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It's Time to Stop Torture

**A message from Alex Neve, Secretary General,  
Amnesty International**

## Torture in Afghanistan

Dear Amnesty supporter,  
These have been a couple of intensely busy weeks. Amnesty International has been raising concerns about Canada's approach to handling prisoners apprehended on the battlefield in Afghanistan for over seven years.

Now it has become one of the dominant issues in the country. I'd like to share with you some reflections about the disturbing information and heated political debate regarding **very real concerns that over the past several years an unknown number of prisoners, picked up by Canadian troops, and then transferred to Afghan officials, have almost certainly been subject to brutal torture in Afghan jails.**

I am very proud of the role that Amnesty International has played in pressing for action on this issue. Working against torture has long been a priority for Amnesty International, right around the world. In that work we seek to expose the torturers, but we also expose instances where other officials and even other governments may be complicit in torture, including by handing over likely victims.

***Torture is abhorrent. Complicity in torture is shameful. Both are against the law. That is what is at stake for Canadians as we confront these latest revelations.***

Amnesty International, alongside the BC Civil Liberties Association, first raised questions about Canada's prisoner policy

**Why should Canadians care what happens to detainees once they're in the Afghan prison system? [See Questions & Answers](#)**



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[< read Amnesty's Q&As on prison transfers](#)

[< view timeline that led to call for a Public Inquiry](#)

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### **Amnesty International's Relief Fund for the victims of torture**

Amnesty International Canada maintains a special relief fund to assist prisoners of conscience, victims of torture and refugees. This financial assistance can be vital in supporting these individuals and their families during their long journeys toward rehabilitation and their deliverance from torture and other human rights abuses.

**The Relief Fund exists to provide those who have suffered human rights abuses with the support they need to re-start their lives and continue to live with dignity and respect after living through unimaginable terror and abuse.**

Canadian Citizen Maher Arar was wrongfully detained and tortured in a Syrian prison for a year. The Amnesty International Relief Fund allowed Mr. Arar to get the assistance he needed upon his return to Canada.

***As a direct result of this support Mr. Arar had the strength and resources necessary to speak out about his torture and wrongful detention.*** He was later vindicated by a Public Inquiry and was given a personal apology from the Prime Minister of Canada.

in Afghanistan in 2002.

At that time Canadian troops were handing prisoners over to US forces in Afghanistan. We called for those transfers to be halted because some of the prisoners were being sent on to Guantánamo Bay and others were at real risk of torture in US detention facilities in Afghanistan. Combined with US refusal to recognize the applicability of the Geneva Conventions to those prisoners meant, we insisted, that Canada was violating our own international obligations when we handed prisoners over. We urged Canada to consider developing its own capacity to hold prisoners.

Eventually the government agreed with us, and halted transfers to US forces in late 2005. But they traded one human rights problem for another. Since that time, prisoners have instead been delivered to Afghan authorities, even though torture and ill-treatment in Afghan jails is a longstanding and widespread reality in the country. We again called for Canada to take a different approach. We urged instead that the government develop a cooperative approach to overseeing the detention of these prisoners, doing so in collaboration with Afghan officials and with other NATO allies. Unfortunately the government did not take up the suggestion. Transfers continued.

In early 2007 we launched an application in Federal Court seeking an order halting the transfers. We also lodged a complaint with the Military Police Complaints Commission asking that body to look into it, as military police

did play a role in the transfers. We were faced with considerable government resistance and obstruction on both fronts and both proceedings became difficult and bogged down. Despite some promising initial rulings, in the end the Federal Court case could not go ahead when the courts ruled that the Charter of Rights (the entire legal basis of our case) did not apply to the actions of Canadian soldiers outside Canada. That, clearly, is a very worrying legal precedent with implications beyond this case.

Following Richard Colvin's explosive testimony two weeks ago, a parade of witnesses has come before the parliamentary committee now looking into this, including retired Generals and our current Ambassador to China.

There has also been a false debate about proving torture. The government has insisted that no incident of a transferred prisoner being tortured has been proven.

#### Why a Public Inquiry?

After years of public campaigning and raising concerns directly with successive Canadian governments, Amnesty International eventually turned to the courts and tribunals for a remedy. [Here's a look at the path we took to get there](#)



Amnesty is calling for a full, public Commission of Inquiry regarding the handling of Afghani detainees

[Open letter](#) | [Action](#)

Those who suffer human rights violations deserve our support and our compassion after enduring unimaginable physical and mental hardships. Relief Fund support can be used for emergency housing medical care and other necessities of life. Every year about two dozen people in Canada are supported with these funds.



