Index

ABDUCTION

Generally, APP E3 § E3:2

ABORIGINAL STATUS

Sentencing, consideration in, § 2:13, § 6:16

ABSENCE WITHOUT LEAVE

Generally, **APP E3 § E3:23, APP E3 § E3:91**

Militia Act (1904), defined in, § 1:6 Service offence, § 2:2, § 2:4, § 2:5, § 4:3 to § 4:6, § 4:8

Visiting forces agreements and, § 1:11

ABSOLUTE DISCHARGE

Generally, APP E3 § E3:164 Military sentence, § 2:13

ABUSE

See also TORTURE OF CIVILIAN DETAINEES

Allegations of abuse of detainees, \$ 3:9, \$ 6:9, \$ 6:10, \$ 8:8, \$ 8:11, \$ 8:16

Detainees, of, § 8:9, § 8:10

ABUSE OF SUBORDINATES

Generally, APP E3 § E3:28

ACCESS TO INFORMATION AND PRIVACY

Information on sexual assaults in military, § 4:19

Release of court martial transcript related to historical pedophile cases in military, § 3:9

ACCOUNTABILITY

Requirement for, from the military, § 1:16, § 3:4, § 3:13

ACTIVE SERVICE

According to statute, § 1:6
Canadian troops placed on, § 1:3,
§ 4:3 to § 4:6

Overseas, § 1:7 to § 1:9

Parliament

requirement to inform regarding, and basis for, § 3:7

ADMINISTRATION OF JUSTICE, OFFENCES AGAINST

Generally, APP E3 § E3:70 to E3:88, APP E3 § E3:161

ADMINISTRATIVE INVESTIGATIONS

Directorate of Special Examinations and Inquiries, § 3:6

Friendly fire, § 7:10

Hateful conduct, § 4:29

Review Services, § 3:6

ADMINSTRATIVE RELEASE FROM CANADIAN FORCES

Generally, § 2:13, § 2:14, § 3:12, § 4:1, § 4:2, § 4:8, § 4:11, § 4:13, § 4:18, § 4:20

AFGHAN INDEPENDENT HUMAN RIGHTS COMMISSION

Access to detainees transferred by Canadians, provided by Theatre Standing Order 321, **§ 8:8**

Report, § 5:18

Visits to places where detainees held, § 8:8, § 8:11

AFGHANISTAN

Capture of Canadian nationals fighting for opposing side, § 6:13

AFGHANISTAN—Cont'd AFGHANISTAN—Cont'd Labbé, Colonel Serge, promotion Casualties civilians, § 5:18, § 6:18 and retroactive pay for compensation and livestock in appropriateness and politics, lieu, paid by Canadians, § 8:16 § 5:18 Logistic support first female Canadian soldier Camp Mirage, § 6:5 killed in combat since Losses, § 4:10 to § 4:15 Gauthier decision, § 4:16 to Military victory unlikely, § 4:10 to § 4:20 § 4:15, § 5:18 relative significance, § 5:18 National security forces trends, § 4:10 to § 4:15 rape of boys at forward operating Character of conflict, § 6:9, § 8:8, bases, involvement in, § 8:16 § 4:28 Civilian control transfer of detainees to, § 8:8 soldiers improperly chastise visit-Offences in ing Minister of National abuse and possible torture of Defence, § 3:4 civilian detainees by Cana-Contractors, § 6:17, § 6:18 dian and allied troops, sug-Deployment of Canadian troops in, gestions of, § 3:9, § 3:13, § 3:7, § 5:18, § 6:9, § 8:4 § 6:9, § 6:10, § 8:11, § 8:16 Joint Task Force 2, § 6:15 rape of boys at forward operating Detainees, § 3:9, § 6:10, § 8:8, bases, board of inquiry re, § 8:11, § 8:16 § 4:28 Parliamentary debate and vote, arrangements regarding, § 8:8, § 3:7, § 5:18 § 8:11, § 8:16 interim theatre standing order Prisoner of war status, withheld from captured fighters, § 6:9, and, § 8:8 § 8:8, § 8:16 Military Police Complaints Com-Ramp ceremonies mission public interest hearno legal or statutory requirement, ing re, § 3:9 Extension of military mission, § 4:14 § 5:18 Refusal of soldier to get out of bed during insurgent attack, § 4:3 Friendly fire incidents to § 4:6 deaths of Canadian troops, § 7:10 Rules of engagement, § 7:6 Independent Human Rights Com-Soldier assaulted and sexually mission violated in, § 4:20 duties with respect to detainee Taliban, talks with, § 6:20 transfer agreements, § 8:11 Task force commander removed for Internal conflict impropriety, § 4:18 claims, § 6:9, § 8:8 Veterans benefits, § 4:11 International Security Assistance Force ("ISAF"), § 3:9, § 6:9, **AFRICA** § 6:10, § 8:8 Defence policy review, Strong, Killing of wounded insurgent after Secure, Engaged, § 5:16, capture, § 7:5, § 8:11 § 5:20

AFRICA—Cont'd

Peacekeeping, § 5:15, § 5:17

AGE DISCRIMINATION

Practised in military, § 2:12, § 4:9

AGENT ORANGE

Exposure to during military training, § 4:11

AGGRAVATING FACTORS ON SENTENCING

Generally, **APP E3 § E3:97 to E3:142**

AGREEMENT ON THE PREVENTION OF INCIDENTS AT SEA (1972)

Origins of rules of engagement, § 7:6

AID TO CIVIL POWER

Canadian Forces, by, § 5:1, § 5:2 to § 5:10

procedures followed, § 5:4, § 5:7 Québec, in, § 5:7

Cold War period, § 1:16

Inter-war period, § 1:9

Minister of Public Safety and Emergency Preparedness, and, § 5:4

National Defence Act, in, § 1:17

Peace officer status, § 5:6

19th century, during, § 1:3

AIR BOARD ACT (1919)

Generally, § 1:9, § 1:10

AIRCRAFT, OFFENCES IN RELATION TO

Generally, **APP E3 § E3:40 to E3:43**

AIR FORCE ACT

British, § 1:10, § 1:13

ALCOHOL

Abuse in military, § 4:12, § 4:13, § 5:18

ALTERNATIVE SERVICE DELIVERY

Contracted civilian support to Canadian Forces, § 6:17, § 6:18

AMMUNITION

See FIREARMS

AMNESTY INTERNATIONAL CANADA

Detainees in Afghanistan, questioning of military handling of, § 3:9, § 6:10

application for judicial review, § 8:11, § 8:16

motion by government to stay proceedings, § 3:9

ANAND, ANITA, MINISTER OF NATIONAL DEFENCE

Transfer military sexual assault cases to civilian law enforcement and criminal courts, § 4:18

ANTHRAX

Probable use in terrorist attack effects, § 5:3

Vaccination against

refusal by Canadian soldiers, § 4:4

ANTI-PERSONNEL LAND MINES CONVENTION (1997)

Applicable to Canadian Forces, § 8:3

Signed in Ottawa, § 8:3

APPEAL

American court of military appeals, § 1:17

Basis for, § 2:14

From

courts martial, § 1:17, § 2:3, § 2:4, § 2:11, § 2:14, § 4:19, § 6:9, § 8:10, § 8:16

prospects for success, § 2:14 summary trial, § 2:11

APPEAL—Cont'd

Minister of National Defence, role of, § 2:2

Standing Senate Committee on Legal and Constitutional Affairs recommendations re, § 2:14

Trial by jury, § 2:7, § 2:11, § 2:14

APPEALS

Against disposition, APP E3 § E3:185

Against severity of sentence, APP E3 § E3:183

By minister, APP E3 § E3:175
By person tried, APP E3 § E3:174
Disposition of, APP E3 § E3:178

Effect of joint submissions, APP E3 § E3:174

Fresh evidence on sentence appeal, APP E3 § E3:174

From order, APP E3 § E3:176 Indirect consequences of conviction, APP E3 § E3:174

Interpretation, APP E3 § E3:173
Other rights preserved, APP E3
§ E3:177

Powers of Court Martial Appeal Court, APP E3 § E3:178, APP E3 § E3:190

Setting aside illegal sentence, APP E3 § E3:182

Standard of review, APP E3 § E3:174

Substitution of finding, APP E3 § E3:179

Substitution of sentence, APP E3 § E3:182, APP E3 § E3:188

ARCTIC

Military presence in, § 5:9, § 6:16

ARMED FORCES

Appropriate behaviour, § 4:1, § 4:2, § 4:20, § 6:9, § 6:10, § 7:1 to § 7:3, § 8:10, § 8:16

Budgeting, § 3:7, § 3:8

ARMED FORCES—Cont'd

Civilian grievance board, § 3:10 Cold War, § 1:15 to § 1:18, § 2:2

Contractors, § 6:17, § 6:18

Courts martial, jurisdiction over, § 2:11

Deployment, § 1:22, § 3:2

Disagreement with superiors, § 4:8

Drug testing, compulsory, § 2:2

Hateful conduct, § 4:29

Indoctrination of soldiers, § 2:2 Integration of armed services,

§ 1:16, § 1:18, § 1:19 to

§ 1:22 Knowledge about, among parliamentarians, § 3:7

Law of Canada, subject to, § 2:3, § 2:4, § 7:1 to § 7:3

Leadership

insolence shown toward civilian control and subordination, § 3:1

Medical and religious personnel, **§ 6:19**

war crimes against sinking of hospital ship "Llandovery Castle," § 8:13

Professional, § 6:1, § 6:6, § 6:7 Public trust, judicial intervention when military exceeds, § 3:13

Purpose of, § 1:16, § 1:23, § 3:2 Rearmament, § 1:11, § 1:18 Size of, § 1:16, § 1:18, § 1:20, § 1:22, § 1:23, § 2:2

Social change, response to, § 4:1, § 4:2

Special forces, § 6:14 to § 6:16
Targeting, § 7:9 to § 7:11, § 8:1
Technology and material needs,
§ 1:17

Tyranny, potential for, § 3:1 Unions within, § 4:5

War crimes and serious breaches of Law of Armed Conflict, § 8:1, § 8:9 to § 8:11

ARMED FORCES-Cont'd

War crimes and serious breaches of Law of Armed Conflict, § 8:1, § 8:9 to § 8:11—Cont'd § 8:15 to § 8:17 prosecution of, § 8:13, § 8:14

ARMY

See CANADIAN ARMY

ARMY ACT

British, § 1:5 to § 1:10, § 1:12, § 2:11

ARREST

Military context, in, § 2:9 Resisting, § 2:9 Warrants, § 2:9

ARTICLES OF WAR

British, § 1:3, § 2:10

ASSAULT

Civil offence of, APP E3 § E3:70 to E3:88

Of a superior officer, APP E3 § E3:17

ASSISTING ESCAPE

Generally, APP E3 § E3:33

ATTEMPT

Generally, **APP E3 § E3:3, APP E3 § E3:95**

ATTENDANCE AT COURT MARTIAL

Generally, **APP E3 § E3:97 to E3:142**

ATTORNEY GENERAL

Generally, APP E3 § E3:89

AUDITOR GENERAL OF CANADA

Defence issues, consideration of, § 3:1, § 3:8

National defence audit team, § 3:8 audits and reports, § 2:11, § 3:8

AUDITOR GENERAL OF CANADA—Cont'd

National defence audit team, § 3:8
—Cont'd

report on administration of military justice, § 2:11, § 3:8

report on military justice, § 2:11 New Veterans Charter, proposed investigation into, § 4:11

Office of, § 3:8

Officer of Parliament, § 3:8

Role and function

civilian oversight, § 3:8

national defence, § 3:8

Time standards, military justice, APP D § D:8, § 3:8

Work of, § 3:8

AUTOMATION

Acquisition of military targets, § 7:9 to § 7:11

AUTOMATISM

Aggravating circumstance in cases of sexual assault in military, § 4:18

BALKANS, MILITARY OPERATIONS IN

Canadian participation, § 6:3 Rules of engagement, § 7:6

BALLOTING

Militia, in, § 1:3

BERNATCHEZ, COMMODORE GEVEVIEVE, JUDGE ADVOCATE GENERAL

Generally, § 2:11

BIAS

Apprehension of, on part of military judges as past prosecutors, § 2:12

BILLETING OFFENCES

Generally, APP E3 § E3:56

BOARD OF INQUIRY

Directorate of Special Examinations and Inquiries, § 3:6

Haiti, abuse of civilian detainees by Canadian soldiers in, § 8:10

Inquiries

Afghanistan

alleged rape of boys at forwarding operating bases in, § 4:28

detainees in, § 8:16

handling of, § 6:9, § 6:10, § 8:8, § 8:11, § 8:16

friendly fire incidents, § 7:10 Somalia, significant incidents in, § 1:23, § 8:16

Limits in scope and jurisdiction, § 2:9

Militia Act (1868), in, § 1:3 Review Services, § 3:6

BOER WAR

See SOUTH AFRICAN WAR

BORDEN, FREDERICK

Minister of Militia and Defence, § 1:5, § 1:6

disagreements with British generals, § 1:6

lost seat in 1911 federal election, § 1:6, § 3:4

Militia Act, introduction of, § 1:6

BORDEN, PRIME MINISTER ROBERT

Conscription, § 1:8

BOSNIA-HERZEGOVINA

Canadian deployment to, § 5:16, § 5:18, § 6:3

BREACH OF TRUST

Generally, **APP E3 § E3:70 to E3:88**

BRITISH COLUMBIA CIVIL LIBERTIES ASSOCIATION

Detainee transfer arrangements in Afghanistan, legal challenge

BRITISH COLUMBIA CIVIL LIBERTIES ASSOCIATION

-Cont'd

to, § 3:9, § 8:11, § 8:16

BRITISH NORTH AMERICA ACT, 1867

Generally, § 1:2, § 1:3, § 1:15 to § 1:18, § 3:7

BYERS, MICHAEL (POLITICS PROFESSOR, UNIVERSITY OF BRITISH COLUMBIA)

Letter sent to International Criminal Court as to responsibility of General Rick Hillier and Minister of National Defence Gordon O'Connor for transfer of detainees to torture, § 8:11

CABINET

Consultation over military affairs, § 1:10, § 1:15 to § 1:18, § 1:24, § 3:1, § 3:3, § 3:4

Defence

committee, § 1:16

procurement, § 3:2

representation, § 1:19 to § 1:22

National defence

role in, § 3:3

standing of, in, § 1:16, § 3:3, § 3:4

Priorities and Plans Committee, § 3:3

Transfer of counter-terrorism role from Royal Canadian Mounted Police to Canadian Forces, § 6:15

CADETS

Compensation for injury, § 3:11, § 4:11

Harassment, § 4:29

Sexual assault, § 4:18

CAMPBELL, KIM

Labb?, Colonel Serge, promotion of, § 8:16

CAMPBELL, KIM—Cont'd

Minister of National Defence, § 1:23

Prime Minister, § 1:23

CAMPNEY, RALPH

Chair of special parliamentary committee to consider Bill-133, § 1:17

Minister of National Defence, § 1:18

lost seat in 1957 federal election, § 1:18

CANADA

Arctic, § 5:9, § 6:16

Child soldiers, § 6:9.50

Civilian control over military, § 3:1, § 3:2

Collective bargaining, extension to military, § 4:5

Continental defence, § 5:10

Control over own military affairs,

§ 1:11, § 1:16, § 2:11

Defence of, § 1:9, § 1:11, § 1:16, § 5:1, § 5:9

Defence policy, § 1:18

Defence policy review, Strong, Secure, Engaged, § 5:16, § 5:20, § 7:9 to § 7:11

Domestic terrorism, § 4:29, § 5:8

Federal budget, § 3:8

International law, adherence to, § 3:9, § 6:1, § 6:6, § 6:7,

§ 6:9, § 6:10, § 6:13, § 6:19, § 7:3, § 7:4, § 8:1, § 8:2 to

§ 8:11, § 8:14, § 8:15 to

§ 8:17

International operations, § 5:11 to § 5:20

Iraq, involvement in, § 5:20

Maritime boundaries and responsibilities, § 6:12

Middle power, § 1:1 to § 1:6, § 5:1, § 5:11 to § 5:20

Military threat, lack of direct, § 1:23

CANADA—Cont'd

Nationals fighting on opposing side attitude of government, § 6:13

Nationhood, sense of, § 1:8

Parliament, § 3:7

Prime Minister, § 3:3

Responsibility to protect, § 8:1, § 8:4

Rules of engagement, § 7:1 to § 7:3, § 7:6

Sea power, reliance on exercise of, § 3:2

seaward defence, § 1:9

Social change, § 4:1, § 4:2

Soldiers in, § 2:2

Sovereignty, § 5:2 to § 5:10

Status of forces agreements, § 6:2 to § 6:5

Unions within the military, § 4:5

United States, co-operation with, § 5:1, § 5:10

United States involvement in southeast Asia and, § 2:2

Visiting forces, § 6:2 to § 6:5

CANADA COMMAND

("CANCOM")

See also CANADIAN JOINT OPERATIONS COMMAND ("CJOC")

Aid to civil power, § 5:4

Assistance to provincial and territorial law enforcement, § 5:5

Counterpart to Canadian

Expeditionary Force Command, § 5:11 to § 5:20

Domestic operations, role in, § 5:2 to § 5:10

Peace officer status, § 5:6

Rules of engagement, § 7:6

CANADIAN ARMY

Airborne regiment

disbanded by ministerial direction, § 6:14 to § 6:16

Armed services, § 1:17

CANADIAN ARMY—Cont'd

Cold War roles, § 1:18

Labbé, Colonel Serge

promotion and retroactive pay for appropriateness and influence of senior military leadership, § 8:16

Proud Boys, § 4:29

summary punishment in, § 2:1

CANADIAN BAR ASSOCIATION

Code of Professional Conduct application to military lawyers, § 2:8 to § 2:14

Concerns over lack of legal representation in summary hearings, § 1:27

National military law section, § 2:11

brief to Chief Justice Lamer's first five-year review, § 2:11 insights into background of military judges, § 2:11

CANADIAN BILL RIGHTS

Application to military, § 2:3
Introduced by Diefenbaker government, § 1:18

CANADIAN BORDER SERVICES

Responsibilities, § 5:3

CANADIAN CHARTER OF RIGHTS AND FREEDOMS

Association, freedom of, as basis for military unions, § 4:5 see also COLLECTIVE BARGAINING IN MILITARY

