there's a general agreement that the UN is in the lead in terms of coordinating these assessment missions—as well as with our partners from the EU, who are actively engaged.

Mr. Ted Opitz: General Vance, you gave a great briefing today, and we thank you for that.

First of all, I'd like to thank the RCAF and the RCN for their pivotal role in making sure that the Libyan people have come this far.

Sir, what threats do you still see towards the Libyan people, and what kind of help do you still see them requiring from the Canadian Forces?

MGen Jonathan Vance: I think there's probably a wide range of threats to the Libyan people that will come from a variety of directions, most of which are probably not military threats. They're trying to re-establish a nation, so I'd say there are all sorts of challenges, if not threats, to them as they go through that process. I think the ambassador has covered it off extremely well.

In terms of hard military threat, Gadhafi forces continue to exist. Despite the degradation of regime control of the nation, Gadhafi forces continue to exist in considerable strength in certain parts of the country, particularly in the centre and south.

The NTC forces, the anti-Gadhafi forces, are making progress, but it's a hard slog. As you can see, on any given day, in open source reporting, Gadhafi forces have had and continue to have the propensity to harm civilians when they're in their midst. I would say that those who are in close proximity to those forces are in peril. The NTC knows this as well, and that's why they keep doing what they're doing, to try to eliminate the threat to those civilians and to re-establish normalcy.

I would say that the ball is largely, in terms of managing this, in the NTC's court, as we would very much want it to be. NATO continues to operate and therefore Canada continues to operate in support of the NATO mandate or the UN mandate and the NATO objectives to do exactly what I described: to prevent these perils to civilians from coming to fruition.

● (0930)

The Chair: Thank you. Time has expired.

Madam Moore, *vous avez la parole*.

[Translation]

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Chair, unfortunately, all conflicts often involve transgressions. Therefore, Amnesty International has made a list of war crimes committed not only by the Qadhafi clan, but also by some members of the NTC: the settling of scores, summary executions, prisoner torture or murder, false arrests.

I am wondering what the remedies are for these types of actions. Can we ensure that the crimes will be punished across the board? How can we ensure that those crimes are dealt with appropriately, regardless of whether they were committed by NTC members or the Qadhafi clan?

Ms. Sandra McCardell: Mr. Chair, the crimes were committed by both sides—by the Qadhafi and the anti-Qadhafi forces—and are equally unacceptable. Some incidents have been noted. I even think that Amnesty International had issued a statement claiming that the number of crimes committed by anti-Qadhafi forces was lower than the number of crimes committed by pro-Qadhafi forces. Nevertheless, both groups should be tried for their actions.

Finding and prosecuting the individuals who committed the crimes is important. I think that the National Transitional Council agrees with that. This body accepts the fact that individuals on both sides of the conflict have made serious mistakes and should be tried in a court of law. That's something that is important not only to us, but also to the council. It's important to deal with crimes committed in the past, such as individual acts, so as to avoid a vicious cycle of retribution and retaliation. Dealing with these actions legally would eliminate the possibility of intertribal conflicts and other long-term hostilities—as a colleague pointed out.

It's important for diplomatic representatives on the ground to continue pressuring the council and Libyan authorities to move forward with these legal processes and to ensure appropriate punishments. I must say that, right now, the council is overtasked. It is trying to stabilize the country and govern it at the same time, in addition to establishing a new cabinet and settling a number of issues. That being said, putting off dealing with this matter for a long time is unacceptable.

One of our goals on the ground, as a re-established embassy, would be to stay in touch with the council and to regularly remind it of its obligations to the Libyan people. We should also discuss with the council its own documents about its vision of a democratic Libya, its constitutional declaration, and so on. The council established its own governance principle, and it's up to us to remind it of how important it is to apply the principles it set out.

• (0935)

Ms. Christine Moore: Has the NTC taken steps for the prompt prosecution of individuals who have allegedly committed war crimes in the past, so that those people don't end up sitting on the NTC for two years, carrying out duties until they are tried?

Ms. Sandra McCardell: I am not familiar with the specific steps taken by the council. That's something we could follow up on.

However, organizations like Amnesty International and, previously, Human Rights Watch had produced a report on the mistakes made by both sides. Those NGOs, which I feel do important work,

have raised these issues. It's up to us, the international community, to revisit these issues, along with the council, in order to prosecute the individuals.

As I said, Libya is going through a transition period and is faced with meeting some urgent goals, on several levels. However, as soon as they have some time to start the legal proceedings, they will have to do so. Should they need assistance, technical or otherwise, to gather the evidence needed to begin the eventual prosecution, the international community could perhaps provide them with that assistance.

Regardless, what's important right now is for the NGOs and the media, in particular, to bring up these issues, and for us to help the council with the prosecution and to remind it to begin the trials. The third step would consist in implementing the necessary processes. Like you, I am convinced that this is extremely important, but we also need to keep in mind the principles those people set out during the conflict, before us, the international community, and their goals in the country. The last thing they want is a vicious cycle where attacks lead to more attacks and where a system of retaliation is adopted. That's one of our priorities, on the ground.

[English]

The Chair: Merci.

Mr. Chisu, you have the floor.

Mr. Corneliu Chisu (Pickering—Scarborough East, CPC): Thank you very much, Mr. Chair.

Your Excellency, thank you very much that we have re-established so quickly a diplomatic presence in Libya. I commend you and the Department of Foreign Affairs for that, and the Canadian army, who helped in this.

