



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# **THE RUSSIAN STATE'S ILLEGAL WAR OF AGGRESSION AGAINST UKRAINE**

**Report of the Standing Committee on Foreign Affairs and  
International Development**

**Ali Ehsassi, Chair**

**FEBRUARY 2023**

**44th PARLIAMENT, 1st SESSION**

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### **Reports from committees presented to the House of Commons**

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. Substantive reports on a subject-matter study usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations.

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# **THE STANDING COMMITTEE ON FOREIGN AFFAIRS AND INTERNATIONAL DEVELOPMENT**

has the honour to present its

## **TENTH REPORT**

Pursuant to its mandate under Standing Order 108(2), the committee has studied the situation at the Russia-Ukraine border and implications for peace and security and has agreed to report the following:





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# LIST OF RECOMMENDATIONS

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*As a result of their deliberations committees may make recommendations which they include in their reports for the consideration of the House of Commons or the Government. Recommendations related to this study are listed below.*

## **Recommendation 1**

**That the Government of Canada continue to play a leading role in the pursuit of justice and accountability for war crimes, crimes against humanity, and violations of international human rights and humanitarian law in relation to Russia’s war against Ukraine. .... 19**

## **Recommendation 2**

**That the Government of Canada work with Ukraine and other international partners in support of the documentation, investigation, and prosecution of sexual- and gender-based violence committed during Russia’s war against Ukraine, and provide support to survivors. .... 19**

## **Recommendation 3**

**That the Government of Canada work with Ukraine and other international partners to prosecute individuals principally responsible for Russia’s crime of aggression against Ukraine by supporting the establishment of the Special Tribunal for the Crime of Aggression against Ukraine or another similar mechanism..... 20**

## **Recommendation 4**

**That the Government of Canada expel Russian diplomats involved in any activities that are not consistent with their official diplomatic status..... 20**

## **Recommendation 5**

**That the Government of Canada support independent civil society organizations in Russia, including by supporting a free and open internet in Russia through the use of technologies such as virtual private networks (VPNs)..... 20**

**Recommendation 6**

**That the Government of Canada continue to strengthen global food security, and the role of Ukraine as one of its guarantors, and join the efforts with Ukraine on the Black Sea Grain Initiative in the Global South. .... 20**

**Recommendation 7**

**That the Government of Canada continue to provide dedicated assistance to Ukraine for civilian winterization programs and the sustainment of the country’s energy infrastructure. .... 21**

**Recommendation 8**

**That the Government of Canada work with its international and domestic partners to improve the coordinated implementation and enforcement of sanctions against Russia, by working to identify all assets connected to designated persons and closing any loopholes that may exist. .... 27**

**Recommendation 9**

**That the Government of Canada enhance the transparency of its sanctions policy by providing regular reporting to Parliament on the scope, intent, effect, impact and enforcement of its sanctions regulations. .... 27**

**Recommendation 10**

**That the Government of Canada expedite the establishment of the new Canada Financial Crimes Agency. .... 27**

**Recommendation 11**

**That the Government of Canada utilize the legislative authorities allowing for the seizure and forfeiture of sanctioned assets, aiming to make those assets available to support Ukraine’s rebuilding process as soon as possible. .... 28**

**Recommendation 12**

**That the Government of Canada not grant a sanctions waiver to Siemens Energy Canada Limited for Nord Stream 1 pipeline turbines as long as sanctions remain in effect. .... 37**

**Recommendation 13**

**That the Government of Canada adopt as a policy goal the enhancement of the energy security of Canada’s democratic allies, while fully complying with Canada’s domestic and international obligations related to climate change. .... 40**

**Recommendation 14**

**That the Government of Canada continue to provide significant military, financial and humanitarian assistance to Ukraine so long as Ukraine must defend itself from Russian aggression..... 45**

**Recommendation 15**

**That the Government of Canada list the Wagner Group, a Russian mercenary organization, as a terrorist group under the *Criminal Code*..... 45**





# THE RUSSIAN STATE'S ILLEGAL WAR OF AGGRESSION AGAINST UKRAINE

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## INTRODUCTION

On 31 January 2022, the House of Commons Standing Committee on Foreign Affairs and International Development (the committee) agreed to undertake a study on the escalating situation at the Russia–Ukraine border and the risk to peace and security in the region.<sup>1</sup>

At the time, Russia had massed military forces near Ukraine.<sup>2</sup> While Russia had also carried out troop movements around Ukraine in the spring of 2021, the committee was informed that the buildup which began in October 2021 was different because it was more extensive and involved a broader area of operations, including the territory of Belarus.<sup>3</sup> Based on intelligence and analysis of Russia's behaviour, the United States began warning that an invasion was distinctly possible.<sup>4</sup> Russia's buildup was accompanied by what seems, in hindsight, to have been the pretense of diplomacy, during which it made untenable demands to the United States and the North Atlantic Treaty Organization (NATO)<sup>5</sup> for new legally binding guarantees in relation to the post-

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1 House of Commons, Standing Committee on Foreign Affairs and International Development (FAAE), *Minutes of Proceedings*, 31 January 2022.

2 Helene Cooper and Eric Schmitt, "[Russia Has Enough Troops Near Ukraine for Full Invasion, Pentagon Says](#)," *The New York Times*, 28 January 2022.

3 FAAE, *Evidence*, 3 February 2022, 1605 (Major-General Paul Prévost, Director of Staff, Strategic Joint Staff, Department of National Defence); and FAAE, *Evidence*, 3 February 2022, 1605 (Heidi Hulan, Assistant Deputy Minister, Strategic Policy, Department of Foreign Affairs, Trade and Development). According to Ms. Hulan, another factor that made the buildup of Russian forces beginning in October 2021 different than the buildup that had been carried out in March–April 2021 was that, in the latter case, "Russia attempted to justify its presence on the basis of exercises. This time no justification of any sort has been offered for the positioning of almost a third of Russia's land forces on the border with Ukraine."

4 Julian Borger and Dan Sabbagh, "[US warns of 'distinct possibility' Russia will invade Ukraine within days](#)," *The Guardian*, 11 February 2022.

5 FAAE, *Evidence*, 3 February 2022, 1605 (Heidi Hulan).



Cold War security architecture in Europe.<sup>6</sup> Russia's intentions were laid bare on 24 February 2022, when it launched a full-scale invasion of Ukraine,<sup>7</sup> its sovereign neighbour, targeting Ukraine's capital, Kyiv, in the opening stages of the war.

Prior to this assault, the United States and its allies—including Canada—had delivered a clear and consistent message to Russia. While “intense diplomacy” was pursued and “meaningful dialogue” was offered to Russia, severe consequences were also being prepared in the event that Russia chose a military path.<sup>8</sup> Russia, therefore, was told that military aggression would be met with wide-ranging and wide-reaching sanctions, as well as international isolation. Those consequences were triggered within hours and days of Russia's invasion, and they were delivered with unprecedented coordination and unity among Western democracies.<sup>9</sup> In addition to these sanctions against Russia, Ukraine has received military, financial and humanitarian assistance from its partners, as well as their political support in international bodies and in processes seeking justice and accountability.<sup>10</sup>

Before the war was initiated, the committee was told by one witness that Russia would win, and that “[n]o amount of lethal or non-lethal aid that Ukraine's friends can send is going to change that equation.”<sup>11</sup> Events since have shown that such assessments, informed by the numeric size of Russian military forces and stockpiles, overestimated Russia's strengths and underestimated the will of the Ukrainian people, the amplifying

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6 For additional background, see North Atlantic Treaty Organization (NATO), [Press conference by NATO Secretary General Jens Stoltenberg](#), 26 January 2022; Hibaí Arbide Aza and Miguel Gonzalez, “[US offered disarmament measures to Russia in exchange for deescalation of military threat in Ukraine](#),” *EL PAÍS*, 2 February 2022; The White House, [Remarks by President Biden Providing an Update on Russia and Ukraine](#), 15 February 2022; and NATO, [Doorstep statement by NATO Secretary General Jens Stoltenberg ahead of the meetings of NATO Defence Ministers in Brussels](#), 16 February 2022.

7 Russia had already occupied Ukraine's Crimea region in 2014 and fuelled a war in eastern Ukraine in which more than 13,000 people were killed, 30,000 wounded, and 1.5 million internally displaced. See FAAE, [Evidence](#), 10 February 2022, 1545 (Ihor Michalchyshyn, Executive Director and Chief Executive Officer, Ukrainian Canadian Congress).

8 FAAE, [Evidence](#), 3 February 2022, [1535](#) and [1645](#) (Heidi Hulan).

9 FAAE, [Evidence](#), 28 February 2022, [1110](#) and [1135](#) (the Honourable Bob Rae, Ambassador and Permanent Representative of Canada to the United Nations in New York, Department of Foreign Affairs, Trade and Development).

10 For additional information, see Government of Canada, [Canada's response to the Russian invasion of Ukraine](#); and Kiel Institute for the World Economy, [Ukraine Support Tracker](#).

11 FAAE, [Evidence](#), 10 February 2022, 1700 (Olga Oliker, Program Director, Europe and Central Asia, International Crisis Group). Dr. Yann Breault also acknowledged to the committee that he “was among those who were predicting a three-day victory and Zelenskyy leaving Kyiv,” and that he “turned out to be absolutely wrong about it.” See FAAE, [Evidence](#), 31 March 2022, 1600 (Dr. Yann Breault, Assistant Professor, Royal Military College Saint-Jean, As an Individual).



power of their allies, and the impact of the imposition of sanctions, especially technology-related sanctions.<sup>12</sup>

While it has suffered significant losses, destruction and atrocities, Ukraine has resisted months of Russian attacks, launched at targets across Ukraine from the land, air and sea, through an all-of-society effort. By the beginning of April 2022, Russia had been forced to withdraw from its attempt to take Kyiv.<sup>13</sup> Despite the punishing artillery assault that followed as Russian forces regrouped in Luhansk and Donetsk, Ukrainian forces ensured that Russian gains in eastern Ukraine were slow and incremental. Then, in early September 2022, and by that point armed with sophisticated artillery systems from Western governments,<sup>14</sup> Ukrainian forces carried out a counter-offensive in the Kharkiv region that regained more than 3,000 square kilometres of territory in five days.<sup>15</sup>

The campaign to liberate Ukrainian territory under Russian occupation in Donetsk, Luhansk, Kherson, and Zaporizhzhia continues. Russia's purported—and illegal—annexation of these regions, through sham referendums held at the end of September 2022, has already been condemned by this committee,<sup>16</sup> and rejected by the international community.<sup>17</sup> It is also being challenged on the ground by Ukrainian forces, who entered the city of Kherson on 11 November 2022.<sup>18</sup> Only days later, Ukrainian President Volodymyr Zelenskyy travelled to the newly liberated city, where he spoke to crowds and watched the hoisting of his country's flag in the central square.<sup>19</sup>

What follows in this interim report is not a comprehensive accounting of all events that have taken place since 24 February 2022, as most of the testimony cited was gathered in

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12 For the impact of the technology-related sanctions imposed against Russia, see FAAE, *Evidence*, 7 September 2022, [1435](#), [1455](#) and [1545](#) (Benjamin Schmitt, Research Associate, Harvard-Smithsonian Center for Astrophysics and Ukrainian Research Institute, Harvard University, As an Individual).

13 Paul Sonne, Isabelle Khurshudyan, Serhiy Morgunov and Kostiantyn Khudov, "[Battle for Kyiv: Ukrainian valor, Russian blunders combined to save the capital](#)," *The Washington Post*, 24 August 2022.

14 For additional background, see Stephen Kalin and Daniel Michaels, "[Himars Transform the Battle for Ukraine—and Modern Warfare](#)," *The Wall Street Journal*, 8 October 2022.

15 Institute for the Study of War, [Ukraine Conflict Updates](#), accessed 16 October 2022.

16 FAAE, [Referendums in Russian-Occupied Parts of Ukraine](#), fourth report, 4 October 2022.

17 United Nations, UN News, [Ukraine: UN General Assembly demands Russia reverse course on 'attempted illegal annexation'](#), 12 October 2022.

18 Carlotta Gall, "[Ukraine Signals It Will Stay on the Offensive, Despite Talk of a Lull](#)," *The New York Times*, 12 November 2022.

19 Mark MacKinnon, "[Zelensky visits liberated Kherson, touts 'beginning of the end' of Russia's invasion](#)," *The Globe and Mail*, 14 November 2022; and President of Ukraine, [Volodymyr Zelenskyy took part in hoisting the State Flag of Ukraine in liberated Kherson](#), News release, 14 November 2022.



earlier stages of the war, before Ukraine’s counter-offensives had taken shape. Rather, this report highlights key findings from the committee’s work to date in relation to Russia’s aims and tactics, as well as the actions needed to ensure that Ukraine can continue to defend itself and secure its future. The report also deals with a specific issue that arose in relation to the sanctions Canada has imposed on Russia. On 15 July 2022, the committee decided to examine the Government of Canada’s decision to grant a sanctions waiver for the maintenance and return of turbines used in the Nord Stream 1 pipeline, then one of the main sources of natural gas supply from Russia to Europe.<sup>20</sup>

As is emphasized in the conclusion of this interim report, the committee intends to remain seized with the war in Ukraine, and with its broader implications for European security and the international rules-based order.

## RUSSIA’S AIMS

### Imperial Ambitions

Prior to 24 February 2022, observers debated Russia’s regional aims, but they also sought, more particularly, to understand the worldview and anticipate the decision-making of Russian President Vladimir Putin. While some observers focused on Russia’s security concerns in relation to NATO,<sup>21</sup> others highlighted Putin’s fixation with Russia’s historical borders, as well as Ukraine’s statehood, nationhood and European aspirations, which testimony indicated he has long sought to challenge.

