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Chair

Mr. Kevin Sorenson

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● (1540)

[*English*]

The Chair (Mr. Kevin Sorenson (Crowfoot, CPC)): Good afternoon, committee. This is meeting number seven of the Standing Committee on Foreign Affairs and International Development. It is Wednesday, March 4, 2009.

Today we again meet to consider the report from our steering committee, a little later on. We are continuing our review of key elements of Canadian foreign policy.

Our witness in the first hour is Paul Heinbecker, former ambassador and permanent representative of Canada to the United Nations. He is currently director of the international relations and communications program at the Centre for International Governance Innovation.

In our second hour, by video conference, we have, from the University of British Columbia, Professor Michael Byers. He holds the Canada research chair in global politics and international law.

Our committee provides time for an opening statement of approximately 10 minutes, and then we go into the first round of questioning.

Mr. Heinbecker, I don't know how many times you've appeared before our committee. I can tell you that every time you're here we appreciate it. And we appreciate your experience, your expertise in our field of study today. We welcome you to our committee.

We apologize for the late start. As I've mentioned, before the meeting today we had a number of tributes to a former Speaker of the House, Gib Parent. I know some of our committee members are still there.

We are aware you may have to leave a little early. We look forward to your comments.

Mr. Paul Heinbecker (Director, International Relations and Communications Program, Centre for International Governance Innovation (CIGI)): Thank you very much, Mr. Chair. *Merci.*

I'm going to speak very briefly, I hope—for me that's a big challenge—and I have three basic propositions and five or six or seven things Canada can do. So I'll try to speak about those. It might be a little bit provocative, but it should at least be quick.

The first proposition is that if we believe in ourselves, there's a lot we can do in this world. I find it very distressing every time I hear Canada talked about as a middle power, every time we regard ourselves as little Canada and ask what we can do. There's plenty we can do if we believe in ourselves.

The second proposition is that the more effective we are in the world, the more we're going to be listened to in Washington; and the more we're listened to in Washington, the more effective we are going to be in the world. So an effective independent foreign policy both serves our purposes more broadly in the world and it helps us to get along on our bilateral agenda with Washington.

A number of times in the course of my career, when we went down to Washington to complain about softwood lumber or talk about an entire agenda of bilateral issues with the Secretary of State, I've seen us get.... We don't get a frosty reply; we get a courteous response, but we don't get much engagement on that. If the United States is the pre-eminent power in the world, it's a big job and they need help, and they appreciate a foreign policy that is effective.

The third thing I would say is that to be effective in that world we need to invest in diplomacy. That's one of the things we haven't been doing, and in fact we've been disinvesting, or de-investing, in diplomacy. The budgets have been going down for the foreign affairs department. There are a lot of strains on the department, and at the same time, the diplomatic challenges are getting bigger and bigger, as I'll mention in a moment.

I'll say a few words about Obama, the man, because I think we don't forget about it, but perhaps we don't credit enough just how different a person this guy is. He's the most cosmopolitan President the U.S. has ever elected, with a Kenyan father, a family still in Kenya. His mother spent most of her life working abroad with an American NGO and took him with her. He went to school in Indonesia with Muslim kids and to high school in Hawaii, which is the multicultural centre of the United States and hardly either the mainland or the mainstream. It produces a different kind of mind.

Think for a second what the alternative was. It was Senator McCain, grandson and son of admirals. He went to the naval academy and joined the navy. When he left the navy, he went into the Congress, worked in the Senate foreign relations committee. His whole career was national security. It's a very different mindset from the one Obama brings, and I think we really have to get our minds around that.

This is what Obama said, and it's a quote that I think is very apt:

> If you don't understand other cultures, then it is very hard for you to make good foreign policy decisions. Foreign policy is all about judgment. The benefit of my life, of having both lived overseas and travelled overseas...is I have a better sense of how people are thinking and what their society is really like. A lot of my knowledge about foreign affairs isn't just what I studied in school...it's not just the work I do on the Senate foreign relations committee. It's actually having the knowledge of how ordinary people in these other countries live.

You could say the same thing about diplomacy. That is one of the strengths diplomacy brings. It's a worldliness, and it's part of the new world we're going to be living in.

So if the world is really changing, how does the world see the United States? It's no secret. If you look at the various polls, the Pew poll in particular—the Pew series of polls since the year 2000—the single most unmistakable finding is that the U.S. has an enormous deficit in public perceptions around the world. They've interviewed 175,000 people in 54 countries. This was not a one-day-a-year Gallup question. They've suffered everywhere, including in the major industrialized countries, where they're blamed for the Iraq war and for the way things are going in Afghanistan. They're blamed for the crisis we're in now in finance, climate change, and terrorism and the excesses of the terrorism conflict.

In Turkey, which was one of the United States' most sympathetic and faithful allies, the numbers went down to single digits in those seven years. But there is now 12% support for the United States. The recovery you're seeing—it's still not very big but it's there—is coming, and the judgment is that it's because of Obama. He is changing the way people think. Not surprisingly, the western country that was most positive about the United States and Obama, of all of the countries interviewed in an Ipsos Reid poll, was Canada.

So we now have a different situation. Where we used to have an American leader who was reviled in the world, we have now one who's admired, whom everybody wants to see succeed, whom everybody sees as an iconic figure. I invite you to listen to what comedian Bill Maher said:

> The rest of the world can go back to being completely jealous of America. Yes, our majority white country just freely elected a black President; something no other democracy has ever done. Take that, Canada!

Obama is a man of his time and the world hopes for his time, but to paraphrase Bob Dylan, those times they are a-changing. The era of the single superpower is passing into history. The United States is going to be pre-eminent but not predominant.

Depending on who you listen to...if it's Kishore Mahbubani it's only for the last 200 years, if it's Fareed Zakaria it's the last 300 years. But we forget in the west that Asia not being at the centre of international affairs is the exception, not the rule. It's only been since the Industrial Revolution that Europe and the west have predominated.

There's an interesting figure in a book by Kishore Mahbubani about the Industrial Revolution. This is to give you the sense of how much things are changing:

> They called it the Industrial Revolution because, for the first time in all of human history, standards of living rose at a rate where there were noticeable changes within a human life span—changes of perhaps 50%. At current growth rates in Asia, standards of living may rise 100-fold within a human life span.

We're looking at not just a sea change but a total structural transformation. This is not news to everybody, but it's worth remembering. China, Japan, and India rank second, third, and fourth in the world in purchasing power parity. Japan and China rank first and second in the holdings of U.S. treasuries. Economic power may not be shifting; it may have already shifted. Russia is back, Africa has been making progress, the Latin Americans are getting to sit at the top tables, and the European Union is still one of the richest places on earth. But the takeaway point is this: American dominance will diminish, even with President Obama. America will be pre-eminent but not predominant.

That's why Mrs. Clinton in her confirmation hearing said:

> Now, in 2009, the clear lesson of the last twenty years is that we must both combat the threats and seize the opportunities of our interdependence. And to be effective in doing so we must build a world with more partners and fewer adversaries. America cannot solve the most pressing problems on our own, and the world cannot solve them without America.

Then she went on to talk about how important it is to invest in diplomacy.

Even under Secretary Rice there was an enormous increase in resources directed to the State Department. Now under Secretary Clinton there's going to be a further effort made, and I'd like you to contrast that. The U.S. administration believes that the U.S. needs to invest in its capacity to conduct diplomacy, provide foreign assistance of the kind the situation requires, reach out to the world, and operate effectively along with the military. That sounds very familiar to us in Ottawa. The challenges are nearly identical, but the response is worth looking at.

● (1545)

The State Department's budget is growing; the foreign affairs department's budget is shrinking. Our aid budgets are more or less static.

What can we do, then? I have five or six things Canada can do.

We can invest in our diplomacy.

We can believe in our ability to make a difference, which is why you would invest.

I don't know how controversial the following point is. We shouldn't change foreign ministers every year. And we shouldn't engage, by the way, in light-switch diplomacy every time we change a foreign minister. “Light-switch diplomacy” was coined by George Schultz and it means that you change your policy every time you get a new Secretary of State. Well, we've had that tendency as well in Canada.

If you're going to get the relationship right with Washington, we have to get the embassy right. One of the things we need is for the embassy to re-engage in American foreign policy. If you look at the way the Canadian embassy has conducted itself, in recent years particularly, it's been all bilateral. They really haven't played on the international agenda very much. And in doing that, you're basically disarming yourself, because the strongest card we have to play probably these days is Afghanistan. That may also be a controversial assertion in this group.