Can you elaborate on major Canadian companies' presence in Libya and their concerns at the present time for the reconstruction process that has already started, in view of our unfreezing of \$2.2 billion worth of Libyan assets?

Ms. Sandra McCardell: We have been in touch throughout the last months of the conflict. I've been in touch, in my capacity as ambassador, with a number of the key companies present on the ground. All the way through we've been able to provide them with our sense of how events were evolving on the ground and who have been emerging as key interlocutors.

This process has obviously accelerated in the last few weeks, since there has been such an important shift in conditions in the country. In addition to my own calls with key partners, we've had broader conference calls with about 20 companies that were either previously active or interested in the market. Through those phone calls, we've been able to bring them up to date on what our best information and market intelligence is on the ground, and they've also shared their concerns with us. Principally, those fall into two categories. One is payment for work performed and secondly is establishing or re-establishing themselves on the ground quickly so they can take advantage of some of the new opportunities.

With the re-establishment of our diplomatic mission, one of our priorities is to have commercial resources back at the embassy and to be able to provide full service to Canadian companies. We anticipate having someone out there by early next week. We have already re-engaged our local trade staff, and they're able right now, in a limited capacity, to field questions and provide advice.

The unfrozen assets obviously belong to the Libyan people.

One of the roles of the new trade commissioner will be to ensure that Canadian companies receive priority for payment of work performed. We need, as well, to provide some legal capacity to access how this can be done best under Libyan law.

As for construction and reconstruction going forward, I would just flag, having been there on the ground, that it's clear there aren't going to be the broad infrastructure projects that we saw after conflicts in other countries. NATO has been remarkably precise, so the damage is to specific infrastructure that supported command and control. This is very limited. Then, of course, there are areas that saw significant fighting, like Misrata or Ras Lanuf, where there is some reconstruction work to be done. But we shouldn't give the impression there is a broad swath of this country that was damaged; power plants remain in place, bridges, and so on.

What we will certainly do is to look at these opportunities, but also to look at the pre-existing opportunities. We were already active in looking at infrastructure projects that would be needed in the longer term, such as water treatment, and so on. We are looking at bringing in the companies that were previously interested in or bidding on those and putting them in touch with the right new contacts.

● (0940)

Mr. Corneliu Chisu: I have a question for the general. In your professional estimate, how strong are the remaining pockets of pro-Gadhafi forces, their supply lines, and what kinds of threats still exist for the civilians we are fighting to protect? Is there any threat of chemical weapons? And finally, how do you see the role of the Canadian Forces in the immediate future?

MGen Jonathan Vance: Thank you for the question.

I did respond in general about the ongoing threat. The Gadhafi forces are—in a local context of Bani Walid, Sirte, and some places in the south—relatively strong in eroding defensive positions, if I could put it to you that way. They can still cause some damage to those who have tried to dislodge them.

More importantly, they have shown and continue to show a propensity to harm civilians in their immediate midst, be that creating mass casualty situations or general mistreatment. You'll see civilians fleeing from these areas, and so on.

The Gadhafi regime and their forces have already demonstrated, without doubt, their propensity to do this. And indeed, the most recent UN Security Council resolution 2009 still recognizes the threat to civilians. So we take that as a given. And the forces are still relatively strong locally.

It's a tactical fight, which they will lose. It's a matter of time. It's difficult to put an actual reliable timeframe on this. We're not talking about years and years of fighting here. We're not talking about

months and months of fighting here. We're probably talking about some weeks.

I think that estimate is more assured if they maintain the momentum. That is, if the NTC, in their current political momentum and their military momentum, and if the country as a whole gets back on its feet, if that momentum continues, then these locally powerful Gadhafi forces will be eliminated by the opposition.

The Chair: I'm going to have to cut you off there, General. We're well over time.

MGen Jonathan Vance: Could I just...?

The Chair: If you can be very brief.

MGen Jonathan Vance: Okay, because I do want to talk about chemicals here.

There is no question that the Gadhafi regime had access to the components of chemical weapons. As far as we know, they are being monitored very, very closely by the international community, will be monitored very closely by any forces that move in there from the NTC's perspective, and at this time chemicals are not in play.

The Chair: Thank you.

Mr. Kellway, it's your turn.

Mr. Matthew Kellway (Beaches—East York, NDP): Thank you, Mr. Chair.

Madame McCardell, a UN resolution of last Friday made some changes to the arms embargo with respect to the NTC. I wonder if you could describe those changes for us, please.

● (0945)

Ms. Sandra McCardell: I'll provide the amateur's introduction, and then I will turn to the expert on the implications of that.

Yes, you are quite correct, Friday's resolution brought some changes to the arms embargo. They are chiefly focused on two exemptions now for bringing weapons in for certain kinds of protection of personnel on the ground, and for training purposes. But I will allow our Judge Advocate General to speak to that.

Captain Geneviève Bernatchez: Thank you, Mr. Chair and Madame McCardell.

I think this was very aptly described. UN Security Council resolution 2009 provides two exceptions to the enforcement of the arms embargo for very specific purposes, recognizing that the arms embargo that was imposed under resolutions 1970 and 1973 remains extant. What is already in place as far as arms embargo, especially vis-à-vis the protection of civilians and civilian-populated areas in Libya, remains fully extant.

Mr. Matthew Kellway: Thank you.

I understand that as of yesterday a copy of that resolution had not been published. I wonder if that could be provided to the committee in English and French. Is that possible?

Captain Geneviève Bernatchez: Yes, with great pleasure.

