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# **Standing Committee on Foreign Affairs and International Development**

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**EVIDENCE**

**Tuesday, May 9, 2017**

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**Chair**

**The Honourable Robert Nault**



## Standing Committee on Foreign Affairs and International Development

Tuesday, May 9, 2017

• (0845)

[English]

**The Chair (Hon. Robert Nault (Kenora, Lib.)):** Colleagues, good morning. I want to bring this meeting to order. Pursuant to Standing Order 108(2), we're going to have a briefing with the vice speaker of the Ukrainian Parliament this morning.

On behalf of the committee I'd like to welcome Oksana Syroid, the vice speaker, and her colleagues. With her, we have Iegor Soboliev, the deputy chair of the Samopomich Faction, and Ivan Miroshnichenko, a member of the committee on agrarian policy. And of course we have our beloved ambassador of Ukraine, who will be at the table as well.

This morning we're going to discuss Ukrainian policy and issues surrounding Ukraine. You're free to have this discussion, colleagues, as you wish, but generally the process that we follow is that the deputy speaker will have some opening comments, and then we'll go right into questions from there. We have an hour. Then we'll take a break, take a few pictures, and then go to the next part of our meeting after the hour.

I want to again welcome the deputy speaker and turn the floor over to her. If you've read the deputy speaker's very impressive CV, as I have, you'll see that she went to school here, so she's a Canadian in some ways. We're very honoured to have her here today.

Deputy Speaker, I'll turn the floor over to you.

**Her Excellency Oksana Syroid (Deputy Speaker of the Parliament of Ukraine):** Thank you, Mr. Chairman, and honourable members of the committee.

It's a great pleasure and honour for me to speak in front of you here, together with my colleagues. We all represent the same party. Even though we are in the opposition we are great supporters of the success of our country. It's also the greatest pleasure and honour to be here before you as you celebrate the 150th anniversary of Canada, because Ukrainians were one of the first nations that came to Canada, and they contributed to the success of this country. As well, Canada was among the first to recognize Ukraine as an independent state and stood with us and stayed with us, and I believe will stay with us in our success as well.

I know that you are very well aware of what is going on in Ukraine. You travel to Ukraine. You've been to Ukraine recently. I would like to share different perspectives of the issue with you that you are quite well aware of. Those would be the perspectives of the

major lessons learned after three years of our greatest challenge in the war with Russia.

First of all, I would like you to understand to what extent we are successful. We are really successful as a state. Unfortunately, the war that we are now passing through is the result of that success. If Ukraine were a failed state, as Russia very often claims, Russia would not have a reason to occupy Ukraine because Russia would embrace Ukraine in its failure. It's true that we are struggling a lot to build our institutions, and it's true that we are still suffering big challenges like corruption. Iegor will be able to speak more about that. But it is also true that we have been undertaking enormous efforts in the course of war to build those institutions, and we have done a lot already.

The second lesson that I believe is very important to understand is that currently nobody can decide for Ukraine without Ukraine. We just came from Washington, and we heard a very interesting reference that for some people Ukraine is considered an obstacle in the relations between Russia and the U.S. We understand that it is predetermined by the long tradition of the last century when Ukraine was considered not as a subject but as an object while decisions were made between big powers on the world settlement. But it cannot be like this anymore because compared to that period, Ukraine has already experienced 26 years of statehood and has evolved into a huge nation with a very strong identity and determination. The people of Ukraine will not allow somebody to decide for them without them.

I will bring you recent examples of how the people of Ukraine have changed the path of their history. You remember the revolution of dignity, which definitely changed the path of Ukrainian history. But even in the course of the Russian occupation, decisions were changed four times because of the people's will. The first wave of the Russian occupation started as the Novorossiia project. It was a regional coup to change the governments in the regions. It succeeded only in Donetsk and Luhansk. Do you realize why? It happened only because people in Dnipro, Odessa, and Kharkiv didn't support it. They said no to the FSN guys and decided to take a different path.

Because Russia failed in the first wave, the second wave was a military occupation by Russian proxies from the Donetsk and Luhansk regions. Russia put a lot of effort into destroying the Ukrainian army as an institution, and they expected to succeed. But Ukrainian volunteer battalions and Ukrainian volunteers actually challenged the Russian proxies, and they would have succeeded if Russia had not employed the regular army on Ukrainian territory.

● (0850)

Then the third wave started. It was an attempt at legal occupation. That was in Minsk, and it was through amendments to Ukrainian constitutions. Then again, when the Ukrainian people interfered and were so definite in saying no, the Ukrainian parliament didn't dare to vote for it.

Then Russia exploited the fourth wave of occupation, which was hidden economic colonization through trade with the occupied territories and the dependence of the Ukrainian economy on the occupied territories.

Again the people of Ukraine said no. Quite recently, you'll remember, there was a blockade of trade with the occupied territories. It was the decision of the Ukrainian people, of veterans who said no to this, and the government had to support the decision.

I'm giving these examples to have a common understanding that we should not even try—nobody should try—to decide something that the people of Ukraine would not support.

The final lesson concerns what we should do in this situation. The obvious idea is that, since Ukraine is now still weak as a state and as an institution, even though successful, we have to build more success in the territories we control by isolating temporarily the occupied part of Ukraine.

We have just to legally acknowledge the illegal occupation of Ukraine. With this instrument we can actually invoke international law in the occupied territories. We can protect, via international humanitarian law, people in the occupied territories and other prisoners of war. We can protect and we can support the Ukrainian army in this. We can also, of course, isolate the danger existing in the occupied territories.

