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UKRAINIAN CANADIAN CONGRESS

CONGRÈS DES UKRAINIENS-CANADIENS

**UCC Briefing Note to the Honourable Mélanie Joly, PC, MP  
Minister of Foreign Affairs**

**Deterring a further Russian invasion of Ukraine  
UCC Policy Recommendations**

**December 15, 2021**

## **UCC Policy Recommendations to the Government of Canada**

The Ukrainian Canadian Congress (UCC) recommends that Canada and allies take the following steps to deter a further Russian invasion of Ukraine:

1. Substantially increase the provision of defensive weapons to Ukraine – most importantly anti-tank, anti-artillery, naval and air defense systems.
2. Extend and enhance Operation UNIFIER, Canada’s military training mission in Ukraine.
3. Increase the provision of real-time satellite imagery and intelligence to Ukraine on Russian military movements.
4. Ensure that the Nord Stream II pipeline never becomes operational. Should this pipeline connecting Russia and Germany become operational, a significant deterrent to a further Russian invasion of Ukraine will be removed.
5. Significantly increase sectoral economic sanctions against Russia, including the removal of Russia from the SWIFT international payments system.
6. Significantly increase personal sanctions against Russian officials responsible for waging aggressive war against Ukraine and egregious human rights violations of Ukrainian citizens.
7. Increase funding for Canada’s Sanctions Policy and Operations Coordination Division to permit it to operate more efficiently.

Russia invaded Ukraine in 2014, illegally occupying the Autonomous Republic of Crimea and parts of Donetsk and Luhansk oblasts. Over 13,000 people have been killed, over 30,000 wounded and 1.5 million internally displaced due to Russia’s war against Ukraine.

There are currently over 100 Ukrainian political prisoners from Crimea illegally held by Russia, most of whom are Crimean Tatars.<sup>1</sup> The number of Ukrainian citizens illegally imprisoned in the Russian-occupied parts of Donetsk and Luhansk is estimated to be over 250.<sup>2</sup>

There was no robust response from the international community to this egregious violation of international law.

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<sup>1</sup> <https://www.radiosvoboda.org/a/news-denisova-ukrajinski-polityjazni-v-rosiji-i-krymu/31082119.html>

<sup>2</sup> <https://www.radiosvoboda.org/a/news-poloneni-na-donbasi/31202827.html>

In February-April 2021, Russia significantly escalated attacks on Ukrainian positions on the frontline in Donetsk and Luhansk, which were coupled Russian troop and materiel movements, raising grave concern about among NATO and G7 allies about a possible Russian invasion.

There was no substantive response by NATO or the G7 to the Russian escalation in spring 2021.

In November 2021, Russia once more intensified troop and materiel movements near Ukraine's borders. On December 13, the G7 Foreign Ministers stated that they are "united in our condemnation of Russia's military build-up and aggressive rhetoric towards Ukraine," but announced no concrete actions in response to Russia's escalation.

Russia's aggression against Ukraine is a threat not only to Ukraine, but to a Europe whole, free and at peace. As US Secretary of State Antony Blinken stated on December 12, "there is something even bigger at stake here, and it's the basic rules of the road of the international system, rules that say that one country can't change the borders of another by force; one country can't dictate to another country its choices, its decisions in its foreign policy, with whom it will associate; one country can't exert a sphere of influence over others. That's what Russia is purporting to assert; and if we let that go with impunity, then the entire system that provides for stability, prevents war from breaking out, is endangered."<sup>3</sup>

Protecting Ukraine's security and sovereignty is in the national interest of Canada and our NATO allies. Countering Russia's escalating aggression against Ukraine is key to securing peace in Europe.

The position of the Ukrainian Canadian Congress (UCC) is that Canada and allies must respond forcefully to Russia's recent escalation before, not after, a possible further Russian invasion into Ukraine. The Russian regime has shown time and again that it reads restraint as weakness and that it responds only to strength. The most effective way to deter a further Russian invasion of Ukraine is to take proactive, rather than reactive, steps.

