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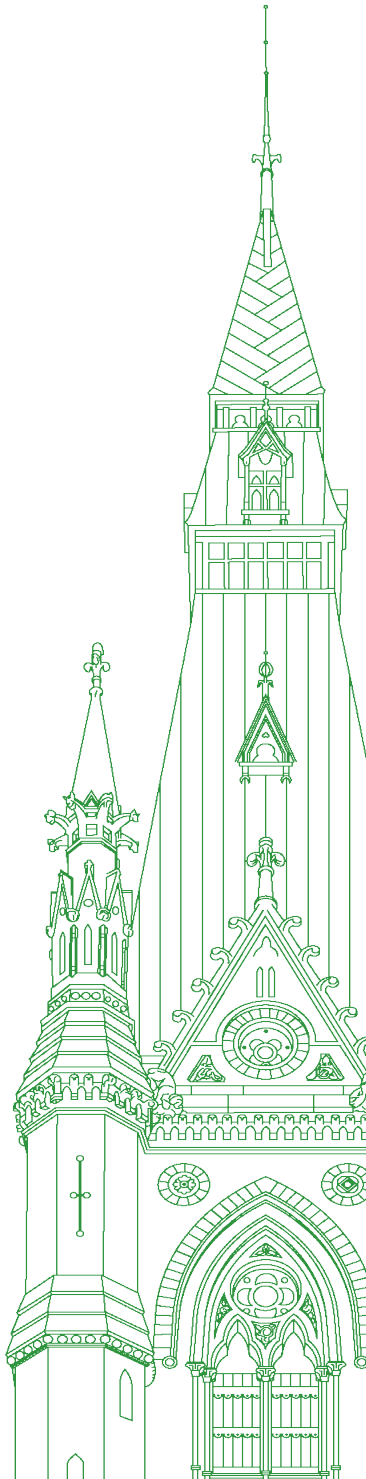

Chair: The Honourable Jim Carr

Standing Committee on Public Safety and National Security

Tuesday, May 17, 2022

● (1100)

[*English*]

The Chair (Hon. Jim Carr (Winnipeg South Centre, Lib.)): Good morning, everyone. I call this meeting to order.

Welcome to meeting number 25 of the House of Commons Standing Committee on Public Safety and National Security.

I will start by acknowledging that I am meeting from Treaty 1 territory and the homeland of the Métis people.

Today's meeting is taking place in a hybrid format pursuant to the House order of November 25, 2021. Members are attending in person in the room and remotely, using the Zoom application. Members and witnesses participating virtually may speak in the official language of their choice. You have the choice at the bottom of your screen of the floor, English or French.

Pursuant to Standing Order 108(2) and the motions adopted by the committee on Thursday, March 3, 2022, the committee is resuming its assessment of Canada's security posture in relation to Russia.

With us today by video conference we have Dr. Christian Leuprecht, professor at the Royal Military College of Canada and Queen's University, as an individual. From the Centre for International Governance Innovation, we have Aaron Shull, managing director, and Dr. Wesley Wark, senior fellow.

Up to five minutes will be given for opening remarks, after which we will proceed with rounds of questions.

Welcome to you all. I now invite Dr. Christian Leuprecht to make an opening statement of up to five minutes.

Sir, the floor is yours, whenever you grab it.

[*Translation*]

Dr. Christian Leuprecht (Professor, Royal Military College of Canada, Queen's University, As an Individual): Thank you, Mr. Chair.

I will speak in English, but feel free to ask your questions in either official language.

[*English*]

Ideologically motivated violent extremism and seditious activity in Canada and other western countries are being exploited by foreign actors. Russian misinformation and disinformation on open source social media platforms are undermining police and the sitting government. The lack of awareness and education in the area of IMVE, sedition, and foreign actor interference has caused tangible national security vulnerabilities. Such activities did not end with the illegal Ottawa occupation. Bad actors can mobilize political opinion and instigate various levels of potentially illegal activities.

IMVE, seditious intent, separatists' activities and the impact of foreign actor interference have been underestimated within the regional and national security architecture for some time. Jihadi terrorism has dominated efforts and left law enforcement vulnerable to miscalculation in the absence of sufficient early warning and strategic intelligence to adapt its posture to a fluid threat picture.

The effective narrative of bad foreign and domestic actors in perpetuating conspiracy theories and false narratives will continue to inspire further actions against the state. Thresholds for actively investigating foreign actor interference by federal law enforcement agencies are rather high, often requiring major criminality or establishment of direct ties to a foreign state. This is too high a bar. It leaves local and federal police services in a difficult position to establish it. This enables a permissible environment for foreign actor influence.

Proactive intelligence probing is required on IMVE activity in Canada to assess associated risks with a reasonable degree of accuracy.

I shall now jump to seven recommendations.

First, Canada's national security architecture needs to take a more active and assertive role in addressing IMVE and foreign actor interference. It's important to distinguish that IMVE does not include political activism and radical thought. IMVE in Canada is driven by hatred and ideologically extreme core values, with a propensity towards advocacy of violence and, recently, seditious and separatist ideation.

Second, more education and awareness are needed to highlight the impact of IMVE and foreign actor interference, not only on national security, but on human security, and to acknowledge the relationship between the two. Foreign actors have effectively capitalized on propagating division within our society and weakening public confidence in our institutions, such as public health and law enforcement.

Third, response to foreign actor interference needs to be reimagined. A more robust framework is needed for federal agencies to act more proactively in coordination with the police of jurisdiction, who are the ones more connected to the communities being affected by FAI. More cyber capabilities are needed not just to identify misinformation/disinformation, but also to counter it actively. The intelligence establishment needs to improve its public outreach and education.

Fourth, Canada's national security architecture needs to be more responsive and nimble to a changing and complex threat environment as influenced by geopolitical trends and developments.

Fifth, foreign actor laws similar to those in Australia need to be introduced to allow more tools for law enforcement, but only if conditions in recommendations three and four are met. Current laws and capabilities are rarely utilized. We need to seek opportunities to apply existing laws to proactively preserve Canada's national interests in alternative ways that can be equally effective in hardening the operating environment.

Sixth, push-back against FAI and IMVE doesn't have to be merely through criminal charges. Intelligence probing and active engagement is essential to be in a position to not only diagnose the risk better, but also to ensure a more inhospitable operating environment. Lack of arrests or charges should never serve as a barometer of risk.

Seventh, special prosecutors need additional resources to respond to the complexities of IMVE, FAI and organized crime.

In closing, I should acknowledge that this brief was co-authored with John Khoshandish of the York Regional Police.

The Chair: Thank you very much.

I would now like to invite Mr. Aaron Shull to make an opening statement of up to five minutes.

Go ahead, whenever you're ready.

Mr. Aaron Shull (Managing Director, Centre for International Governance Innovation): Thank you very much, Chair, and thank you, committee members. I'm both honoured and humbled to be with you today. I really do appreciate it.

In advance of this, I watched all of the other witnesses' testimony. I think my best advice to this committee is that if we focus too much only on emergency management and preparedness, we miss an opportunity for strategic foresight and planning. That's really where I'm going to try to steer my comments.

An emergency exists, and we're responding by definition, but we need to get to a point where we have a strategic plan in this country that's supported by all parties. The reality is that no matter who forms a government, the threats that any leader faces will be the same across the board. In other words, this has to be a non-partisan effort if we want to get it right in the truest sense.

The second bit of advice I would offer is that while we're talking about Russia in the context of this committee, obviously these threats don't come from just Russia. We all know that. I would simply pause and say that what we consider here has much broader application.

We're going to talk about critical infrastructure. I'm going to read one quote from a U.S. official, who aptly put it that “This is pretty mind blowing...going to work every day behind sealed doors, essentially trying to figure out if it was possible to cripple an entire nation's infrastructure without ever firing a shot or dropping a bomb.” The answer is, yes, it is. This should give all Canadians pause. That's the context in which we're having this conversation.

I want to be of the most assistance I can to this committee, so I will do two things. First, I will offer an assessment of the specific threats enumerated in the standing order, but I'll break it out in terms of what I think you can change and what I think you can't change. It only makes sense to focus on the things you actually can change.

Then I will offer a recommendation that I think, if acted upon, will mitigate against either an overly narrow approach to national security or *ex post* reactionism. It's the Wayne Gretzky thing. Wayne Gretzky was the greatest hockey player of all time because he skated where the puck was going to be, not to where it was. I just feel like oftentimes we're goaltending right now. We need to get past that. We need a strategic framework that we can lean into the world.

On specific threats, first, the study asked us to look at critical infrastructure, both physical and cyber. I would urge you to focus on cyber. There are two reasons for that. Number one, most critical infrastructure is cyber-enabled anyway. Number two, if we're addressing a Russian kinetic strike on Canadian critical infrastructure, we're in NATO article 5 territory at that point. You can't really change that.

Let's focus on cyber. There are countless examples. All of the other witnesses have talked about that. I won't go through the examples. Let me just draw two broad trends that I see. What makes these weapons so dangerous is that they're deployed in secret, they're developed in secret and they're doctored in secret. What that means is that we might bump into each other's red lines by accident. That creates a tremendously dangerous operating environment.

The study also asked us to look at the prevalence and impact of Russian misinformation. I think it's important that we draw the distinction between “misinformation” and “disinformation”. Disinformation was actually omitted from the standing order, and I think that was maybe just by accident, because really what we're talking about is Russian disinformation.

What can the committee practically do? Focus on amplification. That's the sweet spot for our work. As 39% of all Internet traffic is from bad bots, that is where you can focus to make a difference. Automated traffic makes up 64% of all Internet traffic—64% is bots. Let me just pause there for a second. With 39% of all Internet traffic from bad bots, here are two practical things we can do.

Go after the money. People don't wake up in the morning with a sense of civic duty to run a Russian bot farm. They want to get paid. The sanctions that are in place against Russia I think are proof of concept. Let's lean into that.

The second thing we can do is look at the technical architecture of the Internet. There are ways, with something called the "domain name" system, to make sure that the large bot farms don't resolve. Point them into the ocean or into outer space. We have to lean on the architecture of the Internet to lower the amount of traffic.

We can also work with international partners to come up with a definition of what bad bots are, and then work with the technical architecture of the Internet and those providers to limit the flow.

The study also asked us to look at espionage, sabotage and weapons of mass destruction. Well, on the question of WMD, this is an area you likely can't change. If Russia uses WMD, all bets are off. You're probably into NATO article 5 territory there.

On espionage and sabotage, this is already happening, but again, this is principally cyber-enabled. There's a dynamic interplay between economic security and prosperity and actual national security here. We just need to think about a way that we can harden Canadian companies. I have some thoughts on that, if you want to get into it in the question and answer period, in terms of how we can practically help our companies in this operating environment.