It was like the case between western and eastern Germany when western Germany had to decide—Mr. Adenauer had to decide—between freedom and unity. They chose freedom at that moment to re-establish unity later on. When we spoke out on this to one of the very high officials in the EU, he told us that Europe could afford that, because Germany had an offer from the world. Germany had an offer from the EU and from NATO. The official said that they had not offer for us.

That is what was said, and we are quite aware that nobody except Russia has an offer for Ukraine right now, but Ukraine has an offer for the world already, because we believe that.... First of all we have the army. It is the biggest army in Europe, just so that you understand. Even though it may not be the best equipped, it's the most experienced, having its own unique experience and your soldiers, who are helping Ukrainians to raise their professional standards. They probably benefit from this experience as well.

We have a very great economic potential to develop, but most of all I believe we have the inherited memory and understanding of the Ukrainian people. I believe that this essential knowledge, which came from history and experience, has to be learned by all of us to understand how it can be used for the reset of the future international legal and security order.

With this, I would like to give you the floor for questions, because I believe you have a lot of them.

Thank you very much.

● (0855)

**The Chair:** Thank you very much, Deputy Speaker Syroid.

I'm going to go right to Mr. Kmiec, please.

**Mr. Tom Kmiec (Calgary Shepard, CPC):** Thank you, Mr. Chair.

Thank you, Madam Deputy Speaker for coming in and speaking to us about the situation in Ukraine.

I just have three questions, mostly about the military situation. Maybe I'll start with my non-military-related question. It has to do with Crimea.

I know you've spoken about Luhansk and Donetsk. What are the non-military options being used to ensure that Crimea returns to Ukraine? I know there are military combat operations that Ukraine could undertake eventually, but what are the non-military means you are using to ensure that both Crimean Tatars and then Ukrainians who are still trapped under Russian occupation have a chance, some day, of returning to a united Ukraine.

**Ms. Oksana Syroyid:** Thank you very much for the very important question and I know that this committee has launched, actually, sanctions based on the human rights violations. I am very grateful for this in particular, Mr. Chairman and members of the committee.

Yes, you are right. The non-military means in this, in the fight for further reintegration or integration of those territories back to Ukraine are very crucial. Unfortunately, due to the fact that the Ukrainian government and the Ukrainian people, actually, cannot reach those territories, it is very difficult to work on those territories even though we understand that in Crimea, we have even more passionate pro-Ukrainian population than probably we have on occupied Donbass.

So what are we doing in particular from our side? I know that the government has its own activities, but from our side, we are now co-operating very closely with human rights organizations, both Tatar and Ukrainian human rights organizations. We are trying to, first of all, collect all the evidence, first of human rights violations but also of military control of the Russian federation and economic control of the Russian federation, because we believe it's very important for the international community to have all this evidence collected and have it at its disposal to have an opportunity in the future to stand in front of international tribunals and to keep Russia accountable for all the violations.

I believe that what we can do now is first to collect all the information. I also think that we should put more efforts toward communicating with people, reaching people in those territories, first of all in Crimea. What the government is doing now is providing administrative services for people from the occupied territories so they can maintain their citizenship, like birth certificates and death certificates. We also voted in the parliament for a number of very important decisions—for example, helping students from the high school to enter Ukrainian universities—and we believe it's also very helpful to maintain the context and for further reintegration in those territories.

I believe that we have to think more, and we will be working more on the most sustainable decisions in this area.

● (0900)

**Mr. Tom Kmiec:** Two years ago, the previous Conservative government had been providing the Ukrainian military with RADARSAT-2 satellite imagery, with information on Russian and separatist troop movement across occupied Ukrainian territory, as well as troops massing on the Russian Federation side. It was proving valuable to the Ukrainians. Troops on the ground actually understand troop movements and logistical supply lines. That was taken away by the new government. Would that be something that you believe your government would be interested in seeing returned, that type of information gathering and then sharing with the Ukrainians?

**Ms. Oksana Syroyid:** I have to be honest. Very often due to the lack of sufficient power of the Ukrainian parliament to do this parliamentary oversight of defence and security, very often we lack prompt and accurate information about our government commitments in the area of defence and security. Very often it happens, also unfortunately, that we learn about assistance when we go, for example, to Wiesbaden, to Ottawa, or to Washington. That's true. And this is why one of our key issues in the reform of the defence and security sector is to establish this parliamentary oversight over the defence and security.

But when we come to the specific support, I believe that I have to learn more to be responsible in this. If you want me to respond accurately, I have to learn more about this issue.

**Mr. Tom Kmiec:** Okay, I'll move on to another one.

This is also tactical. I'll explain it as well.

We're on the opposition side, so one of the things we're proposing is that Ukraine be added to the automatic firearms country control list, which would basically allow the Canadian government and companies here to export lethal defensive equipment to Ukraine.

Other countries in Europe are already on this list, such as Bulgaria, Romania, and many of our NATO allies. It would basically facilitate that transfer of equipment.

I have a two-part question.

First, do you think that would be useful for Ukrainian troops on the ground? Obviously.

Second, I know that a lot of your current equipment comes from the Russian Federation or is nearer to the Soviet style of equipment. To your knowledge, how is the integration of western equipment going, whether it be medical equipment or troops.

Then, obviously, the other part of it is that you may get equipment, but then you need the parts, the knowledge, and the training for your troops to maintain that equipment, to keep it up to date, and everything that comes with adopting another region's equipment specifications.

Would being added to the list be something that your government would like to see, and how would the integration go so that the equipment is quickly used and deployed in the field?

