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Charges against Khadr thrown out; Twenty-year-old could still be held indefinitely

IDNUMBER 200706050121
PUBLICATION: The Record (Kitchener, Cambridge And Waterloo)
DATE: 2007.06.05
EDITION: Final
SECTION: Front
PAGE: A1
ILLUSTRATION: Photo: RICHARD LAUTENS, TORONTO STAR / Maha Elsamnah, OmarKhadr's mother, reacts in Toronto yesterday after learning the charges against her son had been dropped. ; Photo: ASSOCIATED PRESS COURTROOM SKETCH / Canadian Guantanamo detainee Omar Khadr during a U.S. military tribunal arraignment yesterday. ;
DATELINE: GUANTANAMO BAY
SOURCE: Canadian Press
COPYRIGHT: © 2007 Torstar Corporation
WORD COUNT: 823

A U.S. military judge threw out the murder case against Canadian Omar Khadr yesterday, a surprise decision marking another setback for the Bush administration's attempts to try terror suspects at the American naval base in Cuba.

The legal bombshell from presiding judge Col. Peter Brownback doesn't mean Khadr, 20, will be freed from the U.S. prison camp holding some 380 detainees in the war on terror.

The U.S. Defense Department called it a "technical matter" that can be easily resolved -- not a precedent that threatens the military trial process.

Still, it provided fresh hope for defence lawyers and activists who have long argued the system is unfair. They say Khadr and others at Guantanamo should be tried in regular American courts.

"The significance of this ruling is enormous," said Col. Dwight Sullivan, chief defence counsel for the detainees.

"I think this is an opportunity for Congress to take another look at this system," he said. "How much more evidence do you need that this is a failed experiment?"

Prosecutors asked for 72 hours to consider an appeal in what has become a fitful, highly contentious process condemned by most western countries except Canada.

"Judge Brownback did not question that the military commission would constitute the appropriate forum in which to try a member of al-Qaida for alleged war crimes," said Maj. Beth Kubala, spokesperson for the Office of Military Commissions.

But the military tribunal doesn't have jurisdiction over Khadr right now, said Brownback.

He said Khadr hasn't been declared an "unlawful" enemy combatant with no right to fight in Afghanistan --

something required by the Military Commission Act passed by Congress last year.

None of the other Guantanamo detainees have the new designation.

The Bush administration had designated them "enemy combatants" to distinguish them from regular soldiers who, when captured, would become prisoners of war entitled to protection under the Geneva Conventions. The detainees have not been labelled "unlawful" enemy combatants, who can then be charged for crimes including murder.

But U.S. authorities insist they can still be held indefinitely as enemy combatants.

Khadr, 20, was captured when he was just 15 years old and later charged with throwing the grenade that killed an elite U.S. soldier and nearly blinded another.

He has grown into a tall man with a full dark beard and bushy hair. He was led into court in loose, drab prisoner garb and rubber sandals.

Two soldiers wearing camouflage uniforms stood on either side, holding his arms and hands.

Khadr's attire was a marked contrast to the khakis and Roots shirt he wore in January 2006 during his first pre-trial hearings.

Brownback noted the prosecution offered him civilian clothes and worried the prison outfit "could influence some observers" and that it wouldn't be favourable to a "presumption of innocence."

Khadr did not speak out loud but he watched the judge intently and conferred with Edmonton lawyer Dennis Edney during the hearing, which lasted less than an hour.

At another hearing yesterday for Yemeni Salim Ahmed Hamdan, the defence asked the judge to throw out the case based on Brownback's ruling. A ruling was expected late in the day.

For Khadr, the day's developments don't change nearly five years of legal limbo. Observers expected the arraignment to deal mostly with the makeup of Khadr's legal team. He fired all his American attorneys last week, saying he would deal only with Edney and his colleague Nate Whitling.

But Brownback threw a major curve ball by raising the discrepancy between Khadr's designation as an enemy combatant by a military panel in 2004 under the old system and the new law that requires "unlawful" be added in order to proceed to trial.

Prosecutor Capt. Keith Petty offered to show a videotape of Khadr planting landmines in Afghanistan and provide a witness who would testify the Canadian was working for al-Qaida.

But Brownback, after adjourning for about 20 minutes, said it wasn't the tribunal's place to consider his designation.

"The charges are dismissed without prejudice," said Brownback. "A person could be facing trial for months without knowing whether the court had legitimate jurisdiction."

Sullivan viewed the glitch as evidence that the tribunal system is in disarray.

"Ideally this case wouldn't come back at all. There is a readily available alternative that does work," he said, referring to civilian courts.

"This pause that will occur now is another opportunity to consider whether we should continue with the system in Guantanamo or explore other systems."

"If the U.S. government's wise, this should be a fatal blow to the military commissions," said Jennifer Daskal at Human Rights Watch, who noted that even Defense Secretary Robert Gates was critical of the trials at a recent hearing on Capitol Hill.

She noted regular U.S. courts have heard hundreds of terror cases since the attacks on Sept. 11, 2001, compared with just one plea bargain so far for the military commissions.

Jameel Jaffer, director of the national security project at the American Civil Liberties Union Foundation in New York, called Brownback's decision "a very significant development" that will have consequences for the tribunals in general.

Khadr's sister, Zaynab, 27, said the family was heartened by the news.

"We're hoping this is the beginning of something good to come along," she said in Toronto.

"When you're mourning for a very long time it becomes very, very difficult to celebrate but we're trying."

Khadr and Hamdan are two of only three detainees charged under the new system. The U.S. military says it expects to eventually charge about 80 in all.

Khadr faced charges of murder, attempted murder, conspiracy, providing material support for terrorism and spying carrying a potential life sentence.

His case has attracted little public sympathy in Canada, where the family's close ties to Osama bin Laden remain a sore spot.

The family patriarch, Ahmed Said Khadr, moved them to Afghanistan where they lived near bin Laden. The elder Khadr was killed by Pakistani forces in October 2003.

In Ottawa, Foreign Affairs officials said they were reviewing the situation but had no immediate comment.

Military benefit discriminates, prof says; Policy blocking \$250,000 benefit violates charter rights, says constitutional expert

IDNUMBER 200706050117
PUBLICATION: The Record (Kitchener, Cambridge And Waterloo)
DATE: 2007.06.05
EDITION: Final
SECTION: Front
PAGE: A3
DATELINE: OTTAWA
SOURCE: Canadian Press
COPYRIGHT: © 2007 Torstar Corporation
WORD COUNT: 316

The Conservative government's denial of a \$250,000 death benefit to the families of unmarried soldiers killed in Afghanistan is a policy that's begging to be challenged before a court or human rights tribunal, says a constitutional expert.

Errol Mendes of the University of Ottawa says it's clearly established in law that discrimination based on marital status violates the Charter of Rights and Freedoms and he wonders why Veterans Affairs still supports the practice.

"There is a compelling case on the part of single soldiers," Mendes said yesterday.

"Whether or not there is a legal case, there is a huge moral, social, ethical and political reason why the government should be covering this."

The death benefit — available only to married soldiers — is part of the new Veterans Charter, which was passed with all party support in 2005.

Veterans Affairs Minister Greg Thompson denied there's an inequity — legal or otherwise.

"It's not discriminatory, it's very consistent with all of the programs that preceded the new Veterans Charter," Thompson said.

The purpose of the lump-sum payment was to help widows and orphaned children of soldiers re-establish themselves and deal with such things as moving from life in the military to the civilian world.

"The death benefit was never intended to be life insurance where there is a designated beneficiary," said Thompson, who added he's not contemplating changes to the current policy.

Soldiers with no dependants are encouraged to take out life insurance to provide for family members such as parents, Thompson said, but he acknowledged it's not mandatory and many don't do it.

The government's response disappointed Mendes, who said the minister is "leaving the families little option than to consider" a human rights complaint or legal action.

Military benefit discriminates, prof says; Policy blocking \$250,000 benefit violates charter rights, says consti

It also upset the mother of an unmarried soldier who died in Afghanistan in 2005.

"This just isn't right in this country in this day in age," said Beverley Woodfield, mother of Pte. Braun Scott Woodfield, 24.

Like the fight to increase the funeral stipend for soldiers killed in action, Mendes said the death benefit is another battle that shouldn't have to happen: "These people have sacrificed their lives for the rest of us and I think it's very sad they may be forced to start this process."

Canada vital to Afghan progress; Six years of development will disintegrate if nations pull out now, Afghan minister says

IDNUMBER: 200706050104
PUBLICATION: The Record (Kitchener, Cambridge And Waterloo)
DATE: 2007.06.05
EDITION: Final
SECTION: Front
PAGE: A5
DATELINE: KANDAHAR, AFGHANISTAN
SOURCE: Canadian Press
COPYRIGHT: © 2007 Torstar Corporation
WORD COUNT: 319

If the international community pulls out of Afghanistan, progress made in the last six years will disintegrate, a high-ranking government minister said yesterday.

Afghanistan is a country in the position of running around without laces in its shoes, said Mohammad Efhaz Zia, minister of rural rehabilitation and development.

The support of Canada and the rest of the world is imperative, he added.

"Our expectation is that international community and the Canadian government and Canadian people who have endured sacrifices and casualties in Afghanistan should not leave the job half done," Zia told reporters in the lush garden of a government guest house in Kandahar.

"I think it is the moral responsibility of the entire international community to help fellow mankind to come out of the vicious cycle of poverty and overcome the threat of terrorism in any part of the world."

The Afghan government announced 62 new development projects yesterday, many of which are being funded by the Canadian International Development Agency.

The agency has come under fire over allegations that its work in Afghanistan is ineffectual. But Zia said the approach of funneling financial support directly through the Afghan government sets Canada apart from other countries.

"Because of Canadian financial assistance I've been able to start this massive development initiative in the province of Kandahar," he said.

"Canada is helping the government of Afghanistan in the area of security, they are making these efforts on the request of our government and on the request of the people of Kandahar for improving the security situation. They are not taking unilateral decisions here in the country."

The projects announced yesterday include irrigation and clean drinking water facilities, bringing the total number of development projects in the southern provinces to 346, with 265 of them entirely funded by the aid agency, the ministry said.

Canada vital to Afghan progress; Six years of development will disintegrate if nations pull out now, Afghan minister says

"My message to the international community is to be patient, to take a realistic assessment of the ground realities of this country," he said.

"Here in Afghanistan, we shouldn't expect miracles because we are starting everything from scratch. We are literally putting bricks on top of bricks."

Saying 'thanks' to Canadian soldiers

IDNUMBER 200706050080

PUBLICATION: The Record (Kitchener, Cambridge And Waterloo)

DATE: 2007.06.05

EDITION: Final

SECTION: Local

PAGE: B1

ILLUSTRATION: Photo: MATHEW McCARTHY, RECORD STAFF / Ahmad Asey, a29-year-old University of Waterloo student from Afghanistan, holds some thank-you cards that will be sent to Canadian soldiers in Afghanistan. ;

DATELINE: WATERLOO

BYLINE: NICOLE O'REILLY

SOURCE: RECORD STAFF

COPYRIGHT: © 2007 Torstar Corporation

WORD COUNT: 390

Thank you --- that's the simple message Ahmad Asey wants to deliver, in the form of hand-written cards from local residents to Canadian soldiers in Afghanistan.

The 29-year-old University of Waterloo science student was born and raised in Afghanistan, and saw the difference Canadian soldiers made before he came to Canada three years ago as a refugee.

"The schools that they build, the toys they deliver, the hospitals, the security, the freedom to women and children," Asey said.

"It's not fair that we don't talk about the good stuff."

His message is not political. He wants everyone to write thank-you cards, no matter their political leanings.

"This campaign is not pro-mission. It is pro-soldiers," he said.

"It's not an effort to keep them in or get them out."

Asey said the project was sparked in part by an information booth in the University of Waterloo's student centre about local student soldiers serving in Afghanistan.

He was moved.

"I just wanted to get ahold of their parents and thank them," he said.

At first Asey thought of gathering friends, family and classmates to send a video message to Canadian troops.

But he decided in early April to pursue what he's calling the Thank You Campaign.

Promoted by word of mouth, the campaign has already collected messages from about 20 of Asey's friends, family and classmates.

One reads: "Dear Canadian Soldiers in Afghanistan, We are thinking of you and praying for you, your safety and well being in Kandahar."

Another begins: "We really appreciate all you've done for our country."

Asey said he wants to collect 3,000 cards by August. He has been in contact with local Canadian Forces officials and was assured his cards will be delivered to soldiers.

Capt. Adam Thomson, a public-affairs officer for National Defence, said messages of gratitude and hope are "so highly appreciated." Sometimes hand-written letters can be difficult to deliver, he said, so there are other ways for people to show their support for Canadian troops.

The federal government has recently set up a message board on the National Defence and Canadian Forces website at www.forces.gc.ca. Click on the link that says Write to the Troops.

As of yesterday, there were more than 40,000 messages.

Asey is hoping local businesses and the City of Kitchener will join his campaign. He is also sending a letter to Research In Motion and Kitchener Centre MP Karen Redman.

"I think it's a great idea . . . it gives the troops a boost," Redman said yesterday from her Ottawa office. She voted yes in the House of Commons for a proposal, which, if passed, will allow Canadians to send mail to troops overseas free of charge. She said she will write a letter for Asey's campaign and will ask colleagues to do the same.

Asey's wife, Palwasha, has already written her card.

"They're volunteering their lives and leaving their families to go to a country where they don't know anyone," she said. "We are thankful."

Palwasha will travel back to Afghanistan in a few weeks, for the first time since she left with her husband three years ago.

"For the first time I want to go back because . . . I feel safe."

no'reilly@therecord.com

Manitoba bride wears lace and a blindfold

IDNUMBER 200706050030
PUBLICATION: The Record (Kitchener, Cambridge And Waterloo)
DATE: 2007.06.05
EDITION: Final
SECTION: Life
PAGE: C5
COLUMN: SLICE OF LIFE
ILLUSTRATION: Photo: CANADIAN PRESS / Crystal Hamm embraces her newhusband, Master Cpl. Oliver Cromwell, who arranged a surprise wedding. ;
SOURCE: Canadian Press
COPYRIGHT: © 2007 Torstar Corporation
WORD COUNT: 272

It was a surprise attack that definitely blind-sided the intended target.

Recently back from Afghanistan, Master Cpl. Oliver Cromwell of Sprucewoods, Man., managed to pull off a wedding on the weekend without his fiancée finding out until moments before the vow.

"You always hear about how the woman is always the one to surprise the groom-to-be, and I just wanted to change it up," said Cromwell.

The unsuspecting bride, Crystal Hamm seemed stunned and a little embarrassed when her blindfold was removed at the community hall where the event was held.

"This ring I give you in token and pledge of my constant faith and abiding love," Hamm told her husband as she lovingly slipped a ring on his finger.

"You are so dead when I get home."

Hamm, 29, and Cromwell, 28, have been engaged since October when Cromwell was on leave from his tour in Afghanistan with the Second Battalion Princess Patricia's Canadian Light Infantry.

That tour ended on Valentine's Day and the couple — with a two-year-old daughter, Jersey, and another child on the way — were excited about the prospect of marriage but couldn't afford a ceremony.

Fortunately, Hamm's boss, Coral Quinney, and co-workers at the Base Hair and Tanning Salon are part of the CFB Shilo group called Community of Kindness, which performs random acts of kindness.

Plans for the secret ceremony began six days ago.

"We had no budget, we have no time — we had just a lot of love and a lot of good wishes and pulled it together," Quinney said.

A friend donated her wedding dress, which was kept at the community hall awaiting the bride's arrival. Just moments before, her co-workers had styled her hair on the pretence they were practising for another wedding.

She was led to the hall believing she was headed to dinner and a night out with friends, confused only when she was blindfolded.

Only one question remained -- would she say "I do?"

Cromwell admitted he was a "little nervous" just before Hamm arrived.

Hamm, on the other hand, said she was just relieved for the reason her husband was getting all those secret phone calls.

"I can't believe that he pulled this off, I thought that he was having an affair!"

Minister asks Canada to stay in Afghanistan; Pullout would derail progress, official says

PUBLICATION: Kingston Whig–Standard (ON)

DATE: 2007.06.05

SECTION: National/World

PAGE: B4

SOURCE: CP

BYLINE: Stephanie Levitz

PHOTO: The Canadian Press

DATELINE: AFGHANISTAN

ILLUSTRATION: Afghanistan Minister of Rural Rehabilitation and Development, Mohammad Eghan Zia, announced 62 new projects and then asked Canada to stay the course in the country.

WORD COUNT: 217

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But Zia said the approach of funnelling financial support directly through the Afghan government sets Canada apart from other countries.

"Because of Canadian financial assistance I've been able to start this massive development initiative in the province of Kandahar," he said.

"Canada is helping the government of Afghanistan in the area of security, they are making these efforts on the request of our government and on the request of the people of Kandahar for improving the security situation.

Denial of death benefit unconstitutional, expert says; Unmarried soldiers don't qualify for \$250,000

PUBLICATION: Kingston Whig–Standard (ON)

DATE: 2007.06.05

SECTION: National/World

PAGE: B4

SOURCE: CP

BYLINE: Murray Brewster

DATELINE: Ottawa

WORD COUNT: 316

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"Whether or not there is a legal case, there is a huge moral, social, ethical and political reason why the government should be covering this."

The death benefit – available only to married soldiers – is part of the new Veterans Charter, which was passed with all party support in 2005.

Veterans Affairs Minister Greg Thompson denied there's an inequity – legal or otherwise.

"It's not discriminatory, it's very consistent with all of the programs that preceded the new Veterans Charter," Thompson said.

The purpose of the lump–sum payment was to help widows and orphaned children of soldiers re–establish themselves and deal with such things as moving from life in the military to the civilian world.

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Soldiers with no dependants are encouraged to take out life insurance to provide for family members such as parents, Thompson said, but he acknowledged it's not mandatory and many don't do it.

The government's response disappointed Mendes, who said the minister is "leaving the families little option than to consider" a human rights complaint or legal action.

It also upset the mother of an unmarried soldier who died in Afghanistan in 2005.

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Denial of death benefit unconstitutional, expert says; Unmarried soldiers don't qualify for \$250,00013

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Judge tosses terror charges; Canadian detainee to remain at Gitmo

PUBLICATION: Kingston Whig–Standard (ON)

DATE: 2007.06.05

SECTION: National/World

PAGE: B1

SOURCE: The Canadian Press

BYLINE: Beth Gorham

DATELINE: GUANTANAMO BAY, Cuba

WORD COUNT: 558

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The legal bombshell from presiding judge Col. Peter Brownback doesn't mean Khadr, 20, will be freed from the U.S. prison camp holding some 380 detainees in the war on terror.

And the U.S. Defense Department called it a "technical matter" that can be easily resolved – not a precedent that threatens the military trial process.

Still, it provided fresh hope for defence lawyers and activists who have long argued the system is unfair. They say Khadr and others at Guantanamo should be tried in regular American courts.

"The significance of this ruling is enormous," said Col. Dwight Sullivan, chief defence counsel for the detainees.

"I think this is an opportunity for Congress to take another look at this system," he said. "How much more evidence do you need that this is a failed experiment?"

Prosecutors asked for 72 hours to consider an appeal in what has become a fitful, highly contentious process condemned by most western countries except Canada.

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But the military tribunal doesn't have jurisdiction over Khadr right now, said Brownback.

He said Khadr hasn't been declared an "unlawful" enemy combatant with no right to fight in Afghanistan – something required by the Military Commission Act passed by Congress last year.

None of the other Guantanamo detainees have the new designation.

The Bush administration had designated them "enemy combatants" to distinguish them from regular soldiers who, when captured, would become prisoners of war entitled to protection under the Geneva Conventions.

The detainees have not been labelled "unlawful" enemy combatants, who can then be charged for crimes including murder.

But U.S. authorities insist they can still be held indefinitely as enemy combatants.

Khadr, 20, was captured when he was just 15 years old and later charged with throwing the grenade that killed an elite U.S. soldier and nearly blinded another.

He has grown into a tall man with a full dark beard and bushy hair. He was led into court in loose, drab prisoner garb and rubber sandals.

Two soldiers wearing camouflage uniforms stood on either side, holding his arms and hands.

Khadr's attire was a marked contrast to the khakis and Roots shirt he wore in January 2006 during his first pre-trial hearings.

Brownback noted the prosecution offered him civilian clothes and worried the prison outfit "could influence some observers" and that it wouldn't be favourable to a "presumption of innocence."

Khadr did not speak out loud, but he watched the judge intently and conferred with Edmonton lawyer Dennis Edney during the hearing, which lasted less than an hour.

At another hearing yesterday for Yemeni Salim Ahmed Hamdan, the defence asked the judge to throw out the case based on Brownback's ruling. A ruling was expected late in the day.

For Khadr, the day's developments don't change nearly five years of legal limbo.

Observers expected the arraignment to deal mostly with the makeup of Khadr's legal team. He fired all his American attorneys last week, saying he would deal only with Edney and his colleague Nate Whitling.

But Brownback threw a major curve ball by raising the discrepancy between Khadr's designation as an enemy combatant by a military panel in 2004 under the old system and the new law that requires "unlawful" be added in order to proceed to trial.

Prosecutor Capt. Keith Petty offered to show a videotape of Khadr planting landmines in Afghanistan and provide a witness who would testify the Canadian was working for al-Qaida.

But Brownback, after adjourning for about 20 minutes, said it wasn't the tribunal's place to consider his designation.

"The charges are dismissed without prejudice," said Brownback. "A person could be facing trial for months without knowing whether the court had legitimate jurisdiction."

Soldier's body flown to Canada

PUBLICATION: Kingston Whig-Standard (ON)

DATE: 2007.06.05

SECTION: National/World

PAGE: B1

COLUMN: In brief

WORD COUNT: 81

A military aircraft bearing the remains of a Canadian soldier killed in Afghanistan landed at CFB Trenton yesterday afternoon.

Master Cpl. Darrell Priede, a military photographer based at CFB Gagetown, N.B., died last week when the helicopter he was flying in went down in Helmand province.

He was photographing coalition forces trying to wrest control of a strategic valley from insurgents to pave the way for reconstruction. Five Americans and a Briton who were aboard the chopper were also killed.

Minister: If Canada leaves, Afghan progress will be lost

PUBLICATION: The Chronicle–Herald

DATE: 2007.06.05

SECTION: World

PAGE: A7

BYLINE: Stephanie Levitz

WORD COUNT: 286

KANDAHAR, Afghanistan – If the international community pulls out of Afghanistan, progress made in the last six years will disintegrate, a high-ranking government minister said Monday.

Afghanistan is a country in the position of running around without laces in its shoes, said Mohammad Eghan Zia, minister of rural rehabilitation and development.

The support of Canada and the rest of the world is imperative, he added.

"Our expectation is that the international community and the Canadian government and Canadian people who have endured sacrifices and casualties in Afghanistan should not leave the job half done," Zia told reporters in the lush garden of a government guest house in Kandahar.

"I think it is the moral responsibility of the entire international community to help fellow mankind to come out of the vicious cycle of poverty and overcome the threat of terrorism in any part of the world."

The Afghan government announced 62 new development projects on Monday, many of which are being funded by the Canadian International Development Agency.

CIDA has come under fire in recent weeks over allegations that its work in Afghanistan is ineffectual. But Zia said the approach of funnelling financial support directly through the Afghan government sets Canada apart from other countries.

"Because of Canadian financial assistance I've been able to start this massive development initiative in the province of Kandahar," he said.

"Canada is helping the government of Afghanistan in the area of security, they are making these efforts on the request of our government and on the request of the people of Kandahar for improving the security situation. They are not taking unilateral decisions here in the country."

The projects announced Monday include irrigation and clean drinking water facilities, bringing the total number of development projects in the southern provinces to 346, with 265 of them entirely funded by CIDA, the ministry said.

Expert: Single soldiers should get death benefit

PUBLICATION: The Chronicle–Herald

DATE: 2007.06.05

SECTION: Canada

PAGE: A4

BYLINE: Murray Brewster

Angela Priede, wife of Master Cpl. Darrell Priede, reacts as the casket of her husband arrives back in Canada during a repatriation ceremony at CFB Trenton on Monday. A

ILLUSTRATION: constitutional expert said Monday that the Conservative government's denial of a \$250,000 death benefit to the families of unmarried soldiers killed in Afghanistan is a policy that's begging to be challenged. (Adrian Wyld / CP)

WORD COUNT: 627

OTTAWA – The Conservative government's denial of a \$250,000 death benefit to the families of unmarried soldiers killed in Afghanistan is a policy that's begging to be challenged before a court or human rights tribunal, says a constitutional expert.

Errol Mendes of the University of Ottawa says it's clearly established in law that discrimination based on marital status violates the Charter of Rights and Freedoms and he wonders why Veterans Affairs still supports the practice.

"There is a compelling case on the part of single soldiers," Mendes said Monday.

"Whether or not there is a legal case, there is a huge moral, social, ethical and political reason why the government should be covering this."

The death benefit – available only to married soldiers – is part of the new Veterans Charter, which was passed with all party support in 2005.

Veterans Affairs Minister Greg Thompson denied there's an inequity – legal or otherwise.

"It's not discriminatory, it's very consistent with all of the programs that preceded the new Veterans Charter," Thompson said.

The purpose of the lump-sum payment was to help widows and orphaned children of soldiers re-establish themselves and deal with such things as moving from life in the military to the civilian world.

"The death benefit was never intended to be life insurance where there is a designated beneficiary," said Thompson, who added that he's not contemplating any changes to the current policy.

Soldiers with no dependants are encouraged to take out life insurance to provide for family members such as parents, Thompson said, but he acknowledged it's not mandatory and many don't do it.

The government's response disappointed Mendes, who said the minister is "leaving the families little option than to consider" a human rights complaint or legal action.

It also upset the mother of an unmarried soldier who died in Afghanistan in 2005.

"This just isn't right in this country in this day in age," said Beverley Woodfield, mother of Pte. Braun Scott Woodfield, 24, of Eastern Passage.

Like the fight to increase the funeral stipend for soldiers killed in action, Mendes said the death benefit is another battle that shouldn't have to happen: "These people have sacrificed their lives for the rest of us and I think it's very sad they may be forced to start this process."

Last week, the parents of another unmarried soldier, Cpl. Matthew Dinning who died in a roadside bomb attack in April 2006, also criticized the policy.

During a news conference over the failure of National Defence to cover all the costs associated with his son's funeral, Lincoln Dinning quoted from a letter he wrote Prime Minister Stephen Harper on April 25. In it, he complained that his son had faced discrimination because he did not qualify for the \$250,000 death benefit and was therefore "worth \$0 in your government's eyes."

On Monday, the Dinnings received a cheque for the outstanding portion of their son's funeral costs and a letter from Harper, which said he was raising the death benefit concerns with both Thompson and Defence Minister Gordon O'Connor.

Woodfield spoke out on the issue last summer, prompting New Democrat veterans affairs critic Peter Stoffer to write Thompson, suggesting all soldiers be allowed to receive the payment and to designate a beneficiary.

"It would cost them money and it's all about dollars and cents," Stoffer said Monday.

"(The government are the) first ones to say support the troops and if you even dare question the Conservatives on any aspect of the troops, they go crazy on you. When these soldiers pay the ultimate sacrifice their families end up in a fight all over again."

Woodfield, who keeps in regular contact with her son's buddies serving overseas, said unmarried soldiers would welcome an expanded benefit, but are reluctant to speak out for fear of being disciplined and the families of many of those killed are still too distraught to speak out.

"That is a sad state of affairs in this country," she said from her home in Dartmouth.

"People in this case are grieving and mourning an ultimate loss and this case it's parents grieving and mourning the ultimate loss of a child of theirs. They have to step out of that dark box and say, this is not right that they have to go to this length to be heard."

U.S. military judge dismisses terror charges against Canadian at Guantanamo; However, it doesn't mean Omar Khadr will be set free from the military prison

PUBLICATION: The Guardian (Charlottetown)

DATE: 2007.06.05

SECTION: News

PAGE: B7

SOURCE: the canadian press

BYLINE: Beth Gorham

DATELINE: GUANTANAMO BAY, Cuba

ILLUSTRATION: Khadr

WORD COUNT: 407

A U.S. military judge threw out the murder case against Canadian Omar Khadr on Monday, a surprise decision marking another setback for the Bush administration's attempts to try terror suspects at the American naval base in Cuba.

The legal bombshell from presiding judge Col. Peter Brownback doesn't mean Khadr, 20, will be freed from the U.S. prison camp holding some 380 detainees in the war on terror.

And the U.S. Defense Department called it a "technical matter" that can be easily resolved – not a precedent that threatens the military trial process.

Still, it provided fresh hope for defence lawyers and activists who have long argued the system is unfair. They say Khadr and others at Guantanamo should be tried in regular American courts.

"The significance of this ruling is enormous," said Col. Dwight Sullivan, chief defence counsel for the detainees.

"I think this is an opportunity for Congress to take another look at this system," he said. "How much more evidence do you need that this is a failed experiment?"

Prosecutors asked for 72 hours to consider an appeal in what has become a fitful, highly contentious process condemned by most western countries except Canada.

"Judge Brownback did not question that the military commission would constitute the appropriate forum in which to try a member of al-Qaida for alleged war crimes," said Maj. Beth Kubala, spokesman for the Office of Military Commissions.

But the military tribunal doesn't have jurisdiction over Khadr right now, said Brownback.

He said Khadr hasn't been declared an "unlawful" enemy combatant with no right to fight in Afghanistan – something required by the Military Commission Act passed by Congress last year.

None of the other Guantanamo detainees have the new designation.

U.S. military judge dismisses terror charges against Canadian at Guantanamo; However, it doesn't mean Omar

The Bush administration had designated them "enemy combatants" to distinguish them from regular soldiers who, when captured, would become prisoners of war entitled to protection under the Geneva Conventions. The detainees have not been labelled "unlawful" enemy combatants, who can then be charged for crimes including murder.

But U.S. authorities insist they can still be held indefinitely as enemy combatants.

Khadr, 20, was captured when he was just 15 years old and later charged with throwing the grenade that killed an elite U.S. soldier and nearly blinded another.

He has grown into a tall man with a full dark beard and bushy hair. He was led into court in loose, drab prisoner garb and rubber sandals.

Two soldiers wearing camouflage uniforms stood on either side, holding his arms and hands.

Khadr's attire was a marked contrast to the khakis and Roots shirt he wore in January 2006 during his first pre-trial hearings.

Brownback noted the prosecution offered him civilian clothes and worried the prison outfit "could influence some observers" and that it wouldn't be favourable to a "presumption of innocence."

Khadr did not speak out loud but he watched the judge intently and conferred with Edmonton lawyer Dennis Edney during the hearing, which lasted less than an hour.

Grieving the fallen

PUBLICATION: The Guardian (Charlottetown)

DATE: 2007.06.05

SECTION: Canada

PAGE: A8

ILLUSTRATION: Angela Priede, left, wife of Master Cpl. Darrell Priede, reacts to the casket of her husband during a repatriation ceremony at CFB Trenton Monday. Priede, a combat photographer, was the 56th Canadian soldier to die in Afghanistan since 2002. Canadian press photo

Denying death benefit to single soldiers unconstitutional: expert

PUBLICATION: The Guardian (Charlottetown)

DATE: 2007.06.05

SECTION: Canada

PAGE: A5

SOURCE: CP

DATELINE: OTTAWA

WORD COUNT: 135

The Conservative government's denial of a \$250,000 death benefit to the families of unmarried soldiers killed in Afghanistan is a policy that's begging to be challenged before a court or human rights tribunal, says a constitutional expert.