Dr. Marta Dyczok, Associate Professor in the Departments of History and Political Science at Western University, told the committee that Putin has,

made it very clear what he wants, and he’s repeated it over and over again. There’s that long article he wrote about how Ukraine is not a nation; Ukraine is really part of Russia. In previous statements that he’s made, in his mind, Ukraine is part of Russia and he’s trying to establish control over Ukraine and achieve regional hegemony. It’s not about Crimea or Donbass, it’s about restoring Russian greatness.<sup>22</sup>

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20 FAAE, *Minutes of Proceedings*, 15 July 2022. The committee decided that it would present a report incorporating testimony on its study of the sanctions waiver and the committee’s broader study of Russia’s aggression against Ukraine. See FAAE, *Minutes of Proceedings*, 21 September 2022.

21 For example, Olga Oliker told the committee—before Russia had launched its invasion—that “the challenge in Ukraine is part of the broader European security challenge of incompatible views of security on the part of Russia on the one hand and western states on the other.” See FAAE, *Evidence*, 10 February 2022, 1700.

22 FAAE, *Evidence*, 31 March 2022, 1630 (Dr. Marta Dyczok, Associate Professor, Departments of History and Political Science, Western University, As an Individual).

It is clear, for Professor Dyczok, that “Putin has imperial ambitions.”<sup>23</sup>

Timothy David Snyder, Professor of History, Yale University, echoed these remarks. He said:

A very specific quality of Russia’s aggression towards Ukraine is the consistent claim that Ukraine is not a state and that Ukraine is not a nation. This recalls 500 years of European imperialism. It also recalls very specifically the kinds of arguments that were used by Hitler and Stalin in 1938 and 1939, during a period of European imperialism inside Europe.<sup>24</sup>

Professor Snyder indicated that the first phase of Russia’s war, when Russian forces attempted a rapid advance toward Kyiv, was,

characterized by belief in this imperial vision and by the belief that Ukraine would fall in two or three days. The military operation, as it was initially conceived, assumed that there really was no state or nation that would resist, and that, on the third day of the invasion, Putin would already be negotiating with his own puppet regime and there would be a victory parade.<sup>25</sup>

As was made clear above, Ukraine’s resistance and societal unity showed that Putin’s vision did not match reality. In an attempt to pivot toward a new strategy, the various components of Russia’s armed forces in Ukraine must now, Professor Snyder said, “try to make the world look like Putin’s characterization.”<sup>26</sup> For Russia, therefore, the war became “a war of destruction or a war of annihilation, where the Ukrainian nation and the Ukrainian state have to be destroyed or, at the very least, humiliated, so that the world looks like what Putin said it looks like.”<sup>27</sup> According to Professor Snyder, what are commonly identified as the major issues in this conflict—territory, neutrality and security—have “never really been the problem.” As he explained, “Putin was never actually fighting a war about NATO.” Putin was “fighting a war to destroy the Ukrainian state.”<sup>28</sup>

In support of what they believe is needed to confront Russia’s aggression today, other witnesses referenced past reactions to Russia’s behaviour and the lessons

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23 Ibid., [1635](#).

24 FAAE, [Evidence](#), 31 March 2022, 1655 (Timothy David Snyder, Professor of History, Yale University, As an Individual).

25 Ibid.

26 Ibid.

27 Ibid.

28 Ibid., [1730](#).



President Putin may have drawn from them.<sup>29</sup> Evgenia Kara-Murza, Advocacy Coordinator of the Free Russia Foundation, spoke about the multi-year struggle of her husband, Vladimir Kara-Murza, who faces up to 24 years in a Russian prison for speaking out against the Putin regime and its war against Ukraine.<sup>30</sup> She told the committee that people like her husband have recognized Putin’s true nature for more than two decades and have tried to warn the world about the danger of appeasing him:

The horrible truth about this war is that it was not unexpected, but came as a result of over two decades of impunity that Vladimir Putin has enjoyed while oppressing his own people and carrying out his other military campaigns. For years he’s had the opponents of his regime murdered, both in Russia and on foreign soil, and has broken numerous international laws by leading a war in Chechnya, by invading Georgia, by annexing Crimea and by bombing Syria, all of this with no serious repercussions for himself or the regime that he’s built. Emboldened by continuous impunity, Vladimir Putin ended up believing that he could get away with pretty much anything and launched a full-blown war of aggression against our closest neighbour, killing thousands and displacing millions.<sup>31</sup>

Ms. Kara-Murza impressed on the committee that Russia’s aggression against Ukraine “goes hand in hand” with the massive repression that has taken hold within Russia.<sup>32</sup> At the same time as the independent media space in Russia “has basically been cleansed,”<sup>33</sup> Russian actors have promoted false, misleading and anti-Ukrainian narratives abroad.<sup>34</sup>

Other testimony suggested that Russia’s actions should be viewed through an even wider lens. Speaking to the committee in early February 2022, as Russia was massing its forces near Ukraine, Anessa Kimball, Associate Professor of Political Science, and Director, Centre for International Security, École supérieure d’études internationales, Université Laval, observed that Russia had deployed parts of at least 11 of its 13 armies to its western borders. Its willingness to shift so many forces westward, leaving Russia’s eastern flank exposed to China, could only be explained by the understanding of

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29 See FAAE, [Evidence](#), 19 October 2022, 1715 (Hon. Irwin Cotler, Founder and International Chair of the Raoul Wallenberg Centre for Human Rights, As an Individual).

30 FAAE, [Evidence](#), 19 October 2022, 1705 (Evgenia Kara-Murza, Advocacy Coordinator, Free Russia Foundation, As an Individual).

31 Ibid., [1700](#).

32 Ibid.

33 Ibid., [1720](#).

34 FAAE, [Evidence](#), 10 February 2022, 1540 (Marcus Kolga, Director, DisinfoWatch).

“functional non-aggression” that exists between Russia and China.<sup>35</sup> This understanding splits the West’s attention, Professor Kimball said, “between securing the eastern border of NATO, which Canada, the U.S. and partners have highly invested in both defensively, economically and politically, and attempting to deter Chinese irregular territorial expansion in Southeast Asia.”<sup>36</sup> Global Affairs Canada characterized the “strong and growing relationship” that had developed between Russia and China as “a complicity of authoritarian regimes very much in counterpoint to our own democracies.”<sup>37</sup>

## Threatened Escalation

Russia’s invasion of Ukraine directly challenged core tenets of the international rules-based order, including “the principles of state sovereignty and territorial integrity, and the sovereign equality of states.”<sup>38</sup> It has therefore heightened concern about the endurance of that order. The Honourable Bob Rae, Ambassador and Permanent Representative of Canada to the United Nations in New York, characterized Russia’s invasion of Ukraine, without justification or provocation, as “the most serious act of aggression we have seen in Europe since 1945.”<sup>39</sup>

This aggression has brought with it the spectre of escalation. Shortly after launching the invasion, President Putin ordered his country’s nuclear forces to be put at a higher state of alert, a “special regime of combat duty.”<sup>40</sup> The U.S. Director of National Intelligence subsequently indicated in public remarks that, while Putin’s announcement was “extremely unusual,” the United States had not “observed force-wide nuclear posture changes that go beyond what [were] seen in prior moments of heightened tensions during the last few decades.”<sup>41</sup> Russia’s posturing, therefore, was probably intended to

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35 FAAE, [Evidence](#), 10 February 2022, 1645 (Anessa Kimball, Associate Professor of Political Science, Director, Centre for International Security, École supérieure d’études internationales, Université Laval, As an Individual).

36 Ibid.

37 FAAE, [Evidence](#), 3 February 2022, 1700 (Sandra McCardell, Assistant Deputy Minister, Europe, Arctic, Middle East and Maghreb, Department of Foreign Affairs, Trade and Development).

38 FAAE, [Evidence](#), 2 May 2022, 1105 (David Angell, Ambassador and Permanent Representative to the North Atlantic Council, Joint Delegation of Canada to NATO).

39 FAAE, [Evidence](#), 28 February 2022, 1105 (Hon. Bob Rae).

40 Shannon Bugos, “[Putin Orders Russian Nuclear Weapons on Higher Alert](#),” *Arms Control Today*, March 2022; and Yuras Karmanau, Jim Heintz, Vladimir Isachenkov and Dasha Litvinova, “[Putin puts nuclear forces on high alert, escalating tensions](#),” *Associated Press*, 27 February 2022.

41 Avril Haines, Director of National Intelligence, United States, [Annual Threat Assessment of the U.S. Intelligence Community](#), Congressional testimony, Office of the Director of National Intelligence, 8 March 2022, p. 4.



deter the West from providing additional support to Ukraine.<sup>42</sup> Dr. Yann Breault, Assistant Professor, Royal Military College Saint-Jean, reminded the committee that the nuclear domain is the only one in which “there is a strategic balance” between Russia and the West.<sup>43</sup>

When asked about this threat, Ambassador Rae recalled that only weeks before, in January 2022, Russia had joined the other recognized nuclear-weapon states in affirming that “a nuclear war cannot be won and must never be fought.”<sup>44</sup> As such, from Ambassador Rae’s perspective, Putin’s late-February 2022 alert order was “deeply irrational.”<sup>45</sup> The ambassador underlined the importance of not being “scared off by this tactic,” which—he said—is “intended to make us all back off.”<sup>46</sup>

Indeed, other witnesses noted that the world is closely watching Russia’s threats and the West’s reactions to them. The 1994 Budapest Memorandum provided Ukraine with security assurances from Russia, the United Kingdom and the United States in exchange for its accession to the *Treaty on the Non-Proliferation of Nuclear Weapons* as a non-nuclear-weapon state.<sup>47</sup> With the Cold War over and the Soviet Union dissolved, Ukraine agreed to return to Russia the Soviet nuclear weapons that had been based on its territory. Through the Budapest Memorandum, the three countries committed to respect Ukraine’s independence and sovereignty, and its existing borders.

Professor Snyder observed that, since agreeing to give up the “third-highest number of nuclear weapons in the world,” Ukraine “has been invaded at least twice ... by the neighbouring country to which it actually gave the nuclear weapons back in 1994.”<sup>48</sup> Russia’s aggression against Ukraine and simultaneous invocation of its nuclear arsenal for deterrence, therefore, raise concerns with respect to proliferation and nuclear risks. Professor Snyder noted that smaller countries drawing lessons from what has transpired could seek to arm themselves against larger countries, and countries armed with nuclear

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42 Ibid., p. 5.

43 FAAE, [Evidence](#), 31 March 2022, 1600 (Dr. Yann Breault).

44 The White House, [Joint Statement of the Leaders of the Five Nuclear-Weapon States on Preventing Nuclear War and Avoiding Arms Races](#), 3 January 2022.

45 FAAE, [Evidence](#), 28 February 2022, 1140 (Hon. Bob Rae).

46 Ibid.

47 [Memorandum on security assurances in connection with Ukraine’s accession to the Treaty on the Non-Proliferation of Nuclear Weapons](#), registration number 52241, United Nations Treaty Collection.

48 FAAE, [Evidence](#), 31 March 2022, 1725 (Professor Timothy David Snyder).

weapons might think they could block the West by appearing “unhinged” and threatening to use nuclear weapons.<sup>49</sup>

In the time since the committee heard this testimony, Russia’s leadership has again engaged in irresponsible rhetoric related to nuclear weapons.<sup>50</sup> This rhetoric, set against Russia’s setbacks on the battlefield, have raised concerns about the possibility that Russia could use a tactical nuclear weapon against Ukraine.<sup>51</sup>

Echoing G7 leaders’ statements<sup>52</sup> and the national statements of allies,<sup>53</sup> the committee condemns Russia’s irresponsible nuclear rhetoric in the strongest possible terms, and it rejects any pretext for escalation by Russia.

## RUSSIA'S TACTICS

### Deliberate Violence

The committee heard disturbing testimony about the tactics Russia has used in its war against Ukraine.

Briefing the committee on the 68th day of Russia’s invasion, David Angell, Ambassador and Permanent Representative to the North Atlantic Council, Joint Delegation of Canada to NATO, said:

[W]e are still witnessing an enormous amount of human suffering, destruction of cities and infrastructures, widespread sexual violence being used as a weapon of terror, indiscriminate bombing of civilian areas, forced displacements and in some instances, as in Bucha, what appears to be the deliberate massacre of civilians.<sup>54</sup>

Reflecting on her visit to Bucha, where “mass graves of civilians were found” after Russian forces retreated from the area at the end of March 2022, Alexandra Chyczij,

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49 Ibid.

50 See, for example, Mark MacKinnon, Adrian Morrow and Paul Waldie, “[Putin’s partial military mobilization, nuclear threat draw condemnation from West](#),” *The Globe and Mail*, 21 September 2022.

51 See David E. Sanger, “[Biden Says Russian Use of a Nuclear Weapon Would Be a ‘Serious Mistake’](#),” *The New York Times*, 25 October 2022.

52 Prime Minister of Canada, Justin Trudeau, [G7 Leaders’ Statement](#), 11 October 2022.

53 United States, Department of State, Office of the Spokesperson, [Joint Statement on Ukraine](#), Media note, 23 October 2022.

54 FAAE, [Evidence](#), 2 May 2022, 1105 (David Angell).



President of the Ukrainian Canadian Congress, told the committee: “[W]hat I saw, I assure you, I will never forget.”<sup>55</sup>

Since 24 February 2022, almost 8 million refugees from Ukraine have been recorded across Europe. More than 4.9 million have registered for temporary protection, or a similar national protection mechanism in Europe.<sup>56</sup> Within Ukraine, more than 5.9 million people remain displaced.<sup>57</sup>

People have fled violence and the threat of violence. Civilian areas and objects have been targeted during Russian attacks, and terrible images and stories have emerged from communities liberated from Russian occupation, including—but not limited to—Bucha. Yuliia Kovaliv, who was then Ambassador-designate of Ukraine in Canada, described crimes that have been committed against her country, including “deliberate attacks against civilian objects; wilful killing of civilians; using prohibited weapons; sexual violence, including to children; torture; [and] forceable deportation.”<sup>58</sup> She also noted that Russian troops have occupied Ukraine’s Zaporizhzhia nuclear power plant, the largest such plant in Europe, over which Russian cruise missiles “have been recorded flying at low altitude.”<sup>59</sup>

Ambassador Kovaliv informed the committee that, in temporarily occupied cities and towns, “[a] number of mayors, members of local parliaments and civil activists have been abducted.” She further indicated that “[s]ome of them were tortured and even murdered.”<sup>60</sup> One of the cities that fell under Russian occupation, after weeks of fierce resistance, is Mariupol, in southern Ukraine. Before the war, it had a population of 400,000. According to Ambassador Kovaliv, “95% of the city has been totally destroyed.”<sup>61</sup>

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55 FAAE, [Evidence](#), 4 August 2022, 1435 (Alexandra Chyczij, President, Ukrainian Canadian Congress).