### **Enhancing Ukraine's Defence Capabilities**

In 2017, Canada added Ukraine to the Automatic Firearms Country Control List (AFCCL) enabling Canadian companies and individuals to "apply for a permit to export certain prohibited firearms, weapons and devices to Ukraine."<sup>4</sup>

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<sup>3</sup> <https://www.state.gov/secretary-antony-j-blinken-with-chuck-todd-of-nbc-meet-the-press/>

<sup>4</sup> [https://www.canada.ca/en/global-affairs/news/2017/12/canada\\_adds\\_ukrainetoautomaticfirearmscountrycontrollist0.html](https://www.canada.ca/en/global-affairs/news/2017/12/canada_adds_ukrainetoautomaticfirearmscountrycontrollist0.html)

Canada's closest ally the United States is providing Ukraine with approximately \$350 million annually in defensive assistance, including most recently a scheduled shipment of \$60 million of weapons systems and ammunition in early December 2021.<sup>5</sup>

The Government of Canada can facilitate the provision of defensive weapons to the Ukrainian Armed Forces, for example through the Canadian Commercial Corporation, which would assist Ukraine in defending its sovereignty and also support Canada's arms industry. The Government of Canada can also provide surplus arms to Ukraine as soon as possible.

One of the goals of Russia's regime is to pressure Ukraine's partners and supporters into stopping the provision of defensive equipment, weapons and training. Russia is doing this in order to ensure that further invasion will meet less resistance from Ukraine's military and lower the costs of invasion.

Despite the fact that this Russian tactic is entirely transparent, it unfortunately seems to have worked with some NATO allies. For example, on December 11, Ukraine's Minister of Defence stated that in the past month Germany had blocked the purchase of anti-drone and anti-sniper systems via the NATO Support and Procurement Agency.<sup>6</sup>

The UCC was also very surprised and dismayed by comments made by Canada's Chief of Defense Staff that Canada has no plans to increase its training mission to Ukraine, for worry of what the Russian "perception" of doing so would be.<sup>7</sup>

Canada's military training mission to Ukraine, Operation UNIFIER, has provided training to over 30,000 Ukrainian Armed Forces (UAF) and Security Forces personnel, greatly enhancing the UAF's battle readiness and ability to defend Ukraine. Op UNIFIER is currently scheduled through to March 2022. An announcement on the extension and enhancement of Op UNIFIER would be an important and welcome signal of Canada's commitment to Ukraine's security and sovereignty.

Any further Russian invasion of Ukraine is likely to include the use by Russia's Armed Forces of both naval and air power; Ukraine's defensive capabilities in both the sea and air need to be enhanced in order to deter Russian aggression in these domains. Enhancing Ukraine's naval and air capabilities before, rather than after, a further Russian invasion, would go far in deterring that invasion and could save tens of thousands of Ukrainian lives.

*The UCC calls on Canada and allies to:*

- 1. Substantially increase the provision of defensive weapons to Ukraine – most importantly anti-tank, anti-artillery, naval and air defense systems.*

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<sup>5</sup> <https://www.defense.gov/News/News-Stories/Article/Article/2865914/small-arms-ammunition-from-us-headed-to-ukraines-defense-forces-this-week/>

<sup>6</sup> <https://www.ft.com/content/1336c9be-f1c9-4545-9f85-3b07fcb746d6>

<sup>7</sup> <https://www.theglobeandmail.com/world/article-canada-has-no-plans-to-deploy-additional-troops-to-ukraine-chief-of/>

2. *Extend and enhance Operation UNIFIER, Canada's military training mission in Ukraine.*
3. *Increase the provision of real-time satellite imagery and intelligence to Ukraine on Russian military movements.*

## **Nord Stream 2**

In the view of the UCC, the decision by US President Joe Biden's Administration to waive sanctions against the Nord Stream 2 pipeline that were mandated by the US Congress was a strategic mistake that served to embolden Russia to further escalate aggression against Ukraine.

The Nord Stream 2 pipeline has now been physically completed. It has not, however, been certified by the German regulator nor operationalized by the Government of Germany. Should Nord Stream 2 become operational, it will have the practical effect of rendering the Ukrainian gas transit system (on which Russia currently relies to ship natural gas to European Union states) redundant and would remove a significant practical deterrent from a further Russian invasion of Ukraine. With Nord Stream 2 operational, Russia could carry out aviation strikes and aerial bombardment of Ukrainian territory without heed to damaging the pipelines on which it currently relies.

Nord Stream 2 is strongly opposed by many EU states – most strenuously by Poland, Latvia, Lithuania and Estonia. The pipeline is also strongly opposed by the European Parliament. Should Nord Stream 2 become operational, it will significantly undermine unity in the European Union, which will have the long-term impact of undermining European security.