Canadian Forces grievance process and, § 4:5

Detainees in Canadian military custody, application to, § 8:11

Enforcement of retirement age for military judges, § 2:12

Extra-territorial application of detainees, re, § 8:11 targeting, re, § 8:11

CANADIAN CHARTER OF RIGHTS AND FREEDOMS —Cont'd

Freedom of expression and hateful

conduct, § 4:29

Homosexuality and, § 4:22 policy on homosexuality, § 4:2

Military justice

compatibility with working of, § 1:24, § 2:3, § 2:4

impact on, § 1:24, § 1:25, 2:4, § 2:5, § 2:10, § 2:11, § 3:13

Military operations and, § 8:3, § 8:11

Protections, § 2:9

Reasonable excuse

refusal of vaccination and, § 4:4

Trial by judge and jury, § 2:7, § 2:11, § 2:14, § 4:19

Women in the Canadian Forces, § 4:16 to § 4:20

CANADIAN COAST GUARD

Responsibility for hydrography, § 5:3

CANADIAN CORPS

France, in, § 1:7 to § 1:9

CANADIAN EXPEDITIONARY FORCE

First World War, in, § 1:7 to § 1:9

CANADIAN EXPEDITIONARY FORCE COMMAND ("CEFCOM")

See also CANADIAN JOINT OPERATIONS COMMAND ("CJOC")

International operations, purview over, § 5:11 to § 5:20

Rules of engagement and, § 7:6, § 8:8

CANADIAN FORCES ("CF")

Generally, § 1:15 to § 1:18, § 1:22 to § 1:24, § 2:1 to § 2:14, § 3:4, § 3:7 to § 3:9

CANADIAN FORCES ("CF") CANADIAN FORCES ("CF") -Cont'd -Cont'd Active service, put on, § 3:7 Collection of information on Administrative investigations Canadians, § 5:2 to § 5:10 Crown, relationship of members to, see ADMINISTRATIVE **INVESTIGATIONS § 4:8** Defence policy review, Strong, Administrative release from, § 2:14, § 3:12, § 4:8, § 4:11, § 4:13 Secure, Engaged, § 5:16, § 5:20, § 7:9 to § 7:11 Afghanistan Deputy Minister of National civilian deaths caused by allied Defence, § 1:10, § 1:16 to forces, § 5:18 § 1:18, § 3:5 killing of children, § 5:18 Directions and doctrine policy on paying compensation evade capture, § 8:6 or livestock in lieu, § 5:18 Disagreement with superiors, § 4:8 detainees, § 8:7, § 8:8, § 8:11 policy toward, § 3:9, § 6:9, Discharge § 6:10, § 8:8, § 8:11, sexual deviation, for, § 4:21 to § 8:16 § 4:23 Doctrine killing of wounded insurgent after capture, § 7:5, § 8:11 Child soldiers. § 6:9.50 losses, § 4:10 to § 4:20 Domestic operations, § 5:2 to military efforts in, § 5:18, § 6:19 § 5:10, § 7:6 to § 7:8 withholding of prisoner of war peace officer status, § 5:6 status to captured fighters, Drugs, attitudes in military toward, § 6:9, § 6:10 § 2:2, § 2:13 Anti-personnel land mines, § 8:3 Employment/labour/staff relations Assistance to provincial and territolegislation, excluded from, rial law enforcement, § 5:5 § 4:5 FLQ crisis, use during, § 5:7 Bases acquisition of federal land, § 3:7 Force, use of, § 7:1 to § 7:3 Freedom of association within, controlled access to, § 6:13 § 4:5 Boards of inquiry Freedom of speech within, § 4:8 see BOARD OF INQUIRY Budget cuts, § 3:2 Friendly fire incidents, § 7:10 Gender integration, § 4:16 to § 4:20 Canadian Forces Employment Grievance Board, § 3:10, § 4:8 Equity Regulations, § 4:7, § 4:8 Haiti Canadian nationals found fighting abuse of civilian detainee by against, § 6:13 Canadian soldiers, § 8:10 Canadian Rangers, § 5:9, § 6:16 Hateful conduct, § 4:29 Child soldiers, § 6:9.50 Homosexuality Civilian control over, § 3:1, § 3:2 policy and acceptance, § 4:21 to Civilian society, relation to, § 2:2 § 4:23 Collection of domestic intelligence, Injury to cadets, compensation for, § 5:2 to § 5:10 § 3:11, § 4:11

CANADIAN FORCES ("CF") CANADIAN FORCES ("CF") -Cont'd -Cont'd Insurance within, § 4:11 Pornography in, § 4:25 to § 4:28 Iraq, Canadian military involvement —Cont'd in, § 5:20, § 6:10, § 6:13, punishment, § 4:26, § 4:27 § 7:10 Post-traumatic stress disorder, Judge Advocate General, § 2:8 to § 4:6, § 4:12 § 2:14, § 6:9 Priorities, § 1:22 Kosovo, Canadian air operations in, Prisoners of war, § 8:6 to § 8:8 § 7:9 to § 7:11 Procurement Labbé, Colonel Serge, promotion capabilities-based planning, § 3:8 and retroactive pay for Proud Boys, § 4:29 appropriateness and influence of Public Servants Invention Act, senior military leadership, applicability to, § 5:3 § 8:16 Purpose of, § 1:24, § 2:2, § 5:1 unequal treatment given other § 5:2 to § 5:10 officers tarred with Somalia, Quality of life initiatives, § 3:8, § 8:16 § 4:5 Law of Armed Conflict, dissemina-Release of information related to tion of, § 7:4, § 7:5, § 8:17 historical pedophile cases in Legalization cannabis, § 2:2 military, § 3:9 Liabilities of service, § 4:7, § 4:8 Removal of senior officers from Management and direction, § 3:7 positions on allegations of Minister of National Defence, sexual misconduct, § 4:17 § 3:4 Reservist job protection, § 4:6 Mandatory retirement, § 4:9 Response to sexual misconduct Mental disorder, defence in cases of strategy, § 4:17 sexual assault, § 4:18 Responsibility to protect, § 8:1, Military judges, § 2:11 to § 2:13 § 8:4 Military justice system, § 1:25, Rules of engagement, § 7:1 to § 2:8 to § 2:14 § 7:3, § 7:6 to § 7:8 Military ombudsman, § 3:11 Rwanda, actions and decisions of Nationals evacuation, § 5:12 Major-General Romeo Dallaire in, § 7:12 Obligations of service, § 4:8 Sabotage, § 4:23 Oka, deployment in support of pub-Self-defence, § 7:8 lic order at, § 5:7, § 7:8 Operational planning process, § 5:2 Sex and gender, § 4:2 to § 5:10, § 7:6 Sexual assault Operational requirements, § 1:24, appeals, § 2:11, § 2:14, § 4:19 § 4:7, § 4:8, § 7:6 publicity given, § 4:19 Peacekeeping, § 8:4, § 8:10 punishment, § 4:19 Chapter VI, § 5:14 referral of charges to civilian Pension For Life (PFL), § 4:11 authorities, § 4:17 Physical standards, § 4:7 to § 4:8 transfer of sexual assault cases to Pornography in, § 4:25 to § 4:28 civilian law enforcement child, § 4:28 and criminal courts, § 4:18

CANADIAN FORCES ("CF") -Cont'd Sexual harassment, § 4:17 Somalia, § 5:16, § 6:9, § 6:14 to § 6:16, § 7:4 to § 7:6, § 8:9, § 8:10 Special forces, § 6:14 to § 6:16 Spousal abuse in, § 4:24 Status of forces, § 6:1, § 8:2 to § 8:11 combatants, § 6:7, § 6:9, § 6:10, § 8:2 to § 8:11 Suicide within, § 4:13 Superior orders, § 8:17 Support to federal law enforcement, § 5:8 Time standards, military justice, APP D § D:8, § 2:7, § 2:9 to § 2:11, § 3:8 Torture, § 8:9 to § 8:11 Unification of, § 1:19 to § 1:22 Unions within, § 4:5 United Nations missions, § 5:14, § 5:16 Congo, § 5:17 Darfur, § 5:16 Eritrea and Ethiopia, § 5:15 United States military forces, augmentation of, § 3:3 Vaccination, § 4:4 Victims' rights, § 1:27 War crimes, § 8:11, § 8:13, § 8:14 command responsibility, § 8:14, § 8:15 to § 8:17 Women in, § 4:16 to § 4:20 Wounded, sick and shipwrecked, treatment of, § 8:5

CANADIAN FORCES CODE OF CONDUCT

Mercy killing, § 7:5 Promulgation of, § 7:4, § 7:5

CANADIAN FORCES GRIEVANCE BOARD

See also MILITARY GRIEV-ANCES EXTERNAL

CANADIAN FORCES GRIEVANCE BOARD

-Cont'd

REVIEW COMMITTEE

Changes to, § 3:10

Civilian oversight, § 3:1

Composition of, § 3:10

Independence of, § 3:10

Quasi-judicial functions, § 3:10

Recommendations to Chief of the

Defence Staff, § 3:10

Types of grievances limited to review of, § 3:10

CANADIAN FORCES LIAISON **COUNCIL**

Job protection for military reservists and, § 4:6

CANADIAN FORCES MEMBERS AND VETERANS RE-ESTABLISHMENT AND COMPENSATION ACT (2005)

Disabled soldiers, provisions for, § 4:11

Family and survivors of dead soldiers, benefits accruing to, § 4:15

CANADIAN FORCES NATIONAL INVESTIGATION SERVICE

Charges laid against Chief Military Judge, § 2:11, § 2:12

Independence of, § 2:9

Investigations

death of children in Afghanistan, § 5:18

referrals from Directorate of Special Examinations and Inquiries, § 3:6

torture and abuse of detainees. § 8:11

Investigative functions in criminal matters, § 2:9

Powers to lay charges, § 2:9

CANADIAN FORCES OMBUDSMAN

See MILITARY OMBUDSMAN

CANADIAN FORCES PROVOST MARSHAL

Head of military police, § 2:9, § 3:9 Proposed statutory authority, § 1:26

CANADIAN FORCES REORGANIZATION ACT (1967)

Generally, § 1:21
Background and passage of, § 1:21

CANADIAN FORCES SUPERANNUATION ACT

Pensionable service, § 4:9 Supplementary death benefit, § 4:15 Survivor benefits, § 4:15

CANADIAN HUMAN RIGHTS ACT

Age discrimination, § 4:9
Disability
challenge to release for epilepsy,
§ 4:7, § 4:8
Sexual orientation, § 4:22

CANADIAN HUMAN RIGHTS TRIBUNAL

Military and discrimination claimed, § 4:7, § 4:8

Women in military
Gauthier decision, effect of,
§ 4:16 to § 4:20
sexual harassment, § 4:17

CANADIAN JOINT INCIDENT RESPONSE UNIT

Deployment of, § 5:3

CANADIAN JOINT OPERATIONS COMMAND ("CJOC")

Amalgamation of headquarters and staffs, § 5:2 to § 5:20
Collection of domestic intelligence, § 5:2 to § 5:10

Continental defence, § 5:10 Domestic operations, § 5:2 to § 5:10

CANADIAN JOINT OPERATIONS COMMAND ("CJOC")

—Cont'd

Humanitarian assistance, § 5:13
International operations, § 5:11 to
§ 5:20

CANADIAN RANGERS

Home defence, § 6:16 Roles and function, § 6:16 Sovereignty work, § 5:9, § 6:16

CANADIAN SECURITY ESTABLISHMENT

Generally, § 3:14

CANADIAN SECURITY INTELLIGENCE SERVICE

Responsibility of, § 5:3

CANADIAN SPECIAL OPERATIONS FORCES COMMAND

Establishment of, § 6:15

CANADIAN VICTIMS BILL OF RIGHTS

Military's Declaration of Victims Rights modelled upon, § 1:27

CANADIANS

Attitudes toward defence, § 1:1 to § 1:6

CANNABIS

Policy after legalization, § 2:2

CAPTURE OF CANADIAN SOLDIERS BY ADVERSE PARTY

Expected treatment, § 6:10

CARTIER, MINISTER OF MILITIA AND DEFENCE GEORGE-ETIENNE

Generally, § 1:3
Canada's first defence Minister,
§ 1:3

CASE REPORTING, COURTS MARTIAL AND APPEALS

Generally, § 2:12

CASUALTIES AND LOSSES

Afghanistan, in, § 4:10 to § 4:15, § 5:18

First World War, in, § 1:8 Iraq, in, § 7:10

CATHCART, COLONEL BLAISE

Testimony before standing senate committee on legal and constitutional affairs general court martial panels, re, § 2:11

CATTANACH, JUSTICE ANGUS

Observations on military law, § 2:3

CEASEFIRES

Plenipotentiaries, role of, § 6:20 United Nations, brokered by, § 5:15

CHARGES

Against Chief Military Judge, § 2:11, § 2:12 Authority to lay, § 2:9 Basis for, § 2:9 Charge sheet, § 2:9 Formal accusation, § 2:9, § 2:10 Wording of, problems with, § 2:9

CHARTER

See CANADIAN CHARTER OF RIGHTS AND FREEDOMS

CHIEF MILITARY JUDGE

Appointment of, § 2:11
term and tenure of, § 2:11
Canadian Forces Employment
Equity Regulations and, § 4:7,
§ 4:8
Chief Judge Advocate, predecessor

of, § 2:12 Courts martial

case reporting system, § 2:11, § 3:8

closed proceedings, § 6:15

CHIEF MILITARY JUDGE

—Cont'd

Disciplinary action against, § 2:11, § 2:12

Military Judges Review Committee, § 2:12

Publication bans and, § 4:19

Removal, § 2:12

Retirement age, § 1:26, § 2:11, § 2:12

Review, powers of, § 2:14

Statistics and information, requirement for annual reporting of, § 2:11, § 3:8

Trial by court martial, § 2:12

CHIEF OF THE DEFENCE STAFF

Commands that report to, § **5:2 to** § **5:20**

JTF2, § 6:15

Criticism of government and policy, § 3:4

Defer registration of convicted sex offenders, § 4:19

Deputy Minister of National Defence, relations with, § 3:5

Judge Advocate General and, § 2:8 to § 2:14, § 6:9

Labbé, Colonel Serge, promotion and retroactive pay for appropriateness and act of General Rick Hillier, § 8:16

Mandated vaccinations against COVID-19 virus, § 4:4

Military Police Complaints Commission, recommendations from, § 3:9

Minister of National Defence relationship with, § 1:20, § 3:1, § 3:2, § 3:4

subordination to, § 3:2, § 3:4 successor, choosing of, by, § 3:4 upstaging of Minister by, § 3:4

Position, § 1:15 to § 1:22

Prime Minister

misleading assurances to, § 8:4

CHIEF OF THE DEFENCE STAFF —Cont'd

Prime Minister—Cont'd subordination to, § 3:2, § 3:4 successor, choosing of, by, § 3:4

Removal of, § 3:4

Review Services, § 3:6

Role of

defence policy, representing public face of, § 3:4

detainee agreements, § 8:8, § 8:11

Afghanistan, policy toward detainees in, § 3:9, § 6:9, § 8:8, § 8:11

domestic operations, initiating action for, § 5:2 to § 5:10 assistance to provincial and territorial law enforcement, § 5:5

terrorist attack, § 5:3

unrest or riot at federal prisons, § 5:3

enforcement of universality of service principle, § 4:7 to 8 4-8

grievances, handling of, § 1:25, § 3:10

homosexuality, directed policy change regarding, § 4:22

proper roles, § 3:4

self-defence, restrict soldiers' right of, § 7:8

shoot-down authority, § 7:11

Rules of engagement, § 7:1 to § 7:3, § 7:6

Sexual harassment and sexual assault, report on, § 4:17

Speaking out against, § 4:8

Subordination to Prime Minister and Minister of National Defence, § 3:2, § 3:4

Successor

purview of Prime Minister and Minister of National Defence to select, § 3:4

CHIEF OF THE DEFENCE STAFF —Cont'd

Summary trial, § 2:10

Vance, General Jonathan, pleads guilty to obstruction of justice, § 3:4

CHIEFS OF STAFF COMMITTEE

Replacement of, § 1:18, § 1:20

CHILD ABUSE

See also CHILDREN
Attempt to undermine credibility of

witness, § 4:19 CHILD PORNOGRAPHY

Generally, **APP E3 § E3:70 to E3:88**

CHILD SOLDIERS

Vancouver Principles, § 6:9.50

CHILDREN

Abuse of, § 4:28

Afghanistan

allegations of rape of, in, § 4:28 death of, at hands of Canadian troops in, § 5:18

Used as soldiers, § 6:9, § 6:13

CHILDREN OF DECEASED VETERANS EDUCATION ASSISTANCE ACT

Subsidized university education for children of dead Canadian soldiers, § 4:15

CHRETIEN, PRIME MINISTER JEAN

Defence

attitude toward national, § 3:2

policy, § 1:24

review, § 1:23

Operation "Enduring Freedom," deployment of Canadian military forces to, § 3:7

Somalia public inquiry, establishment of, § 1:23

CIVIL COURTS

Absolute discharge, § 2:13
Military law's relationship to,
§ 1:15 to § 1:18, § 1:23,
§ 1:24, § 2:1 to § 2:7, § 3:13

Military offences and, § 1:17, § 4:2 Prosecution in foreign countries, § 6:1, § 6:3, § 6:5

Spousal abuse, § **4:24**

Trial of

mercenaries, § 6:11

spies, § 6:13

traitors, § 6:13

Vance, General Jonathan, pleads guilty to obstruction of justice, § 3:4

CIVIL DEFENCES

Generally, APP E3 § E3:4

CIVILIAN CONTROL OVER THE MILITARY

Generally, § 3:1, § 3:2

Assertion by political Minister, § 1:6, § 3:2

Canada and, § 3:1, § 3:2

Cuban Missile Crisis, during, § 1:18

Deputy Minister of National Defence, § 3:5

Militia Act (1904), as impetus to, **§ 1:6**

Minister of National Defence, § 1:10, § 3:2

Parliament, § 1:17

limited authority and influence, § 3:7

Role of personality, § 3:2 Statutory basis, § 3:2

CIVILIAN LEGAL COUNSEL

Access to detained or arrested soldiers, § 2:9

Obtained at own expense during summary trial, § 2:10

Presence when interviewed by military police, § 2:9

CIVILIAN OVERSIGHT

Auditor General and defence audit team, § 3:8

Canadian Forces Grievance Board, § 3:10

Communications Security
Establishment Commissioner,
§ 3:14

Deputy Minister of National Defence, § 3:5

Federal courts, § 3:13

Independent bodies, § 3:1, § 3:9

Military, over the, § 3:1, § 3:9

Military ombudsman's complaints, § 3:11

Military Police Complaints Commission

model body, § 3:9

National security and intelligence, § 3:14

Review Services, § 3:6

Role of

civilian judges, § 3:13

Minister of National Defence, § 3:4

Royal Commissions and public inquiries, § 3:12

CIVILIANS

Anti-personnel land mines, and ban on, § 8:3

Armed, § 6:8 to § 6:13, § 6:16, § 8:6, § 8:8

Canadian Forces Grievance Board, members of

outreach to armed forces, § 3:10 Child pornography charges against defence employees, § 4:26