56 United Nations Refugee Agency (UNHCR), [Operational Data Portal: Ukraine Refugee Situation](#) (database), accessed 20 January 2023. Note: according to the UNHCR, the figures for temporary protection or similar national protection schemes, “may include multiple registrations of the same individual in two or more EU+ countries; registrations that remain incomplete for various reasons; or registrations of refugees who have moved onward, including beyond Europe.”

57 UNHCR, Regional Bureau for Europe, [Ukraine Situation Flash Update #38](#), 16 January 2023.

58 FAAE, [Evidence](#), 2 May 2022, 1205 (Yuliia Kovaliv, Ambassador-designate of Ukraine in Canada, Embassy of Ukraine).

59 Ibid.

60 Ibid., [1200](#).

61 Ibid.



Deeply troubling are the cases, which Ukraine has documented as kidnappings, of children “who are forcefully taken from those territories that are now temporarily occupied by Russian forces.”<sup>62</sup> According to Ambassador Kovaliv:

There is evidence that these children are now located throughout all of Russia, including Siberia and Vladivostok, hundreds of kilometres from the Ukrainian border. They were taken with evidence that it was without their will, without their parents and without any proper process or documents.<sup>63</sup>

She expressed Ukraine’s determination to “bring back all of the Ukrainian children.”<sup>64</sup>

In addition to the suffering Russia has inflicted on the Ukrainian people, Russia’s tactics have also had consequences for vulnerable populations elsewhere. Marcus Kolga, Senior Fellow, Macdonald-Laurier Institute, remarked that Russia had “threatened to starve vulnerable nations around the world by blockading millions of tonnes of Ukrainian grain while shelling and bombing critical Ukrainian agricultural infrastructure to induce a global grain shortage.”<sup>65</sup> Put succinctly, this tactic amounted to the “weaponization of hunger.”<sup>66</sup> Ambassador Kovaliv noted that, despite Ukrainian farmers having to contend with mining and shelling, the work of planting and harvesting continued, including with Canadian support to help Ukraine buy grain storage.<sup>67</sup> A few days prior to the ambassador’s August 2022 testimony, the first ship filled with grain had left its Ukrainian port—under the Black Sea Grain Initiative brokered by Turkey and the United Nations<sup>68</sup>—“even after Russia missiles attacked the port.”<sup>69</sup>

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62 Ibid., [1240](#).

63 Ibid.

64 Ibid.

65 FAAE, [Evidence](#), 7 September 2022, 1425 (Marcus Kolga, Senior Fellow, Macdonald-Laurier Institute, As an Individual).

66 Ibid.

67 FAAE, [Evidence](#), 4 August 2022, 1655 (Her Excellency Yuliia Kovaliv, Ambassador of Ukraine to Canada).

68 The Black Sea Grain Initiative was agreed by the United Nations, Russia, Türkiye, and Ukraine on 22 July 2022. It is designed to facilitate the safe transportation of grain, other foodstuffs, and fertilizers from Ukrainian ports – through an established maritime corridor – to world markets. To enable this corridor, vessels heading to and from Ukrainian ports are subject to jointly coordinated inspections. See United Nations, UN News, [The Black Sea Grain Initiative: What it is, and why it's important for the world](#), 16 September 2022; and United Nations, Black Sea Grain Initiative Joint Coordination Centre, [Beacon on the Black Sea](#).

69 FAAE, [Evidence](#), 4 August 2022, 1655 (H.E. Yuliia Kovaliv).



## The Pursuit of Accountability

Canada is among the nations that have supported the pursuit of justice for Ukraine at the International Court of Justice<sup>70</sup> and the International Criminal Court.<sup>71</sup> Ambassador Kovaliv indicated in early May 2022 that there were already international teams on the ground, supporting Ukrainian law enforcement agencies that are documenting evidence of war crimes and crimes against humanity. Canada was asked to provide technical support, “that is tools and instruments, the DNA equipment and forensic equipment to get this evidence and the proof of the evidence.”<sup>72</sup>

Ambassador Kovaliv also noted that Ukrainian authorities were working to establish a “separate track for studies investigating and documenting the sexual crimes against women and children that have happened and that we have witnessed in Bucha, Irpin and other cities throughout the country.”<sup>73</sup> In addition to the documentation and prosecution of crimes, there is a need—Ambassador Kovaliv stated—to “support programs for women who were victims of sexual crimes.” Also important, she said, is “to be vocal globally on sexual crimes being a part of war crimes and being one of the instruments of the Russian war.”<sup>74</sup>

The Honourable Irwin Cotler, Founder and International Chair of the Raoul Wallenberg Centre for Human Rights, told the committee that, while there are legal and judicial remedies for war crimes and crimes against humanity, that is not the case for the crime of aggression. He urged support for the “establishment of an independent tribunal for the crime of aggression so that Putin and all those who are aiding and abetting in this

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70 See International Court of Justice, *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*; and Global Affairs Canada, *Joint Statement on Ukraine’s application against Russia at the International Court of Justice*, Statement, 13 July 2022.

71 See International Criminal Court, *Ukraine: Situation in Ukraine*, ICC-01/22; Global Affairs Canada, *Canada to refer the situation in Ukraine to International Criminal Court*, Statement, 1 March 2022; and Public Safety Canada, *Public Safety Minister makes statement on Ukraine*, Statement, 29 March 2022.

72 FAAE, *Evidence*, 2 May 2022, 1235 (Yuliia Kovaliv).

73 *Ibid.*, [1250](#).

74 *Ibid.*, [1300](#).

crime of aggression against the Ukrainian people can be brought to justice.”<sup>75</sup> The committee is aware that, in the time since this testimony was received, the European Commission has communicated its support for the establishment of “a specialised court, backed by the United Nations, to investigate and prosecute Russia’s crime of aggression.”<sup>76</sup>

In response to Russia’s aggression, the Ukrainian Canadian Congress called on Canada to designate Russia as a state sponsor of terrorism under its domestic legislation.<sup>77</sup> The objective would be to “remove state immunity from Russia” and “make it the pariah internationally that it deserves to be.”<sup>78</sup> While acknowledging that the United States has not taken this step, despite “wide support for this designation” within Congress, the need to do so was characterized as “long overdue” in light of the shooting down of the civilian airliner, flight MH17, in July 2014.<sup>79</sup>

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75 FAAE, *Evidence*, 19 October 2022, 1730 (Hon. Irwin Cotler). One observer explains that, unlike the other three crimes in the *Rome Statute of the International Criminal Court*, namely genocide, crimes against humanity, and war crimes, “the crime of aggression may not be prosecuted against nationals of non-state parties—including Russia and Belarus.” See Oona A. Hathaway, “[The Case for Creating an International Tribunal to Prosecute the Crime of Aggression Against Ukraine \(Part I\)](#),” *Just Security*, 20 September 2022. This same legal expert explains that “without a special tribunal for the crime of aggression, the fundamental crime of launching and waging this illegal war—a crime without which the other crimes would not have taken place—would go entirely unpunished.” See Oona A. Hathaway, “[Russia’s Crime and Punishment: How to Prosecute the Illegal War in Ukraine](#),” *Foreign Affairs*, 17 January 2023.

76 European Commission, *Statement by President von der Leyen on Russian accountability and the use of Russian frozen assets*, Statement, 30 November 2022. The European Commission proposed two options for the consideration of EU member states, as follows: “[a] special independent international tribunal based on a multilateral treaty or [a] specialised court integrated in a national justice system with international judges – a hybrid court – could be put in place.” For both options, the Commission emphasizes, “strong backing of the United Nations would be essential.” See European Commission, *Ukraine: Commission presents options to make sure that Russia pays for its crimes*, News release, 30 November 2022.

77 FAAE, *Evidence*, 7 September 2022, 1315 (Ihor Michalchyshyn). Pursuant to subsection 6.1(2) of the *State Immunity Act*, the Governor in Council may, by order, include a foreign state on the list on state supporters of terrorism, further to the recommendation of the Minister of Foreign Affairs, made after consulting with the Minister of Public Safety and Emergency Preparedness, and when it has been determined that there are “reasonable grounds to believe that the foreign state supported or supports terrorism.” Pursuant to subsection 6.1(1) of the *State Immunity Act*, any foreign state included on the list of state supporters of terrorism “is not immune from the jurisdiction of a court in proceedings against it for its support of terrorism on or after January 1, 1985.” The *Order Establishing a List of Foreign State Supporters of Terrorism* (SOR/2012-170) includes two states, the Islamic Republic of Iran and Syria, both of which were listed in [2012](#).

78 FAAE, *Evidence*, 4 August 2022, 1455 (Alexandra Chyczij).

79 FAAE, *Evidence*, 7 September 2022, 1330 (Orest Zakydalsky, Senior Policy Advisor, Ukrainian Canadian Congress).



Furthermore, the Ukrainian Canadian Congress urged the committee’s support for “the expulsion from Canada of the ambassador of the Russian Federation and the Russian diplomatic mission.”<sup>80</sup> The organization noted that, while “several countries in Europe” have expelled “numerous Russian diplomats,” Canada has not expelled any Russian diplomats since February 2022.<sup>81</sup>

Speaking to the committee only days after Russia had launched its invasion, Global Affairs Canada expressed “a cautionary note about cutting off the opportunity for ... high-level contact, whether it’s with the Russian ambassador here or through our ambassador in Moscow.”<sup>82</sup> In addition to retaining the ability to communicate Canada’s views directly to the regime, it was noted that Canada’s ambassador in Moscow “also plays a role in protecting Canada’s interests, whether it’s consular or just as she did ... setting a real example in Moscow by joining like-minded ambassadors on the anniversary of the death of Boris Nemtsov.”<sup>83</sup> From the department’s perspective, the decision was not one “to be taken lightly.”<sup>84</sup>

On this issue, Professor Marta Dyczok suggested a calibrated approach, arguing that,

Canada could be scaling down its diplomatic relations with Russia. They need to keep the embassy and consulates open—diplomatic channels need to remain open—but the size of its diplomatic missions does not need to be the same as during peacetime. We’ve seen this with a number of European countries, which have scaled down and said that this is not business as usual. They say, “Their country is perpetrating war; therefore, all of these diplomats and their families are not welcome in our country.”<sup>85</sup>

Ambassador Kovaliv expressed her country’s “hope that Canada will follow the other partners and substantially decrease Russian diplomatic presence in Canada.”<sup>86</sup>

Finally, the Ukrainian Canadian Congress also called on the committee to “support the suspension of the issuing of travel visas by Canada to all citizens of the Russian Federation.”<sup>87</sup>

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80 FAAE, [Evidence](#), 7 September 2022, 1315 (Ihor Michalchyshyn).

81 FAAE, [Evidence](#), 7 September 2022, 1325 (Orest Zakydalsky).

82 FAAE, [Evidence](#), 28 February 2022, 1245 (Sandra McCardell).

83 Ibid.

84 Ibid.

85 FAAE, [Evidence](#), 31 March 2022, 1550 (Dr. Marta Dyczok).

86 FAAE, [Evidence](#), 2 May 2022, 1210 (Yuliia Kovaliv).

87 FAAE, [Evidence](#), 7 September 2022, 1315 (Ihor Michalchyshyn).

As this is an interim report, some of the issues brought before the committee will require further consideration through meetings to come. Regarding the overall thematic of this section of the report, which focused on Russia's tactics, the committee recognizes that reports of war crimes continue to come to light.<sup>88</sup> Furthermore, the committee is aware that, as Ukraine has been pursuing counter-offensives to liberate occupied territory in eastern and southern Ukraine, Russia has retaliated with waves of missile and drone attacks targeting civilian areas and the critical infrastructure on which millions of civilians rely, including infrastructure necessary for power transmission, water supply, and home heating.<sup>89</sup> These systematic attacks against Ukraine's cities have killed and injured civilians, while also damaging or destroying half of the country's energy infrastructure.<sup>90</sup> The committee condemns Russia's brutality and recommends:

#### **Recommendation 1**

**That the Government of Canada continue to play a leading role in the pursuit of justice and accountability for war crimes, crimes against humanity, and violations of international human rights and humanitarian law in relation to Russia's war against Ukraine.**

#### **Recommendation 2**

**That the Government of Canada work with Ukraine and other international partners in support of the documentation, investigation, and prosecution of sexual- and gender-based violence committed during Russia's war against Ukraine, and provide support to survivors.**

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88 See, United Nations, Office of the High Commissioner for Human Rights, [\*UN Commission concludes that war crimes have been committed in Ukraine, expresses concern about suffering of civilians\*](#), News release, 23 September 2022; United Nations, Office of the High Commissioner for Human Rights, [\*UN Commission has found an array of war crimes, violations of human rights and international humanitarian law have been committed in Ukraine\*](#), News release, 18 October 2022; and Human Rights Watch, [\*Ukraine: Russian Forces Tortured Iziurm Detainees\*](#), 19 October 2022.