Mr. Matthew Kellway: Thank you very much.

That's it for me, Mr. Chairman.

• (0950)

The Chair: Mr. Harris.

Mr. Jack Harris: Thank you.

As a follow-up to the arms embargo issue, I know there were some reports earlier that France had supplied some munitions, particularly in the western mountains of Libya, to the NTC forces. Can you tell us, General, how the NTC forces are being supplied? Are they using captured weapons? They obviously have had some sort of coordinated effort going on for some time. With the arms embargo in place, are they able to supply their operations?

MGen Jonathan Vance: That's a great question. Of course Libya was a heavily armed state with lots of weapons extant, and this is an uprising, so they took some of the weapons.

The ongoing support to them has come from a variety of methods. We don't have great insight into all of them. They are getting support from allies—NATO and non-NATO allies. I think the weapons you're referring to, those larger weapon systems and so on, the technicals, they either made them or they took them from Gadhafi forces as they rolled through their areas. But there certainly has been some active support from their allies, for sure.

Mr. Jack Harris: This change in the arms embargo through the Security Council resolution 2009, that's not intended to—nor would it, I take it—upset or change the balance of arms between both sides. Is that correct? Or is that intended to ease the ability of the NTC to provide a proper government and develop towards that? If someone can give us a background on that...

MGen Jonathan Vance: I think I can—

Mr. Jack Harris: I know Captain Bernatchez was being delicate about what it actually meant, but in terms of the purpose of it, was it intended to assist in the development of the civil power? Was that the intention, or was it an intention that has to do with the ongoing conflict?

The Chair: Captain Bernatchez.

Captain Geneviève Bernatchez: Thank you, Mr. Chair.

Without presupposing the intent of the Security Council, of course, the effect of the current resolution is to actually carve out specific areas that are specifically intended for the continuation of the support provided to the Libyan population and to the NTC in their endeavour.

As Ambassador McCardell has mentioned, if you look at "Operating", paragraph 13—and I will make sure this resolution gets distributed to this committee—the arms embargo now does not apply to arms and related materials that are intended solely for the security or disarmament assistance to the Libyan authorities. So it clarifies this. It further clarifies in subsection (b) that the international community is to include United Nations personnel, representatives of the media, and humanitarian and development workers, and that they will be allowed to bring in small armaments for the purpose of their self-defence.

I believe this is a regime that continues to be applied generally very strongly through the operation of resolutions 1970 and 1973. But to be more specific, the Security Council made specific exemptions to the arms embargo.

The Chair: Thank you.

Mr. Norlock.

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Thank you very much, Mr. Chair.

I suppose the ambassador would best be able to handle this question. As we go forward, I guess most Canadians want to know what role the United Nations is going to play, and an assessment on where the European Union stands with regard to Libya. Could you describe the ongoing processes in Canada's relationship with these two bodies, with an indication of whether they have an intention to come forward and be of some assistance as the new government in Libya takes hold?

Ms. Sandra McCardell: Sure, and I think to a certain extent we've covered some of those elements.

As far as Canada's relationship with the UN goes, as we've indicated, today the Prime Minister is attending a meeting of Friends of Libya, chaired by the UN Secretary General, for the purpose of coordinating this kind of assistance. So the engagement is from the highest level all the way down to a working level. There was a working-level meeting on stabilization assistance attended by the UN and the NTC. We are absolutely committed to working in step with our partners.

The European Union is a part of this process. We have coordinated with them throughout this broader multilateral group, which also had a meeting in Paris on September 1. We will ensure that what we are doing fits in with what others are doing. We don't want to create a situation in which there's either overlap or gaps between our efforts. As we just mentioned, the UN is establishing its office on the ground in Tripoli with a new Secretary General's special representative. So they will be in theatre to make sure that their contact with the NTC is regular and that they're getting the best information on what the Libyans themselves want.

Mr. Rick Norlock: We have CIDA, but are any other international organizations, such as CARE, getting involved? We have quite a few organizations in Canada beginning to talk about assistance. Is CIDA working with those organizations or are you beginning to coordinate efforts?

Ms. Leslie E. Norton: Thank you for the question.

There are some Canadian NGOs noting their interest in becoming involved. At this time, we are not funding any of the Canadian NGOs for the humanitarian response, and that's because the approach we take is we will fund organizations that are already well established during a conflict, as opposed to having them get established during a conflict situation. There's no time to lose. So at this point we do not fund any of the Canadian NGOs that are active there.

Would you like to comment for the wider CIDA component?

Mr. Bob Johnston (Regional Director General, Europe, Middle East, Maghreb, Afghanistan and Pakistan, Canadian International Development Agency): Yes.

I think, as has been emphasized as well, until we get that sort of UN assessment and we get the Libyan plan itself, the NTC plan, we're not really responding to immediate requests from NGOs. We need to know what the plan will be and where they might fit. That's something we'll look at down the road.

Mr. Rick Norlock: Thank you very much.

There has been some interest and some reporting of that. What people need to realize is the United Nations is taking the lead here, and we're just assisting in that. Up to and until the complete wholeness of that occurs in a plan for national assistance, we are reluctant to go into an area where there's still some danger. Would that assessment be essentially correct?

• (0955)

Ms. Marie Gervais-Vidricaire: I wouldn't say we're reluctant. There's a consensus that in the post-conflict situation, it's essential that the international community coordinate through the UN. This is true in this case as it was in other situations. I would simply add that there are other organizations. You were asking if there were others involved. The World Bank is also leading some of the assessments.