Child soldiers, § 6:9.50

Contractors, § 6:17, § 6:18

Courts martial

appeal to higher courts with civilian judges, § 2:14, § 3:1, § 3:13

counsel at, § 2:8 to § 2:14

CIVILIANS—Cont'd CIVILIANS—Cont'd Courts martial—Cont'd War and—Cont'd trial of, by special general court Law of Armed Conflict, recognimartial, § 2:11 tion under, § 8:2 to § 8:11 Deaths methods used against in South Afghanistan, in, § 5:18 African War, § 1:5 proportionality, principle of, payment of compensation and § 7:3, § 7:9 to § 7:11 livestock in lieu, § 5:18 Darfur region of Sudan, in, protection of § 5:16, § 8:4 international law, under, § 8:1, § 8:2 to § 8:11 Rwanda genocide, § 7:12 responsibility for, § 8:4 shoot-down of hijacked commercial aircraft, in event of, treatment of, § 7:2 § 7:11 CIVIL JURISDICTION Deputy Minister of National Generally, APP E3 § E3:2 Defence and, § 3:5 Transfer of military sexual assault Detainees, § 1:23, § 8:8 cases to civilian law enforce-Afghanistan, handover in ment and criminal courts, possible torture, to, investiga-§ 4:18 tion of, § 3:9, § 3:13, CIVIL JURISPRUDENCE § 8:8, § 8:11 suggestions of impropriety, Military law, relation to, § 2:1 to § 2:7, § 2:11, § 3:13 § 3:9, § 3:13, § 8:8, § 8:11 **CIVIL-MILITARY RELATIONS** Haiti, abuse in, § 8:10 Civilian control over military, as Direction of defence policy and distinct from, § 3:2, § 3:4 armed forces, § 3:2 **CIVIL OFFENCES** Inter-departmental and inter-agency Child pornography, § 4:28 accompanying civilians, § 6:18 Indecency, § 4:24 Limit casualties among, § 7:3, § 7:7 Treason and high treason, § 6:13 to § 7:11 Mandatory retirement among, § 4:9 foreign countries, in Military service and, § 1:1 to § 1:9, military given jurisdiction, § 1:12, § 1:15 to § 1:18, § 2:1 to § 2:7, § 2:10 § 6:3, § 6:5 valid federal objective, § 2:3 Rights as citizens, § 2:2 Trial by jury, § 2:7 Vancouver Principles, § 6:9.50 War crime-like offences, § 8:14 Victims during military operations, § 4:18, § 5:18, § 8:8 to § 8:10, CIVIL OFFENCES, SERVICE § 8:16 TRIAL OF War and Generally, APP E3 § E3:70 to E3:88, APP E3 § E3:94 Afghanistan, losses in, § 4:10 to CIVIL TRIAL CONVICTIONS, collateral damage, § 7:3, § 7:9 to FACTOR ON SENTENCING § 7:11 Generally, APP E3 § E3:97 to

E3:142

journalists, § 6:10

CLAUSEWITZ, CARL (MILITARY STRATEGIST)

International law, comments on, § 7:2

War as politics by other means, § 3:2

CLAXTON, MINISTER OF NATIONAL DEFENCE BROOKE

in, § 1:18

Generally, § 1:16 to § 1:22 Korea, toured theatre of operations

National Defence Act (1950), impetus behind, § 1:16

Stewardship over defence legislation, § 1:17

COAST GUARD

See CANADIAN COAST GUARD

CODE OF SERVICE DISCIPLINE

Application of, § 1:18, § 2:2, § 2:10, § 2:11

Changes to, § 1:23

Hateful conduct, § 4:29

National Defence Act, part of,

§ 1:16, § 1:17

Offences against, § 2:9, § 7:5

Precursors to, § 1:14

Sentencing, § 2:13

Usefulness of, § 1:23

Victims' rights, § 1:27

COGNATE OFFENCE

Generally, **APP E3 § E3:91 to E3:96**

COLD WAR

Armed hostilities, likelihood of, § 1:16

Defence arrangements during, § 1:16 to § 1:18, § 1:22

Discipline during, § 2:2, § 2:11

Ending, § 1:22

Standing military forces, § 1:15 to § 1:18, § 2:2, § 6:2 to § 6:5

Visiting forces, § 6:2 to § 6:5

COLLATERAL DAMAGE

Civilian casualties during military operations, § 7:3, § 7:9 to § 7:11

COLLECTIVE BARGAINING IN MILITARY

Appropriateness of, § 4:5 Attempts to gain, § 4:5

Public service rights and, § 4:5

Royal Canadian Mounted Police example and, § 4:5

COLLECTIVE SECURITY

Canadian involvement, § 1:15 to § 1:22, § 2:2

COLLENETTE, MINISTER OF NATIONAL DEFENCE DAVID

Generally, § 1:23

COMBATANTS

Handover of, to Americans by JTF2, § 6:15

Prisoners of war, § 8:6

Status, § 6:1, § 6:6 to § 6:13, § 8:2 to § 8:11

extension beyond professional armed forces, § 6:7 special forces, § 6:15

COMMAND

Allied air forces, in relation to, § 1:13

And control, § 1:7 to § 1:9, § 1:12, § 2:2, § 3:9, § 7:6

Authority of, and summary trial, § 2:10

British officers in Canada, § 1:3, § 1:4, § 1:6

British powers over Canadian troops and forces, § 1:7 to § 1:9, § 1:12

Canadian command over the militia, § 1:6

Canadian navy, in, § 1:9

Canadians under American, § 1:18

COMMAND—Cont'd

Chain of, § 2:8 to § 2:14, § 3:2 allegations of child abuse, acting upon, § 4:28

Canadian Rangers, followed in, § 6:16

criticism of, by non-commissioned members, § 4:8

influence, § 2:10

part of status, § 6:6 to § 6:7 responsibility, § 8:15 to § 8:17 separation of military judges

from, § 2:11

Lawful

imperative to follow, § 7:11, § 7:12

National contingents, over, § 1:5 Operational, § 1:4, § 1:12, § 5:2 to § 5:20

COMMAND RESPONSIBILITY

Child soldiers, § 6:9.50

Elements comprising

Canadian perspective, § 8:15 to § 8:17

Test of reasonableness, § 8:15 to § 8:17

War crimes and, § 8:1, § 8:14, § 8:15 to § 8:17 superior orders, § 8:17

COMMISSIONS OF INQUIRY

See also ROYAL COMMISSIONS Military affairs and the armed forces, looking into, § 3:1,

COMMON INTENTION

Generally, APP E3 § E3:3

COMMONWEALTH

§ 3:12

Air training plan, § 1:13

Korea, forces in, § 1:18

Military forces, relations between, § 1:11

COMMUNICATIONS SECURITY ESTABLISHMENT

Generally, § 3:14

Bill C-59, § 3:14

National Security and Intelligence Review Agency (NSIRA), § 3:14

COMMUNICATIONS SECURITY ESTABLISHMENT COMMISSIONER

Generally, § 3:14 Dissolution, § 3:14

COMPLAINTS

See MILITARY POLICE COMPLAINTS COMMIS-SION

COMPUTERS

Appropriate usage, § 4:26 Collection of child pornography, used for, § 4:28

CONDUCT TO THE PREJUDICE OF GOOD ORDER AND DISCIPLINE

Generally, **APP E3 § E3:65 to E3:69**

CONFERENCE OF DEFENCE ASSOCIATIONS

Lobby work, § 3:7

CONFINEMENT

Generally, APP E3 § E3:32

CONGRESSIONAL BUDGET OFFICE (UNITED STATES)

National Security Division of, and non-partisan research work, § 3:7

CONSCIENTIOUS OBJECTION

Cases before federal courts, § 3:13, § 5:19

Difficulty in the field, § 4:3 to § 4:6

CONSCRIPTION

Controversy over, § 1:8

CONSCRIPTION—Cont'd

Military Service Act (1917), § 1:8 losses on battlefield giving rise to, § 1:8, § 1:13

CONSERVATIVE PARTY

Arctic, interest in, § 5:9
Budget cuts on armed forces, § 1:22
Defence legislation, § 1:25
Defence policy, § 1:6, § 1:8, § 1:18, § 1:22, § 3:3, § 3:7
MacDonald's government, § 1:3
Re-elected, § 5:18

CONSPIRACY

Generally, APP E3 § E3:64, APP E3 § E3:70 to E3:88

CONSTITUTIONALITY

General court martial, of, § 1:25, § 2:4, § 2:5, § 2:11 Reservist job protection legislation and, § 4:6

Trial by jury, § 2:7

CONTEMPT

Generally, APP E3 § E3:51

CONTRACTORS

Operations, on

private security firms, § 6:17, § 6:18

support to military forces, § 6:17, § 6:18

Trial before military courts, § 2:11, § 6:17, § 6:18

CONTROLLED DRUGS AND SUBSTANCES

Generally, APP E3 § E3:65 to E3:69, APP E3 § E3:70 to E3:88

CONVICTION, INDIRECT CONSEQUENCES OF

Generally, APP E3 § E3:174

COOPERATION WITH AUTHORITIES

Generally, APP E3 § E3:97 to E3:142

CORPORAL PUNISHMENT

British Army and Royal Navy, in, § 2:10

Canada, no tradition in, § 2:10

CORRECTIONAL SERVICE OF CANADA

Federal prisons, responsibility for, § 5:3

COSTS

Award from court martial and appeal, § 2:14

COUNTER-INSURGENCY

Afghanistan, § 5:18, § 6:9 South Africa, Canadians in, § 1:6

COURT MARTIAL

Generally, § 2:1 to § 2:7, § 2:10 Absolute discharge, § 2:13 Administrator, § 2:12 Appeal from, § 1:17, § 2:2, § 2:14, § 3:13

Auditor General of Canada report on, § 2:11

Background, § 2:11

Case reporting, § 2:11, § 2:13 problems with, § 2:11, § 4:20

Charges, § 2:9

friendly fire deaths of Canadian troops at hands of Americans, § 7:10

Haiti, abuse of civilian detainee in, § 8:10

mercy killing, § 7:5, § 8:11 plagiarism, § 3:13

pornography, § 4:2, § 4:27

child pornography, § 4:28

sexual assaults, § 4:2, § 4:18

appeals, § 2:11, § 2:14, § 4:19

punishment, § 4:19

COURT MARTIAL—Cont'd COURT MARTIAL—Cont'd Publication ban, § 4:19 Charges, § 2:9—Cont'd Somalia torture and murder Reforms, § 1:24 cases, § 8:10, § 8:16 Release of transcripts related to spousal abuse, § 4:24 historical pedophile cases in Choice by accused of type, § 2:11, the military, § 3:9 § 2:13 Report Auditor General, § 2:11, Civilian counsel, § 2:8 to § 2:14 § 3:8 Civilians accompanying armed Review of findings, § 2:14 forces subject to, § 2:11, Sentencing, § 2:13 § 6:17, § 6:18 aboriginal status and, § 2:13, Comprehensive review, § 2:11, § 6:16 § 3:8 pardons, § 2:13 Criminal conduct, jursidiction over, suspensions of sentence of § 2:6 detention/imprisonment, Decisions, § 2:11, § 4:19 § 2:13 publication bans, § 4:19 Somalia, § 1:23, § 8:10, § 8:16 Delays, § 3:8 South Africa, trial in, by, § 1:5 Disciplinary, § 2:11 Special forces and, § 6:15 cessation of, § 2:11 Special general, § 2:11 Election, § 2:10, § 2:11 cessation of, § 2:11 Field general, § 1:7 to § 1:9, § 1:12, Standing, § 2:11, § 2:13, § 4:2, § 2:11 § 4:4, § 4:8, § 6:17, § 6:18 General, § 1:17, § 1:24, § 2:2 to composition of, § 2:11 § 2:5, § 2:11, § 2:13, § 6:17, most common form of court § 6:18 martial after 1968, § 2:11 certain aspects found objectionable, § 2:4, § 2:5, § 2:11 Time standards, APP D § D:8, § 2:7, § 2:9 to § 2:11, § 3:8 composition of, § 2:11 Trends over time, § 4:19 panel members lack sufficient independence, § 2:4, § 2:11 Trial by jury, § 2:7, § 2:11, § 2:13, unanimous decision now require-§ 2:14 ment, § 2:11 Victims' rights, § 1:27 High end of military justice system, **COURT MARTIAL** § 2:11 ADMINISTRATOR Kinds reduced to two, § 2:11, § 2:13 Absence from Senate standing committee hearings re legislative Korea, disciplinary problems in, changes to courts martial, § 1:18 § 2:12 Lesbian couple, § 4:23 Administration of courts martial, Mental disorder defence, § 4:18 § 2:11, § 4:19 Militia Act (1868), provision for, in, convening, § 6:15 § 1:3 Naval, § 1:14 Chief Military Judge, under Numbers, § 2:10 supervision of, § 2:11 Panel members, § 2:11 Function, § 2:11

COURT MARTIAL ADMINISTRATOR—Cont'd

Selection of court martial panel members, § 2:11

COURT MARTIAL APPEAL BOARD

Court Martial Appeal Court, transformation into, § 1:18, § 2:14

Creation of, § 1:17

COURT MARTIAL APPEAL COURT

Chief justice, § 2:12, § 2:14 Composition, § 3:13

Concerns over standing court martial, § 2:11

Costs, award, § 2:14

Criminal conduct, jurisdiction over, § 2:6

Establishment, § 1:18, § 2:14, § 3:13

Judgments, § 2:3, § 2:5, § 2:11, § 2:14

Military judges, relationship to, § 2:12

Military Judges Review Committee, § 2:12

Review conduct military judges, judicial disciplinary committee, § 2:12

Rulings

Brown, Private Kyle, sentence given to, § 8:10

child pornography, § 4:28

comparability of general and disciplinary courts martial to civilian criminal jury trial, § 2:11, § 4:19

Mathieu, Lieutenant-Colonel Carol, new trial for, § 8:16

sentencing, § 2:13

sexual assault, consideration given to, § 4:19

standards of treatment for detainees, § 6:10

COURT MARTIAL APPEAL COURT—Cont'd

Trial by judge and jury, § 2:7, § 2:11, § 2:13, § 2:14, § 4:19

CRIMES AGAINST HUMANITY AND WAR CRIMES ACT (2000)

Canadian prosecution of war crimes, § 8:14

Military commanders, responsibility of, § 8:15 to § 8:17

Prosecutions under, § 8:14

Superior orders, § 8:17

CRIMINAL CODE OF CANADA

Abuse of civilian detainees in military custody, § 8:10

Child pornography, § 4:28

Indecency

masturbation in public, § 4:25 to $\S 4:28$

Limitations, statutory, § 4:11

Military justice and, § 1:25, § 2:11

Peace officer status and, § 5:6

Publication bans, § 4:20

Self-defence, § 7:8

Sentencing, § 2:13

Sexual assault, § 4:19

Soldiers required to submit to detention or arrest, § 2:9

Torture, § 8:9

Treason, § 6:13

War crimes, § 8:14

CRIMINAL OFFENCES

Generally, APP E3 § E3:70 to E3:90, APP E3 § E3:94, APP E3 § E3:161

CROWN LIABILITY AND PROCEEDINGS ACT

Application, § 4:12

Restrictions on further compensation, § 4:11, § 4:12

CRUEL OR DISGRACEFUL CONDUCT

Generally, APP E3 § E3:26

CULPABLE HOMICIDE

Generally, **APP E3 § E3:70 to E3:88**

CUSTODY

Escape from, **APP E3 § E3:20**, **APP E3 § E3:34**

Help of assisting officer during, § 2:10

Legislation, terms set out in, § 1:14

Pre-trial, **APP E3 § E3:97 to E3:142**

Procedure, § 2:9
Release, § 2:9, § 8:11
Review officer, § 2:9
Time standards, APP D § D:8, § 2:9

CYBER SECURITY

Communications Security Establishment, § 3:14

DAIGLE, PIERRE

Appointment as Department of National Defence and Canadian Forces Ombudsman, § 3:11

DALLAIRE, MAJOR-GENERAL ROMÉO

Child soldiers, § 6:9.50 Rwanda, actions in, § 7:12

DAMAGE TO PROPERTY Generally, APP E3 § E3:49

DANGEROUS SUBSTANCES
Generally, APP E3 § E3:63

DAVIES, COLONEL DWIGHT

Kosovo air campaign, targeting and, § 7:9 to § 7:11

DEATH

See also SUICIDE Benefits, § **4:15**

DEATH—Cont'd

Censure of doctor for writing about, § 4:8

Compensation in event of, § 4:1, § 4:2

Entitlements, § 4:11

Funeral expenses, § 4:14

Military service, as result of, § 2:2, § 4:10 to § 4:15

Service will, need for, § 4:14

DEATH SENTENCE

Canadian Forces
abolished, § 1:23, § 1:24, § 2:14
military courts, conferred by,
§ 1:7 to § 1:9, § 2:11
war criminals, against, § 8:13
Mercenaries, imposed on, after
legal trial, § 6:11

DECEPTION

Military purposes, for, **§ 6:15** legal rules, **§ 6:6**, **§ 6:7**

DEFAMATION

Suits against military service members, § 2:5, § 3:6, § 4:20

DEFENCE ADMINISTRATION AND REFORM

Canada, in, § 1:10, § 1:16, § 1:18, § 1:21, § 1:22

DEFENCE COUNSEL

Absolute discharge, § 2:13 Courts martial, at, § 1:25, § 2:11 Report Auditor General, § 2:11, § 3:8

Summary trial, not usually at, § 2:9

DEFENCE LEGISLATION

"Act to amend the National Defence Act" 1964, § 1:20

2006, § **1:25**

2008, § 1:25, § 2:11

"Act to amend the National Defence Act and to make

DEFENCE LEGISLATION

-Cont'd

consequential amendments to other Acts (1998), § 1:24, § 2:8 to § 2:14, § 3:9

requirement for review at fiveyear intervals, § 1:24, § 1:25

Bill, **APP E3 § E3:91, § 1:17**

Bill C-7, § 1:25, § 2:11

Bill C-15, § 1:26, § 2:12

Bill C-16, § 1:26, § 2:12, § 2:13

Bill C-25, § 1:24

Bill C-41, § 1:26, § 2:12, § 2:13

Bill C-45, § 1:25, § 2:11, § 2:13

Bill C-55, § 4:11

Bill C-60, § 2:11 to § 2:13

Bill C-71, § 1:27

Bill C-77, § 1:27

Bill C-90, § 1:20

Bill C-243, § 1:21

Canada, in, § 1:1 to § 1:6, § 1:9 to § 1:11, § 1:13 to § 1:25, § 2:8 to § 2:14, § 3:2; § 3:10