89 See Adam Schreck, [\*UN, G7 decry Russian attack on Ukraine as possible war crime\*](#), *Associated Press*, 11 October 2022; Michael Birnbaum, David L. Stern and Emily Rauhala, [\*Russia's methodical attacks exploit frailty of Ukrainian power system\*](#), *The Washington Post*, 25 October 2022; and United Nations, Political and Peacebuilding Affairs, [\*DiCarlo: Relentless, widespread attacks against civilians and critical infrastructure continuing across Ukraine\*](#), Remarks, 23 November 2022.

90 United Nations, Office of the High Commissioner for Human Rights, [\*Ukraine Briefing to the Security Council by ASG Ilze Brand Kehris\*](#), Statement, 17 January 2023.



### **Recommendation 3**

**That the Government of Canada work with Ukraine and other international partners to prosecute individuals principally responsible for Russia’s crime of aggression against Ukraine by supporting the establishment of the Special Tribunal for the Crime of Aggression against Ukraine or another similar mechanism.**

### **Recommendation 4**

**That the Government of Canada expel Russian diplomats involved in any activities that are not consistent with their official diplomatic status.**

### **Recommendation 5**

**That the Government of Canada support independent civil society organizations in Russia, including by supporting a free and open internet in Russia through the use of technologies such as virtual private networks (VPNs).**

### **Recommendation 6**

**That the Government of Canada continue to strengthen global food security, and the role of Ukraine as one of its guarantors, and join the efforts with Ukraine on the Black Sea Grain Initiative in the Global South.**

## **ENDURING SUPPORT FOR UKRAINE**

To defend itself against an assault from a larger military power, Ukraine continues to require significant and multifaceted support from the world’s democracies. Commenting on the situation overall, Professor Marta Dyczok remarked that “Canada has a very important role to play in this, both as an independent actor and as part of a coalition.” This role builds, she noted, on “a special relationship that goes back 30 years.”<sup>91</sup>

Her Excellency Yuliia Kovaliv expressed Ukraine’s gratitude for the various forms of support Canada has provided so far, telling the committee:

We value Canada’s leadership and swift parliamentary reactions as one of the first countries to recognize Russian aggression and war crimes as the genocide of Ukrainian people. You stated the obvious and helped us build alliances around the whole world to

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91 FAAE, *Evidence*, 31 March 2022, 1550 (Dr. Marta Dyczok).

recognize that Russia's goal is to destroy Ukraine as a sovereign country and Ukrainians as a nation.

We are also grateful to Canada for the steadfast support by providing unprecedented financial support, military and humanitarian aid, hosting Ukrainians who are fleeing the war, imposing sanctions and being the first to introduce a tool to seize Russian assets. Ukraine is grateful for these important actions of direct support.<sup>92</sup>

While still her country's Ambassador-designate, she had previously told the committee that "Ukrainians will never forget that Canada was shoulder to shoulder with us in these dramatic times in our modern history."<sup>93</sup>

Nevertheless, Russia continues to pursue its aims on the battlefield. In addition to armed resistance, Ukraine must continue to withstand the economic shocks<sup>94</sup> and hardships unleashed by a full-scale invasion of its territory, including for some in devastated villages who are enduring a winter "where roofs, doors and windows are gone and people are left cooking over, basically, campfire stoves."<sup>95</sup> Set against these larger themes of endurance and resolve, the remainder of this interim report focuses on the importance of sanctions and military assistance.

## Recommendation 7

**That the Government of Canada continue to provide dedicated assistance to Ukraine for civilian winterization programs and the sustainment of the country's energy infrastructure.**

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92 FAAE, [Evidence](#), 4 August 2022, 1545 (H.E. Yuliia Kovaliv).

93 FAAE, [Evidence](#), 2 May 2022, 1200 (Yuliia Kovaliv).

94 At the time of the Ambassador-designate's testimony, it was estimated that Ukraine's economy would shrink by at least 35% in 2022, and the country was facing a monthly budget deficit—not including military expenditure—of \$5 billion. See FAAE, [Evidence](#), 2 May 2022, 1205 (Yuliia Kovaliv).

95 FAAE, [Evidence](#), 7 September 2022, 1415 (Ihor Michalchyshyn). In addition to the new financial assistance it is providing, in the form of Ukraine Sovereignty Bonds, the Government of Canada is allocating \$55 million—in previously announced funding for humanitarian assistance – to support winterization initiatives in Ukraine. See Prime Minister of Canada, Justin Trudeau, [Prime Minister announces new measures to support Ukraine](#), 28 October 2022. In the wake of Russia's repeated attacks against Ukraine's energy infrastructure, Canada is transferring \$115 million in tariff revenues collected on imports from Russia and Belarus – for which Most-Favoured-Nation status was revoked in early March 2022 – to repair Kyiv's power grid. See Department of Finance Canada, [Canada provides Ukraine \\$115 million from Russian and Belarusian tariff revenues to repair Kyiv's power grid](#), News release, 13 December 2022.



## Sanctions

### Deterrence and Punishment

Sanctions are an important tool in constraining Russia's ability to wage war and, as noted by several witnesses, have been unprecedented with respect to the coordination of their imposition and the scope of their application against a major economy.<sup>96</sup> Professor Timothy Snyder told the committee that:

[T]he Russians were surprised by the scale of the sanctions. They were not prepared for this level of sanctions. Their idea was that the war would be over so quickly that we wouldn't really have a chance to react. I think they also underestimated how quickly North Americans and Europeans could get together on these issues.<sup>97</sup>

Two weeks before Russia launched its invasion, William Browder, CEO, Hermitage Capital Management, and Head, Global Magnitsky Justice Campaign, had recommended to the committee the establishment of "a list of the 50 biggest oligarchs who look after Putin's money."<sup>98</sup> He then argued for the list to be used to apply Magnitsky sanctions against five of them "before any invasion to show Putin we're serious." He also recommended an accompanying ultimatum, whereby Putin would have been told that he had "10 days to pull back from the border" or he would have been hit "with another five."<sup>99</sup> At the time, Mr. Browder assessed that "Putin doesn't believe that any of us are serious about this." He further argued that until Putin saw "some seriousness, his calculation is that this will be like every other thing he's done, for which there have been sanctions but none that affect him personally."<sup>100</sup>

By contrast, later in the same meeting, Olga Oliker, Program Director, Europe and Central Asia, International Crisis Group, told the committee that sanctions tend "to work great at sending signals that you're unhappy, but as we've seen over the last eight years with Russia, it works less well in actually changing behaviour."<sup>101</sup> At the time, when Russia's intentions were still being anticipated, she believed there was "very little reason to think

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96 The rounds of sanctions the European Union has imposed against Russia, for example, have become "the largest sanctions package in European Union history." See FAAE, [Evidence](#), 4 August 2022, 1530 (Her Excellency Melita Gabrič, Ambassador and Head of the Delegation of the European Union to Canada).

97 FAAE, [Evidence](#), 31 March 2022, 1735 (Professor Timothy David Snyder).

98 FAAE, [Evidence](#), 10 February 2022, 1550 (William Browder, CEO, Hermitage Capital Management; Head, Global Magnitsky Justice Campaign).

99 Ibid., 1555.

100 Ibid., [1605](#).

101 FAAE, [Evidence](#), 10 February 2022, 1730 (Olga Oliker).



that punishing [Russia] now with more incremental sanctions is going to change their behaviour.”<sup>102</sup> Global Affairs Canada had told the committee a week before that disclosing names under consideration for sanctions designations would have “the effect of signalling intent,” which “can give an opportunity for money to be moved around.” The department’s position, at the time, was that there was “greater deterrence in ambiguity.”<sup>103</sup>

### Unprecedented Coordination and Reach

Over the course of eight years beginning in 2014, the Government of Canada imposed sanctions on 440 individuals and entities in response to Russia’s illegal annexation of Crimea and its “associated efforts to undermine Ukraine.”<sup>104</sup> Since Russia launched its full-scale invasion of Ukraine on 24 February 2022, Canada has imposed sanctions against more than 1,500 additional individuals and entities.<sup>105</sup> Many of these measures have been imposed in coordination with Canada’s allies and partners, particularly the European Union (EU) and the United States.

The Honourable Mélanie Joly, Minister of Foreign Affairs, informed the committee that sanctions have been imposed,

on individuals and entities who support, fund and enable President Putin’s war regime. These include President Putin himself, his daughters, members of his cabinet and his oligarchs, and key Russian industries, including high tech, chemicals, luxury goods and manufacturing. As a result, Canada has the strongest sanctions regime in the G7 when it comes to Ukraine.<sup>106</sup>

Monitoring the effectiveness of these measures is a complex endeavour, in part because it can take time for sanctions to have their intended effect. Briefing the committee in early May 2022, Global Affairs Canada indicated that, in addition to measures designed by governments with the intention of targeting “the heart of Russia’s financial system,” many companies have chosen to divest or cease their operations in Russia. The

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102 Ibid.

103 FAAE, [Evidence](#), 3 February 2022, 1615 (Heidi Hulan).

104 Ibid., [1700](#).

105 Global Affairs Canada, [Canada imposes new sanctions on Russian, Iranian and Myanmar regimes](#), News release, 9 December 2022. For the full list of Canadian sanctions, see Government of Canada, [Sanctions—Russian invasion of Ukraine](#).

106 FAAE, [Evidence](#), 4 August 2022, 1305 (the Honourable Mélanie Joly, Minister of Foreign Affairs).



department expected “the longer-term impact” of the sanctions “to be fairly significant.”<sup>107</sup>

Minister Joly updated the committee as of early August 2022 with the following information:

Evidence is showing that international sanctions are having a significant impact on the Russian state. A recent study from Yale University painted a picture of a deeply crippled economy. Russian imports have largely collapsed. Russia faces challenges securing crucial inputs, leading to widespread supply shortages. Russian domestic production has come to a complete standstill, with no capacity to replace lost businesses, products and talent. As a result of the business retreat, Russia has lost companies representing nearly 40% of its GDP.<sup>108</sup>

Marcus Kolga pointed to signs from within Russia that international sanctions are having an impact. He referenced a leaked Russian cabinet document, which,

suggests that there is deep concern about brain drain caused by the sanctions. It’s been estimated by the Russian government itself that by 2025, 200,000 [information-technology] professionals will leave Russia; that there will be an 8% to 11% contraction of the Russia economy within the next 24 months; and that it will take a decade for Russia to recover its economy to pre-war levels.<sup>109</sup>

While of the view that sanctions “are working,” Mr. Kolga cautioned that they are not a “silver bullet” and “take time to work.” They therefore “need to be sustained.”<sup>110</sup>

One of the specific objectives of the sanctions, according to Ambassador David Angell, “has been to degrade Russia’s military capabilities by cutting access of its defence sector to western technology.”<sup>111</sup> Indeed, Benjamin Schmitt, Research Associate, Harvard-Smithsonian Center for Astrophysics and Ukrainian Research Institute, Harvard University, pointed to reports of Ukrainian military personnel “opening up captured Russian military equipment and, lo and behold, inside are commercial semiconductor products that are stripped out of products like washing machines and dishwashers and things like this.”<sup>112</sup> Mr. Schmitt used this example to emphasize that “technology

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107 FAAE, [Evidence](#), 2 May 2022, 1120 (Heidi Kutz, Senior Arctic Official and Director General, Arctic, Eurasian and European Affairs, Department of Foreign Affairs, Trade and Development).

108 FAAE, [Evidence](#), 4 August 2022, 1305 (Hon. Mélanie Joly).

109 FAAE, [Evidence](#), 7 September 2022, 1515 (Marcus Kolga).

110 Ibid.

111 FAAE, [Evidence](#), 2 May 2022, 1110 (David Angell).

112 FAAE, [Evidence](#), 7 September 2022, 1455 (Benjamin Schmitt).

sanctions are working” and must be maintained,<sup>113</sup> a recurrent theme that will be addressed again in the next section of this report.

While the sanctions imposed on Russia by like-minded governments are severe and wide-reaching, Professor Yann Breault expressed concern early on about “the fracturing of the international order.”<sup>114</sup> He suggested that “we need to get out of the information bubble we are in to some degree as a G7 country, with our allies Japan and South Korea, who are standing in solidarity with a wave of economic sanctions against Russia that are completely unprecedented.”<sup>115</sup> Although 141 states denounced Russia’s aggression at the United Nations General Assembly in early March 2022, some others abstained or did not show up, including China, India, Iran and Pakistan. This reality led Professor Breault to believe “that the effect of economic sanctions on a country that is mainly an exporter of natural resources will unfortunately not really limit the Russians’ room for manoeuvre in the long term.”<sup>116</sup> This was the view, he commented, in Russia.

## Monitoring and Enforcement

Ambassador Kovaliv noted the importance of monitoring and enforcing the sanctions that have been imposed and working with allies “to eliminate existing loopholes that can provide the chance for Russia and Russian oligarchs to evade the sanctions.”<sup>117</sup> Global Affairs Canada had told the committee shortly after Russia’s invasion was launched that the Canadian government was joining in a taskforce with the United States and the EU “to essentially get our technicians and departments together to look very carefully at where the assets are and to work to make sure the sanctions we put in place are effective and are being implemented.”<sup>118</sup> Minister Joly later assured the committee that the government would keep introducing new sanctions, indicating that the “objective is—and will remain—a stricter sanctions regime.”<sup>119</sup>

Ambassador Kovaliv connected the assets that have been frozen through sanctions to the rebuilding of Ukraine. She indicated that:

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113 Ibid.

