

# Trudeau blocks inquiry into Canada's role in torture of Afghan detainees

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29 June 2016

Canada's Liberal government has formally rejected demands it order a public inquiry into the alleged abuse and torture of hundreds of Afghans detained by Canada's Armed Forces (CAF) during its decade-long frontline role in the Afghan War. And, it has done so in the light of damning new evidence of Canadian involvement in war crimes.

Earlier this month, the French-language Montreal daily *La Presse* published a letter from a group of military police officers that accuses high-ranking military police officers of ordering the abuse of Afghan detainees —many of whom were not even Taliban fighters, but rather poor people who had been illegally detained during military sweeps of areas where insurgents were believed to be active. “Nearly 50 percent” of those detained, says the letter, were “people like you and me, husbands, fathers, farmers, who had done nothing wrong.”

The letter further charges that the CAF has systematically covered up and lied about the abuse and torture, actions it bluntly calls “war crimes.”

These revelations are all the more credible and damaging in that they come from people who directly participated in these events, which took place between 2010-11, when Canada's combat mission in Afghanistan was officially nearing its end.

*La Presse* has agreed to keep secret the names of the “small number” of military police officers who signed the letter, because they could face severe sanctions, including life imprisonment, for violating military discipline and going public with their accusations.

The letter relates how many of the detainees were victims of a brutal regime of terror, launched on the orders of the high command. In a practice dubbed “dynamic entry exercises,” military police officers staged night-time raids on the prisoners' cells, during which they manhandled and sometimes physically assaulted detainees, so as to “soften” them up for interrogation. Some detainees were so terrified that they defecated and urinated on themselves.

The letter says that most of the detainees were released for lack of evidence after spending an average of two months in prison. The former Conservative government had claimed that the Canadian military detained prisoners for no more 96 hours.

The dissident military police officers also reveal that the CAF reached “a secret deal with the NDS (the Afghan intelligence

agency) so it would appear that the detainees were under their control when they were” in fact in the hands of the Canadian military.

The letter complains that the military police is a “puppet” of the CAF and concludes by noting, “Barely 20 years ago, members of the Canadian Armed Forces tortured an adolescent (in Somalia) to death. It is clear that today more than ever a deviant culture is present (in Canada's military.)”

Last November the Military Police Complaints Commission of Canada (MPCC), an “independent governmental body,” launched an investigation into these allegations of CAF military police involvement in war crimes. However, the top brass of the military police, which is itself named in the complaint before the commission, has refused to cooperate with the inquiry and is denying the MPCC access to vital documents and recordings.

It should be noted that the dissident military police officers are themselves unflinching supporters of Canadian imperialism. Their concern is that the CAF's criminal actions proved counterproductive: they antagonized the Afghan population and undermined support at home for the Canadian military and its foreign interventions and wars.

The purpose of their letter is not to indict anyone, but to pressure the military police's top brass to co-operate with the MPCC investigation.

The day after *La Presse* published the military police officers' letter, the Rideau Institute published an open letter to Prime Minister Trudeau calling for a public inquiry into Canada's complicity in the torture of Afghan detainees. It was signed by 41 “eminent Canadians,” including human rights advocates and current and former MPs. Like an electronic petition to the House of Commons initiated in April by former New Democrat MP Craig Scott, the Rideau Institute-sponsored open letter urges the Liberals to fulfill the demands they made of the previous Conservative government to call a public inquiry.

At first the Liberals remained conspicuously silent; however they were legally obliged to answer the “e-petition.” Defense Minister Harjit Sajjan, who served as a CAF intelligence officer during its Afghan combat mission, answered by whitewashing the military's criminal activities and bluntly rejecting a public

inquiry.

"Throughout military operations in Afghanistan, the government of Canada ensured individuals detained by the Canadian Armed Forces were treated humanely and handled, transferred or released in accordance with our obligations under international law," claimed Sajjan. "The government of Canada does not believe an independent judicial commission of inquiry is necessary."