What we really need overall is a new national security strategy that is a truly non-partisan effort.

● (1105)

The Chair: You have 10 seconds left.

Mr. Aaron Shull: This is all linked. We need a strategic framework to lean into the world. Otherwise, we're goaltending.

Thank you very much, Mr. Chair.

The Chair: Thank you very much.

I would now like to invite Dr. Wesley Wark. You have five minutes to make an opening comment. Begin whenever you are ready, sir.

Dr. Wesley Wark (Senior Fellow, Centre for International Governance Innovation): Chair and members of the committee, thank you for this opportunity to appear before your committee in its study of the assessment of Canada's security posture in relation to Russia.

To begin, I'll make two main points.

The first is that planning for security requires us to take a long view. The threats that Canada faces include, but range well beyond, those posed currently by Russia. The answers of how Canada should meet those threats cannot be found in a siloed study of Russian danger alone.

The Centre for International Governance Innovation has undertaken an ambitious and unprecedented project to address these security challenges. We call this "reimagining a Canadian national security strategy". We embarked on this project well before the Russian invasion of Ukraine. Its genesis rested in a belief that Canada needed to seriously rethink its approach to national security and in recognition of the stunning fact that Canada currently possesses no comprehensive national security strategy. The last and only one was produced in 2004, which was 18 years ago. We identified in our reporting a range of persistent and new threats that include global geopolitical disruption, current and future pandemic and health security threats, climate change security impacts, technological change and economic insecurity.

The second point I wish to make in direct response to your study is that Canada's national security and intelligence agencies, not the military, represent the country's first line of defence. This is especially true with regard to Russia when it comes to identifying threats, protecting critical infrastructure, dealing with state-sponsored disinformation and conducting counter-intelligence.

I want to read to you an opening statement from the chapter devoted to intelligence in that 2004 national security policy. It states:

> Intelligence is the foundation of our ability to take effective measures to provide for the security of Canada and Canadians.

The policy went on to state:

> Intelligence is important not only for Canada's security but also for sound international, military and economic policy.

Given the importance of our national security and intelligence system in facing the Russian threat, what do we then need to be concerned about in terms of our security posture? I will list three top-tier issues and prioritize them.

The first is our ability to collect, assess and produce impactful reports on the capabilities and intentions of threat actors such as Russia. In particular, we need to be able to look to the future of Russia's war in Ukraine and plan accordingly.

Second is our efforts at countering foreign espionage targeting both the public and private sectors.

Third, as a top-tier threat, is our capacity to defend against cyber-attacks or probes threatening critical infrastructure. The CSE and its Five Eyes counterparts have issued repeated warnings about the threat of Russian cyber-attacks on critical infrastructure, and we now have a database of evidence about such Russian threats and capabilities, including the examples of the NotPetya worm in 2017 and the SolarWinds software supply chain hack in 2020.

I would also note that Canada has yet to take any action, in contrast to its NATO and EU partners, to expel Russian intelligence officers of its three services from this country. Canada needs to take forceful action to impede Russian espionage and interference operations. I note that the latest count is that over 500 Russian officials have been expelled from western capitals since the beginning of the Russian invasion of Ukraine. Canada has expelled none.

The Russian invasion of Ukraine has presented us with an opportunity to rethink our approach to national security. We have to abandon old habits of national security navel-gazing, as I call it, by recognizing that we live in a borderless world of threats. We must develop a sovereign capacity to understand their global points of origin and impact, hence the need for an enhanced global intelligence collection and assessment capacity.

We also have to be prepared to wield an offensive response capacity, including the use of intelligence and cyber-enabled tools. The Ukraine war, I think, has brought this starkly into focus, and Canada has responded in part by providing monies to Ukraine for the purchase of satellite imagery and allowing MDA to share its RADARSAT analysis.

I think we could be doing more to support Ukraine with intelligence, cyber-tools and operations, and through greater assistance in war crimes investigations. We have advanced arguments and our CIGI—Centre for International Governance Innovation—special report that we produced in the fall of 2021 for a thorough ongoing review of Canadian national security capabilities to meet a new threat environment. The last such review, I would tell members of this committee, was conducted by an external examiner in 1970.

We also need—

● (1110)

The Chair: You have 10 seconds left.

Dr. Wesley Wark: We also need the production, as we called for, of a renewed national security strategy as non-partisan guidance for the government and public. We hope to see some of these proposals acted on. Thank you.

The Chair: Thank you very much.

We will now move to the opening round of questions. I will ask Ms. Dancho to lead us off with a six-minute block.

Ms. Dancho, the floor is yours.

● (1115)

Ms. Raquel Dancho (Kildonan—St. Paul, CPC): Thank you, Mr. Chair, and thank you to the witnesses for being here in person and online.

Mr. Wark, I'd like to ask you a bit more about some of your opening remarks regarding intelligence gathering. I think Canada does a decent job, but it certainly sounds like we could do significantly better and contribute more. Perhaps we could have been included in the AUKUS, for example. We were left out of that agreement. I'd like you to comment on that.

I'd also like your thoughts on whether you think it would be a good idea to have a dedicated cabinet committee chaired by the Prime Minister on intelligence and national security.

Dr. Wesley Wark: Just very briefly, I think Canada does have some limited foreign intelligence capabilities, particularly those operated by the Communications Security Establishment and to a certain extent by Global Affairs Canada. There is a lot more we could do. Canada has often faced quiet criticism from its Five Eyes partners for being a bit of a freeloader, a free rider, in the alliance partnership.

I think the key concern I have is that we really do need to build a stronger sovereign capacity to understand the world and threats that are coming at us from the world. I think there's a lot of work that can be done in that regard, both with regard to intelligence collection capabilities—especially something that's forgotten, the importance of intelligence assessment where we have a kind of scattered and diffuse system in the federal government—and also in the system by which we report intelligence that we have acquired and try to make sure that it has an impact on decision-making.

We did say in the CIGI special report that we felt it was important to have a look at the governance of national security in Canada, which has for a long time, of course, been a very decentralized system, siloed and based on departmental mandates and expertise, with relatively little central coordination and control. We did advocate in that report the idea, among others, that there should be a permanent cabinet standing committee on national security and intelligence. Such cabinet committees have been in place in the past. They've currently been replaced by the Incident Response Group, as I'm sure members of the committee know, which is an ad hoc gathering of cabinet ministers and officials that deals just with emergencies and has I think little capacity to do any forward strategic thinking and planning. Thank you.

Ms. Raquel Dancho: Thank you very much.

Mr. Leuprecht, I'd like to talk to you a little bit about some of the challenges we're seeing in the Canadian Armed Forces and our ability to secure our national security utilizing our forces. We hear a lot about procurement, but I'm also hearing concerns about personnel. We know it takes 10 or 15 to 20 years to train some of those top individuals in the Canadian Armed Forces, who certainly provide expertise to government on how to proceed should the worst happen, for example.

I'd just like you to comment on that. Do you think that personnel is lacking? Should we be investing more time and energy in this? Do you think it's at a critical point? What are your thoughts, please.

Dr. Christian Leuprecht: Over the last 25 years the amount of demands on the Canadian Armed Forces has increased significantly, both qualitatively in terms of the complexity of the security environment and quantitatively in terms of what's required of the Canadian Armed Forces.

The Canadian Armed Forces are currently, as of February this year, 7,600 people short of their authorized troop strength of 72,500, but they are about 10,000 people short on the operational side. That means effectively that they're operating at 85% of staffing levels to meet operational requirements and mandates. That has a significant impact on morale, as well as on the ability of the organization to deliver on domestic operations on continental defence, as well as on regional and international security. It partially explains why the government is more limited than perhaps it might like to be to respond to current challenges.

That is the result of 20 years of benign neglect where governments have chosen their force packages and force structure and the operations that they go on. With this emphasis on operations, we've neglected force reconstitution, force regeneration and force sustainment. So all efforts need to be on that front piece because it takes, as you point out, 15 to 20 years to train an experienced soldier who can then deliver not only kinetic operations abroad or for continental defence, but also for some of the complex domestic responses that the Canadian Armed Forces are increasingly called upon.

Ms. Raquel Dancho: Thank you very much.

The next question is for Mr. Shull.

Mr. Shull, can you comment a little bit on Canada's cybersecurity defence capabilities. We've heard at this committee that certainly our larger corporations have good defence systems, but it's our medium and small enterprises that certainly feed critical supply chains in our country that may be the most vulnerable. Can you comment on that, and whether you think that there should be government discussion and perhaps investment in providing support to our small and medium enterprises?

● (1120)

Mr. Aaron Shull: Yes, absolutely.

The CSE has put in place something called the small and medium baseline controls. If companies just did that, that chances are that they'd be fine because no state-level threat actor is going to go after a small business, especially if they're hard to get into. It's just not worth it.

We put the baselines in place, but the problem is that while they exist, most companies are not doing them. The threat is not enough to spur them to action, so you have to incentivize them. I would consider looking at a tax credit of some sort. If you gave small and medium enterprises 5,000 bucks back on their taxes, chances are they'd put those baselines in place.

If every small and medium enterprise in the country did it, it would cost you $50 million. I can guarantee you the amount of money being sucked out of the economy by cybercrime is a lot higher than that, so it's good economic policy. It also makes our companies more resilient.

Ms. Raquel Dancho: Thank you very much, Chair.

Thank you to the witnesses for your comprehensive responses.

The Chair: Thank you very much.

I will turn to Mr. Chiang.

Sir, you have a six-minute block for questions whenever you're ready to begin.

Mr. Paul Chiang (Markham—Unionville, Lib.): Thank you, Mr. Chair.

I'd like to thank all the witnesses for joining us today in person or online.

The question is for Dr. Leuprecht.

What type of cyber-based attacks have we seen from Russia in recent years? Have these cyber-attacks increased since the start of the war in Ukraine? If so, what should Canada do to protect our critical infrastructure?

Dr. Christian Leuprecht: That's a very good question because, in part, this is sort of the dog that didn't bark. We assumed that we were going to see a lot more and a lot more sophistication than we did.

The challenge with Russia is this. The SolarWinds attacks showed that Russia, China and a handful of other actors have extremely sophisticated capabilities to be able to build targeted exploits, compared with the 98% or 99% of attacks that are reasonably medium level and that you can defend against them with reasonable capabilities. We just saw such a targeted exploit in Ukraine with regard to a U.S. satellite provider. It took out some key critical infrastructure in Ukraine just in the last week. It was not directed at critical infrastructure on U.S. soil. The exploit that was used can be generically deployed against all sorts of hosts of critical infrastructure, so what was deployed and how it was deployed was a considerable concern.

The long and short of it is that these actors have the patience, skill sets and the resources to build very deliberate and targeted exploits. These are not targets of opportunity, but are quite intentional, which is what we saw in the SolarWinds attack. This is why our critical infrastructure is disproportionately vulnerable to these types of state-based capabilities—or in the case of Russia, state-tolerated capabilities—which are extremely sophisticated.

