Transcript from the appearance of

Paul Heinbecker*

Before the

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Mr. Paul Heinbecker, As an Individual: I have a few more points to make but I will make them equally brief. Thank you for inviting me, it is an honour and privilege to be here.

The first point is there is an absolute need for coherence in Canadian foreign policy, and by that I mean the policy of the Canadian government not the foreign affairs department. Foreign policy is the combination of defence policy, foreign assistance policy, diplomacy work done on national security by CSIS, RCMP and others, environment department, finance department and everyone else. Canada is not a big enough country that we can afford to have several foreign policies. We can only afford one. It has to be crosscutting and not stovepipe-like and it has to be integrated and coherent.

I have been asked to mention the issue of interests. The debate of values and interest is a sterile debate and people evoke it when they want to make a point that they are more either moral or mercantile. We are the people we are and we make the decisions we make because of who we are, because of our values. I observe that U.S. National Security Strategy begins with a statement of American values. I do not think this is a very outrageous idea.

I think we need to go back to first principles on the UN. Debate occasionally takes place in this country about whether we should throw in our lot with the Americans or whether we should go with multilateralism. The fundamental issue is, if you remember how we got to the UN, quite important. We should not forget that. We started with the industrialization and democratization of warfare, which led to alliances that led to the First World War and 10 million dead, which then led to the Second World War and nearly 60 million dead. The realists, the people who won the Second World War, what Tom Brocaw called the "greatest generation," created the UN Charter and put it at the centre of international law, and created the system of collective security. They did that because they thought it was a better way to proceed and no one wanted to find out how many would die in a Third World war in a world of weapons of mass destruction.

The UN remains at the centre of international law and of multilateral cooperation. However, it is in need of reform and that opportunity will come this fall at the UN when there will be a meeting of probably 100 heads of government.

If I were to describe the Canadian foreign policy posture, it would be comprised of two main points: Bilaterally, we must be the best possible neighbour to the United States and partner in North American security. That means that we have to integrate NORAD and coastal surveillance and border questions, et cetera. Internationally, we should run an independent foreign policy. We should agree with the Americans when we think they are right and disagree with them when we think they are wrong, as we did on Iraq. While we are hearing some better words and music from Washington than we have for a while, there is a legacy with this administration that makes closer cooperation more difficult and more costly.

I am thinking of the way in which the U.S. misled the UN Security Council on the eve of the Iraq War. I am thinking of the man who became the Attorney General as the one who gave the advice on how to chisel the torture treaty and how to circumvent the Geneva Convention. I am thinking of the fact that this country runs a kind of gulag of prisons abroad. I am thinking of the extraordinary rendition policy that sees the Americans taking people to places like Syria, where they would be tortured. In my mind there is a limit as to how closely we want to be identified with that kind of administration and how fast we want to turn the page from what we have seen.

In respect of the UN and NATO, I would say that NATO is becoming a kind of insurance policy. That has been obvious for quite some time because you are bound in an organization such as NATO to ask who the enemy is and where the threat is. It is not obvious in this case unless one wants to posit international Islamic extremists as a threat. In that case, you have to ask whether NATO is a response to that threat. NATO is a kind of residual insurance policy in case things go wrong.

I would like to see more Canadian participation in UN operations, if we believe in a policy of human security. We have sponsored the report *The Responsibility to Protect*, which is at the heart of the UN reform process. To make that real in a Canadian context, we have to be able to put boots on the ground. It is extremely important to invest in the Armed Forces. I am not an expert on one service versus another service but I know that in my time as Ambassador to the UN, we had to say no to the UN many times when they asked for assistance because we did not have the capability.

The promise of 5,000 more soldiers and 3,000 more reservists, assuming they are accompanied by enough gear to get to where they are going and do what needs to be done, is positive.

Related to that on foreign policy is official development assistance. The UN report makes the case very persuasively that these days the security development links are a continuum. If you are worried about what happens to failing states, you had better not let that happen and begin to invest in them before that can happen. The Canadian government could not make a stronger signal on this front than to commit itself to 0.7 per cent official development assistance, ODA, by naming a date. The date it ought to name is 2015, which is the end of the millennium development goals that have been established.

My last point is that we need a professional foreign service. There has been much talk in Ottawa, indeed even a deprecation of the idea, of a professional foreign service. You cannot make your way in the world unless you have professionals doing it. It should not be a monastery at Foreign Affairs but when you have people who understand the world and spend a good part of their lives in the world that gives them a leg up on understanding and providing policy advice to people who do not have that kind of experience.

Senator Atkins: It is truly an honour to have you both here today. I would like to pursue something that you said, Mr. Heinbecker: There is a difference between government policy vis-à-vis foreign policy. Can you expand on that?

Mr. Heinbecker: I meant that the Government of Canada has a foreign policy. Neither Foreign Affairs Canada nor National Defence has a foreign policy. Sometimes people lose sight that foreign policy is that of the Canadian government; foreign affairs gives advice but so do other departments. Foreign affairs is the totality of what the Canadian government thinks and what it is doing to achieve it; it is the foreign policy of the government and not of particular parts of the government.

Senator Atkins: I would imagine that most Canadians would have thought they were one and the same.

Mr. Heinbecker: In Ottawa, the fact is sometimes lost.

Senator Atkins: You said that we need a professional foreign service. I think most Canadians believe that we have a professional foreign service. Can you expand on that?

Mr. Heinbecker: There is a debate on that subject. There is one view around Ottawa that because the distinction between international and domestic policy has tended to blur, we no longer need a professional foreign service and that you can use any kind of public servant interchangeably.

We need people devoted to the international foreign service to spend a good part of their lives abroad so that we do not take one person out of one job in Ottawa to go to Kabul and try to do a good job.

I am not making the argument that foreign service officers are somehow holier or better than other public servants or vice versa, but there is a degree of experience needed to do the job well. If you do not have people spending the time to learn the trade, you will handicap yourself in international relations.

Senator Atkins: Did we ever have a professional foreign service?

Mr. Heinbecker: I would say that it has been extremely professional since the days when it was first created until now. Now, it is under a certain amount of attack and the idea that people who do a good job for DFO would be equally qualified to do a job in Vietnam is in error.

Senator Atkins: Mr. Legault, you say that Canada knows it needs a foreign policy that serves its interests and reflects the ambitions of its people. What do you think are Canadians' interests and ambitions? What are the implications of this to defence and military policy?

Mr. Legault: I will begin by answering the second question first because it is easier. If we do not have a foreign policy it will be very difficult to find out how the Canadian society coalesces around this policy. Since the Trudeau review of foreign policy in the late 1960s, we have been trying to ascertain just what those interests are.

There is only one single Canadian interest; it is Canadian unity, to listen to what the people have to say and to look at how we should act in a foreign environment. There have been, as Mr. Heinbecker has said, a number of difficulties with the United States. Whether we turn the page and begin a new relationship or come up with a new North American initiative which apparently is what the government has in mind, is debatable.

The one point we need is a foreign policy which reflects the government view. There has been a lot of discussion on this particular area, especially in the Privy

Council in making sure that the departments can come up with a common vision of what our role in the world should be.

Mr. Heinbecker just mentioned the main dimension is foreign affairs, it is straight aid, foreign assistance aid, and how best to intervene in the world with the number of failed states that we have today. The military situation in the world is much more unstable than it used to be. There will be a lot more failed states in the future. This is perhaps a niche where Canada should intervene.

