

ANNEX B**Diplomatic Contingency Plan in the event of credible allegations of mistreatment of detainees following their transfer from CF to Afghan authorities**

This document is intended to identify potential diplomatic actions that can be undertaken should credible allegations of detainee abuse by Afghan authorities following their transfer by the Canadian Forces be made. Note: this does not preclude continued reminders to Afghan authorities at all levels regarding our expectations as to their treatment of detainees. It articulates triggers for such diplomatic actions, upon verification, and Canada's legal obligations in the event the allegations are substantiated.

1. Trigger:

- The AIHRC, or a third party (NGOs, relatives, media, or otherwise), make credible allegations that detainees transferred by CF to Afghan authorities have been potentially abused following their transfer.
- Canadian officials directly uncover the abuse of prisoners (and inadvertently detainees) while visiting Afghan prison facilities.
- Canadian officials, either in Ottawa or in the field (KAF, PRT, Kabul), are made aware by credible contacts (IOs, allies, etc.) of specific cases or pattern of abuse of transferred detainees by Afghan authorities.
- A pattern of abuse by Afghan authorities potentially involving CF transfers is uncovered by the Government of Afghanistan and made aware to its international partners.

2. Verification:**Immediate measures:**

- DFAIT, in consultation with relevant stakeholders, to instruct KPRT or KABUL to encourage that the AIHRC investigate the incident, depending on where it occurs, if they have not already done so.
- DFAIT, in consultation with relevant stakeholders, instruct HOM/Kabul, or GoC officials in the field, to verify the accuracy of the accusation through inspection of facilities (or through Afghan authorities) and by seeking access to the individuals in question (if transferred by the CF), if possible.
- Check with other allies on their experience with the facility alleged to be torturing.

Additional measure:

- DFAIT convene the Afghan Ambassador to Canada to delineate Canadian expectations of the Afghan Government in responding to these allegations. DFAIT to request an investigation by pursued by appropriate Afghan authorities and to offer assistance in the investigation, if required.

3. Actions: Pending verification, and depending upon the nature of the allegations (long-term pattern of abuse or specific incident), there are a series of short-term/immediate diplomatic measures Canada can take, each incrementally more severe in accordance with the circumstance.