That's where we need a more sophisticated collaboration between signals intelligence and the private sector because only signals intelligence has the domain awareness of these types of capabilities. It requires, in many cases, some offensive capabilities in order to disable the exploits that are being deployed against us. It also requires a more aggressive law enforcement stance, as we've seen by both British and U.S. authorities, which have gotten warrants to effectively make changes to coding and software in critical infrastructure if companies don't act expeditiously enough.

Mr. Paul Chiang: In saying that, how can our government further protect Canadian citizens against threats of malware and phishing attempts by Russian actors with ties to the state?

Dr. Christian Leuprecht: A very simple place to start is government networks. There's no plan for significant reinvestment in government networks. There is no strategy to further fortify and innovate Canadian networks compared to our allies, and in particular, compared to our adversaries.

The first place we should start is by having a strategic plan to reinvest in Government of Canada corporate networks. Inherently, our cyber networks, intelligence networks and military networks are just corporate networks that are operated by government with perhaps slightly better defence.

We need to lead by example and make sure that our own networks are fit for purpose. We're currently treading water, but we're rapidly losing ground. Government needs to have a strategy for its own infrastructure. If we can't keep our own infrastructure safe and working, then there's probably not much hope that we can actually help the private sector.

● (1125)

Mr. Paul Chiang: Thank you, Professor.

Mr. Shull, the Russian embassy in Canada has a Twitter account that has been regularly posting disinformation, calling Russian attacks on Ukraine fake and comparing the Ukrainian military with the attackers in the horrific Buffalo shooting this past weekend.

Would you recommend that Canada take additional steps to prevent the spread of disinformation from Russian actors in Canada? How should Canada go about this? What risks are associated with this?

Mr. Aaron Shull: That is a good question.

There are two parts to the answer. On the Twitter platform, that's going to take you to the terms of service. That's a Twitter problem. The Government of Canada wouldn't really have much authority over that account. It's whether or not the Russian embassy is contravening Twitter's terms of service.

Where you can intervene, which is what I was talking about in my comments, is around the amplification. The Russian embassy sends a tweet that gets picked up by a bot network and a troll farm. All of a sudden it spreads all the way around the world. That's where you can be intervening along the lines I talked about in my comments.

Mr. Paul Chiang: Thank you so much.

An article was published on CIGI's website on May 16 recommending that states “adopt national policies to defend against threats to space-based assets and applications” that are vital to national security, “such as communication satellites”.

What recommendation do you have for this committee related to the protection of space-based applications?

Mr. Aaron Shull: It's much of the same, right? We need to put a national strategy in place. The issue is that most countries don't possess kinetic forces that can hit satellites. Even fewer possess forces that can hit satellite to satellite. What it means is that, practically, we're going to be using cyber-capabilities to mess with each other's satellites. There is a large gap there in terms of the governance and the application of the law. Most international law applicable to space was written in the sixties and seventies. The world is different.

The Chair: Thank you very much.

I would now like to invite Ms. Michaud to begin her six-minute slot of questions.

It's over to you, Ms. Michaud.

[*Translation*]

Ms. Kristina Michaud (Avignon—La Mitis—Matane—Matapédia, BQ): Thank you, Mr. Chair.

I thank the witnesses for joining us.

I will first go to Mr. Leuprecht.

You cowrote an article in *La Presse* in March.

> In it, you said that, for some 20 years, instead of getting involved in international policy, our Canadian governments have rather dithered and focused on rhetoric, so words spoke louder than action. You said that this kind of an approach speaks to deficiencies in Canadian defence policy and diplomacy.

You also said that,

> to regain its standing in allied and multilateral institutions, Canada has to deliver on real capabilities, such as robust expeditionary capacity, ballistic missile defence, the renewal of the North American Aerospace Defense Command, NORAD, and the creation of a standalone foreign intelligence agency.

I would like you to elaborate on those suggestions. I would also like you to talk to us about the fact that the Canadian government recently announced it may want to join the American missile defence shield.

Do you think that this is a good idea and that the government should do it quickly?

If so, you think it was a mistake not to have done it earlier?

Dr. Christian Leuprecht: My comments show that, for two decades, the government has neglected investing in the Canadian Armed Forces' basic capabilities for the defence of the continent. That is clearly important, as a state's primary objective should always be its security and its citizens' security. We should also consider that the security of North America is an investment in NATO. If the United States is not secure, that reduces its kinetic and nuclear deterrent capabilities with respect to our allies and partners, in Europe and elsewhere.

As for the missile defence shield, the situation has been contradictory for a long time. Canada is part of that kind of a shield in Europe, but it is not part of the same shield in North America.

Why would it join that shield? Because missiles in North Korea, and soon in Iran, will have the capacity to reach the east coast of North America within a predictable time. If countries can launch missiles, they can limit our ability to make sovereign democratic political decisions.

If we make a decision that makes another state with missiles uncomfortable, they can threaten us with their missiles. Under those conditions, we won't be able to implement sovereign democratic decisions. So we will limit Canadians and prevent the government in power from making decisions that are in line with Canada's fundamental values and interests.

● (1130)

Ms. Kristina Michaud: Thank you.

You talked about additional investments in NATO. We know that Russia invaded Ukraine at a time when there weren't really any talks or opportunities for Ukraine to join NATO, but we also know that, in the past, the fact that countries around it were becoming members of that organization was a concern for Russia. Sweden and Finland are now asking to join NATO. Through its Minister of Foreign Affairs, Canada is saying it wants to be the first country to accept those candidacies. Should Canada worry about reprisal from Russia if countries like Sweden and Finland were to join NATO?

Dr. Christian Leuprecht: There is always a risk of horizontal or vertical escalation by Russia, either toward Ukraine or toward allied or partner countries. The relationship with Russia is definitely difficult. We have to remember that Russia is a threat to our interests not only in Europe, our second strategic partner in terms of importance after the United States, but also in the Arctic, which requires considerable investments, as you mentioned, in NORAD, the North American Aerospace Defense Command, and in other organizations.

Relations with Russia will be difficult over the coming decades. However, we must also remember that this conflict is with Russia's current regime, and not with the Russian population. Russia has a new generation, younger than me, which is much more western-friendly and is not unhappy about the Cold War ending or the fall of the Soviet empire. So I think that, over the next 25 years, there will potentially be rapprochement with Russia, but that we will probably be in a situation until then where Russia will continue to threaten all NATO members, as well as the established international order since the signing of the Final Act of the Helsinki Conference on Security and Cooperation in Europe, in Helsinki, in 1975.

Ms. Kristina Michaud: I don't have much time left.

Concerning the threats Russia means to continue making against NATO members, is Canada sufficiently prepared to deal with reprisals, be they cyber-attacks or other types of attacks?

[*English*]

The Chair: I'm sorry. We're out of time, Ms. Michaud.

We will go to Mr. MacGregor with a six-minute slot. That will take us through the first round of questioning.

Mr. MacGregor, the floor is yours.

Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP): Thank you, Mr. Chair.

You know, it's striking to me, with the Russia study that we're currently engaged in, how much of a crossover there is with our recently concluded IMVE study—especially foreign state actors' roles in helping sow disinformation. If you're causing that level of disturbance within a country's internal politics, of course it's going to cause a great amount of distraction.

Mr. Shull, in your opening remarks you talked about automated traffic and how we really need to step up and go after the bots. Ultimately, what I'm interested in as a parliamentarian is producing a comprehensive report with some solid recommendations for what the federal government can be doing.

Can you maybe expand on that and provide a specific recommendation on what you want to see the federal government do with regard to going after bots? We know from our previous studies that they help amplify a lot of that disinformation we heard about. Bots and troll farms are really trying to push all this stuff, which is causing a lot of havoc in our internal politics.

Mr. Aaron Shull: Sure. I mentioned two things, but let me go into them in greater detail.

For the purposes of clarity, a troll is a person and a bot is a robot, but they work together. The trolls control the bots. There are actually what they call “cyborgs”. That's when trolls manipulate bot armies and redirect them.

The point I was making earlier was that the troll wants to get paid. Make it harder for them to get paid. We've already got the system in place through the sanctions. You have proof of concept there. No one wakes up in the morning with a sense of civic duty to run a troll farm. They want to get a paycheque. Make it harder for them to get that paycheque and that will lower the amount of amplification that takes place.

The second thing we talked about is that there's no widely received definition of what is a “bad” bot. We have to work with allied states to determine what that is. Then we have to put in place a mechanism, through collective action, to both leverage those sanctions and then go after the technical architecture. Work with the Internet governance agencies. There's something called ICANN, but I won't get into the details of that right here. Go after the technical architecture and make sure that the big farms don't resolve.

● (1135)

Mr. Alistair MacGregor: We need to make sure that social media companies are accountable as well because a lot of this is happening on their networks.

Mr. Aaron Shull: Yes, absolutely. That's table stakes. You have to make sure they're paying attention to that as well.

Mr. Alistair MacGregor: Perfect.

As a parliamentarian, in my time on this committee, I'm growing increasingly dissatisfied with Parliament's role in national security. I think we are too deferential to the executive branch and to the national security agencies, and I'd like to see Parliament take a more robust role in this conversation.

If you compare that with the United States Congress, their House and Senate intelligence oversight committees are very actively involved in what the CIA is doing on a weekly basis.

You and Dr. Wark were talking about this need for a strategic plan, a Canadian national security strategy. In terms of Parliament's role, if you look at the statutes that govern the RCMP, that govern CSIS, and the way CSIS and CSE work together—because they're in two different wheelhouses—do you have any specific recommendations on what we can present to the Minister of Public Safety in the next big chapter and what particular statutes Parliament needs to look at and reform to bring us up to speed in the 21st century?

Mr. Aaron Shull: Even before we get into a legislative review, number one, we can table an annual threat assessment in Parliament, and number two, we can have an annual discussion of intelligence priorities. Like you, I very much view Parliament as having a central role in this because Canadians need to know, right? There's not a dinner table in this country that hasn't been affected by national security, the pandemic, cybersecurity.

Now we're the closest we've ever been to a major global conflict since the end of World War II. This affects Canadians, but we don't talk about it enough, so I think another role that Parliament could play, outside of the legislative mechanisms—and there are things we could talk about specifically there—is having that national conversation, advancing it with your constituents and making sure that people understand that national security affects them.

Mr. Alistair MacGregor: Dr. Wark, do you have any additional thoughts on that? Also, do you have any comments on budget 2022's increase to CSE's budget and what that's going to help do for our capabilities in this arena?

Dr. Wesley Wark: Thanks, Mr. MacGregor.