What are our interests? John Holmes, who I am sure you have met or you have known, 24 years ago in the American Assembly said if the United Nations did not exist we would have to invent it.

Canadians' interests lay in the rule of law, the ability to intervene on a multilateral way, and the respect of international law because this is where we are at our best. I am not too optimistic about whether or not we will have the ability to have our voice heard in Washington because even during the Korean War when we were spending more than 25 per cent of our federal budget on defence, we did not have more influence in Washington. The question is how to become effective.

The question is not so much, do you privilege multilateral institutions or do you behave unilaterally as the Americans tend to do? The question is how we make effective international institutions. This is an important point for the Foreign Affairs Canada. This is an important point for the future of Canada and this is where we find our national interest.

They are general questions but your questions were also very general.

Senator Atkins: Absolutely. On that point, do you think we had any influence in view of the fact that we contributed to the UN in Korea?

Mr. Legault: We certainly had influence as being recognized as a member of the international community but in Korea the situation was perceived differently. There were two countries which produced a number of troops which were very important to the alliance; Turkey and Canada. We lost an awful lot of people. It was a fair game at the time and it was perceived as something which was worthwhile; we were there to defend democracy.

In my view, the Canadian government will come in favour of maintaining democracy in the world as the U.S. does, except that sometimes we will have different means to look at those questions. I think we made the right decision in

Korea. It did cost lives but we were considered as a member of alliance and that is what counted at the time. We are still a member of the alliance but we are a bit more mature than we were 40 years ago and we know a bit more about where our interests are than at that time.

Senator Atkins: Mr. Heinbecker, you talk about UN reform and what you say is coming in September. Can you comment on that? You said that you think Canada should have a bigger role in the UN. Could you tell us how you see that happening?

Mr. Heinbecker: Yes. The UN has been around since 1945 and over time, a contradiction has arisen in its most basic tenets. The lead-in to the UN Charter says that the purpose of the UN is to save succeeding generations from the scourge of war. The UN has actually done an extremely good job. It is not the only body responsible but it is done a very good job. In the intervening years in the second half of the 20th century, there were 50 per cent fewer conflicts than there were in the first half and there were four times as many countries. When the UN charter was adopted there were 51 signatories, by the end of the 20th century there were about 190 members.

We had seen a great broadening of the UN and also the reduction of inter-state wars. Since the Cold War we have also seen a greater proportion of intrastate wars, such as Congo which has actually been a mix, Darfur, East Timor, Sierra Leone, Liberia and the Ivory Coast and other places.

That is where it runs into the second precept of the UN which is non-interference in the internal affairs of states. If you were trying to prevent world wars, one of the ways of doing that is to try to proscribe aggression. The UN established a very strong norm against aggression; one state against another. Internally we have seen more and more conflict and the UN has been drawn into these conflicts because people say, "Just do not stand there, do something. A lot of people are dying." Bosnia is another example; Kosovo is a further example, some done with greater success than others.

A contradiction is there between saving succeeding generations from the scourge of war, and not interfering in the internal affairs of states. This is the fundamental conundrum that we face in Darfur, for example.

Then there are other significant new issues; the nexus of terrorism and weapons of mass destruction. In this post 9/11 period we have come to the realization that if terrorists had had their hands on a nuclear weapon we would not be talking about 3,000 dead, we would probably be talking about 3 million dead.

We have to think of what are we going to do, and how the world is going to respond to these kinds of questions.

In the National Security Strategy of the United States there is not exclusively unilateral but rather a unilateralist emphasis. One has been hearing that in Washington up until the quagmire that was created in Iraq, it became clear that a single country is not going to be able to assure its own security and is not going to be able to have its way in the world even if it is the most powerful country in the world. The U.S. is dealing with a country like Iraq which was in its third war in 15 years after 12 years of UN sanctions and weapons inspectors.

All of that is to say the Secretary General appointed a panel. They went away to say what is wrong with the UN and what needs to be done to fix it. They made 101 recommendations. I presume that was on purpose, the 101, it has a nice ring to it. Those recommendations are going to be on the table when governments come together in September. So that is the UN reform issue.

In the other part of it which was the Canadian role, we have had quite a significant intellectual impact on the UN. The whole human security agenda has come to be seen in the UN as real and legitimate. The responsibility to protect doctrine was created pursuant to the creation of a commission by former Foreign Minister Lloyd Axworthy, who appointed a number of people to look at the question of why we were not able to do better in Kosovo and in Rwanda and Bosnia and make recommendations about what to do about it.

There are a number of other areas that includes women's rights and the protection of women in conflict.

Senator Atkins: And Stephen Lewis?

Mr. Heinbecker: Yes, Stephen Lewis, to some extent. I am thinking of the AIDS issue. I think we have shown some leadership on that issue but it is not quite as positive as people would like it to be; not Stephen Lewis but the policy we followed. We have had an intellectual impact.

However, if human security means something, and if the responsibility to protect means something, we must have the capability of putting soldiers on the ground. You cannot save innocent people in Darfur with diplomatic notes. You must be ready when the time comes to act militarily. Our capacity to do that has become increasingly constrained, and it is having an effect on the credibility of our foreign policy.

Senator Atkins: Does UN reform depend, to any degree, on how the Americans buy into it?

Mr. Heinbecker: Obviously, the United States is the most powerful country on earth and it is also the most powerful country in the UN. Nothing very much happens at the UN that the U.S. does not want to happen. The reverse is often true, namely, that what the U.S. wants it very often gets. It is quite significant. It is very much in the UN interest and I do not think I have heard this administration criticize publicly the recommendations which have been made by this high level panel. I am sure that in Washington they are sorting out what they think of the mini recommendations, and there are some they will not like and some that they will like.

On the use of force the UN decided that there was no need for a new interpretation and that article 51 was sufficient. The UN high-level panel could not imagine a circumstance in which individual countries would decide whether they were going to act, because under article 51 there are two ways that you can defend yourself: Pre-emptive self-defence and the other is through a decision of the council.

Pre-emptive self-defence has always been legitimate; it dates back a long way. The headline case is the *Caroline* case that look took place between the British forces and American forces near Niagara Falls. I will also use as an example what the Israelis did in the 1967 war, when Arab armies were massing and the Israelis attacked them. That is pre-emption.

What we have seen out of the United States and what the UN high level panel has recommended against is the idea of preventive war, that is, when the danger is not so imminent. Iraq is a very good case where the danger was not imminent to the United States and they acted anyway. I presume the U.S. will not be very positive about that. I hear they are not very positive about some of the nuclear disarmament issues also in the UN report.

By and large, an effective UN is a Canadian national interest and we should support that. An effective UN is in the American national interest, although the people who worry about black helicopters and the UN taxing the people of Kentucky may worry more about an effective UN. From Washington's perspective, I think an effective UN is in its interests.

Senator Atkins: Would any reform have to begin with reform of the UN Security Council?

Mr. Heinbecker: It needs to end with reform of the Security Council rather than to begin with it. It is more important to get agreement to change what the UN does than it is who does it. Having said that, there is a question of legitimacy and representativeness there; the Third World countries don't believe they are adequately represented and they do want to have a voice. The South Africans have argued that Rwanda would not have happened if there had been a permanent African member of the Security Council. They would have made the case and would not have stood for the inertia that was there and the callousness. I do not know whether that is true or not but, from a Canadian perspective, an effective UN Security Council is in our interest. There are some ways which are better than others, because we ought to leave open the possibility down the road that we will get one of those seats and not preclude it forever.

