

OPINION: MILITARY

Time to transform Canadian Forces on repatriation from Afghanistan

Parliament should make some significant strategic changes in the governance of our Armed Forces as well as its structures and orientation.



BY MICHEL DRAPEAU

The Canadian mission in Afghanistan will continue until its scheduled end in 2011. By then, the Canadian Forces will have been on a war footing for an unprecedented eight continuous years and approximately 41,000 Canadian Forces personnel will have served in that region. Close to \$20-billion will have been spent to maintain that mission.

On repatriation, the military will require sound and unequivocal direction as to how to retool, restructure and refocus its personnel and equipment assets to meet anew the security needs and priorities of Canada. I have listed below what I consider to be two interrelated axes for changes required to make the CF more responsive to the needs of our society after its historical contribution to the global war on terror through counter-insurgency operations.

First axis: governance

Since 2002, most, if not all of the procurement dollars have been spent to acquire equipment in direct response to the Afghanistan mission. Upon its repatriation, the Army, in particular, will be very much in need of a rest, and in many respects a serious program to rejuvenate its fleet of tanks, armoured personnel and logistics carriers, etc. However, before any such equipment programs can be initiated, there is a need to first reassess the government's defence priorities and then to re-balance the distribution of the procurement dollars between the naval, air and army components.

DND has also a huge 'procurement' bureaucracy. So does PWGSC. Not surprisingly, each of these two bureaucracies has their own set of rules and parochial interests. Yet, together they are deemed incapable of effecting a procurement action within a reasonable timeframe. There is an opportunity to create significant savings and efficiencies by reducing these two bureaucracies into a single defence procurement agency reporting to the minister of National Defence. The sooner the better.

Today, no less than 10 per cent of the CF serves at NDHQ. With the advent of the Afghanistan mission, the then CDS, General Rick Hillier, multiplied and superimposed yet a number of additional command level headquarters, each of which being staffed by another thousand of so officers. Upon the CF's return to a peace environment, it would be totally appropriate to insist that for reasons of economy and efficiency, that these headquarters be eliminated.

The creation of a position of inspector general would provide Parliament with a necessary oversight of all aspects of the military and provide the individual soldier with an independent, impartial, professional, efficient, fair procedure to report instances of abuse of authority/process, cover ups, victimization, to name a few. Moreover, had such a position been in existence during the Afghanistan deployment, Parliament would have been able to rely on this position to investigate the Afghan detainees issue.

Making the Collège militaire royal de Saint-Jean once again a military academy as a full degree-granting university will go a long-way in restoring this institution to its former *grandeur* and offering French-speaking

Canadians an equal opportunity to encourage their sons and daughters to join the Canadian Forces. It would also, once again, provide a required steady source of French-speaking officers to the Canadian Forces.

Second Axis: Looking after our soldiers

In the past few years, the CF has managed to transform the Grievance Board, the Military Police Commission as well as the position of the DND/CF Ombudsman into a haven for retired military officers. Any notion therefore that these organizations can now provide a fresh, outside, independent, civilian and impartial review of either the military

police or grievance functions is illusory. People serving in these organizations should, as a rule, be drawn from civil society.

According to CF studies, no less than 10 per cent of our soldiers are suffering from post-traumatic stress disorder (PTSD). Given that the tempo of operations is likely to remain high until 2011, we will not see a diminution of this already high number anytime soon. Canadians have in high regard the contribution and sacrifices made by military persons and their families. It is urgent to demonstrate our sensitivity to this reality and establish a genuine capacity to deal, in a compassionate way, with these injured veterans.

For all intents and purposes, the existing CF Grievance System is a non-effective bureaucratic carousel mired in bureaucracy in the result that a soldier who submits a grievance about, say, an abuse of power by one

of his superiors, may have to wait, as a minimum, two years before having his grievance adjudicated at the very first level. Soldiers serving the nation, particularly abroad in perilous conditions, and within a hierarchical and highly disciplined organization, deserve better when they seek justice or redress or both.

In closing, I believe that the repatriation of the CF from its mission in Afghanistan should provide Parliament with an ideal opportunity to do three things: allow the CF members and their families a well-earned pause in the tempo of operations; during the pause, which may extend a few years, allow the Armed Forces (regulars and reserves) to concentrate their efforts on recruitment and retention to bring troop levels to that required to meet future contingencies; and allow Parliament to make some significant strategic changes in the governance of our Armed Forces as well as its structures and orientation.

Michel Drapeau is a lawyer who specializes in military law. In his private practice, he deals regularly with grievances and other military administrative law issues, pleads before the Court Martial Appeal Court, teaches military law at the Faculty of Law, University of Ottawa and is a co-author of a legal text Canadian Military Law Annotated. The Hill Times



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