Through you, Chair, I think additional resources for CSE are welcome. It's always important to track how those resources are spent, of course, and that's a role that parliamentary committees can play.

The challenge for Parliament in the national security space, it seems to me, is that parliamentary committees can have a major impact on the sort of broad framework and governance and strategic issues. However, it's difficult for a standing committee of Parliament to get into the details of intelligence and national security, because of the lack of access to classified information and classified briefings. That's a role that can be played by the National Security and Intelligence Committee of Parliamentarians, as Parliament intended. I would just say in passing that I'm pleased to see that the committee is back up and running. I think it deserves Parliament's support in the future. The interplay between NSICOP and parliamentary committees is an important one that wasn't really clarified when NSICOP was established, and I think that would be an area to talk about with your fellow parliamentarians who happen to sit on that committee.

Thanks.

The Chair: Thank you very much.

Colleagues, we now move into a second round of questions, and to lead us off, we have Mr. Lloyd.

Mr. Lloyd, you have the floor for five minutes, whenever you're ready, sir.

Mr. Dane Lloyd (Sturgeon River—Parkland, CPC): Thank you, Mr. Chair.

My first question is for Mr. Shull. Are you aware of my former colleague Kenny Chiu's private member's bill before the last election to establish a foreign influence registry in Canada,?

● (1140)

Mr. Aaron Shull: It rings a bell. I couldn't cite a chapter and verse right now, though.

Mr. Dane Lloyd: Are you aware of other countries that have foreign influence registries, and do you have a comment on whether or not they're useful tools?

Mr. Aaron Shull: I think it depends on how you scope it, and I appreciated your questions to the previous witnesses.

I'm not an expert in it, so I don't want to steer you in the wrong direction, but I think that, obviously, foreign influence is a bad thing. We have to be on top of it, but there are different ways of approaching it.

Mr. Dane Lloyd: Maybe I'll flip over to Dr. Leuprecht because one of your recommendations was dealing with foreign actor laws.

Can you comment on the foreign actor registry? Are you familiar with it from before the last election?

Dr. Christian Leuprecht: Both the United States and Australia have these. One of the things that it avoids is having people showing up in front of Parliament under spurious conditions, for instance, and not realizing that these are actually entities that are effectively paid for, or otherwise resourced or tasked by a foreign government, so I think certainly it helps to enhance the ability to distinguish what effectively foreign agents....

I think there are a number of other things that we could do—

Mr. Dane Lloyd: Is it a useful tool?

Dr. Christian Leuprecht: It's one tool in the tool box. I'd have higher priorities. Having a proper, independent, stand-alone foreign intelligence collection service would be a higher priority. Other priorities would be having a stand-alone criminal intelligence commission in Canada like Australia has, having a five-year annual review, having proper doctrine in terms of cyber-engagement and having red lines for Canada and its sovereign capacity to hit back at countries that compromise our critical infrastructure.

Mr. Dane Lloyd: Now—

Dr. Christian Leuprecht: I'm sorry.

There are probably things that I'd say have a higher payoff than the registry, but the registry is certainly one element in a tool box.

Mr. Dane Lloyd: Dr. Leuprecht, are you aware of what happened to my colleague Kenny Chiu in the last election? It was primarily because he introduced a bill that proposed making this foreign influence registry.

Dr. Christian Leuprecht: I'm aware of some of the online activity that was directed at your colleague, and I believe that this activity had a material influence on the outcome in that particular riding.

Mr. Dane Lloyd: You might be aware of a McGill study that said that for the overall election, it didn't have a material impact, but at certain riding levels, they can't discount that it had a material impact on the election.

Would you say that his was one of those ridings, primarily because he brought forward this bill that was targeted by foreign disinformation campaigns to defeat an incumbent candidate in a Canadian election?

Dr. Christian Leuprecht: Yes. I think it clearly undermined our democracy, and it was quite nefarious, because the activity—as you well know—was conducted in neither English nor French. It was primarily conducted in a third language. It is a language in which our security intelligence and law enforcement agencies have rather limited capabilities. We also did not have a plan of how we would actively identify such influence activity and be able to counter it.

Yes, I think it is a canary in the coal mine of what any member of Parliament faces when they actively engage in activity that displeases some of our adversaries.

Mr. Dane Lloyd: That's great.

I'm reading the 2021 Elections Canada report, and it talks about misinformation and disinformation, but it seems like they're really downplaying the impact of disinformation and misinformation, saying that Canadians can trust the election. I think overall, the vast majority.... We can trust the election, but we know how sometimes elections in Canada can literally be decided by a single riding or a single handful of ridings.

Do you think Elections Canada needs to take this more seriously and alert Canadians—not only in their reports after the fact, but even during an election—that there is a disinformation campaign being conducted during the election?

Dr. Christian Leuprecht: It's not an online problem. This is a long-standing problem in Canada, where riding associations are captured by certain entities that are close to certain countries, certain ethnic groups or certain religious groups. I would say the online attempts at clear interference in our democratic processes are simply a continuation of a long-standing problem that is related to a riding, its constituency association levels and insufficient attention, but also inefficient constraints—

Mr. Dane Lloyd: Do you think Elections Canada should have done more?

The Chair: I'm sorry. We're out of time.

Dr. Christian Leuprecht: Absolutely.

Mr. Dane Lloyd: Thank you.

The Chair: Thank you very much.

I would now like to invite Mr. Noormohamed to take a five-minute question slot whenever he's ready.

● (1145)

Mr. Taleeb Noormohamed (Vancouver Granville, Lib.): Thank you, Mr. Chair.

Again, thank you to all the witnesses for being here.

Dr. Leuprecht, I was struck by something you said in your opening statement, when you talked about the link—as my colleague Mr. MacGregor mentioned—to our study on IMVE. You talked about separatist ideation and the impact on human security, and the role foreign actors are playing in feeding into this particular trend to foment discord in Canada.

Can you talk a bit more about that?

Dr. Christian Leuprecht: I think what we need to understand here is that often we focus—as Mr. Lloyd just did—very specifically on the direct interference in our democratic process. However, what these actors are really up to is simply trying to undermine our values and our institutions, and their legitimacy along a broad range, from politics to the economy, to our diplomacy and the cyberspace.

What we have here is effectively—and the pandemic has been a great laboratory for our adversaries—a systematic attempt to undermine the public confidence in our institutions that are critical for the effective functioning of democratic societies. These are the public health institutions, law enforcement institutions and, I would say, even some of our intelligence institutions inadvertently, I think, made very significant mistakes here in not being able to [*Technical difficulty—Editor*] some of these challenges.

That's what I mean by shifting from a national security to a human security lens, where we understand that our adversaries are constantly pressing us hard in every way they can to undermine our institutions, our democracy and our legitimacy.

Mr. Taleeb Noormohamed: Thank you.

Who do they tend to exploit? Can you speak to a specific demographic? Can you speak to a specific kind of....political spectrum? Not partisan, but is it broadly on a political spectrum? In spreading this misinformation, who do these foreign actors tend to exploit? What do they tend to amplify to do exactly what you just talked about, which is to undermine institutions in Canada?

Is there a trend that you have seen?

Dr. Christian Leuprecht: The trend we've certainly seen is an uptake in people who sympathize with views on both extremes of the political spectrum—the extreme left and also the extreme right. The challenge with the growing sympathies on the extreme right is that, unlike the sympathies on the extreme left, they tend to be actively associated with incitement to violence, seditious activities and other active engagements to undermine our institutions and our government.

This is why I think it is embarrassing that the Government of Canada has not called a royal commission into the incident that transpired in February, which was the single greatest failure of our national security infrastructure in decades. I think it is embarrassing that we are not having an open and honest conversation to identify precisely the sources and causes that you've just identified and the influence that this had on what effectively brought a democratic capital of a G7 country to a standstill for three weeks.

Mr. Taleeb Noormohamed: Just leaning into this a little bit, in the United States we have seen the devastating impact to democratic institutions when political actors and political players start to lean into this very same narrative.

Are you concerned at all that this is starting to happen in Canada? How should we all, as parliamentarians across party lines, work together to stop it, if it is in fact an issue?

Dr. Christian Leuprecht: I think parliamentarians need to be very careful not to sympathize with activity that is criminal or that is clearly illegal. When we start to blur those boundaries, we get ourselves into trouble.

At the same time, I think we're starting to get ourselves into trouble where we get these wink-wink, nudge-nudge sort of hints from governments to police that suggest not to go too hard on these protesters because we're sympathetic to them, but go hard on those protesters because we're not sympathetic to them.

I think we need a multipartisan consensus to make sure that the rule of law is enforced equally and equitably in this country, so that law enforcement always has intelligence and clear direction into what its approach needs to be.

I'm deeply concerned about the extent to which we are increasingly politicizing especially law enforcement activities in this country because of the extent of the sympathies a government might have for these protesters or those protesters, instead of drawing a clear line. If a protest is illegal—let alone if a protest is criminal—we need to let the rule of law take its course.

● (1150)

The Chair: Thank you very much.

I now would like to call upon Ms. Michaud.

You have two and a half minutes and the floor is yours.

[*Translation*]

Ms. Kristina Michaud: Thank you, Mr. Chair.

I would like to use my remaining time with you, Mr. Shull.

I really liked your Wayne Gretzky analogy, to the effect that we must skate to where the puck is going to be and not to where it is. That's not only great advice for the young hockey players of this world, but it is also good advice for Canada's security.

Considering the current context, what should be the next step for the Government of Canada or Parliament to strengthen the country's security?

Charles Burton, from the Macdonald-Laurier Institute, testified last week. He said that transparency may be lacking at the RCMP, CSIS and CSE when it comes to potentially sensitive information they gather on national security, including on Russia. He said that may be preventing parliamentarians from doing their job properly, as they don't have access to that information to enact legislation intended to enhance security.

What do you think about that? Do you agree?

What do you think we should do about it?

[*English*]

Mr. Aaron Shull: I would just come back to my broad observation that we tend to do things in a siloed format. There's this policy framework, the defence policy, the national security strategy, the innovation policy....

We need to look at this holistically because it's all connected. The reason I know it's connected is because adversarial states are leaning into every crack they can with their state power. They're treating this as strategically connected and we need to do the same.

The role that Parliament can play in this is to have that wider view of the nation as a whole, recognizing that this is all deeply connected and that we need a new strategic framework.

[*Translation*]

Ms. Kristina Michaud: Thank you.

I have a bit of time left. I would like you to talk to us about the disinformation Russia is currently spreading and the repercussion that can have in Canada. Are we well prepared for it?

How do you think we can protect Canadians against that?

[*English*]

Mr. Aaron Shull: Dr. Wark and I are going to submit a brief to the committee. I'll submit a disinformation "kill chain". It shows exactly how it works and how the campaigns are formulated. We'll offer specific recommendations on how I think we can intervene, because it's not helpful, that's for sure.