Senator Atkins: What roles or missions should be assigned to Canadian Forces?

Mr. Legault: Can I pick up on this last point concerning the reform of the UN Security Council? Whether it is the beginning or the end of the process, I think we should look to the future when it will be enlarged. I do not think there will be more permanent members on the Security Council because you will need the consensus with the five permanent members, plus 127 signatures for ratification because it must be approved by two thirds. If the Prime Minister's proposal to extend the G 20 works well, it will be very similar to what people envisage for the membership of the UN Security Council in the future. I think there is some element of hope there.

As regards the mission of the Canadian armies, the role of the Canadian army is to protect our sovereignty. That is their first mission. If you are talking on an international level, we have always assumed our responsibilities in the world, if and when the UN Security Council has approved a mission. I do not think there have been any operations undertaken by the United Nations on which Canada was not a member or part of. It is true that, in the last few years, we have preferred to intervene to use our forces where the Americans wanted us to be. There is no doubt about that. That is one way, perhaps, to get something in return, though those negotiations are usually kept in secret.

We could participate more in regional organizations if those become more effective in the future, for example, the Organization of American States, OAS. However, they have not moved very much on those questions of issues. If you look at the problems in Haiti, we still have a lot of problems and a lot of coordination to undertake, be it only with Brazil or with the Chinese, or even

trying to police people in Haiti. There is an astonishing tide of means and countries involved. I think we should be involved where other countries are also interested and we should work closely with those people.

If the medium-sized countries were taking their responsibilities into their own hands, it would be easier to make a difference with the United States, but they do not. The Europeans tend to stick with the European countries, although the French may have asked us in the past to intervene in both the Côte d'Ivoire and in Haiti. Things are moving around but I think we have to look at the missions providing they are established with the proper legal resolution and the proper context. I am not sure we would be more in Darfur even if we had the necessary capabilities to intervene there. At least if we have the means, we have the options open. When the Prime Minister asks for something, or asks his department, the options are so damn limited that we are condemned very often to inaction.

Senator Atkins: Do you think we are effectively protecting our sovereignty?

Mr. Legault: We are not doing too badly. When you look at Bill C-36, Bill C-10 or all the bills that have been passed that protect our sovereignty, we have done pretty well, I think.

If the Americans put the pressure on the Canadians will usually keep up. I remember a discussion when I worked for Minister of National Defence, Mr. Gilles Lamontagne and they acquired four destroyers. The cabinet wanted to vote for only three destroyers until the minister said that in that case, the fourth destroyer will be an American destroyer in Canadian waters. With that, they decided to vote for four destroyers. If the Americans keep the pressure up, we are usually in a position to meet it. I think we are protecting our sovereignty, but we could do more. As I have said, in the end it is a question of money and the priorities of the government.

Senator Atkins: That is somewhat reassuring.

Mr. Heinbecker: Foreign policy costs money. There is a joke, if you will permit me that is partly true. A British diplomat served in Washington for one year in the state department. When he went home, they said: What is the difference between Washington and London? He said: Well, in Washington when something bad happens in the world, they say: What should we do about it? In London when something bad happens in the world, we say: What should the Americans do about it? In Ottawa when something bad happens in the world we say: What should we say about it?

We have never been in a position in our history whereby we could better afford an effective foreign policy than we can today. This is not a question of money but a question of choices. We can give ourselves the military that we need; we can provide the development assistance that is required; we can have the diplomatic capability that the situation calls for; or, we can decide we do not want to spend the money on those things. No one should say that we cannot afford it because we can afford it. It simply depends on what the government decides the Canadian priorities are.

The Chairman: On that last point, Mr. Heinbecker, how do you account for the lack of political will?

Mr. Heinbecker: Part of it had to do with the difficult finances Mr. Mulroney experienced while he was in power. At that time we began to retrench and we removed the forces from Europe. The finances had become untenable and the situation had to be fixed. It began under Mr. Mulroney, continued under Mr. Chrétien and eventually finances were restored.

Another part of it is the inclination of Canadians to say: If the Americans are doing it then why should we bother? That is an unworthy position for country such as Canada to take. We have a responsibility in the world and we ought to acquit those responsibilities and do our share. Some of it has to do with the fact that people think they are doing pretty well already. There is a kind of self-deception that exists in this country. There is a peacekeeping monument down the road and when I gave speeches as Ambassador to the UN, I asked Canadians where they thought we stood on UN peacekeeping in ranking contribution. The answer was usually: Well I do not know. Perhaps they had heard that we were not quite as good as we used to be and they thought that perhaps we were third at a time when we were, in fact, 38th. People think we are giving vastly more development assistance than we are giving. When you see polls that declare that people are satisfied with foreign policy, we need to be sure to provide them with better information and then ask them if they are satisfied with their foreign policy. That has something to do with it as well.

Leadership is another dimension. If people want to do it, they will find the money to spend on it. However, if there is no interest or sporadic interest in foreign policy, then government policy will track that lack of interest.

The Chairman: I have two points for clarification. Mr. Heinbecker, you commented on the need to have a professional foreign service. You were not commenting on politicizing the foreign service but rather you were talking about having other officials in ambassadors' jobs.

Mr. Heinbecker: That is correct.

The Chairman: When we do talk about politicizing the foreign service, or putting in political people, would you say that Washington is an anomaly in that such a post might require someone different?

Mr. Heinbecker: I am talking about both politicization and bureaucratization of the posts abroad. I believe that these jobs are not delivered from heaven to the one person who is a natural at doing the job. At the same time, professional experience is extremely important, whether you are talking about an official from the fisheries department or another department or from the political system. As long as the foreign service integrity is preserved and the critical mass is there, it makes sense to find people who have particular experience, expertise and capabilities, whether they are politicians or public servants does not matter.

I worry about a more wholesale view that these people are interchangeable. In that case, you could end up without a foreign service and simply send people abroad from hither and yon. The more the trend runs in that direction, the less effective our representation abroad will be.

The post in Washington is a job for a professional. I agree with Mr. Gotlieb that this is the one post in which we have always had professionals. I have the highest regard for the man who is about to take the position but he will not come to it with the degree of international experience that somebody such as Allan Gotlieb or Michael Kergin or Ed Ritchie or Marcel Cadieux possessed.

The Chairman: Did Gen. John de Chastelain have such experience?

Mr. Heinbecker: He had a great deal of international experience on the NATO military committee, et cetera. I would give him an exemption or an equivalency.

The Chairman: I have one point for final clarification. Mr. Heinbecker, you used the word "preventive" war. Is that interchangeable with pre-emptive war?

Mr. Heinbecker: I am sitting beside someone who knows this issue better than I know it. I will make an attempt at it and he can explain it. Pre-emptive war is when the danger is immediate and the only reasonable thing you can do to defend yourself is to pre-empt it. The Israelis pre-empted the Arabs in 1967 when the Arab armies were basically on their border. A preventive war is when you think that you are dealing with a tyrant who might have weapons of mass

destruction and who may have a malevolent intent and might, down the road, cooperate with some bad guys, so you take him out. That is preventive war. That is what happened in Iraq and that is what is not foreseen and is illegal under international law.