Great Britain, in, § 1:1 to § 1:6, § 1:11, § 1:17, § 2:10

Reservist job protection, § 4:6 United States, in, § 1:17

DEFENCE RESEARCH BOARD

Generally, § 1:17

DEFENCE SPENDING

Audit work, § 3:8

Canada, in, § 1:16, § 1:18, § 3:8

Inflation, effect of, on, § 1:22

Lobbyists and political pressure groups, work of, § 3:7

Military attitudes, § 3:1, § 3:7

Reductions in, § 1:16, § 1:22,

§ 1:23, § 3:2

Role in civilian control over military, § 3:2

Savings, § 1:19 to § 1:22, § 3:2

United States

elected representatives, influence of, § 3:7

DELAY IN PROCEEDINGS

Generally, APP E3 § E3:32

DELAYS

Time standards, military justice, APP D § D:8, § 2:7, § 2:9 to § 2:11, § 3:8

DEMOBILIZATION

Canadian soldiers, of, § 1:14, § 1:16

DENMARK

Hans Island, disagreement over, § 5:9

DEPARTMENT OF EXTERNAL AFFAIRS

See also DEPARTMENT OF FOREIGN AFFAIRS; FOREIGN AFFAIRS AND INTERNATIONAL TRADE CANADA

Visiting forces legislation, involvement in drafting, § 1:11

DEPARTMENT OF FINANCE

Cabinet table, at, § 3:3

DEPARTMENT OF FISHERIES AND OCEANS

Fisheries enforcement and protection, responsibility for, § 5:3

Relations with Department of National Defence

memorandum of understanding, § 5:3

use of force, § 5:3

DEPARTMENT OF FOREIGN AFFAIRS

See also DEPARTMENT OF EXTERNAL AFFAIRS; FOREIGN AFFAIRS AND INTERNATIONAL TRADE CANADA

Cabinet table, at, § 3:3 Child soldiers, § 6:9.50

DEPARTMENT OF FOREIGN AFFAIRS—Cont'd

Evacuation of Canadian nationals, § 5:12

DEPARTMENT OF JUSTICE

Lawyers at appeals, § 2:14
National Defence Act, drafting of, § 1:16

Prosecutions, § 5:3

DEPARTMENT OF NATIONAL DEFENCE

Generally, \$ 1:10, \$ 1:11, \$ 1:15 to \$ 1:18, \$ 1:20, \$ 1:21, \$ 1:23 to \$ 1:25, \$ 2:11, \$ 2:14, \$ 3:1, \$ 3:8, \$ 3:9

Administrative investigations
Directorate of Special Examinations and Inquiries, § 3:6

Review Services, § 3:6

Assistance to other federal government departments, § 5:3

Auditing of, § 3:8

Budgeting, § 3:8

Canadian Forces Grievance Board, § 3:10

Child soldiers, § 6:9.50

Civilian control over military, § 3:1, § 3:2

Collection of information on Canadians, § 5:2 to § 5:10

Communications Security Establishment, § 3:14

Contractors and, § **6:17**, § **6:18**

Defamation, accusations of, against, § 4:20

Defence policy review, Strong, Secure, Engaged, § 5:16, § 5:20, § 7:9 to § 7:11

Deputy Minister of National Defence, § 3:5

Disabled soldiers, responsibilities re, § 4:11

Domestic operations, guidance for, § 5:2 to § 5:10

Hateful conduct, policy, § 4:29

DEPARTMENT OF NATIONAL DEFENCE—Cont'd

Homosexuality, policy re, § 4:21 to § 4:23

Labbé, Colonel Serge, promotion and retroactive pay for appropriateness and politics, § 8:16

Legalization cannabis, § 2:2

LGBT Purge settlement, § **4:21** Liability of, § **4:11**, § **4:17**

injury to cadets, § 3:11, § 4:11 survivor benefits, § 4:15

Management and direction, § 3:7
Minister of National Defence,
§ 3:4

Military and civilian sides, § 1:18
Military unions, challenges to, § 4:5
National Security and Intelligence
Review Agency (NSIRA),
§ 3:14

Offences on property of, commission of, § 2:3

Pension For Life (PFL), § 4:11

Pornography, restrictions against accessing, § 4:26

Release of information related to historical pedophile cases in military, § 3:9

Report Auditor General on administration of military justice, § 2:11, § 3:8

Response to sexual misconduct strategy, § 4:17

Royal Commissions and public inquiries, § 3:12

Special forces

Joint Task Force 2, § 6:15

Vaccination mandates, § 4:4 Veterans, provision for, § 4:11

Victims' rights, § 1:27

DEPARTMENT OF NATIONAL DEFENCE AND CANADIAN FORCES OMBUDSMAN

See MILITARY OMBUDSMAN

DEPUTY MINISTER OF NATIONAL DEFENCE

Position and duties of, § 1:10, § 1:16 to § 1:18, § 3:5

Relationship to

Chief of the Defence Staff, § 3:5 Minister of National Defence, § 3:5

Selection and appointment of, § 3:5

DESCHAMPS, JUSTICE MARIE

External review re sexual harassment and sexual assault in Canadian Forces, § 4:17

DESERTION

Generally, APP E3 § E3:21, APP E3 § E3:22, APP E3 § E3:91

Militia, in, § 1:3, § 1:4, § 1:6 Service offence, § 2:2, § 2:4, § 2:10, § 4:8

To Canada from U.S. military, § 5:19

Treatment under visiting forces agreements, § 1:11

DETAINEES

Abuse by Canadian troops, § 1:23, § 8:10

Afghanistan, at hands of military police, accusations re, § 3:9

Arrangements re, § 8:8, § 8:11, § 8:16

Classes, § 8:8

Definition, § 8:8

Handover of

Afghan authorities, to, § **6:10**, § **8:11**

court challenges against practice, § 3:13, § 8:11, § 8:16

Americans, to, § 6:15 Somalia, murder of detainees in, § 1:23, § 6:9, § 8:16

Labbé, Colonel Serge, promotion and retroactive pay for appropriateness and politics, § 8:16

DETAINEES—Cont'd

DETAINING UNNECESSARILY

Generally, APP E3 § E3:32

DETENTION

Soldiers by military or civilian police, § 2:9

DETERRENCE

General and specific in military sentencing, § 2:13

DICKSON, CHIEF JUSTICE BRIAN

Head of special advisory group on military justice and military police investigation services, § 1:23, § 2:8 to § 2:14

recommendations with respect to

military judges, § 2:11

Report by, § 1:24, § 2:8 to § 2:14 quasi-judicial powers of Minister of National Defence, § 2:14

Witness before parliamentary standing committee, § 1:24

DIEFENBAKER, PRIME MINISTER JOHN

Defence policy, § 1:18

DIRECTOR OF DEFENCE COUNSEL SERVICES

Appeal Committee, appointment of member by, § 2:14

Creation, § 2:8 to § 2:14

Office, § 2:9

Provision of advice to accused right to elect court martial instead of summary trial, § 2:10

DIRECTOR OF MILITARY PROSECUTIONS

Appeal from court martial, § 2:14 Appointment military judge to try Chief Military Judge, § 2:12

DIRECTOR OF MILITARY DISCIPLINE—Cont'd PROSECUTIONS—Cont'd Canadian troops, amongst, § 1:11, Charges leading to courts martial § 2:2, § 2:4, § 2:14, § 4:3 to framed by, § 2:9 **§ 4:6, § 7:4, § 7:5**—Cont'd Creation, § 2:8 to § 2:14 Canadian armed forces, § 1:16, Disagreement with Chief Military § 1:18, § 2:2, § 2:4 Judge, § 6:15 Canadian navy, § 1:9, § 1:11, Laying of charges, § 2:9, § 2:10 § 1:14 Matchee, Master Corporal Clayton, Korea, § 1:18 charges dropped against, by, North-West Rebellion, § 1:4 § 8:10 special forces and professed Special prosecutor, § 2:12 military elites, § 6:15 Command responsibility, § 8:15 to DISABILITY § 8:17 Benefits Enforcement and summary trial, applying for, § 4:11 § 2:10 available to civilians accompany-Grave crimes committed, § 8:9, ing military forces, § 6:18 § 8:10, § 8:14 co-ordination of, with pensions, Hateful conduct, § 4:1, § 4:2 § 4:11 Maintenance of, in armed forces, Pension For Life (PFL), § 4:11 § 2:7 Exceptional incapacity allowance, Need for, § 1:24, § 2:1 to § 2:7, § 4:11, § 4:12 § 2:13, § 4:12, § 7:4, § 7:5 Insurance arrangements, § 4:11 Racism, § 4:29 Military service, resulting from, Superior orders, § 8:17 § 2:2, § 4:10 to § 4:15 Trial, Chief Military Judge, § 2:12 Chief of the Defence Staff override policy, § 3:4 **DISCLOSURE** departmental policy, § 3:4 Requirement for, under military entitlements, § 4:11 justice, § 2:9 post-traumatic stress claims, Royal Commissions, before, § 3:12 § 4:11 release from armed forces, § 3:4, DISCRIMINATION § 4:23 Age, § 4:8, § 4:9 epilepsy and, § 4:7, § 4:8 Employment equity within military, Pension, § 4:11, § 4:17 § 4:7, § 4:8 **DISASTER ASSISTANCE** Exemptions allowed by military, RESPONSE TEAM § 4:1, § 4:2, § 4:7 to § 4:8, Deployment and capabilities, § 5:13 § 4:16 to § 4:20 DISCHARGE Hateful conduct, § 4:29 See RELEASE Homosexuals DISCIPLINE benefits claimed, § 4:23 interim policy, § 4:22 Canadian troops, amongst, § 1:11, § 2:2, § 2:4, § 2:14, § 4:3 to sexual orientation added as § 4:6, § 7:4, § 7:5 ground for discrimination,

§ 4:22

Canadian air force, § 1:13, § 1:14

DISCRIMINATION—Cont'd

Unions excluded from military and, § 4:5

Women serving in military, § 4:16 to § 4:20

DISGRACEFUL CONDUCT

See CRUEL OR DISGRACEFUL CONDUCT

DISLOYAL UTTERANCES

Generally, APP E3 § E3:27

DISOBEDIENCE OF CAPTAIN'S ORDER

Generally, **APP E3 § E3:39, APP E3 § E3:43**

DISOBEDIENCE OF COMMAND

Generally, APP E3 § E3:16

DISTURBANCES

See QUARRELS AND DISTUR-BANCES

DNA IDENTIFICATION, OFFENCES IN RELATION TO

Generally, APP E3 § E3:55

DOCTRINE

Child soldiers, § 6:9.50

DOCUMENTS, OFFENCES IN RELATION TO

Generally, APP E3 § E3:61

DOMESTIC OPERATIONS

Aid to civil power, § 1:3, § 5:1, § 5:4, § 5:7

Arctic

sovereignty, § 5:9, § 6:16

Assistance to other federal government departments, § 5:3, § 5:6 federal prisons, major unrest or

federal prisons, major unrest riot at, § 5:3

terrorist attack, § 5:3

Civil authorities, military assistance in answer to requests from, § 1:16, § 5:1, § 5:2 to § 5:10

DOMESTIC OPERATIONS

—Cont'd

Cost recovery, § 5:4

Intelligence collection, § 5:2 to § 5:10

Investigations of hate groups and domestic terrorists, § 4:29, § 5:8

Issued guidance, § 5:2 to § 5:10
Peace officer status, § 5:6
Public service, § 5:4
Rebellion, time of, § 1:4

Rules of engagement, § 7:6 to § 7:8

DRIVING OFFENCES

Generally, **APP E3 § E3:70 to E3:88**

DRUGS

Attitude toward in military, § 2:2
Legalization of cannabis, § 2:2
Possession and trafficking of, § 2:3, § 2:4
Testing for, § 2:2, § 4:12
Usage by soldiers, § 2:2 to § 2:4,

DRUNKENNESS

§ 4:12

Generally, **APP E3 § E3:8, APP E3** § **E3:30**

DUNANT, HENRI

See also INTERNATIONAL COM-MITTEE OF THE RED CROSS

Establishment of International Committee of Red Cross, § 8:2 to § 8:11

DUTIL, COLONEL MARIO, CHIEF MILITARY JUDGE

Charges against, § 2:11, § 2:12 Trial by standing court martial, § 2:12

DUTY TO ACT EXPEDITIOUSLY

Generally, APP E3 § E3:162

EGGLETON, MINISTER OF NATIONAL DEFENCE ARTHUR

Generally, § 1:23

National Defence Act, introduction of amendments to, § 1:24

Reforms in armed forces, implementation of, § 1:23, § 1:24

Shoot-down of hijacked commercial aircraft over Canadian territory, comments on possibility of, § 7:11

EMERGENCIES ACT

Invoked, § 5:7, § 5:8

ENROLMENT, OFFENCES IN RELATION TO

Generally, **APP E3 § E3:57 to E3:59**

ENVIRONMENT CANADA

Environmental emergencies and disasters, responsibility for, § 5:3

EPILEPSY

Ground for release from Canadian Forces, § 4:7, § 4:8

ESCAPE FROM ARREST OR CUSTODY

Generally, **APP E3 § E3:20, APP E3 § E3:34**

Assisting, APP E3 § E3:33

EVACUATION OF CANADIAN NATIONALS

Military role, § 5:12 Haiti, § 5:12 Lebanon, § 5:12

EVIDENCE

Presented in support of charges laid, § 2:10

Tampering or destruction of in military, § 2:9

EXCEPTIONAL INCAPACITY ALLOWANCE

Eligibility, § 4:11, § 4:12

EXECUTIONS

Canadian soldiers in First World War, § 1:7 to § 1:9, § 2:11 Mercenaries, § 6:11

EXPLOSIVES

Generally, **APP E3 § E3:70 to E3:88**

EXTRADITION

See also REFUGEE STATUS CLAIMS

Spies and traitors, § 6:13

EXTRATERRITORIAL SERVICE

Generally, § 1:1 to § 1:6

FAILURE TO ATTEND

Generally, APP E3 § E3:52

FAILURE TO BRING UP FOR INVESTIGATION

Generally, APP E3 § E3:32

FAILURE TO COMPLY WITH CONDITIONS

Generally, APP E3 § E3:35

FAILURE TO RETURN TO PLACE OF DUTY

Generally, APP E3 § E3:23

FALSE ACCUSATIONS

Generally, APP E3 § E3:29

FALSE EVIDENCE, GIVING

Generally, APP E3 § E3:53

FALSE STATEMENTS

In relation to enrollment, APP E3 § E3:58

In respect of leave, APP E3 § E3:24

FAMILY VIOLENCE IN THE CANADIAN FORCES

Generally, § 4:24

FAMILY VIOLENCE IN THE CANADIAN FORCES —Cont'd

After return from operational deployment, § 5:18
Incest, § 4:28
Policies re, § 4:2

FEDERAL BUREAU OF INVESTIGATION

Investigation domestic terrorist groups, § 4:29, § 5:8

FEDERAL COURT OF CANADA

Judicial review, § 2:12, § 2:14, § 3:9, § 3:13, § 4:8, § 8:16 detainee transfer arrangements, § 8:8, § 8:11, § 8:16 freedom of speech in military, § 4:8

homosexuality, § 4:22, § 4:23 plagiarism in military course, § 3:13

sexual harassment, consideration given, § **4:17**

Khadr's return to Canada ordered by, § 6:13

Labbé, Colonel Serge, applications by, § 8:16

Legal costs, § 3:10, § 3:13, § 4:3 to § 4:6

LGBT Purge settlement, § 4:21 Military Judges Review Committee, § 2:12

Trial division, § 2:4

FEDERAL COURTS

Age discrimination, § 4:9
Application for judicial review of military matters, § 3:1, § 3:9, § 8:11, § 8:16
consideration of military matters, § 3:13

Binding nature of decisions, § 3:13 Federal Court of Appeal, § 2:14, § 4:15, § 8:11

FEDERAL COURTS—Cont'd

Permanent military court of record, proposals for, § 2:11

FEIGNING ILLNESS

See MALINGERING

FENIANS

Raids into Canada, § 1:2
Threat from, and defence legislation, § 1:3

FIGHTING

See QUARRELS AND DISTUR-BANCES

FINANCIAL TRANSACTIONS AND REPORTS ANALYSIS CENTRE OF CANADA (FINTRAC)

Trucker protests, invoking of Emergencies Act, increased powers, § 5:8

FIREARMS

Generally, APP E3 § E3:65 to E3:69, APP E3 § E3:70 to E3:88

FIREFIGHTERS

Compared to soldiers in military, § 2:2

FIRES, CAUSING

Generally, APP E3 § E3:46

FIRST NATIONS

Lending assistance to, § 5:5
Protests
use of military during, § 5:5

FIRST WORLD WAR

Generally, § 1:7 to § 1:9
Prisoners of war, § 8:6
War crimes, § 8:1
Llandovery Castle, hospital ship, § 8:13

FLOGGING

See CORPORAL PUNISHMENT

FLQ CRISIS (1970)

Military involvement, § 5:7

FOREIGN AFFAIRS AND INTERNATIONAL TRADE CANADA

See also DEPARTMENT OF EXTERNAL AFFAIRS; DEPARTMENT OF FOREIGN AFFAIRS

Private security firms, use of, § 6:17, § 6:18

Responsibilities, § 5:3

Status of forces agreements, § 6:4

FOREIGN INTELLIGENCE

Generally, § 3:14 Communications Security Establishment, § 3:14

FOREIGN LAW, OFFENCES UNDER

Generally, APP E3 § E3:90

FORRESTAL, SECRETARY OF DEFENSE JAMES (UNITED STATES)

Claxton, Brooke, relationship with, § 1:17

Military unionism and, § 4:5

FRAUD AND OTHER CRIMES OF DISHONESTY

Generally, **APP E3 § E3:70 to E3:88**

FRAUDULENT ENLISTMENT

Into militia, § 1:6

FRAUDULENT ENROLMENT

Generally, APP E3 § E3:57 Assisting, APP E3 § E3:59

FREEDOM OF ASSOCIATION See MILITARY UNIONISM

FREEDOM OF SPEECH IN MILITARY

Generally, § 4:8

FRIENDLY FIRE

Generally, § 7:10

GENDER IN CANADIAN FORCES

Generally, § 4:2 LGBT Purge settlement, § 4:21 Sexual harassment, § 4:17 Women, integration of, § 4:16 to § 4:20

GENÉRÉ, CORPORAL MICHEL

Decision, § 1:24
Impact of Supreme Court of Canada appeal, § 2:4, § 2:11

GENÉRÉUX, CORPORAL MICHEL

Court martial, § 2:4

GENEVA CONVENTIONS

1864, § 8:2 to § 8:11 1929, § 8:2 to § 8:11 1949, § 8:2 to § 8:11 1977

Additional Protocol I, § 8:2 to § 8:11, § 8:14, § 8:17 civilians, § 8:3 command responsibility,

§ 8:15 to § 8:17 mercenary, definition of, § 6:11 status of combatants, § 6:7,

§ 6:8 to § 6:13, § 8:2 to § 8:11

Additional Protocol II, § 8:2 to § 8:11

1949

First, § 8:2 to § 8:11
Fourth, § 8:2 to § 8:11
Second, § 8:2 to § 8:11
Third, § 6:7, § 6:9, § 6:19, § 8:1,
§ 8:2 to § 8:11, § 8:14
Application of spirit of, § 6:9,
§ 6:10, § 8:1