114 FAAE, [Evidence](#), 31 March 2022, 1545 (Dr. Yann Breault).

115 Ibid.

116 Ibid.

117 FAAE, [Evidence](#), 2 May 2022, 1210 (Yuliia Kovaliv).

118 FAAE, [Evidence](#), 28 February 2022, 1210 (Sandra McCardell).

119 FAAE, [Evidence](#), 4 August 2022, 1330 (Hon. Mélanie Joly).



The estimated damages to the Ukrainian economy are now counted in hundreds of billions of dollars. Hence, we need a recovery strategy that is similar to the Marshall plan after World War II. With Russia’s property and assets frozen, sites abroad have to become a major part of these rebuilding plans.<sup>120</sup>

As such, Ambassador Kovaliv welcomed the Government of Canada’s “initiatives to establish a mechanism of seizure and fortitude of Russia’s frozen assets in Canada being further transferred to Ukraine.”<sup>121</sup> She said that the legislation being considered by the Canadian Parliament—which subsequently received Royal Assent<sup>122</sup> and was used for the first time in December 2022<sup>123</sup>—would “make an example for other countries to follow.”<sup>124</sup> It is Ukraine’s position that sanctioned assets, frozen around the world, “should be the biggest portion of the future rebuilding fund of Ukraine.”<sup>125</sup>

Calling for a beneficial ownership registry in Canada, which would disclose the individuals—rather than the legal entity—who ultimately own or control companies, Alexandra Chyczij commented that the seizure and selling of assets “can only happen if we know what we’re looking for.”<sup>126</sup> Her opinion is that “\$120 million of seized assets is

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120 FAAE, [Evidence](#), 2 May 2022, 1205 (Yuliia Kovaliv).

121 FAAE, [Evidence](#), 2 May 2022, 1205 (Yuliia Kovaliv). Prior to the invasion, Dr. Fen Hampson had drawn the committee’s attention to the [Frozen Assets Repurposing Act](#), a bill that was being considered by the Senate of Canada. He had suggested that seizing the frozen foreign holdings of President Putin and his associates, which would then be repurposed to help Putin’s victims, was an option that should be considered if Putin attacked Ukraine. See FAAE, [Evidence](#), 10 February 2022, 1655 (Dr. Fen Osler Hampson, Chancellor’s Professor, Carleton University, President, World Refugee & Migration Council, As an Individual).

122 *Budget Implementation Act, 2022, No. 1 (S.C. 2022, c. 10)*, [Part 5, Division 31](#).

123 See Global Affairs Canada, [Canada starts first process to seize and pursue the forfeiture of assets of sanctioned Russian oligarch](#), News release, 19 December 2022. According to this announcement, “Canada will seize and pursue the forfeiture of US \$26 million from Granite Capital Holdings Ltd., a company owned by Roman Abramovich—a Russian oligarch sanctioned under the *Special Economic Measures (Russia) Regulations*.” More specifically, it indicates that “Minister Joly will now consider making a court application to forfeit the asset permanently to the Crown.” The order for Citco Bank Canada to restrain the US\$26 million (approximately \$33 million) has been made. See [Order Respecting the Restraint of Property Situated in Canada \(Roman Arkadyevich Abramovich\): SOR/2022-279](#), 15 December 2022, in Canada Gazette, Part II, Volume 157, Number 1.

124 FAAE, [Evidence](#), 2 May 2022, 1235 (Yuliia Kovaliv).

125 Ibid.

126 FAAE, [Evidence](#), 4 August 2022, 1510 (Alexandra Chyczij).

probably just the tip of the iceberg of what is being controlled in Canada by Russians and their proxies.”<sup>127</sup>

Marcus Kolga expressed a similar view, arguing for stepped up enforcement of sanctions in reference to what he claims are “billions of dollars of assets hidden well in plain sight in this country.”<sup>128</sup> Regarding the new tools for asset seizure and repurposing, he said he wanted to see that legislation used. Furthermore, Mr. Kolga suggested that “a measure of transparency” could be introduced “to the entire process of how those sanctions are imposed, who they’re being imposed on and what sorts of assets these targeted individuals have.”<sup>129</sup> He argued for greater accountability through regular reporting and parliamentary review.

The committee agrees with the need for unity, consistency and coherence in the design and application of sanctions and underlines the importance of transparency. It therefore recommends:

#### **Recommendation 8**

**That the Government of Canada work with its international and domestic partners to improve the coordinated implementation and enforcement of sanctions against Russia, by working to identify all assets connected to designated persons and closing any loopholes that may exist.**

#### **Recommendation 9**

**That the Government of Canada enhance the transparency of its sanctions policy by providing regular reporting to Parliament on the scope, intent, effect, impact and enforcement of its sanctions regulations.**

#### **Recommendation 10**

**That the Government of Canada expedite the establishment of the new Canada Financial Crimes Agency.**

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127 Ibid. In addition to the assets that have been effectively frozen by Canada’s sanctions regulations in relation to Russia, since 24 February 2022, the equivalent of approximately \$291 million in financial transactions were blocked. See Royal Canadian Mounted Police, [Update on the reporting of frozen assets under the Special Economic Measures Act—Russia Regulations](#), Statement, 7 November 2022.

128 FAAE, [Evidence](#), 7 September 2022, 1500 (Marcus Kolga).

129 Ibid.



## Recommendation 11

**That the Government of Canada utilize the legislative authorities allowing for the seizure and forfeiture of sanctioned assets, aiming to make those assets available to support Ukraine’s rebuilding process as soon as possible.**

### The Sanctions Waiver for the Nord Stream 1 Turbines

In addition to the terror unleashed by tanks, missiles and soldiers, Russia has sought to destabilize Ukraine and undermine its international support by applying pressure on food exports and energy markets. Witnesses emphasized Russia’s strategy to “weaponize” energy by manipulating flows through pipelines carrying Russian natural gas to Europe, including the Nord Stream 1 pipeline, which runs under the Baltic Sea from Russia to Germany. By the first quarter of 2022, Nord Stream 1’s share of the EU’s imports of Russian gas had reached a “record high” of 57%.<sup>130</sup> As will be explained below, however, in June 2022, flows through Nord Stream 1 “were cut back in two steps by 60%,” with the Russian state-backed energy company, Gazprom, blaming “technical problems.”<sup>131</sup>

### The Permit

The claimed technical problems with the Nord Stream 1 pipeline included the status of an aeroderivative gas turbine used in a pumping station located in Russia. The turbine was at a Siemens Energy Canada facility in Montreal for regularly scheduled maintenance, as part of a long-term contract that had been signed in 2012. The contract is between Siemens Energy United Kingdom and a subsidiary of Gazprom.<sup>132</sup>

When the Government of Canada announced sanctions in response to Russia’s invasion of Ukraine in February 2022, including the designation of Gazprom,<sup>133</sup> Siemens Energy Canada “immediately ceased all work on the turbine, froze the movement of the turbine, stored it at [their] facility, and informed the [Royal Canadian Mounted Police],

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130 Market Observatory for Energy, [Quarterly report: On European gas markets](#), European Commission, Vol. 15, Issue 1, 2022, p. 3.

131 *Ibid.*, p. 3 and 13.

132 FAAE, *Evidence*, 17 October 2022, [1550](#), [1555](#) and [1605](#) (Arne Wohlschlegel, Managing Director, Siemens Energy Canada Limited).

133 Global Affairs Canada, [Canada imposes additional economic measures on Russia in response to Russia’s attack on Ukraine](#), Backgrounder, 24 February 2022.

as required.”<sup>134</sup> The committee was told by the company’s Managing Director, Arne Wohlschlegel, that in May 2022,

the Government of Germany notified Siemens Energy headquarters that Gazprom was insisting that the continued sanctioning of the return of the [turbine] would prevent the continued operation of the pipeline this fall. At that time, the Government of Germany advised that non-functionality of the pipeline threatened a failure of energy security in Europe.<sup>135</sup>

Mr. Wohlschlegel indicated that this “extraordinary humanitarian circumstance” led Siemens Energy Canada “to alert Global Affairs Canada” and file “an application regarding [the] potential return of the turbine.”<sup>136</sup>

On 9 July 2022, Minister of Natural Resources, Jonathan Wilkinson, announced that:

Canada will grant a time-limited and revocable permit for Siemens Canada to allow the return of repaired Nordstream 1 turbines to Germany, supporting Europe’s ability to access reliable and affordable energy as they continue to transition away from Russian oil and gas. Absent a necessary supply of natural gas, the German economy will suffer very significant hardship and Germans themselves will be at risk of being unable to heat their homes as winter approaches.<sup>137</sup>

After the permit was issued, Siemens Energy Canada sent the turbine to Germany.<sup>138</sup>

The committee learned that the permit also allowed for the overhaul of five other turbines, according to their maintenance schedule. The permit, valid from 9 July 2022, was set to expire on 31 December 2024 unless revoked by the Minister of Foreign Affairs.<sup>139</sup> Minister Joly informed the committee that the decision was taken to have the permit cover all six turbines so that “President Putin couldn’t exploit the situation and

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134 FAAE, [Evidence](#), 17 October 2022, 1545 (Arne Wohlschlegel).

135 Ibid.

136 Ibid.

137 Jonathan Wilkinson (@JonathanWNV), “[Statement](#),” Twitter, 9 July 2022, 8:48 p.m.

138 FAAE, [Evidence](#), 17 October 2022, 1545 (Arne Wohlschlegel).

139 Permit issued pursuant to the *Special Economic Measures (Russia) Permit Authorization Order* (P.C. 2014-58, SOR/2014-59) of March 17, 2014, in respect of the *Special Economic Measures (Russia) Regulations*, reference document provided to FAAE, 5 August 2022.



play with one, two or three turbines.”<sup>140</sup> The decision was, therefore, to grant “one permit, one time, and it is done.”<sup>141</sup>

## The Trap

The status of the turbines was a complex issue to resolve because of the apparent tension that was created between the goals of ensuring Europe’s energy security and maintaining pressure on Russia. Testimony indicated that the situation resulted from decisions that had been made by certain European governments—including Germany’s—to not only rely on Russian-supplied natural gas, but to increase that reliance over time, which Russia then exploited. The tension was, therefore, a prominent example of the hybrid tactics that Russia wields beyond the battlefield. While some allies framed Canada’s decision to issue the permit as a short-term necessity that would give Europe time to lessen its energy dependence on Russia,<sup>142</sup> Ukraine viewed the decision as acquiescence to Russia’s use of energy supplies as a geopolitical tool.<sup>143</sup>

According to Minister Wilkinson, Germany and the EU wanted Canada to allow the return of the turbine because:

They saw that Putin could use the turbines as an excuse for shutting down gas flows to Europe and that the blame for this would be placed on Canada and on western Europe. European countries were very clear that should the turbine not be returned, it would become significantly more challenging to maintain domestic support for Ukraine, threatening a split in the alliance. Ukraine, on the other hand, urged Canada not to return the turbines, concerned that it would signal to Putin and the world a weakening in western resolve to maintain economic sanctions against Russia.<sup>144</sup>

Minister Wilkinson characterized the situation as a “trap” laid by Putin.<sup>145</sup> Minister Joly framed the larger context that informed Canada’s decision as follows:

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140 FAAE, *Evidence*, 4 August 2022, 1335 (Hon. Mélanie Joly).

141 *Ibid.*, [1340](#).

142 Ned Price, Department Spokesperson, United States Department of State, [The United States Supports Canada’s Decision to Return Turbine to Germany](#), Statement, 11 July 2022; and European Commission, [Commission welcomes return by Canada of gas pipeline turbine](#), Statement, 12 July 2022.

143 Ukraine, Ministry of Foreign Affairs, [Comment of the Ministry of Foreign Affairs of Ukraine in connection with the decision by the Government of Canada to return the repaired Nord Stream-1 turbines to Germany](#), 10 July 2022.

144 FAAE, *Evidence*, 4 August 2022, 1310 (the Honourable Jonathan Wilkinson, Minister of Natural Resources).

145 *Ibid.*



Europeans—Germans—are facing shortages impacting households and industries. Our allies are worried about the situation as they stock up for the winter. Knowing that turbines were being repaired in Canada, the German Chancellor reached out to us, directly pleading for us to call Putin's bluff.<sup>146</sup>

Minister Joly emphasized that the decision was “very difficult” for the Canadian government, but necessary to demonstrate to the world that, with the turbine's return no longer restricted by Canadian sanctions, the reduced flow of gas “was Putin's decision, and his alone.”<sup>147</sup> Minister Wilkinson echoed this point, arguing that the turbine's return “eliminated Putin's excuse for holding Europe hostage to gas supplies.”<sup>148</sup>

Minister Wilkinson stressed that Canada's sanctions are intended “to punish Putin” and “not to jeopardize Europe's economic stability and potentially weaken the alliance.”<sup>149</sup> When asked to clarify whether the permit had been granted to ensure gas supply or to expose Putin's trap, Minister Wilkinson replied:

We certainly discussed the issues around gas supply. As you know, there was concern about the reductions within the pipeline and the Russian statement that this was as a result of the turbine. Certainly, we talked about how returning the turbine potentially could address that issue if in fact the Russians were telling the truth—although most of us were of the view that they were not. Therefore, it was really very much about calling the bluff of the Russians.<sup>150</sup>

At the same time, in response to another question, Minister Wilkinson said that he could not “overemphasise the depth of the concern on the part of the Germans, but also on the part of the European Union, with respect to the potential implications associated with their effectively not being able to access natural gas.”<sup>151</sup> In addition to the concerns expressed by Germany and the EU,<sup>152</sup> Minister Wilkinson noted that, in conversations had with the United States, “they reflected and shared the concerns about the divisions

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146 FAAE, [Evidence](#), 4 August 2022, 1305 (Hon. Mélanie Joly).