Errol Mendes of the University of Ottawa says it's clearly established in law that discrimination based on marital status violates the Charter of Rights and Freedoms and he wonders why Veterans Affairs still supports the practice.

"There is a compelling case on the part of single soldiers," Mendes said Monday. "Whether or not there is a legal case, there is a huge moral, social, ethical and political reason why the government should be covering this."

The death benefit – available only to married soldiers – is part of the new Veterans Charter, which was passed with all party support in 2005.

Afghan minister says if Canada leaves, development will suffer

PUBLICATION: The Telegram (St. John's)

DATE: 2007.06.05

SECTION: International

PAGE: C9

SOURCE: The Canadian Press

BYLINE: Stephanie Levitz

DATELINE: Kandahar, Afghanistan

ILLUSTRATION: 2nd Royal Canadian Horse Artillery Warrant Officer Dennis Goodland (centre) from Bonavista, points to where an explosion occurred outside the perimeter as Warrant Officer Mike Dolan (left) from Halifax, and Sgt. Rob Morningstar, from Beamsville, Ont., look on at the forward operating base in Helmand Province, Afghanistan in this April 20 file photo. – Photo by The Canadian Press

WORD COUNT: 362

If the international community pulls out of Afghanistan, progress made in the last six years will disintegrate, a high-ranking government minister said Monday.

Afghanistan is a country in the position of running around without laces in its shoes, said Mohammad Efan Zia, minister of Defence.

Afghan minister says if Canada leaves, development of rural rehabilitation will suffer.

The support of Canada and the rest of the world is imperative, he added.

"Our expectation is that international community and the Canadian government and Canadian people who have endured sacrifices and casualties in Afghanistan should not leave the job half done," Zia told reporters in the lush garden of a government guest house in Kandahar.

"I think it is the moral responsibility of the entire international community to help fellow mankind to come out of the vicious cycle of poverty and overcome the threat of terrorism in any part of the world."

The Afghan government announced 62 new development projects on Monday, many of which are being funded by the Canadian International Development Agency.

CIDA has come under fire in recent weeks over allegations that its work in Afghanistan is ineffectual. But Zia said the approach of funneling financial support directly through the Afghan government sets Canada apart from other countries.

"Because of Canadian financial assistance I've been able to start this massive development initiative in the province of Kandahar," he said.

"Canada is helping the government of Afghanistan in the area of security, they are making these efforts on the request of our government and on the request of the people of Kandahar for improving the security situation. They are not taking unilateral decisions here in the country."

The projects announced Monday include irrigation and clean drinking water facilities, bringing the total number of development projects in the southern provinces to 346, with 265 of them entirely funded by CIDA, the ministry said.

Zia maintained that the pillar of reconstruction is winning over the insurgency in the southern part of the country, though in the last two weeks, Canadian soldiers have been killed in both the district of Zhari and the province of Helmand.

No projects themselves have been the subject of insurgent attacks, he said.

"The people of Afghanistan and the government of Afghanistan is making all efforts to bring security to this land, to improve the living conditions, but we have to be realistic," he said.

"We are hoping that the security situation improves next week, but is it really possible?"

Case dismissed; U.S. military judge throws out terror charges against Khadr

PUBLICATION: The Telegram (St. John's)

DATE: 2007.06.05

SECTION: National/World

PAGE: A7

SOURCE: The Canadian Press

BYLINE: Beth Gorham

DATELINE: Guantanamo Bay, Cuba

ILLUSTRATION: In this courtroom sketch reviewed and cleared for release by U.S. Military officials, Guantanamo Canadian detainee Omar Khadr, (far left), sits flanked by two civilian lawyers and one military lawyer, inside the courtroom during a U.S. Military Tribunal arraignment, at Guantanamo U.S. Naval Base, Cuba Monday. The military judge dismissed charges against Khadr. – Photo by The Associated Press; Omar Khadr in shown in a handout photo three years ago. – Photo by The Canadian Press

WORD COUNT: 640

A U.S. military judge threw out the murder case against Canadian Omar Khadr Monday, a surprise decision marking another setback for the U.S. administration's attempts to try terror suspects at the Guantanamo naval base in Cuba.

The legal bombshell from presiding judge Col. Peter Brownback, who said he lacks the legal jurisdiction to try him, doesn't mean Khadr, 20, will be freed from the U.S. prison camp holding some 380 detainees in the war on terror.

The U.S. Defence Department called it a "technical matter" that can be easily resolved – not a precedent that threatens the military trial process.

But it provided a boost for Khadr's family in Toronto, along with fresh hope for defence lawyers and activists who have long argued the system is unfair.

"The significance of the ruling is enormous," said Col. Dwight Sullivan, chief defence counsel for the detainees.

"I think this is an opportunity for Congress to take another look at this system," he said.

"How much more evidence do you need that this is a failed experiment?"

Prosecutors asked for 72 hours to consider an appeal in what has become a fitful, highly contentious process condemned by most western countries, except Canada.

And the Pentagon made it clear it's not giving up on the system.

"(We) will continue to operate in a manner that's fair, transparent, open and legitimate," said Maj. Beth Kubala, spokeswoman for the Office of Military Commissions.

"If nothing else, today's rulings highlight that the judges operate independently."

Hours after the Khadr decision, a second judge threw out charges against Salim Ahmed Hamdan, former driver for al-Qaida leader Osama bin Laden, saying he also lacked legal jurisdiction.

Both rulings were based on the fact the men haven't been declared "unlawful" enemy combatants who have no right to fight, something required by the Military Commission Act passed by Congress last year.

None of the other Guantanamo detainees has the new designation either.

The Bush administration called them "enemy combatants" to distinguish them from regular soldiers who, when captured, would become prisoners of war entitled to protection under the Geneva Conventions.

U.S. authorities insist they can be held indefinitely.

Khadr, 20, was captured when he was 15 years old and later charged with throwing the grenade that killed a U.S. soldier and nearly blinded another.

Khadr did not speak out loud but simply stared at the judge and conferred with Edmonton lawyer Dennis Edney during the hearing, which lasted less than an hour.

For Khadr, the day's developments did nothing to change his nearly five years of legal limbo.

Observers expected the arraignment to deal mostly with the makeup of Khadr's legal team. He fired all his U.S. lawyers last week, saying he would deal only with Edney and his colleague Nate Whitling.

But Brownback threw a major curve ball by raising the discrepancy between Khadr's designation as an enemy combatant by a military panel in 2004 under the old system and the new law that requires "unlawful" be added in order to proceed to trial.

Prosecutor Capt. Keith Petty offered to show a videotape of Khadr planting landmines in Afghanistan and provide a witness who would testify the Canadian was working for al-Qaida.

But Brownback, after adjourning for about 20 minutes, said it wasn't the tribunal's place to consider his designation.

"The charges are dismissed without prejudice," said Brownback.

"A person could be facing trial for months without knowing whether the court had legitimate jurisdiction."

Sullivan viewed the glitch as evidence the tribunal system is in disarray. "Ideally this case wouldn't come back at all. There is a readily available alternative that does work," he said, referring to civilian courts.

"This pause that will occur now is another opportunity to consider whether we should continue with the system in Guantanamo or explore other systems."

"If the U.S. government's wise, this should be a fatal blow to the military commissions," said Jennifer Daskal at Human Rights Watch, who noted even Defense Secretary Robert Gates was critical of the trials at a recent hearing on Capitol Hill.

She noted regular U.S. courts have heard hundreds of terror cases since the attacks on Sept. 11, 2001, compared with just one plea bargain so far for the military commissions.

Jameel Jaffer, director of the national security project at the American Civil Liberties Union Foundation in

New York City, called Brownback's decision "a very significant development" that will have consequences for the tribunals in general.

Khadr's sister, Zaynab, 27, said the family was heartened by the news.

"We're hoping this is the beginning of something good to come along," she said in Toronto.

"When you're mourning for a very long time it becomes very, very difficult to celebrate but we're trying."

In Ottawa, Liberal MP Michael Ignatieff said the federal government should actively take up Khadr's case after remaining mum.

"Whatever we may think about Mr. Khadr and his past, he is a Canadian citizen with the rights of a Canadian citizen."

End 'futile' trials of detainees, lawyer urges; Edmontonians defend Khadr as military judge throws out war-crimes charges

IDNUMBER 200706050154
PUBLICATION: Edmonton Journal
DATE: 2007.06.05
EDITION: Early
SECTION: News
PAGE: A1 / FRONT
ILLUSTRATION: Colour Photo: Journal Stock / (Omar) Khadr;
KEYWORDS: CANADIANS; PRISONERS OF WAR; INTERNATIONAL LAW; TERRORISM
BYLINE: Sheldon Alberts
SOURCE: CanWest News Service; The Edmonton Journal
WORD COUNT: 840

The "experimental legal system" at Guantanamo Bay, Cuba, suffered its third strike Monday when an American military judge threw out war-crimes charges against Canadian Omar Khadr.

It's out of chances, argues Dennis Edney, one of Khadr's two Edmonton-based lawyers.

"After five years, it is time to end this futile and expensive effort to make it up as they go along," Edney told The Journal via e-mail from Guantanamo Bay.

"There are courts equipped to deal with these trials. After today's decision, there are none here.

"This is their third attempt to try the detainees held here outside of the legal system and, like each before it, it failed to even get the prosecution off the ground."

Khadr, 20, facing murder and terrorism charges almost five years in the making, was led out of court after less than an hour with his legal fate once again in limbo.

While the alleged al-Qaida member remains in U.S. custody, the ruling by Army Col. Peter Brownback also threatens to derail the military commissions process established by President George W. Bush to try al-Qaida and Taliban terrorists following the attacks of Sept. 11, 2001.

"The significance of this ruling was enormous," said Col. Dwight Sullivan, the chief military defence lawyer for Guantanamo detainees. "What we have seen today is the latest demonstration that the military commissions system does not work. ... The commission is an experiment that failed and we don't need any more evidence that it is a failure."

The war crimes tribunals were thrown into further turmoil Monday evening when a second judge dismissed charges against another accused terrorist, Yemeni national Salim Hamdan.

In a sweeping ruling that could be even more damaging to the Bush administration, Navy Capt. Keith Allred ruled the Pentagon's designation of Hamdan as an "enemy combatant" applied only to his detention at Guantanamo and did not make him eligible for trial before military commissions.

End 'futile' trials of detainees, lawyer urges; Edmontonians defend Khadr as military judge throws out war-cr

Brownback's ruling said the war-crimes tribunal lacked jurisdiction to try Khadr because the U.S. government had made no determination whether he was an "unlawful enemy combatant" — a finding required by Congress to proceed with the case.

Khadr, accused of throwing a grenade that killed U.S. Army Sgt. Christopher Speer in 2002, had been classified by a combatant status review tribunal only as an "enemy combatant." But that ruling left open the technical possibility Khadr may have been legally fighting American forces under the laws of war, Brownback said.

Brownback said his decision does not preclude prosecutors from charging Khadr again in the future. Military prosecutors immediately requested 72 hours to decide whether they should appeal the judge's ruling.

In Ottawa, Foreign Affairs Minister Peter MacKay instructed Canadian diplomats to follow up on the case with the relevant U.S. authorities.

Opposition critics called for intervention by the minority Conservative government to have Khadr returned to Canada.

"Whatever we may think about Mr. Khadr and his past, he is a Canadian citizen with the rights of a Canadian citizen and the government should take up his case actively with U.S. authorities," deputy Liberal leader Michael Ignatieff told reporters.

The Pentagon, meanwhile, said the Khadr ruling was a minor technical hurdle that could be fixed with a new hearing to establish the young man's status as an illegal fighter.

But the Bush's administration's problems may extend far beyond the Khadr case, with implications for all 380 detainees held as "enemy combatants" at Guantanamo. The Pentagon has said it plans to prosecute up to 80 Guantanamo detainees, including 14 high-value detainees like alleged 9/11 mastermind Khalid Sheikh Mohammed.

The dramatic developments Monday marked the second time military charges against Khadr have been quashed since he was first sent to Guantanamo in October 2002.

Last year, the Bush administration had to scrap an earlier version of the military commissions after the U.S. Supreme Court ruled they violated international law.

The Pentagon has so far successfully prosecuted only one case at Guantanamo. Australian David Hicks, a convert to radical Islam, was sentenced to nine months and sent home after pleading guilty to conspiracy after the White House came under political pressure from Australia.

Khadr, who had not been seen in a military courtroom for more than a year, stared impassively during the proceedings, at times watching the legal arguments on a closed-circuit television screen at the defence table. He refused to stand when Brownback entered the courtroom and did not speak to his lone U.S. military attorney, Lt.-Cmdr. William Kuebler.

After almost five years in detention at Guantanamo, Khadr is no longer the young adolescent seen in dated photographs. His hair and beard have grown out into long, bushy curls. He entered the courtroom in an olive-green detainee uniform with rubber flip-flops, a far cry from the Roots T-shirt and khaki pants he wore at an earlier appearance in January 2006.

Khadr is the son of Ahmed Khadr, an al-Qaida financier, who was killed by Pakistani forces in 2003. Omar's brother, Abdullah, is facing possible extradition to the U.S. on accusations of selling weapons to al-Qaida.

End 'futile' trials of detainees, lawyer urges; Edmontonians defend Khadr as military judge throws out war-c

Zaynab Khadr, Omar's sister, said Monday the family was "surprised" and "happy" about the judge's ruling.

Still, Khadr will likely remain imprisoned indefinitely because the Pentagon believes it has a strong terror case against him. He had been charged with murder, attempted murder, spying, conspiracy and providing material aid to terrorists, all stemming from his activities in Afghanistan in 2002.

The U.S. contends it can continue to hold Khadr until the war with al-Qaida is over.

Afghan minister urges Canada not to leave job half-done; Pullout will lead to disintegration

IDNUMBER 200706050143
PUBLICATION: Edmonton Journal
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: A4
KEYWORDS: FOREIGN AID; WAR; CANADA
DATELINE: KANDAHAR, Afghanistan
BYLINE: Tom Blackwell
SOURCE: National Post; CanWest News Services
WORD COUNT: 368

KANDAHAR, Afghanistan – The job of rebuilding war-ravaged Afghanistan will be left "half-done" if Canada and other nations withdraw their troops in the next couple of years, an Afghan cabinet minister warned Monday.

And if the job is not completed, any progress made will vanish, said Mohammed Ehsan Zia, minister of rural rehabilitation and development.

Talking to Canadian journalists after a news conference in this southern Afghanistan capital, Zia offered a frank but upbeat picture of reconstruction in the region, much of it financed by Canada.

While the challenges are huge, life is getting better for ordinary people, said the minister, considered by Canadian officials to be one of the stars of President Hamid Karzai's government.

Zia argued against the suggestion Canada end its military presence in Afghanistan by early 2009 at the latest.

"Our expectation is that the Canadian people and the Canadian government, who have endured sacrifices in Afghanistan, should not leave the job half-done," Zia said. "If the international community leaves the job half-done, experience shows ... that what has been done will disintegrate." Zia was in Kandahar to sign 62 new reconstruction agreements, worth more than \$4 million Cdn, mostly for improving irrigation and drinking water systems and renovating mosques and schools. Most of them are funded by the Canadian International Development Agency.

Of 182 completed projects in southern Afghanistan, CIDA footed \$6.4 million of the \$9.4-million bill, according to the ministry. USAID, the American foreign development agency, is the biggest international donor.

Despite money being spent by the international community, many Afghans complain the foreign presence has brought little concrete improvement in their lives, while security in the south seems to be worsening.

Zia rejected that notion and rhymed off what he called "enormous" advances from a state of collapse in 2001. While 700,000 Afghan children were going to school then, the number now stands at more than six million. Access to health services has jumped to 80 per cent from 15 per cent, access to clean water has risen to 45 per cent of the population, and the country has a functioning national police force and army that did not exist

before, he said.

"We shouldn't expect miracles," Zia said. "We are literally putting bricks on top of bricks, one at a time."

Doctors videolink soldier with wife, baby; Medical first allows family separated by Afghanistan war to see each other

IDNUMBER 200706050137
PUBLICATION: Edmonton Journal
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: A5
KEYWORDS: TELECONFERENCING
DATELINE: OTTAWA
BYLINE: Joanne Laucius
SOURCE: The Ottawa Citizen; CanWest News Service
WORD COUNT: 280

OTTAWA — Every year, nearly 32,000 patients across Ontario connect with doctors and other medical professionals via videoconferencing.

Saturday morning was likely the first time, however, the system was used to connect a new father serving in Kandahar with his wife and newborn daughter in Ottawa.

"The best thing was being able to see my family all together and knowing everyone was doing well," Naval Lieut. Desmond James said Monday in an e-mail interview from Afghanistan, where he is a public affairs officer.

As of Friday night, James wasn't so sure the videoconferencing link would work.

But Saturday morning, the images on the screen were as clear as watching television.

"Seeing them made it so much easier for me, and knowing my wife was OK and smiling made me relax over here. The next best thing was seeing Kaia for the first time and seeing how Sean, my stepson, was so caring and careful with her," he said. "I was on Cloud 9 and wanted to just sit and watch (wife) Lisa and Kaia and Sean."

The Ontario Telemedicine Network is usually used to connect patients in remote or rural areas with doctors in larger centres.

Lisa James, who was expecting the baby in late May, approached the hospital in February to ask if the system could be used to connect her to her husband, who had left for Afghanistan earlier that month.

"It was just something I thought might be possible," James said. "So I gave the hospital a call. They were great."

What resulted was a three-way collaboration between the Department of National Defence, which has a videoconferencing "bridge" in Ottawa, the hospital and the Ontario Telemedicine Network.

One of the challenges was that babies don't always arrive on schedule. Another is the time difference of 8 1/2 hours.

James went to the hospital on Friday for an induced labour. All the players were alerted and put on standby.

Kaia Rita-Marie arrived one minute before 6 a.m. Ottawa time on Saturday, weighing in at seven pounds, 9 1/2 ounces.

Kaia's parents were linked via cellphone shortly after. At 9 a.m., the family was talking.

Hillier eyes military cemeteries across nation; Funeral flap spurs flurry of action from gov't

IDNUMBER 200706050132
PUBLICATION: Edmonton Journal
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: A6
COLUMN: Don Martin
KEYWORDS: FUNERAL INDUSTRY
DATELINE: OTTAWA
BYLINE: Don Martin
SOURCE: Calgary Herald
WORD COUNT: 573

OTTAWA — A Sherman tank and pair of Howitzers guard the Canadian Armed Forces freebie nobody wants to collect. The only cost is your life.

A free burial plot, coffin interment and simple grey headstone with a carved black cross await any slain soldier whose family requests space surrounding a 24-tonne stone memorial in an Ottawa cemetery.

But in the wake of one family's very public disclosure on their struggle to cover a slain son's funeral costs, Chief of Defence Staff Gen. Rick Hillier told me he is exploring the idea of a cross-Canada network of military cemeteries for the fallen.

The burial decision for families given the dreaded call with news they're an Afghanistan casualty's next of kin is complicated by geography. They have to decide if the soldier will be buried near them or within the military fraternity. There is only one military option — and less than a third have accepted their rightful space in the National War Cemetery.

Hillier has ordered an investigation into ways to reduce or eliminate distance from a family's burial decision.

"I've asked the chief military personnel to consider the need for several military cemeteries across our country in the longer term. Perhaps one per region," Hillier said in an interview.

"Soldiers whose families live within driving distance of Ottawa are prone to have them buried here. The closer you live, the more you consider that option to put a soldier among other soldiers because you can still come visit his grave. Coming from British Columbia, for example, it's more difficult."

It only makes sense to have Canada's military casualties buried together in a suitably dignified setting that doesn't inconvenience their families. Locating them near or on the country's major military bases would not seem to be logistically complicated or expensive.

I visited the two tree-laced sections of land in the national historic site on a dull Monday morning in the capital.

A few students were planting geraniums, but there wasn't a visitor to be seen. Sod had not yet been rolled over the plots of the most recent casualties from Kandahar. A handful of newer graves were marked by a red rose in the mud, others with a Maple Leaf flag.

The most recent row of headstones is a grim rollcall of still-familiar names from the ramp, repatriation and funeral ceremonies of the last year. Nichola Goddard. Jason Warren. Francisco Gomez. Shane Stachnik. Robert Mitchell. Allan Stewart. Darcy Tedford.

But the most sobering sight is the line of headstones waiting to be expanded, an inevitability without a miraculous turn of events in Kandahar.

There are steps Hillier plans to take to put the public relations disaster of the funeral expenses flap behind him, a serious black eye for a military-saluting government that could yet cost Defence Minister Gordon O'Connor his job for cumulative bad judgment.

A Hillier-launched fund to support families has \$500,000 in the bank even before it becomes operational.

He vows the government will now cover rental costs for any halls or arenas required for military funeral services where mourner demand exceeds church space.

He has also ordered all victim families to be revisited to ensure they weren't subjected to outdated Treasury Board guidelines.

"As right as you can make something in arrears, we'll do it. We'll go back and check with all other families and make sure about the support they're getting," Hillier says. "If there is anywhere that demand exceeded supply, we cover it for them."

It all adds up to an impressive, albeit overdue, military operation of political damage control.

If the next step is to dedicate military burial space for the fallen yet to come, well, the public humiliation heaped on the government by one family will have done a service to our military.

They deserve special dignity in death. Canadian soldiers shouldn't just fade away as just another plot in a sprawling public cemetery.

Don Martin writes for the Calgary Herald

Iran a very close friend, Karzai says; U.S. claims Iranian-made weapons arm Taliban in Afghanistan

IDNUMBER 200706050009
PUBLICATION: Edmonton Journal
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: F10
KEYWORDS: WAR; TERRORISM; FOREIGN AID; NOBEL PRIZE; INVESTIGATIONS; IRAN; AFGHANISTAN
DATELINE: KABUL, Afghanistan
SOURCE: Los Angeles Times
WORD COUNT: 501

KABUL, Afghanistan – Afghan President Hamid Karzai gave Iran his full embrace Monday, saying it has been his country's "very close friend," even as U.S. officials meeting with him repeated their accusation that Iranian-made weapons were flowing to Taliban fighters.

Karzai made the remarks at a joint news conference following a meeting with U.S. Defence Secretary Robert M. Gates, who was in Afghanistan for nearly 24 hours to meet with U.S. commanders and Afghan officials. Gates said he raised the issue of the Iranian munitions in his meeting with Karzai, but acknowledged that there was no evidence the Iranian government was behind the alleged shipments.

When asked whether he believed Tehran, which has been mostly a benign presence in Afghanistan since the fall of the Taliban, had decided to change course and support its former foes, Karzai gave an impassioned backing for the Iranian government. He called it a force for good inside Afghanistan.

"Iran and Afghanistan have never been as friendly as they are today," Karzai said. "In the past five years, Iran has been contributing to Afghanistan's reconstruction, and in the past five years, Afghanistan has been Iran's very close friend."

Pentagon officials in recent weeks have made repeated reference to the Iranian-made weapons the Americans say they have found in Afghanistan, which include roadside bombs that have been used against U.S. forces in Iraq.

Gates repeated the charge at Monday's news conference, but said the U.S. has not determined why they have made a recent appearance. He said the weapons, which began turning up in "the past few months," might be part of the anti-coalition campaign being waged by Taliban fighters, but as easily could be needed for rising violence related to the narcotics trade.

"We do not have any information about whether the government of Iran is supporting this, is behind it, or whether it's smuggling, or exactly what's behind it," Gates said.

Karzai went out of his way to emphasize Iran's growing economic ties to Afghanistan, saying Iranian exports over the last five years have grown from less than \$10 million US a year to more than \$500 million. He said the close ties between his government and Iranian President Mahmoud Ahmadinejad have been supported by the U.S. government.

Iran a very close friend, Karzai says; U.S. claims Iranian-made weapons arm Taliban in Afghanistan

"It has been possible for Afghanistan to be so close with Iran because our partners in the international community, especially the United States, understood and supported this relationship," Karzai said, adding that Tehran also understood the need for Afghanistan to form a "strategic partnership" with the U.S.

Gates's meeting with Karzai was part of a whirlwind tour of, which included a stop in the southern city of Kandahar for meetings with NATO commanders and a tour of an Afghan commando training centre southwest of Kabul.

At the commando facility, Gates was given a tour by the Afghan National Army's chief of staff, Gen. Bismullah Khan, a former mujahedeen fighter who was part of the anti-Soviet resistance when Gates was working on Russian issues for the Central Intelligence Agency in the 1980s.

Afghan minister: if Canada leaves, development progress will disintegrate

DATE: 2007.06.04

KEYWORDS: DEFENCE INTERNATIONAL POLITICS

PUBLICATION: cpw

WORD COUNT: 454

KANDAHAR, Afghanistan (CP) _ If the international community pulls out of Afghanistan, progress made in the last six years will disintegrate, a high-ranking government minister said Monday.

Afghanistan is a country in the position of running around without laces in its shoes, said Mohammad Efhaz Zia, minister of rural rehabilitation and development.

The support of Canada and the rest of the world is imperative, he added.

"Our expectation is that international community and the Canadian government and Canadian people who have endured sacrifices and casualties in Afghanistan should not leave the job half done," Zia told reporters in the lush garden of a government guest house in Kandahar.

"I think it is the moral responsibility of the entire international community to help fellow mankind to come out of the vicious cycle of poverty and overcome the threat of terrorism in any part of the world."

The Afghan government announced 62 new development projects on Monday, many of which are being funded by the Canadian International Development Agency.

CIDA has come under fire in recent weeks over allegations that its work in Afghanistan is ineffectual. But Zia said the approach of funneling financial support directly through the Afghan government sets Canada apart from other countries.

"Because of Canadian financial assistance I've been able to start this massive development initiative in the province of Kandahar," he said.

"Canada is helping the government of Afghanistan in the area of security, they are making these efforts on the request of our government and on the request of the people of Kandahar for improving the security situation. They are not taking unilateral decisions here in the country."

The projects announced Monday include irrigation and clean drinking water facilities, bringing the total number of development projects in the southern provinces to 346, with 265 of them entirely funded by CIDA, the ministry said.

Zia maintained that the pillar of reconstruction is winning over the insurgency in the southern part of the country, though in the last two weeks, Canadian soldiers have been killed in both the district of Zhari and the province of Helmand.

No projects themselves have been the subject of insurgent attacks, he said.

"The people of Afghanistan and the government of Afghanistan is making all efforts to bring security to this land, to improve the living conditions, but we have to be realistic," he said.

“We are hoping that the security situation improves next week, but is it really possible?”

Also hampering development is a lost generation of Afghans, Zia said. The country doesn't have the homegrown expertise to do many of the jobs now being completed by international efforts.

Canada's official commitment to the NATO-led mission in Afghanistan expires in 2009, but Zia cautioned against setting deadlines.

“My message to the international community is to be patient, to take a realistic assessment of the ground realities of this country,” he said.

“Here in Afghanistan, we shouldn't expect miracles because we are starting everything from scratch. We are literally putting bricks on top of bricks.”

U.S. military judge dismisses terror charges against Canadian at Guantanamo

DATE: 2007.06.04

KEYWORDS: INTERNATIONAL DEFENCE JUSTICE

PUBLICATION: cpw

WORD COUNT: 841

GUANTANAMO BAY, Cuba (CP) _ A U.S. military judge threw out the murder case against Canadian Omar Khadr on Monday, a surprise decision marking another setback for the Bush administration's attempts to try terror suspects at the American naval base in Cuba.

The legal bombshell from presiding judge Col. Peter Brownback doesn't mean Khadr, 20, will be freed from the U.S. prison camp holding some 380 detainees in the war on terror.

And the U.S. Defense Department called it a "technical matter" that can be easily resolved _ not a precedent that threatens the military trial process.

Still, it provided fresh hope for defence lawyers and activists who have long argued the system is unfair. They say Khadr and others at Guantanamo should be tried in regular American courts.

"The significance of this ruling is enormous," said Col. Dwight Sullivan, chief defence counsel for the detainees.

"I think this is an opportunity for Congress to take another look at this system," he said. "How much more evidence do you need that this is a failed experiment?"

Prosecutors asked for 72 hours to consider an appeal in what has become a fitful, highly contentious process condemned by most western countries except Canada.

"Judge Brownback did not question that the military commission would constitute the appropriate forum in which to try a member of al-Qaida for alleged war crimes," said Maj. Beth Kubala, spokesman for the Office of Military Commissions.

But the military tribunal doesn't have jurisdiction over Khadr right now, said Brownback.

He said Khadr hasn't been declared an "unlawful" enemy combatant with no right to fight in Afghanistan _ something required by the Military Commission Act passed by Congress last year.

None of the other Guantanamo detainees have the new designation.

The Bush administration had designated them "enemy combatants" to distinguish them from regular soldiers who, when captured, would become prisoners of war entitled to protection under the Geneva Conventions. The detainees have not been labelled "unlawful" enemy combatants, who can then be charged for crimes including murder.

But U.S. authorities insist they can still be held indefinitely as enemy combatants.

Khadr, 20, was captured when he was just 15 years old and later charged with throwing the grenade that killed an elite U.S. soldier and nearly blinded another.

He has grown into a tall man with a full dark beard and bushy hair. He was led into court in loose, drab prisoner garb and rubber sandals.

Two soldiers wearing camouflage uniforms stood on either side, holding his arms and hands.

Khadr's attire was a marked contrast to the khakis and Roots shirt he wore in January 2006 during his first pre-trial hearings.

Brownback noted the prosecution offered him civilian clothes and worried the prison outfit "could influence some observers" and that it wouldn't be favourable to a "presumption of innocence."

Khadr did not speak out loud but he watched the judge intently and conferred with Edmonton lawyer Dennis Edney during the hearing, which lasted less than an hour.

At another hearing Monday for Yemeni Salim Ahmed Hamdan, the defence asked the judge to throw out the case based on Brownback's ruling. A ruling was expected late in the day.

For Khadr, the day's developments don't change nearly five years of legal limbo.

Observers expected the arraignment to deal mostly with the makeup of Khadr's legal team. He fired all his American attorneys last week, saying he would deal only with Edney and his colleague Nate Whitling.

But Brownback threw a major curve ball by raising the discrepancy between Khadr's designation as an enemy combatant by a military panel in 2004 under the old system and the new law that requires "unlawful" be added in order to proceed to trial.

Prosecutor Capt. Keith Petty offered to show a videotape of Khadr planting landmines in Afghanistan and provide a witness who would testify the Canadian was working for al-Qaida.

But Brownback, after adjourning for about 20 minutes, said it wasn't the tribunal's place to consider his designation.

"The charges are dismissed without prejudice," said Brownback. "A person could be facing trial for months without knowing whether the court had legitimate jurisdiction."

Sullivan viewed the glitch as evidence that the tribunal system is in disarray.

"Ideally this case wouldn't come back at all. There is a readily available alternative that does work," he said, referring to civilian courts.

"This pause that will occur now is another opportunity to consider whether we should continue with the system in Guantanamo or explore other systems."

"If the U.S. government's wise, this should be a fatal blow to the military commissions," said Jennifer Daskal at Human Rights Watch, who noted that even Defense Secretary Robert Gates was critical of the trials at a recent hearing on Capitol Hill.

She noted regular U.S. courts have heard hundreds of terror cases since the attacks on Sept. 11, 2001, compared with just one plea bargain so far for the military commissions.

Jameel Jaffer, director of the national security project at the American Civil Liberties Union Foundation in New York, called Brownback's decision "a very significant development" that will have consequences for the

tribunals in general.

Khadr's sister, Zaynab, 27, said the family was heartened by the news.

``We're hoping this is the beginning of something good to come along," she said in Toronto.

``When you're mourning for a very long time it becomes very, very difficult to celebrate but were trying."