Background, § 8:2 to § 8:11 GENEVA CONVENTIONS ACT

Generally, § 8:2 to § 8:11

GERMANY

Prisoners of war held in Canada, § 8:6

Stationing of Canadian Forces in, § 1:18, § 6:2 to § 6:5

status of forces agreements, § 6:3 Treatment of Canadian prisoners of war, § 8:2 to § 8:11

GLASSCO, GRANT (CHAIR OF ROYAL COMMISSION ON GOVERNMENT ORGANIZATION)

Generally, § 1:18, § 3:12

GLASSCO COMMISSION

See ROYAL COMMISSIONS

GOVERNOR GENERAL

Generally, § 1:5

Function, § 3:3

commander-in-chief of Canadian Forces, § 3:3

titular and ceremonial, § 3:1

GREAT BRITAIN

Afghanistan, in, § 5:18

Air force, § 1:9, § 1:13

Air Force Act, § 1:10, § 1:13

Army Act, § 1:5 to § 1:10, § 1:12, § 2:11

Canadian navy, and, § 1:9, § 1:14

Civilian control over military, tradition of, § 3:2

Command over Canadian troops, § 1:5, § 1:7 to § 1:9, § 1:11

§ 1:5, § 1:7 to § 1:9, § 1:11 last British generals in Canada, § 1:6

Execution of Canadian soldiers in First World War, § 1:7 to § 1:9, § 2:11

Geneva Convention (1929), represented Commonwealth during discussions, § 8:2 to § 8:11

Influence on Canadian military law, § 1:3, § 1:17, § 2:10, § 2:11, § 3:2

GREAT BRITAIN—Cont'd

Judge Advocate General, § 2:8 to § 2:14

Mutiny Act, § 1:3

Relations

between troops serving together, § 1:5, § 1:6, § 1:11, § 1:13

with Canada, § 1:1 to § 1:11, § 1:13, § 1:16

Canadian troops in Great Britain, § 1:7 to § 1:9, § 1:12

troops in Canada from Great Britain, § 1:2; § 1:3, § 1:11

Request Canadians troops be sent overseas, § 1:4, § 1:5

Royal Navy, § 1:3, § 1:9, § 1:11, § 1:14, § 2:11

South Africa, disquiet over war in, § 1:5

Visiting forces, § 6:2 to § 6:5

GRIEVANCE BOARD

See also CANADIAN FORCES GRIEVANCE BOARD; MILITARY GRIEVANCES EXTERNAL REVIEW COM-MITTEE

Creation, § 1:24

GRIEVANCES

Adequacy of system in Canadian Forces, § 3:10, § 4:7 to § 4:8, § 4:11

Age discrimination, § 4:9

And summary hearings, § 1:27

Backlog, § 3:10

Canadian Forces, system in the, § 1:24 to § 1:26, § 3:10

Chief of the Defence Staff and,

§ 3:10, § 4:8
Dissatisfaction with grievance

procedures and military unionism, § 4:5

Independent board, creation of, to consider, § 3:10

Types, § 3:10

GROTIUS, HUGO (LEGAL PHILOSOPHER, WRITER)

Proportionality, § 7:3, § 8:3

GUERRILLAS

Canadian Rangers, § 6:16 Mao Tse-Tung, § 7:2 Status, § 6:7

GUILTY PLEA

Generally, **APP E3 § E3:97 to E3:142**

GULF WAR (1991)

Generally, § 1:22, § 3:7
Vaccination of soldiers serving in, § 3:13

HAGUE CONVENTIONS

1899, § 8:2 to § 8:11
1907 ("Hague Rules"), § 8:2 to § 8:11
amenability of special forces, § 6:15, § 6:16
combatant status, criteria for, § 6:6 to § 6:13
intelligence information, collection of, § 6:13
peace talks and truces, § 6:20

HAITI

dian soldiers, § 8:10

Evacuation of Canadian nationals from, § 5:12

Peace support operations in, § 8:4

Abuse of civilian detainee by Cana-

post-traumatic stress disorder and, § 4:12

HALIFAX

Handover to Canadian control, § 1:6 Naval operations from, § 1:14 Riots in, and military involvement Royal Commission, § 3:12

Generally, § 1:2, § 1:3

HARASSMENT

Generally, **APP E3 § E3:65 to E3:69**

HARPER, PRIME MINISTER STEPHEN

Generally, § 1:25

Afghanistan, military mission in allegations of condoning torture, § 8:11

debate in Parliament, § 3:7, § 5:18

military victory, chances of, § 4:10 to § 4:15

stance on, § 5:18

Arctic, commitment to, § 5:9
Evacuation of Canadian nationals, § 5:12

Proposed defence legislation, effect of election call on, § 2:11
Sexual assault in military, views on.

Sexual assault in military, views on, § 4:17

HATE GROUPS

Connections with military, § 4:29
Pandemics, responsibility for
responding to, § 5:3
Presence in trucker protests, § 5:8

HEALTH CANADA

Vaccinations, § 4:4

HELLYER, MINISTER OF NATIONAL DEFENCE PAUL

Generally, § 1:19 to § 1:22

Forced resignations and dismissals of senior officers, § 1:20, § 1:21

Legacy, § 1:24

Moved from defence portfolio, § 1:22

Peacekeeping, § 1:22

Unification of armed forces, § 1:19 to § 1:22

advocate for, § 1:19 to § 1:22

HIGHER COMMAND

Canada, in, § 1:6, § 1:10

HIGHER COMMAND—Cont'd

First World War, during, § 1:7 to § 1:9

Somalia, failure to give complete information about incidents in, § 1:23, § 8:16

Unification and, § 1:20

HILLIER, GENERAL RICK

Afghanistan

attempt to curtail political debate over mission in, § 3:4, § 5:18

command in, § 5:18

contempt for Parliament, comments verged on, § 3:4

detainees, § 8:16

mistreatment of, views regarding, § 3:9

signed agreement, **§ 8:8**, **§ 8:16**

drive for military involvement in, \$ 4:10 to \$ 4:15, \$ 5:18, \$ 8:16

Command responsibility, § 8:11, § 8:15 to § 8:17

HINDERING ARREST

Generally, APP E3 § E3:36

HOMOSEXUALITY IN CANADIAN FORCES

Generally, § 4:2

Government apology, § 4:21 to § 4:23

LGBT Purge settlement, § 4:21 Policy toward, § 4:21 to § 4:23

Private member's motion for apology and correction of record for members discharged on basis of sexual deviation, § 4:21 to § 4:23

HOSTAGE-TAKING DURING OPERATIONS

Generally, § 6:13

HOSTILE INTENT

Use of force in face of, § 7:7, § 7:8

HOT PURSUIT

Legal concept in the maritime environment, § 6:12

HUMANITARIAN RELIEF

Generally, § 5:13

IGNORANCE OF THE LAW

Generally, APP E3 § E3:5
Factor on sentencing, APP E3 § E3:97 to E3:142

ILL-TREATMENT OF OCCUPANT ON WHOM BILLETED

Generally, APP E3 § E3:56

IMPRISONMENT

Administrative release following, § 2:14
Life, § 2:14
Military offenders, of, § 1:11

Sentencing and, § 2:13

IMPROPER DISPOSAL OF PROPERTY

Generally, APP E3 § E3:49

IMPROPER DRIVING

Generally, APP E3 § E3:44

IMPROPER USE OF VEHICLES

Generally, APP E3 § E3:45

INCAPACITY

Exceptional allowance, § 4:11, § 4:12

INDEPENDENCE

Judge advocate and panel members on general court martial, § 2:4 Military judges, § 2:11, § 2:12 Military justice, in working of, § 1:24, § 2:1 to § 2:7, § 2:12,

§ 1:24, § 2:1 to § 2:7, § 2:12 § 2:13

Military Police Complaints Commission, § 3:9

INDEPENDENCE—Cont'd

Military trials, in, § 1:23, § 2:3, § 2:4, § 2:11

Standing court martial, § 2:11

INDIRECT CONSEQUENCES OF SENTENCE

Generally, APP E3 § E3:97 to E3:142, APP E3 § E3:174

INDUSTRIAL DISPUTES AND STRIKES

Use of soldiers in, § 1:3

INFORMATION

Collection on Canadians, § 3:14, § 5:2 to § 5:10

INJURED MILITARY MEMBERS COMPENSATION ACT (2003)

Provisions for disabled soldiers 1972-2003, **§ 4:11**

INJURIOUS HANDLING OF EXPLOSIVES

Generally, **APP E3 § E3:70 to E3:88**

INQUIRIES ACT

Communications Security
Establishment Commissioner,
powers under, § 3:14

Royal Commissions and public inquiries, as basis for, § 3:12

INSUBORDINATION

Generally, APP E3 § E3:16 to E3:20, APP E3 § E3:92

INTELLIGENCE

Collection domestically, § **3:14**, § **5:2** to § **5:10**

On hate groups and domestic terrorists, § 4:29, § 5:8

INTERCEPTION OF PRIVATE COMMUNICATIONS

Generally, **APP E3 § E3:70 to E3:88**

INTERNAL SECURITY

See also DOMESTIC OPERATIONS

Generally, § 1:1 to § 1:6

INTERNATIONAL COMMITTEE OF THE RED CROSS

Establishment, § 8:2 to § 8:11 Inspection visits to detainees in Afghanistan, assumed under

Afghanistan, assumed under Canadian arrangements, **§ 8:8** Medical and religious personnel

and, § 6:19

Protected persons and, § 8:1

INTERNATIONAL CONVENTION AGAINST THE RECRUITMENT, USE, FINANCING AND TRAINING OF MERCENARIES (1989)

Generally, § 6:11

INTERNATIONAL CRIMINAL COURT (THE HAGUE)

Afghanistan, Canadian transfer of detainees

court asked to look into alleged torture of detainees and responsibility of senior officers and defence officials for the policy, § 8:11

Canadian military personnel coming before, prospect of, § 8:1

War crimes, prosecution of, § 8:1, § 8:14

INTERNATIONAL OPERATIONS

Canadian Joint Operations Command ("CJOC"), § 5:11 to § 5:20

Chapter VI, § 5:11 to § 5:20

Chapter VII, § 5:11 to § 5:20

Desertion to Canada from U.S. military, § 5:19

Humanitarian relief, § 5:13

Nationals evacuation, § 5:12

Rules of engagement, § 7:6 to § 7:8

INTERNATIONAL SECURITY ASSISTANCE FORCE ("ISAF")

Afghanistan, in, § 3:9, § 5:18, § 6:9, § 6:10

Canadian contribution, § 5:18 standard operating procedure re: detainees, § 6:10, § 8:8

INVESTIGATIONS

Alleged offences, § 2:9
Friendly fire incidents, § 7:10
Pedophilia in the military, § 3:9
Sexual harassment and sexual
assault, § 4:17
Suicide, § 3:9, § 4:13
Summary, § 2:9
Time standards, APP D § D:8,
§ 2:9

IRAN

Canadian warships' cognizance of territorial waters, § 6:12

IRAQ

See also ISLAMIC STATE OF IRAQ AND THE LEVANT ("ISIL")

Canadian war against ISIL, § 5:20, § 6:10, § 6:13

Decision not to deploy Canadian troops, § 3:7

Friendly fire incident, § 7:10

ISLAMIC STATE OF IRAQ AND THE LEVANT ("ISIL")

Canadian military actions against, § 5:20, § 6:10, § 6:13, § 7:10

Terrorist attacks in Canada, promotion of, § 6:13

Terrorist group, official list, § 4:29

ISRAEL

Refusal to disclose full information related to death of Canadian peacekeeper, § 7:10

JOB PROTECTION FOR MILITARY RESERVISTS

Generally, § 4:6

JOINT SUBMISSIONS ON SENTENCE

Generally, APP E3 § E3:97 to E3:142

Appeal of, **APP E3 § E3:174**

JOINT TASK FORCE ("JTF2")

Canadian special forces, § 6:15 Afghanistan, deployment to, § 6:15

Counter-terrorism work, § 5:3, § 6:15

Roles, § 6:15

JOINT TASK FORCE AFGHANISTAN

Rape of boys at forward operating bases, § 4:28

Theatre Standing Order 321/321A and handling of detainees, § 8:8

Time lines for transfer of detainees to Afghan authorities, § 6:10

JOURNALISTS

Status in military conflict, § 6:10

JUDGE ADVOCATE

General and disciplinary courts martial, at, § 2:11, § 2:13 independence, § 2:4

JUDGE ADVOCATE GENERAL

Annual report to Parliament, § 2:8 to § 2:14

Appeal Committee appointment by, § 2:14

Background, § 2:8 to § 2:14

Bernatchez, Commodore Geneviée, § 2:11

Cathcart, Major-General Blaise, § 2:11

Chief Judge Advocate and, § 2:12 Civilian, § 2:8 to § 2:14

JUDGE ADVOCATE GENERAL —Cont'd

Defence legislation

consideration of prior to National Defence Act (1950), § 1:16 legislation, drafting of, § 1:25

Function, § 2:8 to § 2:14

International operations, § 5:11 to § 5:20

Lawson, Brigadier William, § 1:20, § 2:8 to § 2:14

Military judges, separation from, § 2:11

Office of the

directorates, § 2:8 to § 2:14 military judges, § 2:11

National Defence Headquarters in Ottawa, at, § 2:8 to § 2:14

regional offices, § 2:8 to § 2:14 summary trial working group, § 2:10

Orde, Brigadier Reginald, § 1:17, § 2:8 to § 2:14

Presiding officer training, § 2:10 Recommendations from Military Police Complaints Commission, § 3:9

Report Auditor General, § 2:11, § 3:8

Responsibilities, § 1:23, § 2:1 to § 2:7, § 2:12

Rules of engagement, § 7:6 Smith, Major-General Henry, § 1:7 to § 1:9, § 2:8 to § 2:14

JUDGE ADVOCATE GENERAL'S OFFICE

See JUDGE ADVOCATE GEN-ERAL Office of the

JUMP PRINCIPLE

Generally, **APP E3 § E3:97 to E3:142**

JURY TRIAL

Appeal, denial of, § 2:7, § 2:11, § 2:13, § 2:14

JURY TRIAL—Cont'd

Military setting, nothing comparable in, § 2:11

Right under Charter, § 2:11, § 2:14, § 4:19

KANDAHAR, AFGHANISTAN

Canadian troops in, § 5:18, § 8:8, § 8:11, § 8:16

Friendly fire incidents, § 7:10

KARZAI, PRESIDENT HAMID (AFGHANISTAN)

Government of, § 5:18, § 8:16

KHADR, OMAR

Canadian national captured in Afghanistan amongst enemy forces fighting allied country, § 6:13

Return to Canada ordered by Federal Court, § 6:13

KOREA

Canadian military involvement in, § 1:18, § 2:11

United Nations action in, § 1:18

KOSOVO

Air campaign, § 7:3

Canadian peacekeeper killed by friendly fire in Lebanon, § 7:10

NATO operations, Canadian involvement in, § 6:3

LABBÉ, COLONEL SERGE

Afghanistan, staff work in, § 8:16 Command responsibility, § 8:16 Promotion, § 8:16

Somalia public inquiry, attempts to block appearance at, § 8:16

LABOUR RELATIONS

See MILITARY UNIONISM

LAMER, SUPREME COURT OF CANADA JUSTICE ANTONIO

Communications Security
Establishment Commissioner,
§ 3:14

LAMER, SUPREME COURT OF CANADA JUSTICE ANTONIO—Cont'd

Genéréux decision, § 2:4

Military justice system, review and report on, § 1:25, § 1:26, § 2:11

recommendations, § 2:12, § 2:13

Forster decision, analysis in, § 2:5

LAURIER, PRIME MINISTER SIR WILFRID

sentencing, § 2:13

Generally, § 1:5, § 1:6 Canadian navy and, § 1:9 Matters of defence, § 1:5 South African War and, § 1:5

LAW OF ARMED CONFLICT ("LOAC")

Applicability to Canadian Forces, § 6:1, § 6:6, § 6:7, § 8:8, § 8:9 special forces, § 6:15

Combatant status, § 6:6 to § 6:13

Command responsibility, § 8:15 to § 8:17

Dissemination within armed forces, § 8:2 to § 8:11, § 8:17

Failure to inculcate

Somalia and responsibility of commanding officers, § 8:16

Mercenaries, § 6:11
Military necessity, § 7:2
Pirates, § 6:11
Proportionality, § 7:3
Superior orders, § 8:17
Targeting, § 7:9 to § 7:11
Use of force, § 7:1 to § 7:3

LAWSON, BRIGADIER WILLIAM

Judge Advocate General, § 1:20, § 2:8 to § 2:14

LEBANON

Evacuation of Canadian nationals from, § 5:12

LEBANON-Cont'd

Friendly fire incident resulting in death of Canadian peacekeeper, § 7:10

LEGAL OFFICERS

Advice of, § 6:9 military commanders, § 6:9, § 8:17 military operations, re, § 8:17

rules of engagement, re, § 7:6 targeting, re, § 7:9 to § 7:11

Age discrimination, § 4:9

Combatant status, role in determination of, § 6:10

Courts martial, work in, § 2:11
Defence counsel, acting as, § 1:25
First World War, in, § 1:7 to § 1:9,
§ 2:11

Military tribunal under Prisoner of War Status Determination Regulations, § 8:8

Office of the Judge Advocate General, § 2:8 to § 2:14

Professional standards, § 2:8 to § 2:14

Second World War, in, § 1:12, § 2:11

Strengths and weaknesses, § 2:8 to § 2:14

LESAGE, CHIEF JUSTICE PATRICK

Military justice system, second independent review of and report on, § 1:26, § 2:11, § 2:12, § 3:8