I've also never heard anyone argue on behalf of a Russian troll farm. There's no will there.

The Chair: Thank you very much.

Finally, I would like to turn to Mr. MacGregor to take us to the end of this panel with a two-and-a-half-minute block of questions.

Go ahead, Mr. MacGregor.

Mr. Alistair MacGregor: Thank you, Mr. Chair.

Dr. Leuprecht, I think I'll use my last two and a half minutes with you, sir. Thank you for appearing as a witness for both this study and our IMVE study.

This is really on the same subject that Mr. Noormohamed was questioning you on. You have said very clearly that you'd like to see a royal commission established to try to understand what went on. I guess one of the challenges that we identified in our previous study, and that I think is very pertinent to this one, is the role that social media companies play. If there are those vulnerabilities that exist and that potential foreign state actors can exploit to actively sow disinformation, cause discord, and help events like those in Ottawa come to fruition.... As you said, the capital of a G7 country was essentially brought to a standstill for three whole weeks.

Do you have any recommendations on some of the proactive things that we can be recommending? One of the things we've been struggling with as a committee is that line between honouring freedom of expression, a charter-held right, and also holding social media companies accountable for their role in providing a platform for this kind of disinformation to spread. Do you have any recommendations on some of the proactive things our committee can recommend vis-à-vis social media platforms?

Dr. Christian Leuprecht: You might want to look at the current engagement by the Privacy Commissioner of Canada as well as the B.C. information and privacy commissioner with regard to Facebook, which demonstrates the extreme weakness of our privacy legislation and the inability of the Privacy Commissioner to levy real and meaningful fines against companies found to be wilfully violating Canadian law and legislation, even though that law might be decades out of date. There are certainly significant elements that can be done here.

I would also encourage the committee to look at the Australian process of the Richardson review. I recently wrote a whole book on this, *Intelligence as Democratic Statecraft*. Australia has a five-year review, led by a judge, of its entire national security intelligence architecture. These reports are up to 1,200 pages in length. They are extremely detailed. As a result, Australia is able to engage in precisely the sort of systematic overhaul that we have not seen in Canada.

● (1155)

The Chair: Thank you very much.

Colleagues, this takes us to the end of the panel. On your behalf, and on behalf of all parliamentarians, I would like to thank our witnesses for bringing their decades of experience and expertise to these controversial, timely and very important subjects.

Thank you very much, witnesses.

Colleagues, we will take a very short break in order to swap panels. Then we'll be back for our second hour of deliberations.

Thank you.

● (1155)

_____(Pause)_____

● (1200)

The Chair: I call this meeting back to order.

With us this second hour we have William Browder, chief executive officer, Hermitage Capital Management, as an individual; Dr. Jeffrey Mankoff, distinguished research fellow, National Defence University; and Errol Mendes, professor of constitutional and international law, University of Ottawa.

Up to five minutes will be given for opening remarks, after which we will proceed with rounds of questions.

Let me begin with Dr. William Browder to make an opening statement of up to five minutes.

Go ahead, sir.

Mr. William Browder (Chief Executive Officer, Hermitage Capital Management Ltd, As an Individual): Thank you for inviting me.

One small correction is that I'm not a doctor, but I appreciate the elevation of my status.

The Chair: We can't have too many doctors these days.

Mr. William Browder: I am one of the people who spent the last 10 years involved in a man-to-man fight with Vladimir Putin. It originated from my advocacy for the Magnitsky act all over the world. Many of you will know me from the work I've done with many members of Parliament in Canada over this issue.

I've seen the ways in which Putin and his regime go after enemies, people they consider to be the enemies, countries they consider to be enemies and so on. I just wanted to share a few thoughts at the very beginning of this conversation about the state of play with the war in Ukraine, about our reaction to that war, about Putin's reaction to our reaction and about things that might be done to protect ourselves, Canada and the west more generally.

First and foremost, the Government of Canada and the governments of the United States, EU, U.K. and Australia have done a fine job of imposing sanctions as a way of trying to cripple Vladimir Putin's war effort. The sanctions have been more impressive than I would have expected and perhaps even more impressive than I would have asked for. If we look at the number of people and the names of the people sanctioned, it's really something to be proud of.

The problem is—and this is something that's come from my own research—I estimate that the amount of money the criminal regime of Vladimir Putin has stolen from the Russian people since 2000 when Vladimir Putin came to power is about a trillion dollars. He and the top 1,000 people have taken a trillion dollars out of Russia and that money is sitting in the west. As we put sanctions in place to try to restrict their access to that money so they can't use it for the war effort, if we look at what's actually been frozen from those sanctions, it's a tiny, de minimis portion of that money that's been taken out of Russia.

The reason for that is there's been a huge amount of sanctions evasion. When we put a person on the sanctions list, that person may have some assets in their own name, but that person may also be using all sorts of complicated structures—holding companies, etc.—to hold their assets. They also use family members, nominees, custodians and trust companies, etc. That's one of the ways in which they are sort of fighting back and keeping their money hidden.

Another way the Putin regime is reacting to our efforts to cut them off is that they're weaponizing everything that they can weaponize. They're weaponizing the price of wheat by restricting the export of wheat from Ukraine. They're weaponizing the price of oil by pushing up the price of oil. They're weaponizing the price of gas. Those three things will have a very dramatic effect on all democracies going forward. A lot of people are not going to be worried about Ukraine. They're going to be worried about the price of food at home. They're going to worry about putting gas in their car. They're going to be worried about heating their houses.

As we think of how we want to be responding to this weaponization, we have to look very specifically at these three things and figure out if there are ways we can reduce their ability to weaponize these prices.

In the case of oil, Saudi Arabia is the largest oil supplier in the world. Saudi Arabia has the capacity to increase its oil production. If it was to do that—

● (1205)

The Chair: You have 10 seconds left.

Mr. William Browder: Okay, let me finish it there.

Thank you.

The Chair: Thank you very much.

I would now like to invite Dr. Jeffrey Mankoff, who will have five minutes for an opening statement.

Go ahead, sir, whenever you're ready.

Dr. Jeffrey Mankoff (Distinguished Research Fellow, National Defense University, As an Individual): Mr. Chair, members of the committee and fellow panellists, thank you very much.

Russia's invasion of Ukraine represents the continuation of a long-standing effort in Moscow to revise the outcome of the Cold War. Its danger is exacerbated by President Putin's open rejection of Ukrainian nation and statehood. The belief he has expressed that Russians and Ukrainians are “one people” implies that Ukrainians don't have a right to determine their own political fate and that they're doomed by history to remain part of a greater Russian nation.

In areas that are occupied by Russian forces, we've seen what this means in practice: the eradication of Ukrainian culture and its bearers; the mass deportation of civilians, including children; widespread sexual assault and other war crimes.

Having failed to arrest Ukraine's westernization through other means, Russia's current war aims at nothing less than the dismantlement of the Ukrainian state and the erasure of Ukrainian identity.

The west is also a target in this conflict, not only because its members continue providing support to Ukraine, but because of what they stand for: That is, a rules-based order built on the foundations of liberalism and democracy, which includes Ukrainians' right to a free and peaceful life in their own state. Even as Russian troops continue their onslaught against Ukraine, Russia is continuing its long-standing efforts to erode Euro-Atlantic solidarity and sow chaos, confusion and corruption within the Euro-Atlantic space. Compared to states on the front line of the conflict, such as Poland, Romania and the Baltic states, Canada, as well as the United States, is somewhat insulated from the worst of Russia's disruptive activities but hardly immune.

Indeed, Russia has a diverse and deep tool kit of disruptive activities that it can employ against current and aspiring members of the NATO alliance. They include techniques such as espionage and the promotion of disinformation, which technology has allowed Russia to amplify. While social media, spyware and other modern digital technologies are instrumental in this campaign of disinformation and disruption, Cold War-era parallels suggest how the west can push back.

The most important steps taken by western leaders to counter Soviet influence during the Cold War centred on addressing the root causes of the societal vulnerability that Moscow exploited. In earlier eras, belief in democracy's vulnerability drove investment in public education, civil rights legislation and the expansion of the welfare state. Similar investments today would go a long way toward shoring up the vulnerabilities that Russia, among other maligned actors, manipulates. We've done this before; we can do it again. Whether we can do so is really a question of priorities and political will.

Of course, Russia has other disruptive tools at its disposal as well, things like sabotage, assassination and the use of non-conventional weapons. Compared to the Cold War, Russia indeed may be more inclined to use at least some of these weapons today because of the relative weakness of its regular military, which we've now all seen on display in Ukraine.

President Putin and his inner circle understand that Russia cannot win a conventional war against NATO. Instead, they've taken to nuclear sabre-rattling as a form of deterrence. Even though the likelihood of nuclear use is low, other kinds of non-conventional attacks are unfortunately possible. Putin's Russia has shown little compunction about conducting sabotage and assassination overseas, including in NATO member states.

Last year, a German court convicted a member of the Russian Federal Security Service of killing a Chechen exile named Zelimkhan Khangoshvili in a Berlin park. Russian agents have also been implicated in two high-profile attacks using banned weapons on British soil: the poisoning of FSB defector, Alexander Litvinenko with polonium; and the the attempted assassination of the double agent, Sergei Skripal, with a nerve agent, Novichok. These attacks show a clear willingness to use not only violence, but also to cross internationally recognized red lines regarding the use of chemical and radiological weapons.

Despite the targeted nature of the attacks against Khangoshvili, Skripal and likely other enemies of the Kremlin, it's not unreasonable for western governments to worry about the possibility of similar attacks, and perhaps attacks on a larger scale. The danger will only grow as the relationship with Moscow deteriorates and Putin grows more desperate as Russian losses in Ukraine mount. Attacks, cyber or kinetic, targeting critical infrastructure, sabotage, false-flag terrorist attacks, and even the use of chemical weapons should be included in the work of defence planners in NATO member states. At the same time, lines of communication to Moscow must be kept open, if only to communicate clearly NATO's determination to prevent, and if necessary, retaliate for any such attacks.

The war in Ukraine has already demonstrated the financial, military and political limits that Putin's Russia faces. As it flounders in Ukraine, Russia, and Putin, may become more aggressive and more reckless. Remaining committed to helping Ukraine defeat the threat to its existence that Putin's Russia poses, the west, NATO, Canada and the United States must all remain alert to the possibility that Russia will cross lines previously thought to be uncrossable. That recognition argues not for timidity, but rather for preparedness and prudence.

We live in dangerous times, but as J. R. R.Tolkien wrote, while we cannot choose the times in which we live, “All we have to decide is what to do with the time that is given us.”

Thank you.

● (1210)

The Chair: Thank you very much.

I would now like to invite Professor Errol Mendes to take up to five minutes for an opening comment.