Surveyed ahead of the 2021 Federal Election, the Liberal Party of Canada stated, "Should Russia attempt to use energy as a weapon or commit further aggressive acts against Ukraine, a Liberal government will take measures along with allies, including sanctions, to impose costs on Russia. We will continue to raise concerns about the risks posed by the weaponization of the Nord Stream II pipeline with our allies and will ensure that Ukraine's voice is represented in discussions on the operationalization of the pipeline and the future of European energy security."<sup>8</sup>

*The UCC calls on Canada and allies to:*

4. *Ensure that the Nord Stream II pipeline never becomes operational. Should this pipeline connecting Russia and Germany become operational, a significant deterrent to a further Russian invasion of Ukraine will be removed.*

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<sup>8</sup> <https://www.ucc.ca/wp-content/uploads/2021/09/2021.UCC-Election-Survey-Party-Responses.pdf>

## Canada's Sanctions Policy

No significant Canadian sanctions against Russia have been implemented since March 2019, when 114 individuals and 15 entities were sanctioned for aggressive actions against Ukraine.

Two minor sanctions announcements followed in January 2020 and March 2021, wherein 6 individuals, and 2 individuals and 4 entities, respectively, were sanctioned.

In the intervening 32 months since March 2019, both the United States and the European Union have expanded sanctions against Russian officials and entities much more broadly than has Canada.

For example, on December 13, the European Council sanctioned the Wagner Group, a Russia-based unincorporated military entity, as well as eight individuals and three entities connected to the Wagner Group. The Group operates in Russian-occupied eastern Ukraine, Libya, Syria, and the Central African Republic, and has "recruited, trained and sent private military operatives to conflict zones around the world to fuel violence, loot natural resources and intimidate civilians in violation of international law, including international human rights law."<sup>9</sup> Canada has taken no action against the Wagner Group.

To deter a further Russian invasion of Ukraine, Canada and allies need to significantly strengthen two types of sanctions against Russia – economic and personal. The implementation of stronger economic sanctions against Russia will have two effects: it will deprive the Russian state of revenue with which to continue to wage war, and it will reinforce the message to the Russian government that the West is resolute in countering Russian aggression. War must be demonstrated to the Kremlin to be more expensive than peace.

Personal sanctions must be broadened against Russian officials responsible for waging aggressive war against Ukraine and the egregious human rights violations of Ukrainian citizens.

Russia is illegally detaining over 100 political prisoners who are Ukrainian citizens, many from occupied Crimea. While Canada has the authority to sanction the perpetrators of these human rights violations under the Magnitsky Act, the Government of Canada has chosen thus far not to exercise this authority.

A similarly grave human rights situation exists in Russian-occupied parts of Donetsk and Luhansk oblasts, where Ukrainian captives of Russian and proxy forces are targets of systemic human rights violations and torture.

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<sup>9</sup> <https://www.consilium.europa.eu/en/press/press-releases/2021/12/13/eu-imposes-restrictive-measures-against-the-wagner-group/>

As with Crimea, the Government of Canada has not used the Magnitsky Act to sanction any Russian and occupation officials responsible for these violations.

At the end of February 2021, the UCC provided the Government of Canada with a briefing note regarding three prominent cases of the abuse of internationally recognized human rights of Ukrainian citizens in Russian-occupied Crimea. To date the UCC has received no response from the Government of Canada.<sup>10</sup>

On March 29, 2021, addressing Canadian sanctions on Russian individuals and entities, Canada's former Minister of Foreign Affairs Marc Garneau stated, "The people of Ukraine deserve a better future, one that they can build themselves, free of interference by Russia. [...] We stand ready to take further measures with our allies and partners as required."<sup>11</sup>

Almost nine months later, Canada has taken no further measures.

*The UCC calls on Canada and allies to:*

5. *Significantly increase sectoral economic sanctions against Russia, including the removal of Russia from the SWIFT international payments system.*
6. *Significantly increase personal sanctions against Russian officials responsible for waging aggressive war against Ukraine and the egregious human rights violations of Ukrainian citizens.*
7. *Increase funding for Canada's Sanctions Policy and Operations Coordination Division to permit it to operate more efficiently.*

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<sup>10</sup> <https://www.ucc.ca/2021/03/03/ucc-brief-human-rights-violations-in-russian-occupied-crimea-and-canadas-sanctions-policy/>

<sup>11</sup> <https://www.canada.ca/en/global-affairs/news/2021/03/canada-imposes-new-sanctions-on-individuals-and-entities-involved-in-illegal-annexation-of-crimea.html>