

Minister
of National Defence



Ministre
de la Défense nationale

Ottawa, Canada K1A 0K2

FEB 02 2011

Mr. Alex Neve, Secretary General
Amnesty International Canada (English Branch), and
Ms. Grace Pastine, Litigation Director
British Columbia Civil Liberties Association
Amnesty International
312 Laurier Avenue East
Ottawa ON K1N 1H9

Dear Mr. Neve and Ms. Pastine:

Thank you for your letter of November 30, 2010, concerning detainees in Afghanistan.

Canada is committed to the proper treatment of all detainees, including juveniles encountered in conflict.

The Canadian Forces detains only individuals who represent a threat to the lives of Canadian soldiers, our allies, or Afghan citizens. All detainees, including juveniles, are treated in accordance with Canada's international legal obligations and with respect for Afghan law and sovereignty.

As you know, Canada has made significant contributions to improving Afghan capacity through investments in various rule-of-law initiatives. With the addition of the Kandahar Juvenile Rehabilitation Centre to the list of facilities to which Canadian detainees may be transferred, we have also expanded our level of engagement to include that organization.

The Canadian Forces transfers detainees, including juveniles, to Afghan authorities only when the Canadian commander on the ground is satisfied that there are no substantial grounds for believing that there exists a real risk that the detainee would be in danger of being subjected to torture or other forms of mistreatment. The Canadian Forces treats all detainees under the age of 18 (as can be determined) as juveniles, providing them with particular care and holding them separate from adults.

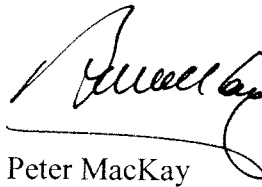
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Canada

Public information is provided year-by-year on the detention, transfer, and release of detainees, subject to a one-year lag to address operational security concerns. The level of detail you request in your letter would create difficulties from an operational security standpoint, and the release of such detail could endanger the lives of the juveniles while they are detained at the Juvenile Rehabilitation Centre or following their release from custody.

I trust this information is of assistance, and thank you again for writing.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter MacKay", with a long horizontal flourish extending to the right.

Peter MacKay