Mr. Rick Norlock: Thank you very much.

I know this is a tender area. It was explored somewhat by Mr. McKay. Has there been some expression of interest by the greater African community to be involved in this process?

Ms. Sandra McCardell: I wouldn't say there has been in particular on the stabilization assistance front. Most of the other African countries aren't particularly in a position to offer assistance in that regard. But on a political level, they are certainly interested in playing a role and ensuring that their voice is heard, as we talked about earlier with Libya, as a member of the African Union and part of the continent. They are interested in re-establishing good political relations with the new Libyan government notwithstanding the hesitation of some of its key members. But that is an evolving process, and when you have this kind of change of government after 40 years, obviously people need to find their feet and establish new contacts and new avenues of dialogue.

The Chair: Thank you very much.

[Translation]

Mr. Brahmi, you have five minutes.

Mr. Tarik Brahmi (Saint-Jean, NDP): Mr. Chair, I think it would be beneficial if Her Excellency could give us a snapshot of an issue that we haven't heard much about so far: refugees. I read in *La Presse* that there were some refugees in Algeria, from both the pro-Qadhafi and the anti-Qadhafi sides. Is it possible to get an initial idea of how many refugees there are and what their situation is? I will have more questions after that.

Ms. Sandra McCardell: Quickly, I want to reiterate that, in Tripoli, I attended meetings with representatives from the Office of the United Nations High Commissioner for Refugees and from the International Organization for Migration. They were in the process of helping refugees from neighbouring countries return home and providing continued support to members of third countries who were still in Tripoli and elsewhere in Libya.

I saw a good many Libyans choosing to return to their country on their own. Once they see that the conditions where they used to live

are once again calm and livable, they go back on their own. So they do not need assistance from the international community. They just return to their villages by car with their belongings.

I will hand the floor over to Ms. Norton, who can give you a better overall picture.

Ms. Leslie E. Norton: Thank you, ambassador.

To make sure everyone is on the same page, I want to point out that there are both migrant workers and refugees, two completely different groups. Most of those in neighbouring countries are in fact migrant workers. According to IOM, some 685,000 to 700,000 migrant workers have crossed the Libyan border into neighbouring countries—and that is as of September 13. Of those migrant workers, 45% are third country nationals. I have here some statistics by country, if you are interested. In Tunisia, for example, there are 291,000, made up of both Tunisians and third country nationals from Niger, Bangladesh and so forth. In Egypt, there are over 220,000 people; in Niger, there are nearly 80,000; in Chad, there are more than 50,000; in Algeria, the number is 14,000; and in the Sudan, it is almost 3,000. There are also others who have gone to Italy and to Malta, and we are still talking migrant workers.

To date, IOM and UNHCR have helped more than 200,000 third country nationals go back home. They used to be largely Bangladeshis. The majority are from Tunisia and the rest from Egypt. It is also important to note that there are approximately 4,000 people who are considered refugees located in two refugee camps near the Libyan border; they are Somalians and Eritreans. There are seven Libyan refugees in southern Tunisia as well.

UNHCR is the main humanitarian agency looking after refugees. UNHCR is on the ground; we give them funding. As for migrant workers and third country nationals, IOM manages the efforts to ensure that these refugees receive the assistance and protection they need.

• (1000)

Mr. Tarik Brahmi: Mr. Chair, there is something else that concerns me. It has come to light that a certain number of people who now sit on Libya's National Transitional Council used to be members of the previous government. I would like to hear about the potential friction that may arise within the council, to the point that certain individuals could be rejected owing to their previous allegiance to Qadhafi.

Ms. Sandra McCardell: That friction within the council has in fact existed since the beginning, given that it was set up by the former justice minister, a member of Qadhafi's cabinet. However, we and the council need to recognize that this regime is 42 years old. And during that time, some perfectly reasonable people have advanced in their careers and gained technical experience. They know their stuff. We don't want to lose them simply because they were part of a government that was in power almost their entire lives.

What's more, since the idea is to build an inclusive country, one that allows as many people as possible to contribute to its future, it is important to welcome into the government anyone who has something to offer the country and who cares about its democratic future.

The members of the council hold—let's call them—open and frank discussions on how to move forward and where to draw the line. They made it clear that anyone with blood on their hands could not be a part of the government. Around that idea, there are various points of view. They want to determine the period of time that someone looking to participate in Libya's new government could have been a part of the regime. Ultimately, it is up to them to decide and to do so in such a way that helps to create a solid foundation for the future. The idea is not to end up with a group of excluded people stripped of any role in their country's future. That could lead to more problems. There is an opportunity to form a larger circle with even more people. That is the kind of approach that builds on experience and national unity, something that is key, and that is the way to deal with the issue of reconciliation in the long term.

[English]

The Chair: Merci.

Mr. Strahl, you have the floor.

Mr. Mark Strahl (Chilliwack—Fraser Canyon, CPC): Thank you very much.

I want to go back to the issue of weapons. I've seen media reports of the NTC forces uncovering large numbers of munitions, weapons. In the reports I saw, it appeared there wasn't a very coordinated effort to secure those, that it was a matter of how much one could carry in terms of weapons and munitions. It seemed there wasn't a coordinated effort to get that to the NTC. Obviously, some of it is being used in that conflict. More worrying, though, is what you discussed, that there are at least components of weapons of mass destruction or chemical or biological weapons. You mentioned that the international community is monitoring that. If these things are being unearthed, how are they being secured? If there are such weapons, what role is the international community playing to ensure that they're not getting into the wrong hands?