If we have a foreign policy and we have people in the embassy whose job it is to deal with senior Americans at a foreign policy level.... I can tell you that the British do that, the French do that, the Germans do that, the Russians do that, the Chinese do that, and the Indians do that. Everybody I can think of tries to do that, because it's all part of taking your responsibility seriously and taking responsibility for what's going on in the world.

I'll throw out a line in case anybody wants to follow up on it. I'm not a fan of the idea of a secretariat in the embassy in which we have federal-provincial representation. I think it confuses people in Washington about who's who and what they're doing and who they're speaking for.

I won't dwell on what we can do economically. I think a very important lesson is the G20.

How much time do I have left?

● (1550)

The Chair: Actually, you're three minutes over.

Mr. Paul Heinbecker: Well, I'll stop and I'll bring it out in the course of the questioning.

The Chair: Thank you, Mr. Heinbecker.

We're going to go into the first round. And again, I'll just mention this to the committee. Our guest has to leave at a quarter after four today and so we're very tight on the timelines here.

The other thing is that at 4:15, before our teleconference begins, we'll have committee business where we'll deal with the steering report.

So first round. Mr. Rae.

Hon. Bob Rae (Toronto Centre, Lib.): Thank you.

Mr. Heinbecker, good to see you. Welcome to the committee.

Maybe I'll just ask a question that may strike you as coming off the wall. Do you think we should merge CIDA and Foreign Affairs?

Mr. Paul Heinbecker: Yes.

Hon. Bob Rae: Why?

Mr. Paul Heinbecker: For two or three reasons. One, generally speaking, at the cabinet a Minister of Foreign Affairs has more authority than a minister of CIDA. We've had, for years, CIDA ministers who have had a very difficult time getting heard. This is not about the current government. It's about my experience, going back quite a long way. I think that CIDA is better off with the part-time attention of a strong foreign minister than the full-time attention of a minister who might not be as strong.

The second thing is that I think we've gotten away from the idea that CIDA policy is part of foreign policy. Yes, it's about poverty reduction; yes, it's about helping people; but it is also about how we're seen in the world. It is an instrument of foreign policy, and I think it needs to be used as an instrument of foreign policy more than the tendency is now. There is a tendency to try to keep them apart, and I think that is probably a mistake.

I'm not a fan, by the way, of the policy of concentration either, partly for foreign policy reasons. The fewer countries that you have a development assistance relationship with, the weaker your relationship is with everybody else. That may not seem significant, and I certainly wouldn't suggest that this is the only reason you do it, but for example, if you want to get elected to the UN Security Council, it is easier if you have relationships with people than if you don't have or if you haven't cut them off.

So I know there's a lot of pressure in the international aid community and some from the OECD to focus, but I think there's an issue there.

Hon. Bob Rae: A lot of what you said was very interesting. I certainly second your view on the disinvestment in diplomacy. I think it's a big problem.

You made a cryptic comment about our influence in Washington and Afghanistan. Could you develop that idea? I wasn't quite clear about what you were getting at.

● (1555)

Mr. Paul Heinbecker: I think it's the obvious point, and it's consistent with what I was saying. If you're carrying out a foreign policy that is effective, and if part of that foreign policy is of benefit to the United States, people are going to react to it. I think that's what it is. The United States, including the Obama administration especially, is talking about more and more forces going into Afghanistan. The review is on in the United States about what they're going to do, but it's already evident that they think more forces are necessary and more diplomacy is necessary and more aid is necessary. They think all of it is necessary.

They've appointed Richard Holbrooke, who was my colleague in New York and in Germany when I was there, to be a special representative. That is a sign, I think, that they're taking it very seriously. It also should be a sign to us, I think, that we should perhaps contemplate doing a similar thing. I think we should perhaps appoint our own special envoy .

Another idea we might have is the creation of an eminent persons committee: three or four or five or six really smart, experienced people who are familiar with the situation in Pakistan and Afghanistan and Central Asia who could be a sounding board on this. The French have just appointed a special envoy. If there were a special envoy for all the major contributors, you could have a contact group of the kind we used to have in Bosnia and Kosovo, which ultimately brought about the end of that fight. I think there's a lot to be said for that.

Hon. Bob Rae: Just to follow up on that—and I'm sure you didn't know this—I actually asked in the House today about the question of having a special envoy.

Mr. Paul Heinbecker: I didn't know that.

Hon. Bob Rae: I agree with you. My sense is that there's a mismatch between our military sacrifice and effort, which has been extraordinary in Afghanistan, and the absence of diplomatic and political leadership. That's my perception. Do you think that's a fair comment?

Mr. Paul Heinbecker: I don't think there's any doubt that we have been a lot stronger on the military side than we have been on the diplomatic side and on the aid side. On aid, we got off to a slow start. I think we've caught up quite a bit. On diplomacy, it's a little harder to see. I'm not saying there are not things happening, because I don't know everything that's happening either. But I would subscribe to the idea that we should be doing more on the diplomatic side.

Hon. Bob Rae: I think I'll let it go, Mr. Chair.

The Chair: Thank you, Mr. Rae.

We'll move to Mr. Crête.

Mr. Paul Heinbecker: I'd like to turn my thing off, but it's brand new, and I don't know how to do it.

The Chair: Well, you know what? We will excuse you. If your phone rings, we will excuse you, but we won't excuse anyone else around the table, Mr. Heinbecker.

Go ahead, Mr. Crête.

[*Translation*]

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Thank you very much for your testimony.

From the start, the committee passed a motion stating that there needed to be a complete review of policy.

Mr. Paul Heinbecker: I understand.

Mr. Paul Crête: The committee is trying to compensate for the variety of ministers and the number of changes in government that we've experienced. There have been, for instance, a number of minority governments. It was the public's choice and it should be respected.

In this regard, the subject of your testimony could practically be the title of our final report. We are doing this in-depth study to try to develop a foreign policy for Canada that would be as free of partisanship as possible.

On this point, you've said that our ambassador to Washington should play a multilateral role, in other words be more involved in multilateral debates and probably interact with other ambassadors. Can you give us further detail on what you would expect from the ambassador and the embassy specifically in areas that go beyond bilateral relations?

[*English*]

Mr. Paul Heinbecker: It is the case. I don't have any inside information on how the embassy—

[*Translation*]

Mr. Paul Crête: How do you see things?

[*English*]

Mr. Paul Heinbecker: What I would say is this. In those cases where we have an ambassador who has been able to do foreign policy and bilateral relations—and we've had a few of them—I think our impact has been stronger than in those cases where all we're trying to do is deal with bilateral issues. It's important for the ambassador to be able to see the assistant secretary of state for the Middle East; or Assistant Secretary of State Holbrooke on Afghanistan; or Dennis Ross on Iran; or maybe most important of all, Senator Mitchell on the Middle East. You don't get access to those people unless it's done at a very senior level.

My judgment is that you need somebody who is sufficiently familiar with the issues that he can have that policy discussion in which he explains what Canada is doing, makes some requests about cooperation, or in which he makes some warning. That's what you need the ambassador to be doing. That's as well as going to see a senator about Buy America, which is important. I'm not diminishing its importance; it's very important. But I think if you're only playing on one side of that equation, you're diminishing your effectiveness.

● (1600)

[*Translation*]

Mr. Paul Crête: For that to be possible, there would have to be political direction given to the ambassador to indicate to him how important this aspect of things is, right? Is it up to the ambassador himself to decide on how to do his job?

[*English*]

Mr. Paul Heinbecker: No, it's pursuant to the policy, and it certainly has to reflect the government's wishes. I'm saying you need somebody whose modus operandi is broader than just the bilateral relationship.

And that has been the case. To go back to a semi-neutral example, in the 1980s Ambassador Gottlieb, for example, and Ambassador Burney were both very engaged in international questions—especially Gottlieb. He was named by the *Washingtonian* magazine as one of the 50 most influential people on American foreign policy. He was also the most well-known ambassador in town, both from a congressional and a policy point of view. Frankly, looking back, those were very positive days.

[*Translation*]

Mr. Paul Crête: Canada, in its dealings with the United States, must factor in the importance of the various levels in the administration, for instance the President's Office, the Senate, the House of Representatives and the diplomatic corps. What relative weight do you attribute to these things, or how would you ascribe a relative value to this involvement?

Is it important to significantly enhance our dealings with the Senate and senators? You said it was important to understand how others think. Well, how do we know whether we're speaking to the right people, if we are active enough or within which groups we need to be more active?

[*English*]

Mr. Paul Heinbecker: One of the most difficult things to do in Washington is to be sure you're talking to the right person on an issue, because it's a very big place.

One of the things I was told when I first came to Washington was that if you don't like American foreign policy it's like the weather in central Europe; just wait five minutes and you'll get another one. There's the National Security Council. The White House has a foreign policy. The State Department has its vision, the Treasury, the Department of Defense, and they're not necessarily coordinated. Then you have the Congress, where every senator is his own secretary of state. It's very difficult, and you have to be able to deal with all of them. You can't just say we're going to deal with the administration. It's not possible.