147 Ibid.

148 FAAE, [Evidence](#), 4 August 2022, 1310 (Hon. Jonathan Wilkinson).

149 Ibid.

150 Ibid., [1320](#).

151 Ibid., [1325](#).

152 Minister Wilkinson indicated that he had spoken to Germany's Federal Minister for Economic Affairs and Climate Action, Robert Habeck, “almost every day for several weeks.” The European Union's concerns were expressed by the Commissioner for Energy, Kadri Simson. See Ibid.



that could end up undermining support for Ukraine, which would be in nobody's interest."<sup>153</sup>

Minister Wilkinson later indicated that Canada had reviewed the option of relying on Ukraine's gas transit system to make up for the shortfall of Russian gas, which was not deemed to be a viable option. He noted that Russia had already reduced gas flows via Ukraine and stated its view "that the technical capacity of the pipeline is actually only a third of what the Ukrainians believe it is."<sup>154</sup>

Her Excellency Sabine Sparwasser, Ambassador of the Federal Republic of Germany to Canada, explained the rationale for the permit from her country's perspective and the way in which the situation evolved:

The delivery of the turbine was initially supposed to be a measure that would allow more gas to flow. We were not sure that this would happen. We were testing what would happen, but we had our doubts from the beginning that the Russians would increase the flow of gas. It would have been, for Europeans' sake, for many states in the European Union and for us, very beneficial if that had happened in order to fill our reservoirs.<sup>155</sup>

Ambassador Sparwasser subsequently acknowledged that they did not believe "the delivery of the turbine was absolutely crucial to the technical ability of Nord Stream 1 to continue to function."<sup>156</sup> It was considered important to fulfill the service and maintenance obligation in relation to the turbine "to make it quite clear that there is a political will to deliver the gas or not to deliver gas."<sup>157</sup> Ambassador Sparwasser had also noted, during another exchange, that Germany believed "we would have lost significantly in the disinformation war if that turbine had not been able to be delivered."<sup>158</sup> By the time of Ambassador Sparwasser's testimony, the turbine was sitting in Germany and—she argued—it had become "very clear that it was an excuse, a pretext, because Gazprom is not picking it up and they're inventing very strange excuses for not doing so."<sup>159</sup>

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153 Ibid.

154 Ibid., [1350](#).

155 FAAE, [Evidence](#), 4 August 2022, 1610 (Her Excellency Sabine Sparwasser, Ambassador of the Federal Republic of Germany to Canada).

156 Ibid., [1645](#).

157 Ibid.

158 Ibid., [1605](#).

159 Ibid., [1605](#).

While the sanctions against Russia have been developed with a high degree of coordination, they are not identical. Her Excellency Melita Gabrič, Ambassador and Head of the Delegation of the European Union to Canada, told the committee that Canada's sanctions regime is comparatively more comprehensive when it comes to energy. She explained that, unlike Canada's regime,<sup>160</sup> the EU's sanctions regime "does not affect goods or technology linked to the industrial transport of natural gas into the European Union, and nor is Nord Stream 1 subject to any EU sanctions."<sup>161</sup> Consequently, "nothing under the EU sanctions regime would have prevented the repatriation of the Nord Stream 1 turbine."<sup>162</sup>

Commenting more generally, Ambassador Sparwasser observed that sanctions "are a very blunt instrument," and that waivers "allow flexibility" and are used "to sharpen" the measures that have been put in place.<sup>163</sup> She noted that the EU had recently "waived some sanctions on Russia to help open up Ukrainian food exports and to take away Russia's pretext that western sanctions are to blame for the global food crisis."<sup>164</sup>

At the same time, when asked whether the permit should be revoked, given that Russia's bluff had been called, Ambassador Sparwasser replied that, "If Russia doesn't pick up the turbine that's sitting there ready and in perfect condition, it creates a different kind of situation."<sup>165</sup> As she said: "We have to see what happens."<sup>166</sup>

### The Argument for Revocation

While the committee heard that the decision to grant the sanctions waiver was supported by Germany, the EU, and the United States, the other witnesses who testified on this issue disagreed with the reasoning presented above and recommended that Canada revoke the permit for the turbines.

After noting that oil and gas exports had provided Russia with more than \$100 billion in revenues at that point in the war, Ambassador Kovaliv conveyed Ukraine's position that

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160 Global Affairs Canada, [Canada imposes sanctions on Russian oil, gas and chemical industries](#), News release, 8 June 2022.

161 FAAE, [Evidence](#), 4 August 2022, 1530 (H.E. Melita Gabrič).

162 Ibid.

163 FAAE, [Evidence](#), 4 August 2022, 1535 (H.E. Sabine Sparwasser).

164 Ibid.

165 Ibid., [1655](#).

166 [Ibid.](#)



the waiver was “a dangerous precedent that violates international solidarity and goes against the principle of the rule of law.”<sup>167</sup> While the waiver was issued with what she said was “the claim for better energy security,” Ambassador Kovaliv suggested that subsequent events provided evidence that the waiver “only gave Russia grounds for further blackmailing.” Russia had, she said, “further cut gas flow, announced another turbine to be out of order, and fully stopped gas supply to Latvia, where Canadian forces are deployed.”<sup>168</sup> Noting that the permit “was stated to be revokable,” Ambassador Kovaliv remarked that “nobody wants five other turbines to repeat the sad story of the current one.”<sup>169</sup>

Benjamin Schmitt of Harvard University drew attention to the larger historical and geopolitical context, in which—he argued—the case of the Nord Stream 1 turbines should be understood:

Given the total state control of authoritarian nations like Russia, nearly every sector of society can be weaponized to advance geopolitical aims, from cyberspace to supply chains to space assets and, of course, energy for political blackmail. Knowing this, undermining sanctions unity on the Nord Stream 1 turbines simply to “call Putin’s bluff” is only justifiable in a world where Russia hasn’t been weaponizing energy for years—but it has.<sup>170</sup>

Alexandra Chyczij described how Russia has been engaging in “gas wars” for 30 years. She noted that in previous years, when Russia had a “political problem with Ukraine, they would cut the gas off to Europe so that the Europeans would pressure the Ukrainians.”<sup>171</sup> Ambassador Kovaliv noted that Russia had “switched off gas to Ukraine during the winter” in 2006, 2009 and 2014.<sup>172</sup> Since launching its full-scale invasion of Ukraine in February 2022, Russia has also cut gas flows to European countries that refused to make payments in rubles.<sup>173</sup>

According to Benjamin Schmitt, multiple technical assessments from German ministries indicated that Russia’s explanations for the reduced flow in the Nord Stream 1 pipeline

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167 FAAE, [Evidence](#), 4 August 2022, 1545 (H.E. Yuliia Kovaliv).

168 Ibid.

169 Ibid., 1550.

170 FAAE, [Evidence](#), 7 September 2022, 1435 (Benjamin Schmitt).

171 FAAE, [Evidence](#), 4 August 2022, 1500 (Alexandra Chyczij).

172 FAAE, [Evidence](#), 4 August 2022, 1625 (H.E. Yuliia Kovaliv).

173 Ibid., [1700](#).

“were nothing more than pretext for another political energy cut.”<sup>174</sup> From his perspective:

That’s why it’s so baffling that Berlin simultaneously pressured Ottawa to undermine its own technology sanctions against Russia. Even if Gazprom’s dubious technical justifications had merit—and they do not have merit—the Kremlin could easily restore gas deliveries to Europe right now via other routes where it’s limiting flows. That it refuses to do so speaks volumes about Putin’s malign intent.<sup>175</sup>

It is Alexandra Chyczij’s view that Russia contrived the situation with the turbines to test the resolve of Canada and allies who “failed that test” because they “did not understand what the test was.” It was —she argued— “about sanctions, the unity on sanctions.”<sup>176</sup> Ms. Chyczij further observed that Russia did not fully restore the Nord Stream 1 gas flow after the turbine was returned to Germany in July 2022, first because the papers were deemed to be not in order and then because the repairs were considered “defective.” She said, “This dance will continue forever and, frankly, I am very troubled by the ease with which the Government of Canada granted the turbine waiver.”<sup>177</sup>

By early September 2022, the Nord Stream 1 pipeline had been shut off entirely. Ihor Michalchyshyn, Executive Director and Chief Executive Officer, Ukrainian Canadian Congress, remarked to the committee:

Kremlin spokesperson Peskov said on September 5 that Russian gas supplies will not resume until western sanctions are lifted, using the false pretext that sanctions are preventing the servicing of Russian pipelines. This, of course, is not factual, but that is not the point. The Kremlin lies brazenly and as a matter of regular policy. What matters, as we’ve said many times, is that the turbine issue here has never been about the turbines. It was about the sanctions.<sup>178</sup>

As evidence that gas flows to Europe were being reduced deliberately, Marcus Kolga cited a media report exposing “massive gas flares at Gazprom’s Portovaya compression station near the Russian starting point of the Nord Stream pipeline.”<sup>179</sup>

Mr. Michalchyshyn said that Canada and Germany were faced with the choice of either continuing “to play this game with Russian blackmail demands or simply to cancel the

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174 FAAE, [Evidence](#), 7 September 2022, 1435 (Benjamin Schmitt).

175 Ibid.

176 FAAE, [Evidence](#), 4 August 2022, 1440 (Alexandra Chyczij).

177 Ibid.

178 FAAE, [Evidence](#), 7 September 2022, 1315 (Ihor Michalchyshyn).

179 FAAE, [Evidence](#), 7 September 2022, 1425 (Marcus Kolga).



sanctions exemption and show Russia that we will not be intimidated in the face of its threats.”<sup>180</sup> Precedent was another consideration. Marcus Kolga suggested that Canada’s decision to grant the permit “opens the door to other allies doing the same.” Such action could be justified, he argued, “by pointing to [Canada’s] decision to provide that exemption to Gazprom.”<sup>181</sup>

In late September 2022, in an area of the Baltic Sea off the coast of a Danish island, seismic events were recorded. They were subsequently attributed to underwater explosions that had damaged the Nord Stream pipelines. Denmark, Germany and Sweden are conducting investigations.<sup>182</sup> Without attributing responsibility for the damage, which had rendered the Nord Stream 1 pipeline inoperable, the NATO Allies stated: “All currently available information indicates that this is the result of deliberate, reckless, and irresponsible acts of sabotage.”<sup>183</sup>

Siemens Energy Canada acknowledged to the committee that “[a]s long as the pipeline is not operable, the gas turbines would not provide any use.”<sup>184</sup> As of mid-October 2022, the turbine returned to Germany in July 2022 was “still sitting in Germany, because the customer is refusing to accept [it].”<sup>185</sup> The turbine was not being used for any other purpose.<sup>186</sup> As concerns the other five turbines, Siemens Energy Canada indicated that they were “not working on any remaining turbines and there is no intention from the customer” for such work to take place.<sup>187</sup>

By the conclusion of the committee’s meetings on this issue, it had become clear that the turbines covered by the Government of Canada’s sanctions waiver were not advancing the energy security of Canada’s allies in Europe. Furthermore, Russia’s tactics had been exposed for what they are, the weaponization of energy supplies.

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180 FAAE, [Evidence](#), 7 September 2022, 1315 (Ihor Michalchyshyn).

181 FAAE, [Evidence](#), 7 September 2022, 1450 (Marcus Kolga).

182 Melissa Eddy, “[Three Inquiries, but No Answers to Who Blew Holes in Nord Stream Pipelines](#),” *The New York Times*, 25 October 2022.

183 NATO, [Statement by the North Atlantic Council on the damage to gas pipelines](#), 29 September 2022.

184 FAAE, [Evidence](#), 17 October 2022, 1600 (Arne Wohlschlegel).

185 *Ibid.*, [1630](#).

186 *Ibid.*, [1600](#).

187 *Ibid.*, [1610](#).

Consequently, the committee agrees with Minister Joly's 14 December 2022 decision to revoke the permit.<sup>188</sup>

## Recommendation 12

**That the Government of Canada not grant a sanctions waiver to Siemens Energy Canada Limited for Nord Stream 1 pipeline turbines as long as sanctions remain in effect.**

### The Energy Security of Canada's Allies

Beyond the specifics of the sanctions waiver, testimony also addressed the decisions that had left many European countries dependent on Russian energy supplies and the efforts now underway within the EU to reduce energy consumption, diversify sources of energy supply, and accelerate the transition to renewables and hydrogen.

Ambassador Melita Gabrič informed the committee that EU countries had decided to ban all imports of Russian coal, as well as 90% of Russian oil imports by the end of 2022.<sup>189</sup> She further indicated that EU countries "are determined to phase out our dependence on Russian gas."<sup>190</sup>

Ambassador Sabine Sparwasser conceded that Germany had made "a huge strategic mistake by creating such a dependency on Russia," which took shape over decades.<sup>191</sup> However, Germany is making a rapid course correction. The ambassador informed the committee that, on 24 February 2022, Germany was dependent on Russia for 55% of its gas imports, a figure that had dropped to 26% by the time of her testimony.<sup>192</sup> Amid the enormous efforts that are being made to reduce Germany's dependence on Russian gas,

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188 Mélanie Joly and Jonathan Wilkinson (@melaniejoly and @JonathanWNV), "[Our joint statement regarding the Nordstream 1 turbine](#)," Twitter, 14 December 2022, 5:15 p.m.

189 FAAE, [Evidence](#), 4 August 2022, 1530 (H.E. Melita Gabrič).

190 Ibid., [1600](#).

191 FAAE, [Evidence](#), 4 August 2022, 1555 (H.E. Sabine Sparwasser).

192 Ibid., [1540](#). According to German Chancellor Olaf Scholz, by the beginning of 2023, Germany had become "completely independent from Russian gas, Russian oil, and Russian coal." Germany accomplished this result in a matter of months, he said, by concluding new energy partnerships, filling storage facilities, improving energy efficiency, reducing energy consumption, streamlining approval processes, and constructing new import infrastructure for liquified natural gas. See Germany, the Federal Government, [Speech by Olaf Scholz, Member of the German Bundestag and Chancellor of the Federal Republic of Germany, at the World Economic Forum in Davos on January 18, 2023](#), 18 January 2023.



