

What do we tell our future diplomats?

James, Ron . The Ottawa Citizen ; Ottawa, Ont. [Ottawa, Ont]25 Nov 2009: A.15.

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ABSTRACT

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FULL TEXT

Canadian diplomats have a reputation for acting honourably, promoting human rights and international law, and advancing international peace and security.

Consequently, my colleagues and I counsel our best and brightest students to work for Canada's diplomatic service. Last week, however, my confidence in the foreign policy establishment was shaken by the testimony of Richard Colvin, a respected career diplomat.

If his allegations are proven true, Canadian institutions and high ranking officials are responsible for egregious policy and ethical failures. The shameful efforts to silence and discredit Colvin have only added insult to injury. What are the issues?

In 2006 and 2007, hundreds of Afghans detained by Canadian forces were transferred to local security forces as per an agreement signed by both governments. Colvin says many of these were civilians wrongly detained. Under the Convention Against Torture, the Geneva Conventions, and Canadian domestic law, prisoners must be treated humanely. Transfers are therefore to be stopped if there are credible allegations of abuse.

As one of Canada's senior civilian officials in Afghanistan, Colvin wrote multiple memos saying the transferred detainees were at risk of torture. His information came from standard sources in Kandahar and Kabul: the diplomatic missions of like-minded countries, human rights organizations and intelligence sources.

This information convinced Colvin that abuse and torture in Afghan detention facilities was persistent and systematic and that there were no effective mechanisms to track and monitor the transferred detainees' wellbeing.

Last week, Colvin testified that his reports were first ignored, then censored, and finally suppressed.

It remains unclear if and when government ministers were informed of Colvin's reports. The minister of defence and other elected officials, however, say Colvin's conclusions were not supported by first-hand evidence.

Yet Colvin was a diplomat, not a forensic investigator. His job was to gather and evaluate information from standard sources and to transmit those findings to Ottawa.

It was then Ottawa's job to react appropriately by collecting more information, weighing the evidence, and moving quickly to change policies, if necessary. Colvin fulfilled his job to the letter, but his superiors in Ottawa did not.

For an analyst of international affairs, the policy and ethical failures are clear.

Respect for international law is supposedly a cornerstone of Canadian foreign policy. Yet, despite international lawyers at the helm of Canada's policy in both Ottawa and Kabul, it took Ottawa almost a year to investigate Colvin's information.

Significant policy change, moreover, was caused not by Colvin's memos, but by Canadian press reports. Instead of moving quickly to investigate and act, it seems Colvin's superiors sat on his information until the scandal broke.

The implications of all this are devastating. Hundreds of men, many innocent of any wrongdoing, were handed over and tortured. Hundreds of families were deeply impacted, since torture's emotional scars endure long after the physical signs fade.

Finally, Colvin's testimony also suggests that Canadian policy in 2006 was both incoherent and hypocritical. That year, Canadian officials at the United Nations in New York and Geneva proclaimed the sanctity of international law. In Afghanistan, meanwhile, Canadian Forces were transferring Afghan detainees with little concern for their fate or violations of those same laws. A better example of hypocrisy would be hard to find. In the classroom, we reinforce the importance of ethical standards in foreign policy work, including the values and ethics code of the Canadian public service: "Public servants shall give honest and impartial advice and make all information relevant to a decision available to Ministers."

In this case, however, the ethical code seems to have been badly broken.

Beginning in May 2006, Colvin sent multiple memos about detainee abuse and the difficulties faced by the International Committee of the Red Cross (ICRC) in its detainee-tracking efforts.

Later that year, however, senior Canadian officials -- including some on Colvin's e-mail distribution list -- told the House of Commons they didn't know about detainee abuse or the ICRC's concerns. If they were not lying, they were incompetent, forgetting -- or not bothering -- to read high-priority messages on that very subject from one of their most senior people in the field.

Relevant cabinet ministers also say they were not informed of the potential for detainee abuse.

Here, if we accept Colvin's testimony, there are only three options: The ministers are lying; senior officials did not inform them, contrary to their job description; or the ministers didn't bother to read their ministerial memos.

This charade must stop.

If the government ignored, denied and suppressed reports of potential detainee torture and abuse, Colvin cannot be alone in this knowledge. Others should remember their ethical obligations, share his courage and come forward.

If Colvin's allegations are true, we have learned a powerful but sad lesson: Canadian officials are just as capable of doing bad things and covering them up as any other. To restore the credibility of Canadian politicians and our foreign service, the government must launch a transparent, impartial and far-reaching investigation. If officials were guilty of criminal behaviour, they should be prosecuted to the full extent of the law.

If there is no inquiry and no accountability, Canada will have been proven just as tawdry and unethical as any other human rights-violating country.

What a sad lesson for my students.

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Credit: James Ron; Citizen Special

DETAILS

Subject:	International law; Human rights; Prisoner treatment; Geneva Conventions; Ethics; Detention centers
Publication title:	The Ottawa Citizen; Ottawa, Ont.
First page:	A.15
Publication year:	2009
Publication date:	Nov 25, 2009

Section:	News
Publisher:	Infomart, a division of Postmedia Network Inc.
Place of publication:	Ottawa, Ont.
Country of publication:	Canada, Ottawa, Ont.
Publication subject:	General Interest Periodicals--Canada
ISSN:	08393222
Source type:	Newspapers
Language of publication:	English
Document type:	Opinion
ProQuest document ID:	241341835
Document URL:	http://login.ezproxy.lib.umn.edu/login?url=https://search.proquest.com/docview/241341835?accountid=14586
Copyright:	Copyright CanWest Digital Media Nov 25, 2009
Last updated:	2017-11-01
Database:	Global Newsstream

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