The Chair: Thank you, Mr. Heinbecker.

We'll move to Mr. Goldring and Madam Brown. Very quickly, please.

I'm sorry, it's Mr. Lunney.

Mr. James Lunney (Nanaimo—Alberni, CPC): Thanks.

It's great to have someone with your experience here, Mr. Heinbecker. We welcome you.

When you started to talk about what Canada can do, I believe I heard you had five or possibly six points. I got four down before you ran out of time. I understand you said to invest. You said to believe we can make a difference, that we shouldn't change our foreign ministers every year—that seems like a practical suggestion—and if we do, we shouldn't do the light-switch diplomacy.

I had four there. Were there a couple of other points you wanted to make just briefly?

Mr. Paul Heinbecker: I was being a bit slippery with the numbers. There are actually about 20, but I thought if I said five, people would pay attention. I don't think you want all 20 at once.

● (1605)

Mr. James Lunney: If you've got a brilliant one you want to add to that, I'd be glad to hear it.

But let me go right to Afghanistan, because you commented briefly on the balance between military and aid, and diplomacy was a little different. But you know we're working with, as we described, a whole of government approach and are largely concentrated on Kandahar, where we have not only the commander of the Canadian Forces, but the RoCK, the representative of Canada in Kandahar—a powerful little lady over there—Elissa Golberg. I don't know if you know her.

Mr. Paul Heinbecker: I know her well.

Mr. James Lunney: She's a dynamo. I was quite impressed to be over there last May with the defence committee to see this diminutive but powerful woman, with our Brigadier-General Thompson sitting beside her. I think it's quite a model for the provincial reps from Kandahar to see the role a woman plays in our Canadian structure.

We're working on building institutions, training Afghan National Police, an army, and prison officials. We're doing all of that there, as well as reconstruction. Given the challenge we have over there, can you describe what diplomacy we should be doing, beyond what we're doing in Kandahar? Are you saying we should be doing more in Kabul with international colleagues, or...?

The Chair: Thank you, Mr. Lunney.

Do you want to try to answer it?

Mr. Paul Heinbecker: Under the heading of what Canada can do in Afghanistan, I had these, of course: continue to train Afghan forces, which is the main mission of the Canadian Forces there now; continue to strengthen Afghan institutions, which is a job in part that has to happen in Kabul. And that's where I got into the business of appointing a special envoy contact over there.

I think the issue is not diplomacy vis-à-vis Afghanistan. I think it's a question about what's going on among our allies, what's going on among the countries in the region. There used to be a six-nation group trying to supervise, or handle, developments in Afghanistan. It was, if I remember correctly: United States, Russia, China, Britain—I'm not quite sure anymore. But it's clear there won't be a solution to the Afghanistan issue without some kind of resolution or some kind of better outcomes on Pakistan.

It's also clear that the relationship with Iran can be very important. It can be constructive or it can be destructive, depending on how things are going. By the way, I don't think we're being excessively critical of Iran and I think we should find some way of re-engaging with Iran. I'm perfectly aware of Madam Kazemi's situation, how completely corrupt the Iranian response to that was. I don't have any doubt about that. I also don't have any doubt about Iranian influence in Iraq. But at the same time, we have interests in Afghanistan, and I think engaging with the Iranians, for example, is one part of the diplomacy.

I think the other part is, among the major allies, to try to play a role to get engaged and influence their thinking. That's also part of diplomacy: influence Washington's thinking, influence the British thinking, influence the Germans and the French, and so on. Somehow we have to also make an impact in Pakistan, as I was saying. That, I find, is the most difficult problem of all. If you asked me exactly how to do that, I'm not sure I could answer it. I just do think that without some sort of better relationship between Afghanistan and Pakistan, this can go on forever.

The Chair: Thank you, Mr. Heinbecker.

We'll move to Mr. Dewar.

Mr. Paul Dewar (Ottawa Centre, NDP): I want to follow up on the issue of Afghanistan—I wasn't going to touch it—then move to another one.

One of the things that seem to be emerging is that we need to move beyond what this whole rubric has been about. We did a report on it, etc., and many of us have said we should get beyond, that it's not just about Afghanistan, it's about the neighbourhood, and to have a contact group, as you said—China being part of that as well. I note that NATO was discussing the possibility of bringing in China as part of the equation, which is interesting.

So my question to you is, as it relates to Canada-U.S. relations, are you saying that Canada could be the one to propose a process in concert with what the Americans are doing, and that now is the time to propose that?

● (1610)

Mr. Paul Heinbecker: Yes, I think so.

We've stated that we will be ending our combat role by 2011. President Obama has said that he did not come to Ottawa with an ask in his pocket, but it's pretty clear from listening to other people in his administration that they would like us to do more and to do it longer. Gates said that the longer we can have Canadian Forces there the better. Susan Rice, their ambassador in New York, has said she very much hopes Canadian Forces will stay on, or words to that effect. And, by the way, her husband is or was Canadian—though I don't want to be held accountable for that—so she knows us pretty well.

The issue there is, will we be asked to do more, and will it be possible simply to walk away? I don't think that will be the case. The emphasis is going to shift to diplomacy as well as the military. I think that in those circumstances ideas are going to matter, and ideas don't necessarily always come from the largest contributor. I think that with the appointment of a special envoy by the Americans, with the appointment of a special envoy by the French, we'll probably see others. I think we probably ought to follow suit so that we're part of the game and we can try to influence the outcome. If we don't do that, I think we're likely going to be on the sidelines.

But we've earned a place at the table. We don't have to tug at people's coat sleeves; we should be there as a right.

Mr. Paul Dewar: Thank you for that.

Another issue was raised by a former colleague of yours, Mr. Taylor, here at this committee, and Mr. Harder as well. One of the things Mr. Taylor raised—and certainly the Obama administration has referenced it—is nuclear proliferation or non-proliferation. On that issue, I'm wondering where you think Canada could play a role vis-à-vis the U.S. in terms of having good ideas on the global stage. Do you want to speak to that, if you have some suggestions, or if it's a good idea?

Mr. Paul Heinbecker: Yes, I do have some suggestions, and they proceed from the reality that people are talking about nuclear disarmament.

During the Bush administration, they talked about arms control. They talked about a lot of things. They didn't talk about disarmament, but that is back on the agenda now as a conversation between the Russians and the United States. And in due course, it's going to have to be more than just the Russians and the United States. But there are moves afoot to reduce nuclear weapons between them.

I think we should be supporting and encouraging that as much as we can. We should get ready to play a constructive role. There's going to a review of the Nuclear Non-Proliferation Treaty in 2010. That treaty has languished under the Bush administration's leadership. Now Obama wants to reinforce it. It's manifestly in our interests to do that.

The same thing goes for the Comprehensive Test Ban Treaty. We can be active diplomatically in trying to get people to ratify that. The fissile material cut-off treaty, and a weapons in space treaty, these are all things the Canadian government has done in the past and has the expertise to do. This is a game that we can play; we have the people. On an issue like the fuel cycle, for example, where the questions are, should countries get access to nuclear fuel, and should that be done internationally, and is it a way of avoiding the problems that Iran is creating, we have something to say about that. We're a major uranium exporter, we're a major nuclear technology exporter, and I think that's something we should participate in.

So a lot can be done under the rubric of arms control and disarmament. And I just want to say for one second that this is not pie-in-the-sky stuff. The people who were advocating these things very recently in *The Wall Street Journal*, of all papers, twice were George Shultz, Henry Kissinger, William Perry, and Sam Nunn. These are people with a lot of experience, who are very realistic and who think something has to be done about the number of nuclear weapons and the fact they're on hair triggers, or nearly hair triggers, and so on.

So it is an important issue. It is an issue the Obama administration is going to push, and it is one that suits our interests, and we have the expertise to play on it.

● (1615)

The Chair: Thank you, Mr. Heinbecker. With that, we will try to honour your time schedule and allow you to meet your next engagement. We do appreciate your being here again and look forward to the time you can come back.

Mr. Paul Heinbecker: Thank you.

The Chair: We will allow him to make his exit, and then we will move into committee business.

You have in front of you a little agenda. You also have the steering committee meeting minutes and a budget.

Hon. Jim Abbott (Kootenay—Columbia, CPC): Just for clarification, is this committee business in camera?

The Chair: No, no.

Mr. James Lunney: On a point of clarification, do we have dates for that in April?

The Chair: It's April 19 to 22, Monday to Wednesday. It's listed in the committee report. I knew I read it somewhere.