Khadr and Hamdan are two of only three detainees charged under the new system. The U.S. military says it expects to eventually charge about 80 in all.

Khadr faced charges of murder, attempted murder, conspiracy, providing material support for terrorism and spying carrying a potential life sentence.

His case has attracted little public sympathy in Canada, where the family's close ties to Osama bin Laden remain a sore of bitter consternation.

The family patriarch, Ahmed Said Khadr, moved them to Afghanistan where they lived near bin Laden. The elder Khadr was killed by Pakistani forces in October 2003.

In Ottawa, Foreign Affairs officials said they were reviewing the situation but had no immediate comment.

Denying death benefit to single soldiers unconstitutional: expert

DATE: 2007.06.04

KEYWORDS: DEFENCE INTERNATIONAL JUSTICE SOCIAL

PUBLICATION: cpw

WORD COUNT: 639

OTTAWA (CP) _ The Conservative government's denial of a \$250,000 death benefit to the families of unmarried soldiers killed in Afghanistan is a policy that's begging to be challenged before a court or human rights tribunal, says a constitutional expert.

Errol Mendes of the University of Ottawa says it's clearly established in law that discrimination based on marital status violates the Charter of Rights and Freedoms and he wonders why Veterans Affairs still supports the practice.

“There is a compelling case on the part of single soldiers,” Mendes said Monday.

“Whether or not there is a legal case, there is a huge moral, social, ethical and political reason why the government should be covering this.”

The death benefit _ available only to married soldiers _ is part of the new Veterans Charter, which was passed with all party support in 2005.

Veterans Affairs Minister Greg Thompson denied there's an inequity _ legal or otherwise.

“It's not discriminatory, it's very consistent with all of the programs that preceded the new Veterans Charter,” Thompson said.

The purpose of the lump-sum payment was to help widows and orphaned children of soldiers re-establish themselves and deal with such things as moving from life in the military to the civilian world.

“The death benefit was never intended to be life insurance where there is a designated beneficiary,” said Thompson, who added that he's not contemplating any changes to the current policy.

Soldiers with no dependants are encouraged to take out life insurance to provide for family members such as parents, Thompson said, but he acknowledged it's not mandatory and many don't do it.

The government's response disappointed Mendes, who said the minister is “leaving the families little option than to consider” a human rights complaint or legal action.

It also upset the mother of an unmarried soldier who died in Afghanistan in 2005.

“This just isn't right in this country in this day in age,” said Beverley Woodfield, mother of Pte. Braun Scott Woodfield, 24.

Like the fight to increase the funeral stipend for soldiers killed in action, Mendes said the death benefit is another battle that shouldn't have to happen: “These people have sacrificed their lives for the rest of us and I think it's very sad they may be forced to start this process.”

Last week, the parents of another unmarried soldier, Cpl. Matthew Dinning who died in a roadside bomb attack in April 2006, also criticized the policy.

During a news conference over the failure of National Defence to cover all of the costs associated with his son's funeral, Lincoln Dinning quoted from a letter he wrote Prime Minister Stephen Harper on April 25. In it, he complained that his son had faced discrimination because he did not qualify for the \$250,000 death benefit and was therefore "worth \$0 in your government's eyes."

On Monday, the Dinnings received a cheque for the outstanding portion of their son's funeral costs and a letter from Harper, which said he was raising the death benefit concerns with both Thompson and Defence Minister Gordon O'Connor.

Woodfield spoke out on the issue last summer, prompting New Democrat veterans affairs Peter Stoffer write Thompson, suggesting all soldiers be allowed to receive the payment and to designate a beneficiary.

"It would cost them money and it's all about dollars and cents," Stoffer said Monday.

"(The government are the) first ones to say support the troops and if you even dare question the Conservatives on any aspect of the troops, they go crazy on you. When these soldiers pay the ultimate sacrifice their families end up in a fight all over again."

Woodfield, who keeps in regular contact with her son's buddies serving overseas, said unmarried soldiers would welcome an expanded benefit, but are reluctant to speak out for fear of being disciplined and the families of many of those killed are still too distraught to speak out.

"That is a sad state of affairs in this country," she said from her home in Dartmouth, N.S.

"People in this case are grieving and mourning of an ultimate loss and this case its parents grieving and mourning the ultimate loss of a child of theirs. They have to step out of that dark box and say, this is not right that they have to go to this length to be heard."

--Thirteenth NewsWatch--

DATE: 2007.06.04

KEYWORDS: ADVISORIES

PUBLICATION: bnw

WORD COUNT: 302

The family of a Canadian who was facing terrorism-related charges at Guantanamo Bay is hopeful he might some day come home to Canada.

A U-S military judge today dropped the charges against Omar Khadr, who was arrested in Afghanistan in 2002.

His eldest sister, Zaynab, says they're celebrating and trying to contact friends and relatives to spread the good news.

But the ruling doesn't mean Khadr will be released because U-S authorities say he can be held indefinitely as an enemy combatant.

The prosecution will also appeal. (13)

(Air-India) (Audio: p03)

The Air India inquiry has been told that seemingly innovative air-security measures adopted since the 9-11 terrorist attacks may not be so effective.

A British aviation expert testified today at the inquiry.

Rodney Wallace does not like the idea of armed sky marshals on planes.

He says shooting on a plane can do more harm than good.

The inquiry is examining the 1985 Air India bombing that killed 329 people and whether recent changes have improved air security. (13)

(CRIME-Drug-Parents)

Some Calgary parents are the first people charged under Alberta's Drug Endangered Children Act.

The two couples are charged in connection with marijuana grow-op busts in December.

If convicted, they face fines of up to 25-thousand dollars as well as two years in jail.

Alberta is the first province to create legislation that aims to protect children found living where drugs are being sold or produced. (13)

(Hunger-Petition) (Audio: 158)

The Canadian Association of Food Banks is calling on the federal government to help end hunger.

An online petition is honouring National Hunger Awareness Day tomorrow.

It's addressed to Prime Minister Stephen Harper and members of his cabinet.

But association chair Wayne Hellquist says the issue isn't just Ottawa's responsibility.

The association says more than 753-thousand Canadians use food banks in a typical month. (13)

(Terror-Airport)

The longtime leader of a radical Muslim group in Trinidad is denying his organization had any links to an alleged terrorist plot against New York's J-F-K Airport.

The leader says he knew nothing about the plot that allegedly involved four men, including two from Trinidad.

Authorities say the men planned to blow up fuel lines. (13)

(Broadcast Indecency)

A U-S appeals court says the new Federal Communications Commission policy penalizing accidentally-aired swearwords is invalid.

The appeals court says the policy is "arbitrary and capricious" and has asked the F-C-C to provide a "reasoned analysis" for its new approach to indecency and profanity.

Included in court arguments were references to a January 2003 broadcast of the Golden Globes awards show by N-B-C when "U-2" lead singer Bono used the "F" word. (13)

(NewsWatch by Roger Ward)

TOR OUT YYY

DATE: 2007.06.04

KEYWORDS: ADVISORIES

PUBLICATION: bnw

WORD COUNT: 330

Our dollar is starting off the week with a bang, building on the big gains it made last week.

The loonie is trading overseas this morning at 94.57 cents U-S — 25 basis points higher than Friday's close, which was already its highest close in nearly 30 years.

The Canadian dollar's been boosted, in part, by a stream of bullish economic reports, and news from the Bank of Canada last week that it's leaving its key lending rate unchanged at 4.25 per cent. (2)

(Alta-Four-Dead) (Audio: 11)

Investigators are still piecing together exactly what led to yesterday's deadly crash of a car and a transport truck at a highway intersection near Drumheller, Alberta.

A woman and three children under 10 were killed, while the driver of the truck suffered only minor injuries.

Police say it appears the woman drove the car through a stop sign. (2)

(Afghan-Soldier>Returns) (Audio: 03)

The body of the latest Canadian soldier killed in Afghanistan will return home to Canada later today.

A Hercules transport plane bearing the casket of 30-year-old Master Corporal Darrell Priede — a military photographer — will arrive at C-F-B Trenton, Ontario.

Priede was based at Gagetown, New Brunswick, was born in Burlington, Ontario and grew up around Grand Forks, B-C.

He died Wednesday when the Chinook helicopter he was in was apparently shot down while he was documenting a U-S airstrike against the Taliban in Helmand province.

Six other coalition troops were also killed. (2)

(US-Democrats-Debate)

America's Democratic presidential candidates have held their second debate, closing it out by naming their first priority if elected.

Hillary Clinton said she'd bring the troops home from Iraq.

Barack Obama said he'd do that too, and push for national health care.

And John Edwards said he would travel the world to restore America's "moral authority." (2)

(ENT-Hilton-Jail)

Hotel heiress Paris Hilton has made an early check-in to her new digs.

She arrived overnight at the L-A County jail in Lynwood, California to begin serving a minimum 23-day sentence for violating her probation in an alcohol-related reckless driving case.

Hilton didn't need to report until sometime tomorrow.

Only hours earlier, the "Simple Life" star and party girl made a surprise visit to the M-T-V Movie Awards, where she admitted to reporters she's "scared" but ready to do the time. (1)

(ENT-MTV-Awards)

Captain Jack Sparrow was the big winner at the M-T-V Movie Awards.

"Pirates of the Caribbean: Dead Man's Chest" was named the year's best movie, and its star, Johnny Depp, won for best performance.

Sacha Baron Cohen earned the comedic performance prize for his starring role in the "Borat" movie.

And Toronto's own Mike Myers received the M-T-V Generation Award. (1)

(NewsWatch by Karen Rebot)

Afghan–Soldier–Returns

DATE: 2007.06.04

KEYWORDS: INTERNATIONAL DEFENCE

PUBLICATION: bnw

WORD COUNT: 115

CFB TRENTON, Ontario — The body of a fallen Canadian military photographer returns home to Canada today from Afghanistan.

A Hercules transport plane carrying the casket of Master Corporal Darrell Jason Priede is due to arrive at C–F–B Trenton around 6 p.m. Eastern Time.

Base spokeswoman Captain Nicole Meszaros (meh–ZAIR–is) says Priede's family is expected be joined on the tarmac by Chief of Defence Staff General Rick Hillier and Defence Minister Gordon O'Connor.

The Burlington, Ontario–born and Grand Forks, B–C–raised Priede, who was 30 and married, was based at Gagetown, New Brunswick.

He, five Americans and a Briton died last Wednesday when their Chinook helicopter was apparently shot down in the volatile Helmand province.

He was the 56th Canadian soldier to die in Afghanistan since 2002.

(BN)

PTH

INDEX:Defence, International, Politics

DATE: 2007.06.04

KEYWORDS: DEFENCE INTERNATIONAL POLITICS

PUBLICATION: bnw

WORD COUNT: 162

CALGARY -- The chief of Canada's defence staff says applications to the Canadian armed forces have swelled amid the backdrop of the dangerous NATO mission in war-torn Afghanistan.

In an address to delegates at the Federation of Canadian Municipalities conference, General Rick Hillier says the military has been "106 per cent successful" in meeting its recruitment target to add more than 12-thousand people this spring.

Hillier adds the forces' enrolment process has been whittled from "years to days," with 30 per cent of applicants fully enrolled in just five days.

He also left his audience awestruck with stories of troubled Afghanistan, a country he described as riddled by high child mortality rates and easily treatable diseases -- but one of untapped potential.

He says the Afghan people don't want a hand-out -- they just want help in the short term and they want to rebuild their own country.

However, Hillier acknowledged the fight to keep the nation from Taliban clutches is perilous, with Canada suffering its 56th military casualty in Afghanistan last week.

(Calgary Sun)

IT

US-Cda-Khadr

DATE: 2007.06.04

KEYWORDS: POLITICS INTERNATIONAL DEFENCE JUSTICE

PUBLICATION: bnw

WORD COUNT: 125

GUANTANAMO BAY, Cuba — The lone Canadian held at the U-S military prison at Guantanamo Bay faces arraignment today.

The first order of business is expected to be sorting out Omar Khadr's legal representation.

The 20-year-old fired his American lawyers last week, saying he wants to deal only with Canadian lawyers Dennis Edney and Nate Whitling.

But it's unclear whether they can do anything more than act as foreign attorney consultants as stipulated by the military commission rules.

Guantanamo's chief prosecutor says they'd have to get a U-S statute changed to do so.

Edney, who plans to challenge the process, has ruled out a plea bargain for Khadr, who's been in U-S custody since he was captured in Afghanistan in 2002.

He's charged with murdering U-S medic Sergeant Christopher Speer.

But activists such as Human Rights Watch argue Khadr, too, is a victim who was dragged to meet al-Qaida leaders at age 10 and sent into the battlefield at 15.

(BN)

PTH

Victory puts Khadr in limbo; Canadian no closer to knowing his fate after U.S. military judge dismisses terror charges

IDNUMBER 200706050187

PUBLICATION: The Toronto Star

DATE: 2007.06.05

EDITION: Met

SECTION: News

PAGE: A01

ILLUSTRATION: Janet Hamlin ap Omar Khadr, left, is seen in this courtroom sketch with two civilian and one military lawyer during his U.S. military tribunal arraignment yesterday at Guantanamo Bay, Cuba. ; Janet Hamlin AP In this courtroom sketch, Canadian Omar Khadr, who appears much older than his 20 years, listens as the charges against him are dismissed yesterday. He has spent five years in detention, mostly at Guantanamo in Cuba. ;

BYLINE: Michelle Shephard

SOURCE: Toronto Star

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WORD COUNT: 903

A military judge has thrown out the war crimes charges against Omar Khadr, raising new questions about the U.S. administration's indefinite detention of terror suspects at this American detention camp in Cuba.

The surprise move leaves the 20-year-old Canadian no closer today to knowing if he will be tried or eventually released.

The judge, U.S. Army Col. Peter Brownback, unexpectedly dismissed the five charges against Khadr during a dramatic hearing yesterday, ruling the military commission lacked jurisdiction to hear the case. Brownback stated that since Khadr was designated an "enemy combatant" he could not stand trial before the military commissions Congress set up to hear cases against "alien unlawful enemy combatants."

In a late afternoon session, Osama bin Laden's one-time driver, Salim Ahmed Hamdan, also had his charges thrown out. Hamdan is "not subject to this commission" under legislation signed last year by U.S. President George W. Bush, said Navy Capt. Keith Allred, Hamdan's military judge.

Pentagon officials said the problem was simply a matter of semantics, but defence and civil rights lawyers argued the rulings were yet another example highlighting the fundamental legal flaws with the military trials created by the Bush administration.

"At this point more people have died of apparent suicides (at Guantanamo) than have faced trial before a military commission. I think that's a pretty ringing endorsement as to why these commissions need to go," Amnesty International observer Jumana Musa said outside of court.

Yesterday was the first time Khadr has been seen by reporters since a hearing 14 months ago. He wore an olive prison uniform and flip-flops, and with a full beard and head of unruly curls looked much older.

He did not show any reaction when the charges – murder, attempted murder, conspiracy, spying and providing material support to terrorism – were dismissed and spent almost the entire morning watching a computer screen that televised what was unfolding around him. Near the end of the hearing he spoke briefly with his Canadian attorney Dennis Edney but did not say anything publicly.

His largely inscrutable demeanour led some observers to describe him as defiant, while others believed he was despondent. For almost two years his lawyers have tried to have him assessed by an independent medical psychiatrist but have been denied access. Edney said yesterday Khadr was "frustrated," but has previously described his Toronto-born client as having lost hope of ever leaving here.

Khadr was shot and captured in Afghanistan on July 27, 2002, after throwing a grenade that the Pentagon alleges killed Delta Forces soldier and medic Chris Speer. Khadr was 15 at the time and the sole survivor inside a suspected Al Qaeda compound that was bombarded with air and ground assaults by U.S. coalition forces.

The prosecution also claims he was sent for terrorist training by his now-deceased father Ahmed Said Khadr, who was a long-time acquaintance of key Al Qaeda leader Ayman Al-Zawahiri. A video recovered after the 2002 battle also allegedly shows Khadr planting improvised explosive devices targeting coalition forces in Afghanistan.

Khadr was taken to Bagram after his capture and received medical treatment until he was transferred to Guantanamo in October 2002, after his 16th birthday.

Yesterday's ruling once again puts Khadr in legal limbo as the Pentagon decides whether to appeal the decision or bring new charges – which would be the third attempt to try him.

Commission spokesperson Maj. Beth Kubala seemed to signal yesterday that Khadr could again be brought before the military commission and downplayed the ruling as one of a "technical matter."

That also appeared to be the opinion of Canadian government officials, who would only say they're keeping a "close watch on this file."

"It is our understanding that the decision is a procedural one at this stage," said Daniel Dugas, a spokesperson for Foreign Affairs Minister Peter MacKay.

But chief defence lawyer for Guantanamo detainees Col. Dwight Sullivan, called the ruling "enormous" and hoped it would prompt Washington to move Khadr's case to the U.S. Federal Courts.

"What we've seen today is the latest demonstration that the military commission does not work. There is a readily available alternative which has proven that it does work, which is the federal civilian court system," he said after the hearing.

At issue is a 2004 finding of an administrative process known as the Combatant Status Review Tribunal (CSRT) – which was developed after the U.S. Supreme Court ruled that Guantanamo detainees have the right to contest their detention. A CSRT panel declared Khadr an "enemy combatant," which under the Pentagon's directive meant he could be detained indefinitely as a security threat.

A year later, Khadr was charged with war crimes under a military commission but his charges were dismissed after the U.S. Supreme Court ruled the process was unconstitutional. In October, Bush signed into law a revised Military Commissions Act, this time with the blessing of Congress, and again Khadr was charged.

But the act stipulates only "unlawful enemy combatants" could be brought before a special war court, drawing

Victory puts Khadr in limbo; Canadian no closer to knowing his fate after U.S. military judge dismisses terror

a distinction between those without rights on the battlefield and recognizable foes that are governed by traditional laws of war.

Judge Brownback yesterday found that since Khadr had not been determined to be an "unlawful" enemy combatant the case could not proceed.

In the more than five years since Guantanamo opened, only one detainee had previously been tried before the military commissions. Last month, Australian David Hicks pleaded guilty to providing material support to terrorism in return for being able to serve a nine-month sentence at home.

There are no similar negotiations underway for Khadr.

Edney encouraged the Canadian government yesterday to "reconsider its position and make its best efforts to bring this boy home."

It's time to step in, opposition tells PM

IDNUMBER 200706050186

PUBLICATION: The Toronto Star

DATE: 2007.06.05

EDITION: Met

SECTION: News

PAGE: A01

ILLUSTRATION: photos by Richard Lautens toronto star Maha Elsammah smilesyesterday after hearing the news that charges were dropped against her son Omar Khadr. Zaynab Khadr says if won't surprise her if the U.S. keeps holding Omar. ;

BYLINE: Susan Delacourt; Theresa Boyle

SOURCE: Toronto Star

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WORD COUNT: 759

The Canadian government has an obligation to take up the case of Omar Khadr and rescue him from the "legal limbo" created now that U.S. charges against him have been dropped, says deputy Liberal leader Michael Ignatieff.

But Prime Minister Stephen Harper and his Conservative government had little to say on the question yesterday, hours after a U.S. military judge threw out charges against Khadr, 20, held in Guantanamo Bay, Cuba, since his capture in Afghanistan five years ago.

Harper, in Berlin ahead of a G-8 summit, wouldn't comment and an aide said he felt it was too early to do so because the final outcome of Khadr's case is unclear. Ignatieff, who is also an international-rights expert, called on the Harper government to "actively" take up Khadr's case.

"Mr. Khadr now appears to be in a situation of legal limbo, legal uncertainty," Ignatieff told reporters yesterday. "The Canadian government should take up his case actively. Whatever we may think about Mr. Khadr and his past, he is a Canadian citizen with the rights of a Canadian citizen and the government should take up his case actively with U.S. authorities."

The New Democrats also say Canada has, to date, let down Khadr and yesterday's developments present an opportunity for the government to be more forceful in standing up for one of its own citizens.

NDP MP Joe Comartin (Windsor-Tecumseh) said Canada has done far less than Australia did for one of its citizens, David Hicks, who was also imprisoned until recently at Guantanamo. Australia brokered a diplomatic deal with the U.S. so that, after Hicks's guilty plea, he is being allowed to serve nine months in a prison in his homeland.

"We've had minimal contact with (Khadr)," Comartin said. "I think the most extensive contact has been CSIS down there interrogating him. Our consul people have really had little instruction to do anything."

Comartin wants Canada to treat Khadr as a child soldier. "This individual was 15 years of age when the alleged crime took place," he said.

"He was by all intents and purposes from what we understand a child soldier. We should be invoking that treaty and insisting on the Americans treating him accordingly."

Dan Dugas, a spokesperson for Foreign Affairs Minister Peter MacKay, said the government is "asking our embassy in the United States to follow up with the relevant U.S. authorities on this matter."

MacKay was in Panama yesterday for meetings of the Organization of American States.

Relatives of Omar Khadr are elated that charges against him have been dropped, and while they're hopeful he will soon return home, they're not holding their breath.

"It wouldn't surprise us" if he remained behind bars, his sister, Zaynab Khadr, said in an interview at the family's Scarborough apartment yesterday.

"They took Abdullah back," she continued, referring to another brother who was released from prison in Pakistan in late 2005 only to be rearrested in Canada two weeks later.

Nevertheless, the family tried to keep cynicism at bay yesterday and relish the good news that all charges against Khadr, now 20, had been dropped.

"It's very good news. I almost had a heart attack. The five last years have been very hectic," his mother Maha Elsamnah said.

"This is not just a victory for Omar, but for everyone who has been treated unjustly," Zaynab said.

Khadr has spent more than five years in prison, most of it in at the U.S. naval base at Guantanamo Bay, Cuba. He faced five war-crimes charges that included murder for the death of U.S. Delta Forces soldier Chris Speer.

Abdullah Khadr is in a Toronto jail, facing extradition to the United States on terrorism charges.

Their mother and sister were stunned to learn from a breaking news flash on television that the charges against Omar had been dismissed.

"It was shocking. I was crying, I was so happy. This is God's work," Elsamnah said.

Khadr was taken into custody at 15. His family has only spoken to him once, during a phone call permitted in March.

If and when he is released, he'll be coming back to Canada a different person, they said.

"He might be quiet. He'll probably withdraw into himself," Zaynab said, explaining that years of solitary confinement are bound to have an effect.

Relatives were concerned for Khadr's well-being after hearing that another detainee at Guantanamo committed suicide last week.

"We hope he's back before there's another suicide," Elsamnah said.

She said she sent a message to her son through his Canadian lawyer, Dennis Edney, with whom she met on the weekend before he headed to Guantanamo Bay.

"I told him not to think of anything like that (suicide). It is against our religion," she said.

Zaynab doubts the detainee committed suicide and wonders if, in fact, he was killed by his captors.

"It's a so-called suicide. I don't believe it was suicide," she said.

Mother and daughter implored the Canadian government to intervene on Khadr's behalf.

"The Canadian government hasn't done anything," Elsamnah remarked. "Let's hope they'll now get involved."

His family insists Khadr is innocent.

"He was being attacked for four hours. He saw his friend being killed," Elsamnah explained. Even if he acted in self-defence, it would have been a "natural reaction," she argued.

"Even if he did something at age 15, he would have done his sentence and would be back now," Zaynab added.

Family and friends were planning to go to a mosque yesterday afternoon to pray, followed by a picnic at a nearby park to celebrate.

While they're still uncertain what the future holds for Khadr, the latest developments bode well for him, they say.

"It's a step toward what we hope is better news. You can't get to the top of the ladder without taking the first step," Zaynab said.

Injuries on the way to war; Basic combat training can sideline soldiers with the same sort of sports injuries suffered by athletes

IDNUMBER 200706050128

PUBLICATION: The Toronto Star

DATE: 2007.06.05

EDITION: Ont

SECTION: Life

PAGE: L01

Steve Russell toronto star Physiotherapist Sub–Lieut. Mel Matthews–Loughery works over the discoloured and misshapen knee of Cpl. Dan Coveney, just one week after surgery, at CFB Kingston's physiotherapy clinic. Steve Russell toronto star

ILLUSTRATION: Physiotherapist Tom Doulas helps Sgt. Roger Gauthier stretch his ankle, operated on last April, at CFB Kingston's health centre. Steve Russell toronto star Physiotherapist Tom Doulas helps Sgt. Roger Gauthier stretch his ankle, operated on last April, at CFB Kingston's health centre. ;

BYLINE: Michele Henry

SOURCE: Toronto Star

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WORD COUNT: 949

The soldier bites down on his lip, red–faced and wincing with pain.

"Okay, okay," Cpl. Dan Coveney, 27, mumbles to himself. "Just relax ... I will not lose strength."

Coveney, though, is not a wounded soldier – he's injured. And there's a difference.

With a knee that arcs from purple bruising to yellow, swollen to the size of a softball with incisions still visible, Coveney is undergoing treatment.

But his severely twisted knee was suffered during military training – not in battle. And a medical team is doing physiotherapy – not emergency triage. Whether they're ordered to hump heavy gear through the thick of battle, or onto the base's dodge ball court, soldiers are prone to sports–related, non–life– threatening injuries.

"Soldiers aren't viewed by the public as athletes," says Lt.–Col. Peter Rowe, head physiotherapist with the Canadian Armed Forces. "But they're running, doing weights, preparing for operational tasks similar to athletes, and it puts them at risk to get sports injuries. They twist their ankles, hurt their backs."

Close to 50 per cent of "unintentional" injuries Canadian soldiers suffer each year are musculoskeletal, including sprains, stress fractures and torn ligaments, officials say. Ankles, knees and backs represent a "huge challenge" to the Canadian Forces.

If a soldier sustains such an injury in Afghanistan, and which can reasonably be rehabbed overseas, they're treated by an embedded physiotherapist.

In the U.S., the Department of Defense has just opened its first Injury Prevention and Performance Enhancement Laboratory at Ft. Campbell, in Kentucky. With a \$2.75 million (U.S.) grant, the lab will test 900

Injuries on the way to war; Basic combat training can sideline soldiers with the same sort of sports injuries s

soldiers from the 101st Airborne division for musculoskeletal injuries, which account for half of all unintentional injuries to American soldiers.

At CFB Kingston, pick a day and nearly 100 soldiers – wearing army fatigues and knee braces, hunter green berets and crutches – file through the physiotherapy clinic. It's one of 20 Canadian Forces bases that, since WWII, have offered the treatment.

With roughly 6,500 soldiers on the base – a large number are temporary students at the Royal Military College – the six full-time physiotherapists and one part-timer race between 21 beds, three hot-and-cold-water tubs and a small exercise area with treadmills, mats, Pilates balls and stair climbers.

Clinicians focus on getting soldiers treated quickly, says Capt. Dan Trudel, Kingston's physiotherapy team leader. Being a soldier means having to maintain peak physical condition – they must pass annual tests proving they can carry 25 kilograms for 13 kilometres, dig ditches in a hurry, speed through sit-ups and crunches.

An injury could cripple a career. It prevents soldiers from going "on tour" or being promoted. That's why bases make every effort to help soldiers recuperate. Surgery wait times are shorter than they might be in the civilian population and personnel have access to medical care, tests such as MRIs, and specialists as soon as possible.

"We have to make sure they're at 100 per cent," Trudel says. "Their job depends on it." Because of that, he adds, soldiers are a "highly motivated" group, and work hard to get better.

Sgt. Roger Gauthier, 42, has a take-no-prisoners attitude when it comes to rehab.

He suffers in silence as civilian physiotherapist Tom Doulas straps a belt around his calf and pulls it forward, beyond the range his broken ankle wants to budge.

"I can't afford to be out of action," he says. "I'm dead in the water until I get this fixed."

A senior ranking officer and vehicle mechanic supervisor, he's up for a promotion in three weeks – he's slated to move to CFB Borden with his family – and won't get it unless he's in top shape. He busted his ankle last July, during PT – the daily, mandated hour of physical training. His surgery was bumped a couple times for more serious cases.

Gauthier went under the knife April 2 and has to reclaim proper movement by June 25 to be transferred to Borden. He's still hobbling and visits the physio clinic twice a week.

"I've got a job to do, kids to feed, a mortgage to pay," he says. "If I was going to Afghanistan but had hurt my ankle, I wouldn't be able to go ... I couldn't do the training. They'd have to pull another guy to take my place."

And being "hurt" is especially tough for those in senior ranks. With 30 soldiers to motivate in his unit, Gauthier not only feels that he's lost "esprit de corps," but it's extra hard to pull rank.

"If I'm injured, I can't be yelling at (my unit) to get in shape," he says. "I have to practise what I preach. I have to set the example."

Undergoing basic training and annual physical exams himself help Trudel diagnose, treat and predict the length of a soldier's rehab.

It also helps him understand why it's essential for soldiers to develop, for instance, extra-strong rotator cuffs

Injuries on the way to war; Basic combat training can sideline soldiers with the same sort of sports injuries s

for things like escaping through windows. He knows military personnel might have to run 40 kilometres, free of knee pain.

"That's not something you'd see on the civilian side, but for soldiers they're real concerns," Trudel says. "We have to think 'what can we do to get you up to that.'"

They also think about specific military tasks. Injured personnel, for instance, take to treadmills loaded with weapons and other heavy gear. They'll take patients to the base's gravel pit, to help their muscles relearn to dig a ditch.

With an emphasis on prevention, the Canadian Forces offers programs in conditioning, proper stretching and nutrition. Trudel says military physiotherapists assess and recommend how to maintain proper ergonomics in all military workspaces – like tanks.

With that thought in mind, Coveney, a Kingston native, arches his back and sweat beads along his nose as physiotherapist Sub-Lieut. Mel Matthews-Loughery forces his leg into a deep bend. She's trying to increase the range of motion in his knee, just one week after surgery.

Coveney stressed a ligament in his knee during pugilistic training – hand-to-hand combat with a bayonet, then tore it months later while lunging for an opponent during a dodge ball game with his troop.

He's determined to heal.

"The more physically fit you are, the more you'll be able to endure combat, battle fatigue and stress," he says. "As a class B reservist, I could be sent on tour at any time."

Sent back to 'square zero'; Judge's ruling highlights 'serial bungling' by prosecutors, experts say

IDNUMBER 200706050097

PUBLICATION: The Toronto Star

DATE: 2007.06.05

EDITION: Ont

SECTION: News

PAGE: A13

ILLUSTRATION: Peter Power toronto star file photo A U.S. flag flies beyond the razor-wire fence at Camp Delta at Guantanamo Bay, Cuba. Canadian Omar Khadr has been held at the prison since 2002. ;

BYLINE: Tim Harper

SOURCE: Toronto Star

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WORD COUNT: 662

The dismissal of charges against Canadian Omar Khadr at Guantanamo Bay goes far beyond the technicality claimed by the Pentagon and will force military prosecutors to reclassify all detainees likely to face charges, legal experts say.

Following the surprise ruling yesterday, there was consensus in the U.S. capital that an obvious error made by prosecutors will cost more money, lengthen the time an accused must wait to face his accuser and lead to more calls to overhaul a flawed system.

Many believed, however, that the ruling by the presiding judge, U.S. Army Col. Peter Brownback, showed that justice is being served.

"This should come as no surprise, a judge following the law," said Michael A. Newton, a former military prosecutor and expert on the law of war at Tennessee's Vanderbilt University. He said the matter before the court – the distinction of Khadr's status as an "enemy combatant," not the proper "unlawful enemy combatant" – goes far beyond semantics.

The U.S. defence department said it concluded 520 of 558 detainees held at Guantanamo Bay, Cuba, were "enemy combatants" during hearings before its Combatant Status Review Tribunals held between August 2004 and March 2005.