LETOURNEAU, FEDERAL COURT JUSTICE GILLES

Generally, § 1:23, § 2:12 Somalia public inquiry, chair of, § 1:23, § 3:12

LGBT PURGE

Settlement, § 4:21

L'HEUREUX-DUBÉ, SUPREME COURT OF CANADA JUSTICE CLAIRE

Background, § 2:4

Forster decision, dissenting opinion in, § 2:5

Genéréux decision, dissenting opinion in, § 2:4

Military judges compensation and, § 2:11

Military justice issues, consideration of, § 2:4

LIABILITIES OF SERVICE

On part of soldiers, § 4:3 to § 4:6

LIBERAL PARTY

Defence policy, § 1:5, § 1:6, § 1:18 to § 1:25, § 3:3, § 3:7

Operation "Enduring Freedom," commitment of Canadian forces to, § 3:7

Somalia affair, handling of criticism, § 1:24

Sponsorship scandal

uncovered by Auditor General, § 3:8

Unification, § 1:20, § 1:21

LIBRARY OF PARLIAMENT, RESEARCH BRANCH

Work related to defence issues, § 3:7

LIMITATIONS WITH RESPECT TO CERTAIN OFFENCES

Generally, APP E3 § E3:1

LOCATION OF OFFENCE

Generally, **APP E3 § E3:97 to E3:142**

LOOTING

North-West Rebellion, in, § 1:4

LOSING, STRANDING OR HAZARDING VESSEL

Generally, APP E3 § E3:38

MACDONALD, MINISTER OF NATIONAL DEFENCE (NAVAL SERVICE) ANGUS

Naval Service Act (1944), introduction of, § 1:14

MACKAY, PRIVATE ROBERT

Generally, § 2:3

Appeal from court martial conviction, § 2:3

Significance of decision, § 2:3, § 2:4, § 2:11

MACKENZIE-KING, PRIME MINISTER WILLIAM LYON

Claxton, Brooke, and, § 1:16 Defence policy, and, § 1:10, § 1:11

MACLEOD, COLONEL BARRY

Chief of staff, United Nations Organization Mission in the Democratic Republic of the Congo, § 5:17

MALINGERING

Generally, APP E3 § E3:31

MANDATORY SENTENCES

Generally, **APP E3 § E3:97 to E3:142**

MANSLAUGHTER

See also CULPABLE HOMICIDE Generally, **APP E3 § E3:1**

MARIN, ANDRÉ

Military ombudsman, § 1:24, § 3:11 civilian control, § 3:11 criticisms of, § 3:11

MARITIME COMMAND

Generally, § 1:20, § 7:6

MARITIME FORCES

See NAVAL FORCES

MARTIN, PRIME MINISTER PAUL

Responsibility to protect civilians, support for, § 8:4

MASCULINITY

Ideal in armed forces, § 4:2

MATCHEE, MASTER CORPORAL CLAYTON

Attempted suicide, § 8:10
Charges dropped against, § 8:10
Fitness to stand trial, § 8:10
Somalia, torture and murder of civilian detainee in, § 8:10

MEDIA

Coverage

Auditor General's reports, § 3:8 defence matters, § 3:7 friendly fire incidents, § 7:10 Labbé, Colonel Serge, promotion and retroactive pay for appropriateness and politics, § 8:16

Somalia public inquiry, § 1:23 torture of detainees transferred from Canadian military custody, § 8:11

Military events, interest in, § 1:24 Pedophilia cases in the military, § 3:9

Publication ban imposed by military judge, challenge to, § **4:19**

MEMORANDUM OF UNDERSTANDING ("MOU")

Formal status of forces agreement, in place of, § 6:5
With other government departments, § 5:3

MENTAL DISORDER

Defence in cases of sexual assault in military, § 4:18

MERCENARIES

Prisoner of war status denied to, § 8:6 Sanctions and trial if caught, § 6:11 Status, § 6:1, § 6:11 prohibitions against, § 6:11

MERCY KILLING

Generally, § 7:5

MEYER, BRIGADEF-HRER KURT

Command responsibility, § 8:16
War crimes against Canadian soldiers, convicted of, § 8:13, § 8:16

MIDDLETON, GENERAL FREDERICK

Generally, § 1:4

Allegations of impropriety against troops of, § 1:4

Assessment of Canadian troops and discipline by, § 1:4

MILITARY

Danger of, to civil society, § 3:1
Junta, § 3:1
Racism in, § 4:29
Subordination to civilian authority,
§ 3:2, § 3:13
Tyranny, potential for, § 3:1

MILITARY CAMPAIGNS

Canadian command, under, § 1:4
Theatres of war during Second
World War, § 1:12

MILITARY CRIME

Canadian Forces, in, § 2:2 North-West Rebellion, absence of, during, § 1:4

MILITARY DOCTRINE

Canadian Forces, state of, in, § 3:8 Counter-insurgency, § 4:10 to § 4:15, § 5:18 Rules of engagement, § 7:6, § 7:8, § 7:9 to § 7:11

MILITARY DUTY

Generally, § 2:2

MILITARY EDUCATION

Canadian naval officers, for, § 1:9 Child soldiers, § 6:9.50

MILITARY EDUCATION—Cont'd

Responsibility for legal education in Canadian Forces

Judge Advocate General, § 2:8 to § 2:14, § 8:17

Schools of military instruction, § 1:3, § 1:4, § 1:6, § 1:9

MILITARY FORCES

Canada, in, § 1:3, § 1:6 Child soldiers, § 6:9.50 Permanent, § 1:2, § 1:3 Relations between, § 1:6 South Africa, dispatched to, § 1:5 Status of, § 1:5 Training of, § 1:3 Use of force by, § 7:1 to § 7:3

MILITARY GRIEVANCES EXTERNAL REVIEW COMMITTEE

See also CANADIAN FORCES GRIEVANCE BOARD Name change, § 3:10 Organization and purpose, § 3:10

MILITARY JUDGES

Absence from Senate standing committee hearings re legislative changes to courts martial, § 2:12

Absolute discharge, § 2:13
Appointment, § 2:12
Background, § 2:11, § 2:12
Canadian Forces, in, § 2:1 to § 2:7, § 2:11, § 2:12
Charges against § 2:11, § 2:11 (a)

Charges against, § 2:11, § 2:11 (a) Compensation, § 2:11, § 2:12

Compensation, § 2:11, § 2:12
basis for comparison
federal court judges, § 2:12
provincial court judges, § 2:12
Court martial, role at, § 2:11, § 2:13
Criminal matters, jurisdiction re,
§ 2:6

Custody hearings, § 2:9
Disciplinary actions against, § 2:12

MILITARY JUDGES-Cont'd

Independence, § 1:25, § 1:26, § 2:1 to § 2:7, § 2:11, § 2:12

lack of, Chief Justice Lamer considers, § 2:4, § 2:11

Investigation by Minister of National Defence, § 2:12

Judge Advocate General, relation to, § 2:11, § 2:12

Mental disorder, sentencing, § 4:18 Military judiciary, § 2:11 to § 2:13, § 3:13

establishment of, § 2:11

Need for progressive and openminded individuals, § 2:12

Permanent tenure, § 1:26, § 2:12
Publication bans, imposition of, by

Publication bans, imposition of, by, § 4:19

Removal for bad behaviour, § 2:12 Reserve force and, § 2:11, § 2:12 Retirement age of, § 1:26, § 2:12, § 2:13

Review committee, § 2:12 Selection of, § 2:11 Sentencing, § 2:13, § 4:3 to § 4:6, § 4:24, § 4:27 Trial by court martial, § 2:12

MILITARY JUDGES COMPENSATION COMMITTEE REPORTS

Generally, § 2:12

MILITARY JUDGES REVIEW COMMITTEE

Review misconduct by military judges, § 2:12

MILITARY JUSTICE

Absolute discharge, § 2:13 Administration of, § 1:24, § 1:25, § 2:2, § 2:3, § 2:8 to § 2:14, § 3:8

Appeal, trial by jury, § 2:7, § 2:11, § 2:13, § 2:14

Auditor General of Canada report on, § 2:11

MILITARY JUSTICE—Cont'd Balancing operational demands, § 2:2, § 2:8 to § 2:14 Challenges to, § 2:3 to § 2:5 Civilians accompanying armed forces subject to, § 2:2, § 6:17, § 6:18 Courts martial, § 2:10 to § 2:13 Criminal Code of Canada, bringing in line with, § 1:25, § 2:1 to § 2:7 Criminal matters, constitutionality of jurisdiction over, § 2:6 Custody and investigation, § 2:9 Disrepute, military judges, § 2:11, § 2:12 Effectiveness of, § 2:11 Federal civilian courts, role of, in, § 3:13 Handling of sexual assault, § 2:11, § 2:14, § 4:18, § 4:19 Trèpanier judgment, effect of, on, § 2:11, § 4:2, § 4:19 sexual harassment, § 4:17 Mental disorder, consideration, § 4:18 Modernization, § 1:24, § 1:26, § 2:1 to § 2:14

MILITARY PLANNING

§ 4:11

§ 2:12

Work, § 3:11

Capabilities-based, § 3:8 Child soldiers, § 6:9.50

MILITARY LAW-Cont'd

§ 2:14

§ 2:14
Teaching of, § 1:16

of, § 8:1

torture, § 8:9

MILITARY LAWYERS

See LEGAL OFFICERS

§ 8:15 to § 8:17

MILITARY OMBUDSMAN

Civilian oversight and, § 3:1

Practice in armed forces, § 3:11

Views on chief military judge,

injured military cadets, § 3:11,

Appointment of, § 3:11

Authority, § 3:11

Reports

Legal principle, § 7:1 to § 7:3,

MILITARY NECESSITY

Background, § 2:3, § 2:7, § 3:2

Civilian standards, compared to,

Developments in, § 1:17, § 2:7,

Purpose of, § 2:1 to § 2:7, § 2:11 to

War crimes and serious breaches of

international law, punishment

§ 2:8 to § 2:14

§ 1:23, § 2:2 to § 2:4, § 2:8 to

MILITARY POLICE

Absolute discharge, § 2:13

Afghanistan
accusations of abuse of civilian
detainees by, § 3:9, § 8:16
interrogation of detainees, § 8:8

Complaints and grievances of,
handling, § 1:25

Execution of search warrants, § 2:9

Absolute discharge, § 2:13 Administration, § 2:3, § 2:4, § 2:8 to § 2:14

Recommendations for improve-

§ 2:10 to § 2:12

Review and appeal, § 2:11

Review of, § 1:25, § 3:8

Victims' rights, § 1:27

§ 2:11, § 3:8

ment, § 1:23, § 1:25, § 1:26,

Report Auditor General of Canada,

Separate from civil system, § 1:23,

§ 2:7, § 2:9 to § 2:11, § 3:8

§ 1:24, § 2:1 to § 2:14

Time standards, APP D § D:8,

MILITARY POLICE—Cont'd

Interference in investigations of, alleged, § 3:9

Investigation of historical pedophile cases in the military, § 3:9

Investigation of offences, § 2:4, § 2:9

abuse of civilians in Haiti, § 8:10

homosexuality, § 4:22

pornography, § 4:28

Oversight, § 3:9

Peace officer status, § 5:6

Post-traumatic stress disorder, claiming, § 4:12

Powers of arrest, § 2:9

Reviews and reports, § 1:23

Spousal abuse, handling of, § 4:24

MILITARY POLICE COMPLAINTS COMMISSION

Complaints to, § 3:9

Composition of, § 3:9

Creation of, § 1:24

Functions of, § 1:25, § 3:9

Independence, § 3:9

Inquiry into military police

investigation of suicide, § 3:9, § 4:13

Investigations, § 3:9

Jurisdiction, § 3:9, § 8:16

Public interest hearings

detainees, § 3:9, § 8:16

Reports

final and interim, § 3:9

Work, § 3:1, § 3:9

MILITARY PRISON

Sentences of up to two years, § 2:14

MILITARY SENTENCING

Aboriginal status considered in, § 2:13, § 6:16

Absolute discharge, § 2:13

Courts martial, § 2:13, § 2:14

MILITARY SENTENCING

-Cont'd

Flexibility of, recommendations for greater, § 1:26, § 2:13

Mental disorder, § 4:18

Pardons, § 2:13

Principles and objectives of, § 2:7, § 2:13

Summary trial, § 2:10, § 2:14

Suspensions of sentence of detention/imprisonment, § 2:13

Victims' rights, § 1:27

MILITARY SERVICE

Citizens, by, § 1:1 to § 1:6; § 2:1 to § 2:7, § 4:1, § 4:2

Code of Service Discipline, soldiers subject to, § 2:2, § 2:5

Defined periods of time, for, § 1:5, § 2:1 to § 2:7

Evasion of, § 1:8

Hateful conduct, § 4:29

Reasons for, § 2:2

Release from

grounds for, § 4:8

homosexuality, § 4:22, § 4:23

Unfitness for continued, § 2:14

MILITARY SERVICE ACT (1917)

Conscription, § 1:8

MILITARY SUPPORT TO FEDERAL LAW ENFORCEMENT

Invoking of Emergencies Act during trucker protests, § 5:8

MILITARY UNIONISM

Canadian Forces, within, § 4:5 Lack of representation, § 1:27 Opposition to, § 4:5

MILITIA

Active, § 1:6

Attempt to eliminate Canadian navy, § 1:9

1862 bill re, § 1:2

MILITIA—Cont'd

British command over, § 1:3, § 1:4, § 1:6

Canadian Rangers, § 6:16 Capabilities, § 1:4

Effectiveness of, § 1:2 to § 1:6

North-West Rebellion and, § 1:4

Organization of, § 1:2 to § 1:4, § 1:6

Permanent force, § 1:3, § 1:6, § 1:7 to § 1:9, § 1:12

Professionalism in, § 1:3, § 1:4, § 1:6

Training of, § 1:3, § 1:4, § 1:6, § 1:7 to § 1:9

Volunteers from, § 1:4, § 1:5

MILITIA ACT

1868, § **1:3,** § **1:5,** § **2:10** 1904, § **1:6,** § **1:10**

consolidated 1927, § 1:9, § 1:12, § 2:8 to § 2:14

1868

revised 1883, § 1:3, § 1:5

MILITIA COUNCIL

Created in statute, § 1:6

MINISTER OF MILITIA AND DEFENCE

See also MINISTER OF NATIONAL DEFENCE

Generally, § 1:3, § 1:5, § 1:6, § 1:10

Authority laid out in statute, § 1:6

MINISTER OF NATIONAL DEFENCE

Generally, \$ 1:20 to \$ 1:23, \$ 1:25, \$ 2:2, \$ 2:10, \$ 3:2 to \$ 3:4, \$ 3:7

Apology

injured military cadets, § 3:11, § 4:11

Appointment by, retired general as military ombudsman, § 3:10 Appointment of, § 1:18; § 1:22

MINISTER OF NATIONAL DEFENCE—Cont'd

Attributes of success, § 1:16

Collection of domestic intelligence, § 5:2 to § 5:10

Compensation payments, § 4:11

Defence legislation and, § 1:17, § 1:19 to § 1:22, § 1:24 to

§ 1:19 to § 1:22, § 1:24 t § 1:26, § 2:12, § 3:7

Defence policy review, Strong, Secure, Engaged, § 5:16, § 5:20, § 7:9 to § 7:11

Duty to keep informed, § 3:4 military withholding information from, § 4:19, § 6:15

Ex gratia payments, authority to make, § 4:11, § 4:15

Hans Island, claiming Canadian sovereignty over, § 5:9

Homosexuality, announcement of interim policy, § 4:22

Incumbents losing seat, § 1:6, § 1:18, § 1:23, § 3:4

Labbé, Colonel Serge, promotion and retroactive pay for appropriateness and politics,

§ 8:16 Legislative provision for, § 1:10 Media, response to, § 4:19

Military judges

appointment of, § 2:12 investigation of, § 2:12

Military ombudsman derives authority from ministerial directive, § 3:11

Military police and, § 3:9

Military Police Complaints Commission reports through, § 3:9

Monitoring committees and, § 3:12

No comment on Vance affair, § 3:4

Parliament, assurances made to,

§ 8:11

Public service, committing military resources to, § 5:4

Registration of convicted sex offenders, § 4:19

MINISTER OF NATIONAL DEFENCE—Cont'd

Relationship to

Cabinet, § 3:3, § 3:4

Chief of the Defence Staff, § 3:1, § 3:2, § 3:4

Judge Advocate General, § 2:8 to § 2:14

Military Police Complaints Commission, § 3:9

Prime Minister, § 3:3

Release of information on historical pedophile cases in the military, § 3:9

Removal, grounds for, § 3:4

Responsibilities and duties, § 1:15 to § 1:18, § 3:7

appeal of trial finding, § 2:14 quasi-judicial powers, elimination of, § 1:23, § 2:14

authorization of domestic operations, § 5:2 to § 5:10

authorization of shoot-down of hijacked commercial aircraft, § 7:11

civilian control over military, § 3:2

removal of senior officers, § 3:4 Royal Commissions and public inquiries

acts upon recommendations from, § 3:12

requests, § 3:12

Special reports to, § 3:1

Statutory authority of, § 3:4

Transfer of sexual assault cases to civilian criminal courts, § 4:18

MINISTER'S MONITORING COMMITTEE

Implementation of Somalia recommendations and change within Canadian Forces, § 3:12

MINORITY GOVERNMENT IN CANADA

Effect on national defence, § 3:3, § 5:18

MISCELLANEOUS OFFENCES

Generally, **APP E3 § E3:60 to E3:64**

MISCHIEF TO PROPERTY

Generally, **APP E3 § E3:70 to E3:88**

MISCONDUCT IN PRESENCE OF ENEMY

By any person, APP E3 § E3:7 By commanders, APP E3 § E3:6

MITIGATING FACTORS ON SENTENCING

Generally, **APP E3 § E3:97 to E3:142**

MULRONEY, PRIME MINISTER BRIAN

Defence policy, § 1:22 Gulf War (1991), deployment of Canadian forces to, § 3:7

MUNYANEZA, DÉESIRE

Prosecution for war crimes, § 8:14

MURDER

See also Culpable homicide

Generally, APP E3 § E3:1

Normandy, of Canadian prisoners of war in, § 8:1, § 8:13, § 8:16

Sex slayings in Trenton by Colonel Russell Williams, § 4:18

Somalia, by Canadian soldiers in, § 1:23, § 3:12, § 6:9, § 8:1,

§ 8:10, § 8:16 Western Europe, by Canadian soldiers in, § 1:18

MUTINY

Military unionism and, § 4:5
"Significant incidents" in Canadian
navy, § 1:16, § 3:12

MUTINY OFFENCES

Generally, **APP E3 § E3:12 to E3:14**

NARCOTIC CONTROLACT

Generally, § 2:3

NATIONAL DEFENCE

British criticisms of, § 1:6 Canada, policy in, § 1:1 to § 1:6, § 3:3

Child soldiers, § 6:9.50 Confederation, prior to, § 1:2

NATIONAL DEFENCE ACT

1922, § **1:10,** § **1:17,** § **3:5** 1950, § 1:14, § 1:15 to § 1:18, § 1:20 to § 1:25, § 2:2, § 2:3, § 2:8 to § 2:14, § 3:2, § 3:3,

§ 3:10 Absolute discharge, § 2:13 Aid to civil power, § 5:2 to § 5:10 Amendments to, § 1:20, § 1:21, § 2:8 to § 2:14, § 3:10, § 4:17 1964, **§ 1:20** 1998, § 1:24, § 1:25, § 2:8 to