All right, we're moving into committee business now. I think the first part of the agenda.... Do we have an agenda?

The Clerk of the Committee (Ms. Angela Crandall): No, just the report.

The Chair: Your steering committee met yesterday, Tuesday, March 3, to consider the business of the committee. Its first recommendation was that the committee travel to Washington, D.C., from April 19 to 22, in relation to its study reviewing the key elements of Canadian foreign policy, to meet with American senators and congressmen and other relevant people to discuss issues of common interest. This will not be during a break week; it will be while Parliament is sitting.

First of all, maybe we'll just open this up on that point. We have to go to the video conference at 4:30, so if we can, let's try to keep our comments very quick.

Mr. Abbott, and Mr. Crête.

Hon. Jim Abbott: I wanted to make a quick comment about using our member of Parliament travel points. I disagree with that as a matter of principle; I always have since I've been a part of committees. I believe that committee expenses should be committee expenses. If this trip is worthwhile—and I support the trip and I believe it's worthwhile—and there's an expense from our going, then this committee should be prepared to have that expense as part of our record.

The Chair: Yes, we had a little bit of a discussion on this at our committee meeting. We remind each one of you that you have your point system, but you also have four points that can only be used for Washington.

Hon. Jim Abbott: I understand that.

The Chair: All right. So the feeling was that most people had not used up those points, and consequently, that was the recommendation they had.

Mr. Crête, then Mr. Obhrai.

[*Translation*]

Mr. Paul Crête: I simply wanted to move the adoption of the motions.

[*English*]

The Chair: The whole report?

[*Translation*]

Mr. Paul Crête: It can be the whole report, I don't object to that. However, if you want to deal with the motions one at a time, we can proceed in that fashion. We can certainly vote on the first two, which deal with Washington, and discuss Mr. Abbott's matter, but I believe the first motion is the trip itself. We can decide on the first. I do not know if you intended to adopt the entire report or to proceed one motion at a time. If you want to adopt the entire report, we can look at all issues and then vote.

[*English*]

The Chair: All right, we can do that. I'll accept that. I'll read through the rest of the report and then we'll accept the report. We can discuss—

Mr. Deepak Obhrai (Calgary East, CPC): We can read the report.

The Chair: Okay, so have you all had the opportunity to do that?

Some of you have not had the opportunity, as you've just received the report.

Mr. Deepak Obhrai: You don't have to read all of this.

The Chair: Take one minute, then, to go through the report.

Mr. Crête has moved that we accept the report. Do we have a seconder for that?

● (1620)

Mr. Deepak Obhrai: On a point of clarification, will the budget be a separate item that we work on?

The Chair: Yes.

My intent is that we have a seconder for the report, and then we'll have debate on it.

Hon. Jim Abbott: What does it mean to accept the report? What does that word mean?

The Chair: We accept the recommendations within the report. We have a motion here that was brought forward to do that. I need a seconder on this.

Mr. Patry seconds it.

We'll open debate on any part of the report. I would like to keep it confined point by point, so we aren't running from one point to another, but Mr. Abbott has brought up the question of the travel points.

Mr. Patry.

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Yes, but the travel point is not in the report. It's something different, somebody said.

The Chair: No, it's in the report at number two.

Mr. Bernard Patry: Okay. On the travel points, the only problem you're going to face as the chair—and it's quite simple—is that the committee was giving us the budget. We will not accept going to Washington without raising our points. We are going to be dismissed over there; there's no doubt about it in my mind. That's the idea. That's why we accept this, but it's always like this.

I don't want to say that this committee is mainly wrong, but the Conservatives have the majority on this committee, and they decided in the previous Parliament that if we don't use the points to go to Washington, we're not travelling, period. We're not going to get any spending for this.

Do you want to hear my other comments?

The Chair: Yes, go ahead.

Mr. Bernard Patry: My other comments concern the Bloc and item number five. We decided in the steering committee that the Bloc will be entitled to change the review of key elements in Africa just to go for the Great Lakes. You have another motion, but this is to replace that motion with the other motion of the Bloc for the Great Lakes inside of Africa. That's all.

[*Translation*]

Mr. Paul Crête: Yes.

[*English*]

Mr. Bernard Patry: You could make an amendment, yes.

The Chair: All right.

Mr. Dewar.

Mr. Paul Dewar: My comments were going to be on something else, but I hadn't discussed number five with anyone. I haven't heard anything about the amendment you just proposed.

Mr. Bernard Patry: I received a copy from the Bloc just today.

Mr. Paul Dewar: That's fine, but I haven't discussed it with anyone. That's my point.

Mr. Bernard Patry: We discussed it with Mr. Martin.

Mr. Paul Dewar: I'd like to stick to this for now, before we open something, because we're going and—

Mr. Bernard Patry: Okay. That's fine. We'll stick to all this.

Mr. Paul Dewar: We're actually making progress, which is good.

On the trip to Washington—the points thing aside, because I think we can negotiate that—this committee hasn't travelled for as long as I've been on it and since even a little bit before that, I guess. As we heard from testimony today and other days, I think it's really important that we engage, if possible, not just with present congressmen and senators but with officials, such as some of the previous secretaries of state.

I'm thinking of some of the people who were mentioned, Schultz, Nunn, and people like that. I think it would be invaluable to hear from them because they're not in office, and you tend to get a different perspective from those who aren't in office. I think if we could do that, it would be enormously helpful.

The Chair: I'll just interrupt you there, Mr. Dewar. We took the liberty of adding to Mr. Goldring's motion when he called for a meeting with American senators and congressmen, and we added other relevant people, recognizing that those would be the ones we would get in. We would also spend our next steering committee planning more of that trip and getting potential names down.

Who else do we have on the list here? Mr. Abbott.

Hon. Jim Abbott: I took it from some of the comments that were just occurring that we're also talking about the other elements of this report. I think we need to have a more substantial discussion on number four, on the Sri Lankan thing.

I would still like to settle the issue of the Washington trip with respect to the expenses, because obviously that's a nuts-and-bolts issue, but I don't think it would be wise for us to have a vote on this entire report and accept this report without a fairly substantial discussion about number four. I think there are some serious problems there.

Mr. Chairman, I'm looking for your guidance.

The Chair: Initially I tried to go point by point, but we had a motion to pass the report. I took that motion, and it was seconded. That's what we're debating now, and we're trying to do it within a tight timeline, which maybe we won't be able to accomplish. However, we do want to pass the budget so that we can get the budget in the works.

Mr. Rae.

● (1625)

Hon. Bob Rae: I wanted to congratulate the subcommittee for being very productive. It sounds as though it was a very productive meeting.

I would just say to Jim that for us to be able to travel to Sri Lanka, we'd have to go through lots of hoops to get there. It may or may not happen. I think we all know what the problems are. Nobody's saying we're going to go to Sri Lanka just to throw it off. I think it's just a logical thing that we might try to do after we've had the hearings.

For me, the key thing is that when we get back after the break in March, we're going to have a couple of meetings on Sri Lanka. We have to think about who would be the best people to bring in as witnesses and make that a productive rather than an unproductive discussion.

The Chair: Actually, at that meeting we did ask that we have our witnesses in by Monday.

Hon. Bob Rae: You'll have some suggestions from us—

The Chair: Thank you.

Hon. Bob Rae: —and I also will have some suggestions for my vice-chairman on the committee. My strong advice would be to make sure that it's a productive discussion and you're not just getting propaganda from one side or the other. Make sure we're bringing in the neutrals who really know what's going on.

There are a lot of NGOs that have a lot of information. World Vision has been there. Human Rights Watch has been there. The Red Cross has been there. There are people you can bring in. Then we can think about who would be the thoughtful people who might be able to enlighten us a little bit more as to what is really going on and what's motivating both sides, as opposed to an advocacy session from one side or the other, which frankly I don't need. I hope other members will feel the same way in terms of being productive.

I hope we can adopt the whole thing. I just want to reassure Mr. Abbott that I don't assume from this that we're going to get on a plane to Sri Lanka the next day. We have a lot of figuring out to do. It's just an expression of desire, I think, on the part of the committee.

The Chair: Mr. Obhrai.

Mr. Deepak Obhrai: As Bob said, this is a sentiment that was expressed in the steering committee, completely, that this be on that portion and that we put this in here, but that we will see at the time we're doing the report whether it's going to go or not. At the same time, we also put in a suggestion that we could have two or three people going as opposed to the whole committee.

Those are part and parcel of the discussions that we had, and also that we would bring it here and put these things in there as part of the study so we know where we're going. It's not cast in stone or anything.

The Chair: Mr. Abbott.

Hon. Jim Abbott: We could shorten this, if I may suggest, if I were to propose an amendment that we accept the report with the deletion of the fourth clause.