Professor, whenever you're ready, please go ahead.

Professor Errol Mendes (Professor, Constitutional and International Law, University of Ottawa, As an Individual): Thank you very much, Chair and committee members, for the invitation.

I'd like to start by saying that I'm intrigued at how, when Russia invaded Ukraine, the civilized world talked about the massive violations of international law, including humanitarian law. However, when cyber-attacks take place, there's little discussion of what laws are at play there. Let me say up front that in my view that is not a law-free zone. Part of my presentation today is to first of all talk about what's happening and then suggest ways in which we can insert a legal framework for these types of attacks, both domestically and internationally, starting with the present-day attacks and looking at future attacks by Russia.

We saw recently an attack on Global Affairs, which essentially halted several of it operations, and they had to bring in CSE to repair them. What I find intriguing is that just a month before, CSE had put out a bulletin that actually warned that there could be Russian-backed actors involved in many of the attacks, not just in Canada but around the world. I found it really intriguing that in that bulletin CSE was saying that while there had been “intrusions”—and that's the word they used—into critical infrastructure, manufacturing, health care and energy, there was possibly no real attempt to actually create disruptions in those areas unless there were international hostilities.

Well, I'm sure President Putin thinks there are international hostilities between Canada and Russia at the moment. Therefore we should be looking at Russia throwing everything but the kitchen sink at Ukraine, especially in the banking area, and that should give us a warning as to what “kitchen sink” could be coming here to Canada, given what Russia is doing in the Balkans, in Ukraine, etc.

What has been our reaction? Many of the previous presentations have pointed out the need to have proactive measures to stop this. I won't go into those. I think one of the key things we have to do is to start thinking about working with our allies not just to present a warning, in terms of politics or in terms of potential countermeasures, but also to frame it in the context that this is a grave violation of international law, including potentially humanitarian law if those attacks take place at hospitals or on water supplies, for example, which could possibly endanger many lives in grave violation of international humanitarian law.

Finally, before my time runs out, another area I think we should focus on is the grave impact of disinformation. As a recent official of Global Affairs said, the Russian trolls are blanketing Canada with disinformation, especially in those areas in which they think they can create the most massive distrust of government, and most recently those have included vaccines, vaccine mandates and other areas that could potentially result in the distrust of government and therefore, hopefully, distrust of what Canada is doing in supporting Ukraine.

Let me say that while many people may say it's not causing actual damage and so on, we need focus only on what's happened in the United States and in New Zealand, on that type of disinformation, especially the hateful type of disinformation such as the replacement theory, to see that it does cause death and does cause injuries.

One of the things I'm advocating is that in the absence of our having a domestic law dealing with online harms, we should be seriously thinking about how we can link in with, for example, the European Union, which is now putting forward a digital services act that would focus on the platforms themselves and put the onus on the platforms to have annual assessments and independent audits, and ultimately to back those up with a regulatory framework that could potentially have massive fines.

I know there could be lots of problems if we proposed such a law, in terms of, potentially, a massive backlash with respect to freedom of expression, but I think it's time we started looking at what the European Union is suggesting.

Finally, to finish off my presentation, I think we need to now think about working with our allies to present a collective security framework. When any of our allies is attacked, we would present a collective security framework equivalent to article 9 of the NATO Treaty and present that to Russia, to China and to other foreign states to say we will potentially respond with our collective strength and that could very well be the ultimate deterrent to some of these countries.

● (1215)

I'll leave it at that.

The Chair: Thank you very much—and exactly on time.

Now I will open it up to our first round of questions.

We will be led by Mr. Van Popta, who has a six-minute block of questions.

Mr. Tako Van Popta (Langley—Aldergrove, CPC): Thank you, Chair.

Thank you to all the witnesses who are with us here this morning to share your wisdom and insights.

Mr. Browder, I'm going to start with you. I read your earlier book, *The Red Notice*, a couple of years ago and have just downloaded your most recent book and have read a couple of chapters so far. Thank you for them. I would recommend them to all committee members as reading to better understand the corruption that is going on in Russia today under President Putin.

In your book, you talk about your friend and lawyer, Sergei Magnitsky, and I want to thank you for sticking to it and encouraging western countries to implement Magnitsky laws and sanctions, which we have done now.

Mr. Browder, here's my question. You appeared before the foreign affairs committee on February 10 of this year, some two weeks before Russia actually invaded Ukraine, and you recommended that we identify 50 of Putin's top oligarchs and that we hit them hard, where it hurts, and that is in their bank accounts.

You suggested that we hit five and then another five, and that if Putin actually invades Ukraine, to hit all the rest of them. You said, "I believe this would stop Putin in his tracks and he wouldn't invade Ukraine."

Clearly, sir, something went wrong. Either the government didn't take your advice or you underestimated Putin's propensity for recklessness.

It's over to you.

Mr. William Browder: Thank you for that question. It's a very important question.

In my opinion, Putin didn't believe that we would come up with the sanctions that we came up with when we came up with them.

He had looked at our conduct, and when I say "our", I mean Canada, the United States, the EU and the U.K. He looked at our conduct after the invasion of Georgia—nothing; after the illegal annexation of Crimea—effectively nothing; after MH17 was shot down—nothing; and, after the Salisbury poisonings—nothing. He was of the opinion that we weren't going to do anything if he invaded Ukraine. He thought we would do some kind of token "seem to be doing something but not doing anything" sanctions. I believe that part of his miscalculation of invading Ukraine was that we didn't do anything.

When I made that proposal on February 10, all we had to do was sanction five oligarchs, not as a major punishment, but as a demonstration that we have the capacity to do this, but we didn't, so he barrelled into Ukraine and, in doing so, he basically started the process. When Putin starts a process, he doesn't ever go back; he only has a forward gear, not a reverse gear.

I think that at this point the sanctions are not for deterrence. They are to bleed him dry of financial resources.

● (1220)

Mr. Tako Van Popta: Good, and thank you for that.

You talk about a trillion dollars being stolen out of the Russian economy by Putin and his friends, which is of course a much bigger number than the $230 million you talked about in your book, but how would you assess Canada's strategic use of the Magnitsky act sanctions today? In your opening comments, you seemed to be somewhat complimentary of Canada's efforts, but perhaps you could expand on that a bit.

Mr. William Browder: Let me not compliment Canada on your implementation of the Magnitsky act. The Magnitsky act was passed in 2017, unanimously, by both the lower and upper houses of Parliament. Immediately after it was passed, a number of Russians, including those who killed Sergei Magnitsky, were sanctioned, along with the killers of Jamal Khashoggi, and some Venezuelan officials and people from Myanmar. I think there was one other slate of sanctions.

The Magnitsky act has not been used as a piece of legislation since then. All the sanctions have been used under—I can't remember the name of it—the other sanctions act.

The Magnitsky act should be the chief sanctions legislation to be used in Canada, and I would actually suggest and propose that because there has been so little usage of it by the foreign affairs ministry, there should be some type of parliamentary review to understand what the holdup is, what the barrier is, because the Magnitsky act is the main tool to go after human rights violators.

There are a lot of victims out there that are all wanting Canada to join the rest of the coalition of the willing—the United States, the U.K. and the EU—in using the Magnitsky act in all sorts of terrible situations where it hasn't been used so far.

Mr. Tako Van Popta: Sir, could you perhaps give us an assessment of how our allies—the United States, Australia and other countries—are using Magnitsky sanctions in a strategic and beneficial way?

Mr. William Browder: Is that for me?

Mr. Tako Van Popta: Yes. Are other countries doing a better job than Canada is?

Mr. William Browder: You can plainly tell by the numbers. If you look at the United States, I believe there are more than 500 individuals and entities sanctioned under their global Magnitsky Act.

The Chair: You have 10 seconds.

Mr. William Browder: The number for Canada is, I think, 80% less than that.

The Chair: Thank you very much.

I would now like to invite Mr. Noormohamed to take the floor for a six-minute block of questions.

Over to you, sir.

Mr. Taleeb Noormohamed: Thank you very much, Mr. Chair.

Again, thank you to the witnesses for being with us today.

Mr. Browder, I had the privilege of meeting your father and actually your uncle when I was an undergrad. Obviously you come from a long line of people who have done a remarkable service in a variety of different areas.

Your story struck me on a variety of different levels in terms of how you've personally become a target for Mr. Putin. I guess I'm wondering, given the fact that you probably know the world of the oligarchs better than many do, whether you believe the financial pressure that is being put on the oligarchs by Canada and by other countries is going to have the impact that we all hope it will in terms of putting pressure on Mr. Putin. If so, what do you think the time horizon on that is?

Mr. William Browder: Thank you for that question. It's an excellent question.

One of the things I would point out now—and it's very important that everybody understand this—is that the oligarchs don't have political power in Russia. They are subordinate to Vladimir Putin. They're scared of Vladimir Putin. At any point, if they were to criticize him in any way, they could be impoverished, imprisoned or killed. He's done that to other oligarchs to make a point, and everybody is terribly afraid of him.

So the purpose of sanctioning oligarchs is not to get them to rise up and replace him, because that's not going to happen.

We sanction the oligarchs because they are custodians of Vladimir Putin's money. When we sanctioned Vladimir Putin at the very beginning of this process—and I think Canada was either the first or the second country to do that—it was all very satisfying. It was symbolic. But Vladimir Putin doesn't hold money in his own name. He holds the money in the name of other people, these oligarchs. If you look at an oligarch who's worth $20 billion, $10 million belongs to the oligarch and $10 million belongs to Vladimir Putin.

So the purpose of sanctioning the oligarchs is to sanction Vladimir Putin. That's the main purpose. But if we take a step back and we say, “Okay, how is this going to work and what's it going to achieve?” then I think the main objective has to be to cut off his financial ability to fight this war. We have done some good things in terms of doing that. The west and Canada have sanctioned Russia's central bank reserves, which are equal to about $350 billion, which is excellent. The west has sanctioned 35 oligarchs. When I say 35 oligarchs, I mean either the U.S., Canada, the EU, the U.K. or Australia has sanctioned 35 oligarchs. Not necessarily all of them have sanctioned all of those oligarchs. That's also very helpful.

That being said, there are 118 oligarchs on the Forbes' wish list, so we're not there yet. But even with those two categories, which represent a lot of money and a lot of assets all over the world, we've hit only what I would call the savings of Russia. What we haven't hit is the income of Russia. The income of Russia is a billion dollars a day that Russia receives from the sale of oil and gas. Now, most of that goes to Europeans. It goes to Germany and France and Italy and so on. But that's really problematic, because every day Vladimir Putin gets a billion dollars and every day he spends a billion dollars on the war killing Ukrainians. So one could argue that if we don't get that under control then having frozen the assets doesn't mean anything because he continues to have the income to do this.