§ 2:14, § 3:9 2006, § 1:25

2008, § 1:25, § 2:11, § 2:12 2010, § 1:26, § 2:12

2011, § 1:26, § 2:12, § 2:13

Appeals sexual assault, § 2:11, § 2:14, § 4:19

Canadian Forces Grievance Board, § 3:10

Canadian Forces Ombudsman, § 3:11

Communications Security Establishment Commissioner, § 3:14

Department of National Defence, § 3:11

Deputy Minister of National Defence, § 3:5

Liabilities of service, § 4:7, § 4:8

Military assistance to provincial and territorial law enforcement, § 5:5

Military judges' retirement, statutory provisions and judicial decisions re, § 2:12

NATIONAL DEFENCE ACT -Cont'd

Military unionism and, § 4:5 Minister of National Defence, § 3:4 Sentencing under, § 2:13 Sexual harassment, § 4:17 Support for, across political parties, § 1:17 Trial by jury, § 2:7 Victims' rights, § 1:27 War crimes and grave breaches

against protected persons,

NATIONAL DEFENCE **HEADQUARTERS**

§ 8:14, § 8:16

Backlog of grievances, § 3:10 Civilianization, alleged, § 3:2 Domestic operations, control of, § 5:3, § 5:4

Government machinery, part of, § 3:2

Office of the Judge Advocate General, § 2:8 to § 2:14

Rules of engagement, § 7:6 Sabotage at, § 4:23

Universality of service, § 4:7, § 4:8

NATIONAL SECURITY AND INTELLIGENCE **COMMITTEE OF PARLIAMENTARIANS**

Generally, § 3:14

NATIONAL SECURITY AND INTELLIGENCE REVIEW AGENCY (NSIRA)

Replaces Office of the Communications Security Establishment Commissioner, § 3:14

NATIONAL SECURITY **LEGISLATION**

Bill C-59, § 3:14

NAVAL DISCIPLINE ACT (BRITISH, 1866)

Generally, § 1:9, § 1:10, § 1:14, § 2:11

NAVAL DISCIPLINE (DOMINION NAVAL FORCES) ACT

British (1911), **§ 1:11** Canadian (1918), **§ 1:14**

Canada, in, § 1:3, § 1:9

NAVAL FORCES

Evacuation operations, use in, § 5:12

Humanitarian relief

Hurricane Katrina, § 5:13

Interdiction operations, § 6:12

Origins, § 3:2

Piracy, efforts to curb, § 6:12

Rules of engagement, § 7:6

Summary punishments, § 2:10

Unification, attitudes toward,

NAVAL SERVICE ACT

§ 1:21, § 1:22

1910, **§ 1:9, § 1:10, § 1:14** 1944, **§ 1:14** 1910

revised 1927, § 1:14

NEGLIGENT PERFORMANCE OF DUTIES

Generally, APP E3 § E3:60

NEGOTATIONS BETWEEN MILITARY FORCES

Generally, § 6:20

NEW DEMOCRATIC PARTY

Defence critic

Afghanistan, pursuing allegations of boys raped in, § 4:28 detainees, questions about, § 6:9

detainees, questions about, § 6:9 release of information, § 8:16

Private member's motion for apology and correction of record for members discharged for sexual deviation, § 4:21 to § 4:23

Suicide prevention, private members bill to remove selfharm as service offence, § 4:13

NON-COMBATANTS

Civilians, § 8:3
Proportionality, principle of, § 7:3
Status, § 6:1
journalists, § 6:10
medical and religious personnel,
§ 6:19

NORTH AMERICA

Defence of, § 1:1 to § 1:6, § 1:15 to § 1:22, § 3:2, § 5:1, § 5:2 to § 5:10, § 7:6, § 7:11 Military law in, § 2:3

NORTH AMERICAN AEROSPACE DEFENSE COMMAND ("NORAD")

Generally, § 1:18 Agreement, § 5:10 Rules of engagement, § 7:6 Shoot-down authority, § 7:11

NORTH ATLANTIC TREATY ORGANIZATION ("NATO")

Afghanistan detainees, policy toward, § 6:10, § 8:8 operations, § 5:18

Air strikes by and hostage-taking to ward off, § 6:13

Canada's entry into, § 1:16
Canadian military contribution to,
§ 1:15 to § 1:22, § 2:2, § 6:2
to § 6:5

Cooperation among alliance members, § 1:17, § 5:10, § 5:18

Guarantee of security in event of attack, § 5:10

Integration into defence plans, § 1:18

Kosovo, air operations in, § 7:3 Rules of engagement, § 7:6, § 7:8 maritime, § 7:6

Self-defence, stance re, by, § 7:8
Status of forces agreement, § 6:2 to § 6:5

NORTHWEST PASSAGE

Dispute over, § 5:9

NORTH-WEST REBELLION (1885)

Special service force raised, § 1:4

O'CONNOR, MINISTER OF NATIONAL DEFENCE GORDON

Detainee transfer to possible torture, responsibility for, § 8:11
Sexual assault in military, views on, § 4:19

OFFICER IN COMMAND, OFFENCES BY

Generally, APP E3 § E3:6

OFFICERS

Civilian control, insolence toward, by, § 3:1, § 3:4 directed toward Minister of National Defence, § 3:4

Duty, § 1:4

Hughes, Sam, comments on choosing Canadians over more highly qualified British officers, § 1:6

Lalonde, Colonel Romeo, accused and convicted of sexual assault, § 4:19

Mandatory retirement, § 4:9
Military unionism, attitude toward,
§ 4:5

Militia, appointment in, § 1:3
Parliament, contempt for, by, § 3:4
Removal and dismissal, § 3:4

Resignation, § 1:20, § 3:4 Responsibility

for actions and decisions, § 8:17 policy decision toward detainees, § 6:9

Shoot-down of hijacked commercial aircraft, legal responsibility for, § 7:11

Unification, resistance and opposition to, § 1:20 to § 1:22

OMBUDSMAN

See MILITARY OMBUDSMAN

OPERATIONAL COMMANDERS

Canadian, § 1:4, § 5:2 to § 5:20 First World War, in France, § 1:7 to § 1:9

Second World War, in northwest Atlantic, § 1:14

South Africa, review and confirmation of courts martial in, § 1:5

OPERATIONAL OFFENCES

Generally, APP E3 § E3:10

OPERATIONS

Afghanistan, § 3:9, § 4:8, § 4:10 to § 4:15, § 5:18, § 6:9, § 6:10, § 6:17, § 6:18, § 7:10, § 8:16

killing of wounded insurgent after capture, § 7:5, § 8:11

task force commander removed for impropriety, § 4:18

"Apollo," § 3:3

Balkans, § 6:13

Canadian national prosecuted for hostage-taking, § 6:13

hostage-taking in, § 6:13

Battle of Ridgeway, § 1:2

Child soldiers, § 6:9.50

Civilian public servants on, § 6:18

Congo, § 5:17

Counter-insurgency, § 1:5, § 4:10 to § 4:15, § 5:18

Cuban missile crisis, § 1:18

Darfur, § 5:16, § 8:4

Deployment of armed forces on,

basis for, § 3:7, § 5:1, § 6:1

Domestic, § 5:1, § 5:3, § 5:4

FLQ crisis, § 5:7

Oka, § 5:7, § 7:8

"Enduring Freedom," § 3:7, § 5:17

Eritrea and Ethiopia, § 5:15

Evacuation of Canadian nationals, § 5:12

First World War, § 1:7 to § 1:9, § 4:10 to § 4:15, § 7:6

OPERATIONS—Cont'd ORDERS-Cont'd Force, use of, on, § 7:1 to § 7:3 Administrative—Cont'd Gulf War (1991), § 1:22, § 3:7, ing, § 4:3 to § 4:6 § 4:3 to § 4:6 homosexuality, § 4:22 Haiti, § 4:17 Child soldiers, § 6:9.50 "Honour," § 4:12, § 8:4, § 8:10 Manifestly unlawful or illegal, International, § 5:1, § 5:11 to § 7:12, § 8:17 § 5:20 ORDERS-IN-COUNCIL Iraq, § 5:20, § 7:10 Communications Security Korea, § 1:18, § 2:11 Establishment Commissioner, Kosovo, § 4:17, § 7:9 to § 7:11 § 3:14 Northwest Rebellion, § 1:4 Invoking Emergencies Act, § 5:8 Possibility of death on, § 4:10 to Military unionization and, § 4:5 § 4:15, § 5:18 Renewal of military judges, § 2:12 Proportionality, principle of, § 7:3, Respecting military justice system, § 8:3 arising from Lamer report, Protection given civilians during, § 2:9 § 8:3 PANELS, MILITARY, AT COURTS Red River Uprising, § 1:3 **MARTIAL** Response to sexual misconduct strategy, § 4:17 Generally, § 2:11, § 2:13 Rules of engagement, § 7:1 to **PARLIAMENT** § 7:3, § 7:6 Advised of actions taken by Prime Rwanda, § 6:4, § 7:12 Minister and Minister of Second World War. § 1:12 to National Defence, § 3:7 § 1:14, § 2:11, § 4:10 to Afghanistan, extension of mission § 4:15, § 8:13, § 8:16, § 8:17 in, § 4:10 to § 4:15, § 5:18, Sex between military members dur-§ 6:9 ing military deployments, Bill C-7, § 1:25, § 2:11 § 4:18 Bill C-15, § 1:26, § 2:12, § 2:13 Somalia, § 6:9, § 8:10, § 8:16 Bill C-16, § 1:26, § 2:12, § 2:13 South African War, § 1:5, § 4:10 to Bill C-22, § 3:14 § 4:15, § 6:7 Bill C-25, § 1:24 Syria, § 5:20 Bill C-32, § 1:27 Task force commander responsibili-Bill C-41, § 1:26, § 2:11 to § 2:13 ties, § 4:8, § 8:16 "Turbot War," § 5:3 Bill C-45, § 1:25, § 2:11 to § 2:13 Universality of service, § 4:7, § 4:8 Bill C-51, § 6:13 War of 1812, § 1:2 Bill C-55, § 4:11 Bill C-59, § 3:14, § 6:13 ORDE, BRIGADIER REGINALD Bill C-60, § 1:25, § 2:12, § 2:13 Judge Advocate General, § 1:17, Bill C-71, § 1:27 § 2:8 to § 2:14 Bill C-77, § 1:27 **ORDERS** Bill C-90, § 1:20 Administrative Bill C-93, § 2:2 discrimination on basis of

Bill C-243, § 1:21

religion and cultural group-

PARLIAMENT—Cont'd Bill S-3, § 4:17

Civilian control of military, indirect role in, § 3:7

Consideration of defence matters, § 1:2, § 1:3, § 1:15 to § 1:22, § 3:1, § 3:3, § 3:4, § 3:7

Contempt of one Chief of Defence Staff for, § 3:4

Debate, § 1:24, § 3:7 military unionism, re, § 4:5 unification, re, § 1:20, § 1:21

Defence critics, § 3:7

Defence legislation, major, § 1:16, § 1:17, § 1:20, § 2:11, § 3:7

Defence policy, disinterest toward, § 3:7, § 3:13

Defence policy review, Strong, Secure, Engaged, § 5:16, § 5:20, § 7:9 to § 7:11

Effectiveness in defence policy and foreign affairs, § 3:7

Emergencies Act, § 5:8

FLQ crisis and protection of, § 5:7

Jihadist attack on, § 6:13

Library of, Research Branch consideration of defence matters, § 3:7

Military justice, review of, § 2:12 Military Police Complaints Commission, report to, § 3:9

Military unionism, power to grant, § 4:5

Minister of National Defence responsible to, § 3:4, § 8:11

National Security and Intelligence Committee of Parliamentarians, § 3:14

National Security and Intelligence Review Agency (NSIRA), § 3:14

North-West Rebellion, instructions during, § 1:4

Parliamentarians, knowledge of armed forces, § 3:7

Prime Minister, § 3:1, § 3:3, § 3:7

PARLIAMENT—Cont'd

Proroguing

before defence legislation passed, § 1:17, § 1:25

cessation of standing committees, § 3:7

Question Period, § 3:1, § 3:7

Reports

Auditor General, § 3:8

Judge Advocate General (annually), § 2:8 to § 2:14

Special committee to solicit Canadians' views on defence policy, § 1:23

Standing committees, § 3:1, § 3:7, § 3:14, § 4:17

child abuse, looking into allegations of, § 4:28

reports

scope and type, § 3:7

value, § 3:7

Unification, debate over, § 1:20, § 1:21

Veterans' benefits, concerns over, § **4:11**

Victims' rights legislation, § 1:27

PARLIAMENTARY DEMOCRACY

Role of military in, § 3:1

PARTIES

Generally, APP E3 § E3:3

PEACEKEEPING

Canadian defence policy, emphasis in, § 1:21, § 1:22

Canadian participation in, § 1:19 to § 1:22, § 2:2, § 5:1, § 7:6, § 7:12, § 8:4, § 8:10

Chapter VI, § 5:14, § 5:15, § 8:4 Child soldiers, § 6:9.50

Deaths during

Belgians under Canadian command, § 7:12

Canadian peacekeeper by friendly fire, § 7:10

PEACEKEEPING—Cont'd

Defence policy review, Strong, Secure, Engaged, § 5:16, § 5:20

Department of Peacekeeping Operations, § 7:12

Military Planning Service, § 7:6 Image of Canadian troops as peacekeepers, § 3:7, § 8:16

Internationally, § 5:11 to § 5:20 Liberal party, and, § 3:3

Post-traumatic stress disorder and, § 4:12

Status of forces agreements, § 6:4

PEACE OFFICER

Requirement to self-identify, § 2:13 Status of military during domestic operations, § 5:6

Superior orders as defence for war crimes, § 8:17

PEACE SUPPORT OPERATIONS

Child soldiers, § 6:9.50

Defence policy review, Strong, Secure, Engaged, § 5:16, § 5:20, § 7:9 to § 7:11

Detainee abuse and torture by Canadian soldiers, § 6:9, § 8:10, § 8:16

Haiti, in, § 8:10

Rules of engagement, § 7:6 to § 7:8 Rwanda, § 7:12

Somalia, § 1:23, § 6:4, § 6:9, § 7:4 to § 7:6, § 8:10, § 8:16

Labbé, Colonel Serge, promotion and retroactive pay for appropriateness and politics, § 8:16

Talks and negotiations, § 6:20
United Nations, through, § 1:15 to
§ 1:22, § 5:1, § 5:11 to § 5:20,
§ 6:4, § 6:9, § 7:12, § 8:4,
§ 8:10

PEARKES, GEORGE

Conservative defence critic, § 1:17

PEARKES, GEORGE—Cont'd

Minister of National Defence, § 1:18

PEARSON, PRIME MINISTER LESTER

National defence, talk about prior to 1963 election, § 1:18

Peacekeeping, § 1:22, § 2:2, § 3:3 Unification, and, § 1:21, § 1:22

PEDOPHILIA

Cases before court martial, § 3:9
Release of information related to, in military, § 3:9

PENSION ACT

Co-ordination of benefits for disabled soldiers, § 4:11

Exceptional incapacity allowance, § 4:11, § 4:12

Reconciling military and Royal Canadian Mounted Police service, § 4:11

PENSION FOR LIFE (PFL)

Generally, § 4:11

PERMANENT ACTIVE MILITIA

Generally, § 1:9

PERMANENT COURT OF MILITARY RECORD

Proposed, § 2:11 debate over, § 2:11

PERMANENT JOINT BOARD ON DEFENCE

Canada and the United States, § 5:10

PERMANENT NON-ACTIVE MILITIA

Generally, § 1:9

PIRACY

Incidence of, § 6:12

Release of pirates caught off Somalia coast by Canadian warship, § 6:12

PIRACY—Cont'd

Status of pirates, § 6:1, § 6:12

PLENIPOTENTARIES

Status and treatment accorded, § 6:20

POLICE (CIVILIAN)

Comparison to military, § 1:16, § 2:2

POLITICS

Canada, in, § 3:3 Child soldiers, § 6:9.50 General elections, vagaries of, § 1:6, § 1:25 Lobbyists in defence matters, § 3:7 Military involvement in, § 1:6 National defence electoral issue, § 1:18 place of, § 3:2, § 3:3 **Parties** defence critics, § 4:28 Primacy over military, § 3:2

PORNOGRAPHY

Accessing, § 4:25 to § 4:28 Child, § 4:26, § 4:28 Collection of, § 4:25 to § 4:28 Policies against, in military, § 4:2, § 4:25 to § 4:28 Production of, § 4:25 to § 4:28

POST-TRAUMATIC STRESS

Child soldiers, § 6:9.50 Compensation for, § 4:12 Consequence of military service, § 4:12 defence for committing crime, raised as, § 4:12 military chaplains in treatment of, use of, § 6:19 Criminal behaviour, claimed as cause of, § 4:12 Denial of support, § 4:12 Exceptional incapacity allowance, § 4:11, § 4:12

POST-TRAUMATIC STRESS

-Cont'd

Foundation and nexus to prove, § 4:12

POST-TRAUMATIC STRESS DISORDER, FACTOR ON SENTENCING

Generally, APP E3 § E3:97 to E3:142

PRESUMPTION OF INNOCENCE

Military members charged with alleged offences, § 2:10

PRICE, COMMANDER JAMES

Military judge who challenged mandatory retirement age, § 2:12

PRIME MINISTER OF CANADA

Apology for treatment homosexuals in public service and military, § 4:21 to § 4:23

Defence policy review, Strong, Secure, Engaged, § 5:16, § 5:20, § 7:9 to § 7:11

Military and

Deputy Minister of National Defence, appointment of, § 3:5

direction of national defence and employment of military forces, § 1:16, § 3:1 to § 3:4, § 3:7

Minister of National Defence, relationship to, § 1:10, § 1:15 to § 1:18, § 3:1, § 3:2, § 3:4

removal of senior military officers, § 3:4

shoot-down of hijacked commercial aircraft, responsibility for, § 7:11

No comment on Vance affair, § 3:4 Position of, § 3:3

highest elected official, § 3:3 Parliament, relation to, § 3:7

PRIME MINISTER OF CANADA —Cont'd

Representations to, § 1:20, § 1:21

PRINCIPLES OF SENTENCING

Generally, **APP E3 § E3:97 to E3:142**

Circumstances involving lower punishment, APP E3 § E3:93

Concurrent punishment, APP E3 § E3:160

Indictable offence, APP E3 § E3:161

One sentence, APP E3 § E3:159
Similar offences, APP E3 § E3:163
Where punishment specified, APP
E3 § E3:97 to E3:142