The Chairman: Thank you for that clarification.

Senator Meighen: Some of my questions have been answered, particularly the clarification on the professionalization of the foreign service. To be sure that I understand correctly, Mr. Heinbecker you said that it is a case-by-case assessment and that just because someone has not been a career foreign service officer does not mean he or she is not qualified.

In the foreign service, it seems to me that there has been a great deal of wasted effort. People seem to get postings that defy logic, in that someone goes to South America, has two postings, becomes fluent in Spanish and then ends up in Kabul.

Is any attempt made, and would you subscribe to it, to try to develop regional expertise or continental expertise?

Mr. Heinbecker: If you have a big enough foreign service, you can specialize more. That becomes the problem. First, it has to be rotational such that people have to be able to spend some time in Ottawa and some time abroad. We try to specialize in areas where the languages are especially difficult, and Spanish is not considered to be one of the difficult languages. For example, my ex-colleague Joseph Caron, who is Canada's Ambassador to the People’s Republic of China, does not speak Chinese. However, he did spend his entire career in Japan, is fluent in Japanese and has some capacity to cope with the Chinese. His expertise on the region is vast.

It can be the same with Arabic. I learned German but the problem is that it is spoken only in Germany, Austria, parts of Switzerland and, perhaps, a few areas of Namibia. That is the extent of it. Sometimes you just cannot have that degree of specialization. Sometimes people get sick, things change, and you need somebody who happens to be available.

I think the view is that you need someone with good judgment, who can give sound advice, who has good analytical skills and good representational skills; those are the baseline characteristics. You may have to insert that person some place where his language skills do not fit, but you will get a basic acceptable

job out of him, or her, increasingly. By the way, the intake in the Foreign Affairs Canada is over 50 per cent female.

Senator Meighen: As a lawyer, I am not surprised. The intake in the law firms is similar these days.

[*Translation*]

Professor Legault, unfortunately, I left Laval University a few years before you arrived. So as you will see, I was not able to benefit from your teaching.

If I may, I would like to ask you a question about the priorities you outline in your conclusion. You say that at the international level, Canada must prepare for integrated planning of its operations. You also say that, at the national level, Canada must increase the level of interoperability of its forces with the various American combat units.

Do you see a contradiction between these proposals? Can we do both at the same time? What will happen if the Americans ask us to do one thing, while at the same time we must fulfil an international obligation elsewhere?

Mr. Legault: That is what I was trying to clarify in the little table contained in the document I submitted. There is considerable tension between national defence and national security. Protecting Canadian sovereignty, NORAD and maritime elements are all linked to maritime security. There are so many demands to protect Canadian sovereignty, both on defence and national security, that many people in Ottawa feel that we cannot fulfil these mandates. That is more or less the question you are asking. If we have already made a commitment abroad, will we be able to respond to emergencies or to situations concerning national security?

I asked the same question of the Chief of the Defence Staff twenty years ago. We saw what happened at Oka. If a similar situation were to occur in three different locations in Canada, would we have enough troops? That is the problem. It is the elastic band theory. We are stretching our resources to the limit. There are so many demands on our troops that it would take very little to break the elastic band.

In order for our troops to intervene abroad and at home, there must be better coordination, not only among various departments in the case of activities abroad, but also in the case of activities at home, domestic or internal affairs. Problems crop up and the decision has to be made. Unless the defence budget is

increased significantly, Canada will encounter problems either at home or abroad.

[*English*]

Senator Meighen: Perhaps I can explore a bit with Mr. Heinbecker. I do not believe that the Canadian public has put together this whole relationship between the United Nations and our obligation and commitment there, and the tie-in with an effective military force, and also the link between foreign policy and an effective military.

I think that the Canadian public is just beginning to understand the subtleties of this subject. I am not seeking to lay blame anywhere, but it seems to me people do not see the tie-in. People do not go beyond saying we could not defend ourselves, so why bother; the Americans will do it anyway.

You said, correctly I think, that most Canadians think that for every UN peacekeeping mission we would be right up there in the first one or two, in terms of participation, and the fact that we are not is not well known.

The link between the boots and effective foreign policy, have you any suggestion as to how that can be better made? To me, if it could, it gives a whole underpinning to the call for improved resources for the military.

Mr. Heinbecker: I can assert it; I am not sure I can prove it. I have absolutely no doubt that diplomacy without military backup turns out often to be empty. If we are promoting the idea of human security and the responsibility to protect we have to have the forces to do so.

Perhaps part of the problem lies in the idea about peacekeeping. Some people think peacekeeping is a kind of semi-civilian activity. Increasingly, especially these days when you are putting UN forces into a place like Sierra Leone or Iberia, they are going into a conflict that is ongoing.

The old definition of peacekeeping was you inserted a buffer force between two nations' armies who had been at war and did not want to continue, and you had to prevent sparks from starting off another conflagration. Now you are putting people down in the middle of conflicts where there may be three sides; in the Congo, at one point, there were 12 sides to this fight.

In order to be effective, it does not do any good to say you will protect people and you are going to go bare-breasted, which used to be the UN view. That is,

in fact, what the UN tried to tell us when we went into Bosnia back in the 1990s. They tried to tell us that we did not need all of the gear that we had packed. We insisted on taking a lot of equipment into Bosnia, and they took the view that we did not need that much, and that we were there to represent the international community and the moral force that is there. We discovered that people like the Serbs did not pay the slightest bit of attention to the moral force we brought with us, but they did pay attention to the tanks and the heavy gear.

It is a fundamental misunderstanding about the nature of peacekeeping. Whether we would have gone into Darfur, and I think we might have, you have the option for leadership when you have the military capability to do things. Diplomats cannot save people from the rebels that we see in Darfur. You have to have military people who can go there and stop the bad people from doing things; and until you have the capability, you are just talking. Your foreign policy is declaratory and not real, in my view.

Senator Meighen: I agree very much with what you said.

Speaking of Darfur, does the reform of the United Nations, to which you alluded earlier, include a better mechanism for making a decision on a situation such as Darfur, and/or is NATO the insurance company to which you referred?

For example, if the United Nations were to continue to appear to have its hands tied and to refuse to intervene, is that a situation where we might call up our insurance company called NATO and ask them to go in?

Mr. Heinbecker: I am not sure that you would. You might. That is what we did in Kosovo when the UN was blocked.

The difficulty we are dealing with is that the Iraq war has rather polluted the environment. It gives countries like Sudan, with their scurrilous policies, the possibility of casting doubt on the motivations of Western interveners.

I have heard them say: "The United States is only beating up another Muslim country; that is what this is about." "There is oil in Sudan; that is what this is about." They are able, because of the Iraqi experience, to be credible with some people that they otherwise ought not to be able to be credible with. This also applies to the responsibility to protect. People are taking the view that you should not be able to intervene to protect, which is what the United States said it was doing in Iraq. *Ex post facto* it created a humanitarian reason for intervening in Iraq and the existence of sovereignty is one of the few defences

that poorer countries feel they have against being pushed around by the old colonial powers, or by new ones.

The answer to your question is that they will try to improve the decision making mechanism, but fundamentally it comes down to politics and whether or not people agree with the proposition.