Ambassador Sparwasser indicated that Germany sees Canada being “a very important supplier” for the country’s energy security in the medium and long terms.<sup>193</sup> She said:

Canada can be one of the countries that allows us to pursue our two goals: to become independent of Russian energy and fight climate change to become carbon neutral. We see Canada as a prime partner working on transitional energy, maybe on LNG, but mostly working on hydrogen. We are actively right now pursuing talks with the government, with provincial governments and with companies. This is a very big target for us to achieve as soon as possible.<sup>194</sup>

In March 2022, the EU—of which Germany is a member—formed a working group with Canada on energy security.<sup>195</sup> Ambassador Gabrič indicated that the EU is “looking for alternatives and more secure supplies from reliable partners, such as Canada, while fast-forwarding the green transition.”<sup>196</sup>

Minister Joly told the committee that “as a solid ally, Canada needs to answer the call.”<sup>197</sup> The goal is to see Canada increase its exports of oil and gas by 300,000 barrels and barrel equivalents.<sup>198</sup> Minister Wilkinson said the government “committed to work with the industry to ensure that that is achieved by the end of [2022], and we are on track to do that.”<sup>199</sup> Furthermore, Canada is “actively engaged with both the EU and Germany on the potential for exports of hydrogen, liquefied natural gas, or LNG, and critical minerals.”<sup>200</sup> However, Minister Wilkinson also reminded the committee that the advancement of LNG opportunities is not only up to government, but also commercial proponents.<sup>201</sup> In the longer term, Minister Wilkinson believes that Canada “can be a hydrogen superpower to the world.”<sup>202</sup>

Even so, some other testimony suggested the need for more concrete steps and heightened urgency to address the energy needs of Canada’s European allies. Balkan Devlen, Senior Fellow, Macdonald-Laurier Institute, argued that the sanctions

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193 Ibid., [1710](#).

194 Ibid.

195 FAAE, [Evidence](#), 4 August 2022, 1635 (H.E. Melita Gabrič).

196 Ibid., [1705](#).

197 FAAE, [Evidence](#), 4 August 2022, 1310 (Hon. Mélanie Joly).

198 FAAE, [Evidence](#), 4 August 2022, 1310 (Hon. Jonathan Wilkinson).

199 Ibid., [1420](#).

200 Ibid., [1315](#).

201 Ibid., [1415](#).

202 Ibid., [1420](#).



waiver for the turbines did not help in that regard, but the export of Canadian LNG would. He remarked:

Not only has [German] Chancellor Scholz voiced his desire for more Canadian LNG, but other allies, such as Poland and Latvia, have been calling for more Canadian gas to Europe for a while. Clearing the obstacles in front of this real and tangible support for Canada's allies is urgently needed. That is what a good ally would do.<sup>203</sup>

While acknowledging that “we want to move to renewables as quickly as possible and of course we need to address the climate crisis,” Benjamin Schmitt argued that “in a war-time contingency we need a one-for-one swap with these volumes.”<sup>204</sup> As is the case with other G7 members that are energy producers, he is of the view that “Canada needs to make sure that global democracies are making our energy resources available to Europe as quickly as possible.”<sup>205</sup>

Timothy M. Egan, President and Chief Executive Officer, Canadian Gas Association, suggested to the committee that three things need to happen. The first is for Canadian industry to work with the Government of Canada to “map out a strategy to move more energy offshore.” Second, he argued that the government needs to signal clearly that it is “prepared to support more gas energy exports.” Third, Mr. Egan called for action in the form of regulatory streamlining, with the objective of enabling rapid project development and fostering investor confidence.<sup>206</sup>

Overall, the committee agrees with Minister Joly that the “question of energy security has never been so central to [Canada’s] foreign policy.”<sup>207</sup> It is also mindful of the testimony of Canada’s European allies, indicating that they are accelerating their green transition as part of their pursuit of energy independence from Russia. Based on these strategic understandings, the committee recommends:

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203 FAAE, [Evidence](#), 7 September 2022, 1420 (Balkan Devlen, Senior Fellow, Macdonald-Laurier Institute, As an Individual).

204 FAAE, [Evidence](#), 7 September 2022, 1440 (Benjamin Schmitt).

205 [Ibid.](#)

206 FAAE, [Evidence](#), 14 November 2022 (Timothy M. Egan, President and Chief Executive Officer, Canadian Gas Association).

207 FAAE, [Evidence](#), 4 August 2022, 1410 (Hon. Mélanie Joly).



### Recommendation 13

**That the Government of Canada adopt as a policy goal the enhancement of the energy security of Canada’s democratic allies, while fully complying with Canada’s domestic and international obligations related to climate change.**

## The Battlefield

### Military Assistance

In support of its self-defence against Russia’s aggression, Ukraine’s partners have collectively allocated billions of dollars in security assistance, including through the provision of increasingly sophisticated equipment.<sup>208</sup>

For its part, while Canada had previously delivered non-lethal military aid to Ukraine,<sup>209</sup> it started providing lethal weapons—with \$7 million worth of machine guns, pistols, sniper rifles and ammunition—on 14 February 2022.<sup>210</sup> A series of announcements were made following Russia’s decision to invade, including contributions of anti-armour weapon systems, rocket launchers, hand grenades, howitzers and associated artillery rounds, and specialized cameras for surveillance drones.<sup>211</sup> Canada has also provided “cyber-assistance, intelligence sharing and access to satellite imagery.”<sup>212</sup> Furthermore, Canada has negotiated the supply of armoured combat support vehicles for Ukraine.<sup>213</sup>

Canada’s contributions to Ukraine’s security have not been limited to the donation and purchase of equipment and supplies. Beginning in 2015, the Canadian Armed Forces deployed approximately 200 personnel to Ukraine, on a rotational basis, for a training mission known as Operational UNIFIER. Major-General Paul Prévost, Director of Staff,

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208 In May 2022, Ambassador David Angell told the Committee that NATO allies and partners were transitioning from providing Ukraine with light weapons and Soviet-era heavy systems “towards providing western heavy weaponry, on which Ukrainians will have to be trained.” See FAAE, [Evidence](#), 2 May 2022, 1110 (David Angell). For further information on the support provided to Ukraine by individual countries, see Kiel Institute for the World Economy, [Ukraine Support Tracker](#).

209 Government of Canada, [Canada sends non-lethal military aid to further support Ukraine](#), News release, 4 February 2022.

210 National Defence, [Canada commits lethal weapons and ammunition in support of Ukraine](#), News release, 14 February 2022.

211 Government of Canada, [Canadian military support to Ukraine](#).

212 FAAE, [Evidence](#), 2 May 2022, 1125 (David Angell).

213 Prime Minister of Canada, Justin Trudeau, [Prime Minister and NATO Leaders strengthen transatlantic security](#), 30 June 2022.

Strategic Joint Staff, Department of National Defence, therefore, reminded the committee that “Canada’s best contribution has been to be the strongest ally for Ukraine since 2015.”<sup>214</sup> Operation UNIFIER, he noted previously, had been “the largest footprint among NATO countries in Ukraine.”<sup>215</sup> Throughout those seven years, Canada was responsible for training “over 32,000 soldiers and personnel from the Ukraine security forces to increase their readiness and operational effectiveness.”<sup>216</sup> Ambassador Bob Rae conveyed that the mission had been “remarkably effective” in building their capacity.<sup>217</sup>

Operation UNIFIER was extended and expanded on 26 January 2022, but had to be paused on 12 February 2022, with personnel relocated outside of Ukraine.<sup>218</sup> On 4 August 2022, the Government of Canada announced the mission’s resumption.<sup>219</sup> As part of the mission, approximately 170 members of the Canadian Armed Forces have been deployed to the United Kingdom to train new recruits from Ukraine’s armed forces, while another 40 Canadian combat engineers have been deployed to Poland “to assist in the training of Ukrainian sappers.”<sup>220</sup>

As Ukraine’s partners shifted to supplying more modern and robust systems, it became evident that this weaponry was “having a significant impact on the ground.”<sup>221</sup> Nevertheless, speaking to the committee in early August 2022, Ambassador Yuliia Kovaliv indicated that Ukraine needed “further military support to resist the aggressor on the battlefield.”<sup>222</sup> She stressed how crucially important it was “to not only announce this military support but also to get it on the battlefield.” To underscore the gravity of the situation, she said, “Each day we are losing the best Ukrainians to protect our country.”<sup>223</sup> In a previous appearance, the ambassador had impressed on the

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214 FAAE, [Evidence](#), 28 February 2022, 1215 (Major-General Paul Prévost, Director of Staff, Strategic Joint Staff, Department of National Defence).

215 FAAE, [Evidence](#), 3 February 2022, 1540 (MGen Paul Prévost).

216 Ibid.

217 FAAE, [Evidence](#), 28 February 2022, 1120 (Hon. Bob Rae).

218 National Defence, [Operation UNIFIER](#).

219 FAAE, [Evidence](#), 4 August 2022, 1420 (Hon. Mélanie Joly); and National Defence, [Defence Minister Anita Anand announces deployment of Canadian Armed Forces to train Ukrainian soldiers in the United Kingdom](#), News release, 4 August 2022.

220 National Defence, [Operation UNIFIER](#), accessed 20 January 2023.

221 FAAE, [Evidence](#), 2 May 2022, 1125 (David Angell).

222 FAAE, [Evidence](#), 4 August 2022, 1550 (H.E. Yuliia Kovaliv).

223 Ibid., [1610](#).



committee that “[e]ach delivery of military support saves not only Ukraine and serves to defend Ukraine and its territory, but also defends security in Europe and global security as well.”<sup>224</sup>

The Canadian Ukrainian Congress believes that:

[T]he tide of Russia’s genocidal war against Ukraine is being turned on the battlefield by the Ukrainian people’s heroic defence of their country. We know that the Government of Canada can continue to play a leadership role in ensuring that the Ukrainian people have the equipment, weapons and means with which to finish the fight and ensure the victory of freedom over tyranny.<sup>225</sup>

With the \$500 million allocated through Budget 2022 having been “spent and exhausted,” attention must turn, Ihor Michalchyshyn said, to determining how Canada “can substantially increase its military assistance to Ukraine going forward.”<sup>226</sup>

After this testimony was received, on 14 November 2022, Prime Minister Justin Trudeau announced that Canada would be providing an additional \$500 million in military assistance for Ukraine.<sup>227</sup> That funding has now been committed to the purchase of additional armoured personnel carriers for Ukraine, as well as a U.S.-sourced National Advanced Surface-to-Air Missile System.<sup>228</sup>

## Safeguarding the Future

Testimony gathered during the war’s early stages indicated that the extent of Ukraine’s battlefield success would significantly influence the country’s future stability. Magdalena Dembińska, Full Professor, Department of Political Science, Université de Montréal, alluded to the implications of allowing contested territorial control to freeze in place. She observed:

Russia has a history of using territory in neighbouring countries to advance its geopolitical agenda. For more than 30 years, Transnistria as well as South Ossetia and

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224 FAAE, [Evidence](#), 2 May 2022, 1215 (Yuliia Kovaliv).

225 FAAE, [Evidence](#), 7 September 2022, 1315 (Ihor Michalchyshyn).

226 Ibid.

227 Prime Minister of Canada, Justin Trudeau, [Prime Minister announces additional military assistance for Ukraine and additional sanctions against Russia](#), 14 November 2022.

228 National Defence, [Defence Minister Anita Anand visits Kyiv, meets with Defence Minister Oleksii Reznikov, and announces donation of 200 additional armoured vehicles](#), News release, 18 January 2023.

Abkhazia have been destabilizing Moldova and Georgia, respectively, and standing in the way of their western aspirations.<sup>229</sup>

Professor Dembińska further observed that “when a ceasefire occurs, the demarcation line of the warring parties is where the front line ends.”<sup>230</sup>

In comments that are relevant to the two main issues covered in this section of the report, Professor Timothy Snyder included the effectiveness of sanctions and Ukraine’s success on the battlefield among the conditions that could bring the war closer to an end. He assessed that “negotiation is meaningfully possible only from the moment when Putin believes that his personal position is threatened.”<sup>231</sup> Professor Snyder further commented:

The thing about regimes like this is that they seem inevitable until they fall, at which point it’s their fall that seems inevitable. It’s hard to predict, but at some point I think the combination of military losses, humiliation in Ukraine and sanctions could, if not lead to a palace coup, at least lead to that moment when Putin feels enough pressure.<sup>232</sup>

Put another way, Professor Snyder conveyed his view that the only path toward a negotiated end to the war is one where Ukraine continues “doing much better on the battlefield than people expected.”<sup>233</sup>

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229 FAAE, *Evidence*, 31 March 2022, 1650 (Magdalena Dembińska, Full Professor, Department of Political Science, Université de Montréal, As an Individual).

230 Ibid., 1705. Testifying later, Balkan Devlen said there was a need “to resist the attempts by Russia to freeze the existing status quo when and if the Ukrainian counteroffensive is successful and Russia tries to freeze the current battle lines instead of withdrawing.” See FAAE, *Evidence*, 7 September 2022, 1450.