The Chair: It was Mr. Obhrai's suggestion initially, but that's why we bring it to the committee. We can have an amendment to anything.

Do you want to move that clause 4 be taken out, Mr. Abbott?

Hon. Jim Abbott: Yes.

(Amendment negatived)

The Chair: Are we then ready for the question on the steering report?

Mr. Dewar.

Mr. Paul Dewar: Is that with number five, the way it was submitted to us, without amendment?

The Chair: Yes. I think what's happening here is that Madam Deschamps has brought forward a motion to specify which area of Africa. I haven't read the motion yet. I think it's around the Great Lakes of Africa.

[*Translation*]

Mr. Paul Crête: I can read it.

[*English*]

Mr. Paul Dewar: Can I make a suggestion? I'm not precluding the amendment. Can we just pass this? Then when we get to the business of that particular number five, we can then talk about.... Is that a good call?

The Chair: Okay. Are we ready for the question? All in favour, then, of the recommendations of the steering committee?

(Motion agreed to [See *Minutes of Proceedings*])

The Chair: Now we will quickly flip over to the budget. On the budget, you see that the numbers were drawn up under the idea that we would use travel points. Be fully aware of that. You see the budget for $40,908, which would, in the next week, have to go to the Liaison Committee.

Do you have comments on the budget, Mr. Abbott?

● (1630)

Hon. Jim Abbott: If I could speak just briefly again to Mr. Patry's intervention, I understand that with the budget people would prefer to get a low number, but the fact is that the principle still remains. I've been around here since 1993. This has been tried many, many times by many different committees. I think it's really important for the people of Canada to be able to see exactly what it costs for this committee to do its business.

There are people—I'm not one of them—who have other business that they go to Washington, D.C. on, and should they happen to be the people on this committee, they would be disadvantaged in not being able to conduct the other things. The points are given to or put into the control of a member of Parliament for a member of Parliament to do the business of the Canadian people as he or she may see fit.

As for taking those points away in this way, I'm not suggesting that it's not above board. It is above board; otherwise, we wouldn't be having this public meeting. That isn't the issue. The issue is accountability. I believe that this committee and any other committee should be held accountable for whatever costs the committee incurs in order to do its business.

The Chair: Thank you, Mr. Abbott.

Mr. Obhrai.

Mr. Deepak Obhrai: Taking my friend's advice here, I say why don't we just ask which members would like to use their points and which don't want to use their points, based on whatever it is. Each member can then individually decide if they would like to use their points to go there.

Hon. Bob Rae: You can't do that. You can't get your budget approved because you don't know what the budget's going to be.

The Chair: I understand Mr. Abbott's principle on this. These are his points and this is committee business. These are all of our points.

From the spirit of the steering committee, a lot of us realized that we weren't using our points. We're trying to put some constraints on our expenditures, so it was, I think, a goodwill suggestion that we use our points and so that's how it came forward.

Mr. Patry.

Mr. Bernard Patry: I just want to say to Mr. Abbott that last time we travelled to Washington and New York in the last government, with the Conservatives, we used half a point because we were going to Washington and because of travelling back from New York to Ottawa, Toronto, and Montreal. It wasn't a budget, just to let you know about this.

Either one doesn't matter to me. The thing is that I just want to... [*Inaudible—Editor*]...points, and we'll accept two budgets at that time and see. He's the one who's going to need to defend the budget, but we need to be all together in a sense.

The Chair: I'm going to refer to my clerk here.

What do you suggest is the proper way to go?

I don't have a motion yet to redraft the motion. There's a motion that we could have, either that we accept the budget as is or we amend it to include travel of all committee, or we amend it.... You can't draft a budget saying we're going to have travel for some, because it becomes a—

[*Translation*]

Mr. Paul Crête: I move that we adopt it as it stands.

[*English*]

The Chair: All right. Monsieur Crête moves that we adopt it as it stands.

Is there any more debate? Are we ready for the question?

[*Translation*]

Mr. Paul Crête: No one is calling the question.

[*English*]

The Chair: Are we ready for the question?

(Motion agreed to)

The Chair: I will then present this budget.

I think that's good. Thank you for taking a stand on principle. I don't think anyone said you're wrong on your principle. I think, rather, it's to expedite this thing and keep it moving.

Monsieur Crête.

[*Translation*]

Mr. Paul Crête: It may be a good idea, now that we've passed this, for the full committee to get back to the motion. In that way, we would avoid having to reiterate the same debate each time. Let us move the budget as it stands, but look into whether there is a decision stating that we always have to use our own points when we go to Washington, even for committee business. That way, we will know what to expect in the future.

[*English*]

The Chair: Mr. Patry is absolutely right. It makes it almost impossible to pass through. When you appear before that Liaison Committee, they ask you if you are going to use your own points for the Washington trip. If we say no, then they say, "Well, if you aren't willing to use your own points..." and then you get a battle. It's not that it can't be won, but it does handcuff us.

● (1635)

[*Translation*]

Mr. Paul Crête: All right, forget that.

[*English*]

Hon. Jim Abbott: We've had the vote, but I just want to say the difficulty is that $1,977 is the cost of the return airfare per person. If the $1,977 is hidden in our MP travel cost, that really isn't fair to the Canadian taxpayer because it's not reflective of the cost of this committee doing its legitimate business.

The Chair: Point taken.

The budget is carried.

I think that's all the committee business we have. We will again just very briefly suspend. Don't leave your seats. Dial up the video conference and we'll be prepared to go on from there.

● (1635)

(Pause)

● (1640)

The Chair: In our second hour, by video conference, we're pleased to have, from the University of British Columbia, Professor Michael Byers. He holds a Canada research chair in global politics and international law.

Mr. Byers, we look forward to your comments. We don't have a perfect connection, but we look forward to your comments, and then we will go into the first round of questioning. We have had some difficulty to connect with your line, Mr. Byers, and even now we're still experiencing some technical difficulties. Can you hear me?

We aren't certain we can hear you. Can you speak into your microphone? We have someone on our roof trying to adjust the satellite dish—

Some hon. members: Oh, oh!

The Chair: Welcome. We finally hear your much welcomed voice.

We've been looking forward to hearing your testimony, Mr. Byers. We've already introduced you and the position that you hold. We will just move right into your testimony, if that's possible. We are doing a study of the key elements of Canadian foreign policy at the present time, with a focus on Canada-U.S. relationship and foreign policy. So we look forward to your comments, and we would move into a round of questions.

I will warn you right now, Mr. Byers, that at 5:30 our time, which is in 45 minutes, we will have a vote in the House of Commons, so we'll have to cut it short, right on the half hour, right at 2:30 your time if you're in B.C.

We look forward to your comments. Welcome.

● (1645)

Professor Michael Byers (Professor, Canada Research Chair in Global Politics and International Law, University of British Columbia): Thank you very much. Thank you for inviting me to speak and for allowing me to do so by video conference today. By staying in Vancouver, I'm able to address another even more intimidating audience later this afternoon in the form of 150 undergraduate students.

The issue of Canada-U.S. relations is very close to my heart. My two children were born in Durham, North Carolina, where I was a professor of international law and the director of the Center for Canadian Studies at Duke University. They are, as a result, U.S. citizens, and I hope they will serve both their countries well.

Barack Obama clearly cares about Canada-U.S. relations too, having said "I love this country" during his recent visit to Ottawa. I believe the straightforward expression of affection is rooted not just in President Obama's family connections but also in his awareness of the historically important role of Canada as the terminus of the underground railroad; as a long-time proponent of human rights, international law, and multilateral diplomacy; and as a model of successful multiculturalism and universal public health care.

I also believe the comment indicates awareness on President Obama's part of just how important Canada could be to achieving his economic, environmental, and foreign policy goals.

Secretary of State Hillary Clinton has placed smart power at the centre of the Obama administration's foreign policy. According to this approach, influences derive from many factors, including diplomacy, cooperation, a good reputation, and economic vitality. And smart power plays to Canada's strengths, which are truly multi-faceted.

Geographically, we are the second largest country in the world. We have the eighth largest economy. We are the United States' largest trading partner. We have a population of 33 million well-educated, globally connected people. Our military is small but highly competent. Our foreign service is among the very best. Seen through the lens of smart power, Canada has considerable potential influence that could and should be exercised on behalf of our own citizens, the international community, and, on issues of common cause, the United States.

Afghanistan is clearly an issue of common cause. The Canadian Forces have suffered the highest casualty rate per soldier of all the allied troops in that country. The deaths, injuries, and other demands of the mission have prompted retired Major-General Lewis MacKenzie to conclude that "Canada will not be capable of remaining in Afghanistan in a combat role beyond 2011".