China is one country that is resisting the intervention in Sudan, and I think we should be putting pressure on China. They are talking about national sovereignty, but we know that they have economic interests there. Algeria is another country that is resisting the intervention. The difficulty is that our arguments have been undermined by the American preventive elective war in Iraq.

[*Translation*]

Senator Meighen: Finally, professor Legault, Canadians generally, and Quebecers in particular, seem very reluctant, not to overstate the matter, to support an increase in military spending. Do you think that this attitude has changed recently? Do you believe such a change is possible? Do you think the problem is that politicians are having difficulty expressing the rationale for such decisions clearly, and sometimes show a lack of leadership?

[*English*]

Mr. Legault: That is a tough question. I do not think there is any support in Quebec for an increase in military expenditures, and I think that is the same in the rest of Canada. The last Gallup poll on the budget indicated that only 27 per cent of Canadians are in favour of increasing military expenditures. The priority is on social programs, environment and other things. The situation is not very different in Quebec than it is in the rest of Canada.

You mentioned the myth about peacekeeping, and I think you are right about that. Presumably because Quebec has a huge base in terms of French speaking regiments, they have believed for a long time in peacekeeping and thought that was what it was all about.

The problem is, as Mr. Heinbecker has just pointed out, we had a peacekeeping force observing war in Bosnia and after the Dayton Accord we had a huge army observing peace. It does make a difference, but you must be aware of what the problem is.

Quebec people are not anti-American, but they are anti-Bush. They are living in a myth in the sense that foreign policy is a difficult problem; especially the responsibility to protect, which I think will be an important part of the new white paper on defence.

This is perhaps a niche that must be better explained. I think a transition has happened in Quebec with our troops in Afghanistan. They have done pretty well, to the surprise of everyone. Of course, four of our aircraft were downed by American fire, but that did not really affect what Quebecers thought of their troops. They have done a remarkable job.

I believe that the question of early in and early out was never sufficiently explained to the public. We are pretty good at securing airports, getting in first and getting out first, and we have done pretty well in explaining the work of the RCMP and other police, especially in Haiti.

Quebec is a bit behind in terms of understanding the real issues, but if you ask them to fight in a war, I think you would have a different perspective in Quebec. They simply do not like war, like everyone else, I guess. The transition is how to ensure that your foreign policy is understood, and that is really a question of leadership more than anything else.

Senator Forrestall: I have no problems with Quebecers. Making love is always more fun than making war.

I appreciate your remarks. One always learns. Although it will not happen in my lifetime, or perhaps that of anyone in this room, sooner or later when a country's population soars toward 2 billion people, several hundred million people will come to Canada. They will establish themselves here and grow.

That will happen much quicker than people who dare to speculate about this think. I think it will happen in this century. I am afraid that we are not doing very much to prepare ourselves for that mentally in the sense of being told that we must do this by tomorrow or suffer certain consequences. I do not think we are doing enough to prepare ourselves that way with respect to defence and defence posturing.

We seem to have been followers of those structures and elements in our society that represented force. We seem to have accepted that they were the lawmakers. We did not always have the opportunity to obey laws of our own choosing and making. I share your observation that our foreign policy should be thoroughly

represented abroad by professionals. God knows I would have stayed in Barbados forever.

We need to strengthen these forks or we will not have the capacity to mentally prepare ourselves against the day when it will not matter; when it will be someone else's decision.

Do you think we can get ourselves mentally prepared for that which is bound to happen in the next 20 or 30 years by beginning to do something now? We are enjoying the last of this great nation.

Mr. Legault: Yes, and paying very little. We may have to start with equipment. We are talking about capital investment which lasts 20 years or 30 years, and those have lapsed dramatically in the last 20 years, perhaps due to the stubbornness of the political leader who believed that we did not need helicopters or destroyers.

We need to find the right words to convince the people. Prime Minister Martin has used the words "humanitarian intervention" and this has not been noted anywhere in the country as far as I know. He talked about humanitarian intervention in Africa.

People should read those speeches. It is new terminology. Even before the tsunami event on December 26, President Chirac of France proposed to set up an international humanitarian intervention force at the UN. I am sure the people of Quebec would embrace that idea. They are not ready to fight war, but they are ready to deliver justice in a different framework than what the United States is doing in Iraq, if one can call that justice.

There is the fact that things have changed terribly since September 11, and I do not know if that is good or bad. NATO is now dealing with terrorism, and they did not do that in the past. NATO, which has been an east-west organization, may be a north-south organization in the next 20 years, if you look at what is going on in terms of Islamic radicalism and what is happening in the Middle East. It is a question of striking a balance between the excessive emphasis put on terrorism and all the laws that have been passed.

It is the contrary of what is happening in Europe. In Europe the frontiers have disappeared. If you talk about the security parameters, the periphery of Europe is really at the end of Europe, everyone is moving freely within Europe.

It has been the reverse in Canada. We have reinvented the frontiers, even though we may want to call them "intelligent borders." Is this because the United States does not have any confidence in our police system or our immigration system? Whatever the causes are, they are putting an enormous emphasis on that, and this prevents people from looking at future issues, as you are asking for.

If we can find the right words, and humanitarian intervention will be good ones, it may prepare for the future.

Secondly, as I have said, is really tackling the question of equipment head on.

Mr. Heinbecker: I disagree with the fundamental premise, if I am correct, and I think I am. International global population has actually peaked, or the growth has peaked and is on the way down again. I do not think we will see a world which is so crowded that we have to cope with unwanted invasions.

There is a danger of positing the Chinese as an enemy, and I think we would be wiser to think of the Chinese as a country with whom we could cooperate. We are going to get a lot more done in the world through cooperation than we are through competition and through seeing the Chinese as some inevitable, undesirable enemy.

We are seeing quite a bit of that talk in Washington, but we should not be emulating it because it is not wise to do so. The Chinese have their own problems; they have the contradictions inherent in having a communist/capitalist system. I do not know how that will shake out, and it is a consideration.

The economic growth is enormous, their behaviour has been circumspect, and we should not be taking the view that they are or are destined to be our enemy just because they are big. That could become a self-fulfilling prophecy.

Senator Atkins: Can you explain to me why the Chinese are not more concerned about North Korea?

Mr. Heinbecker: I think they are concerned about North Korea, but nobody is quite sure of is what to do about it. The assessment that the North Koreans have or say they have or could have nuclear weapons is certainly an important issue.

The North Koreans, if I have the numbers right, can put 400,000 artillery shells on Seoul in an hour. Military intervention is not a simple matter, especially

when the leadership is the kind of leadership they have. They are concerned. They are also concerned about the poverty-stricken people coming over the border. The Chinese have their problems and would like to see more sensible governance in North Korea, but nobody is quite sure how to get from here to there.

They participate in the six-power talks, and such influences they have, they are using. It is a complicated story. You have at the other end of China, Taiwan, and the Japanese and Americans making statements on Taiwan that give the Chinese pause. It is a several-sided game going on there all at once. There is no doubt that the Chinese are concerned about North Korea.

[*Translation*]

Senator Losier-Cool: I have to go to the Committee on Human Rights at 4 p.m.. Today we are studying Canada's international relations with respect to the conventions and human rights issues involving children.

I would like to come back to two things about which my colleagues have already spoken: the issues of leadership and political will. I would like your comments in this.

Recently, Roméo Dallaire told us that Canada has developed leaders and now has the responsibility to show the leadership of which these leaders are capable. How could Canada make a significant contribution to reforming the United Nations with respect to leadership, I mean in the context of this report to be presented in September? Can Canada do this?