Those tribunals could come to two conclusions – "enemy combatant" or "no longer enemy combatant." But the bill authorizing the commissions, signed by U. S. President George W. Bush last year, gave the commissions jurisdiction only over "alien unlawful enemy combatants," which led the judge to throw out the charges.

"It may be inattention to detail, it may seem to be semantics, but it makes a huge legal difference," Newton said. "Any fair-minded person would have to conclude that this is in fact, a positive development, because it is a clear demonstration that judges are going to follow the law here."

Carl Tobias at the University of Richmond School of Law said Brownback's ruling will reopen debate on whether the military commissions are proper public policy.

"There will be more calls for these accused to be moved into the U.S. system and there will be questions as to whether these military commissions are just more trouble than they are worth," he said.

The bottom line, Tobias said, is 20-year-old Khadr is no closer to having his day in court than he was when he was scooped off the Afghanistan battlefield in 2002.

Jerrold Nadler, a New York Democrat who chairs a House subcommittee on civil rights and liberties, said the Bush Military Commissions Act is "riddled with problems. "(It has) created a process that operates outside the rule of law – it has crippled our ability to deal with the real criminals still being held at Guantanamo," Nadler said.

Ken Gude, a senior analyst at the liberal Center for American Progress, said it was heartening to see a judge push back against the government. But he says Americans should be more concerned by the "serial bungling" of military prosecutors who time and again appear unable to properly begin a process that has been rubberstamped by the U.S. Congress. "This is a colossal error to allow this type of thing to slip by and it was good to see the independence of a judge who pointed it out," he said.

But Gude says there are still huge questions about the fairness and impartiality of the Guantanamo process and he says the ruling really shows from here on in only those "we have already decided are guilty" will be classified as unlawful enemy combatants.

James Carafano, a homeland security analyst with the conservative Heritage Foundation, said those looking at the ruling as an indictment of the commissions are looking for problems that don't exist. "The fact that this case was dismissed," he said, "is a sign that justice was working.

But Muneer Ahmad, an American lawyer who has represented Khadr, said: "The government wanted this case to be once and for all a demonstration to the world of the legitimacy of Guantanamo and the legitimacy of the military commissions. Instead, it had the legitimacy thrown back in its face. This sends them back not to square one, but square zero."

Wounded soldier seeks 'justice'

IDNUMBER 200706050096
PUBLICATION: The Toronto Star
DATE: 2007.06.05
EDITION: Ont
SECTION: News
PAGE: A13
ILLUSTRATION: Layne Morris, a former U.S. sergeant, lost his right eye in a 2002 fire in Afghanistan.
;
BYLINE: Tim Harper
SOURCE: Toronto Star
COPYRIGHT: © 2007 Torstar Corporation
WORD COUNT: 296

The man who lost sight in one eye in a firefight alleged to have involved Omar Khadr says he remains determined to see that justice is served in the case of the young Canadian.

Layne Morris, a onetime U.S. Army Special Forces sergeant and now a housing administrator in suburban Salt Lake City, Utah, says his commitment to justice honours the memory of his fallen comrade, Sgt. First Class Christopher Speer, who was killed in the 2002 battle in Afghanistan.

"I feel a responsibility to the U.S. military institution and a fellow soldier's family, who does need to feel that there is justice out there, and needs to see it be done," Morris said yesterday.

Morris is a man practised in patience as he awaits a verdict on Khadr.

But he is also a man who harbours no vengeance nor thirsts for retribution.

In the wake of yesterday's surprise dismissal of the charges against the 20-year-old Khadr he admitted to being initially upset, then calming down when he satisfied himself that it was again justice delayed – this time on a technicality – not justice denied.

"From my perspective, the fact that he is still incarcerated is quite notable," Morris said.

"But I'm not looking for revenge. To spend the rest of your life pining away for something is not useful for me.

"So many things are beyond my control. I can only play my role, be prepared to testify when the time comes, be ready to do anything I need to do to bring the process to a close."

The 45-year-old Morris, who lost his right eye in the battle, is fighting another battle at home, this with his own government.

He and Speer's widow, Tabitha, filed a civil suit in 2004, accusing Khadr's father, Ahmed Said Khadr, of training his son to be an Al Qaeda terrorist.

A Salt Lake City judge awarded them \$102 million (U.S.) in damages in 2006.

The U.S. Department of the Treasury, however, has frozen the assets of the Khadr family and Morris and his lawyer have been unsuccessful in forcing Washington to free up any of the funds so they can collect on the 2006 judgment.

Key events

IDNUMBER 200706050093
PUBLICATION: The Toronto Star
DATE: 2007.06.05
EDITION: Ont
SECTION: News
PAGE: A13
COPYRIGHT: © 2007 Torstar Corporation
WORD COUNT: 403

July 27, 2002

Omar Khadr, 15, is shot three times in a battle with American troops in Afghanistan. He is kept in Afghanistan for three months, and then sent to Guantanamo, Cuba, accused of throwing a grenade that killed U.S. Delta Forces soldier Sgt. Christopher Speer during the firefight.

Sept. 16, 2004

The U.S. Department of Defense releases unclassified documents that claim Khadr has admitted to being a "terrorist."

Feb. 9, 2005

Lawyers for Khadr reveal CSIS officials have interrogated their client in Cuba, and say the Canadian government has done little to protect his rights.

Aug. 10, 2005

A Federal Court judge rules the Charter of Rights and Freedoms extends to Khadr and CSIS must stop interrogating him.

Nov. 7, 2005

The U.S. military charges Khadr with murder, attempted murder and aiding the enemy.

Jan. 11, 2006

Khadr appears before a military commission.

April 19, 2006

Khadr's U.S. military attorney tries to have two Canadian lawyers officially added to the legal team defending Omar against murder charges.

June 29, 2006

U.S. Supreme Court rules the Bush administration's war crimes tribunals violate international law. Khadr is still considered an "enemy combatant" and remains at Guantanamo Bay.

July 2006

Khadr writes letters to his Canadian lawyers and mother, telling them he no longer wants U.S. legal representation.

Sept. 27, 2006

In response to June Supreme Court ruling, U.S. Republicans pass a bill backed by President George W. Bush to set rules for interrogating and trying terrorism suspects. The Military Commissions Act of 2006 comes into effect in October.

March 2007

Khadr says he plans to boycott his military trial in Guantanamo Bay. During the first phone conversation he has been allowed with his family since he was captured in 2002, Khadr reportedly tells his mother he would do everything possible to avoid appearing before a military commission because he believes the trial would be unfair.

April 2, 2007

Khadr and others held on terrorism charges in Guantanamo Bay lose a bid at the U.S. Supreme Court to challenge their detention.

April 24, 2007

The Pentagon officially charges Khadr with murder, attempted murder, conspiracy, spying and providing material support to terrorism. He is set to become the first Guantanamo detainee to stand trial for murder after nearly five years in captivity.

April 30, 2007

Khadr loses his last bid to have the U.S. Supreme Court review his murder case before trial.

May 11, 2007

A Canadian Federal Court of Appeals decision orders Canadian intelligence officials to hand over all material on Khadr to a federal court justice, who will then determine what can be released to his lawyers and what must be censored because of national security claims.

May 30, 2007

Guantanamo Bay's chief defence counsel dismisses Khadr's lead attorney after he says he no longer wants Americans representing him.

June 4, 2007

An American military judge abruptly drops all charges against Omar Khadr.

Compiled by Astrid Lange / Toronto Star Library

SOURCES: Star files

Tripped up by semantics, the case should have been a slam-dunk; With eyewitnesses prepared to testify, a murder trial could have subdued critics in U.S. and abroad

IDNUMBER 200706050082
PUBLICATION: The Toronto Star
DATE: 2007.06.05
EDITION: Met
SECTION: News
PAGE: A15
BYLINE: Rosie Dimanno
SOURCE: Toronto Star
COPYRIGHT: © 2007 Torstar Corporation
WORD COUNT: 792

Semantics trips up justice.

Which may be appropriate for the letter of the law – the pure thing that counts most in jurisprudence – but is profoundly disturbing in practice, as so many victims of violence can attest.

With all charges dropped yesterday against Omar Khadr, I can speak the truth unmuzzled by contempt of court, at least for the moment: He's an accused killer and he could just waltz – highly inconceivable – rehabilitated by human rights activists and disingenuous commentators as a poor, pitiful child soldier, a proxy terrorist groomed for the purpose by his Al Qaeda father.

Thus, blameless, an impressionable boy who was never allowed to think for himself, an indoctrinated pupa when he allegedly threw the grenade that killed a U.S. serviceman during a 2002 firefight in Afghanistan; a soldier, and soldiers aren't tried for the simple act of killing the enemy during a time of war.

And, besides, Khadr was only 15 at the time. Which ignores the fact that, even here in far more enlightened Canada (just ask us), 15-year-olds have been tried and sentenced as adults on first-degree murder charges.

If Khadr was stranded in no-man-legal-land before yesterday – a non-American citizen, enemy combatant, taken into custody on the field of battle while fighting for no recognized state, allied to a highly effective terrorist organization – then he's in bewildering limbo today. Still very much a detainee, though, while U.S. authorities decide how to proceed next.

The semantics of the case and the reason it went stunningly off the rails yesterday morning: Khadr had been designated an enemy combatant in the indictment, charged with committing murder in violation of the law of war, attempted murder in violation of the law of war, conspiracy, providing material support for terrorism and spying.

But the revised Military Commission Act – as compelled by a Supreme Court decision and signed into law last year by President George W. Bush – requires that defendants in the military tribunal system be designated as unlawful enemy combatants. Khadr came to court, having already fired his American military lawyers, without that adjective appended.

Tripped up by semantics, the case should have been a slam-dunk; With eyewitnesses prepared to testify, a

So, army Col. Peter Brownback, presiding, ruled that the tribunal couldn't proceed. The charges were dismissed "without prejudice." Which means, crucially, that charges can be laid anew by the U.S. government to satisfy the military court. Or Khadr could be – as many have long urged, and which would probably make the most sense – charged under criminal law and brought to trial in a civilian court.

Or, worst–case scenario for anyone who doubts that Canada has the stones to prosecute Khadr, he could be brought home – though one hesitates to describe Canada as home for the young man, albeit he has citizenship and the remnants of his odious Al Qaeda–proud family lives in Toronto – to face trial here.

The family has been graced by Canadian interventionist sympathy before, prime minister Jean Chretien stepping in to persuade then–Pakistan prime minister Benazir Bhutto in 1996 to free Khadr Pater on charges that he'd been involved in an embassy bombing.

Freed from jail, Ahmed Said Khadr, under the rubric of working for a charitable agency helping Afghan refugees, took up duties as a bagman for Osama bin Laden. He was killed in a shootout with Pakistan forces in 2002. In the same fight his 11–year–old son Karim was paralyzed from the waist down and brought back to Canada by his mother for medical treatment. Karim was there, in his wheelchair, supporting defendants in an alleged homegrown terrorist plot, during their court appearance last year. Brother, Abdullah Khadr, is fighting extradition to Boston on terrorism–related charges.

It appears a mere jurisdictional issue for Omar Khadr, but it's a crucible for the U.S. government, which still has upwards of 380 detainees at Guantanamo Bay – the worst of the thousands originally taken into custody following the American–led invasion of Afghanistan in 2001, only weeks after the 9/11 attacks that were hatched by Al Qaeda hosted by the Taliban.

A successful murder case against Omar Khadr should have been a slam–dunk for the Bush administration. That's why he was the first defendant up for a hearing. Unusual for a homicide indictment that arises from the battlefield – within the inherently unusual context of any such charges being laid outside an international court – was the presence of eyewitnesses prepared to testify. Those are the very elements that would make this an attractive case to try in the realm of civilian courts, satisfying the critics who have accused the Bush administration of bludgeoning basic human rights and judicial procedures.

If, of course, that is the core issue for Khadr's boosters.

If it's not, rather, about conniving to secure no–fault liberty for a Canadian teenager accused of killing an American soldier.

Tripped up by semantics, the case should have been a slam–dunk; With eyewitnesses prepared to testify, a

Free Omar Khadr from U.S. ordeal

IDNUMBER 200706050031
PUBLICATION: The Toronto Star
DATE: 2007.06.05
EDITION: Ont
SECTION: Editorial
PAGE: AA06
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WORD COUNT: 427

How much longer must Omar Khadr, a young Canadian citizen, be caught up in the judicial farce that U.S. President George Bush created to deal with "enemy combatants" after the 9/11 attacks?

American prosecutors have had five years to put Khadr on trial for murder for throwing a grenade that killed U.S. Army medic Sgt. Christopher Speer in Afghanistan in 2002. At the time, Khadr was a 15-year-old Al Qaeda "child terrorist," prosecutors allege.

Twice, Khadr has been charged. Twice, the charges have been stayed.

Last year, the U.S. Supreme Court ruled the original "military commission" process Washington created to try Guantanamo detainees was unconstitutional, quashing the first set of charges.

And yesterday Col. Peter Brownback, presiding over Khadr's case, threw into chaos Washington's bid to get the commissions up and running again. He dismissed the reinstated charges against Khadr on a technicality. Brownback ruled, correctly, that the U.S. Congress empowered the commissions to try only "unlawful enemy combatants." But U.S. officials never did designate Khadr and 380 other detainees as "unlawful" combatants; they merely called them "enemy combatants." Strictly speaking, the commissions have no right to try them. That leaves U.S. prosecutors scrambling to get them redesignated.

This is legal anarchy. Washington appears determined to rewrite the rules until it manages to secure a conviction.

Prime Minister Stephen Harper, who has refused to intervene because Khadr has been "before the courts," should advise Bush that the process is irredeemably tainted. Canadians have little sympathy for Khadr and his Al Qaeda-linked family, but we do respect due process.

The American Civil Liberties Union calls the commissions "a mockery, no better than a kangaroo court." Guantanamo must be shut and detainees tried in U. S. federal court, Amnesty International has urged.

Even if Khadr is redesignated an "unlawful" combatant by some contorted retroactive legal wizardry, laying charges a third time will look like persecution, not justice.

That's why Harper should demand that Khadr be freed, returned to Canada and charged here in a regular court if the facts warrant it, where he would have a fair chance to defend himself.

Whether he is guilty or not of Sgt. Speer's death, Khadr has spent five years in prison in harsh conditions. He is the only Canadian at Guantanamo, and the second detainee to face trial. Canada's Youth Criminal Justice Act sets a maximum of six years in custody for first-degree, planned and deliberate murder. By Canadian standards, this "child soldier" has served virtually a full sentence, without being convicted.

Releasing him into Canadian custody, with a bond to keep the peace, should not outrage America's sense of justice, cheapen Sgt. Speer's death or bring the law into disrepute.

What it would do is put an end to a travesty of justice.

Afghan gov't minister urges western nations to stay

IDNUMBER 200706050065
PUBLICATION: The Leader-Post (Regina)
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: B3
DATELINE: KANDAHAR, Afghanistan
BYLINE: Tom Blackwell
SOURCE: CanWest News Service
WORD COUNT: 365

KANDAHAR, Afghanistan — The job of rebuilding war-ravaged Afghanistan will be left "half-done" if Canada and other foreign nations withdraw their troops in the next couple of years, a top Afghan cabinet minister warned Monday.

And if the job is not completed, any progress already made will surely vanish, said Mohammed Ehsan Zia, minister of rural rehabilitation and development.

Talking to Canadian journalists after a news conference in this southern Afghanistan capital, Zia offered a relatively frank but upbeat picture of reconstruction in the region, much of which is financed by Canada.

While the challenges are huge, life is definitely getting better for ordinary people, said the minister, considered by Canadian officials to be one of the stars of President Hamid Karzai's government.

Zia argued against the suggestion Canada end its military presence here by early 2009 at the latest.

"Our expectation is that the Canadian people and the Canadian government, who have endured sacrifices in Afghanistan, should not leave the job half-done," Zia said.

"If the international community leaves the job half-done, experience shows ... that what has been done will disintegrate."

Zia was in Kandahar to sign 62 new reconstruction agreements, worth more than \$4 million US, mostly for improving irrigation and drinking water systems, and renovating mosques and schools.

The majority of the projects, which are for both Kandahar and Uruzghan provinces, are funded by the Canadian International Development Agency.

Of 182 completed projects in southern Afghanistan, CIDA footed \$6.4 million of the \$9.4-million bill, according to the ministry.

USAID, the American foreign development agency, is the biggest international donor in the country.

Despite money being spent by the international community, many Afghans complain the foreign presence has brought little concrete improvement in their lives, while security in the south seems to be worsening.

Zia rejected that notion, and rhymed off what he called "enormous" advances from a state of collapse in 2001.

While 700,000 Afghan children were going to school then, the number now stands at more than six million. Access to health services has jumped to 80 per cent from 15 per cent, access to clean water has risen to 45 per cent of the population, and the country now has a functioning national police force and army that did not exist before, he said.

It is typical of a post–conflict situation for people to have high expectations, said the minister, but they must be realistic.

"Here in Afghanistan, we shouldn't expect miracles," Zia said. "We are literally putting bricks on top of bricks, one at a time."

Khadr charges dismissed But Yanks can still hold him

SOURCETAG 0706050138
PUBLICATION: The Winnipeg Sun
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: 17
ILLUSTRATION: photo of OMAR KHADR Bombshell ruling
BYLINE: CP
DATELINE: GUANTANAMO BAY, Cuba
WORD COUNT: 247

A U.S. military judge threw out the murder case against Canadian Omar Khadr yesterday, a surprise decision marking another setback for the Bush administration's attempts to try terror suspects at the American naval base in Cuba.

The legal bombshell from presiding judge Col. Peter Brownback doesn't mean Khadr, 20, will be freed from the U.S. prison camp holding some 380 detainees in the war on terror.

And the U.S. Defense Department called it a "technical matter" that can be easily resolved — not a precedent that threatens the military trial process.

Still, it provided fresh hope for defence lawyers and activists who have long argued the system is unfair. They say Khadr and others at Guantanamo should be tried in regular American courts.

Prosecutors asked for 72 hours to consider an appeal in what has become a fitful, highly contentious process condemned by most western countries except Canada.

"Judge Brownback did not question that the military commission would constitute the appropriate forum in which to try a member of al-Qaida for alleged war crimes," said Maj. Beth Kubala, spokesman for the Office of Military Commissions.

But the military tribunal doesn't have jurisdiction over Khadr right now, said Brownback. He said Khadr hasn't been declared an "unlawful" enemy combatant with no right to fight in Afghanistan — something required by the Military Commission Act passed by Congress last year.

None of the other Guantanamo detainees have the new designation.

The Bush administration had designated them "enemy combatants" to distinguish them from regular soldiers who, when captured, would become prisoners of war entitled to protection under the Geneva Conventions.

The detainees have not been labelled "unlawful" enemy combatants, who can then be charged for crimes including murder. KEYWORDS=WORLD

Few cheers or tears New twist in Khadr case met with silence in Ottawa circles

SOURCETAG 0706050128

PUBLICATION: The Winnipeg Sun

DATE: 2007.06.05

EDITION: Final

SECTION: Editorial/Opinion

PAGE: 9

BYLINE: GREG WESTON, NATIONAL AFFAIRS

WORD COUNT: 452

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Instead, the U.S. military court ruling has been met with a deafening silence in official circles here.

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Yesterday's military court decision in favour of Omar Khadr may well lead to the dismantling of Guantanamo and all of the dubious state draconianism it represents.

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Try Khadr or release him -- now

SOURCETAG 0706050123
PUBLICATION: The Winnipeg Sun
DATE: 2007.06.05
EDITION: Final
SECTION: Editorial/Opinion
PAGE: 8
BYLINE: LORRIE GOLDSTEIN
COLUMN: Editorial
WORD COUNT: 223

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The reason was a technicality, but a big one.

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But under a law passed by the U.S. Congress last year to replace one thrown out by the U.S. Supreme Court, only alleged "unlawful enemy combatants" can be tried by these military tribunals.

Yesterday's ruling has implications beyond Khadr. None of the detainees at Guantanamo charged with terrorism-related offences have been classified as "unlawful" combatants, a huge oversight.

The ruling, however, doesn't necessarily mean Khadr will be freed.

The Bush administration has said all along it may hold him as a prisoner until its war on terror is over. In other words, indefinitely. That's unacceptable.

Few Canadians will shed tears for Khadr or his family. Omar's father, Ahmed Said Khadr, was accused of being a founding member of al-Qaida and was killed in a shootout with Pakistani forces near the Afghanistan border in 2003.

Members of the Khadr family have been accused of everything from conspiring to kill American soldiers to running terrorist training camps.

They have criticized Canada and its values. While they deny being al-Qaida operatives, they have expressed sympathy for its goals.

But all that's a separate issue from indefinitely holding a 15-year-old in a military prison.

If the U.S. isn't capable of giving Khadr a timely trial, and apparently it isn't, it should free him.

The war on terror doesn't override the reality that justice delayed is justice denied.

Few cheers or tears New twist in Khadr case met with silence in Ottawa circles

SOURCETAG 0706050472

PUBLICATION: The Toronto Sun

DATE: 2007.06.05

EDITION: Final

SECTION: Editorial/Opinion

PAGE: 18

BYLINE: GREG WESTON, NATIONAL AFFAIRS

WORD COUNT: 452

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BOMBSHELL

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All in all, a story of a youngster's long and hellish incarceration without due process should have been compelling on principle, if not sufficiently sympathetic to elicit an official Canadian government demand for simple justice.

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Similarly, calls to Canadian diplomats and other senior government officials suggest they would rather talk about their personal expense accounts than anything to do with Omar Khadr.

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As one senior Foreign Affairs official put it: "When it comes to the Khadrs around here, there is still a devotion to avoiding the issue — once burned, twice career ended."

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Yesterday's military court decision in favour of Omar Khadr may well lead to the dismantling of Guantanamo and all of the dubious state draconianism it represents.

In the meantime, hold the hankies for the tiny terrible Canuck.

Keep al-Qaida combatant in Guantanamo

SOURCETAG 0706050469
PUBLICATION: The Toronto Sun
DATE: 2007.06.05
EDITION: Final
SECTION: Editorial/Opinion
PAGE: 17
BYLINE: PETER WORTHINGTON
WORD COUNT: 549

While it's certainly stunning news that a U.S. Army judge has dismissed charges against Omar Khadr at the Guantanamo Bay detention centre, it also gives lie to the accusation that the "Canadian" al-Qaida fighter couldn't be treated fairly.

Judge Peter Brownback ruled that because Khadr was identified as an "enemy combatant" and not as an "unlawful" enemy combatant, war crimes and terrorism charges had to be dismissed. "Unlawful," is the operative word enabling a war crimes trial. Otherwise a mere "combatant" is akin to a soldier fighting in a war.

I've always maintained (and written) that first-degree murder charges against Khadr were not only misguided, but wrong.

Sure, he may have killed one Marine medic and severely wounded another with a grenade in a fight in Afghanistan in 2002, but at the time he was an al-Qaida fighter defending against foreign invaders.

People who kill one in combat should not be tried, or even charged with murder. Nor is that terrorism. It is war.

That Khadr was only 15 at the time is irrelevant. He was from a notorious al-Qaida family that chose to live in Canada, and he was capable of knowing what he was doing. Just as his father made a choice to be a confidant and fund-raiser for Osama bin Laden (and was killed in a Pakistan ambush), so Omar made his choice.

The dismissal of charges against Khadr does not mean he'll soon be freed. Technically, as an "enemy combatant," he can legitimately be held in custody until the war against terror is won, or is considered over.

In World War II, the British and Germans didn't release prisoners of war until the fighting was done. The war against terror is more complex. Fighting continues every day.

Look at Iraq and Afghanistan.

It's also seems unfair to say, as some media reports do, that the judge's decision to dismiss charges against Khadr "is a major blow" to the Bush administration. Why should that be?

If Khadr wasn't acting "unlawfully" when he fought back against American troops, why would the U.S. administration want him punished? The system should be credited with doing the right thing, even (especially) if they can keep him in custody as long as he's deemed a danger.

From all reports, Omar Khadr at age 20 is more thoroughly indoctrinated into the al-Qaida ethic than he was before his capture. I visited Gitmo last fall, and while forbidden to talk with detainees, the prevailing opinion was Khadr was not a trouble-maker but was a true believer in the al-Qaida creed.

LAWYERS FIRED

Khadr has been in the news recently for firing his U.S. military lawyers who, curiously, seem hurt and sorry that he dumped them. They seemed to like the guy, and felt strongly that he wasn't getting any breaks.

The trial judge has now made a decision refuting the theme that Khadr was being railroaded. His anti-American supporters are in a quandary.

So what happens now? There may be an appeal, but that surely shouldn't change the outcome. While terms of the Geneva Convention should not apply to terrorists or al-Qaida members, the U.S. Supreme Court has ruled otherwise. Only recognized soldiers should get Geneva recognition -- wearing a distinct uniform, having an identifiable chain of command, carrying weapons openly, treating those captured humanely. America's enemies in Iraq and Afghanistan pay little heed to these terms. They behead prisoners.

Khadr's Canadian lawyers, and his mother and sister who've proudly claimed allegiance to al-Qaida, argue for his return to Canada. No way. Let him remain with the other 380 hardline terror supporters in Guantanamo who, if they aren't war criminals, certainly are enemies who should be treated as such until evidence indicates otherwise.

Try Khadr or release him -- now

SOURCETAG 0706050468
PUBLICATION: The Toronto Sun
DATE: 2007.06.05
EDITION: Final
SECTION: Editorial/Opinion
PAGE: 16
BYLINE: LORRIE GOLDSTEIN
COLUMN: Editorial
WORD COUNT: 223

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But under a law passed by the U.S. Congress last year to replace one thrown out by the U.S. Supreme Court, only alleged "unlawful enemy combatants" can be tried by these military tribunals.

Yesterday's ruling has implications beyond Khadr. None of the detainees at Guantanamo charged with terrorism-related offences have been classified as "unlawful" combatants, a huge oversight.

The ruling, however, doesn't necessarily mean Khadr will be freed.

The Bush administration has said all along it may hold him as a prisoner until its war on terror is over. In other words, indefinitely. That's unacceptable.

Few Canadians will shed tears for Khadr or his family. Omar's father, Ahmed Said Khadr, was accused of being a founding member of al-Qaida and was killed in a shootout with Pakistani forces near the Afghanistan border in 2003.

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Motorcade for fallen soldier

SOURCETAG 0706050447

PUBLICATION: The Toronto Sun

DATE: 2007.06.05

EDITION: Final

SECTION: News

PAGE: 4

ILLUSTRATION: 1. photo by Adrian Wyld, CP Angela Priede, left, cries as the casket of her husband Master Cpl. Darrell Priede is carried at CFB Trenton yesterday. 2. photo of DARRELL PRIEDE Killed May 30

BYLINE: BRETT CLARKSON, SUN MEDIA

WORD COUNT: 177

Police, fire, and ambulance crews paid tribute to fallen Canadian soldier Master Cpl. Darrell Priede yesterday by lining up on highway overpasses along Hwy. 401 and the Don Valley Parkway as his body was escorted by motorcade from CFB Trenton into the city yesterday to the coroner's office on Grosvenor St.

The military photographer based at CFB Gaagetown, N.B., was killed when the helicopter he was in went down in Helmand province.

"We appreciate our people in uniform in Afghanistan and other places -- we appreciate the sacrifice they make and whenever possible we try to pay tribute to them whenever we can," said Toronto Police Sgt. Brian Bowman, who led the Toronto contingent of the motorcade.

Durham emergency crews also turned out as the motorcade passed through that region.

OPP vehicles lead the motorcade until Whites Rd. in Pickering when Toronto police took over, Bowman said.

Canadian soldiers killed in Afghanistan are flown home to Trenton, then escorted to Toronto for an autopsy.

"We're just typical Canadians trying to pay tribute in whatever way we can," Bowman said.

Priede was photographing coalition forces trying to wrest control of a strategic valley from insurgents. Five Americans and a Briton on the chopper also were killed.

The 30-year-old Priede was born in Burlington and grew up around Grand Forks, B.C.

KEYWORDS=CANADA

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SOURCETAG 0706050053

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EDITION: Final

SECTION: Editorial/Opinion

PAGE: 15

BYLINE: GREG WESTON

COLUMN: National Affairs

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DATE: 2007.06.05
EDITION: Final
SECTION: Editorial/Opinion
PAGE: 14
BYLINE: LORRIE GOLDSTEIN
COLUMN: Editorial
WORD COUNT: 223

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The ruling, however, doesn't necessarily mean Khadr will be freed.

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Few Canadians will shed tears for Khadr or his family. Omar's father, Ahmed Said Khadr, was accused of being a founding member of al-Qaida and was killed in a shootout with Pakistani forces near the Afghanistan border in 2003.

Members of the Khadr family have been accused of everything from conspiring to kill American soldiers to running terrorist training camps.

They have criticized Canada and its values. While they deny being al-Qaida operatives, they have expressed sympathy for its goals.

But all that's a separate issue from indefinitely holding a 15-year-old in a military prison.

If the U.S. isn't capable of giving Khadr a timely trial, and apparently it isn't, it should free him.

The war on terror doesn't override the reality that justice delayed is justice denied.

Death benefit snub blasted Single soldiers deserve better: Expert

SOURCETAG 0706050041

PUBLICATION: The Ottawa Sun

DATE: 2007.06.05

EDITION: Final

SECTION: News

PAGE: 10

ILLUSTRATION: photo of GREG THOMPSON Policy stands

BYLINE: CP

COLUMN: Parliament Hill

WORD COUNT: 143

The Conservative government's denial of a \$250,000 death benefit to the families of unmarried soldiers killed in Afghanistan is begging to be challenged before a court or human rights tribunal, a constitutional expert says.

Errol Mendes, of the University of Ottawa, says it's clearly established in law that discrimination based on marital status violates the Charter of Rights and he wonders why Veterans Affairs still supports the practice.

"There is a compelling case on the part of single soldiers," Mendes says.

"Whether or not there is a legal case, there is a huge moral, social, ethical and political reason why the government should be covering this."

The death benefit — available only to married soldiers — is part of the new Veterans Charter, which passed with all-party support in 2005.

Veterans Affairs Minister Greg Thompson denies there's an inequity — legal or otherwise.

"It's not discriminatory, it's very consistent with all of the programs that preceded the new Veterans Charter."

The lump-sum payment is meant to help widows and orphaned children.

"The death benefit was never intended to be life insurance where there is a designated beneficiary," says Thompson, adding he's not contemplating any changes to the policy. KEYWORDS=CANADA

Khadr ruling shocker Military judge rules terror suspect entitled to civil trial

SOURCETAG 0706050036
PUBLICATION: The Ottawa Sun
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: 6
ILLUSTRATION: photo of OMAR KHADR Major ruling
BYLINE: BETH GORHAM, CANADIAN PRESS
DATELINE: GUANTANAMO BAY, Cuba
WORD COUNT: 338

A U.S. military judge threw out the murder case against Canadian Omar Khadr yesterday, a surprise decision marking another setback for the Bush administration's attempts to try terror suspects at the American naval base in Cuba.

The legal bombshell from presiding judge Col. Peter Brownback doesn't mean Khadr, 20, will be freed from the U.S. prison camp.

And the U.S. Defence Department called it a "technical matter" that can be easily resolved — not a precedent that threatens the military trial process.

FRESH HOPE

Still, it provided fresh hope for defence lawyers and activists who have long argued the system is unfair. They say Khadr and others at Guantanamo should be tried in regular American courts.

"The significance of this ruling is enormous," said Col. Dwight Sullivan, chief defence counsel for the detainees.