Fortunately, President Obama is already applying the concept of smart power to Afghanistan. The appointment of Richard Holbrooke as his envoy is a clear indication of just how important the diplomatic angle has become. And while President Obama is increasing the number of troops in Afghanistan, he is actually cutting, by around 100,000, the number of U.S. soldiers deployed abroad. The end result is that Canadian soldiers are less needed than they might have been before.

Consistent with the concept of smart power, we can and should offer to contribute in other ways. Our diplomats could help negotiate with tribal and insurgent leaders as well as with regional actors, such as Iran, India, and Pakistan. CIDA could provide more reconstruction assistance. The RCMP could do more to assist in the training of Afghan police.

All indications are that the Obama administration has made the same calculation and that pressure will not be applied to keep Canadian soldiers in a combat role in Afghanistan after 2011. So there is no reason whatsoever to even consider another extension.

On the economy, President Obama is demonstrating extraordinary leadership in addressing the global economic crisis, but I believe that he's looking for more international support for his economic stimulus and almost certainly for much more from Canada.

● (1650)

According to the parliamentary budget officer, the net effect of Canada's stimulus plan is equivalent to just 0.7% of GDP, which is just one-quarter of President Obama's package and less than half of the stimulus recommended by the International Monetary Fund.

The Great Depression led to the creation of the World Bank, the IMF, and GATT. The current crisis is likely to generate similar international institutional reforms, including mechanisms for regulating banks, stock exchanges, and currency speculators. Canada could play a major role here developing and circulating concrete proposals that could then be used as the basis for collective decision-making.

Canada could also seize on President Obama's declared intent to bring labour and environmental standards into the main body of NAFTA. Such changes would work to this country's comparative advantage since we already have relatively robust standards, and particularly so if the practice of including such standards spreads to other trade agreements, such as the WTO.

The environment is a key economic issue, because the environment is the foundation on which all human activity takes place.

Sir Nicholas Stern made the point in his report on climate change to then British Prime Minister Tony Blair, that every dollar spent on mitigating climate change now will save $20 of expenditure in 2050. President Obama understands this. Shortly after his election, he confirmed that the United States would "help lead the world towards a new era of global co-operation on climate change. Now," he said, "is the time to confront this challenge once and for all. Delay is no longer an option. Denial is no longer an acceptable response. The stakes are too high, the consequences too serious."

At the same time, every crisis creates opportunity; in this case, to move through the next industrial revolution into a new economy based on non-hydrocarbon sources of energy. It is hugely significant that President Obama has appointed Steven Chu, the Nobel-prize-winning physicist, as his Secretary of Energy.

The tide has changed, and Canada, I'm afraid, risks being left high and dry. Already we're seeing a profound shift in public opinion in the United States. This month's issue of *National Geographic* is only part of that. And so the question is, are we willing to lead together on climate change, or will Canada condemn itself to reluctantly and eventually follow?

The Arctic, my final issue, is not a priority for the Obama administration because it knows that international cooperation there is already well advanced. Last May, the five Arctic Ocean countries—Canada, Denmark, Norway, Russia and the United States—collectively affirmed their commitment to the Law of the Sea and the "orderly settlement of any possible overlapping claims".

And with all respect, the Canadian government does everyone a disservice by feeding the media interest in conflict stories, such as the comments last week after two Russian bombers exercised the right that every country has to fly in international airspace.

It's important to remember that as recently as November 2007 Prime Minister Harper and the Russian Prime Minister issued a joint statement on cooperation in the Arctic. And since then, Canadian and Russian diplomats and scientists have been working together as both countries exercise their unchallenged rights to define the outer limits of their extended continental shelves under the Arctic Ocean.

Canada is also cooperating closely with the United States in the Arctic. In 1988 we established procedures for coast guard icebreaker transits through the Northwest Passage and declared them to be "without prejudice to the legal dispute". Three years ago we expanded the NORAD agreement to include joint maritime surveillance over the Northwest Passage, and the two countries have been jointly mapping the floor of the Beaufort Sea, using U.S. and Canadian icebreakers.

In the one minute I have left, let me just say that there's much more that could be done. Canada could, and should, follow the lead of the United States in making public all of the data being gathered by its scientists concerning the extended continental shelf to ensure that common data sets are used by countries with potential overlapping claims, and we should also be engaging the United States on the Northwest Passage before the increasing traffic causes a diplomatic crisis.

● (1655)

One year ago, former U.S. ambassador Paul Cellucci and I demonstrated that negotiations could be quite fruitful. In a day and a half of mock negotiations, our two teams of non-government experts identified nine concrete ways in which the two countries could cooperate and build confidence in the Northwest Passage. Similar negotiations could also lead to a mutually agreeable resolution to the maritime boundary dispute in the Beaufort Sea.

Although for decades the relationship between Canada and the United States has been understood as involving a degree of dependence or even subservience, the economic and environmental crises have changed much of that. To his great credit, President Obama is showing international leadership. This is no time for celebration, however, for the same crises have created immense shared perils that require our two countries to work together regardless of whether we need each other as much as we might have before. I believe the United States needs Canada desperately today, and I hope very much that you will recommend we do all that we can.

Thank you.

The Chair: Thank you very much, Mr. Byers.

We'll move into the first round and we'll go to Mr. Bagnell. Welcome to our committee. You have approximately six minutes.

Hon. Larry Bagnell (Yukon, Lib.): Thank you, Mr. Chair.

I have two questions on the Arctic.

First of all, leaving aside the great exercise you talked about for the Northwest Passage, this is simply a legal question. Which do you think is the stronger argument in the Arctic on the Northwest Passage, the Canadian one about enclosing the archipelago, or the European and American one about the strait between two international waters?

My second question is related to the Beaufort Sea. Do you think we should maintain our “sleeping dogs lie” on that issue? I'd prefer to sit down—and I think you vaguely referred to this—and have some discussions and come up with a solution.

The Chair: Thank you, Mr. Bagnell.

Mr. Myers.

Prof. Michael Byers: Thank you for those very pertinent questions.

On the Northwest Passage, I think both countries have tenable arguments. I wouldn't want to litigate this because the risks of losing would be too high, and I believe the United States would take the exact same view, that this should be dealt with through negotiation, not litigation or arbitration.

Therefore, it's not a question of which is the stronger legal argument; it's how we resolve the dispute in a way that works for both sides. Whether it's environmental protection, which has historically been Canada's main interest, or a concern about North American security, which is the United States' main interest, I think there's a credible argument to be made, and Mr. Cellucci and I have made it. We should seek to negotiate a bilateral agreement that recognizes Canadian sovereignty and jurisdiction over those waters in return for some concrete commitments by Canada to policing that waterway and making it a safe international shipping route—not an international strait, but a shipping route something like the St. Lawrence Seaway, which is carefully managed with sufficient infrastructure to ensure that ships can pass safely through to everyone's economic interest, and at the same time have security threats dealt with and deterred.

That's what we should do on the Northwest Passage. I'm afraid the Canadian position right now, which is essentially to not open up that issue and just let time take its course, is very risky because there is increased activity and we're likely to see our legal position called into question, not necessarily by the United States but perhaps by some other actor.

On the Beaufort Sea, I think there will be pressure to resolve that dispute from multinational oil companies that will want to explore in the disputed 6,000-square-mile sector. Again, there are perfectly acceptable ways of resolving that. One is to declare it a joint hydrocarbon zone, as other countries have done in similar situations, and actually share the royalties and have a joint environmental assessment and permit-issuing process. Or you could simply draw a line right down the middle of the disputed zone and leave it at that.

It's not an issue that should cause any concern or hostility between the two countries. As it happens, thanks to chapter 6 of NAFTA we're in a common energy market anyway. So EnCana is just as likely to drill on the U.S. side of the eventual line as an American oil company is. Again, cooperation and the realization that we have common interests need to be at the forefront here. Above all, we shouldn't be afraid to deal with the United States on this. We're a major Arctic country. When it comes to energy we are their largest supplier, so I think we could negotiate in good faith and expect a good result.

● (1700)

The Chair: Mr. Bagnell, very quickly.

Hon. Larry Bagnell: The agreement with the United States on the Northwest Passage would be fine with them, but Europe doesn't agree either, and that wouldn't fit them.

Have you any comments on the Arctic charter, which is under debate now?

Prof. Michael Byers: The European countries you're referring to are all partners in NATO. If the two North American partners in NATO decided they had to do this for a security reason, I'm quite confident that our European allies would fall into line, particularly if, as part of this agreement, we made a firm commitment to allow any reputable international shipping company to use the passage within the constraints of reasonable environmental and safety regulations. So there's no issue there.