● (0905)

**Ms. Oksana Syroyid:** Thank you.

Definitely, such an agreement would be of great importance to Ukraine. We believe this is the way we should go. I believe also that it will be mutually beneficial for both countries, not only for Ukraine, and I'll explain why.

Yes, you're right that we still exploit a lot of equipment that is produced either by Ukraine and Russia or even sometimes in Russia. We do understand that we cannot continue like this because, definitely, having the enemy at our border, we cannot exploit the weapons that are designed and developed in those territories.

We have a proposal, and we are standing by this. I believe that we will be able to implement it also, with the support of international partners. We would like to have your support here as well to reform the military industry sector in Ukraine.

The current design of the military industry sector, Ukroboronprom, was established by Yanukovich, actually, to undermine the military industry and to make it corrupt. So we have to change it.

The first step should be to provide for the international audit of Ukrainian enterprises, to corporatize them, and then to ensure that investment, even private investment or international investment, comes to Ukrainian military enterprises. That would help us to resolve the issue you are mentioning.

This is already in strategic Ukrainian defence documents like the strategic bulletin, and we hope it will also be reflected in the quite recent bill. We expect to have the bill on national security passed quite soon.

**The Chair:** Thank you, Mr. Kmiec.

We'll go to Mr. Fragiskatos, please.

**Mr. Peter Fragiskatos (London North Centre, Lib.):** Thank you, Chair.

Thank you for being here today.

This committee had the privilege of visiting Ukraine recently, among other countries, and witnessed a great story. Ukraine is not perfect, but no country is perfect, and the strides you have made over the past few years and continue to make are nothing short of quite impressive. Thank you for the work you're doing and for sharing your insights here today.

I want to ask a question about the recent creation of the office of business ombudsman. I was reading in the *Financial Times* that this is a new development. The article describes the office in this way:

...a forum for the business community to file complaints about unjust treatment by the state or municipal authorities, state-owned or controlled companies, or their officials.

I went to the website for this business ombudsman, the Business Ombudsman Council. It seems quite detailed. Already it lists a number of complaints, over 1,800, of which 40 are in review, 184 are open, more than 500 have been rejected, and 1,029 have been closed.

This is a very interesting development. Again, I say that no country is perfect. Countries that are well-developed democracies deal with corruption.

The question is certainly not a criticism, but I'm intrigued by this. Could you talk about your view of its potential in helping to combat issues of corruption. That's something we heard as a committee when we visited Ukraine, this idea that corruption could hold back Ukraine's future economic prospects. It was something that was emphasized particularly by the youth business leaders with whom we sat down.

**Ms. Oksana Syroyid:** Mr. Chairman, I would like Mr. Soboliev to respond.

**Mr. Iegor Soboliev (Deputy Chair of the Samopomich Faction):** I am responsible for that problem in parliament. I am chair of the anti-corruption committee, unfortunately.

First, thank you for your warm words about our progress. We totally agree with you. We have a new society now because of the war of independence, because of the Euromaidan revolution. Unfortunately, at the same time, at too many levels, we have old state, post-Soviet, very corrupt, especially at the central level, institutions. If you are talking about the general prosecutorial office, the most important courts, especially courts that are responsible for business conflicts—let's be honest among colleagues—their corruption remains the main problem inside our parliament, inside our government.

What is our proposition on that? Of course, this corruption blocks every important initiative, blocks the defence of property rights, and blocks what business strongly needs for success. What are our propositions?

First, we formed very ambitious legislation for transparency after Euromaidan, and now we joke in our parliament that corruption is very open to every citizen in Ukraine. State and local budget expenditures are open. All information about all ownership is open. It's the same with e-declaration systems. We now have more than 1,100,000 e-declarations of our officials, including politicians, judges, prosecutors, and so on.

Second, we have now made unique progress in bringing top corrupters to justice. The current chief of tax administration is now under investigation. The acting head of the central election commission is under investigation. Some very important MPs also are under anti-corruption investigations. All these investigations are the result of a newly established anti-corruption bureau and an anti-corruption prosecutorial office.

Having an ocean of corruption, we have decided to establish something like islands in that ocean, and we have given them good salaries by law and prohibited hiring people from old structures to this new one.

● (0910)

**Mr. Peter Fragiskatos:** Mr. Soboliev, I don't mean to cut you off, but the time is limited, so I wanted to—

**Mr. Iegor Soboliev:** Yes, so next and combined with the interest of business propositions is to establish an anti-corruption court, because what is the main problem with this business ombudsman's work? He has no power to defend business. He can only complain. Now our proposition is to complete the mission. The corruption begins from the top now. The business problems are a result of this political corruption. If we defeat it with this new anti-corruption court and prosecutorial office, of course then we can liberate business from ugly post-Soviet, very corrupted rules or regulations.

**Mr. Peter Fragiskatos:** Thank you very much.

I see that there have been recent reforms to the gas market that are opening up opportunities for foreign investment. I see that the prime minister is intent on moving forward with privatization in a huge range of areas, including alcoholic distilleries and sea port utilities. The aim is to put poorly managed state enterprises in private hands.

What do you think of the prospects of this? Could you speak to, first of all, an opening for foreign investment, firms from Canada and other areas, for instance, and how promising that could be from your perspective, and also the potential positive impact of privatization?

**Mr. Iegor Soboliev:** Ivan Miroshnichenko was a businessman before he was elected to parliament, and I think he's the most competent on this subject.