"I think this is an opportunity for Congress to take another look at this system," he said. "How much more evidence do you need that this is a failed experiment?"

Prosecutors asked for 72 hours to consider an appeal.

"Judge Brownback did not question that the military commission would constitute the appropriate forum in which to try a member of al-Qaida for alleged war crimes," said Maj. Beth Kubala, spokeswoman for the Office of Military Commissions.

But the military tribunal doesn't have jurisdiction over Khadr right now, said Brownback.

He said Khadr hasn't been declared an "unlawful" enemy combatant with no right to fight in Afghanistan — something required by the Military Commission Act passed by Congress last year.

None of the other Guantanamo detainees have the new designation. But U.S. authorities insist they can still be held indefinitely as enemy combatants.

Khadr, 20, was captured when he was just 15 and later charged with throwing the grenade that killed a U.S. soldier and nearly blinded another. He has grown into a tall man with a full beard and bushy hair. He was led into court in loose, drab prisoner garb and rubber sandals.

Khadr did not speak out loud but he watched the judge intently and conferred with Edmonton lawyer Dennis Edney during the hearing, which lasted less than an hour.

Khadr's sister, Zaynab, 27, said the family was heartened by the news.

"We're hoping this is the beginning of something good to come along," she said in Toronto. "When you're mourning for a very long time it becomes very, very difficult to celebrate, but were trying."

Khadr faced charges of murder, attempted murder, conspiracy, providing material support for terrorism and spying carrying a potential life sentence.

Foreign Affairs officials said they were reviewing the situation but had no immediate comment.

KEYWORDS=WORLD

Funeral furor brings look at regional military cemeteries

IDNUMBER 200706050071
PUBLICATION: Times Colonist (Victoria)
DATE: 2007.06.05
EDITION: Final
SECTION: Comment
PAGE: A10
COLUMN: Don Martin
BYLINE: Don Martin
SOURCE: CanWest News Service
WORD COUNT: 617

A Sherman tank and a pair of howitzers guard the Canadian Armed Forces freebie nobody wants to collect. The only cost is your life.

A free burial plot, coffin interment and simple grey headstone with a carved black cross await any slain soldier whose family requests space surrounding a 24-tonne stone memorial in an Ottawa cemetery.

But in the wake of one family's very public disclosure of their struggle to cover a slain son's funeral costs, Chief of Defence Staff Gen. Rick Hillier told me he is exploring the idea of a cross-Canada network of military cemeteries for the fallen.

The burial decision for families who receive the dreaded call that a son or daughter or spouse has been killed in Afghanistan is complicated by geography. They have to decide if the soldier will be buried near them or within the military fraternity. There is only one military option — and less than a third have accepted their rightful space in the National War Cemetery.

Hillier has ordered an investigation into ways to reduce or eliminate distance from a family's burial decision.

"I've asked the chief military personnel to consider the need for several military cemeteries across our country in the longer term. Perhaps one per region," Hillier said in an interview.

"Soldiers whose families live within driving distance of Ottawa are prone to have them buried here. The closer you live, the more you consider that option to put a soldier among other soldiers because you can still come visit his grave," Hillier says.

"Coming from British Columbia, for example, it's more difficult," he adds.

It only makes sense to have Canada's military casualties buried together in a suitably dignified setting that doesn't inconvenience their families.

Locating them near or on the country's major military bases would not seem to be logistically complicated or expensive.

I visited the two treed sections of land in the national historic site on a dull Monday morning in the capital.

A few students were planting geraniums, but there wasn't a visitor to be seen. Sod had not yet been rolled over the plots of the most recent casualties from Kandahar.

A handful of newer graves were marked by a red rose in the mud, others with a Maple Leaf flag.

The most recent row of headstones is a grim roll call of still-familiar names from the ramp, repatriation and funeral ceremonies of the last year. Nichola Goddard. Jason Warren. Francisco Gomez. Shane Stachnik. Robert Mitchell. Allan Stewart. Darcy Tedford.

But the most sobering sight is the line of headstones waiting to be expanded, an inevitability without a miraculous turn of events in Kandahar.

This is no Arlington, the national cemetery for America's war dead, which attracts four million visitors to a site with more than 300,000 graves, including former presidents, Supreme Court justices and astronauts.

That's good news. They bury about 27 bodies a day in Arlington and the sprawling grassland reserved for the continuing carnage from Iraq and other conflicts stretches beyond the horizon.

By contrast, the most recent addition to our eight-hectare National War Cemetery was a month ago.

There are other steps Hillier plans to take to put the public-relations disaster of the funeral expenses flap behind him.

The issue was a serious black eye for a military-saluting government that could yet cost Defence Minister Gordon O'Connor his job, as much for cumulative bad judgment as his response to this specific controversy.

A Hillier-launched fund to support families has \$500,000 in the bank even before it becomes operational.

He vows the government will now cover rental costs for any halls or arenas required for military funeral services where mourner demand exceeds church space.

He's also ordered all victim families to be revisited to ensure they weren't dealt with under outdated Treasury Board guidelines.

"As right as you can make something in arrears, we'll do it. We'll go back and check with all other families and make sure about the support they're getting," Hillier says. "If there is anywhere that demand exceeded supply, we cover it for them."

It all adds up to an impressive, albeit overdue, military operation of political damage control.

If the next step is to dedicate military burial space for the fallen yet to come, well, the public humiliation heaped on the government by one family will have done a service to our military.

They deserve special dignity in death. Canadian soldiers shouldn't just fade away as just another plot in a sprawling public cemetery.

Canadian soldier in Kandahar meets newborn daughter via video hookup

IDNUMBER 200706050016
PUBLICATION: Times Colonist (Victoria)
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: C10
DATELINE: OTTAWA
BYLINE: Joanne Laucius
SOURCE: CanWest News Service
WORD COUNT: 236

OTTAWA — Every year, nearly 32,000 patients across Ontario connect with doctors and other medical professionals via videoconferencing.

Saturday morning was likely the first time, however, the system was used to connect a new father serving in Kandahar with his wife and newborn daughter in Ottawa.

"The best thing was being able to see my family all together and knowing everyone was doing well," Naval Lieut. Desmond James said yesterday in an e-mail interview from Afghanistan, where he is a public affairs officer.

As of Friday night, James wasn't so sure the videoconferencing link would work.

But Saturday morning, the images on the screen were as clear as watching television.

"Seeing them made it so much easier for me, and knowing my wife was OK and smiling made me relax over here. The next best thing was seeing Kaia for the first time and seeing how Sean, my stepson, was so caring and careful with her," he said. "I was on Cloud 9 and wanted to just sit and watch (wife) Lisa and Kaia and Sean."

The Ontario Telemedicine Network is usually used to connect patients in remote or rural areas with doctors in larger centres.

Lisa James, who was expecting the baby in late May, approached the hospital in February to ask if the system could be used to connect her to her husband, who had left for Afghanistan earlier that month.

"It was just something I thought might be possible," James said. "So I gave the hospital a call. They were great."

What resulted was a three-way collaboration between the Department of National Defence, which has a videoconferencing 'bridge' in Ottawa, the hospital and the Ontario Telemedicine Network.

Blair pledges funds to train moderate Muslim clerics

IDNUMBER 200706050015
PUBLICATION: Times Colonist (Victoria)
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: C10
ILLUSTRATION: Photo: Reuters / British Prime Minister Tony Blair meets international Islamic leaders at a breakfast meeting at 10 Downing Street in London yesterday. ;
DATELINE: LONDON
BYLINE: Mike Blanchfield
SOURCE: CanWest News Service
WORD COUNT: 413

LONDON -- Outgoing British Prime Minister Tony Blair exhorted the world's Muslim leaders yesterday to rise above the warped distortions of Islamic extremists, and pledged \$2 million towards the education of imams in Britain.

The new funding came in response to a study that found English universities were failing to teach Islamic studies in a relevant, modern context. The money is intended to allow more imams to be trained in Britain, in order to minimize the importation of extremist views from the Middle East and elsewhere.

Blair's announcement was made during a rare appearance on home soil, just three weeks before he steps down as prime minister. Blair, who has come under fire for his long goodbye as Britain's leader for the past 10 years, is due to resign June 27, three days after his successor, Gordon Brown, is crowned Labour party leader.

Blair spent most of last week touring three African countries, a trip that the opposition Conservatives criticized as a "vanity" tour. He travelled on a specially outfitted British Airways jetliner and his media entourage included documentary filmmakers and the U.S. magazine Men's Vogue.

Back in London yesterday, Blair managed to squeeze in an appearance at a major conference of 200 Muslim clerics before jetting off to Germany to attend the G8 leaders' summit. The meeting will serve as his formal farewell to his closest allies in the war on terrorism, including U.S. President George W. Bush.

Blair urged the assembled clerics to explain Islam to the world and to place it in its broader context -- how it has roots in Judaism and Christianity, and how it developed. He then urged them to explain "how far removed it is in truth from the crude and warped distortion of the extremists."

The prime minister told his audience "to hear Islam's true voice, to welcome and appreciate it and, in doing so, to join up with all those who believe in a world where religious faith is respected, where faiths respect each other."

The speech was another attempt to reinforce a message of religious harmony that Blair has preached since the Sept. 11, 2001, attacks on the United States and the July 2005 attacks on London's transit system that left more than 50 dead.

The prime minister told the clerics to set aside any political differences with his government's military involvement in Iraq and Afghanistan. He said it was "damaging" to view western military intervention in any

country as being "seen in the context of religious decisions."

Fallen photographer back home

SOURCETAG 0706050388
PUBLICATION: The London Free Press
DATE: 2007.06.05
EDITION: Final
SECTION: City &Region
PAGE: B10

ILLUSTRATION: photo by Adrian Wyld, CP HONOUR GUARD: Pallbearers carry the casket of Master Cpl. Darrell Priede past an honour guard during a repatriation ceremony at CFB Trenton yesterday. Priede, a combat photographer, was killed May 30 when the helicopter he was riding in went down in Afghanistan. Priede was the 56th Canadian soldier to die in Afghanistan since 2002.

BYLINE: NOOR JAVED, CP
DATELINE: CFB TRENTON
WORD COUNT: 373

As the flag-covered coffin of Master Cpl. Darrell Priede descended from a Hercules transport plane yesterday, a handful of military photographers could be seen with their cameras poised, documenting the final journey home of one of their own.

Under picture-perfect blue skies at this eastern Ontario military base, members of Priede's grieving family stood huddled together alongside members of Canada's military brass, including Chief of Defence Staff Gen. Rick Hillier and Minister of National Defence Gordon O'Connor.

The 30-year-old military photographer, who was based at CFB Gagetown, N.B., died last Wednesday when the helicopter he was flying was shot down in the volatile Helmand province in Afghanistan. He was photographing coalition forces trying to wrest control of a strategic valley from insurgents to pave the way for reconstruction.

The buzz of the plane nearly drowned out the sorrowful bagpiper's lament as the casket was carried into the awaiting hearse.

As the eight pallbearers loaded the casket, Priede's wife Angela, who was standing nearby surrounded by family and friends, wiped away tears.

Holding a red rose, she was the first to approach to say her goodbye to her husband, who had been in Afghanistan for less than six weeks.

She leaned into the hearse for more than five minutes, leaning on her husband's coffin and crying inconsolably as her family circled around her, patting her on the back and embracing her.

Priede's mother, Roxanne, wiped away tears as she tightly embraced Angela and took her turn to say her final goodbye.

Earlier this week, she said her son had volunteered to go to Afghanistan and was eager to document images of Canada's mission there. She also said he had believed he had one of the safest jobs in the country.

This was the second time Priede had been out photographing a combat mission.

On a number of military websites and blogs, those who knew Priede left messages for his family yesterday and remembered the soldier who was known among his colleagues for his photography and his desire to be among the soldiers.

"Although the quality of his work gave him bragging rights, he was always modest," wrote Mark Lamontagne, one of his military supervisors in Kingsley, N.B. "Darrell was a great worker and would do anything for you, however, the moment you cut him loose he would run to his beloved Angie."

Priede was born in Burlington and raised in British Columbia.

He died along with five Americans and a Briton when the CH-47 Chinook they were flying in was apparently shot down west of Kandahar.

Priede was doing his job as a photographer for the Regional Command South, which oversees multinational efforts in each of the five southern Afghan provinces.

He was killed during Operation Lastay Kulang, part of the offensive against the Taliban.
KEYWORDS=LOCAL

Death benefit denial risks challenge

SOURCETAG 0706050364
PUBLICATION: The London Free Press
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: A7
BYLINE: MURRAY BREWSTER, CP
DATELINE: OTTAWA
WORD COUNT: 140

The Conservative government's denial of a \$250,000 death benefit to the families of unmarried soldiers killed in Afghanistan is a policy that's begging to be challenged before a court or human rights tribunal, says a constitutional expert.

Errol Mendes of the University of Ottawa says it's clearly established in law that discrimination based on marital status violates the Charter of Rights and Freedoms and he wonders why Veterans Affairs still supports the practice.

"There is a compelling case on the part of single soldiers," Mendes said yesterday.

The death benefit — available only to married soldiers — is part of the new Veterans Charter, which was passed with all party support in 2005.

Veterans Affairs Minister Greg Thompson denied there's an inequity.

"It's not discriminatory. It's very consistent with all of the programs that preceded the new Veterans Charter," Thompson said.

The purpose of the lump-sum payment was to help widows and orphaned children of soldiers move from life in the military to the civilian world.

"The death benefit was never intended to be life insurance where there is a designated beneficiary," said Thompson. KEYWORDS=CANADA

Few cheers or tears A new twist in the Khadr case is met with silence in Ottawa circles.

SOURCETAG 0706050360

PUBLICATION: The London Free Press

DATE: 2007.06.05

EDITION: Final

SECTION: Editorial/Opinion

PAGE: A6

BYLINE: GREG WESTON

WORD COUNT: 449

Among ordinary Canadians, there will be few cheers or tears for Omar Khadr.

Yesterday, a U.S. military judge dismissed charges against Khadr, the only remaining Canadian detainee at Guantanamo Bay, the controversial American prison camp for al-Qaida terror suspects.

Khadr was 15 when he was nabbed by U.S. forces in 2002 at the end of a firefight in Afghanistan.

Like all of the 380 men held at Guantanamo, he was imprisoned without charge and spent most of the past five years in and out of solitary confinement awaiting his day in court.

Yesterday's military ruling is being widely portrayed as a bombshell that has once again rocked the U.S. system of handling detainees, and caused further political damage to U.S. President George Bush and his administration.

All in all, a story of a youngster's long and hellish incarceration without due process should have been compelling on principle, if not sufficiently sympathetic to elicit an official Canadian government demand for justice.

Instead, the U.S. military court ruling has been met with a deafening silence in official circles here.

In the Commons yesterday, MPs of all political stripe studiously avoided mention of the 20-year-old Canadian and the fact he is still incarcerated, even now that charges against him have been formally tossed.

Similarly, calls to Canadian diplomats and other senior government officials suggest they would rather talk about their personal expense accounts than anything to do with Omar Khadr.

Despite the highly contentious premise of Guantanamo, it's no big surprise that official Ottawa has turned a blind eye to the plight of Omar Khadr.

As one senior Foreign Affairs official put it: "When it comes to the Khadr's around here, there is still a devotion to avoiding the issue — once burned, twice career ended."

The first "burn" was by Ahmed Said Khadr, Omar's father and the patriarch of what has been dubbed Canada's first family of terrorism.

The elder Khadr was arrested by Pakistan police in 1995 as a suspect in a deadly terrorist bombing of an embassy in that country.

A storm of international protest ensued, fomented by family and (in retrospect) an all-too-obliging Canadian media that portrayed the Khadr patriarch as the selfless and dedicated head of a foreign aid organization bringing help to Afghan orphans.

In what would become one of the worst political embarrassments of Jean Chretien's political career, the then-Liberal PM intervened personally, and Khadr was freed.

It was only after 9/11 that the truth came out: The elder Khadr was a close associate of Osama bin Laden and the aid the Canadian was providing was to his fellow al-Qaida terrorists.

In a 2004 interview with PBS after turning CIA informant, one of the Khadr sons, Abdurahman, said he had been repeatedly pressed by his father to become a suicide bomber.

His father was eventually hunted down as a terrorist and killed.

As for the rest of his family, Abdurahman Khadr told PBS: "One brother was put away . . . one other brother was in a house . . . that was bombed and he was almost killed. Another brother was shot in the spine."

So for Omar, the youngest of the Khadr dysfunctionals, he allegedly emerged from a building at the end of a shootout with U.S. troops, and tossed a grenade, killing a young American medic ironically trying to help wounded Afghans.

Yesterday's military court decision in favour of Omar Khadr may well lead to the dismantling of Guantanamo and all of the dubious state draconianism it represents.

In the meantime, hold the hankies for the tiny, terrible Canuck.

Try Khadr or release him – now

SOURCETAG 0706050356
PUBLICATION: The London Free Press
DATE: 2007.06.05
EDITION: Final
SECTION: Editorial/Opinion
PAGE: A6
BYLINE: LORRIE GOLDSTEIN
COLUMN: Editorial
WORD COUNT: 223

It's time for the U.S. to put up or shut up in the case of Omar Khadr.

Khadr, now 20, has been held for five years at the American military prison at Guantanamo Bay, Cuba.

He's charged with the 2002 murder of a U.S. soldier in Afghanistan by tossing a grenade at him during a firefight.

Khadr was 15 when he was captured. Military prosecutors have said the case against him is a slam dunk. But they can't even get it to trial.

Yesterday, a military judge dismissed the charges against Khadr, the only Canadian held at Guantanamo, saying he had no jurisdiction to hear it.

The reason was a technicality, but a big one.

Military authorities classified Khadr as an "enemy combatant" in 2004.

But under a law passed by the U.S. Congress last year to replace one thrown out by the U.S. Supreme Court, only alleged "unlawful enemy combatants" can be tried by these military tribunals.

Yesterday's ruling has implications beyond Khadr. None of the detainees at Guantanamo charged with terrorism-related offences have been classified as "unlawful" combatants, a huge oversight.

The ruling, however, doesn't necessarily mean Khadr will be freed.

The Bush administration has said all along it may hold him as a prisoner until its war on terror is over. In other words, indefinitely. That's unacceptable.

Few Canadians will shed tears for Khadr or his family. Omar's father, Ahmed Said Khadr, was accused of being a founding member of al-Qaida and was killed in a shootout with Pakistani forces near the Afghanistan border in 2003.

Members of the Khadr family have been accused of everything from conspiring to kill American soldiers to running terrorist training camps.

They have criticized Canada and its values. While they deny being al-Qaida operatives, they have expressed sympathy for its goals.

But all that's a separate issue from indefinitely holding a 15-year-old in a military prison.

If the U.S. isn't capable of giving Khadr a timely trial, and apparently it isn't, it should free him.

The war on terror doesn't override the reality that justice delayed is justice denied.

Khadr's charges dismissed A U.S. military judge rules he can't try the Canadian on murder charges.

SOURCETAG 0706050334

PUBLICATION: The London Free Press

DATE: 2007.06.05

EDITION: Final

SECTION: News

PAGE: A1

ILLUSTRATION: photo of OMAR KHADR Ruling doesn't mean he will be released.

BYLINE: BETH GORHAM, CP

DATELINE: GUANTANAMO BAY, CUBA

WORD COUNT: 375

A U.S. military judge threw out the murder case against Canadian Omar Khadr yesterday, a surprise decision marking another setback for the Bush administration's attempts to try terror suspects at the American naval base in Cuba.

The legal bombshell from presiding judge Col. Peter Brownback doesn't mean Khadr, 20, will be freed from the U.S. prison camp holding about 380 detainees in the war on terror.

And the U.S. Defense Department called it a "technical matter" that can be easily resolved — not a precedent that threatens the military trial process.

Still, it provided fresh hope for defence lawyers and activists who have long argued the system is unfair. They say Khadr and others at Guantanamo should be tried in regular American courts.

"The significance of this ruling is enormous," said Col. Dwight Sullivan, chief defence counsel for the detainees.

"I think this is an opportunity for Congress to take another look at this system," he said.

"How much more evidence do you need that this is a failed experiment?," said Sullivan.

Prosecutors asked for 72 hours to consider an appeal in what has become a fitful, highly contentious process condemned by most western countries except Canada.

"Judge Brownback did not question that the military commission would constitute the appropriate forum in which to try a member of al-Qaida for alleged war crimes," said Maj. Beth Kubala, spokesperson for the Office of Military Commissions.

But the military tribunal doesn't have jurisdiction over Khadr right now, said Brownback.

He said Khadr hasn't been declared an "unlawful" enemy combatant with no right to fight in Afghanistan — something required by the Military Commission Act passed by Congress last year.

None of the other Guantanamo detainees have the new designation.

The Bush administration had designated them "enemy combatants" to distinguish them from regular soldiers who, when captured, would become prisoners of war entitled to protection under the Geneva Conventions. The detainees have not been labelled "unlawful" enemy combatants, who can then be charged for crimes including murder.

But U.S. authorities insist they can still be held indefinitely as enemy combatants.

Khadr, 20, was captured when he was just 15 years old and later charged with throwing the grenade that killed an elite U.S. soldier and nearly blinded another.

He has grown into a tall man with a full dark beard and bushy hair. He was led into court in loose, drab prisoner garb and rubber sandals.

Two soldiers wearing camouflage uniforms stood on either side, holding his arms and hands.

Khadr's attire was a marked contrast to the khakis and Roots shirt he wore in January 2006 during his first pre-trial hearings.

Brownback noted the prosecution offered him civilian clothes and worried the prison outfit "could influence some observers" and that it wouldn't be favourable to a "presumption of innocence."

Khadr did not speak out loud but he watched the judge intently and conferred with Edmonton lawyer Dennis Edney during the hearing, which lasted less than an hour. KEYWORDS=CANADA

Karzai to exchange Taliban body for hostages

SOURCETAG 0706050807

PUBLICATION: The Edmonton Sun

DATE: 2007.06.05

EDITION: Final

SECTION: News

PAGE: 31

BYLINE: AP

DATELINE: KABUL

WORD COUNT: 158

President Hamid Karzai ordered that the body of a slain top Taliban commander be exchanged for the release of five Afghan health workers kidnapped in the country's south, an official said yesterday.

Karzai told "relevant authorities" to exchange the body of Mullah Dadullah, killed last month in southern Afghanistan, for a doctor, three nurses and a driver kidnapped March 27, said Abdullah Fahim, a spokesman for the Public Health Ministry.

The order followed an exchange demand from Dadullah Mansoor, the brother of the slain commander, who now heads the militant operations in southern Afghanistan, Fahim said.

Mullah Dadullah, a one-legged militant who orchestrated Taliban suicide attacks and beheadings, was killed in a U.S.-led military operation in Helmand province. Kandahar Gov. Asadullah Khalid has said that Dadullah was buried at a secret location near Kandahar.

The health workers were kidnapped by suspected Taliban militants in Kandahar's Zhari district after they had administered vaccines and other treatment at a refugee camp, officials said. **KEYWORDS=WORLD**

Blockbuster ruling U.S. judge drops charges against Canadian Omar Khadr

SOURCETAG 0706050806
PUBLICATION: The Edmonton Sun
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: 31
ILLUSTRATION: photo of OMAR KHADR Family rejoices
BYLINE: CP
DATELINE: GUANTANAMO BAY, Cuba
WORD COUNT: 265

A U.S. military judge dismissed charges against Canadian detainee Omar Khadr yesterday in a bombshell ruling that threw into chaos the U.S. system for trying terror suspects held at the Guantanamo Bay naval base in Cuba.

Khadr's family in Toronto rejoiced at the news, but the ruling by army Col. Peter Brownback doesn't mean Khadr will be freed from the U.S.-run prison camp. American officials have said they can still legally hold him as an enemy combatant as long as the war on terror continues.

The decision is a major blow for the administration of U.S. President George W. Bush, giving hope to defence lawyers and activists who have long argued that Khadr and the other detainees at Guantanamo Bay should be tried in regular U.S. courts.

Brownback said the military commission doesn't have jurisdiction over Khadr because he needs to be declared an "unlawful enemy combatant" first – instead of just an enemy combatant, who has the right to fight.

Defence lawyers and activists are hoping this decision will provide a big impetus to quash the system and have detainees tried in regular courts.

Khadr, who fired his U.S. legal team last week, was led into court with two soldiers. Wearing a loose beige prisoner's uniform and sandals, Khadr had a full beard. He didn't speak during the short hearing, but leaned in close to Dennis Edney, his Edmonton lawyer, who explained the process.

Khadr was 15 when he was captured in Afghanistan after a firefight in 2002 in which he was wounded and allegedly killed a U.S. soldier with a grenade. He appeared in the courtroom with a beard and wearing an olive-green prison uniform.

In Ottawa, Foreign Affairs officials said they were reviewing the situation but had no other immediate comment. **KEYWORDS=WORLD**

Few cheers or tears New twist in Khadr case met with silence in Ottawa circles

SOURCETAG 0706050786

PUBLICATION: The Edmonton Sun

DATE: 2007.06.05

EDITION: Final

SECTION: Editorial/Opinion

PAGE: 11

BYLINE: GREG WESTON

COLUMN: National Affairs

WORD COUNT: 452

Among ordinary Canadians, there will be few cheers or tears for Omar Khadr.

Yesterday, a U.S. military judge dismissed charges against Khadr, the only remaining Canadian detainee at Guantanamo Bay, the controversial American prison camp for al Qaida terror suspects.

Khadr was only 15 when he was nabbed by U.S. forces in 2002 at the end of a firefight in Afghanistan.

Like all of the 380 men held at Guantanamo, he was imprisoned without charge, and spent most of the past five years in and out of solitary confinement awaiting his day in court.

BOMBSHELL

Monday's military ruling is being widely portrayed as a bombshell that has once again rocked the U.S. system of handling detainees, and caused further political damage to U.S. President George Bush and his administration.

All in all, a story of a youngster's long and hellish incarceration without due process should have been compelling on principle, if not sufficiently sympathetic to elicit an official Canadian government demand for simple justice.

Instead, the U.S. military court ruling has been met with a deafening silence in official circles here.

In the Commons yesterday, MPs of all political stripe studiously avoided mention of the 20-year-old Canadian and the fact he is still incarcerated, even now that charges against him have been formally tossed.

Similarly, calls to Canadian diplomats and other senior government officials suggest they would rather talk about their personal expense accounts than anything to do with Omar Khadr.

Despite the highly contentious premise of Guantanamo, it's no big surprise that official Ottawa has turned a blind eye to the plight of Omar Khadr.

As one senior Foreign Affairs official put it: "When it comes to the Khadr's around here, there is still a devotion to avoiding the issue — once burned, twice career ended."

The first "burn" was by Ahmed Said Khadr, Omar's father and the patriarch of what has been dubbed Canada's first family of terrorism.

The elder Khadr was arrested by Pakistan police in 1995 as a suspect in a deadly terrorist bombing of an embassy in that country.

A storm of international protest ensued, fomented by family and (in retrospect) an all-too-obliging Canadian media that portrayed the Khadr patriarch as the selfless and dedicated head of a foreign aid organization bringing help to Afghan orphans.

In what would become one of the worst political embarrassments of Jean Chretien's political career, the then Liberal PM intervened personally, and Khadr was freed.

It was only after 9/11 that the truth came out: The elder Khadr was a close associate of Osama bin Laden and the aid the Canadian was providing was to his fellow al Qaida terrorists.

In a 2004 interview with PBS after turning CIA informant, one of the Khadr sons, Abdurahman, said he had been repeatedly pressed by his father to become a suicide bomber.

His father was eventually hunted down as a terrorist, and killed.

As for the rest of his family, Abdurahman Khadr told PBS: "One brother was put away ... one other brother was in a house ... that was bombed and he was almost killed. Another brother was shot in the spine.

As for Omar, the youngest of the Khadr dysfunctionals, he allegedly emerged from a building at the end of a shootout with U.S. troops, and tossed a grenade, killing a young American medic ironically trying to help wounded Afghans.

Yesterday's military court decision in favour of Omar Khadr may well lead to the dismantling of Guantanamo and all of the dubious state draconianism it represents.

In the meantime, hold the hankies for the tiny terrible Canuck.

Try Khadr or release him -- now

SOURCETAG 0706050782
PUBLICATION: The Edmonton Sun
DATE: 2007.06.05
EDITION: Final
SECTION: Editorial/Opinion
PAGE: 10
BYLINE: LORRIE GOLDSTEIN
COLUMN: Editorial
WORD COUNT: 223

It's time for the U.S. to put up or shut up in the case of Omar Khadr.

Khadr, now 20, has been held for five years at the American military prison at Guantanamo Bay, Cuba.

He's charged with the 2002 murder of a U.S. soldier in Afghanistan by tossing a grenade at him during a firefight.

Khadr was 15 when he was captured. Military prosecutors have said the case against him is a slam dunk. But they can't even get it to trial.

Yesterday, a military judge dismissed the charges against Khadr, the only Canadian held at Guantanamo, saying he had no jurisdiction to hear it.

The reason was a technicality, but a big one.

Military authorities classified Khadr as an "enemy combatant" in 2004.

But under a law passed by the U.S. Congress last year to replace one thrown out by the U.S. Supreme Court, only alleged "unlawful enemy combatants" can be tried by these military tribunals.

Yesterday's ruling has implications beyond Khadr. None of the detainees at Guantanamo charged with terrorism-related offences have been classified as "unlawful" combatants, a huge oversight.

The ruling, however, doesn't necessarily mean Khadr will be freed.

The Bush administration has said all along it may hold him as a prisoner until its war on terror is over. In other words, indefinitely. That's unacceptable.

Few Canadians will shed tears for Khadr or his family. Omar's father, Ahmed Said Khadr, was accused of being a founding member of al-Qaida and was killed in a shootout with Pakistani forces near the Afghanistan border in 2003.

Members of the Khadr family have been accused of everything from conspiring to kill American soldiers to running terrorist training camps.

They have criticized Canada and its values. While they deny being al-Qaida operatives, they have expressed sympathy for its goals.

But all that's a separate issue from indefinitely holding a 15-year-old in a military prison.

If the U.S. isn't capable of giving Khadr a timely trial, and apparently it isn't, it should free him.

The war on terror doesn't override the reality that justice delayed is justice denied.

Few cheers or tears New twist in Khadr case met with silence in Ottawa circles

SOURCETAG 0706050707

PUBLICATION: The Calgary Sun

DATE: 2007.06.05

EDITION: Final

SECTION: Editorial/Opinion

PAGE: 15

BYLINE: GREG WESTON, NATIONAL AFFAIRS

WORD COUNT: 452

Among ordinary Canadians, there will be few cheers or tears for Omar Khadr.

Yesterday, a U.S. military judge dismissed charges against Khadr, the only remaining Canadian detainee at Guantanamo Bay, the controversial American prison camp for al Qaida terror suspects.

Khadr was only 15 when he was nabbed by U.S. forces in 2002 at the end of a firefight in Afghanistan.

Like all of the 380 men held at Guantanamo, he was imprisoned without charge, and spent most of the past five years in and out of solitary confinement awaiting his day in court.

BOMBSHELL

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SOURCETAG 0706050705
PUBLICATION: The Calgary Sun
DATE: 2007.06.05
EDITION: Final
SECTION: Editorial/Opinion
PAGE: 14
BYLINE: LORRIE GOLDSTEIN
COLUMN: Editorial
WORD COUNT: 223

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Blair asks Muslim leaders to teach modern content

IDNUMBER 200706050022
PUBLICATION: Vancouver Sun
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: A11
KEYWORDS: PRIME MINISTERS; FOREIGN RELATIONS
DATELINE: LONDON
BYLINE: Mike Blanchfield
SOURCE: CanWest News Service
WORD COUNT: 384

LONDON — Outgoing British Prime Minister Tony Blair exhorted the world's Muslim leaders Monday to rise above the warped distortions of Islamic extremists, and pledged \$2 million towards the education of imams in Britain.