So that's the major elephant in the room that needs to be dealt with. It's not so much within the capability of Canada, but that's the key to the whole thing. And then the timing very much depends on that. If we were to achieve that, he would quickly run out of money.

● (1225)

Mr. Taleeb Noormohamed: I appreciate your saying that, because I think where Canada has been able to play a role, as you noted, is in leadership on the financial side. I think we also have to recognize the limitations of our role, particularly as it relates to issues around Europe's importation of Russian oil, and the necessity, I suppose, that they continue to depend on Russian energy.

If you were to look at this on a go-forward basis, obviously cutting off the money supply, cutting off the savings, as you talked about, are important. Cutting off access to SWIFT has I think been very, very important.

What needs to happen with Europe, in your view, to be able to put on enough pressure for them to now cut off the oil resources? I mean, we're not going to be able to replicate energy supply from Russia with other resources overnight. That's not going to happen. What else is available to Europe, beyond moral suasion, to kind of push this end? Is there any role that Canada can play on the moral front to help Europe, because we're not going to be able to solve this in any other way. We're not a superpower, obviously.

Mr. William Browder: There's one other thing we haven't talked about, which is that Russia is not the only oil supplier in the world. There are other oil suppliers. There's one big oil supplier that could solve a big part of this problem for us. On one hand, we're talking about restricting the purchase of Russian oil and gas, but you have Saudi Arabia, which sits out there as the sort of swing factor in OPEC. However, Saudi Arabia historically has been willing to turn on and turn off oil to keep oil prices stable for the U.S. and allies around the world.

Saudi Arabia, in theory, if they were willing to be a responsible player in this whole thing, could add an extra two million barrels of oil a day to their oil supply. If they did that, I estimate it would push the price of oil down by 25% to 30%, which means that—

The Chair: Thank you very much.

I would now like to invite Ms. Michaud to take us through the next six-minute block of questions.

Ms. Michaud, the floor is yours, whenever you're ready.

[*Translation*]

Ms. Kristina Michaud: Thank you very much, Mr. Chair.

I thank the witnesses for being here.

Mr. Browder, hearing my colleague Mr. Van Popta talk about the book you wrote and my colleague Mr. Noormohamed talk about your family members, we see that the committee members have a great deal of admiration for you. I should definitely read the book myself. I will continue somewhat along the same lines as my colleague by talking about sanctions imposed on Russia.

You were saying that the goal of the sanctions imposed on oligarchs was to affect Vladimir Putin himself and that Canada and the west have done a good job in that respect. We know more or less when that will have an impact. Supposing that the conflict ends, how do you think Russia may react to those sanctions imposed by Canada and the west, once everything is done in Ukraine?

Is there a risk of repercussions for a country like Canada?

● (1230)

[*English*]

Mr. William Browder: I think that the general way in which Russia tries to create repercussions is by singling out individual countries. In this particular case, everybody—and when I say everybody, I mean just the western world, because India and Brazil aren't involved—has been involved on a combined basis—every country in Europe, Canada, Australia, United Kingdom, the United States—and so I don't see how Russia, on an economic basis, can respond to any of this stuff.

I think we absolutely should be expecting Russia to be doing what they've always done, which is trying to manipulate the political processes in all of our countries. Professor Mendes mentioned interference, hacking and so on and so forth. We should absolutely expect that and be prepared for that, and hopefully have countermeasures to deal with that.

We should absolutely expect that they will try to send out assassins and do other terrible things, like we heard about in Berlin and other places. I think that there probably needs to be tight and thoughtful security of Russians coming into Canada.

As I mentioned in my opening remarks, they've weaponized the price of wheat, oil and gas. Wheat is a particularly important one. This is something that I think is very important to put on the front table, which is that our military—and by "our", I mean allies—should make sure that Ukraine is able to export wheat and protect any boats that leave ports in Ukraine. If Russia attacks that, it could create a food crisis which could have unbelievable consequences around the world.

[*Translation*]

Ms. Kristina Michaud: Hearing your comments is not reassuring, Mr. Browder.

You were saying that you were still hopeful that Canada will be ready to implement countermeasures should Russia respond. Do you think Canada is ready to respond to those kinds of potential or future attacks, be they cyber-attacks other types of attacks?

[*English*]

Mr. William Browder: Well, I don't think Canada has to think about these issues on its own. Canada is part of a coalition of the willing that so far has done a great job in putting in place all of these measures against Russia, so these are conversations that you don't have to think about by yourself. These are conversations that should be thought about in conjunction with the U.S., the EU and the U.K., etc. If there's an attack on one, there's an attack on all, whether it be a military attack, a cyber-attack or any other type of attack, so I don't think.... Just because I paint a bleak picture doesn't mean that we're not in a strong position.

Russia is in the weak position here. It has been humiliated militarily. It has shown that it's incapable of doing even the most basic things that one would have been fearful of it doing. I don't think we should overestimate their capabilities, but at the same time, we shouldn't ignore some of the things that are happening right now. I really stress this. The price of oil, the price of gas and the price of food can dramatically change the situation, the democratic situation in Canada. You could end up in a very difficult political situation where all sorts of actors can act out because of this.

I think one needs to understand that the big weapon, the major attack, has already happened, which is, how do we deal with these hugely high costs, which affect every household in Canada and every household everywhere else in the world?

[*Translation*]

Ms. Kristina Michaud: Thank you.

What I understand from your comments is that it is good to have allies and organizations like NATO, but article 5 of the North Atlantic Treaty stipulates that, if a member country is attacked, everyone is expected to intervene. Isn't there a concern of global conflict should a NATO member country be counterattacked by Russia in response to the economic sanctions imposed over the past few months?

● (1235)

[*English*]

The Chair: I'm sorry, but we're going to have to wait for that answer.

[*Translation*]

Ms. Kristina Michaud: Thank you.

[*English*]

The Chair: Perhaps, Mr. Browder, you could write that answer—

Mr. William Browder: Yes.

The Chair: —and send it to members of the committee so that we will have the benefit of your wisdom.

I now would invite Mr. MacGregor to take his six-minute slot of questions.

Mr. Alistair MacGregor: Thank you, Mr. Chair.

Thank you to all of our witnesses for helping to guide our committee through this study. Your testimony has been very helpful.

Mr. Browder, I'd like to start with you. It was quite an eye-opening figure when you mentioned the trillion dollars that the Putin regime has stolen from the Russian people and which you've said is held in various countries in the west.

You have a significant amount of experience in the banking sector. You know how people can use intricate ways of hiding their wealth, of using various holding companies and so on. Canada has had its own problems. We've coined the term “snow-washing” here in Canada because of the ease with which people can set up shell companies.

While there have been significant announcements recently, such as creating a beneficial ownership registry and, hopefully, in the near future, the creation of a financial crimes agency, I guess what I'd like to ask you is this: From your perspective, how can countries take the lead on this? How easy is it to employ forensic accountants to really try to uncover where the oligarchs have their wealth held? Do nation-states have the ability to do that easily if they put their mind to it?

Mr. William Browder: No. The answer is simply no, and this is a big problem. The oligarchs have spent the last 22 years assuming that one oligarch is going to steal from another oligarch, or a government is going to try to expropriate their money, so they've bought the best asset-protection advice that money can buy. They'll run circles around us. However, I have an idea—and this is something that I've presented to the British Parliament, I've presented to the U.S. Congress and I present to you today—which is that the only way we will ever know how they put their stuff together, how they put these schemes together to hide their money, is to have the people who put them together tell us.

These people aren't in the business of telling us the information they have, because they would claim lawyer-client confidentiality or something similar. So my idea or proposal to you is to put an amendment into the sanctions law, and that amendment should be very simple. It would say that any professional service firm, whether it be a law firm, a banker, an accountant or any other firm that has provided information, advice or consultation on the holding and structuring of assets of a person who has been sanctioned by the Canadian government is under a duty of law, and under penalty of law, to come forward and explain the information that they have on that oligarch—that person, that sanctioned individual—so that the government then is effectively taking these individuals who structured these things and turning them into whistle-blowers by law.

Mr. Alistair MacGregor: Yes, and it's really putting the pressure on them.

You, sir, have detailed quite well your fight with Mr. Putin. I appreciate your words on how quickly the west has come together to put this sanctions package together. From your contacts and from the intelligence that you have gathered—the open-source intelligence—I want to know just how the sanctions are starting to have an effect on Russian society. We know that since the collapse of the Soviet Union, the standard of living in Russian society, particularly in the big cities like Moscow, has risen. I think many Russians, the growing middle class, have become used to material wealth. Do you have any knowledge about how the sanctions and cutting them off from western imports—the ability to travel, the ability to spend their money overseas—are starting to have an effect?

● (1240)

Mr. William Browder: When we talk about sanctions, there is a whole range of sanctions. We've been focusing on the oligarch sanctions, but I think the most relevant sanctions have been what I call “self-imposed” sanctions, which have been in the form of western businesses leaving Russia. Most self-respecting western businesses have divested in the same way western businesses did in South Africa to protest apartheid. This has been a much more accelerated divestiture.

The average Russian can't use their credit cards anymore. They can't subscribe to Netflix. They can't get on a flight to any country other than Turkey, Israel or the United Arab Emirates. This has completely changed their life. The IMF estimates that the Russian GDP will contract by 10% to 15%, but I would argue that the number is going to be much higher than that. I think the Russians will face a full-scale economic depression as a result of these sanctions.

The Chair: Thank you very much.

We now move into a second round of questions. To lead us off will be Mr. Lloyd with a five-minute block.

Go ahead whenever you're ready, sir.

Mr. Dane Lloyd: I was told that it would be Mr. Stewart leading off.

The Chair: It's whomever you want. It says Mr. Lloyd in my notes. If Mr. Stewart wants to take it away, he can go ahead.

Mr. Jake Stewart (Miramichi—Grand Lake, CPC): Thank you, Mr. Chair.

My questions are for Bill Browder. Thank you so much for being here today. You have a wide range of experience.

Earlier you talked about how we're hitting the savings but not the income. You also mentioned how the Russian oligarchs don't have any particular political power inside of their own country.

My question is still along the lines of national security in our country, because that is a primary concern of this committee as well. I think you mentioned that there are well over a hundred Russian oligarchs living in our country, across Britain and in the United States, according to the Forbes list. I want to know how many Russian oligarchs still living in our country have not been sanctioned. I'd like to have some insight into that number. I'd also like you to touch on how we can combat the money laundering that Russian oligarchs do to fund Vladimir Putin's regime.

Mr. William Browder: On the oligarch question, as you mentioned, there are 118 oligarchs who are on the Forbes' rich list, and 35 of them have been sanctioned. A number of these people have not been sanctioned.