**Mr. Ivan Miroshnichenko (Member of the Committee on Agrarian Policy):** First of all, I thank you.

One of the success stories is that we have deregulated a lot of things in the economy in the last two and a half years. We cancelled around 40% of different paperwork certificates, and doing that is good for business.

You asked a question about privatization. Unfortunately, there is no big success story so far. During the last two years, we have not privatized anything. We have been only talking about it. There are different reasons for this. Some of the plants that are of high value for the economy should take time to be properly sold. But this is only one side. Second is that we have hundreds of state enterprises that should have been sold a long time ago. We could even have sold them during the last two years. They are also the reason for corruption, as Iegor mentioned. That's why privatization so far is not a success story in Ukraine.

You mentioned some enterprises such as the alcohol industry and sea ports. I think during 2017 we will make progress, and some of these enterprises will be sold. They should be sold.

Another significant part, and I think you will ask this question, is related to agricultural land. It's also a big part of the story for 2017. If you have this question, I can answer it later.

We liberalized the market. You mentioned the gas industry. We voted for the legislation that created the market for the gas industry and would allow foreign companies to get access to the market, not only to trade, but also the prospect of investing in the infrastructure of the industry. I think this is also big progress.

• (0915)

**Ms. Oksana Syroyid:** I have one thing to add.

We also have an offer from the other party to suggest how the privatization approach should be changed. The biggest problem, and why it has not been privatized, is that first, we don't have proper management of state enterprises. Second, there are no transparent procedures for privatization. And third, the state property fund, as an institution, is designed, unfortunately, for corruption, not for transparent operations.

We suggest that first we have to establish appropriate management of state enterprises and corporatize those that shall be held by the state, such as critical infrastructure. We have to change the privatization procedure to make it transparent and accountable to the parliament, in particular, and establish the state property fund as an institution that is accountable to the parliament so we can follow all the procedures that have been happening with privatization.

That would be the precondition for appropriate privatization.

**Mr. Ivan Miroshnichenko:** That's our approach for strategic enterprises. We want to split the state companies into different categories. Strategic enterprises, as Oksana mentioned, should be managed this way. Some small enterprises, and there are hundreds of them, should have different processes and should be privatized as soon as possible.

But for the strategic enterprises, yes, with the proper audit process.

**The Chair:** Thank you.

We'd like to go to Madam Laverdière.

[*Translation*]

**Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP):** Thank you very much, Mr. Chair.

Thank you for joining us this morning and for your very insightful presentation.

I would like to talk about the anti-corruption court, but I would first like to put a question to you, Madam Deputy Speaker. I thought that it was very apropos and interesting that you mentioned that nothing can be done for your country without working with Ukraine—with Ukrainians—and without knowing what they want.

During testimony in some of the committee meetings, people talked to us about what is referred to as reform fatigue.

It's basically fatigue when it comes to reforms, perhaps because many people feel that those reforms are imposed from the outside instead of stemming from the inside, from the population.

That is why I would like you to, first, comment on that and, second, tell us—if it is applicable—how Canada can improve its approach to work better with Ukrainians, instead of working from outside the country.

[*English*]

**Ms. Oksana Syroyid:** Thank you very much, Madame.

I will leave the anti-corruption court for Iegor to respond to.

With regard to reforms and everything that relates to the supposed fatigue, sorry, but it's Russian propaganda. When we hear, for example, about Ukraine's fatigue, I'm always asking the question, why is there no French fatigue or Bangladeshi fatigue? There is only one country in the world that somehow is referred to as having "fatigue". Definitely it's imposed because of the first thing that I've been mentioning, that Ukraine has been considered as an object. You cannot take it seriously and consistently.

Reforms are demanded by society. Even more, we've been saying that people no longer expect just the legislation; they expect the outcomes. They want to see the results of those reforms.

When we speak about international support, it's true that in a lot of cases we can push for the reforms only with the help of international assistance. You have to have the parade of three planets to push for any significant step. First is the demand from society. Second is the will of those hundreds of people who are in parliament and are devoted to changing something. And third is the support of our international partners. When we have all those three factors together, we can push for the step forward. But this all for Ukrainian people. And the demand for this is just increasing in Ukraine.

Now if we speak about how Canada can change and improve this, I was wondering yesterday what we should do more of. We should talk more. We should spend way more time talking to each other, to Ukrainian MPs and government officials coming here to talk to you, and you going to Ukraine, but not only to Kyiv and the parliamentary committee, but also to Odessa, Kharkiv, and Kramatorsk. You should reach as far as you can to understand Ukraine and to form your own opinion, to work with us together. I think that would be the first way to do this. Your government is always supportive towards Ukraine. This is just about our common decisions and anti-corruption.

Thank you.

• (0920)

[*Translation*]

**Ms. Hélène Laverdière:** I would like to add the following. When it comes to the anti-corruption court, my understanding is that you would also like to obtain assistance from Canada, especially in terms of judge selection.

Can you tell us more about that and give us an idea of what response you are currently getting from the Government of Canada?

[*English*]

**Mr. Iegor Soboliev:** We have registered our draft law for this purpose.

There are two key ideas behind this proposition. First, this court should be absolutely independent from the system, because now we have only justice for corruption. It is very important to have such independence. Second, we propose inviting the Canadian government, the U.S. government, the European Union to send representatives for the selection of the judges, because we have, unfortunately, many examples of manipulation of the rules—even good rules now, imitating the process.

We realize that the presence of foreigners in such procedures would allow us to have more honesty, more principles, and better choices. When we adopt the legislation, of course, the minister of justice of our government will candidly ask your government to send representatives. We will be happy to have your support.