There is a lot of activity on the Arctic, within the Arctic Council and other bodies, but what people need to understand is that the dominant framework is the United Nations Convention on the Law of the Sea. That was negotiated in large part by Canadian lawyer diplomats 27 years ago now. They did an extraordinary job in terms of anticipating the kinds of problems that would arise and protecting Canada and other countries' interests there.

This is a good treaty, which is why President Bush wanted to ratify it and why, I expect, the Obama administration will ratify and come into that treaty framework soon.

The Chair: Thank you very much, Mr. Byers.

[*Translation*]

Mr. Crête, you have six minutes.

Mr. Paul Crête: Thank you, Mr. Chairman.

Good day, Mr. Byers. Do you speak French?

Prof. Michael Byers: Yes, I do.

Mr. Paul Crête: I would now like to turn to the issue of the Arctic.

In Antarctica there is a management model which I believe 14 countries are involved in. Would it be a good idea to implement this model for Arctic management with circumpolar countries?

Prof. Michael Byers: Thank you very much.

It is the Arctic Council, an international organization created thanks to Canada and specifically Lloyd Axworthy, former Minister of Foreign Affairs.

Mr. Paul Crête: No, I'm sorry. Perhaps I misspoke. I'm referring to Antarctica, to the south, which is managed through an international agreement. This agreement, which brings together 14 countries, was not developed based on a militaristic or aggressive approach and it works well; would that be advisable for the Arctic?

● (1705)

[*English*]

Prof. Michael Byers: On the Antarctic, you're right, there is a comprehensive multilateral treaty governing that continent. But one has to remember that the Arctic is not a continent. The Arctic is largely an ocean. It's a very different situation from Antarctica. The treaty that I referred to in response to your colleague's question, the United Nations Convention on the Law of the Sea, is therefore the dominant governing instrument for the Arctic.

There is a tendency for countries that are not Arctic countries to want in to Arctic diplomacy. They argue for a multilateral global treaty, like the Antarctic treaty, as a way to get in. But Canada, of course, has the longest coastline of any country in the world, most of it in the Arctic. We were lead negotiators on the law of the sea convention. So from a strictly Canadian interest point of view, I would urge you to support the law of the sea convention as much as you possibly can.

There are other multilateral treaties and instruments. The Arctic Council is one organization that is very important in terms of dealing with studies of climate change, for instance. But we do not need to ignore or sideline the law of the sea convention and start again with some new overarching multilateral instrument. First of all, we don't have time. Those things take several decades. More importantly, the instrument in place, the law of the sea convention, is very good indeed.

[*Translation*]

Mr. Paul Crête: I would like to ask one more question on the Arctic.

Last summer or the previous one, I went to Prudhoe Bay, in Alaska, where there is a huge oil complex. We realized how significant climate change really is.

How do you see things with respect to how long we have to act? What effect will climate change have on managing the Arctic? Is this an emergency or do we still have a lot of time to act? Is the gradual disappearance of permafrost a risk for facilities like that in Prudhoe Bay, that may not be in a position to operate for as long as we had expected?

[*English*]

The Chair: Thank you, Mr. Crête.

Mr. Byers.

Prof. Michael Byers: In 2007, just a year and a half ago, planet earth lost 1.2 million square kilometres of Arctic sea ice. I spend a lot of time speaking to international experts on climate change and sea ice, and we can expect a similar pace of change in the years ahead, to the point where my colleague David Barber, who holds a Canada research chair in the study of sea ice at the University of Manitoba, is predicting that in late summer around 2013 we will see an ice-free Arctic Ocean.

So the pace of change is very fast indeed. This requires not only that we get much more serious about stopping and slowing down climate change but also that we be aware that the entire Arctic is changing, which creates obligations and also opportunities.

To give you one small example, I am very skeptical that the Mackenzie Valley pipeline will ever be built, first of all because the permafrost is melting, which makes it much more difficult to build such a pipeline, but also because it is becoming very easy to foresee taking natural gas from the Beaufort Sea through the Northwest Passage to Atlantic Canada.

The Norwegians have already mastered the technology in their Arctic waters. We should be preparing to do the same thing and to get beyond our old conceptions of how to do big infrastructure projects and begin to realize that the north is changing so quickly so that we need to be moving forward with new ideas.

The Chair: Thank you. Actually, you're out of time.

We'll go to Mr. Goldring, please.

Mr. Peter Goldring (Edmonton East, CPC): Thank you, Mr. Chairman.

And thank you for appearing here today, Mr. Byers.

I have a question on the Northwest Passage. If it's considered by some to be international territory in liquid state, what is it considered in its frozen state? In other words, if it's available for international shipping in its liquid state, does that really mean there could be international shipping in its frozen state, for trucking or whatever? How does that work?

● (1710)

Prof. Michael Byers: It's a wonderful question, and it enables me to raise the point that some ships actually travel submerged and the issue of submarine transits of the Northwest Passage is a very pertinent issue, particularly because the *Los Angeles Times* last Saturday reported that a U.S. nuclear-powered submarine from Norfolk, Virginia, is going to be participating in an exercise north of Prudhoe Bay, Alaska, in the next couple of weeks.

So one of the questions your committee should ask is whether or not Canada and the United States have a cooperation agreement that extends to submarine transits of the Northwest Passage, because as the Arctic becomes busier, we will become more and more aware of these, if in fact they do occur.

But in terms of the actual frozen character of the water, at least during part of the year, this does enable Canada to say to the United States, look, the Northwest Passage is different from other potential international straits elsewhere in the world, and therefore you do not need to be so concerned about a precedent; you could recognize Canadian sovereignty over the Northwest Passage and not worry about it creating a precedent for the Strait of Malacca or the Strait of Gibraltar, because those straits are not covered with ice in the winter.

Mr. Peter Goldring: The question really can be this. They must have a concern that if it was to be used by international influences in its frozen state, that would open it wide to any country around the world using it in its frozen state as a matter of transport.

My second question, and perhaps you can help me with it, is about the secretariat that's set up in the embassy in Washington. There was some discussion a little bit earlier that with that advocacy group there, it creates a confusion if there's provincial representation by premiers or by provinces on that committee, and the comment was that it would be better to have the representation by the federal government. Would you have any viewpoint on that? There's a sense and feeling that we should be doing more in that advocacy in the embassy in Washington and other embassies around the world, so I'm rather concerned that it's viewed by some to be a point of confusing the politics of representation of the country.

Prof. Michael Byers: That's a difficult question. It's a sensitive question. I'll give you a straight response, which is that a decentralized country like Canada does sacrifice some of its weight in the world by not speaking with one voice. Countries like the United Kingdom or France, which are relatively unified central states, do punch above their weight in international affairs, and Canada has lost some of its weight over the last couple of decades as we've decentralized our Confederation.

Now, how you deal with that in terms of the interprovincial-federal relationship is one that goes well beyond my expertise. But certainly when we have an embassy in any foreign country, there should be one voice, there should be one policy, and that should be directed by Ottawa. The negotiations that need to precede that, to make the provinces comfortable, are another question. But if we have multiple voices in Washington, they will actually drown each other out, and we will not get anywhere. And so I would certainly share the view that our embassy needs to represent just one capital city, namely the one in which you're sitting right now.

Mr. Peter Goldring: That certainly is a strong viewpoint. But I would rather say for some of the provinces that have represented themselves—for example, the Province of Alberta on a mission directly to Ukraine for their purposes, or it could be the Province of Quebec or the Province of Ontario representing themselves on particular missions—those are essential.

Given the size of Canada and the scope of Canada, I would think there would be essential reasons to have that and to encourage that, in certain circumstances.

Prof. Michael Byers: Oh, I'm a big proponent of international dialogue and as many ties as possible. But there's a difference between having lots of international ties and actually sitting across the table from another country's representatives and actually negotiating a deal on a critical issue of foreign policy. And so with all respect, I think that on the big issues, in crisis situations, it needs to be one voice for Canada.

● (1715)

Mr. Peter Goldring: On the big issues. All right. Thank you.

The Chair: Thank you, Mr. Goldring.

We'll move to Mr. Dewar.

Mr. Paul Dewar: Thank you, Chair.

And thank you to our guests. Thank you for joining us.

I just want to go back to your comments regarding the Northwest Passage. So you would advance the idea of—just to get my head around this—a managed approach, with Canada bringing forward the idea, if you will, initiating this idea with Washington?

Prof. Michael Byers: Yes, absolutely. I think we do ourselves and the United States a disservice by postponing diplomatic engagement on this issue.