• (1005)

MGen Jonathan Vance: That's a great question. It is a concern, of course, for the international community, the potential for weapons proliferation. That's not weapons of mass destruction proliferation—we're not concerned about that right now—but the proliferation of conventional weapons, be they small arms all the way through to surface-to-air missiles. That is a concern.

There were large stockpiles. They're being uncovered as forces advance and Gadhafi forces withdraw. With the NTC as a governing authority eventually and with a fully re-established institution of armed forces and police.... I have great confidence in that eventuality, but at this point in time it's fluid. There are all manner of people who are involved here. Therefore the discipline that you might think of.... If the Canadian Forces were to come across a stockpile of weapons, what we would do with them is a different dynamic. It doesn't mean that the intent is not ultimately to secure them.

Don't forget there's also the Gadhafi forces in the process of retreating, the employment of mercenaries, and so on. This can cause these weapons to fall into hands that ultimately leave the country. So proliferation is possible, and I think that securing those weapons from the international community's perspective is very important. I

think that the overall security of the nation will be in the hands of the NTC, but it's going to take a little bit of time.

Jill, did you want to...?

Ms. Jill Sinclair (Assistant Deputy Minister, Policy, Department of National Defence): I'll just supplement quickly.

In fact the issue of weapons proliferation is featured in the new UN Security Council resolution precisely for the reasons that the general has raised and that you raised in your question. There were a lot of weapons in this country before the conflict and there are many more floating around now. The issue of having the NTC assume the responsibility—they have made commitments on non-proliferation, small arms, all of their international obligations—is absolutely flagged in the Security Council resolution. It will require some international assistance, and that will be among the issues discussed by the Friends of Libya in the follow-up work that the ambassador and Marie and others have spoken about.

Mr. Mark Strahl: Do we know if the Gadhafi forces have any medium...? You know, the surface-to-air missiles are.... Do they have anything bigger than that, that can reach out greater than that, more medium- to long-range capability still?

MGen Jonathan Vance: No, not long-range, or not what you would understand as being long-range, so not intercontinental, not inter-theatre. They do have access to first-generation Scuds, but I think that threat has largely been eliminated now. The actual mobile launchers have more or less been rounded up. The potential exists that there may be one or two that have not been accounted for.

So there are Scuds and BM-21 rocket-propelled artillery, but these are tactical range weapons that would impact the fortunes of those who are trying to attack—or the civilians in their midst; this is the challenge. Just to reinforce the point, these are not precision weapons. These are area weapons. They have already shown the propensity to launch these at populated centres because there might be some military there. This is in stark contrast to the kinds of weapons we use, which, albeit expensive, are extremely accurate. You hit what you're aiming for.

Thanks very much.

The Chair: Thank you.

Time has expired. Time goes by fast when you're having fun.

Mr. Alexander, you have the last of the second round. You're batting cleanup.

Mr. Chris Alexander (Ajax—Pickering, CPC): Thanks very much, Mr. Chair.

Thanks to all of our briefers for both your answers today and the work and achievements between the last session we had together and now. I really do hope that on behalf of all of us, you will pass on that gratitude for a job well done—so far—by Canada's armed forces and all the departments involved.

I have a few quick questions just to fill in information in areas that we haven't covered already.

First, we've seen where the resistance continues from pro-Gadhafi forces. Could you give us a sense, either General Vance or Ambassador McCardell, of how much of the population of Libya is in those areas? Is it a quarter of the population, 5%, 2%? I just don't have a sense of how much of the population is still in play and still vulnerable.

• (1010)

Ms. Sandra McCardell: I would say the major population centres are along the coastline, so we'd probably be looking at maybe 10% or 15%.

Mr. Chris Alexander: So it's relatively little.

On the NATO front, because we haven't really covered that agenda, the focus is at the UN today and the Friends of Libya, but down the road there will be NATO ministerials and NATO decisions, presumably, about how the mission continues.

Could Jill Sinclair or any of you update us on what the latest thinking from that front has been, both from commanders, if possible, and from the political level?

Ms. Jill Sinclair: Thank you very much for the question.

Just to track back and, as you say, Mr. Alexander, fill in some of the blanks, I think what needs to come through very clearly here, and as reaffirmed in the Security Council resolution, is that this is a UN-led process. Again, the new Security Council resolution puts the NTC, the Libyan authorities, firmly in the driver's seat of their future, and NATO, of course, is working in support of a UN mandate. So everything will flow from that broad context—that is, what do the international community and the Libyan people and the NTC as legitimate representatives want?

In that respect, I think the NATO mission obviously has been a success. It was dispatched rapidly. It has been extremely effective in terms of doing what it was supposed to do: protect civilians. The NATO Secretary General and, I believe, the Prime Minister have made it clear that the mission will continue until it's no longer required. Everyone hopes that will be sooner rather than later, and not a day longer than required.

MGen Jonathan Vance: For the assessment by commanders, I'll just reiterate: the momentum favours the NTC and their forces now. The momentum, if maintained, will see this operation beginning to wrap up in weeks. That's provided it's maintained, so it's a pretty important and critical phase right now.

The Chair: A minute and a half, Mr. Alexander.

Mr. Chris Alexander: Mr. McKay mentioned the African Union and suggested that we might have lost some goodwill there. I would be more inclined to say they've lost some goodwill through their support of the Gadhafi regime—not all of the members, but certain prominent members who were on the public record.