I also want to add to your question about possible co-operation in support and reform. I am very grateful. With Andriy, we used to be journalists in the past. I am very excited at how important and how effective your support is in establishing a public broadcaster in Ukraine.

All central TV channels now are in the hands of oligarchs, unfortunately. Having a strong public broadcaster is also a good anti-corruption measure and a very important tool for building democracy with the citizens. Fortunately, we have finished the formation of the legislation for such public broadcasting. Last month, a good first director of the company was selected in a very open process.

You have a great tradition here, with Great Britain also, and having your support is very important. Simply, please continue this very effective co-operation.

• (0925)

**The Chair:** Mr. Levitt, please.

**Mr. Michael Levitt (York Centre, Lib.):** Thank you for being here this morning.

It was also wonderful to see you yesterday at the National Holocaust Remembrance Day ceremony, with your entire Ukrainian delegation, including the ambassador.

As chair of the Subcommittee on International Human Rights, I want to come back to the topic that my colleague Mr. Kmiec raised, for a bit of a deeper assessment of the human rights situation.

On the third anniversary of the annexation of Crimea, our foreign affairs minister Chrystia Freeland unreservedly denounced the severe repression of human rights in occupied Crimea. Can you talk about the situation being faced by the minority communities in Crimea?

Russia banned the self-governing body of the Crimean Tatars, the Mejlis, and our foreign affairs minister has noted how we are deeply troubled by politically motivated application of anti-terror and anti-extremist legislation, which has led to the harassment of human rights activists, arbitrary detentions and disappearances, and the persecution of Crimean Tatars and other minorities.

We understand that an estimated 10,000 Tatars have left Crimea since it was annexed. Can you shed some light on the human rights situation and the threats that minorities are facing in this region?

**Ms. Oksana Syroyid:** Yes. As you were just mentioning, just yesterday there was the case of one more Crimean Tatar who has been arrested and sentenced in Kuban, actually.

The situation is drastic. You understand that this is the consequence of what Russia has aimed to do. Of course, the human rights situation for both the Crimean Tatars and the Ukrainian minority is awful. Very rarely do you hear somebody mention that there's a Ukrainian minority there. Unfortunately, those people are prosecuted just for being a minority, just for being Tatars or for being Ukrainians. There's no other reason.

I believe that what we have to do, all together, is to put more attention on the primary reasons it's happening. Maybe people eventually will get that this is just because Russia entered Crimea, is trying to build a military base there, and is trying to empty this land of anyone except Russian soldiers. This is primary objective of the whole occupation of Crimea. It's to establish the military base and empty the land so that it is filled only with Russian soldiers and Russian weapons. If we don't speak about this, about the primary reason for this occupation and annexation of Crimea, we can collect all this information about human rights violations, yes, but eventually we will lose the focus. Eventually we will not be able to have an impact on the situation, to change the situation, even when we return Crimea back....

In my understanding—this is my personal view—I believe we have to pay way more attention to the primary reasons for the occupation and the illegal annexation of Crimea.

• (0930)

**Mr. Michael Levitt:** Thank you.

**The Chair:** The ambassador would like to answer, Michael.

**His Excellency Andriy Shevchenko (Ambassador, Embassy of Ukraine in Canada):** May I briefly add a comment on the same issue?

**Mr. Michael Levitt:** Yes, of course.

**Mr. Andriy Shevchenko:** In the very same statement, Minister Freeland also specifically raised the issue of OSCE access to Crimea specifically to monitor the human rights violations. There is no access at the moment. Recently, in the last two weeks, the Council of Europe passed a very important resolution on Crimea, which provides very important legal guidelines on how we should read the situation. I strongly encourage you to look into this very important piece of legislation.



The Council of Europe specifically mentioned that we badly need access for human rights monitoring groups in Crimea. We hear absolutely terrible stories every day about people who are missing, people who are under repression: Crimean Tatars, Ukrainians, and different religious representatives. We badly need access into the peninsula for human rights monitoring groups. Russia, as an occupying power, is responsible for this territory and for maintaining basic human rights there, so I encourage all of us to work together so we can ensure the success of human rights monitoring groups.

Thanks for raising this issue.

**Ms. Oksana Syroyid:** By the way, speaking of the OSCE, on the one hand, we are trying to encourage the OSCE to be there and to monitor human rights, but on the other hand, in the recent election monitoring report from the Russian elections done by the OSCE/ODIHR, they even don't mention the Russian occupation of Crimea. They never mention it. They just mention that they didn't monitor elections in Crimea and don't even specify the reasons why.

The Ukrainian parliament reacted to this, but nobody else did. Everybody accepted this monitoring. In principle, by accepting such a report, we are legitimizing what is happening there. It is important to fight and to provide access in order to monitor human rights, but in the same way, it's important not to forget the reason why it's happening.

**Mr. Michael Levitt:** The Canadian government has committed over \$88 million in assistance to support democracy, human rights, and the rule of law. Can you talk about the state of civil society in Ukraine, for example, and what we can be doing? How can Canada be helping beyond just the dollars? What is the current state of civil society?

**Ms. Oksana Syroyid:** Ukraine has fantastic civil society that is maturing a lot now. I think you know that in the most critical period of time after the revolution of dignity, civil society substituted a lot of governmental institutions. They actually were doing the work that government or parliament should do. It could not last forever, so actually we had to step in and do our job.

Civil society has to stay as the watchdog for this activity. They are developing more capacity as think tanks, and some of them are developing more capacity as advocacy organizations. This is fantastic, as of course are all those efforts by international support, in particular by the Canadian government.