Postponing diplomatic engagement was a viable option 20 years ago, before the ice started to melt. But during the last two summers the Northwest Passage has been wide open. There are European cruise ships sailing through on a regular basis, without any ice-strengthening capability. I mean, they go through just as regular cruise ships. So we need serious search and rescue there. We need to have very good charts to guide people. We need excellent weather tracking and reporting skills. We need to have a policing function there. These are all things every country would want us to have. And by providing those capabilities, by providing a safe Northwest Passage, we strengthen our claim to actually have jurisdiction, to have sovereignty there.

But our big impediment in doing all that is the fact that historically the United States has opposed our legal position, has argued that any ship from any country has an unrestricted right of access to the Northwest Passage. And that simply does not make sense, either for us or for the United States. The only thing worse for the United States is actually to say, okay, Canada, you can have sovereignty over the Northwest Passage—and then see us do absolutely nothing to protect either our interests or theirs.

So we have to step up to the plate with some serious investments, including things like search and rescue. And in conjunction with that, we have to negotiate with the United States to make them realize that as partners in the defence of North America, it makes sense for the coastal state on both sides of the Northwest Passage to take on that particular responsibility: Canadian sovereignty, through investments and through diplomatic engagement.

And I not only believe this, but I've tested it with Paul Cellucci. We had a day and a half of pretty hard-nosed negotiations with the very best teams of non-governmental experts we could find. We didn't solve the underlying sovereignty dispute, but we came up with nine concrete recommendations that would, if implemented, take us nine-tenths of the way there.

Mr. Paul Dewar: Actually, if you wouldn't mind sharing that with the committee, I would appreciate it. I'm sure we would.

The other issue you mentioned was sharing data and I just want some clarification on that. Are you saying that when we do joint ventures on research with the Americans we aren't releasing our data at all, or we aren't releasing our data to the Americans? Explain that, please.

Prof. Michael Byers: When the United States does its seabed mapping, it almost immediately puts all of its data up on the Internet for everyone to see. They believe in transparency and that international cooperation, not just with Canada but with countries like Russia, is actually furthered by being totally open about the scientific character of the seabed. For some bizarre reason that I cannot understand, Canada has not done likewise.

We're in a situation where, when we are jointly mapping the ocean floor in the Beaufort Sea, we have to enter into a complex arrangement with the United States whereby the data that's collected from the *Louis S. St-Laurent*, the Canadian icebreaker, is classified and the data that's collected from the *Healy*, the American icebreaker, is put up on the Internet. Yet we're supposed to be operating in this system together, jointly.

This comes back to a point I made earlier, that today the dominant paradigm in the Arctic, at a diplomatic and scientific level, is cooperation. There is more cooperation in the Arctic than almost anywhere else on earth, despite what journalists like to write about, which is the threat of conflict and a rush for Arctic resources. It's cooperation, and the United States understands that. To their enormous credit, through the publication of this data, they are furthering that cooperation and trust.

I don't think Canada has anything to hide by keeping the data classified. We're not changing the nature of the seabed. We're not changing the geological reality. What we're simply doing is creating a lack of trust and the kinds of assertions that Canadian diplomats and politicians might make on the basis of secret data in the future.

● (1720)

Mr. Paul Dewar: Thank you.

The Chair: Thank you, Mr. Dewar.

Madam Brown.

Ms. Lois Brown (Newmarket—Aurora, CPC): Thank you very much, Mr. Chair.

Mr. Byers, I'm going to change the topic a bit and get away from the Arctic. You were talking earlier about changes in regulations for international institutions. The one comment you made was that every crisis creates an opportunity.

Canada has been recognized during this financial crisis that the world is experiencing right now as a place that has done some really good things over the last few years. We have a better-regulated banking system. We have taken measures to ensure that those things are strong. Do you think that at this juncture Canada has an opportunity right now, as far as leadership in those areas is concerned, to contribute to those international institutions and be recognized on the world stage for that?

Prof. Michael Byers: Yes, although we have to be careful not to rest on our laurels. Just because we got it right in the past doesn't mean we should stop there. We do have credibility on the financial regulation dimension, but we're losing credibility on other issues, like, for instance, on security regulations, where we don't have a national security regulator, which is fairly unusual for an OECD country, or on the economic issue of climate change. Let me stress again that climate change is an economic issue, not just an environmental issue. Our capacity to show leadership on issues like banking regulation is compromised when we are at the back of the pack in terms of international cooperation on other issues like climate change. We need to think of this as a cross-issue movement to lever Canada's positive reputation and its diplomatic capacity into a leadership role on the world stage.

Let me say in relationship to this that I believe there's nothing that would make Barack Obama happier than to see Canada stepping up to the diplomatic plate. He and his administration have an awful lot on their table. They can't deal with it all in a truly effective way. To have a trusted partner like Canada, which has serious diplomatic capability, taking on some of that load and showing leadership, and working together while exercising leadership, would be enormously appreciated. We talk about the fact that we're important to the United States in terms of energy. Yes, we are. We're also potentially important to the United States as a diplomatic leader, doing things that they simply don't have the time or the capacity to do.

Ms. Lois Brown: Okay, and if I could just back up to your earlier comment, in your opinion, would Canada be in a far more favourable position to speak to these international monetary institutions if we did have a national securities regulator? Do you think that would put us in a much stronger position, in a leadership position for those things?

Prof. Michael Byers: I think that's one of a number of different things that would contribute to strengthening our profile as an international actor. I know there are complexities involved in creating a national securities regulator and I know we haven't had any disasters because of the lack of one, but in terms of our international perception that would be an important thing.

But let me make another point. One of the things Barack Obama has done that most people outside the United States haven't noticed is that he has invested quite substantially in the State Department. He's appointed Hillary Clinton, his principal rival, his principal contender for the Democratic nomination, as the Secretary of State and he has increased the budget for that department quite substantially.

We're moving into a world where this concept of smart power and the role of diplomacy is going to become ever more important. With all respect, successive Canadian governments over the course of the last couple of decades have substantially reduced the amount of financial support going to the Department of Foreign Affairs.

One of the things your committee might do is say that in conjunction with what's happening in Washington, we should be making a very strong case in Ottawa to step up the financial support for the Department of Foreign Affairs so we can play that partnership role in a truly effective way. That doesn't mean we should necessarily take money away from another department like the Department of National Defence, but we've been under-supporting Foreign Affairs and it will cost us severely as our chief partner moves into the smart power framework in the years ahead.

● (1725)

The Chair: Thank you, Mr. Byers.

Very quickly to Mr. Rae.

Hon. Bob Rae: Mr. Byers, do you have any views on whether or not CIDA and DFAIT should be merged? Is that something you've ever thought about?

Prof. Michael Byers: I have thought about it, and I can see arguments in favour of the status quo and arguments in favour of a merger.

My own view, having watched past efforts to divide Foreign Affairs from International Trade and then put them back together, is that you create a lot of work for public servants simply by reorganizing the chairs. I happen to think that in this time of international crisis—and we are in multiple international crises—a reorganization focusing on the management dimension is a bit of a wasted effort given the opportunity costs this would create. It's not a question of rearranging the deck chairs on the *Titanic*, it's a question of avoiding the icebreaker ahead, and I think we can do that with the current configuration, provided there is leadership and an understanding of the changing international paradigm, which includes most centrally Mr. Obama's move into a much more multi-faceted conception of international affairs.

The Chair: Thank you, Mr. Byers.

Very quickly, Mr. Crête.

[*Translation*]

Mr. Paul Crête: Thank you.

In your opinion are there a couple of issues respecting the Asia-Pacific region that Canada and the U.S. could work on together?

[*English*]

Prof. Michael Byers: I think we could contribute quite significantly with regard to relations with China. We're certainly seeing that Secretary of State Clinton has made that a big priority for herself.

We have experience, we have an enormous expatriate community, and we have quite significant linguistic and trade connections. I would encourage the government and the opposition parties to step up our focus on the Chinese relationship, which, with all respect, has suffered the last three years.

But let me add one more thing on this that is very important. It's related to your question. The American President had a father who was African and he clearly cares deeply about that continent, yet in the last three years Canada has shifted its attention away from Africa and toward Latin America. I would urge that just because of that personal character of the American President we might want to re-evaluate just how much of a shift we want to make.

This new administration is going to focus quite seriously on Africa. Canada has historic and policy connections there. I would hate to see us compromise our ability to help in Africa by rushing too quickly to shift our attention to another continent.

[*Translation*]

Mr. Paul Crête: Thank you very much.

[*English*]

The Chair: Thank you very much.

We want to thank you, Mr. Byers, for your presence today and for your comments. We look forward to having you appear before our committee again.

All the best to you out there in sunny British Columbia.

Prof. Michael Byers: Thank you. *Merci beaucoup.*

The Chair: Ladies and gentlemen, seeing the clock at 5:30, we are now adjourned.

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