But there is an issue here for the future of Libya about the attitude of neighbouring states and other states, principally in Africa, given that Libya is on that continent, and their willingness to host—potentially—forces loyal to Gadhafi. We saw the very high-profile motorcade to Niger.

Could you give us a sense of what signals we're picking up from bordering states, but also from Somalia, Eritrea, and others, where

we know insurgents operating in many countries have had and continue to have connections?

Ms. Sandra McCardell: I would say that there were two fairly significant signals we had. One was the convoy you mentioned going to Niger. Also, there were family members who went to Algeria and who still, to our knowledge, are there.

All through the last six months we have pressed neighbouring countries and reminded them of their obligations under UN resolutions 1970 and 1973. We have encouraged them and more to respect what those resolutions said about supplies, arms embargoes, provision of mercenaries, and so on. Those discussions are continuing with neighbouring countries on the importance of maintaining respect for those resolutions now as well; they remain in effect. We are doing that, as are other like-minded countries.

For the broader sorts of insurgent movements, I don't think there's a great deal we can say about that, and probably not a great deal we can say in a public forum. But certainly broader links between Gadhafi and those he supported in the past or has looked to for support now are being watched closely.

• (1015)

The Chair: Thank you.

I have a couple of questions myself before we start our third round.

General, I'm looking at the map you provided to the committee about where there is still strength for the pro-Gadhafi forces. How are those forces being supplied? This conflict has been going on for several months now, yet they still seem to have munitions. They're still in the fight. They still have access to resources and personnel.

Where are the lines of supply coming in when it seems like we're virtually land-locked, with the exception of Sirte? We have control of the entire coastline with the naval blockade, so how are they getting their goods and how are they still able to inflict pain on their people and resist the NTC?

MGen Jonathan Vance: That's a great question.

No effort at any blockade embargo is perfectly immune to penetration. There is some porosity, I suppose, and from the south especially.

The Gadhafi forces aren't being supplied in the way that you and I would normally think of armies being supplied. They're existing off the country. So in Bani Walid.... And they've had 42 years to get ready for all sorts of things, so there are all sorts of munitions there. There are incredibly well-developed defences. They're using the food and water and so on in the towns and villages they're in. So the classic sense of resupply, in a way that we could categorically chop it off like you would in conventional warfare, doesn't exist. If it did, we would have dealt with it a long time ago.

We are making certain that the borders are as non-porous as possible and that nothing is coming in from the Mediterranean. I think we're doing extremely well in terms of closing access to the country from the north, but as we've discussed, there's a regional dynamic there. Some of those nations to the south may be more sympathetic, or individuals in those nations, not even acting on behalf of those nations, could be more sympathetic. As you know, in a fairly wealthy regime you can pay for support in some respects.

The good news is that they can't last long this way. They've lasted till now. They are showing signs of running out of important things needed to wage war. They haven't run out yet, but they will eventually.

The Chair: When we're looking at Canada's role in the air support that we're doing through the Royal Canadian Air Force, and especially with the number of sorties, and strike sorties in particular...we have been in theatre there for several months. Is the frequency of those sorties staying fairly consistent, or are they actually increasing based on the dynamics of the conflict today?

MGen Jonathan Vance: The sortie rate goes up and down. We are extremely sensitive to a number of key factors, the first of which is what is the NTC doing. What are their forces doing on the ground? We're not in the lead here. We are acting to a mandate. It is not our war to run and win. It is one that is very carefully guarded and controlled by this mandate. All of General Bouchard's actions must respect that. All of his aircraft must respect that.

There will be some days when we're hitting a lot and some days when we're not hitting as much. The fact is that the targets that are hit are legitimate. There has been lots of work done to make certain that we don't cause collateral damage. It would be very unfortunate to be harming civilians while you're protecting them, so we're very careful about that.

Then there's the response to what actually occurs on the ground. It's a fluid dynamic. As you know, warfare has its moments that you simply cannot easily predict. An act against civilians or a threat against civilians—in other words, if they bring out a Scud launcher and get ready to fire it, well, the sortie rate that day might go up as we try to find it with reconnaissance and then deal with it once it's found.

I would say overall it has been a fairly consistent rate that has gone up and down depending on the situation on the ground. That weekend where we saw Tripoli starting to collapse, it was impossible to try to target easily into the city, as there was a lack of clarity as to who was on the ground and who was doing what.

• (1020)

The Chair: Thank you, General.

We have time for a third round, with six minutes or so per party.

Mr. Harris.

Mr. Jack Harris: Thank you.

Could I just go back to this issue of arms in Libya, either left over from Gadhafi or captured? I know the international community is concerned particularly with these potential shoulder-launched attacks on the aircraft and getting into certain hands.

You've talked about non-proliferation. I'm with you on that one, but is there a disarmament agenda of the NTC? We have many years of the Gadhafi regime building up arms and ammunition all over the country. Some of them have been so-called "liberated" by the rebels. They are going into all sorts of different hands. I know the NTC have their hands full, but as part of the stabilization of Libya, there seems to me to be a gross need for some sort of actual disarmament plan. They've got lots of arms, some of them supplied by our allies, frankly. Is there going to be an effort by the Libyan NTC to get rid of them, and is there any ask by them for countries to help in doing that?

Mrs. Marie Gervais-Vidricaire: Briefly, what I can tell you is that the disarmament issue is one of the issues for which there will be a needs assessment mission, led by the UN. It will look at these very serious issues and at what the international community can do to help.