The new funding came in response to a study that found English universities were failing to teach Islamic studies in a relevant, modern context. The money is intended to allow more imams to be trained in Britain, in order to minimize the importation of extremist views from the Middle East and elsewhere.

Blair's announcement was made during a rare appearance on home soil, just three weeks before he steps down as prime minister. Blair, who has come under fire for his long goodbye as Britain's leader for the past 10 years, is due to resign June 27, three days after his successor, Gordon Brown, is crowned Labour party leader.

Blair spent most of last week touring three African countries, a trip that the opposition Conservatives criticized as a "vanity" tour. He travelled on a specially outfitted British Airways jetliner and his entourage included documentary filmmakers and the magazine Men's Vogue.

On Monday, back in London, Blair managed to squeeze in an appearance at a major conference of 200 Muslim clerics before jetting off to Germany to attend the G8 leaders' summit.

Blair urged the assembled clerics to explain Islam to the world and to place it in its broader context — how it has roots in Judaism and Christianity, and how it developed. He then urged them to explain "how far removed it is in truth from the crude and warped distortion of the extremists."

The prime minister told his audience "to hear Islam's true voice, to welcome and appreciate it and, in doing so, to join up with all those who believe in a world where religious faith is respected, where faiths respect each other."

The speech was another attempt to reinforce a message of religious harmony that Blair has preached since the Sept. 11, 2001, attacks on the U.S. and the July 2005 attacks on London's transit system that left more than 50 dead.

The prime minister told the clerics to set aside any political differences with his government's military involvement in Iraq and Afghanistan. He said it was "damaging" to view western military intervention in any country as being "seen in the context of religious decisions."

Military cemeteries proposed

IDNUMBER 200706050012
PUBLICATION: Vancouver Sun
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: A4
COLUMN: Don Martin
ILLUSTRATION: Photo: The possibility of a cross–Canada network of militarycemeteries for the fallen is being explored by Chief of Defence Staff Gen. Rick Hillier. ;
KEYWORDS: CEMETERIES
DATELINE: OTTAWA
BYLINE: Don Martin
SOURCE: CanWest News Service
WORD COUNT: 451

OTTAWA – A Sherman tank and pair of Howitzers guard the Canadian Armed Forces freebie nobody wants to collect. The only cost is your life.

A free burial plot, coffin interment and simple grey headstone with a carved black cross await any slain soldier whose family requests space surrounding a 24–tonne stone memorial in an Ottawa cemetery.

But in the wake of one family's very public disclosure on their struggle to cover a slain son's funeral costs, Chief of Defence Staff Gen. Rick Hillier now says he is exploring the idea of a cross–Canada network of military cemeteries for the fallen.

The burial decision for families given the dreaded call with news they're an Afghanistan casualty's next of kin is complicated by geography. They have to decide if the soldier will be buried near them or within the military fraternity. There is only one military option — and less than a third have accepted their rightful space in the National War Cemetery.

Hillier has ordered an investigation into ways to reduce or eliminate distance from a family's burial decision.

"I've asked the chief military personnel to consider the need for several military cemeteries across our country in the longer term. Perhaps one per region," Hillier said in an interview.

"Soldiers whose families live within driving distance of Ottawa are prone to have them buried here. The closer you live, the more you consider that option to put a soldier among other soldiers because you can still come visit his grave. Coming from British Columbia, for example, it's more difficult."

It only makes sense to have Canada's military casualties buried together in a suitably dignified setting that doesn't inconvenience their families. Locating them near or on the country's major military bases would not seem to be logistically complicated or expensive.

I visited the two tree–laced sections of land in the national historic site on a dull Monday morning in the capital.

A few students were planting geraniums, but there wasn't a visitor to be seen. Sod had not yet been rolled over the plots of the most recent casualties from Kandahar. A handful of newer graves were marked by a red rose in the mud, others with a Maple Leaf flag.

The most recent row of headstones is a grim rollcall of still-familiar names from the ramp, repatriation and funeral ceremonies of the last year. Nichola Goddard. Jason Warren. Francisco Gomez. Shane Stachnik. Robert Mitchell. Allan Stewart. Darcy Tedford.

But the most sobering sight is the line of headstones waiting to be expanded, an inevitability without a miraculous turn of events in Kandahar.

This is no Arlington, the national cemetery for America's war dead, which attracts four million visitors to a site with more than 300,000 graves, including former presidents, and Supreme Court justices.

That's good news. They bury 27 bodies a day in Arlington and the sprawling grassland reserved for the continuing carnage from Iraq and other conflicts stretches beyond the horizon.

Khadr challenges Canada to uphold justice principles

IDNUMBER 200706050068
PUBLICATION: The StarPhoenix (Saskatoon)
DATE: 2007.06.05
EDITION: Final
SECTION: Forum
PAGE: A8
SOURCE: The StarPhoenix
WORD COUNT: 737

With five simple words, a military judge on Monday not only threw a monkey wrench into the American system of trying combatants in the war on terror, he also gave Canadians an entry to a debate from which this country has been sadly absent.

The U.S. government has held a Canadian prisoner for almost five years in the infamous facility it established in Guantanamo Bay, Cuba, for extra-territorial incarceration and interrogation of people arrested since the 2001 terrorist attacks on New York and Washington.

To be sure, Omar Khadr is far from a sympathetic figure. The son of one of Canada's most notorious families, Khadr was captured on July 27, 2002, after a grenade he tossed in Afghanistan claimed the life of U.S. medic Chris Speer.

Although former prime minister Jean Chretien insisted at the time that the young Khadr (then 15) ought to be treated like any other citizen arrested abroad and be seen by Canadian officials, there was little public backlash when U.S. officials insisted they alone would determine the fate of "enemy combatants" held at Guantanamo.

No doubt the cool reaction from Canadian officials and politicians stem from the very public con-job the Khadr's perpetrated on their adopted country in 1996.

Chretien went to bat for Khadr's father, Ahmed Saeed Khadr, who had been accused of helping to finance a bombing attack on the Egyptian embassy that killed 16 people and wounded dozens of others. Within days of the beginning of the war in Afghanistan, however, it became clear the patriarch not only was a terrorist, but one of Osama bin Laden's top lieutenants.

Subsequent interviews with family members made it clear that many of its many members were unrepentant and proud when the father was killed and two sons were captured fighting against those trying to bring law and order to Afghanistan. Abdul Rahman Khadr, who was 19 when captured, has since been released from Guantanamo while Omar was charged with murder.

It is worth remembering that the Khadr's disgusting philosophy received wide publicity at a time when Canada was on the defensive. In part that was because of an attempt by a naturalized Canadian to blow up Los Angeles's international airport at the turn of the millennium and in part because of erroneous news stories that said the 9/11 attackers had entered the U.S. through Canada.

While it is easy to see why Canadian politicians and officials don't want to touch the Khadr case with a barge pole, their silence has been seen by some as an unconscionable endorsement of an increasingly suspect U.S. policy.

This is particularly the case considering the very public complaints that have come from Canadian officials — including the prime minister — about China's treatment of terrorist suspect Huseyin Celil, a Canadian–Chinese citizen arrested while he was travelling in Asia on a Canadian passport.

Prime Minister Stephen Harper was right to take China to task over the Celil case. But he should have been just as forceful with the American government on Khadr.

Monday's decision throws into question the case of every accused held in Cuba, because the judge's ruling is based upon the presumption that military tribunals only can deal with criminal enemy combatants — a designation that hasn't been applied to any of the current detainees. Many advocates point to Khadr's young age when he was arrested. From the time he was barely 10, he was forced to train to be a warrior.

Ironically, on the day the military judge threw out the charges against Khadr, former Liberian president Charles Taylor, one of the history's most infamous abusers of child soldiers, was called before an international criminal court to face charges. That the U.S. treats child soldiers as it does any other combatant puts into greater question the American commitment to human rights — something that's making Washington lawmakers squirm.

But civilized countries — a club that should include both Canada and the U.S. — tailor their criminal justice systems to take into account the reduced capacity and greater potential for redemption of their youngest members. Canada has a duty to push for that kind of protection for Khadr, even though five years have been squandered while he sat mostly in isolation and without education at Guantanamo.

It is time for Canadian politicians and officials to break their silence and speak for what is right, even if it isn't on behalf of the most sympathetic character.

Soldier meets newborn daughter via video hookup

IDNUMBER 200706050061
PUBLICATION: The StarPhoenix (Saskatoon)
DATE: 2007.06.05
EDITION: Final
SECTION: National
PAGE: A9
ILLUSTRATION: Colour Photo: James;
DATELINE: OTTAWA
BYLINE: Joanne Laucius
SOURCE: CanWest News Service
WORD COUNT: 225

OTTAWA -- Every year, nearly 32,000 patients across Ontario connect with doctors and other medical professionals via videoconferencing.

Saturday morning was likely the first time, however, the system was used to connect a new father serving in Kandahar with his wife and newborn daughter in Ottawa.

"The best thing was being able to see my family all together and knowing everyone was doing well," Naval Lieut. Desmond James said Monday in an e-mail interview from Afghanistan, where he is a public affairs officer.

As of Friday night, James wasn't so sure the videoconferencing link would work.

But Saturday morning, the images on the screen were as clear as watching television.

"Seeing them made it so much easier for me, and knowing my wife was OK and smiling made me relax over here. The next best thing was seeing Kaia for the first time and seeing how Sean, my stepson, was so caring and careful with her," he said.

"I was on Cloud 9 and wanted to just sit and watch (wife) Lisa and Kaia and Sean."

The Ontario Telemedicine Network is usually used to connect patients in remote or rural areas with doctors in larger centres.

Lisa James, who was expecting the baby in late May, approached the hospital in February to ask if the system could be used to connect her to her husband, who had left for Afghanistan earlier that month.

"It was just something I thought might be possible," James said. "So I gave the hospital a call. They were great."

What resulted was a three-way collaboration between the Department of National Defence, which has a videoconferencing 'bridge' in Ottawa, the hospital and the Ontario Telemedicine Network.

(OTTAWA CITIZEN)

Blair pledges fundsto train tolerant Muslims

IDNUMBER 200706050008
PUBLICATION: The StarPhoenix (Saskatoon)
DATE: 2007.06.05
EDITION: Final
SECTION: World
PAGE: C9
DATELINE: LONDON
BYLINE: Mike Blanchfield
SOURCE: CanWest News Service
WORD COUNT: 473

LONDON — Outgoing British Prime Minister Tony Blair exhorted the world's Muslim leaders Monday to rise above the warped distortions of Islamic extremists, and pledged \$2 million toward the education of imams in Britain.

The new funding came in response to a study that found English universities were failing to teach Islamic studies in a relevant, modern context. The money is intended to allow more imams to be trained in Britain, in order to minimize the importation of extremist views from the Middle East and elsewhere.

Blair's announcement was made during a rare appearance on home soil, just three weeks before he steps down as prime minister. Blair, who has come under fire for his long goodbye as Britain's leader for the past 10 years, is due to resign June 27, three days after his successor, Gordon Brown, is crowned Labour party leader.

Blair spent most of last week touring three African countries, a trip that the opposition Conservatives criticized as a "vanity" tour. He travelled on a specially outfitted British Airways jetliner and his media entourage included documentary filmmakers and the U.S. magazine Men's Vogue.

On Monday, back in London, Blair managed to squeeze in an appearance at a major conference of 200 Muslim clerics before jetting off to Germany to attend the G-8 leaders' summit. The meeting will serve as his formal farewell to his closest allies in the war on terrorism, including U.S. President George W. Bush.

Blair urged the assembled clerics to explain Islam to the world and to place it in its broader context — how it has roots in Judaism and Christianity, and how it developed. He then urged them to explain "how far removed it is in truth from the crude and warped distortion of the extremists."

The prime minister told his audience "to hear Islam's true voice, to welcome and appreciate it and, in doing so, to join up with all those who believe in a world where religious faith is respected, where faiths respect each other."

The speech was another attempt to reinforce a message of religious harmony that Blair has preached since the Sept. 11, 2001, attacks on the United States and the July 2005 attacks on London's transit system that left more than 50 dead.

The prime minister told the clerics to set aside any political differences with his government's military involvement in Iraq and Afghanistan. He said it was "damaging" to view western military intervention in any country as being "seen in the context of religious decisions."

Blair insisted that religion played no role in his decision to deploy British troops in 2000 to the West African country of Sierra Leone -- where the prime minister was feted last week as a "paramount chief" -- or in NATO's 1999 decision to attack the Orthodox Christian dictators of Serbia in defence of persecuted Muslim Albanian Kosovars.

NATO rebuffs Mullah Omar's offer

IDNUMBER 200706050004
PUBLICATION: The StarPhoenix (Saskatoon)
DATE: 2007.06.05
EDITION: Final
SECTION: World
PAGE: D8
ILLUSTRATION: Colour Photo: Reuters / Afghan soldiers train Monday at the Camp Morehead commando training facility near Kabul, Afghanistan, which was visited later in the day by U.S. Defence Secretary Robert Gates ;
DATELINE: KANDAHAR, Afghanistan
BYLINE: Tom Blackwell
SOURCE: CanWest News Service
WORD COUNT: 378

KANDAHAR, Afghanistan — The Red Cross is welcoming a statement by Mullah Omar, the fugitive head of the Taliban, that calls on the humanitarian group to be part of an independent commission on civilian casualties in the Afghan War.

It appears to be Omar's first-ever public mention of an international organization, and is a sign of "movement" in the Taliban's brutal conflict against foreign forces, the Red Cross says.

But on a day that the insurgents allegedly mortared a military hospital set up to help civilians, NATO strongly dismissed the Taliban chief's missive.

"He is a criminal who has caused tremendous suffering to innocent people," said Maj. John Thomas, a spokesperson for NATO's International Security Assistance Force (ISAF). "We do not pay attention to calls for investigation from criminals."

Civilian casualties have become a major point of contention in the Afghanistan fighting, with both sides coming under criticism.

Last month, both Amnesty International and Human Rights Watch accused the Taliban of "war crimes" for targeting civilians, or making no effort to avoid civilian casualties in attacking military targets.

The statement purportedly issued on the Internet by Mullah Omar, and first made public by the SITE Institute, a terrorism watchdog in Washington, D.C., acknowledges that the "armed jihadi resistance" against foreign and Afghan government forces is taking a toll on civilians. It notes that both sides blame the other.

The statement accuses Human Rights Watch of bias, but also suggests appointing a group including the Red Cross, independent journalists, Afghan clerics and leaders, to "show who is causing these incidents to the people and to the whole world how to avoid civilian casualties."

The Taliban and NATO "should offer a guarantee in order to discuss this kind of incident in a detailed truthful way," said the statement.

"We are sad about this kind of innocent martyrdom of our people."

Regardless of the sincerity of Omar's statements, it is unheard of for the Taliban chief to publicly mention any international agency, particularly one whose logo and name evokes a foreign religion, said Michael O'Brien, an Afghanistan spokesperson for the Red Cross.

"This represents some movement from the opposition," said the Ottawa-area resident. "It's movement we haven't yet seen."

There was a time between the late 1990s and 2001 when the Taliban were battling the Northern Alliance and the two sides would let the Red Cross provide assistance to combatants and civilians and exchange remains across enemy lines, he said.

That co-operation evaporated after the U.S.-led offensive toppled the Islamist group in 2001.

(National Post)

Canada urged not to leave job 'half-done'

IDNUMBER 200706050003
PUBLICATION: The StarPhoenix (Saskatoon)
DATE: 2007.06.05
EDITION: Final
SECTION: World
PAGE: D8
DATELINE: KANDAHAR, Afghanistan
BYLINE: Tom Blackwell
SOURCE: CanWest News Service
WORD COUNT: 364

KANDAHAR, Afghanistan — The job of rebuilding war-ravaged Afghanistan will be left "half-done" if Canada and other foreign nations withdraw their troops in the next couple of years, a top Afghan cabinet minister warned Monday.

And if the job is not completed, any progress already made will surely vanish, said Mohammed Ehsan Zia, minister of rural rehabilitation and development.

Talking to Canadian journalists after a news conference in this southern Afghanistan capital, Zia offered a relatively frank but upbeat picture of reconstruction in the region, much of which is financed by Canada.

While the challenges are huge, life is definitely getting better for ordinary people, said the minister, considered by Canadian officials to be one of the stars of President Hamid Karzai's government.

Zia argued against the suggestion Canada end its military presence here by early 2009 at the latest.

"Our expectation is that the Canadian people and the Canadian government, who have endured sacrifices in Afghanistan, should not leave the job half-done," Zia said.

"If the international community leaves the job half-done, experience shows that what has been done will disintegrate."

Zia was in Kandahar to sign 62 new reconstruction agreements, worth more than \$4 million US, mostly for improving irrigation and drinking water systems, and renovating mosques and schools.

The majority of the projects, which are for both Kandahar and Uruzghan provinces, are funded by the Canadian International Development Agency.

Of 182 completed projects in southern Afghanistan, CIDA footed \$6.4 million of the \$9.4-million bill, according to the ministry.

USAID, the American foreign development agency, is the biggest international donor in the country.

Despite money being spent by the international community, many Afghans complain the foreign presence has brought little concrete improvement in their lives, while security in the south seems to be worsening.

Zia rejected that notion, and rhymed off what he called "enormous" advances from a state of collapse in 2001.

While 700,000 Afghan children were going to school then, the number now stands at more than six million. Access to health services has jumped to 80 per cent from 15 per cent, access to clean water has risen to 45 per cent of the population, and the country now has a functioning national police force and army that did not exist before, he said.

It is typical of a post–conflict situation for people to have high expectations, said the minister, but they must be realistic.

"Here in Afghanistan, we shouldn't expect miracles," Zia said. "We are literally putting bricks on top of bricks, one at a time."

THE AFGHAN MISSION Death benefit unlikely to change: minister

PUBLICATION: GLOBE AND MAIL
IDN: 071560160
DATE: 2007.06.05
PAGE: A4
BYLINE: GLORIA GALLOWAY
SECTION: National News
SOURCE: STAFF CP
EDITION: Metro
DATELINE: Ottawa ONT
WORDS: 615
WORD COUNT: 587

GLORIA GALLOWAY With a report from Canadian Press OTTAWA The father of a young man killed last year in Afghanistan received a letter from the Prime Minister yesterday to say to the Conservative government will respond to his concerns about possible inequities in the military death benefit.

But Veterans Affairs Minister Greg Thompson, one of the ministers who was handed Lincoln Dinning's complaint, said he does not foresee any changes being made to the benefit because he does not believe it is unfair.

Mr. Dinning wrote to Prime Minister Stephen Harper in April to point out that families of married soldiers who are killed in action are entitled to a payment of \$250,000 that is not available to the families of single members of the forces, such as his son Matthew.

The benefit is meant "to help re-establish the family – widows, widowers and dependent children – following the death of a loved one," Mr. Thompson explained.

The minister compared it to the Canadian Forces pension plan.

"Many people obviously are entitled to pensions from the government of Canada as a result of their passing or death in the line of duty and those pensions are never transferred to the parents of that particular individual," he said.

But a constitutional expert says the government's denial of the \$250,000 death benefit is a policy that's begging to be challenged before a court or human-rights tribunal.

Errol Mendes of the University of Ottawa says it's clearly established in law that discrimination based on martial status violates the Charter of Rights and Freedoms and he wonders why Veterans Affairs still supports the practice.

"There is a compelling case on the part of single soldiers," Prof.

Mendes said yesterday. "Whether or not there is a legal case, there is a huge moral, social, ethical and political reason why the government should be covering this." While Mr. Dinning did not receive any commitment from Mr. Harper that the government was going to make changes, he said the letter makes it clear that Mr.

Thompson and Defence Minister Gordon O'Connor had been asked to look into it.

"Please be advised that I have taken the liberty of forwarding your correspondence to the Minister of National Defence, Gordon O'Connor, and the Minister of Veterans Affairs, Greg Thompson, within whose responsibilities these matters fall," Mr. Harper wrote. "They have assured me that they will be responding directly to your concerns." Mr. Dinning had also complained that the government had not paid costs associated with his son's death that should reasonably have been covered. He and his wife, Laurie, travelled to Ottawa last week to make that point.

When they arrived back home in Wingham, Ont., they were told they would receive a cheque for about \$4,700. It arrived in yesterday's mail, bringing the total amount reimbursed by the government to a little more than \$11,000.

Mr. Harper's letter was dated on the same day as their Ottawa trip.

"Please know that my thoughts and prayers remain with your family and with those whose loved ones made the ultimate sacrifice for this country," the Prime Minister wrote. "Canadians will remain forever grateful for the sacrifices made by our brave soldiers such as your son Matthew in service to our country." The Dinnings said they decided to speak to reporters because they were offended when Mr. O'Connor told the House of Commons that his department had paid the costs of funerals for soldiers killed in Afghanistan.

Mr. O'Connor called yesterday to make amends, Mr. Dinning said.

"He got on the phone and said he just wanted to apologize for the fiasco and the things I had to go through."

ADDED SEARCH TERMS:

GEOGRAPHIC NAME: Afghanistan; Canada

SUBJECT TERM: defence; deaths; benefits; government finance; political

PERSONAL NAME: Greg Thompson; Lincoln Dinning; Matthew Dinning

ORGANIZATION NAME: Armed Forces

Give Omar Khadr a ticket to Canada

PUBLICATION: GLOBE AND MAIL

IDN: 071560152

DATE: 2007.06.05

PAGE: A16

BYLINE:

SECTION: Editorial

EDITION: Metro

DATELINE:

WORDS: 584

WORD COUNT: 591

Omar Khadr should now be Canada's problem. A U.S. military commission yesterday dismissed the U.S. government's charges against the 20-year-old – charges stemming from when Mr. Khadr was 15 – but the United States will almost certainly continue to detain Mr. Khadr indefinitely at its naval base at Guantanamo Bay, Cuba. Canada should instead step forward and arrange to have Mr. Khadr sent home.

Why should Canada speak up for an accused terrorist? Because he is a citizen, and this country, while not trying to protect individuals from the consequences of their actions abroad, should insist that citizens be treated lawfully; because he has been convicted of nothing; and most of all, because he was a juvenile when he allegedly committed the very serious crimes of which he was accused (including murdering a U.S. soldier with a grenade in Afghanistan) and has paid a steep penalty in five years of rough interrogations in the legal black hole at Guantanamo. Although he may not be a sympathetic character, owing to his al-Qaeda past, there is no reason to hold him any longer.

Any intelligence value he once had has surely been exhausted.

Britain and Australia have spoken up for their citizens held as alleged terrorists at Guantanamo. Those countries made deals with the United States to repatriate all their nationals. None of them were juveniles. Yet Canada has been silent on Omar Khadr, and by its silence has signalled to the U.S. that anything goes.

This abandonment of Mr. Khadr does Canada no credit. By the prosecution's own evidence, Omar Khadr was raised by his terrorist father, Ahmed Said Khadr, in part in the compound of al-Qaeda chief Osama bin Laden. Muneer Ahmad, a U.S. law professor who has acted on Omar Khadr's behalf, said yesterday the Canadian is the first juvenile in modern history charged with war crimes; people of that age were not charged in Rwanda, Sierra Leone or in the former Yugoslavia.

Given the limited maturity of 15-year-olds, and the indoctrination of his childhood, at the very least he should not be made to suffer indefinitely for his actions.

The United States will do as it pleases with Mr. Khadr unless Canada raises its voice. He will not be released merely because the charges against him no longer stand; even if he had been tried and ultimately acquitted, he might still have been held indefinitely, the U.S. said last month. Good for the U.S. military commission for showing that, even in a system stacked against the accused, there was enough built-in independence to dismiss the charges. But Washington is making up the rules as it goes along at Guantanamo.

In spite of its hardnosed approach, however, the United States is open to making an arrangement with Canada that sends Mr. Khadr back home. John Bellinger, the U.S. State Department's senior legal adviser, suggested

as much two weeks ago. He also said the Conservative government has held no talks with the U.S. on such an arrangement.

Would Mr. Khadr pose a danger to Canada or other countries? The onus is on the government making that argument to justify it. Unless Canada or the U.S. can do so, which seems unlikely, Mr. Khadr should be given a chance at rehabilitation. If five years in Guantanamo and the dismissal of all charges are not enough for Canada to speak up for Mr. Khadr, then when?

ADDED SEARCH TERMS:

GEOGRAPHIC NAME: Canada; United States; Guantanamo Bay

SUBJECT TERM:canadians; terrorism; suspects; justice; human rights

PERSONAL NAME: Omar Khadr

GUANTANAMO DETAINEES U.S. terror trials in doubt as Khadr case crumbles

PUBLICATION: GLOBE AND MAIL

IDN: 071560133

DATE: 2007.06.05

PAGE: A1

BYLINE: PAUL KORING

SECTION: International News

EDITION: Metro

DATELINE: GUANTANAMO BAY, CUBA

WORDS: 1064

WORD COUNT: 916

PAUL KORING With a report from Gloria Galloway in Ottawa GUANTANAMO BAY, CUBA A no-nonsense military judge lobbed a bombshell into the Bush administration's controversial terrorist tribunals, dismissing all charges against Canadian Omar Khadr yesterday because prosecutors failed to label him an "unlawful" combatant.

"Charges are dismissed without prejudice," Colonel Peter Brownback said brusquely, putting an abrupt end to Mr. Khadr's trial – at least for the moment.

The stunning ruling won't free Mr. Khadr, 20, from his Caribbean island gulag, but it could sink the already discredited tribunals set up to try detainees like him who are accused of terrorism.

In the courtroom, Mr. Khadr, with a shaggy beard and unkempt black hair, sat staring straight ahead, seemingly disdainful and perhaps deliberately uninterested in the legal drama swirling around him.

He had refused to stand when the judge entered the room.

Prosecutors said they would appeal and the Pentagon said it was not a setback. Mr. Khadr was marched back to solitary detention, his black flip-flops slapping incongruously between the combat boots of his jailers.

"It's just semantics, that's exactly what this is," Pentagon spokesman Commander Jeffrey Gordon protested. "All the Guantanamo detainees who were designated as 'enemy combatants' . . . were in fact unlawful," he added.

Any appeal must be to the Court of Military Commission Review, created by the act. But it doesn't yet exist and no one has been named to sit on it.

Hours later after the first ruling, another judge, Navy Captain Keith Allred, similarly dismissed all charges against Salim Ahmed Hamdan, former driver for al-Qaeda leader Osama bin Laden.

Capt. Allred cited the same grounds, lack of jurisdiction because the government had failed to demonstrate Mr. Hamdan was an "unlawful" combatant.

It was a one-two punch that sent the tribunals, and the Bush administration, reeling because far more than labels were at stake.

Col. Brownback pointedly noted that Congress had established the tribunals under the Military Commissions Act with limited jurisdiction to try only "unlawful" combatants.

A lawful "enemy combatant" can kill and injure, immune from criminal culpability under the Geneva Conventions and the laws of war.

Prosecutors tried, unsuccessfully, to play a video purportedly showing Mr. Khadr, in civilian clothes setting roadside bombs, evidence, they said, proved he was an "unlawful" combatant.

Mr. Khadr's lawyers, both the current team and his just-dismissed U.S. lawyers have been trying – without success – to galvanize Canadian public support for the man they say was a child soldier, a victim, when he was 15 years old and tossed the grenade that killed a U.S.

special forces medic in 2002. Whether that final act in a firefight that left Mr. Khadr grievously injured was war between legitimate enemies or the unlawful criminal behaviour of a terrorist old enough to be held accountable is at the centre of his trial and the crux of Col. Brownback's decision to dismiss the charges.

"The decision of Col. Brownback today demonstrates the continued failure of the experimental legal system at Guantanamo Bay," said Dennis Edney, one of Mr. Khadr's Canadian lawyers who sat next to him during yesterday's session.

Not so, said prosecutors. "We believe that Congress intended to grant jurisdiction under the military commissions act to individuals, like Mr. Khadr, who are being held as enemy combatants," said Major Beth Kubala, a spokeswoman for the Office of Military Commissions.

Military defence lawyers seized on Col. Brownback's ruling, calling it a major reversal for the government and saying it was time to shift all the cases from the special tribunals at this austere naval base to federal courts in the United States.

"We don't need any more evidence that it's a failure," said Colonel Dwight Sullivan, the chief of defence lawyers.

None of the 380 prisoners at Guantanamo has been declared an unlawful enemy combatant and, therefore, the ruling, if upheld, is "huge," he said and could scrap all future trials or force a re-evaluation of all detainees. The ruling may also undermine the legality of the plea-bargain struck by Australian David Hicks, now home serving a nine-month sentence. Mr. Hicks, a some-time sheep-shearer-turned Islamic extremist, was also never declared an "unlawful enemy combatant," Col. Sullivan said.

As the legal shock waves reverberated outward from this sleepy naval station that has become internationally synonymous and reviled as the locus of the Bush administration's effort to create an offshore justice system for alleged terrorists, it remained unclear whether the Khadr ruling was another bump on a tortuous legal road or a dead end.

"Today's ruling is the most significant setback since the U.S.

Supreme Court threw out the original military commissions," said Jumana Musa of Amnesty International.

"It also signals that these commissions need to be scrapped and the detention facility at Guantanamo Bay must be closed." ***** Timeline Since creating a prison camp in 2001, the United States has struggled to find a way to deal with the inmates without bringing them into the U.S. justice system.

November, 2001 : In the wake of the terrorist attacks of Sept.

11, U.S. President George W. Bush announces a plan to allow foreigners linked to terrorist acts to be detained and tried by military authorities.

January : The first planeload of 20 detainees bound for Guantanamo leaves Kandahar air base in Afghanistan.

February : Detainees begin first hunger strike.

March, 2003 : U.S. appeals court rules that detainees don't have the right to hearings in the U.S. court system.

October : The International Red Cross slams the detainee system at Guantanamo, breaking with its tradition of neutrality.

November : U.S. Supreme Court agrees to hear detainees' appeal.

January, 2005 : Pentagon announces internal investigation into abuse allegations at the camp. It later finds 10 instances of abuse by guards since the camp opened.

May, 2005 : Riots are sparked by false reports that a Koran was flushed down a toilet by guards.

July, 2005 : U.S. officials report that 55 inmates are on hunger strike.

February, 2006 : United Nations calls for the closing of Camp Delta at Guantanamo.

June : U.S. Supreme Court rules Bush administration does not have the authority to try detainees by military tribunal, but leaves the door open for Congress to fashion a new law.

September : Congress passes the Military Commissions Act, paving the way for a resumption of military trials.

Source: BBC, files

ADDED SEARCH TERMS:

GEOGRAPHIC NAME: Guantanamo Bay; United States

SUBJECT TERM:canadians; terrorism; suspects; justice; human rights

PERSONAL NAME: Omar Khadr

GUANTANAMO DETAINEE OMAR KHADR Family celebrates news of dropped charges Taking their victories where they can get them, the Khadr's are 'just hoping that he's going to be coming home soon'

PUBLICATION: GLOBE AND MAIL

IDN: 071560132

DATE: 2007.06.05

PAGE: A15 (ILLUS)

BYLINE: COLIN FREEZE

SECTION: International News

EDITION: Metro

DATELINE: Toronto ONT

WORDS: 767

WORD COUNT: 764

COLIN FREEZE TORONTO The Khadr's have some good news for a change. The women of the family were overjoyed to learn from their television yesterday that charges had been dropped against the family's second-youngest son, Omar, who has spent nearly five years jailed in Guantanamo Bay, Cuba.