My second question is about political will, to which Senator Kenny referred. Senator Meighen continued along the same lines with reference to Quebec. Are Canadian men and women sufficiently aware of the issue? It is a vicious circle: If people are informed, they take an interest in the matter. People are not interested in the issue perhaps because they are not informed about the conventions Canada has signed. How could our committee make a connection between defence and development? I know this involves a number of other questions, so I will stop there and come back later if I need more details.

[*English*]

Mr. Heinbecker: There are two or three points I would make in response to your first question about how we can contribute significantly or effectively to UN reform. In the first place, we have already done that. At the heart of the UN

reform proposals are the principles and the findings of the report called *The Responsibility to Protect*, which was commissioned by us. It was not written by us, although we had some input, but it was commissioned by us. That is now having a major impact. It was described by Anne-Marie Slaughter, who was the dean of the Woodrow Wilson School at Princeton University, as the best foreign policy document in 50 years. It is not trivial.

Having said that, I think the next important thing is for the Canadian government to decide which parts of the UN reform are the most important to it and to organize itself and to put the resources behind actually trying to achieve those things.

If I can give one small advertisement, I am organizing a conference on UN reform at the beginning of April in which we will look very specifically at how governments can give effect to these recommendations and the recommendations of the UN Millennium Project run by Jeffrey Sachs. The recommendations say that we need a lot more money for development assistance.

The government can identify these as priorities and can marshal its diplomats particularly to make the case for that. That will be an intense diplomatic negotiation over the next six months leading up to the summit in the fall. That is how we can do it.

When you talk about generating political will, I am not sure I know the actual answer to that but I can make a couple of stabs at it. One of them is there is in this country, especially in this capital, a kind of a culture that does not get you much beyond Question Period.

When I was in New York, I was despairing at our incapacity internationally to communicate. I think the same problems are there also domestically.

I was in New York on 9/11. I went to I do not know how many memorial services representing government people of Canada. I remember being at Yankee Stadium in particular and looking at the big Jumbotron and they were showing the ceremonies that were happening in Canberra and what was happening in Ankara and what was happening in Athens and the British got about three mentions. There was no recognition at all that there were a hundred thousand people on Parliament Hill expressing solidarity.

There are many remarkable stories on 9/11. One of the most remarkable is that the Government of Canada decided within 45 minutes to take all committed

inbound flights, trans-Pacific and transatlantic within 45 minutes of the first plane hitting the first tower. That is an astonishing reality. Then we gave shelter to the 35,000 people who were on these 200 some planes. We did not know whether these planes had terrorists on them either. That story was never carried in the American media. It was carried in *The New York Times* on the November 17 as part of the deal of a departing correspondent for *The New York Times* that wrote the story. All *The New York Times* wanted to know about was whether the terrorists came from Canada. It was not carried on U.S. television.

When we sent off troops to Kandahar to fight with the Americans, there was not even a communications plan. We did not tell anybody in the United States that we were doing that. When we captured the Taliban and Al-Qaeda, whoever those guys were we captured, we first denied it was us. It could not have been us; we do not do that kind of stuff.

I like to say that we come somewhere between Myanmar and Vietnam in our capacity to communicate. We are just not communicating. Part of the reason is that every minister's office is riveted on Question Period. What is going to happen on Question Period, what is Newsworld going to say?

I do not know how it can be in this country that Canadians do not know that we rank 35th in peacekeeping. I do not know how Canadians can not know this with all of the sources of information available to them, with the Internet and television and radio and newspapers and everything else. They still think we rank third. I do not know what the explanation is; you are the people with the political experience, maybe you have the answers.

Senator Losier-Cool: I appreciate your comment to Question Period because many Canadians unfortunately sometimes form an opinion on what they hear at Question Period.

This committee is doing a policy review on defence. What would you advise the committee to stress on this question of communication defence? Should we reconcile defence with development and not use the word "terrorism." Canadians are afraid of the word "terrorism." The word comes from "terror." Maybe we have to look at other words, at the way we use the language and this is what Mr Legault mentioned a while ago.

The Chairman: This has been a very interesting exchange between the two of you. One of the great frustrations of this committee is that when we make recommendations to the government, the definition of "solution" is whether or not they can get it off the front pages and out of Question Period. When that

happens, then the problem is solved. It is quite a challenge to change that dynamic. We would welcome any advice you have on that issue.

Mr. Heinbecker: Right now? I would not mind having a chance to think about it a bit.

Mr. Legault: If you want to get the attention of the people of this country, you just have to reproduce what has happened in Newfoundland with the offshore agreement. I think we should look at that in terms of getting a type of consensus in Canada so as to include the involvement of the provinces. You would get a lot more attention and I think this touches upon humanitarian intervention. It touches upon almost all niches in foreign policy and that may be one way to take leadership and to communicate better.

If you involve the provinces you do not involve only one group from the air force or army. You involve other responsibilities. It is more difficult to manage. I do not know what type of experience Foreign Affairs Canada has with the provinces. At times I know it was difficult but I think there is a lot of room for improvement. It may help this country because foreign policy has become a very complicated subject.

The Chairman: Professor, I thought at first you were asking us to lower all the flags when we put out our report. Surely defence foreign policy, foreign aid, is all in the federal ambit. We are focusing too much on the provincial ambit in any event. Should we be inviting the province to focus on the federal responsibilities?

Mr. Legault: I am sorry. I think I have been misunderstood. What I am trying to explain is that in development, in police operation, in security, in terrorism, the provinces are heavily involved and we should build that niche in co-operation with the provinces, otherwise it will not fly very well.

I may add even though we may have a good capability, it does not mean that we will be able to go to a given place. What we need are options without necessarily having to decide that because we have the capability, we have to go to Darfur. That is the problem.

The question of the Great Lake was a very peculiar incident in terms of political configuration. The former Minister of National Defence was Director of Siocoo in Africa; the Ambassador in Washington was the nephew of the Prime Minister. Somebody panicked, including General Romeo Dallaire and this is how the operation was put in place. It failed miserably because we

discovered that other countries had different political agendas and the whole thing fell apart.

It is one thing to have capabilities but we need options. We need to associate other people which are best at where we want to intervene, be it in humanitarian aid or other aid, and communicate the whole issue across the country, simply not in Ottawa for Question Period. I am sorry, maybe I did not express myself correctly but I think the message is there.

The Chairman: Yes, the message is there, sir. Ambassador?

Mr. Heinbecker: I would not mind responding as well. In one sense I think I am recently on the record on this subject. Insofar as involving provinces and foreign policy is concerned, the place to do that of course is in Canada. It is not to do it in New York and in Paris and in Vienna and everywhere else. In other words, if we are going to have a foreign policy that represents better the interests and the capabilities of provinces, the place to create that and to organize it and to reconcile it is here, not out in the UN General Assembly. I said recently that it is hard enough for us to get the world to listen to one Canadian voice let alone having them sit still for 11 voices.

On the issue of how to communicate across the country, part of our problem is if we had a constitution like the German constitution in which the Senate is part of the national government and people who are elected in the provinces, come and sit in Parliament, you have a way of integrating it better. I think there is a problem where Ottawa is one entity and the provinces are another, and there is no organic link between the two; that is a difficulty. The size of the country itself means that only the most powerful messages carry all the way to the coasts.