**Maheer Arar and Alex Neve. Mr. Arar's tragic story has led to better human rights protection for all Canadians, thanks to the Relief Fund**

[Maheer's story](#) | [Video message from Maheer Arar on receipt of Letelier-Moffat Human Rights Award](#)

While we cannot foresee what human rights abuses will transpire in the coming year we can be ready to ensure those who need our support have a place to turn.

#### Kathleen Savan

The Relief Fund was created in honour of Kathleen Savan (1910-1981), a long-standing and devoted member of Amnesty International. She was a founding member of Amnesty Group 3, the oldest continuing community group in the Canadian Section. Kathleen was present at the 1973 founding of the Canadian Section and, in the following year, was responsible for tripling the number of Amnesty groups and members across the country. She was a wonderful humanitarian who strove for peace and humanity throughout her life, bringing love and strength to all who worked with her.

One is left with the impression that the only proof the government would accept is to be present while the torture occurs and witness it firsthand. The proof of torture in Afghan prisons and that transferred prisoners have been tortured is overwhelming and it is very disturbing.

Richard Colvin, who the government tasked with looking into this for 1 ½ years, certainly reached that conclusion. But having assigned him the task, the government preferred to disregard his message. He is not alone. Canadian journalists have, through tenacious investigative reporting, uncovered numerous cases of transferred prisoners who provide detailed and credible accounts of torture. The Afghan Independent Human Rights Commission (funded and supported by Canada, to our credit) has expressed concern. Other Canadian government monitors have documented cases. And there is good reason to believe that the Red Cross has also raised concerns with the Canadian government.

Instead of denying these concerns and impugning the messengers, it is time to take action.

***Torture is an egregious human rights violation. By its very nature it destroys the sense of human dignity that is at the heart of the very concept of human rights.*** Canada clearly stands against torture. It is imperative, therefore, that we be firm and resolute in our refusal to in any way cooperate with or assist torturers.

But we have not witnessed that firm, resolute stand over the past several years. Certainly not in the last two weeks. Clearly this has upset large numbers of Canadians who do not believe that this reflects their Canada.

Amnesty International and the BCCLA have jointly called for a public inquiry into this matter. Many others have as well, including all three opposition parties and leading media editorials across the country.

We will now press hard for that inquiry to be convened. It is only through a public inquiry that we will gain a full understanding of what has unfolded over the past several years. A public inquiry would also offer recommendations for a different approach, one that would fully conform with our international human rights obligations. If you would like to add your voice to that demand, just click here:

[Sign appeal](#) | [Amnesty's open letter to Prime Minister Stephen Harper](#)

Let me end by thanking you for the action you have taken in the past on Amnesty's work. It makes it possible for us to take up important issues such as this one and to stick with it over the long-term. While we have not reached the endpoint on this struggle we are closer than

ever, and with your ongoing help our progress will continue.  
All the best,



Alex Neve

P.S. Your commitment to human rights activism is what makes Amnesty strong. If you are in a position to make a significant financial gift to Amnesty International, I'd urge you to consider our [Relief Fund](#). This fund exists to help individuals who have been victims of torture.

### Help build the Relief Fund

A generous Amnesty International member, Frank Flaman, knows that more funds are needed for victims of torture, and is encouraging Canadians to make a first-time significant donation to Amnesty **by offering to match any gift of \$500** made towards the Relief Fund.:

[Make a donation to Amnesty International Relief Fund](#)

**Mugisho Bazibuhe, from DRC thanks Amnesty International**



**One of our generous donors has agreed to match any gift of \$500 or more made this month towards the Relief Fund.** I know from personal experience in speaking with torture victims how profound a difference the availability of these funds can be. Thank you for standing behind Amnesty on this important issue.

*“Thank you very much for your great support. I can't imagine what could have happened to me if God did not put you on my way. Amnesty International Canada, the Creator used you to help someone who needed help. The support you provided to me has been extra-ordinary. And don't think I can thank you enough”*

- Mugisho Bazibuhe, Democratic Republic of Congo, new refugee to Canada

**Write a letter to stop torture on International Human Rights Day**

Hundreds of thousands of Amnesty International letter-writers around the world will be writing letters on December 10th, International Human Rights Day.



[Sign up here to get involved](#) | [Take action on Aousfian Abdelrazik's case](#)

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