Ms. Sandra McCardell: If I could just add to that, while I was there I spoke to the NTC, and they are very aware of the danger, quite frankly, of having so many weapons in circulation. So many young men have been using them for six months. They spoke informally of intentions to create a national army, to create police forces, and to find a way of bringing these groups into structured security forces under government control and finding ways to extract the weapons. The plans at that point weren't developed. It will require the assessment mission that Madame Gervais-Vidricaire was referring to. But they are clearly aware of the need.

Mr. Jack Harris: Thank you.

I'd like to follow up on the chair's question on the number of sorties. We're now at September 20. I know these things go up and down. As you say, the Gadhafi forces, although relatively strong in local areas, are in an eroding defensive position. That would lead me to conclude that the number of actual strikes would be expected to decrease. I know these things can go up and down, depending on operations, but can you tell us that there has been a decline over the last week or two?

MGen Jonathan Vance: The broad trend from the very beginning of the conflict, as we would tail off, Mr. Chair, would absolutely go from a high.... Because sortie rates don't always translate into bombs dropped. The sortie rates remain high because we're trying to gain intelligence. Fewer bombs are dropped, but there is a lot of intelligence, surveillance, and reconnaissance. So we're generating planes—and even our own, because we have the parts to do it—to see what's going on, to make certain that civilians are protected, and to see the results of the conflict.

NATO has any number of types of aircraft they could put into a situation. Not every one results in the dropping of a bomb—I think that's really important—and we drop them only when we need to.

The Chair: Thank you.

Mr. McKay.

Hon. John McKay: Thank you, Chair.

General Vance, is it your view that the Bani Walid conflict is pivotal to this war, to this conflict, and that once Bani Walid goes, pretty well everything else will fall apart?

MGen Jonathan Vance: Thanks for the question, sir.

As a military officer, I hesitate to pin all our hopes on any one act. There are lots of pivotal acts before us here. I don't think there is necessarily any certainty that the effective capture or elimination of Bani Walid as a stronghold will stop fighting. I believe, as do our allies, that former regime forces will hold on and fight in self-interest, as the ambassador suggested, for as long as they can, to try to discredit other actions, to try to destabilize the situation. It's in their best interests to try to do so.

We suspect that the overall geometry of the fight will be from where it is now leading to the south where they are maintaining lines of communication with their southern neighbours. That's the overall geometry. As for how it actually works out on the ground, we're not in charge of the fight.

• (1025)

Hon. John McKay: Right.

In your statistics here on boardings, it appears that the coalition boardings are at a rate of about 10% to 11% and that Canadian boardings are at a rate of about 2%. Is there any meaningful reason why there's a discrepancy between the hailings and boardings by Canadians and those by the coalition?

MGen Jonathan Vance: I don't think there's anything meaningful behind that statistic. The employment of the ship, particularly of the *Vancouver*, was actually interesting. She was tasked with essentially port control, so there was less hailing or boarding and more coordinating of what the allied effort would be in that area. She was actually managing the situation.

There's nothing that would indicate a difference, in terms of our management of ships. I think the high number of hailings is probably mostly consistent with where the ship was. She was right in the port. Don't forget, we were one of the few nations that would put their ships in such close proximity to the shore. That was a good thing. We played a vital role. So she had probably much more contact with traffic in and out of those ports.

Hon. John McKay: Okay.

My final question is a bit softer.

The NTC has argued that we're here for a democratic transition, yet this is not a neighbourhood of democracy. Just look at the countries: Niger and Chad and Sudan and Egypt. This is not fertile ground for a democracy.

Is this notion that we're fighting for democracy really kind of political, when in fact what it will be is a transition to hopefully a more benevolent form of government—I was going to say of dictatorship—that just simply has an appearance of democracy but not a reality of democracy?

Ms. Sandra McCardell: I think certainly the future remains to be seen. I would say a couple of things. One is that the structures that take root in Libya will be Libyan; it is not Canada and it's not populated by Canadians. There will be the governmental structures and legal structures and the implementation will be reflective of local

society, local expectations, and local norms and cultures. That doesn't mean it's not going to be democratic.

It's a difficult region, absolutely, but the people there have spent a long time waiting for a chance to determine their own future, to be able to express themselves freely, and to be able to talk even among friends without worrying about microphones in the rooms or knocks at the door. They are absolutely determined not to return to that. They put out a constitutional declaration in early August. Several of the articles—a fantastic percentage of the constitution—deal with how you won't come into people's houses and you won't listen to their phone calls and you won't... They have a number of things that we wouldn't even think would be required in a constitution, quite frankly, and they're there in great detail for that reason.

I think that having come this far and having worked this hard there is really no desire to revert to a new dictator. Within that, there will be a government that's right for Libya and for Libyans.

• (1030)

Hon. John McKay: Thank you.

Personally and on behalf of the Liberal Party, I want to thank you for your briefings over time. They've been helpful and thoughtful. We all appreciate them. Thank you.

The Chair: Finally, Mr. Alexander.

Mr. Chris Alexander: Thanks very much, Chair.

Coming back to the question of supporting the government, which is obviously key to sustaining stability and peace, Canada has unlocked a very significant amount, more than the U.K. and some of our other major allies, I believe. What are we looking for in terms of accountability?