Senator Banks: Mr. Ambassador I would like to discuss the question of UN efficacy or usefulness. I am old enough to remember having seen the establishment of the United Nations and Canada's almost glorious role in it, the hope that derived from that, and the confidence in the future that we would make sure that many things did not happen again and that many things would happen which had never happened before. I have to confess that my hope has given way to a certain amount of cynicism both in the province which I have the honour to represent and personally as well.

It seems these days that the active things that have some traction and teeth are done by international multilateral organizations other than the UN. The UN has

become, literally, a paper tiger, and you made mention of the exponential growth in the size of the membership as a reason for its present state.

When the UN was formed, it was perceived there was a majority of "good guys" in the membership. We now have an almost oxymoronic situation in which the United Nations General Assembly has elected Libya to the chairmanship of the United Nations Human Rights Commission. That seems, on the face of it, preposterous.

The story in Rwanda having to do with General Dallaire, which has now been made into a popular piece, seems to argue that the United Nations, when it gets into situations where people are in dire straits, is unable or unwilling or completely dysfunctional. We often comment that NATO or the European Community has taken care of problems that the UN used to oversee.

Can you help convince me and convince people in my part of the woods that there is hope for the UN to have some real authority?

Mr. Heinbecker: Yes, I think that is the case. I will start with Henry Cabot Lodge's remark in 1955 when he said:

> This organization is formed to keep you from going to hell. It is not formed to take you to heaven.

We have a situation in which the UN is seen both as a kind of a club and a kind of independent entity. The UN is not an independent entity; it acts only under the direction of its members, and its most powerful members are those in the Security Council, especially the five.

I agree that Canada had an important role in the formulation of the UN. However, if you look up the glorious Canadian role in the formation of the UN in the index of the book by the current American historian who is the son of Arthur Schlesinger Jr., you do not find any reference to Canada.

There is a certain amount of romance in the idea that this was our golden age. It was our golden age, but other people did not necessarily see us as playing the role that we thought we were playing.

Senator Banks: You mentioned that before in *The New York Times* with respect to 9/11.

Mr. Heinbecker: That is right.

On the hope and cynicism in the UN as paper tiger, it is true that NATO was effective in Kosovo and effective *ex post facto* in Afghanistan. I would put the UN's record up against that in that the UN was in East Timor, Sierra Leone, Ethiopia-Eritrea, the Congo, Côte d'Ivoire, Liberia and many other places one could mention.

NATO would spend a lot of time trying to think of its role. "Out of area or out of business" was a long debate that took a long time to resolve. One of the great difficulties in the UN is the existence of the veto, and there would not be an UN without a veto, but five countries can exercise the veto. The United States has exercised it far more than anybody else. Perhaps the Soviet Union would have been in the same league, but it does not exist any more.

Senator Banks: The United States characterizes its use of the veto often as something to stop the tyranny of the majority.

Mr. Heinbecker: No, it is something to stop what might contradict American foreign policy.

Senator Banks: That is the same thing.

Mr. Heinbecker: You could interpret the tyranny of the majority in that sense. I think American vetoes are often self-serving.

I was in the Security Council for six months, and the only country that I did not see use or threaten use of the veto was the French. Their record is good on not using the veto, and they are the ones who said to the Canadian commission on intervention that there ought to be a self-denying ordinance that the members of the Security Council use the veto only in cases of their own national security interest, not in cases of advancing their own foreign policy.

I will not defend Libya in the UN human rights commission. I think that is a catastrophe. Several of the recommendations in the UN high level report are intended to try to get at that kind of issue.

Some people make the argument of creating an organization of democracies, but the difficulty with such an organization is that the people that you want to deal with may not be present. It is important, I think, to try to include the Chinese, and other countries. However, if you are looking at the extent of democracy in the UN, the Freedom House, which I do not think is a particularly ideological American institution, has about 60 to 70 members of the UN as democracies, another 60 to 70 as semi-democracies, and another 60, because

that is about the proportion, are not. When you hear that the place is run by tyrants, it is not the case, and no country comes close to being as influential in the UN as the United States. The U.S. is the major beneficiary of the UN. We are not going to get to a world government. We can get some marginal and incremental improvement in the way the UN functions.

I should say a word about the oil-for-food program, which has probably occurred to people. The oil-for-food program is one in which the UN as the secretariat is getting a bad rap, and it is being done for politically motivated reasons in Washington. I can demonstrate my thinking on that subject.

The oil-for-food program was a response to the situation that arose from the sanctions imposed on Iraq, which worked, as we now know and as we thought at the time. However, it worked at a tremendous humanitarian cost. The idea was that we had to find some way of getting food and medicine into the country, and the way to pay for that in an oil-rich country is to let them sell oil.

The U.S. and the U.K. examined without exception every single contract that was let, and the U.S. put holds on more contracts than anybody else did. That is the first point.

The second point is on the export of oil from Iraq. The export of oil from Iraq was not under the oil-for-food program, and the smuggling was not under the oil-for-food program by definition. It was not going over mountaintops on donkey-back. It was going out by transports, trucks and pipelines. It was being done with the connivance of the United States and everybody else. It was an open secret; there was no conspiracy about it.

The two countries that needed that oil the most were Jordan and Turkey. Turkey in the 1991 invasion of Iraq, after Iraq and, arguably, Kuwait, was the country that lost the most. They were on the Allied side; they participated. They lost their tourism revenue, their major market in Iraq and their source of oil. By their own definition, they thought they lost $30 billion to $50 billion and more. The international community would have been better if they had regularized it, but they did not. There was no doubt that people knew where the oil was going and it was coming into Turkey to the port of Ceyhan and was being sent out from there, bought by people like Marc Rich and others, who President Clinton pardoned, and it was being resold. There is a problem in the UN. The Volker Commission has found things on Benon Sevan but has not found any personally financial culpability, but has found that they were doing things that he called a grave continuing conflict of interest.

At the same time, just to put this in perspective, the U.S. CPA, the Coalition Provisional Authority, lost $9 billion in Iraqi money, $9 billion when the United States was in charge of the place. Ambassador Paul L. Bremmer got the medal of honour for his service, and his explanation of why they lost $9 billion was it was terribly difficult to administer in the circumstances that prevailed. Well he ought to try to administer it when Saddam Hussein was in charge, if he thinks it is difficult when he was in charge. You will read almost nothing about this subject.

What you are seeing is a politically motivated attack by the American Right on the UN who for whatever reason thinks the UN is an obstacle to American foreign policy and is trying to diminish both the UN and the Secretary General.

If the Secretary General's son has misbehaved that will come out and I am not sure how the world will react. It will depend on whether Secretary General was some how implicated. If he was not implicated, I presume we would hold him not responsible.

The idea somehow that this is a unique problem on the UN's behalf when we see the kind of stuff we have been seeing that the United States has been administering in Iraqi, I think, is proof that it is a political operation.

Senator Banks: Mr. Legault, should we continue to adhere and have hope for the United Nations? Is it in our national interest?

Dr. Legault: I think there is no alternative to the UN. That is the problem. We have tried everything. I do not know of any multilateral organization to which Canada is not a member. The question is which one is the most efficient and the United Nations despite its failures and despite its weaknesses is still presumably the best organization where in true wish in fact we can have our influence felt throughout the world providing of course that you do have a legal mandate to do so.