I cannot overestimate them. If it wasn't for your support in particular, those civil society organizations would die. Unfortunately, they would not be able to survive, especially under the previous government of Yanukovich.

Unfortunately, the current government also learned bad things from previous experiences. Quite recently, the parliament passed a very shameful law that forced civil society organizations to submit electronic declarations of their members. We were the only party that strongly opposed this. This was the revenge of those politicians who were forced by civil society organizations to be transparent with their incomes. We believe that this practice will not last long. It's a very bad practice.

I think that our civil society will handle this. To prove this, I can tell you that even though the law was passed only this year, a lot of

civil society leaders, especially those who work in anti-corruption areas, had started to submit their electronic declarations even before the law was adopted. I believe this is a very good sign.

• (0935)

**The Chair:** Thank you very much.

We're going to go to Mr. McKay, please. I'm trying to get everybody in, if I can, so I apologize for cutting you off.

Mr. McKay.

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Thank you, Chair, and thank you all for your testimony.

I have two questions. You started your presentation talking about whether Ukraine is an object or a subject. You've been to Washington. Reading the tea leaves, it would appear that for the U.S. administration, Ukraine is more of an object rather than a subject—that you are simply a strategic asset to be deployed from time to time in order to smooth over relationships between the Russians and the Americans. I'm interested in your observations with respect to your visit to Washington in a bit more detail.

My second question is with respect to the issues raised by Mr. Kmiec regarding the provision of lethal aid and the radar images. That has been an issue of some concern, particularly at the Department of National Defence, and there's a concern that things don't end up where they should end up. I'd be interested in your advice to the Department of National Defence specifically, and to the Government of Canada generally, with respect to how the government can receive some assurances that this important military material doesn't go where it shouldn't go. We have an obligation to our own citizens to make sure that if we provide this material, it's not used for anything other than what was intended.

**Ms. Oksana Syroyid:** Thank you very much.

We have the same concerns, and we are ready to face them and to fix them. We believe it is our task as a parliament to do so.

I understand the nature of the concerns. Unfortunately, Ukrainian parliaments still lack appropriate parliamentary oversight over defence and security. This is task number one to fulfill.

Now we are saying openly to our MPs that we are all lobbying for defence weapons for Ukraine, and this is what the Ukrainian people and the Ukrainian army are expecting as well. It's our task to ensure that these weapons are used appropriately and efficiently.

What shall be done? First, we are now working closely on the bill on national security. It has to ensure that there is appropriate civilian control, that is, parliamentary oversight over defence and security, the defence budget, and a transparent change of command for the Ukrainian army. Second, there is the reform of the military industry, which I believe also will contribute to this. The third issue is—and we've also been discussing this with our U.S. partners, and I believe we can extend this discussion to involve you—to establish appropriate inventory and monitoring of the use of international assistance in the area of defence and security. This should also be part of Ukrainian legislation.

**Hon. John McKay:** Excuse me. Can you repeat that again? You want to establish an appropriate—

**Ms. Oksana Syroyid:** I said, “inventory and monitoring”, meaning how the foreign defence assistance is used in Ukraine.

I believe if you have this, we will be able to ensure it. I know the U.S. Government, for example, is now undertaking an audit of what has so far been provided to Ukraine, and they would like to monitor it further.

It's a process, and we are very open to work on this and to fix it. We absolutely are aware of all the challenges.

**Hon. John McKay:** What about Washington?

**Ms. Oksana Syroyid:** You probably know pretty well that the policy towards Ukraine as well as towards Russia is not settled yet. To a big extent, it's on the level of assumptions based on the public speeches of the president, the vice-president, the secretary of state, and so on.

Our task was to communicate what is going on and to understand where the major trends are. It was a challenge for us. A lot of positions are not filled yet, and some of those positions are supposed to be responsible for the policy towards Ukraine.

• (0940)

**Hon. John McKay:** We have the same challenge.

**Ms. Oksana Syroyid:** Thank God we are not alone.

**The Chair:** Thank you.

I'll ask for one short response, and then I'll go to—

**Mr. Andriy Shevchenko:** We strongly encourage you to use your connections to help us educate the U.S. administration on issues of global importance such as Ukraine.

We very much appreciate those of you who are in touch with your American colleagues. I know about Mr. Wrzesnewskyj's visit to Washington this year, and I know some other members of the committee travelled there as well.

Thanks for this.

**The Chair:** Thank you, Ambassador.

We'll go to Mr. Kmiec.

**Mr. Tom Kmiec:** I want to return briefly to privatization. Then I want to ask you about your foreign relations with other countries.

I want to ask you about the advisers. I know that when Poland gained its independence from the Soviet Union, Janusz Lewandowski was the Polish minister in charge of privatization. They had

hired amongst others Jeffrey Sachs, David Lipton, and Bartłomiej Kaminski, who was a professor at the University of Maryland, to help them in their privatization drive.

Has the Ukrainian parliament directed the hiring of foreign experts to help in the privatization?

Mr. Miroshnichenko, you have said for two years now that there has not been any privatization of state-owned enterprises. That was always this problem in Poland. Górnicy and others made it very difficult, but it was essential to reach higher GDP growth as well as the greater employment, higher incomes, and the taxation that comes from it.

Have you hired foreign experts? Are you actually using them? Is the government using them, or are they just there for window dressing?