Obviously a lot is going to depend on decisions the UN takes and assessment missions by the World Bank and so forth, but is there some model that we as Canada prefer at this stage, based on our consultations with the new government? We've been heavily involved in trust funds in places like Afghanistan, Iraq, Sudan, and Haiti—usually World Bank-supervised trust funds. Is that the kind of model we'd look to repeat with refinements, or is there something else in mind?

Ms. Sandra McCardell: There's something in place. On the \$2.2 billion, what we did was move to unfreeze everything that was being held by Canadian institutions in other countries. That money will flow into a mechanism already created by the contact group: the temporary financial mechanism. It has an international agent that watches transactions and has a steering board set up with members of the NTC and international members to watch over and safeguard transactions and ensure they're in line with the intentions of the funding and the desires of the NTC.

That mechanism exists, so we're not required to create a trust fund at this point. In the longer term, yes, we—"we" being the international community—need to look at providing technical assistance to ensure that there is sound financial management in the country going forward, with proper accountability and lines of authority.

Mrs. Marie Gervais-Vidricaire: If I may, I will just add that one of the areas the assessment missions will look at is shared services in the area of public financial management, for example, such as budget preparation and execution and banking. The World Bank is leading on that.

Mr. Chris Alexander: I have a related question with regard to the use of those funds. Obviously the new government has a certain form of legitimacy based on their ability to meet the aspirations of the Libyan people to be free of Gadhafi, but they will want legitimacy in other forms soon. Is there any indication of what that agenda might look like?

It will take a long time to organize elections, obviously, and that's a Libyan decision, but are there intermediate points such as national meetings and outreach? Because this inclusiveness issue is so key to ensuring stability down the road, locking it in as early as possible obviously would have to be part of our thinking, even from a defence standpoint. Could you give us some context on that point?

Second and finally, on the courts and the justice system, how functional are they? After 42 years of Gadhafi, they obviously have major shortcomings. But is there a court system that the new government can rely on and build upon?

Ms. Sandra McCardell: I'll start with the court question because it's more specific.

The courts, to my knowledge, are not currently up and running in Tripoli. I can't speak for Benghazi, but in Tripoli they were not. They are now looking at how to address cases that were tried under the previous government. What do they do with cases that were partway through? There are a number of legal issues that are going to consume them for some period of time. Legal advice is something we mean to give through our trade law expert, and others will contribute as well.

I would say that probably overall the court system itself and the legal system that underpins it in theory were probably not that bad. The real problem was the political interference in the system. So if you extract that element, you may find you have a base to work with that is fine. As you're familiar with, in many of these cases in these countries, the theory is great; it's the practice that was terrible. So we'll look at that.

The revolution began, both in Benghazi and in Tripoli, with lawyers protesting in front of court houses determined to have a constitution and a better democratic future for Libya. I've spoken to some of those lawyers who were doing that, and they're either back or are on their way back to the country committed to rebuilding it, and obviously they're professionally and keenly focused on the court system.

They are also aware, by the way, of what they will do to try those who come to trial who were part of the previous regime, and they are quite concerned about ensuring, among other things, that they actually get a proper defence. So these things are being thought through.

Just on the construction of the government, the NTC itself established a road map, which was presented to the Rome contact group—I think that was back in April—and it has a number of steps coming out of it, including the naming of a caretaker government

and a broad national congress that will launch a national reconciliation process and so on. These elements are timed from a declaration point at which they will consider their country liberated. They have not done that yet. There were discussions about how to handle that. They have Tripoli now liberated, which is the capital and obviously significant, but they have parts of the country that are not yet. So they are looking at that date, and it is something they are discussing right now. They mean to have all of the country able to participate in the process, and that is not the case currently.

• (1035)

The Chair: Mr. Chisu.

Mr. Corneliu Chisu: Mr. Chair, I have a very short question to the panel but probably addressed to Her Excellency.

In the context of the general turmoil in the Middle East, what is the level of threat of Islamist and fundamentalist extremist influences on the new Libyan authorities? We have seen similar developments in neighbouring Egypt, so I would like to know if you can....

The Chair: In 25 words or less.

Ms. Sandra McCardell: Okay. How about I start and anyone else who wants to pick it up is welcome to.

As we were discussing in the earlier question by Mrs. Gallant, there are Islamists present in Libya; there are Islamists present in the region. What is important is that structures are in place—political security, economic—that create a stability in the country that will ensure that their influence remains marginal and limited, and limited to benevolent outlets.

Certainly it's a region where there will be extremists, and I think what is important across these countries is to ensure that their recourse to violence is denounced and marginalized in every effective manner.

The Chair: Well, I think that wraps up our questioning. I think we've again had a very good briefing. I really appreciate all of our witnesses coming in and fully disclosing what the committee wanted to hear, informing Canadians on the great role that our diplomats and our members of the armed services are providing to the Libyan people.

Ambassador McCardell, I want to wish you well in your return to Tripoli, as you get things back to normal operations and get the mission completely re-established. I wish you all success in that and in providing that service to Canadians in Libya as well as to Libyans who are interested in the role that Canada has played.

General Vance, again, share our gratitude and congratulations on the success so far in the mission, Mission Mobile, definitely with General Bouchard but also with all members of our armed services, who again have made us all very proud by the way they've conducted themselves with professionalism, in our great military history that Canada has enjoyed. They've emulated that with all the diplomacy and professionalism that we know they always have.

To all the other witnesses here, thank you very much for taking the time to come here and brief us. We really appreciate having that information so that we can be properly informed as we go forward in policy-making.

With that, I will adjourn the meeting.

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