"I'm happy, very surprised," said Zaynab Khadr, Omar's sister. She said the news is "a step in the right direction. We're not saying Omar's going to walk away. We're just hoping that he's going to be coming home soon." Enthusiasm erupted from Zaynab, and his mother, Maha Elsamnah, during an interview in their apartment in suburban Toronto, even though they know their joy may be short-lived. Because the charges were dropped on a technicality, they could be laid again soon.

Still, the Khadr's take their victories where they can get them these days. Family members have frequently found themselves on the wrong side of the U.S. war on terrorism. "The States has taken up so many cases against us," Zaynab said. "All of my brothers have been in prison at some point in time." But, "we never lose hope. That's why none of us has hung themselves yet," she said. "Well, that – and of course the fact that if we hung ourselves, we'd go to hellfire." Pictures of holy mosques in Mecca and Jerusalem hang on the walls of the apartment. Islam, or at least their militant interpretation of it, permeates every aspect of their life. The Khadr women say that too many Canadian Muslims think their obligations begin and end at the mosque, whereas real Muslims see the suffering in the world and try to do something about it. At times, for certain members of the family, this has meant militant jihad .

It has been fully four decades since the family patriarch fought with Egyptian forces in the Six-Day War against Israel, which began 40 years ago today. After that humiliating defeat, signals officer Ahmed Said Khadr immigrated to Canada to become a telecommunications engineer. He quickly started a family in Canada, but soon moved all his children to Afghanistan as he helped fight the Soviet occupation during the 1980s.

In battles against the Soviets and the subsequent civil war, the Khadr father worked for an Islamic charity and got to know many top Islamist figures, including Osama bin Laden. He enrolled his sons in paramilitary training camps, and joined the exodus of "Afghan Arabs" who fled the 2001 U.S. invasion.

The months that followed were devastating for the family. The Khadr father was killed in a battle with Pakistani forces. His youngest son, Karim, then just 13, was paralyzed in the same battle. The eldest son, Abdullah, was arrested on allegations of buying weapons for al-Qaeda and remains jailed today.

But the most infamous member of the family is now Omar, aged just 15 when his father dispatched him to join an al-Qaeda commander fighting U.S. forces. The teenager was involved in a deadly Afghanistan battle near Khost. Ever since, he has been held on allegations he threw a grenade and "murdered" a U.S. soldier.

To the mother, who has hung Omar's image up on the fridge, her now 20-year-old son remains a child.

As for Zaynab, she said she didn't want to be drawn into talk about politics, though she finds it hard to resist.

"No one is taking the Americans to court ...," she said.

***** Brothers in arms The four sons in the Khadr family have all spent time in prisons, accused of terrorism activities.

Abdullah: The eldest is jailed in Toronto, resisting U.S. extradition on charges of smuggling arms to al-Qaeda. Although the 26-year-old made a series of incriminating admissions, his Canadian lawyers say his statements are tainted by torture he suffered overseas.

Abdulrahman: The self-described "Black Sheep of an al-Qaeda family" has gone public with his accounts of how he never got with the al-Qaeda program. The 24-year-old considers members of his family "mindwashed." Omar: He was just 15 when he was involved in a deadly firefight in Afghanistan. Three militants on his side were killed before he allegedly lobbed a grenade that killed a U.S. soldier. The teenager was shot three times, but recovered. Now 20, he has spent the past five years at Guantanamo.

Karim: He says he was a non-militant shot in the back by the Pakistani forces that killed his father. The 16-year-old lives in Toronto.

Source: Colin Freeze

ADDED SEARCH TERMS:

GEOGRAPHIC NAME: Guantanamo Bay; United States; Canada

SUBJECT TERM:canadians; terrorism; suspects; justice; human rights

PERSONAL NAME: Khadr Family; Omar Khadr

ORGANIZATION NAME: al-Qaeda

IN BRIEF Afghan minister wants Canada to extend mission

PUBLICATION: GLOBE AND MAIL

IDN: 071560005

DATE: 2007.06.05

PAGE: A14

BYLINE: MURRAY CAMPBELL

SECTION: International News

EDITION: Metro

DATELINE: Kandahar, Afghanistan

WORDS: 115

WORD COUNT: 136

Murray Campbell Kandahar, Afghanistan The official spearheading Afghanistan's redevelopment says that if Canada ends its mission here in 2009 it will be leaving a job only half done.

Rural Rehabilitation Minister Mohammad Ehsan Zia said yesterday that the lives of ordinary Afghans are slowly improving, but called on the international community to show a bit of patience. He likened the country to someone trying to run while still tying his shoelaces.

Asked whether Canada should extend its mission beyond the February, 2009, deadline in place, the minister replied, "Our expectation is that the international community and the Canadian government and the Canadian people who have endured sacrifices and casualties in Afghanistan should not leave the job half done."

ADDED SEARCH TERMS:

GEOGRAPHIC NAME: Canada; Afghanistan

SUBJECT TERM: strife; defence policy

ORGANIZATION NAME: Armed Forces

Khadr case tossed out, but he'll stay in jail

IDNUMBER 200706050109
PUBLICATION: The Hamilton Spectator
DATE: 2007.06.05
EDITION: Final
SECTION: Local
PAGE: A1
ILLUSTRATION: Photo: THE ASSOCIATED PRESS / Omar Khadr in Guantanamo.;
DATELINE: GUANTANAMO BAY, Cuba
BYLINE: Beth Gorham
SOURCE: The Canadian Press
COPYRIGHT: © 2007 Torstar Corporation
WORD COUNT: 238

A U.S. military judge threw out the murder case against Canadian Omar Khadr yesterday, a surprise decision marking another setback for the Bush administration's attempts to try terror suspects at the U.S. naval base in Cuba.

The judge ruled that because Khadr had not been designated an "unlawful" enemy combatant, the military tribunal had no jurisdiction to prosecute him.

The legal bombshell from presiding judge Colonel Peter Brownback doesn't mean Khadr, 20, will be freed from the U.S. prison camp holding some 380 detainees in the war on terror.

And the U.S. Defence Department called it a "technical matter" that can be easily resolved, not a precedent that threatens the military trial process.

Still, it provided fresh hope for defence lawyers and activists who have long argued the system is unfair. They say Khadr and others at Guantanamo should be tried in regular U.S. courts.

"The significance of this ruling is enormous," Colonel Dwight Sullivan, the detainees' lead lawyer said. "How much more evidence do you need that this is a failed experiment?"

Prosecutors asked for 72 hours to consider an appeal in what has become a fitful, highly contentious process condemned by most western countries except Canada.

The military tribunal doesn't have jurisdiction over Khadr right now, said Brownback. He said Khadr hasn't been declared an "unlawful" enemy combatant with no right to fight in Afghanistan — something required by the Military Commission Act passed by Congress last year.

None of the other Guantanamo detainees has the new designation either.

Khadr was captured when he was 15 and charged with throwing the grenade that killed an elite U.S. soldier.

Colleagues capture military photographer's farewell

IDNUMBER 200706050097
PUBLICATION: The Hamilton Spectator
DATE: 2007.06.05
EDITION: Final
SECTION: Canada/World
PAGE: A3
ILLUSTRATION: Photo: THE CANADIAN PRESS /;
DATELINE: TRENTON
SOURCE: Hamilton Spectator wire services
COPYRIGHT: © 2007 Torstar Corporation
WORD COUNT: 233

As the flag-covered coffin of Master Corporal Darrell Priede descended from a Hercules transport plane yesterday, a handful of military photographers could be seen with cameras poised, documenting the final journey home of one of their own.

Under picture-perfect blue skies, members of Priede's grieving family stood huddled together alongside members of Canada's military brass, including Chief of Defence Staff General Rick Hillier and Minister of National Defence Gordon O'Connor.

Priede's wife Angela, right, sobbed inconsolably as family and friends embraced her.

Priede, a Burlington-born 30-year-old military photographer, based at CFB Gagetown, N.B., died last Wednesday when the helicopter in which he was flying was shot down in Afghanistan.

In other developments yesterday, a high-ranking Afghan government minister warned that if the international community pulls out of Afghanistan progress made in the last six years will disintegrate.

Canada's commitment to the NATO-led mission expires in 2009. But Eghan Zia, minister of rural rehabilitation and development, cautioned against setting deadlines.

"My message to the international community is to be patient ...," he said. "We shouldn't expect miracles because we are starting everything from scratch. We are literally putting bricks on top of bricks."

Meanwhile, President Hamid Karzai ordered that the body of a slain top Taliban commander be exchanged for the release of five Afghan health workers kidnapped in the country's south.

Karzai told "relevant authorities" to exchange the body of Mullah Dadullah, killed last month in southern Afghanistan, for a doctor, three nurses and a driver kidnapped March 27.

Of rights and war crimes

IDNUMBER 200706050065
PUBLICATION: The Hamilton Spectator
DATE: 2007.06.05
EDITION: Final
SECTION: Opinion
PAGE: A14
BYLINE: Kevin Cavanagh
SOURCE: The Hamilton Spectator
COPYRIGHT: © 2007 Torstar Corporation
WORD COUNT: 500

An American military judge's stunning decision yesterday to drop war crimes charges against a young Canadian will have White House officials scrambling, yet again, to rewrite their book of anti-terrorism "laws."

But even if the president's men have been stung by this humiliation from within their own fortress walls (and that's a big "if" — we shouldn't presume that the Bush ideologues are capable of recognizing a rebuke), yesterday's ruling has to be a victory for the international reputation of the United States.

Many people in America and around the world have long been troubled by the Bush administration's determination to ignore international law when it comes to certain political prisoners. The White House seems to prefer a brand of Orwellian thinking that confuses the tenets of justice with the hunger for revenge.

The denial of basic rights to prisoners in America's offshore prison at Guantanamo Bay has become a symbol of disgrace and embarrassment for a growing number of American citizens, politicians and military.

Terrorist suspects held in isolation at "Gitmo" have very little access to legal counsel or other communication. They are denied rights given to prisoners in U.S. jails or to prisoners of war, and are detained instead under murky rules with no apparent accountability. Small wonder it's often described as a "kangaroo court".

By dismissing the charges against Omar Khadr yesterday, Colonel Peter E. Brownback has, temporarily at least, saved the United States from becoming the first country in modern times to start a war crimes trial for someone who was a child when the alleged offences occurred.

Khadr has been at Gitmo for five years. An accused al-Qaeda terrorist, he was 15 when he was seriously wounded and captured in Afghanistan, after allegedly killing a U.S. medic during a battle. (Khadr's father was long involved with radical Islamic elements, which no doubt led to the son's involvement with al-Qaeda.) Human rights watchers have long claimed that the younger Khadr is entitled to the protections normally given to child soldiers under international law, but Pentagon officials and some Republican lawmakers sternly insist the boy was old enough to know what he was doing, and is accountable for his actions.

Yesterday's ruling was not an indication of guilt or innocence, but rather a finding that the Pentagon's legal process is flawed.

Brownback — acting on his own, without requests from defence or prosecution — said the system of trials by military commission lacks the jurisdiction to hear Khadr's case. Bush and other senior U.S. officials have in the past ordered detainees held indefinitely on the basis that they were "enemy combatants." Critics have

long charged that such policies ignore principles of the international law of war, which recognize that the violence of battle is not a war crime.

Khadr will not be set free by yesterday's ruling, and could well still face a trial. But Brownback's judgment at least injects some legitimacy into a legal process where justice has been shortchanged.

Charges against Khadr dropped; Canadian in limbo in jail

IDNUMBER 200706050111
PUBLICATION: The Windsor Star
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: A1 / FRONT
DATELINE: U.S. NAVAL BASE GUANTANAMO BAY, Cuba
BYLINE: Sheldon Alberts
SOURCE: CanWest News Service
WORD COUNT: 483

U.S. NAVAL BASE GUANTANAMO BAY, Cuba – Omar Khadr was marched into the courtroom Monday in the grasp of two burly military guards, ready to face murder and terrorism charges almost five years in the making.

The alleged al-Qaida member was led out less than an hour later with his legal fate once again in limbo, after a U.S. military judge stunned American prosecutors by throwing out the Pentagon's case against the 20-year-old Canadian.

THREATENS TO DERAIL

While Khadr remains in U.S. custody, the ruling by Army Col. Peter Brownback threatens to derail the military commissions process established by President George W. Bush to try alleged al-Qaida and Taliban terrorists following 9-11.

"The significance of this ruling was enormous," said Col. Dwight Sullivan, the chief military defence lawyer for Guantanamo detainees. "What we have seen today is the latest demonstration that the military commissions system does not work.... The commission is an experiment that failed and we don't need any more evidence that it is a failure."

The war crimes tribunals were thrown into further turmoil Monday evening when a second judge dismissed charges against another accused terrorist, Yemeni national Salim Hamdan.

In a sweeping ruling that could be even more damaging to the Bush administration, Navy Capt. Keith Allred ruled the Pentagon's designation of Hamdan as an "enemy combatant" only applied to his detention at Guantanamo and did not make them eligible for trial before military commissions.

Brownback, in his ruling, said the war crimes tribunal lacked jurisdiction to try Khadr because the U.S. government had made no determination whether the Canadian was an "unlawful enemy combatant" — a finding required by Congress to proceed with the case.

RIGHT TO HOLD

He also ruled the U.S. retains the right to hold him indefinitely as an "enemy combatant."

The decision left U.S. military prosecutors scrambling to respond. They asked the military judge for 72 hours to decide whether to appeal the decision, but because the military tribunals are still in their infancy, no court of appeal has been established.

Khadr, who has been held at Guantanamo for almost five years, had been charged with murder in the death of Sgt. Christopher Speer following a battle between American forces and al-Qaida near Khost, Afghanistan, on July 27, 2002. He faced additional charges of attempted murder, spying, conspiracy and providing material aid to terrorists. No trial date has yet been set, but it's possible Khadr may enter a plea at today's hearing.

One of the prosecutors, army Capt. Keith Petty, said Khadr clearly met the definition of an "unlawful" combatant because he fought for al-Qaida, which was not part of the regular, uniformed armed forces of any nation. He said he was prepared to produce a video of Khadr wearing civilian clothes while planting a roadside bomb, as evidence he was an unlawful combatant.

Brownback said the 2006 law authorizing the tribunals made a distinction between "lawful" and "unlawful" combatants and he could not proceed unless Khadr was formally declared to be the latter.

Soldier grateful for video link with wife, newborn

IDNUMBER 200706050035
PUBLICATION: The Windsor Star
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: C1 / FRONT
COLUMN: National Briefs
DATELINE: OTTAWA
SOURCE: Star News Services
WORD COUNT: 105

OTTAWA – Every year, nearly 32,000 patients across Ontario connect with doctors and other medical professionals via videoconferencing.

But last weekend was likely the first time the system was used to connect a father serving in Kandahar with his wife and newborn daughter in Ottawa.

"The best thing was being able to see my family all together and knowing everyone was doing well," Naval Lieut. Desmond James said Monday in an e-mail interview from Afghanistan, where he is a public affairs officer.

"Seeing them made it so much easier for me, and knowing my wife was OK and smiling made me relax over here.

"The next best thing was seeing Kaia for the first time and seeing how Sean, my stepson, was so caring and careful with her," he said.

How one family's fight could change how the military buries its fallen; Rick Hillier tells Don Martin the Forces are considering a national system of cemeteries so soldiers can lay next to their comrades and still be near their families.

IDNUMBER 200706050146
PUBLICATION: The Ottawa Citizen
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: A1 / FRONT
BYLINE: Don Martin
SOURCE: The Calgary Herald
WORD COUNT: 650

A Sherman tank and pair of Howitzers guard the Canadian Forces benefit nobody wants to collect. The only cost is your life.

A free burial plot, coffin interment and simple grey headstone with a carved black cross await any slain soldier whose family requests space surrounding a 24-tonne stone memorial in Ottawa's Beechwood Cemetery.

But following one family's very public disclosure of their struggle to cover a slain son's funeral costs, Chief of Defence Gen. Rick Hillier told me he is exploring the idea of a cross-Canada network of military cemeteries for the fallen.

The burial decision for families given the dreaded call with news they're an Afghanistan casualty's next of kin is complicated by geography. They have to decide if the soldier will be buried near them or within the military fraternity. There is only one military option -- and less than a third have accepted their rightful space in the National Military Cemetery of the Canadian Forces.

Gen. Hillier has ordered an investigation into ways to reduce or eliminate distance from a family's burial decision.

"I've asked the chief of military personnel to consider the need for several military cemeteries across our country in the longer term. Perhaps one per region," Gen. Hillier said in an interview.

"Soldiers whose families live within driving distance of Ottawa are prone to have them buried here. The closer you live, the more you consider that option to put a soldier among other soldiers because you can still come visit his grave. Coming from British Columbia, for example, it's more difficult."

It only makes sense to have Canada's military casualties buried together in a suitably dignified setting that doesn't inconvenience their families. Locating them near or on the country's major military bases would not seem to be logistically complicated or expensive.

How one family's fight could change how the military buries its fallen; Rick Hillier tells Don Martin ~~the~~ Forces

I visited the two tree-lined sections of land in the national historic site on a dull Monday morning in the capital.

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It all adds up to an impressive, albeit overdue, military operation of political damage control.

If the next step is to dedicate military burial space for the fallen yet to come, well, the public humiliation heaped on the government by one family will have done a service to our military.

They deserve special dignity in death. Canadian soldiers shouldn't just fade away as just another plot in a sprawling public cemetery.

How one family's fight could change how the military buries its fallen; Rick Hillier tells Don Martin the Forces are considering a national system of cemeteries so soldiers can lay next to their comrades and still be near their families.

IDNUMBER 200706050144
PUBLICATION: The Ottawa Citizen
DATE: 2007.06.05
EDITION: Early
SECTION: News
PAGE: A1 / FRONT
BYLINE: Don Martin
SOURCE: The Calgary Herald
WORD COUNT: 651

A Sherman tank and pair of Howitzers guard the Canadian Forces benefit nobody wants to collect. The only cost is your life.

A free burial plot, coffin interment and simple grey headstone with a carved black cross await any slain soldier whose family requests space surrounding a 24-tonne stone memorial in Ottawa's Beechwood Cemetery.

But following one family's very public disclosure of their struggle to cover a slain son's funeral costs, Chief of Defence Gen. Rick Hillier told me he is exploring the idea of a cross-Canada network of military cemeteries for the fallen.

The burial decision for families given the dreaded call with news they're an Afghanistan casualty's next of kin is complicated by geography. They have to decide if the soldier will be buried near them or within the military fraternity. There is only one military option -- and less than a third have accepted their rightful space in the National Military Cemetery of the Canadian Forces.

Gen. Hillier has ordered an investigation into ways to reduce or eliminate distance from a family's burial decision.

"I've asked the chief of military personnel to consider the need for several military cemeteries across our country in the longer term. Perhaps one per region," Gen. Hillier said in an interview.

"Soldiers whose families live within driving distance of Ottawa are prone to have them buried here. The closer you live, the more you consider that option to put a soldier among other soldiers because you can still come visit his grave. Coming from British Columbia, for example, it's more difficult."

It only makes sense to have Canada's military casualties buried together in a suitably dignified setting that doesn't inconvenience their families. Locating them near or on the country's major military bases would not seem to be logistically complicated or expensive.

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Early pullout risks 'half-done' effort in Afghanistan

IDNUMBER 200706050135
PUBLICATION: The Ottawa Citizen
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: A4
DATELINE: KANDAHAR, Afghanistan
SOURCE: The Ottawa Citizen
WORD COUNT: 90

KANDAHAR, Afghanistan – The job of rebuilding war-ravaged Afghanistan will be left "half-done" if Canada and other foreign nations withdraw their troops in the next couple of years, a top Afghan cabinet minister warned yesterday.

If the job is not completed, any progress already made will surely vanish, said Mohammed Ehsan Zia, minister of rural rehabilitation and development.

Life is definitely getting better for people, he said. "Our expectation is that the Canadian people and the Canadian government, who have endured sacrifices in Afghanistan, should not leave the job half-done."

NATO brushes aside Taliban's Red Cross offer

IDNUMBER 200706050134
PUBLICATION: The Ottawa Citizen
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: A4
DATELINE: KANDAHAR, Afghanistan
SOURCE: The National Post
WORD COUNT: 252

KANDAHAR, Afghanistan – The Red Cross is welcoming a statement by Mullah Mohammad Omar, the fugitive head of the Taliban, that calls on the humanitarian group to be part of an independent commission on civilian casualties in the Afghan war.

It appears to be Mr. Omar's first public mention of an international organization, and is a sign of "movement" in the Taliban's brutal conflict against foreign forces, the Red Cross says.

But on a day that the insurgents allegedly mortared a military hospital set up to help civilians, NATO strongly dismissed the Taliban chief's missive.

"He is a criminal who has caused tremendous suffering to innocent people," said Maj. John Thomas, a spokesman for NATO's International Security Assistance Force. "We do not pay attention to calls for investigation from criminals."

Civilian casualties have become a point of contention in the Afghan fighting, with both sides facing criticism.

Last month, Amnesty International and Human Rights Watch accused the Taliban of "war crimes" for targeting civilians, or making no effort to avoid civilian casualties in attacking military targets.

The statement purportedly issued on the Internet by Mr. Omar, and first made public by the SITE Institute, a terrorism watchdog in Washington, D.C., acknowledges that the "armed jihadi resistance" against foreign and Afghan government forces is taking a toll on civilians. It notes that both sides blame the other.

The statement accuses Human Rights Watch of bias, but also suggests appointing a group including the Red Cross, journalists, Afghan clerics and leaders to "show who is causing these incidents to the people and to the whole world how to avoid civilian casualties."

The problem of boy soldiers

IDNUMBER 200706050091
PUBLICATION: The Ottawa Citizen
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: A12
PNAME: Editorial
SOURCE: The Ottawa Citizen
WORD COUNT: 555

Ishmael and Omar used to have a lot in common. When Ishmael was 15, he was rounding up rebel sympathizers and shooting them. When Omar was 15, he allegedly threw a grenade that killed a 28-year-old medic in the United States Army.

Two boys, both taught to hate, and to fight, have become two very different men. Ishmael Beah, who was a child soldier in Sierra Leone, was rescued and is now a media darling with a book that's high on the New York Times bestseller list. Omar Khadr, who was fighting in Afghanistan, was captured and has spent the past five years in Guantanamo Bay.

At Omar's military hearing yesterday morning, the judge surprised everyone by dismissing the charges. Omar Khadr's status as an "unlawful enemy combatant," said the judge, hadn't been confirmed; therefore, the tribunal didn't have the jurisdiction to try him.

It's not clear what comes next for Mr. Khadr — or for the other detainees who have yet to be tried. The U.S. government has said it has the right to keep Mr. Khadr in Guantanamo indefinitely even if he's acquitted.

Canadians are familiar with the Khadr family, with their overt support for al-Qaeda, their violent fundamentalism and their hatred for North American society. It's always been difficult to sympathize with Omar Khadr, despite his Canadian citizenship. It's been easy to shrug at his detention by the United States, because it seemed there was no hope for him anyway.

That kind of cynicism is dangerous. If there was hope for Ishmael Beah, there is hope for all children trained to kill. Mr. Beah, now 26, writes, "I shot them in their shins and watched them suffer for an entire day before finally deciding to shoot them in the head so they would stop crying. Before I shot each man, I looked at him and saw how his eyes gave up hope and steadied before I pulled the trigger. I found their somber eyes irritating."

His journey back to humanity took time and patience, mainly from the staff at a rehabilitation home. But Ishmael Beah did come back, as have many child soldiers. Not all of these children are irreparably disfigured.

Is it possible that if Omar Khadr had been sent to a rehabilitation home rather than the abyss of Guantanamo, he could now be writing books and giving speeches about what life is like in a terrorist family? We'll never know. It might have been too late for him in 2002; it's almost certainly too late for him now — too late, at least, to turn him into a Canadian patriot and a spokesman for the rights of children. He is 20 years old. What his parents began, Guantanamo seems to have finished. He does still have rights nonetheless.

The U.S. government must now make a critical decision: It can keep Mr. Khadr locked up and keep trying to

prosecute him, or it can keep him locked up and forget about the tribunals altogether. Or it can work with the Canadian government to find a way to send him home.

There are 300,000 children in combat in the world at any given time, according to Amnesty International. Governments must decide whether it's worth their while to try to save these children. The story of Ishmael Beah suggests that in many cases it is.

Stop putting relations with the U.S. ahead of human rights

IDNUMBER 200706050087
PUBLICATION: The Ottawa Citizen
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: A13
PNAME: Arguments
BYLINE: Maude Barlow, Alex Neve and Roch Tasse
SOURCE: Citizen Special
WORD COUNT: 1012

While charges against Omar Khadr were dropped yesterday on a technicality, he continues to face indefinite imprisonment as an "enemy combatant" under the U.S. Military Commissions Act.

Omar Khadr is the only child in modern history to be charged with war crimes, and yet, unlike the United Kingdom and Australia, which have successfully negotiated the release of their citizens from Guantanamo Bay, Canada continues to ignore his plight.

A U.S. state department official declared last week that Mr. Khadr may be detained until the end of the "war on terror" regardless of yesterday's ruling.

Canada's public silence in the face of such blatant human-rights abuse experienced by a Canadian citizen is incomprehensible. Is it just unwillingness to go to bat for someone with a controversial family background? Or are we learning that even basic human and legal rights can be traded away for some coveted best-friend status with the United States, something that neither Britain nor Australia has been afraid to forgo in the name of justice?

Mr. Khadr is a Canadian citizen who has spent the last five years in prison at Guantanamo Bay, accused of having been responsible for the death of a U.S. soldier during fighting in Afghanistan. He was apprehended by U.S. forces in Afghanistan in 2002, when he was 15, and was only first brought before a U.S. military commission in early 2006.

The Military Commissions Act authorizes military tribunals that strip detainees of their normal constitutional rights. The U.S. Supreme Court has denied Mr. Khadr, and more than 300 other Guantanamo inmates, the right to immediately pursue habeas corpus, the right to challenge the legality of their incarceration. The court ruled instead that they must exhaust other lengthy proceedings before turning to the courts for this centuries-old fundamental relief.

In April, the U.S. Supreme Court refused to hear his appeal challenging the constitutionality of the Pentagon's war-crimes tribunal in Guantanamo Bay.

Despite the controversy surrounding Mr. Khadr and his family, who are well-known for terrorist connections and anti-western rhetoric, there is no justification for the Canadian government's failure to demand forcefully and publicly, as other U.S. allies have, that his human rights be fully protected, including the right to a fair trial. Our government's failure to make this public request, and its failure to demand that Guantanamo Bay be

shut down immediately, sends a very worrying message to the rest of world about where Canada stands on human rights and international law. And it speaks volumes about the Canadian government's tendency over these past five years to fail to put human rights at the centre of its relationship with the United States.

The British government, the Bush administration's staunchest ally in Iraq, has, in speaking out against Guantanamo Bay, stated that "the continuing detention without fair trial of prisoners is unacceptable in terms of human rights. But it is also ineffective in terms of counter-terrorism." Britain has refused to have its citizens tried at Guantanamo and has negotiated to have them transferred out of the naval station. Similarly, France and Germany have also demanded that their own citizens be released from Guantanamo.

Even Australian Prime Minister John Howard, bowing to public pressure, protested the detention of David Hicks, an Australian citizen who spent five years in Guantanamo. Hicks is now serving the rest of his term in an Australian jail.

The Canadian government now stands apart in allowing one of its citizens to be tried in the type of kangaroo court that democratic countries, including Canada, have regularly and vehemently denounced elsewhere in the world.

Signed into law by President George W. Bush in October 2006, the Military Commissions Act gives U.S. authorities the power to detain indefinitely foreign terrorism suspects, including Canadians, without pressing charges. These suspects do not enjoy the same constitutional rights as U.S. citizens, and evidence obtained through torture and ill treatment, including at the hands of U.S. officials at Guantanamo Bay or other U.S.-run secret prisons around the world, may be admissible. The U.S. Supreme Court has already ruled once that the Military Commissions Act, in a not-dissimilar previous incarnation, violates the Geneva Conventions and even the U.S. Code of Military Justice. Current challenges against the act are pending.

Canadians might assume that in the wake of the Maher Arar case, our government would be much more responsive to concerns about the rights of Canadian citizens being flouted so cavalierly by U.S. officials. Sadly, the Khadr case suggests that is far from the case.

To make things worse, our governments are forging ahead with an agreement that calls for even closer co-operation between U.S. and Canadian security and intelligence services, but that fails to include human-rights obligations at its core. The Security and Prosperity Partnership, agreed to by Canada, the U.S. and Mexico in March 2005, sets Canada on a path toward the integration of our anti-terrorism laws and procedures with those in the United States. Common no-fly lists, common immigration and refugee policies, closer collaboration and information sharing, are all likely to be part of this SPP bargain, which, sadly, appears to trade basic human rights for continued access to the U.S. market.

By not insisting that Omar Khadr be treated in accordance with the full range of his basic human rights, the Canadian government is indicating that it is willing to trade away rights for the sake of making friends in Washington.

It is time for Canada to speak out about Guantanamo Bay, and advocate more forcefully on behalf of Omar Khadr. If there is one file where the U.S. government needs to be pressed by Canada to restore the protection of fundamental human rights, this is it. The silence must come to an end.

Maude Barlow is the national chairperson of the Council of Canadians, Alex Neve is secretary general for Amnesty International Canada, and Roch Tasse is co-ordinator for the International Civil Liberties Monitoring Group.

Dad serving in Afghanistan gets to 'visit' newborn daughter; Medical videoconference system used to bring family together for Ottawa birth

IDNUMBER 200706050052
PUBLICATION: The Ottawa Citizen
DATE: 2007.06.05
EDITION: Final
SECTION: City
PAGE: C1 / FRONT
ILLUSTRATION: Colour Photo: Bruno Schlumberger, the Ottawa Citizen /Long–Distance Reunion: A system more often used to connect patients from remote areas to doctors in larger centres was used to let Lisa James, son Sean and newborn daughter Kaia link via video with Lieut. Desmond James ; Colour Photo: Bruno Schlumberger, the Ottawa Citizen / Lieut. Desmond James ;
BYLINE: Joanne Laucius
SOURCE: The Ottawa Citizen
WORD COUNT: 677

Every year, nearly 32,000 patients across Ontario connect with doctors and other medical professionals via videoconferencing.

Saturday morning was likely the first time, however, the system was used to connect a new father serving in Kandahar with his wife and newborn daughter in Ottawa.

"The best thing was being able to see my family all together and knowing everyone was doing well," navy Lieut. Desmond James said yesterday in an e–mail interview from Afghanistan, where he is a public affairs officer.

As of Friday night, Lieut. James wasn't so sure it would work. But Saturday morning, the images on the screen were as clear as watching television.

"Seeing them made it so much easier for me, and knowing my wife was OK and smiling made me relax over here. The next best thing was seeing Kaia for the first time and seeing how Sean, my stepson, was so caring and careful with her," he said.

"I was on Cloud 9 and wanted to just sit and watch (wife) Lisa and Kaia and Sean." The Ontario Telemedicine Network is usually used to connect patients in remote or rural areas with doctors in larger centres. Mrs. James, who was expecting the baby in late May, approached the hospital communications department and Kathleen Nunn, director of the childbirth unit, in February to ask if the system could be used to connect her to her husband, who had left for Afghanistan earlier that month.

"It was just something I thought might be possible," Mrs. James said yesterday. "So I gave the hospital a call. They were great." What resulted was a three–way collaboration between the Department of National Defence, which has a videoconferencing "bridge" in Ottawa, the Queensway Carleton Hospital and the Ontario Telemedicine Network.