**Ms. Oksana Syroyid:** There are two issues. First, we do have advisers. They do provide good advice, but they advise on the strategy for privatization. However, before going to a particular implementation of privatization, you have to have framework that ensures transparent privatization. Unfortunately, privatization in Ukraine was a bad story. It was not a success story, except for maybe Kryvorizhstal.

We don't want to undermine the legitimacy of the process. We understand that a lot of people would like to use privatization to enrich themselves. This is how the oligarchy has been established in Ukraine: through privatization. We cannot do this anymore. That's why our first task is to establish transparent management of state property, and then the privatization procedure for both small and strategic enterprises, and the transparent management of and accountability for the State Property Fund. Unfortunately, two heads of the State Property Fund died, and we have reason to suspect that this was because of their professional activity. This is the reality so you can understand the grounds and the environment of privatization in Ukraine.

We just want to make sure it is transparent. Afterwards, we believe that any advisers would be very useful.

**Mr. Ivan Miroshnichenko:** I have one comment. We passed a law two years ago to allow the State Property Fund to involve external advisers to make the audit, prepare visas, and run the privatization of state enterprises. That's why as a part of the process we also made a step forward. Today's state can involve Ernst & Young, Price Waterhouse, or whatever they want to basically run the whole process for privatization of strategic enterprises. It's what they started to do.

**Mr. Tom Kmiec:** How much more time do I have?

**The Chair:** Go ahead, Tom. You asked two questions. Keep going.

**Mr. Tom Kmiec:** I'll keep going until you stop me.

**The Chair:** Well, you have a couple of minutes.

**Mr. Tom Kmiec:** Can I ask you about the warming relations between the Russian Federation and the Turkish government? Obviously, you share the Black Sea. There are a lot of navies in the Black Sea right now. Two of them seem to be having a warmer relationship. Does that have an impact on Ukraine?

Also, what types of free trade agreements have you signed with other governments? You have one with Canada. What is your government doing to reach out to other governments and to obtain those avenues to actually increase your external trade?

● (0945)

**Ms. Oksana Syroyid:** That would be a question for the government. As we represent a small opposition party, it's very difficult, again, to be accurate in the response. Frankly, I don't have exhaustive information about government activity in this area.

I can only tell you that, in fact, the whole international legal and security order is changing, and we don't know where we will be in two years or even in five years. Of course, Russia, actually, is replacing the rule of law with its rule of power across the world. Our common task is to suggest an alternative. Yes, Russia will be talking to Turkey or the U.S. or—Russia will be talking to everyone. The question is whether we will be just following the Russian talks or whether we will be able to provide our own position on these global issues. I think we all have to talk, and in this sense, I think we have to learn from Russia how to talk and with whom to talk. This is the challenge.

**Mr. Ivan Miroshnichenko:** I have a couple of comments on external economic relations. Obviously the example of the free trade agreement with Canada is our standard, and it's probably the leading one.

As to what we have done as a process, I think Ukraine has improved access to Asian markets, especially to China. We extended some limits of trade agreements with the EU, but a little bit, because Ukrainian potential is much higher. After we lost the Russian markets, we suffered in trying to replace these with access to other markets, that's for sure. We still struggle. I think it will take another two to five years until Ukrainian enterprises plus state or governmental work—paperwork—will allow Ukrainian products to access other markets.

When you talk about Turkey and Russia, I think the right impact or the direct influence will be on the energy sector. As you know, the Turkish government did not allow us to go through the Bosphorus with LNG, for example, for a project. With the new pipeline for gas, I think it will be even more difficult to find any compromise for this. Obviously the impact will be severe. As our vice speaker said, we should find our own counter-strategy for what we have to do as Ukraine, together with our partners.

**The Chair:** Thank you, Mr. Kmiec.

I'll go to Mr. Saini, and then Borys will be next.

**Mr. Raj Saini (Kitchener Centre, Lib.):** Good morning, everyone. Thank you very much for coming.

I don't have enough time, unfortunately, so I'll ask a hybrid question.

Madam Speaker, you made some comments in the media regarding Minsk I and Minsk II, that it was an escape from reality and an attempt by Russia to create a vulnerable and dependent Europe. When we look at Minsk I, there was a failure. When we go to Minsk II, it has been a failure. My question is with regard to the fact that in Minsk I or Minsk II, Crimea was never mentioned. If you look at the state of the situation right now, in the Donbass you have a line of control where you said you have occupied territories. But within those occupied territories, you have Russia now beginning to establish certain services. There's a de facto border created, and there are border crossing points.

If we go to Crimea, the Russian media, especially after the election of President Trump...where you said that this was a chance, during that transition period, for Russia to strengthen its hand in Ukraine. If you look at Crimea right now, it's such that it's not even really talked about. It wasn't talked about in Minsk I or Minsk II. The other fact is that it's a situation where, for instance, the special monitoring mission has limited access in the Donbass and no access in Crimea. The Russian media has also said that Crimea is now a territorial part of Russia, that if we look at the near abroad, it's not a question even to be debated.

What is your step going forward when you have these two situations in Ukraine? To me it's very difficult and challenging.

**Ms. Oksana Syroyid:** It's a very good question. Thank you very much.

It is true, sir, that from the Russian perspective, those two territories have different status. Russia needs Crimea. It needs Crimea for its strategic military purposes. That's why Russia occupied and illegally annexed this territory and established its regular administration. Russia doesn't need Donbass. Russia needs to keep Donbass occupied as leverage on the whole of Ukraine. That's why Russia occupied but didn't annex those territories, and didn't establish its administration directly but through proxy forces.