On top of that, with the way the oligarchs conduct their affairs, they hold things in the names of nominees, trustees and other people. For example, when Roman Abramovich was sanctioned by the U.K., they didn't just sanction him, but they sanctioned one of his associates, a man named Eugene Shvidler, another person who worked with him named Eugene Tenenbaum, and one further person. It caught people in his web more broadly than just him.

When we look at these oligarchs who have been sanctioned, a lot of them don't have that same situation where their associates have been sanctioned. I think it's a very important part of the next step.

Everything has happened very quickly. Generally I'm very critical of all governments wanting more and more, but I have to say that I am complimentary of all the work that was done and what's been achieved so far by the Canadian government and other governments under the sanctions. However, now it's time to up the game, to then say, okay, let's now look after the sort of spiderweb surrounding the oligarchs, so we don't end up just getting part of their financial arrangements and not the whole thing.

Can you just remind me of the second question, please, really quickly?

Mr. Jake Stewart: On the second part of it, I'm wondering, with the further sanctions you are requesting, what does this mean for Canadians in terms of potential national security threats to our own citizens?

● (1245)

Mr. William Browder: What you don't want to do is to be in a situation where these sanctioned individuals continue to conduct business, hold assets and potentially have access to those assets for the use of Vladimir Putin. I think it's quite an important thing that there be no loopholes, that Canada doesn't become a loophole type of place where these oligarchs can abuse that.

I think that's really important. As you said, Canada isn't necessarily a superpower, but it's an important part of the alliance, and Canada should certainly do that.

Mr. Jake Stewart: Thank you, Mr. Browder.

Mr. Chair, how much time do I have?

The Chair: You have 49 seconds.

Mr. Jake Stewart: Okay.

My last question is to Jeffrey Mankoff.

A considerable amount of your research focuses on the imperial legacies of some countries like Russia and how this influences their current geopolitical outlook in the world.

Russia and Canada both share important Arctic borders, and Russia has been quite belligerent in Arctic waters. Is this a result, in your opinion, of imperial legacy, or is it a more recent development in geopolitics?

Dr. Jeffrey Mankoff: I don't think there's a simple way to answer that question. I think it's both. As a former empire, Russia is a country that has never been confined to its borders. It doesn't necessarily consider that its current borders are permanent and legitimate. In that sense, it has been an expansionary power.

I think that the focus on the Arctic—

The Chair: Thank you.

Dr. Jeffrey Mankoff: —in particular is more recent, though.

The Chair: Thank you very much.

I will now invite Mr. Zuberi to take his five-minute slot.

Please go ahead whenever you're ready, Mr. Zuberi.

Mr. Sameer Zuberi (Pierrefonds—Dollard, Lib.): Thank you, Mr. Chair.

Thanks to the witnesses for being here today.

I'd like to start off with Mr. Mendes.

I perused your biography, and I'm aware that you have been an adviser to the United Nations. There's a nexus here that we're talking about with respect to the domestic aspect of what Canada is doing, but also internationally.

We know that Russia and other countries hold Security Council seats.

How do you suggest that we, as a nation, work with the international community to constrain Russia so that the impacts of this conflict are not felt here on domestic soil? We know about many of the impacts, such as increases in gas prices, etc. Could you comment on that briefly, please?

Prof. Errol Mendes: Thank you very much.

That's a really important question because, in my view, with what has happened with Russia invading the Ukraine, but also at the same time the potential for similar types of damage to the international rules by China and other countries, what we are actually facing in the world today is not what President Biden is saying, namely that it is between “democracy and autocracy”. It really is a full-scale attack by certain authoritarian countries against the international rules that we have actually established since the Second World War.

For that reason, I think it's really important, when we're looking at Russia, for example, to think about how those countries in the world can.... It doesn't have to be only the western countries, but those who actually do believe in the rules that were established after the Second World War. How do we work together to stop the type of damage that Russia—and I have to say China, too, and other countries—could be doing to the international rule of law and the peace and security that were established after the Second World War? Part of that actually means working together in very different areas.

Actually, I would like in a way to answer your question by also answering Madame Michaud's question. For example, in terms of countermeasures with cyber-attacks, you don't have to announce the countermeasures. They will be felt if you do it in the strongest way. For example, if all the western countries that are basically the targets of Russian cyber-attacks could work together to put together such a strong countermeasure and deterrent that it could basically undo a lot of the technology and manufacturing going into arms manufacturing in Russia, it could actually stop a lot of their arms manufacturing, which they're using to attack the Ukraine.

There are ways in which, collectively, the nations who believe in the rule of law can work together to stop the types of attacks that are happening in the world. That's why, again, I would strongly recommend—and I've written an eight-page brief for this presentation, so I welcome you to look at it—and am actually suggesting that those who believe in the international rule of law should be thinking about a kind of article 5 collective security response to the type of damage that is being felt by Russia—

Mr. Sameer Zuberi: Thank you—

Prof. Errol Mendes: —and by other countries, including China.

● (1250)

Mr. Sameer Zuberi: Thank you, Mr. Mendes. I have less than a minute and a half.

First off, I wanted to give a shout-out to Mr. Browder.

I like your book and I'm reading it still. It's an excellent read. I'll email you to know whether or not I should fast-forward to your second one and skip the first one, and whether that has updated information. I'm seeing a no.

Going back to Mr. Mendes and Mr. Mankoff, I'd like to put forth a question to either of you. Whoever feels they want to jump in, please do so.

With respect to Arctic security and the security of what's north of most of our civilian population here in Canada, to what extent do you think we need to focus on this vis-à-vis what's happening right now with Russia and other international actors?

Prof. Errol Mendes: Do you want me to go first, Jeffrey?

Thank you very much.

As an international lawyer, I'm extraordinarily worried about the fact that Russia is promoting vast amounts of activities in the Arctic, including having massive ports and basically preparing to extend even to areas in doubt in terms of Canada's jurisdiction in the Arctic. I think there needs to be a lot of attention paid by Canada to what is happening in the Russian side of the Arctic, which is slowly creeping over into our side. We have to promote our international obligations in that part of the Arctic.

I'll leave the rest to Jeffrey.

The Chair: Thank you. I'm sorry, but we're out of time.

I now would invite Ms. Michaud to take her two and a half minutes as we move along towards the end of this panel.

[*Translation*]

Ms. Kristina Michaud: Thank you, Mr. Chair.

Mr. Mankoff, in a March 7, 2022 *Toronto Star* opinion piece, you said that the west should decide how far it would want to go to respond to the Russian concerns over a hostile Ukraine at its borders. It could be a matter of relaunching arms control, but also of responding to Russia's concerns over NATO's potential expansion.

I would like to get a better understanding of what you meant by that, regarding how the west should respond to Russia's concerns over NATO's expansion. We must remember that there weren't really any discussions on Ukraine becoming a NATO member when it was invaded by Russia.

Similar to a question I put earlier to another witness, considering Sweden's and Finland's desire to join NATO, should we fear repercussions?

[*English*]

Dr. Jeffrey Mankoff: Thank you.

This war is ultimately going to end with some kind of peace deal. What that peace deal looks like, of course, will depend very much on what happens on the ground. As that deal is hammered out, one of the questions that will have to be resolved is, what is the nature of the European security architecture? Clearly, part of Russia's sense of grievance that precipitated the start of this war was the belief that NATO expansion posed a threat to its interests. We don't have to accept that as a legitimate concern, but I think it behooves us to recognize it is a concern that Russia has expressed. Any stability on the European continent is going to require dealing with that concern in some fashion.

As we've seen with the movement of Sweden and Finland toward NATO, Russia is not in a position, right now, to make good on some of the threats it exerted previously. I think, perhaps, depending on how the war with Ukraine plays out, that it may be in a similar position vis-à-vis Ukraine, in the future. Nevertheless, whether or not Ukraine is to be a member of NATO over the longer term is something that is going to have to be part of a much larger settlement about the nature of the post-war European security architecture.

[*Translation*]

Ms. Kristina Michaud: Thank you very much.

[*English*]

The Chair: Thank you very much.

[*Translation*]

Ms. Kristina Michaud: Mr. Chair, I would just like to thank Mr. Mendes—

[*English*]

The Chair: We're out of time. You have three seconds, if you can figure out what to do with three seconds.

[*Translation*]

Ms. Kristina Michaud: Thank you, Mr. Mendes, for answering my questions by answering Mr. Zuberi.

[*English*]

The Chair: Thank you very much.

Finally, I would like to turn to Mr. MacGregor.

Sir, you have two and a half minutes, which will take us to the end of this panel. Go ahead.

● (1255)

Mr. Alistair MacGregor: Thank you, Mr. Chair.

Professor Mendes, I'd like to turn to you.

In your opening remarks, you talked about how Russian trolls targeted public trust, and we have seen examples of that. In fact, we know that, in a lot of the social media spaces promoting distrust of public health measures, they immediately switched over to pro-Kremlin propaganda when the Ukraine war started. This does suggest very strongly that there is some Russian involvement in trying to push these narratives along.

This subject matter is very closely related to our committee's study of ideologically motivated violent extremism. One of the struggles we've had, as a committee, is trying to find the line where we are respecting charter rights of freedom of expression, but also holding social media companies accountable for their content.

I'm wondering, sir, if you have any thoughts on specific recommendations our committee can make about inoculating social media platforms against foreign state actor interference that pushes disinformation to foment public distrust of our democratic institutions.

Prof. Errol Mendes: In my brief, I address this issue. To answer in the time remaining, the fact is that there is a lot of debate about whether or not Canada can put forward an online harms bill, given the backlash we've seen regarding freedom of expression. I urge this committee, the justice committee, the heritage committee and others studying this area to look at what the EU is suggesting with its Digital Services Act. It is basically saying, "Look, we've gone through that whole backlash process and we're going to present a systems approach to this issue, so the onus is on the platforms themselves. We're going to put the onus on them to have annual risk assessments, audits, independent audits and, ultimately, the potential for fines, put forward by regulatory agencies, if they do not live up to it."

It's in my brief, if you want to have a look at it. I would be happy to talk to the committee in greater detail, later on.

Mr. Alistair MacGregor: Thank you.

The Chair: Thank you very much.

Mr. Alistair MacGregor: I don't think we've received the brief yet, but we'll definitely pay attention to that.

Thank you.

The Chair: We'll make sure that it's circulated. Thank you.

Colleagues, that takes us to the end of this panel.

On your behalf, and on behalf of all parliamentarians, I would like to thank the witnesses for their enlightening testimony on a subject that's evolving daily in front of our nation and indeed the world.

Thank you very much for sharing your insights and your expertise with us.

Colleagues, I remind you that the meeting this Thursday, May 19, will be on the main estimates and supplementary estimates (C) and will be held from 12 p.m. to 2 p.m. eastern time—note that difference—to accommodate the minister's schedule.

Thank you very much, everybody. I will now adjourn this meeting.