Mr. Heinbecker mentioned the Volker Report. The reactions are very mixed when you read in the United States about the Volker Report. Some people are going back to the UN and supporting the United Nations reinforcement and some people seem to believe that it is still very ineffective. The future only will tell us. Of course the problem is as you have just mentioned that Iraq has polluted the environment, but there may be other areas in the future where in fact the UN will intervene and with the great sense of legitimate support in the world. It is too soon to pass judgment on the future of the UN. I think it has a future.

Senator Atkins: Mr. Heinbecker, you did not mention the UN inspection team. You were in New York during that period. I am curious to hear your view about that procedure.

Mr. Heinbecker: Are you referring to the weapons inspectors?

Senator Atkins: Yes.

The weapons inspectors together with the sanctions, the record is now perfectly clear, actually worked. All of the talk that we heard that they were a bunch of Inspector Clouseaus in a country the size of California and they would not be able to find anything or do anything, was followed up by a period in which there was 1,600 American weapons inspectors with free rein to go all over Iraq and they have not found anything. Nor have they been able to establish a connection between Al-Qaeda and the Iraqi government despite what a majority of American voters seem to believe.

The weapons inspection system actually worked and if this were a rational world, we would be saying to ourselves, this is a great new foreign policy instrument: the UN has weapons inspection capability in places where we are worried about it and we can use it. In fact that is one of the things that Hans Blix, who was a weapons inspector, is trying to promote. There is a capacity there to inspect that could be used in other circumstances.

I think what we have seen is that the UN actually succeeded. When people keep saying that the UN does not succeed, the UN succeeded on weapons inspection brilliantly. It really actually worked.

Senator Atkins: However, they do not seem to get the credit.

Mr. Heinbecker: No, because they were being actively discredited by the U.S. administration which did not want the weapons inspectors to get in the way of a decision they had already made to go and attack Iraq.

Senator Banks: Who was right?

Mr. Heinbecker: The weapons inspectors were right, without any question in my mind.

Senator Atkins: Incidentally, Mr. Legault, you mentioned John Holmes, who was an incredible individual. He really served our country well in his time.

Dr. Legault: He was certainly a multilateralist and he believed in what he did.

Senator Meighen: In reference to the exercise of a Security Council veto, did you make a distinction that the French suggested that it should be exercisable only in national self interest and not in foreign policy interest?

Mr. Heinbecker: National security interest.

Senator Meighen: What is the difference between the two terms?

Mr. Heinbecker: It means that the United States would exercise its veto when there was a threat to the United States, not necessarily a threat to one of its allies. That is the fundamental difference.

Senator Meighen: The incumbent president tells us that Iraq was a threat to United States.

Mr. Heinbecker: The United States was not vetoing anything; they were trying to get action in the Security Council. It was the others who were saying it. You could make the argument that the threat the French made to veto was not consistent with the proposition that they had proposed which was you would only do it in your national security interest.

However, I do not know if I have answered the question or not.

Senator Meighen: Well, I think, in national security interest, one versus foreign policy interest, I can see the two melding.

Mr. Heinbecker: You can, but the point they are trying to reach is that it ought not to be done on behalf of current or future or past allies. To take a neutral example, the Russians were threatening to veto action on Kosovo because of the kind of a relationship with the Serbs. That was not in the direct national interest of the Russians to do that, but they did it and the argument would continue that the United States has often done that, in fact, does it routinely on behalf of Israel.

Senator Stollery: As we know, Dean Atchison was opposed to the UN being in New York until Rockfeller gave the land for the buildings. If the U.S. becomes so anti-UN, I agree with the thrust of your response, will the UN leave New York City as Dean Atchison wished they had at the beginning?

Mr. Heinbecker: The odd American NeoCon still wishes they would. I do not know, it would be a very expensive proposition to move the UN. There is a country that would take them straight away and that is Canada; there are people in both Montreal and Toronto who would like to see that happen. The Swiss would not mind if it all moved to Geneva and the Germans would be happy to put it in Bonn, so there would be no lack of candidates. However, I think it is beneficial to the UN to be in New York because it is the centre of communications and it is a way of communicating with Americans that goes beyond what the U.S. government is saying. There is an inherent value in having it in New York and I do not think anyone would move it unless life really became unpleasant in that city.

Senator Stollery: I can never remember the name of the measure that was used during the Korean War, the majority vote provision. It has a name.

Mr. Heinbecker: It is called "Uniting for Peace" and is resolution 377.

Senator Stollery: Why is that resolution not used very often?

Mr. Heinbecker: In regard to Kosovo, Canada was on the Security Council at the time that the Kosovo intervention took place. We had the presidency for the month in question and could set the agenda. Lloyd Axworthy went down to New York three separate times. We polled our allies and friends on Uniting for Peace, and in the end we did not do it.

Should we have done it? I think he thinks we probably should have done it. We did not do it for two reasons: First, the Serbs were founding members of the non-aligned movement and we did not know what kind of support they had in the General Assembly; and, second, there was a risk either that we would get a decision that we did not fully approve of, or that it would take a long time to get the right decision, and all the while people were getting killed and being expelled and ethnic cleansing was taking place.

There were people who felt that they had a sufficient legal position to act, but they would not have had a sufficient legal position to act if the issue had been put to a vote in the Security Council and it had been vetoed. Under the rules, that would have meant it was defeated. Then you would have been facing a clear-cut decision that it was not legal and some of our members did not want to do that.

There were also the interests of the permanent members who do not like the idea of the veto being circumnavigated. They were against it partly for that reason. They did not want to have their veto power weakened.

All in all, it is not done because it is difficult to do; it is difficult to predict the outcome and it often happens in a case of urgency where you do not want to take the time to see how it will play out.

Senator Stollery: Using the Uniting for Peace resolution seems to be one of the ways in which the veto can be taken on because the UN will not be effective so long as there is the veto.

Mr. Legault: The Uniting for Peace resolution just transferred a question back to the General Assembly. The resolution cannot be used for the issue of peace and security; it can only make a recommendation, which is to the U.S. and we are back at the problem, or make it to the Secretary-General of the United Nations, which is what we did in 1956 with the question of the Suez Crisis and the Secretary-General was left with two legal problems. The Secretary-General had to determine what to do because he needed the consent of the host problem. This is how the host-state agreement was born. That is why we did not have the Canadian Forces in Israel because they said no to our forces. That is one legal problem.

The second problem is that you have to conclude between the Secretary-General, on the basis of a recommendation, host-state and participating states agreement, which guarantee to each country that you can take benefit from the 1948 Convention on Diplomatic Immunity. It is a full circle and this one did not help.

Mr. Heinbecker: The decision was that the UN will never be effective. UNICEF inoculated 575 million children against childhood diseases. The World Food Program fed 100 million people last year. The UN High Commissioner for Refugees housed 22 million refugees and displaced people. The UN Mine Action Services destroyed 30.5 million land mines and saved countless limbs.

There is a tendency for people to say that the UN will never be effective, but there is a huge amount of UN work that most people are unaware of, and that is why I wanted to put that on the record.

The Deputy Chairman: On behalf committee we are grateful for your appearance before us. The information you have brought us is useful. I am sure

it will be of assistance to us as we continue with our examination of Canada's defence needs. Thank you for coming, I assure you that it was much appreciated.