One of the challenges was that babies don't always arrive on schedule. Another is the time difference of 8 1/2 hours.

Mrs. James went to the hospital on Friday for an induced labour. All the players were alerted and put on standby.

Kaia Rita-Marie arrived a minute before 6 a.m. Ottawa time on Saturday, weighing in at seven pounds, 9.5 ounces. Kaia's parents were linked via cellphone shortly after. At 9 a.m., the family was talking.

Mrs. James was exhausted but happy. Sean, 8, was thrilled and sat in a chair holding his baby sister for part of the time. Mrs. James brought Kaia as close as possible to the camera for her father to see. The videoconference lasted an hour.

"I wasn't going to miss this opportunity for Des to see his new baby girl," said Mrs. James. "I don't remember what we talked about. I was really, really sleepy. It was just overwhelming." Lieut. James does remember what was said.

"The first thing I wanted to say was, 'Are you all right?' and then, 'How is the baby?'" he said. "I think my third question was, 'Does she look like a Kaia?' To which my wife responded, 'Yes.'" Paula Archambault, regional program manager at the Ontario Telemedicine Network, said the system has been in operation in Eastern Ontario for about six years. Using the system, a patient in Barry's Bay could, for example, "see" a cardiologist at the University of Ottawa Heart Institute.

"It's just like coming in to the office, only you don't have to drive two hours," said Ms. Archambault.

The videoconferencing system is also used so that CHEO patients from Baffin Island can "visit" with friends and family back home. But this went beyond even that, said Ms. Archambault.

"For us to reach out to Afghanistan was unusual. So it was exciting for us." George Regan, videoconference co-ordinator for National Defence, does a few thousand videoconferences a year, including those between soldiers in Afghanistan and families in Canada. The day before Mother's Day, he connected soldiers in Afghanistan with their mothers in Newfoundland.

"It's hard to say no. It's for a good cause." Once Mr. Regan found that the telemedicine system could work with the National Defence system, it wasn't difficult linking the hospital to Kandahar.

"I work with this technology on a daily basis, and you tend to take it for granted. It still has a 'wow' effect for people." Lieut. James is thankful to the staff at all three organizations who volunteered to come to work on Saturday to make the meeting happen. Mr. Regan even skipped his nephew's birthday in Toronto, said Lieut. James.

"Nothing can replace being there in person, but this was as close as possible and worked out well."

More than one place to grieve; Hillier suggests several military cemeteries across the country

IDNUMBER 200706050134
PUBLICATION: National Post
DATE: 2007.06.05
EDITION: National
SECTION: Canada
PAGE: A4
COLUMN: Don Martin
ILLUSTRATION: Black & White Photo: Tim Fraser For National Post / General Rick Hillier, Chief of Defence Staff, said, "As right as you can make something in arrears, we'll do it." ;
DATELINE: OTTAWA
BYLINE: Don Martin
SOURCE: National Post
WORD COUNT: 685

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Gen. Hillier has ordered an investigation into ways to reduce or eliminate distance from a family's burial decision.

"I've asked the chief military personnel to consider the need for several military cemeteries across our country in the longer term, perhaps one per region," Gen. Hillier said in an interview.

"Soldiers whose families live within driving distance of Ottawa are prone to have them buried here. The closer you live, the more you consider that option to put a soldier among other soldiers because you can still come visit his grave. Coming from British Columbia, for example, it's more difficult."

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If the next step is to dedicate military burial space for the fallen yet to come, well, the public humiliation heaped on the government by the Dinning family — who complained last week of being cold-shouldered by Ottawa — will have done a service to our military.

They deserve special dignity in death. Canadian soldiers shouldn't fade away as just another plot in a sprawling public cemetery.

KEYWORDS: AUTOMOBILE INDUSTRY; AUTOMOBILES

IF CANADIANS GO, JOB WILL BE 'HALF-DONE'

IDNUMBER 200706050133
PUBLICATION: National Post
DATE: 2007.06.05
EDITION: National
SECTION: Canada
PAGE: A4
COLUMN: National Report
DATELINE: KANDAHAR, Afghanistan
BYLINE: Tom Blackwell
SOURCE: National Post
WORD COUNT: 321

KANDAHAR, Afghanistan –The job of rebuilding war-ravaged Afghanistan will be left "half-done" if Canada and other foreign nations withdraw their troops in the next couple of years, a top Afghan Cabinet minister warned yesterday. And if the job is not completed, any progress already made will surely vanish, said Mohammed Ehsan Zia, Minister of Rural Rehabilitation and Development. Talking to Canadian journalists after a news conference in this southern Afghanistan capital, Mr. Zia offered a relatively frank but upbeat picture of reconstruction in the region, much of which is financed by Canada. While the challenges are huge, life is definitely getting better for ordinary people, said the Minister, considered by Canadian officials to be one of the stars of President Hamid Karzai's government. Mr. Zia argued against the suggestion Canada end its military presence here by early 2009 at the latest. "Our expectation is that the Canadian people and the Canadian government, who have endured sacrifices in Afghanistan, should not leave the job half-done," Mr. Zia said. "If the international community leaves the job half-done, experience shows ... that what has been done will disintegrate." Mr. Zia was in Kandahar to sign 62 new reconstruction agreements, worth more than US\$4-million, mostly for improving irrigation and drinking water systems, and renovating mosques and schools. The majority of the projects, which are for both Kandahar and Uruzghan provinces, are funded by the Canadian International Development Agency. Of 182 completed projects in southern Afghanistan, CIDA footed \$6.4-million of the \$9.4-million bill, according to the ministry. USAID, the American foreign development agency, is the biggest international donor in the country.

KEYWORDS: FOREIGN AID; AFGHANISTAN; CANADA

Buying Afghan poppies no solution

IDNUMBER 200706050107
PUBLICATION: National Post
DATE: 2007.06.05
EDITION: National
SECTION: Letters
PAGE: A13
BYLINE: Colonel (ret'd) Brian MacDonald
SOURCE: National Post
WORD COUNT: 237

Re: Let's Buy Afghanistan's Poppies, editorial, June 4.

Before we rush to buy up the Afghanistan opium poppy crop, some fact-checking might be in order. The International Narcotics Control Board (INCB) of the United Nations predicts that world demand in 2007 for medical opiates will be about 420 tonnes of morphine equivalent. The INCB predicts legal production to be 362 tonnes, leaving a deficit of about 58 tonnes. However, the inventory controlled by the INCB amounts to 689 tonnes: 12 times the estimated 2007 shortfall.

These numbers led Antonio Maria Costa, the executive director of the United Nations Office on Drugs and Crime, to state in the executive summary of the Afghanistan Opium Survey 2006 that "there is no shortage of medical morphine in the world."

The annual Afghanistan illegal production of 6,100 tonnes of opium contains about 600 tonnes of morphine equivalent. This is 143% greater than current world total legal production controlled by the INCB.

Ironically, even if the demand for medical morphine were there, the "Let's Buy Afghanistan's Poppies" proposal is more likely to boost poppy production, as Afghan farmers move to supply their new customers, as well as continue to supply their existing drug-lord customers in the \$3.1-billion heroin trade. All this is to say, there is no quick and easy solution to the serious poppy cultivation problem in Afghanistan.

Colonel (ret'd) Brian MacDonald, senior defence analyst, Conference of Defence Associations, Toronto.

KEYWORDS: 0

Khadr ruling blow to U.S.; System 'failed' Canadian's fate in limbo after military judge drops terrorism, murder charges

IDNUMBER 200706050164
PUBLICATION: Montreal Gazette
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: A1 / FRONT
ILLUSTRATION: Colour Photo: REUTERS / Khadr is now 20, with long, bushycurls and a beard. ;
KEYWORDS: CANADIANS; PRISONERS OF WAR; INTERNATIONAL LAW; TERRORISM;MURDERS; CONSPIRACY; CRIME; UNITED STATES
DATELINE: U.S. NAVAL BASE GUANTANAMO
BYLINE: SHELDON ALBERTS
SOURCE: CanWest News Service
WORD COUNT: 1579

Omar Khadr was marched into the courtroom yesterday in the grasp of two burly military guards, ready to face murder and terrorism charges almost five years in the making.

The alleged Al-Qa'ida member was led out less than an hour later with his legal fate once again in limbo, after a U.S. military judge stunned prosecutors by throwing out the Pentagon's case against the 20-year-old Canadian.

While Khadr remains in U.S. custody, the ruling by army Colonel Peter Brownback also threatens to derail the military commissions process established by U.S. President George W. Bush to try members of Al-Qa'ida and the Taliban following the attacks of Sept. 11, 2001.

"The significance of this ruling was enormous," said Colonel Dwight Sullivan, the chief military defence lawyer for Guantanamo detainees.

"What we have seen today is the latest demonstration that the military commissions system does not work," Sullivan said. "The commission is an experiment that failed, and we don't need any more evidence that it is a failure."

The war crimes tribunals were thrown into further turmoil last evening when a second judge dismissed charges against another accused terrorist, Yemeni national Salim Hamdan, Al-Qa'ida leader Osama bin Laden's former driver.

In a sweeping ruling that could be even more damaging to the Bush administration, navy Captain Keith Allred ruled the Pentagon's designation of Hamdan as an "enemy combatant" applied only to his detention at Guantanamo and did not make him eligible for trial before a military commission.

Brownback, in his ruling, said the war crimes tribunal lacked jurisdiction to try Khadr because the U.S. government had made no determination whether the Canadian was an "unlawful enemy combatant," a finding required by Congress to proceed with the case.

Khadr, accused of throwing a grenade that killed U.S. army Sgt. Christopher Speer in 2002, had been classified by a combatant status review tribunal only as an "enemy combatant." That ruling left open the technical possibility Khadr might have been legally fighting U.S. forces under the laws of war, Brownback said.

"A person has a right to be tried by a court he knows has jurisdiction over him," Brownback said.

Otherwise, he said, "a person could be facing trial for months without knowing if the court had legitimate jurisdiction."

Dennis Edney, Khadr's Canadian lawyer, said the decision shows that "rules are getting made up as they go along" at Guantanamo, and he called on Ottawa to begin efforts to have his client returned to Canada.

"You cannot have a trial without law," Edney said. "If this system is not good enough for Americans, why is it good enough for Canadians?"

Brownback said his decision does not preclude prosecutors from charging Khadr again in the future. Military prosecutors immediately requested 72 hours to decide whether they should appeal the judge's ruling.

In Ottawa, Foreign Affairs Minister Peter MacKay instructed Canadian diplomats to follow up on the case with the relevant U.S. authorities.

"It is our understanding that the decision is a procedural one at this stage, and we are keeping a very close watch on this file," MacKay spokesman Dan Dugas said.

Public Safety Minister Stockwell Day brushed by reporters, saying only that the government is "still waiting to hear the full story there – we don't have all the details yet."

Opposition critics called for intervention by the minority Conservative government, suggesting Khadr be returned to Canada.

"I think every Canadian is concerned about the conditions in Guantanamo," deputy Liberal leader Michael Ignatieff said. "Mr. Khadr now appears to be in a situation of legal limbo, legal uncertainty. The Canadian government should take up his case actively."

"Whatever we may think about Mr. Khadr and his past, he is a Canadian citizen with the rights of a Canadian citizen and the government should take up his case actively with U.S. authorities," Ignatieff said.

The Pentagon, meanwhile, said the Khadr ruling was a minor technical hurdle that could be fixed with a new hearing to establish the young man's status as an illegal fighter.

"We believe that Congress intended to grant jurisdiction under the Military Commissions Act to try individuals like Mr. Khadr who are being held as enemy combatants," said Commander Jeffrey Gordon, a Pentagon spokesman.

But the Bush administration's problems might extend far beyond the Khadr case, with implications for all 380 detainees held as "enemy combatants" at Guantanamo. The Pentagon has said it plans to prosecute as many as 80 Guantanamo detainees, including 14 high-value detainees like alleged 9/11 mastermind Khalid Sheikh Mohammed.

The dramatic developments yesterday marked the second time military charges against Khadr have been quashed since he was sent to Guantanamo in October 2002.

Last year, the Bush administration had to scrap an earlier version of the military commissions after the U.S. Supreme Court ruled they violated international law.

Human rights groups attending yesterday's hearing said the dismissal of Khadr's charges further underscores the deep flaws in trying alleged terror detainees in an entirely untested court system.

The Pentagon has so far successfully prosecuted only one case at Guantanamo. Australian David Hicks, a convert to radical Islam, was sentenced to nine months and returned to his home country after pleading guilty to conspiracy after the White House came under political pressure from Australia.

"If the U.S. government is wise, this will be the fatal blow to the commissions," said Jennifer Daskal, the U.S. program director for Human Rights Watch.

BEGIN OPTIONAL TRIM

"Federal courts around the world have successfully prosecuted dozens of terrorism cases since 9/11. Compare the military commissions – there has been one conviction. To say the scoreboard is lopsided would be an understatement."

Hicks's case differs from that of Khadr, however, because he was sentenced by a military tribunal and Khadr's charges have been thrown out on jurisdictional grounds.

END OPTIONAL TRIM

Khadr, who had not been seen in a military courtroom for more than a year, stared impassively during the proceedings, at times watching the legal arguments on a closed-circuit television screen at the defence table. He refused to stand when Brownback entered the courtroom and did not speak to his lone U.S. military attorney, Lt.-Commander William Kuebler.

After almost five years in detention at Guantanamo, Khadr is no longer the young adolescent seen in dated photographs.

His hair and beard have grown out into long, bushy curls. He entered the courtroom in an olive-green detainee uniform with rubber flip-flops, a far cry from the Roots T-shirt and khaki pants he wore at an appearance in January 2006.

Khadr spoke in whispers only to Edney, who was granted "foreign attorney consultant" status to advise him on his defence.

Khadr is the son of Ahmed Khadr, an Al-Qa'ida financier who was killed by Pakistani forces in 2003. Omar's brother, Abdullah, is facing possible extradition to the United States on accusations of selling weapons to Al-Qa'ida.

Zaynab Khadr, Omar's sister, said yesterday the family was "surprised" and "happy" about the judge's ruling.

Still, Omar Khadr will likely remain imprisoned indefinitely because the Pentagon maintains it has a strong terrorism case against him. He had been charged with murder, attempted murder, spying, conspiracy and providing material aid to terrorists, all stemming from his activities in Afghanistan in 2002.

The United States contends it can continue to hold Khadr indefinitely until the war with Al-Qa'ida is over.

Brownback, in his ruling, said the war crimes tribunal lacked jurisdiction to try Khadr because the U.S.

Khadr ruling blow to U.S.; System 'failed' Canadian's fate in limbo after military judge drops terrorism, murder

government had made no determination whether the Canadian was an "unlawful enemy combatant," a finding required by Congress to proceed with the case.

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"You cannot have a trial without law," Edney said. "If this system is not good enough for Americans, why is it good enough for Canadians?"

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detainee uniform with rubber flip-flops.

Soldiers deserve better; We should ensure dignity for Canada's war dead

IDNUMBER 200706050126
PUBLICATION: Montreal Gazette
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: A12
KEYWORDS: CEMETERIES
DATELINE: OTTAWA
BYLINE: DON MARTIN
SOURCE: CanWest News Service
WORD COUNT: 342

A Sherman tank and pair of Howitzers guard the Canadian Armed Forces freebie that nobody wants to collect. The only cost is your life.

A free burial plot, coffin interment and simple grey headstone with a carved black cross await any slain soldier whose family requests space surrounding a 24-tonne stone memorial in an Ottawa cemetery.

But in the wake of one family's very public disclosure on their struggle to cover a slain son's funeral costs, Chief of Defence Staff General Rick Hillier told me he is exploring the idea of a cross-Canada network of military cemeteries for the fallen.

The burial decision for families given the dreaded call with news they're an Afghanistan casualty's next of kin is complicated by geography. They have to decide if the soldier will be buried near them or within the military fraternity. There is only one military option – and less than a third have accepted their rightful space in the National War Cemetery.

Hillier has ordered an investigation into ways to reduce or eliminate distance from a family's burial decision.

"I've asked the chief military personnel to consider the need for several military cemeteries across our country in the longer term. Perhaps one per region," Hillier said in an interview.

It only makes sense to have Canada's military casualties buried together in a suitably dignified setting that doesn't inconvenience their families. Locating them near or on the country's major military bases would not seem to be logistically complicated or expensive.

I visited the two tree-laced sections of land in the national historic site on a dull Monday morning in the capital. The most recent row of headstones is a grim rollcall of still-familiar names from the ramp, repatriation and funeral ceremonies of the last year. Nichola Goddard. Jason Warren. Francisco Gomez. Shane Stachnik. Robert Mitchell. Allan Stewart. Darcy Tedford.

If the next step is to dedicate military burial space for the fallen yet to come, well, the public humiliation heaped on the government by one family will have done a service to our military.

They deserve special dignity in death. Canadian soldiers shouldn't just fade away as just another plot in a

sprawling public cemetery.

Calgary Herald

Taliban want casualties probe; Red Cross welcomes message from mullah

IDNUMBER 200706050122
PUBLICATION: Montreal Gazette
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: A15
KEYWORDS: WAR; TERRORISM; BOMBINGS; FOREIGN AID; AFGHANISTAN
DATELINE: KANDAHAR, Afghanistan
BYLINE: TOM BLACKWELL
SOURCE: CanWest News Service
WORD COUNT: 278

The Red Cross is welcoming a statement by Mullah Mohammed Omar, the fugitive head of the Taliban, that calls on the humanitarian group to be part of an independent commission on civilian casualties in the Afghan war.

It appears to be Omar's first public mention of an international organization, and is a sign of "movement" in the Taliban's brutal conflict against foreign forces, the Red Cross says.

But on a day that the insurgents were alleged to have mortared a military hospital set up to help civilians, NATO strongly dismissed the Taliban chief's missive.

"He is a criminal who has caused tremendous suffering to innocent people," said Maj. John Thomas, a spokesperson for

NATO's International Security Assistance Force. "We do not pay attention to calls for investigation from criminals."

Civilian casualties have become a major point of contention in the Afghanistan fighting, with both sides coming under criticism.

Last month, both Amnesty International and Human Rights Watch accused the Taliban of "war crimes" for targeting civilians, or making no effort to avoid civilian casualties in attacking military targets.

The statement purportedly issued on the Internet by Omar, and first made public by the SITE Institute, a terrorism watchdog in Washington, D.C., acknowledges that the "armed jihadi resistance" against foreign and Afghan government forces is taking a toll on civilians. It notes that both sides blame the other.

The statement accuses Human Rights Watch of bias, but also suggests appointing a group including the Red Cross, independent journalists, Afghan clerics and leaders to "show who is causing these incidents to the people and to the whole world how to avoid civilian casualties."

The Taliban and NATO "should offer a guarantee in order to discuss this kind of incident ... in a detailed truthful way," the statement said. "We are sad about this kind of innocent martyrdom of our people."

Don't leave us now: Afghan official; Job of rebuilding only half done. CIDA has foot 66% of projects in south

IDNUMBER 200706050121
PUBLICATION: Montreal Gazette
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: A15
KEYWORDS: FOREIGN AID; AFGHANISTAN; CANADA
DATELINE: KANDAHAR, Afghanistan
BYLINE: TOM BLACKWELL
SOURCE: CanWest News Service
WORD COUNT: 258

The job of rebuilding Afghanistan will be left "half-done" if Canada and other countries withdraw their troops in the next couple of years, an Afghan cabinet minister warned yesterday.

And if the job is not completed, any progress already made will surely vanish, said Mohammed Ehsan Zia, Afghanistan's minister of rural rehabilitation and development.

Talking to Canadian journalists after a news conference in this southern provincial capital, Zia offered a relatively frank but upbeat picture of reconstruction in the region, much of which is financed by Canada.

While the challenges are huge, life is definitely getting better for ordinary people, said the minister, considered by Canadian officials to be one of the stars of President Hamid Karzai's government.

Zia argued against the suggestion Canada end its military presence here by early 2009 at the latest.

"Our expectation is that the Canadian people and the Canadian government, who have endured sacrifices in Afghanistan, should not leave the job half-done," Zia said.

Zia was in Kandahar to sign 62 new reconstruction agreements, worth more than \$4 million U.S., mostly for improving irrigation and drinking water systems, and renovating mosques and schools.

The majority of the projects, which are for both Kandahar and Uruzghan provinces, are funded by the Canadian International Development Agency.

Of 182 completed projects

in southern Afghanistan, CIDA footed \$6.4 million of the

\$9.4-million bill, the ministry said.

USAID, the U.S. foreign development agency, is the biggest international donor in the country.

Don't leave us now: Afghan official; Job of rebuilding only half done. CIDA has foot 66% of projects in south

Despite money being spent by the international community, many Afghans complain the foreign presence has brought little concrete improvement in their lives, while security in the south seems to be worsening.

Zia rejected that notion, and rhymed off what he called "enormous" advances from a state of collapse in 2001.

"In Afghanistan, we shouldn't expect miracles," Zia said. "We are literally putting bricks on top of bricks, one at a time."

U.S. transfers 28 prisoners to Afghans

IDNUMBER 200706050120
PUBLICATION: Montreal Gazette
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: A15
KEYWORDS: WAR; TERRORISM; BOMBINGS; PRISONERS OF WAR
DATELINE: KABUL
SOURCE: Reuters
WORD COUNT: 91

The U.S. military has handed over another group of suspected Taliban fighters to Afghan custody under a program to transfer all Afghan prisoners from U.S. detention.

The 28 prisoners, captured since U.S.-led forces removed the Taliban from power in 2001, join a previously transferred batch of Taliban in a refurbished block of Pul-i-Charkhi prison on the eastern edge of Kabul, the Afghan government said yesterday.

Scores, including senior Taliban figures, are believed to be held by the U.S. military both in Afghanistan and the military base in Guantanamo Bay, Cuba.

Soldiers deserve dignity in death

IDNUMBER 200706050173
PUBLICATION: Calgary Herald
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: A3
COLUMN: Calgary's Eye on National Politics
Photo: Herald Archive, CanWest News Service / The National Military Cemetery in
ILLUSTRATION: Ottawa may become part of a cross-Canada network of cemeteries for fallen soldiers, to give families the option of having a military burial close to home. ;
KEYWORDS: CEMETERIES; CANADIANS
DATELINE: OTTAWA
BYLINE: Don Martin
SOURCE: CanWest News Service
WORD COUNT: 602

A Sherman tank and pair of howitzers guard the Canadian Armed Forces freebie nobody wants to collect. The only cost is your life.

A free burial plot, coffin internment and simple grey headstone with a carved black cross await any slain soldier whose family requests space surrounding a 24-tonne stone memorial in an Ottawa cemetery.

But in the wake of one soldier's family's very public disclosure on their struggle to cover a slain son's funeral costs, Chief of Defence Staff Gen. Rick Hillier told me he is exploring the idea of a cross-Canada network of military cemeteries for fallen soldiers.

The burial decision for families given the dreaded call with news they're an Afghanistan casualty's next of kin is complicated by geography. They have to decide if the soldier will be buried near them or within the military fraternity. There is only one military option -- and less than a third have accepted their rightful space in the National War Cemetery, despite having a retail civilian value of almost \$6,000.

Hillier has ordered an investigation into ways to reduce or eliminate distance from a family's burial decision.

"I've asked the chief military personnel to consider the need for several military cemeteries across our country in the longer term. Perhaps one per region," Hillier said in an interview.

"Soldiers whose families live within driving distance of Ottawa are prone to have them buried here.

"The closer you live, the more you consider that option to put a soldier among other soldiers because you can still come visit his grave. Coming from British Columbia, for example, it's more difficult."

It only makes sense to have Canada's soldier casualties buried together in a suitably dignified setting that doesn't inconvenience their families.

Locating them near, or on, the country's major military bases would not seem to be logistically complicated or expensive.

I visited the two tree-laced sections of land in the national historic site on a dull Monday morning in the capital.

A few students were planting geraniums, but there wasn't a visitor to be seen.

Sod had not yet been rolled over the plots of the most recent casualties from Kandahar.

A handful of newer graves were marked by red roses in the mud, others with a Maple Leaf flag.

The most recent row of headstones is a grim roll call of still-familiar identities from the ramp, repatriation and funeral ceremonies of the last year. Nichola Goddard. Jason Warren. Francisco Gomez. Shane Stachnik. Robert Mitchell. Allan Stewart. Darcy Tedford.

But the most sobering sight is the line of headstones waiting to be expanded, an inevitability without a miraculous turn of events in Kandahar.

This is no Arlington, the Washington national cemetery for America's war dead, which attracts four million visitors to a site with more than 300,000 graves, including former presidents, Supreme Court justices and astronauts.

That's good news. They bury 27 bodies a day in Arlington and the sprawling grassland reserved for the continuing carnage from Iraq stretches beyond the horizon. By contrast, the most recent addition in our eight-hectare National War Cemetery was a month ago.

But there are other steps Gen. Hillier plans to take to put the public relations disaster of the funeral expenses flap behind him, a serious black eye for a military-saluting government that could yet cost Defence Minister Gordon O'Connor his job for cumulative bad judgment.

A Hillier-launched fund to support families has \$500,000 in the bank even before it becomes operational.

He vows the government will now cover rental costs for any halls or arenas required for military funeral services where mourner demand exceeds church space.

And he's ordered all victim families to be revisited to ensure they weren't dealt with under outdated Treasury Board guidelines.

"As right as you can make something in arrears, we'll do it. We'll go back and check with all other families and make sure about the support they're getting," Hillier says.

"If there is anywhere that demand exceeded supply, we cover it for them."

It all adds up to an impressive, albeit overdue, military operation of political damage control.

If the next step is to dedicate military burial space for the fallen yet to come, well, the public humiliation heaped on the government by one family will have done a service to our military.

They deserve special dignity in death. Canadian soldiers shouldn't just fade away as just another plot in a sprawling public cemetery.

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Taliban statement seen as major shift

IDNUMBER 200706050154
PUBLICATION: Calgary Herald
DATE: 2007.06.05
EDITION: Final
SECTION: News
PAGE: A9
KEYWORDS: WAR; TERRORISM; BOMBINGS; FOREIGN AID; AFGHANISTAN
DATELINE: KANDAHAR, Afghanistan
BYLINE: Tom Blackwell
SOURCE: CanWest News Service
WORD COUNT: 226

The Red Cross is welcoming a statement by Mullah Omar, the fugitive head of the Taliban, that calls on the humanitarian group to be part of an independent commission on civilian casualties in the Afghan War.

It appears to be Omar's first-ever public mention of an international organization, and is a sign of "movement" in the Taliban's brutal conflict against foreign forces, the Red Cross says.

But on a day that the insurgents allegedly mortared a military hospital set up to help civilians, NATO strongly dismissed the Taliban chief's missive.

"He is a criminal who has caused tremendous suffering to innocent people," said Maj. John Thomas, a spokesman for NATO's International Security Assistance Force (ISAF). "We do not pay attention to calls for investigation from criminals."

Civilian casualties have become a major point of contention in the Afghanistan fighting, with both sides coming under criticism.

Last month, both Amnesty International and Human Rights Watch accused the Taliban of "war crimes" for targeting civilians.

The statement purportedly issued on the Internet by Mullah Omar, acknowledges that the "armed jihadi resistance" against foreign and Afghan government forces is taking a toll on civilians. It notes that both sides blame the other.

The statement accuses Human Rights Watch of bias, but also suggests appointing a group including the Red Cross, independent journalists, Afghan clerics and leaders, to "show who is causing these incidents to the people and to the whole world how to avoid civilian casualties."

Afghanistan benefiting from CIDA, says minister

PUBLICATION: WINNIPEG FREE PRESS

DATE: 2007.06.05

PAGE: A7

SECTION: World Wire

WORD COUNT: 313

CP Wire Stephanie Levitz KANDAHAR, Afghanistan -- If the international community pulls out of Afghanistan, progress made in the last six years will disintegrate, a high-ranking government minister said Monday.

Afghanistan is a country in the position of running around without laces in its shoes, said Mohammad Efhan Zia, minister of rural rehabilitation and development.

The support of Canada and the rest of the world is imperative, he added.

"Our expectation is that international community and the Canadian government and Canadian people who have endured sacrifices and casualties in Afghanistan should not leave the job half done," Zia told reporters at a government guest house in Kandahar.

"I think it is the moral responsibility of the entire international community to help fellow mankind to come out of the vicious cycle of poverty and overcome the threat of terrorism in any part of the world." The Afghan government announced 62 new development projects on Monday, many of which are being funded by the Canadian International Development Agency.

CIDA has come under fire in recent weeks over allegations that its work in Afghanistan is ineffectual. But Zia said the approach of funnelling financial support directly through the Afghan government sets Canada apart from other countries.

"Because of Canadian financial assistance I've been able to start this massive development initiative in the province of Kandahar," he said.

"Canada is helping the government of Afghanistan in the area of security, they are making these efforts on the request of our government and on the request of the people of Kandahar for improving the security situation. They are not taking unilateral decisions here in the country." Zia said the pillar of reconstruction is winning over the insurgency in the southern part of the country, though in the last two weeks Canadian soldiers have been killed in the district of Zhari and the province of Helmand.

-- Canadian Press

Editorial – Khadr trial is derailed

PUBLICATION: WINNIPEG FREE PRESS

DATE: 2007.06.05

PAGE: A10

SECTION: Editorial Leaders

WORD COUNT: 472

Gerald Flood The court trial of Canadian Omar Khadr has ground to halt at Guantanamo Bay, where he has been held for five years by the U.S. for war crimes, but his personal trials grind on. The former should be jump-started so as to mitigate the latter.

In a surprise decision on Monday, a U.S. military judge dismissed on a technicality all terrorism charges against Mr. Khadr, the youngest son of the Ontario Muslim family closely linked to Osama bin Laden's terrorist organization, al-Qaida. It was expected that the trial would begin in confusion about who would represent Mr. Khadr, who was 15 when he was arrested for allegedly throwing a grenade that killed a U.S. soldier. Instead, the judge, Col. Peter Brownback, ruled that he could not hear the Khadr case because legislation passed by the U.S. Congress last year establishing military commissions states they can only try "unlawful enemy combatants." Mr. Khadr, meanwhile, has been listed since 2004 only as an "enemy combatant." The use of the word unlawful is to separate uniformed combatants, who have a right to fight, from non-uniformed combatants, who do not have a right to fight.

The prosecution insisted that it has evidence, including videotape of Mr. Khadr in civilian clothes helping to plant a roadside bomb, to prove that he in fact was acting as an unlawful combatant in Afghanistan, where he was captured in July 2002. But it was unclear exactly how it was going to do so. Judge Brownback ruled his decision will not prejudice future charges, and that the U.S. can continue to hold him indefinitely as an enemy combatant. But where is the prosecution to make its case? The law creating military commissions allows for appeals, but it is in the early days of being implemented and no such appeal body as yet exists.

In the confusion, it was argued that the commissions be scrapped, and perhaps they should be. It has been argued, by U.S. President George W. Bush, no less, that alternatives to "Gitmo" be pursued, such as trying suspected war criminals in the United States or in the country where their alleged war crimes occurred.

Five years after Omar Khadr was arrested and detained by U.S.

authorities, it is wrong that they have not properly established his enemy status and in turn that failure has again delayed his trial. But just as wrong would be to find some way to bargain Mr.

Khadr out of the trying circumstances in which he is being held.

He is charged with unconscionable acts, including murder in violation of the law of war, attempted murder in violation of the law of war, conspiracy, providing material support for terrorism and spying.

None of these charges should be lost or diminished as a result of a legal technicality.