This is how it is from the Russian perspective. From the Ukrainian perspective, and I believe from the international perspective, those territories have the same status. They are absolutely equally occupied territories that are administered by Russia, either directly or indirectly. We have to acknowledge this. For example, we have had in parliament for two already a bill that acknowledges the illegal occupation of Ukrainian territories. We state the start dates of occupation for both Crimea and Donbass. For Crimea it's February 20, and for Donbass it's April 7. We state who occupied, that it was Russia regular forces as well as proxy forces. We state how from that moment, the Ukrainian administration could not reach there, and we don't work there. We actually give all the legal grounds for our soldiers to protect the rest of the territory. We also bring international humanitarian law to the occupied territories, because we cannot reach there. This is also a partial solution for the human rights issue, to recognize those territories as occupied and to allow international humanitarian law to reach there.

This is, we believe, the approach. It would be wonderful if the international community would recognize this as well, but we understand that because of the Russian veto on the UN Security Council, for example, it would be very difficult to do.

• (0950)

**Mr. Raj Saini:** But Russia has also recused itself from the Treaty of Rome, so it's a little more difficult now to pursue that option.

Is there a fear in some ways or anxiety that Crimea may be used as, I don't want to use the word bargaining chip but as, a point of—

**Ms. Oksana Syroyid:** It is already used. If you remember the suggestion from Kissinger, he planned to bargain Crimea for Donbass. It was quite recently, already with new administration. It was not Kissinger's idea. This idea came from Surkov, who met Kissinger and actually gave him this note—I know this. Actually, all those ideas of bargaining came from Russia and they are just repeated by, for example, Ukrainian oligarchs, by Mr. Flynn, by Mr. Kissinger, by Mr. Pinchuk. There are a lot of people who are.... Now Mr. Artemenko is coming with this idea to Washington.

They will be coming more and more. Of course, Russia will be struggling for this bargain. That's why it is so important for us to legally acknowledge what's happening, and not to forget.

**The Chair:** Thank you.

We will go to Mr. Wrzesnewskyj, please.

**Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.):** Thank you, Chair.

I'd like to follow-up on Mr. Levitt's question with regard to Crimea. You may not be aware that Mr. Levitt also chairs the Subcommittee on International Human Rights of the foreign affairs committee. A previous generation of Canadian parliamentarians—you may have heard of Irwin Cotler—internationally championed the cause of the Kremlin's prisoners of conscience during Soviet times.

The current Putin Kremlin regime doesn't have that many Russian prisoners of conscience. Mostly they are eliminated, assassinated, as in the case of Nemtsov, including some 150 investigative journalists who've been assassinated since Putin first came to power. But there are prisoners of conscience and they're mostly Ukrainians who've been kidnapped from Ukraine, extrajudicially arrested, kidnapped, tortured, and put on show trial.

I believe it's an area of study that our human rights committee could potentially look at. I know they have many areas of study. Unfortunately, the world has many human rights situations. Within the Ukrainian Verkhovna Rada is there an equivalent committee or subcommittee of human rights that our committee could potentially co-operate with to work on the file of people like Mr. Sentsov, a Ukrainian documentary filmmaker and the recipient of this year's PEN/Barbey Freedom to Write Award, who was put on a show trial and sentenced to 20 years in Russian prison.

Is there an opportunity for co-operation between our two parliaments on that very specific case, and more broadly perhaps to take a look at the situation in Crimea from the perspective that it's

astounding that in the 21st century, within the borders of Europe, you have a territory that in different ways is being ethnically cleansed. It's not just the Ukrainian minority that you mentioned, but I also know that the Jewish minority has pretty much been completely cleansed in Crimea. Of those who haven't managed to get to Israel, most are IDPs within Ukraine. The situation there is one of ethnic cleansing, ethnic suppression, and of course of people disappearing, and their bodies sometimes being found with markings of torture. For the specific individual cases of prisoners of conscience who've been kidnapped from Ukraine into Russia, and also the general human rights situation, is there a committee that the subcommittee could potentially co-operate with on a project?

• (0955)

**Ms. Oksana Syroyid:** Thank you very much for the question.

I believe this is a task for the whole Ukrainian parliament to be responsible for. We do have a human rights committee in Ukraine, but there is another problem.

The people you mentioned actually have no status and are hostages. They are in fact just illegally detained people in Russia. That's why for example we suggest to legally acknowledge the occupation, because that would also allow us to bring the international law that protects prisoners of war, the Geneva Convention, for example, to bear.

I believe that as soon as we have better status for those people, involving international support for their protection as prisoners of war, it will be easier to protect them. We had a meeting quite recently with the relatives of those illegally detained people who are in Russia, at the initiative of those relatives. They told us that the prisoners need to have status, otherwise we have to reach them one by one because we cannot collectively protect those people. Yes, you were right: maybe they have to institutionalize it more. But at the same time we have to have better status for those people to fight for better conditions, and of course primarily to take them back to Ukraine. We can only do this if we have appropriate status for them.

**The Chair:** Thank you very much to all who have been taking the extra time. First, I want to thank the deputy speaker and her colleagues for being here. I think it's unique for our committee to see opposition members from another country without governments being there with them. I think that's an occasion in itself that I haven't seen in my 18 years here. I think that's a good sign of democracy in Ukraine.

I want to thank you very much.

We took more of your time than we expected, but I think it was well worth it.

Colleagues, we're going to suspend for a few minutes, and then we're going to go in camera for a short period of time to do some committee business.

**Ms. Oksana Syroyid:** Thank you very much, Mr. Chairman and honourable members.

**The Chair:** We'll suspend.

*[Proceedings continue in camera]*







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