

*Opening Remarks at the Press Conference on June 8<sup>th</sup>, 2016 releasing the Open Letter to the Prime Minister calling for a public inquiry into the transfer to torture of Afghan detainees*

- by [Alex Neve, Secretary General of Amnesty International](#)

There are many reasons why a Commission of Inquiry into the approach Canada took to handling detainees in Afghanistan is so very important.

Right up at the top of the list is that at its heart the Afghan prisoner debacle was all about Canada's ability, but more importantly, willingness to live up to our international human rights obligations.

Very crucially, the key human rights obligation at stake was the unconditional, universal prohibition on torture.

Every time a prisoner was transferred from Canadian hands into Afghan custody – transferred despite a well documented, well known risk of torture – every time that happened, the Canadian soldiers and military police on the ground, their senior and commanding officers, and the military brass and responsible ministers who gave the orders and set the policy, all became complicit in torture.

And as pressure to re-examine and reverse this practice mounted. As more information came to light and more details about actual cases of transferred prisoners subject to torture were revealed. As those concerns grew, so too did government defiance and refusal to make changes. And thus the complicity only deepened.

These breaches of international law matter and matter deeply.

It matters, firstly, because Canada is a nation that stands up for international law. A policy that deliberately contravened international human rights law for several years, with repercussions for hundreds of people, must be probed. The courts ducked the issue. That cannot be the end of the story.

Secondly, it matters because this arose in the international arena, outside Canada. It is of course a grave concern when any nation violates international human rights at home, within their own borders. There is an added troubling element of concern when a nation defiantly violates international human rights in another country. We need to get to the heart of that.

Thirdly, it matters because this extensive complicity in torture ran entirely counter to what Canada sought to accomplish in Afghanistan. Canadian forces, diplomats and aid workers were tasked with improving security, boosting the rule of law, strengthening the justice system and increasing human rights protection. Cavalierly turning a blind eye to torture and refusing to confront Afghan torturers fundamentally undermined all of those goals. A COI will help us understand how such detrimental incoherence took hold.

Similar circumstances may arise again when Canadian soldiers, police or other officials are active in a war zone or a situation involving widespread human rights violations. Next time the outcome must be that Canada stood firm for international law, demonstrated scrupulous respect for those obligations outside our borders, and ensured strong coherence between the actions of our officials and our goals of peace and security.

That is why we need a Commission of Inquiry.

Nous avons besoin d'une commission d'enquête sur le transfert de détenus afghans vers une risque d'être torturé parce que c'était une contravention flagrante de nos obligations internationales pendant plusieurs d'années et avec des répercussions grave pour des centaines de gens. Nous devons comprendre comment cette politique était adopté et maintenu ; et quelles changements et reformes sont nécessaires pour éviter une répétition la prochaine fois. C'est seulement avec une commission d'enquête que nous pouvons avoir les réponses nécessaires.