231 FAAE, *Evidence*, 31 March 2022, 1715 (Prof. Timothy David Snyder).

232 Ibid.

233 Ibid.



Professor Yann Breault suggested that, to save lives, Ukraine would ultimately need to make some concessions with respect to territory and neutrality.<sup>234</sup> However, Professor Snyder argued for a move beyond thinking of the continuation of the war or Russia prevailing as the only two possible scenarios. Given what is at stake, he said that it is “important to orient oneself around [the] possibility” that Ukraine can win.<sup>235</sup> He framed the stakes as follows: “If Ukraine wins, then we can say, ‘Ah, ha, this was a moment when democracies were able to defend themselves.’ If Ukraine loses, we won’t be able to say that.”<sup>236</sup>

Speaking to the committee months later, and outlining the conditions she believes are necessary for the longer-term achievement of peace in the region, Evgenia Kara-Murza included “Ukraine’s victory” among the factors that would bring closer the downfall of the regime in Russia.<sup>237</sup> For her, that would mean “victory on Ukraine’s terms, which means that every single Russian soldier has to leave the Ukrainian territory, including the illegally occupied zones.”<sup>238</sup> In addition to the imposition of crippling economic sanctions and sanctions targeted against individuals implicated in gross violations of human rights, she identified support for Russian civil society as another key factor. Ms. Kara-Murza believes that these three factors would “make it possible for those Russians who stand up to Putin to make sure that Russia can never be turned into an authoritarian or a totalitarian regime again.”<sup>239</sup> It would mean, in her words, being “able to start building that whole and free Europe that all of us want to see.”<sup>240</sup>

Ms. Kara-Murza’s testimony also underscored the depths that the Putin regime is willing to plumb to prevent this vision from being realized. She noted that, for as long as

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234 FAAE, *Evidence*, 31 March 2022, [1630](#) and [1635](#) (Dr. Yann Breault). In the same session, Professor Marta Dyczok remarked that “Ukraine did offer neutrality in the last series of peace talks, and that was rejected.” She asserted: “It’s not a question of their not being prepared to do that; they did.” See FAAE, *Evidence*, [1635](#), 31 March 2022. Professor Magdalena Dembińska noted Russia’s demands that Ukraine “recognize the annexation of Crimea and the independence of the Luhansk and Donetsk regions.” Furthermore, she said, Russia “wants Ukraine’s demilitarization and neutrality status, including implicitly non-membership in the European Union as well.” In this regard, Professor Dembińska observed that concessions on territorial integrity “would be considered illegitimate in the eyes of the [Ukrainian] population.” At the time of her testimony, Russia was also seeking to occupy the entire Donbas region, beyond the territories controlled by pro-Russian separatists in Luhansk and Donetsk, and, through its offensive in southern Ukraine, to cut Ukraine off from the Black Sea. See FAAE, *Evidence*, 31 March 2022, [1645](#).

235 FAAE, *Evidence*, 31 March 2022, [1720](#) (Prof. Timothy David Snyder).

236 Ibid.

237 FAAE, *Evidence*, 19 October 2022, [1735](#) (Evgenia Kara-Murza).

238 Ibid.

239 Ibid.

240 Ibid.

possible, the regime had tried to shield most of the Russian population from the effects of the war, drafting the majority of soldiers “from Russia’s poorest regions, the ethnic minority regions where people live below the poverty line.”<sup>241</sup> Nevertheless, Ms. Kar-Murza urged the committee to understand that the military mobilization Putin ordered in September 2022 “is not a partial mobilization,” as the law itself does not contain that word.<sup>242</sup> She warned the committee that Putin “will be drafting as many soldiers as he needs to buy time to get to the winter, to wear you out, to wear out the global democratic west, to wear Ukrainians out and to cover the front line with corpses of Russian soldiers.”<sup>243</sup>

Each Member of this committee is determined to play their part in ensuring that the Parliament and Government of Canada will be persistent and consistent in supporting Ukraine, despite the challenges on the road ahead, however long it may be. Guided by that resolve, the committee reiterates its intention to remain seized with these issues and recommends:

#### **Recommendation 14**

**That the Government of Canada continue to provide significant military, financial and humanitarian assistance to Ukraine so long as Ukraine must defend itself from Russian aggression.**

#### **Recommendation 15**

**That the Government of Canada list the Wagner Group, a Russian mercenary organization, as a terrorist group under the *Criminal Code*.**

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241 Ibid., [1720](#).

242 Ibid.

243 Ibid.





## APPENDIX A LIST OF WITNESSES

The following table lists the witnesses who appeared before the committee at its meetings related to this report. Transcripts of all public meetings related to this report are available on the committee’s webpage for the study [of the situation at the Russia-Ukraine border and implications for peace and security](#).

Organizations and Individuals	Date	Meeting
<b>Department of Foreign Affairs, Trade and Development</b> Heidi Hulan, Assistant Deputy Minister and Political Director, International Security and Political Affairs Sandra McCardell, Assistant Deputy Minister, Europe, Arctic, Middle East and Maghreb Julie Sunday, Acting Assistant Deputy Minister, Consular, Security and Emergency Management	2022/02/03	3
<b>Department of National Defence</b> MGen Paul Prévost, Director of Staff, Strategic Joint Staff	2022/02/03	3
<b>As an individual</b> Fen Osler Hampson, Chancellor's Professor, Carleton University, and President, World Refugee & Migration Council Anessa Kimball, Associate Professor of Political Science and Director, Centre for International Security, École supérieure d'études internationales, Université Laval	2022/02/10	5
<b>DisinfoWatch</b> Marcus Kolga, Director	2022/02/10	5
<b>Hermitage Capital Management Ltd</b> William Browder, Head of Global Magnitsky Campaign	2022/02/10	5
<b>International Crisis Group</b> Olga Oliker, Program Director, Europe and Central Asia	2022/02/10	5

<b>Organizations and Individuals</b>	<b>Date</b>	<b>Meeting</b>
<b>Ukrainian Canadian Congress</b> Ihor Michalchyshyn, Executive Director and Chief Executive Officer	2022/02/10	5
<b>Department of Citizenship and Immigration</b> Jean-Marc Gionet, Director General, Immigration Program Guidance	2022/02/28	8
<b>Department of Foreign Affairs, Trade and Development</b> Heidi Hulan, Assistant Deputy Minister and Political Director, International Security and Political Affairs Sandra McCardell, Assistant Deputy Minister, Europe, Arctic, Middle East and Maghreb Hon. Bob Rae, C.P., C.C., O.Ont, C.R., Ambassador and Permanent Representative of Canada to the United Nations in New York Julie Sunday, Acting Assistant Deputy Minister, Consular, Security and Emergency Management	2022/02/28	8
<b>Department of National Defence</b> MGen Paul Prévost, Director of Staff, Strategic Joint Staff	2022/02/28	8
<b>As an individual</b> Yann Breault, Assistant Professor, Royal Military College Saint-Jean Magdalena Dembińska, Full Professor, Department of Political Science, Université de Montréal Marta Dyczok, Associate Professor, Departments of History and Political Science, Western University Timothy David Snyder, Professor of History, Yale University	2022/03/31	13

<b>Organizations and Individuals</b>	<b>Date</b>	<b>Meeting</b>
<p><b>Department of Foreign Affairs, Trade and Development</b></p> <p>Heidi Kutz, Acting Assistant Deputy Minister, Europe, Arctic, Middle East &amp; Maghreb</p> <p>Leslie Scanlon, Ambassador of Canada to Poland and Belarus</p>	2022/05/02	17
<p><b>Embassy of Ukraine</b></p> <p>Andrii Bukvych, Chargé d'affaires</p> <p>H.E. Yuliia Kovaliv, Ambassador-designate of Ukraine in Canada</p>	2022/05/02	17
<p><b>Joint Delegation of Canada to NATO</b></p> <p>David Angell, Ambassador and Permanent Representative to the North Atlantic Council</p>	2022/05/02	17
<p><b>As an individual</b></p> <p>Evgenia Kara-Murza, Advocacy Coordinator of the Free Russia Foundation</p> <p>Hon. Irwin Cotler, P.C., Founder and International Chair of the Raoul Wallenberg Centre for Human Rights</p>	2022/10/19	32



## APPENDIX B LIST OF WITNESSES

The following table lists the witnesses who appeared before the committee at its meetings related to this report. Transcripts of all public meetings related to this report are available on the committee’s webpage for this study [of the export of Russian Gazprom turbines](#).

Organizations and Individuals	Date	Meeting
<p><b>Department of Foreign Affairs, Trade and Development</b></p> <p>Heidi Kutz, Acting Assistant Deputy Minister, Europe, Arctic, Middle East &amp; Maghreb</p> <p>Hon. Mélanie Joly, P.C., M.P., Minister of Foreign Affairs</p> <p>Lynn McDonald, Director General, International Economic Policy</p> <p>Marta Morgan, Deputy Minister, Foreign Affairs</p>	2022/08/04	23
<p><b>Department of Natural Resources</b></p> <p>John Hannaford, Deputy Minister</p> <p>Nada Vransy, Director General, Petroleum Resources Branch</p> <p>Hon. Jonathan Wilkinson, P.C., M.P., Minister of Natural Resources</p>	2022/08/04	23
<p><b>Ukrainian Canadian Congress</b></p> <p>Alexandra Chyczij, President</p>	2022/08/04	23
<p><b>Delegation of the European Union to Canada</b></p> <p>H.E. Melita Gabrič, Head of Delegation and Ambassador</p>	2022/08/04	24
<p><b>Embassy of the Federal Republic of Germany</b></p> <p>H.E. Sabine Sparwasser, Ambassador of the Federal Republic of Germany to Canada</p>	2022/08/04	24
<p><b>Embassy of Ukraine</b></p> <p>H.E. Yuliia Kovaliv, Ambassador of Ukraine to Canada</p>	2022/08/04	24

<b>Organizations and Individuals</b>	<b>Date</b>	<b>Meeting</b>
<b>As an individual</b>	2022/09/07	25
Balkan Devlen, Senior Fellow, Macdonald-Laurier Institute		
Marcus Kolga, Senior Fellow, Macdonald-Laurier Institute		
Benjamin L. Schmitt, Research Associate, Harvard-Smithsonian Center for Astrophysics and Ukrainian Research Institute, Harvard University		
<b>Ukrainian Canadian Congress</b>	2022/09/07	25
Ihor Michalchyshyn, Executive Director and Chief Executive Officer		
Orest Zakydalsky, Senior Policy Advisor		
<b>Siemens Energy Canada Limited</b>	2022/10/17	31
Arne Wohlschlegel, Managing Director		
<b>Canadian Gas Association</b>	2022/11/14	32
Timothy M. Egan, President and Chief Executive Officer		

## APPENDIX C LIST OF BRIEFS

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The following is an alphabetical list of organizations and individuals who submitted briefs to the committee related to this report. For more information, please consult the committee's webpage for this study of the [situation at the Russia-Ukraine border and implications for peace and security](#).

**Ukrainian Canadian Congress**





## REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this Report.

A copy of the relevant *Minutes of Proceedings* (Meetings Nos. 3, 5, 8, 13, 17, 19, 32, 40, 41, 42 and 48) in relation to the study of the situation at the Russia-Ukraine border and implications for peace and security and (Meetings Nos. 23, 24, 25, 31 and 36) in relation to the study of the export of Russian Gazprom turbines is tabled.

Respectfully submitted,

Ali Ehsassi  
Chair



The Conservative Party is pleased to fully endorse the main committee report. There are three areas in which we wish to go further than the rest of the committee in terms of supporting international peace and security. These areas are (1) contributing to global energy and food security (2) combatting foreign interference and (3) recognizing the failure of the Gazprom turbine policy. We also wish to use this opportunity to suggest areas of future discussion and study for the committee related to the Russian state's illegal invasion of Ukraine.

### **Canada's Potential Contribution to Global Energy and Food Security**

Canada has the potential to play a unique and critical role in the alliance of democratic nations. While many of our democratic partners are geographically small and densely populated nations who are reliant on energy imports, Canada is relatively sparsely populated and resource rich. We have the capacity, therefore, to ramp up energy production, including LNG exports, in order to fill the energy needs of our allies, ending their dependence on hostile actors such as the Putin regime. Displacing Russian energy in Europe and in the Indo-Pacific will provide our partners with security and will starve the Russian war machine. When our allies purchase Russian gas, they are fueling Putin's aggressive war. Canada can provide an alternative.

With this in mind, Conservatives recommend that the Government of Canada fast track energy projects that our allies need to reduce their reliance on Russian gas and repeal bills like C-48 and C-69 that limit the production and export of Canadian energy.

Canada can play a similar role displacing instances of global reliance on Russia for fertilizer and food. Our size and resource abundance gives us a unique opportunity to support the response to the global food crisis. This crisis has been exacerbated by the actions of the Putin regime. In order to support efforts to respond to the global food crisis, the government should reverse their broad suite of policies that have been harmful to Canada's agricultural sector.

### **Combatting Foreign Interference**

During its initial hearings on Ukraine, the committee heard about the security risks associated with the Russian embassy in Canada. This testimony has not been fully reflected in the main committee report. Conservatives noted, for example, the testimony of Mr. Orest Zakydalsky, Senior Policy Advisor of the Ukrainian Canadian Congress, who told the committee, "In Ottawa, at the embassy, people got out of what appeared to be a Russian diplomatic car and vandalized a blue and yellow painted bike that was placed outside the embassy, on public property. The bike was spray-painted and destroyed by what appeared to be people who emerged from a car that was later seen on the property of the Russian embassy".

Conservatives have been raising concerns about foreign state-backed interference for a long time in various fora, and yet this Liberal government has not expelled any diplomats involved in foreign interference. The Canadian Government should have zero tolerance for foreign diplomats involved in intimidation or interference operations and should expel any who cross the line.

In an effort to combat foreign interference and money laundering and to enforce sanctions, Conservative also recommend that the government expand the beneficial ownership registry to include provincially incorporated corporations.

### **Recognizing the Failure of the Gazprom Turbine Policy**

This Liberal government's decision to grant a sanctions waiver for the export of Gazprom turbines was deeply misguided. It could have provided the means for continuing Russian energy exports and energy blackmail, it showed profound disregard for concerns raised by the Ukrainian government, and it sent the wrong message about the consistent application of sanctions. The main committee report recognizes that the government was right to eventually cancel this waiver, however we would add that the waiver never should have been issued in the first place. We will continue to push for the consistent application and effective enforcement of sanctions going forward.

### **Areas of Future Work**

As the developed democratic world has united to oppose Putin's illegal invasion of Ukraine, we have seen expanding outreach and influence operations by the Russian government in Africa and throughout the Global South. One form of such engagement has been through the deployment of the Wagner Group. Notably, many developing countries have been severely negatively impacted by this invasion because of the impact that it has had on global food supplies. Conservatives are pleased to see the inclusion of a recommendation in this report to list the Wagner Group as a terrorist organization. Going forward, more work is required to understand the Putin regime's activities in the Global South and to mount a strong response. More broadly, work is required on the impact of this invasion on global food, fuel, and fertilizer supply. The broadening of the negative impacts of this invasion underlines the importance of Ukraine achieving a decisive victory as soon as possible.