



## NEWS RELEASE

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FOR IMMEDIATE RELEASE

### **Canadian officers responsible for the transfers of detainees in Afghanistan must be investigated, say rights groups**

The failure of the military police to investigate officers having command responsibility for directing the transfer of detainees to the Afghanistan authorities, in the face of a known risk of torture, must be examined. That is the basis for a new complaint launched today with the Military Police Complaints Commission (MPCC) by Amnesty International Canada and the British Columbia Civil Liberties Association (BCCLA). The action follows an earlier complaint by the groups, accepted by the MPCC on 16 February 2007, to review the conduct of members of the military police in these transfers.

“The role of the military police and the responsibility of the officers in charge of these transfers must be examined,” says Alex Neve, Secretary General of Amnesty International Canada.

Since the filing of the initial complaint more information about the conditions for these prisoners has been made public. Amnesty International and the BCCLA are calling on the Chairman of the MPCC to expand the scope of the original complaint to cover transfers up to the present date.

The failure of military police to investigate whether any members of the Canadian Forces should be charged for their role in facilitating the transfer of prisoners to face the possibility of torture in violation of the *Geneva Conventions* is at the core of the complaint.

Evidence from a report by a Canadian official visiting the Afghanistan National Directorate of Security prison in Kandahar, on 5 November, 2007 noted that implements of torture described by a prisoner were discovered in his cell. Transfers were suspended after that discovery but officers in the chain of command ignored much evidence of a substantial risk of torture until the implements were found. The delay in officers acting on the issue at the very least shows wanton or reckless disregard for the lives and safety of others.

There should have been an investigation of the officers in the chain of command who failed to intervene at an earlier stage to halt detainee transfers.

The Federal Court has ruled that individuals held by Canadian Forces in Afghanistan were not protected by the *Charter of Rights and Freedoms* but the Court did state that they had indirect protection because Canadian Forces members could be prosecuted for their actions.

“The military police transferred prisoners until they were literally shown torture implements”, says Jason Gratl, Vice- President of BCCLA. “Until then they were willfully blind to the risks of torture and we need to know why.”

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