In fact, there is abundant evidence that the Canadian military was complicit in torture and that top-ranking military and government officials were well aware of it. The CAF routinely handed over Afghan prisoners to the NDS, which was itself notorious for its systematic use of torture.

In 2009, Richard Colvin, a Canadian diplomat who served in Afghanistan for 17 months, publicly described Canada's complicity in torture, as well as the indifference and obstruction he encountered from top officials when he raised concerns. Testifying in the fall of 2009 to a parliamentary committee, Colvin said "the likelihood is that all the Afghans we handed over were tortured;" were "beaten, subjected to electric shocks, denied sleep, and raped or otherwise sexually abused."

Colvin was vilified by the Conservative government, military brass and the media who tried to tar him as a Taliban sympathizer. Months later, Ahmadshah Malgarai, a former CAF interpreter in Afghanistan, also divulged that the army subcontracted torture of Afghan detainees to the NDS.

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These revelations followed those made by Amnesty International and the Afghanistan Independent Human Rights Commission, which estimated that "one in three prisoners handed over by Canadians are beaten or even tortured." Even the US State Department warned as early as 2006 that torture was widely used in Afghan prisons.

After Colvin's testimony, pressure mounted for the setting up of a Military Police Complaints Commission (MPCC) inquiry into whether the CAF and government allowed prisoners to be transferred to Afghan authorities knowing that they were at risk of being tortured—a flagrant violation of Canadian and international law and itself a war crime under international law. But the Conservative government did everything it could to obstruct the MPCC's investigation of the issue and in the end it never heard a single witness.

This was only the one element in the government's drive to stymie any investigation of the CAF's treatment of the Afghan detainees. To cover up Canada's complicity in torture, the government repeatedly flouted parliament. In December 2009, it prorogued parliament so as to derail a parliamentary committee investigation into the treatment of the Afghan detainees. Subsequently, it refused to hand over documents pertaining to the Afghan detainee issue to parliament, resulting in the government being found in "contempt of parliament."

Ultimately the Conservatives prevailed on the opposition

parties to agree to the issue being studied by a tiny, specially-vetted committee of MPs who were sworn to secrecy. It then dumped on the short-staffed committee tens of thousands of pages of documents pertaining to Canada's intervention in Afghanistan, calculating that those relating to the CAF's and government's complicity in torture would be lost in a sea of paper.

Little more than a year later, Stephen Harper and his Conservatives, having secured a parliamentary majority, shut that inquiry down.

In the wake of Colvin's revelations, the Liberals pushed for a public inquiry into the treatment of the Afghan detainees, hoping to embarrass their Conservative opponents. When Harper prorogued parliament to shut down the parliamentary committee investigation, Liberal MP Ralph Goodale, now Trudeau's Public Safety Minister, denounced it as a means of covering up "what the Conservatives knew, and when they knew it, about torture in Afghanistan."

Now that the Liberals are in power, they are adopting the same position as Harper and his Conservatives and for the same reasons: to reassure the military top brass that they have the government's full and unqualified support and to protect the false image of the CAF as a "defender of international law." The Liberals are determined that there should be no impediments to pushing through military spending hikes and using the CAF to aggressively assert the interests of the Canadian ruling elite on the world stage.

No doubt, the Liberals, like the Conservatives before them, are also anxious to cover up their own complicity in war crimes. It was the Liberal government of Paul Martin which in 2005 negotiated the first agreement with the Afghan government to transfer prisoners to its control, ignoring warnings raised by a diplomat that they would be at risk of torture.

While the NDP is now associating itself with the call for a public inquiry into the detainee issue, it is no more willing than the Liberals to tell the truth to the Canadian people—that the Canadian military's and government's involvement in war crimes is not due to excesses, but is rooted fundamentally in the neo-colonialist character of the wars Canada waged in Afghanistan and continues to wage in the Middle East. All the parties in parliament supported Canada's leading role in the Afghan counter-insurgency war and support Canada's participation in the US military-strategic offensives in the Middle East and against Russia and China.



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