PRIOR CONVICTIONS

Generally, **APP E3 § E3:97 to E3:142**

PRISONERS OF WAR

Generally, APP E3 § E3:9

Canadian

killed after capture, § 8:14, § 8:16

Capture, § 8:6

Escape, § 8:6, § 8:7

Punishment, § 8:7

Status, § 6:7, § 6:8 to § 6:13, § 8:1, § 8:6

civilians accompanying armed forces, § 6:17, § 6:18

denial of, § 6:9, § 6:10, § 8:8

Geneva Convention (1929), § 8:2 to § 8:11

medical and religious personnel, § 6:19

Prisoner-of-War Status Determination Regulations, § 8:8

standards of care and captivity, § 3:9, § 8:6, § 8:7

withholding of, § 6:9

mercenaries, § 6:11

policy decision, § 6:9, § 8:8

spies, § 6:12

PRISONERS OF WAR-Cont'd

War crimes against, § 8:13, § 8:14, § 8:16

PRISON RIOTS

Federal penitentiaries procedures for use of military, § 5:3

Militia used to quell, § 1:3

PRIVACY ACT

Generally, § 6:13

PROPERTY, OFFENCES IN RELATION TO

Generally, APP E3 § E3:46 to E3:50, APP E3 § E3:70 to E3:88

Causing fires, APP E3 § E3:46 Destruction, APP E3 § E3:49 Miscellaneous, APP E3 § E3:50 Receiving, APP E3 § E3:48 Stealing, APP E3 § E3:47

PROPORTIONALITY

Legal principle, § 7:1 to § 7:3, § 8:3

application during military operations, § 7:3, § 7:9 to § 7:11

PROSECUTION, SUIT AGAINST SUPERIOR OFFICER FOR WRONGFUL AND MALICIOUS

Generally, § 2:5

PROTECTED PERSONS

Domestic legislation, § 8:9, § 8:15 to § 8:17

International law, obligations under, § 8:1, § 8:13, § 8:14, § 8:16

PROUD BOYS

Listed domestic terrorist group, § 4:29, § 5:8

PROVINCIAL AND TERRITORIAL LAW ENFORCEMENT

Military assistance to, § 5:5 classes of support, § 5:5

PUBLIC HEALTH AGENCY OF CANADA

Vaccine distribution, military involvement, § 4:11

PUBLIC INQUIRY

Appointment to look into military matters
British operations in South

Africa, § 1:5 historical, § 3:12

sit-down strikes in Royal Canadian Navy (1949), **§ 1:16**

Somalia, § 1:15 to § 1:18, § 1:23, § 3:1, § 3:12, § 8:10, § 8:11, § 8:16

PUBLIC ORDER

Emergency, § 5:8 Military support to, § 5:7

PUBLIC SAFETY CANADA

Emergency preparedness, § 5:3 Terrorist group list, § 4:29, § 5:8

PUBLIC SERVANTS

Generally, § 3:2, § 3:5, § 3:6 Communications Security Establishment and, § 3:3

Relations with military counterparts, § 3:2

Vaccination, mandatory, § 4:4

Working alongside on military operations, § 6:18

PUBLIC SERVANTS INVENTION ACT

Applicability to members of Canadian Forces, § 5:3

PUBLIC SERVICE

Employment of Canadian Forces domestically, § 5:4
Opportunities for deployment abroad, § 6:18

Unions, § 1:27

PUBLIC SERVICES AND PROCUREMENT CANADA

Deputy minister, § 3:5

PUNISHMENT, FORMS OF

Generally, **APP E3 § E3:97 to E3:142**

PUNISHMENTS

Canadian Forces, in, § 2:2, § 2:11 Range of, § 2:2, § 2:11, § 2:13 Summary fashion, § 2:10

QUALITY OF LIFE INITIATIVES IN CANADIAN FORCES

Generally, § 3:7, § 4:5

QUARRELS AND DISTURBANCES

Generally, APP E3 § E3:19

OUÉBEC

Conscription, opposition to, § 1:8 FLQ crisis, § 5:7 Liberal sponsorship scandal, § 3:8 Oka crisis, § 5:7, § 7:8

QUEEN'S REGULATIONS AND ORDERS FOR THE CANADIAN FORCES

Changes consequent Victims Rights in the Military Justice System Act, § 1:27, § 4:18

Combinations prohibited by, § 4:5 Introduction of, § 1:22

Military justice and, § 2:9

and, § 2:12

Military unions susceptible to legal

challenge under, § **4:5** Reappointment of military judges

RACISM

Discrimination in Canadian Forces, § 4:3 to § 4:8, § 4:29 Hateful conduct, § 4:29

RAPE

Afghanistan, alleged, of boys at forward operating bases in, § 4:28

RAPE—Cont'd

Canadian soldiers, by, in western Europe, § 1:18 Punishments for, § 4:20 Serial rapists in the Canadian Forces, § 4:18

REBELLION

Military deployed to put down, § 1:1 to § 1:6

RECEIVING PROPERTY OBTAINED BY OFFENCE

Generally, APP E3 § E3:48

RECRUITMENT

First World War, in, § 1:7 to § 1:9 Militia, into, § 1:3, § 1:6 South Africa, for service in, § 1:5, § 1:6

RED RIVER UPRISING (1870)

Generally, § 1:3

REFORM PARTY

See also CONSERVATIVE PARTY Criticism of liberal defence policy, § 1:24

REFUGEE STATUS CLAIMS

Desertion from U.S. military and, § 5:19

Sexual orientation and, § 4:23

REFUSING IMMUNIZATION

Generally, APP E3 § E3:62

REGULATIONS

Aid to the civil power, § 1:3
British, § 1:5 to § 1:9
Canadian, § 1:3, § 1:9, § 1:13,
§ 1:14, § 1:17, § 1:22
Knowledge of, among soldiers and officers, § 2:2
Militia Act (1868), prior to, § 1:3

RELEASE

Administrative, from armed forces, § 2:14, § 4:22, § 4:25 to § 4:28

female soldiers sexually assaulted, § 4:20

RELEASE—Cont'd

Administrative, from armed forces, § 2:14, § 4:22, § 4:25 to § 4:28—Cont'd medical grounds, § 4:8 non-compliance with vaccination policy, § 4:4 repeat and habitual offenders, § 2:14, § 4:24

Deterrent value of, § 2:13

Sexual orientation as basis, apology requested, § 4:21 to § 4:23

RELIEF

Humanitarian, § 5:13

RESERVE FORCE MILITARY JUDGES

Need for, § 2:11, § 2:12

RESERVE FORCE RETIREMENT GRATUITY

Canadian Rangers, denied, § 6:16

RESERVIST JOB PROTECTION

Generally, § 4:6

RESISTING ARREST

Generally, APP E3 § E3:20

RESPONSIBILITY TO PROTECT

Advocacy by Canada, § 8:1, § 8:4

RETAINED PERSONNEL

Status of medical and religious personnel, § 6:19

REVIEW IN MILITARY JUSTICE SYSTEM

Authority, § 2:14

REVIEW SERVICES

Generally, § 3:6

RICHARDSON, JOHN (PARLIAMENTARY SECRETARY TO MINISTER

OF NATIONAL DEFENCE) Bill C-25, introduction of, § 1:24

RIDGEWAY, BATTLE OF (FENIANS)

Canadian militia broke and ran, § 1:2

ROME STATUTE OF THE INTERNATIONAL COURT ("ROME STATUTE")

War crimes, jurisdiction and wording for prosecution of, § 8:1, § 8:14

ROYAL CANADIAN AIR FORCE

Canadian Forces, part of, § 1:17 Cold War, during, § 1:18 Creation of, § 1:9 Regulations, § 1:13 Second World War, in, § 1:13 War crimes trials (1946), § 8:13

ROYAL CANADIAN AIR FORCE ACT (1940)

Generally, § 1:13

ROYAL CANADIAN MOUNTED POLICE

Counter-drug work, § 5:3 Counter-terrorism work, § 5:3, § 5:4, § 6:15

Department of National Defence, relations with

memorandum of understanding, § 5:3

Determination of disability benefits in relation to military service, § 4:11

Exceptional incapacity allowance, § 4:11, § 4:12

Hateful conduct, investigation, § 4:29

Investigation Proud Boys and other hate groups, § 4:29, § 5:8

Oversight bodies, § 3:9

Powers of arrest over soldiers, § 2:9

Responsibilities, § 5:3

Search warrants, execution of, § 2:4, § 2:9

ROYAL CANADIAN MOUNTED POLICE—Cont'd

Spousal abuse in military and, § 4:24

Support of, sought before going to military, § 5:5

Terrorist attack, § 5:3

Unionism within, moves toward, § 4:5

Use of during trucker protests, invoking of Emergencies Act, § 5:8

War Measures Act, mention in, § 5:7

ROYAL CANADIAN NAVY

Canadian Forces, part of, § 1:17
Cold War, operational roles during, § 1:18

Courts martial, § 2:11

Legislative basis for, § 1:9, § 1:11, § 1:14

Second World War, participation in, § 1:14

Sit-down strikes in (1949), § **1:17**, § **3:12**

Summary punishment, § 2:10 Training, § 1:9

ROYAL COMMISSIONS

See also PUBLIC INQUIRY General matters, § 3:12 Historical

Bren Gun Scandal (1938), § **3:12** Glassco Commission on government organization (1960), § **1:18**, § **1:19** to § **1:22**, § **3:12**

Halifax Riots (1945), § 3:12 Shell Committee (1916), § 3:12 sit-down strikes on Canadian warships (1949), § 3:12

Military and, § 3:1, § 3:12

Minister of National Defence, recommendations to, § 3:12

Testimony before, § 3:12

ROYAL MILITARY COLLEGE OF CANADA

Action taken against officer cadets producing pornography, § 4:26

ROYAL NAVY

Defence of Canada, § 1:3
Relationship with Canadian navy,
§ 1:9

Summary punishment, § 2:10

RULES OF ENGAGEMENT ("ROE")

Canadian, § 7:1 to § 7:6, § 8:8, § 8:16

application

death of two children in Afghanistan, § 5:18

background, § 7:6

drafting and staffing process, § 7:6

self-defence and, § 7:8

Friendly fire incidents, § 7:10

NATO, § 7:1 to § 7:3

Purpose of, § 7:6

Soldier's cards, § 7:6

United Nations missions, § 7:1 to § 7:3

Congo, § 5:17

Eritrea and Ethiopia, § 5:15

Rwanda, § 7:12

Use of force, § 7:7, § 7:8

RULES OF EVIDENCE

Military, in, § 1:18

RWANDA, PEACE SUPPORT OPERATIONS IN

Canadian involvement, § 6:4, § 7:12

Status of forces agreement, § 6:4

SABOTAGE

Military database, of, trial re, § 4:23 Sentencing for, § 2:13

SCALES OF PUNISHMENT

Generally, **APP E3 § E3:97 to E3:142**

Authorizations, revoked or amended, **APP E3 § E3:157**

Detention, APP E3 § E3:97 to E3:142, APP E3 § E3:147

Dismissal accompanying punishment, APP E3 § E3:144

Dismissal with disgrace from Her Majesty's service, APP E3 § E3:97 to E3:142, APP E3 § E3:146

Fine, APP E3 § E3:97 to E3:142, APP E3 § E3:150

civil enforcement of, APP E3 § E3:151

Forfeiture of property, **APP E3** § E3:156

Forfeiture of seniority, APP E3 § E3:97 to E3:142, APP E3 § E3:149

Imprisonment for less than two years, APP E3 § E3:97 to E3:142

Imprisonment for life, APP E3 § E3:97 to E3:142

Imprisonment for shorter term, APP E3 § E3:143

Imprisonment for two years or more, APP E3 § E3:97 to E3:142

Limitation, APP E3 § E3:153

Minor punishments, APP E3 § E3:97 to E3:142, APP E3 § E3:152

Prohibition order, APP E3 § E3:154

Reduction in rank, APP E3 § E3:97 to E3:142, APP E3 § E3:145, APP E3 § E3:148

Reprimand, APP E3 § E3:97 to E3:142

Return to owner, APP E3 § E3:158 Severe reprimand, APP E3 § E3:97 to E3:142

SCALES OF PUNISHMENT —Cont'd

Surrender, APP E3 § E3:155

SCANDALOUS CONDUCT BY OFFICERS

Generally, APP E3 § E3:25

SÉRETÉ DU QUÉBEC

Military assistance to, during FLQ crisis, § 5:7

SEARCH

Soldiers subject to, § 2:9

SEARCH WARRANTS

Execution on soldiers, § 2:4, § 2:9

SECOND WORLD WAR

Canadian participation in, § 1:12 to § 1:14, § 2:11, § 6:2 to § 6:5 special forces, § 6:14 to § 6:16

Geneva Conventions, respect for dictates of, § 8:2 to § 8:11

Increased national confidence after, § 1:16

Prisoners of war

Canadian, § 8:2 to § 8:11

Germans in Canada, § 8:6

"Surrendered enemy personnel," holding of World War II German soldiers as, § 8:8

War crimes, § 8:1 against Canadians, § 8:13

SECURITY, OFFENCES RELATED TO

Generally, APP E3 § E3:8

SECURITY OFFENCES ACT

Royal Canadian Mounted Police given primary responsibility in event of terrorist attack, § 5:3

SEDITION

Generally, APP E3 § E3:15

SELF-DEFENCE

Exercising right of, § 7:1 to § 7:3, § 7:8, § 7:10

SELF-DEFENCE—Cont'd

Limitations on protection of property, § 7:8

SELF HARM

See also SUICIDE

Removal as service offence, § 4:13

SELF-INCRIMINATION

Protections against, § 2:10

SELF-INJURY

Generally, APP E3 § E3:31

SEMRAU, CAPTAIN ROBERT

Mercy killing, § 2:11, § 7:5, § 8:11

SENATE (CANADA)

Defence legislation, consideration of, § 1:17, § 1:24

Legal and constitutional affairs, report regarding, § 2:12

Standing committees, § 1:25, § 2:2, § 2:11 to § 2:14, § 3:7, § 3:14, § 4:17

SENTENCING

See MILITARY SENTENCING

SERVICE ARREST AND CUSTODY, OFFENCES IN RELATION TO

Generally, **APP E3 § E3:32 to E3:37**

SERVICE OFFENCES

Committed by Chief Military Judge, § 2:11, § 2:12

Korea, in, § 1:18

Militia Act (1868), defined in, § 1:3

Plagiarism, § 3:13

Refusing military duty, § 4:8

Trial, § 2:1 to § 2:7, § 2:11

Types of

absence without leave, § 1:6, § 2:2, § 2:4, § 2:5

masturbation in public, § 4:25 to § 4:28

SERVICE OFFENCES—Cont'd

Types of—Cont'd pornography, § 4:25 to § 4:28 child pornography, § 4:28 computer usage and, § 4:26 uncovering consumers of, § 4:27

spousal abuse, § 4:24 vaccination, refusal to take, § 4:4

SETTING FREE WITHOUT AUTHORITY

See ASSISTING ESCAPE

SEX

Canadian Forces, in, § 4:2, § 4:18 abuse situations, § 4:18, § 4:28 relations, § 4:20

restrictions on operational deployment, § 4:18

SEX OFFENDER INFORMATION REGISTRATION ACT

Failure to comply with order, APP E3 § E3:54

Order to comply with, APP E3 § E3:171, APP E3 § E3:172

SEX OFFENDER INFORMATION REGISTRATION REGULATIONS (CANADIAN FORCES)

Generally, § 4:19

SEXUAL ABUSE

Generally, § 4:18
Children and child soldiers,
§ 6:9.50

SEXUAL ASSAULT

Appeal from, § 2:7, § 2:11, § 2:14, § 4:19

Canadian soldiers, by, in foreign host countries, § 6:5

Crown, whether vicariously liable for actions of service members, § 4:18

SEXUAL ASSAULT—Cont'd

External review into allegations in military, § 4:17
General deterrence, § 4:20
Mental disorder defence, § 4:18
On and off military bases, § 4:18
Pedophilia, § 3:9
Prosecution for false claims, § 4:20

Publication bans, § 4:19
Punishment in Canadian Forces,
§ 4:20

Response to sexual misconduct strategy, § 4:17

Soldiers, among, § 4:18, § 4:20 Transfer of military cases to civilian law enforcement and criminal courts, § 4:18

SEXUAL HARASSMENT

Canadian Forces, in, § 4:2, § 4:17 External review re, § 4:17 Legal test, § 4:17 Response to sexual misconduct strategy, § 4:17

SEXUAL OFFENCES

Generally, **APP E3 § E3:70 to E3:88**

Factor on sentencing, APP E3 § E3:97 to E3:142

Transfer serious military cases to civilian law enforcement and criminal courts, § 4:18

SEXUAL ORIENTATION IN CANADIAN FORCES

Generally, § 4:2, § 4:21 to § 4:23 Apology for past treatment, § 4:21 Court martial of couple for sabotage, § 4:23

Discharge on basis of, investigation requested, § 4:21 to § 4:23 Policy toward, § 4:21 to § 4:23

SEXUAL RELATIONS

Between officers and cadets, § 4:17, § 4:23

SEXUAL RELATIONS—Cont'd

Between—Cont'd officers and soldiers, § 4:18 soldiers, § 4:18 Consensual, § 4:18

SHOOT-DOWN AUTHORITY

Civilian airliners, of, § 7:11

SMITH, MAJOR-GENERAL HENRY

Judge Advocate General, § 1:7 to § 1:9, § 2:8 to § 2:14

SOLDIERS

Child, § 6:9.50 Disobedience to lawful commands,

§ 4:3 to § 4:6, § 7:11, § 8:17

Drug testing of, § 2:2

Involvement with hate groups, § 4:29

Offences during military operations, charged with, § 8:1, § 8:9 to § 8:11

Rights as citizens, § 2:2

SOLDIER'S CARD

Dissemination of rules of engagement, § 7:6

Transfer of detainees in Afghanistan, § 8:8

SOMALIA

Canadian conduct in, § 1:23, § 6:14 to § 6:16, § 7:4 to § 7:6, § 8:10

Changes as a result of, § 1:24, § 1:25, § 2:10, § 3:9

Military Police Complaints Commission, creation of, § 3:9

Deployment to, § 5:16, § 6:4, § 7:6, § 8:10

Labbé, Colonel Serge, promotion and retroactive pay for appropriateness and politics involved, § 8:16

Legacy, § 3:11 My Lai, compared to, § 8:1

SOMALIA—Cont'd

Non-commissioned member tried for writing critical book about, § 4:8

Public concerns about Canadian mission to, § 1:15 to § 1:18, § 8:16

Public inquiry, § 1:23, § 3:1, § 8:1, § 8:10

appointment, § 3:12

final report of, § 1:23

recommendation regarding military judges, § 2:11

shutdown of, § 1:23, § 3:1

Rules of engagement, § 7:6

SOUTH AFRICAN WAR

Canadian service in, § 1:4, § 1:5, § 5:18

fighting guerrillas (commandos), § 6:7

Losses compared to Afghanistan, § 4:10 to § 4:15, § 5:18 Militia Act (1904) and, § 1:6 Québec opposition to, § 1:5 Type of warfare, § 1:5, § 6:7

SOVEREIGNTY

Military roles, § 5:9
Canadian Rangers, § 6:16
Patrols, § 1:9
Priority of, § 1:22, § 5:9

SOVIET UNION

Cold War

collapse of, ends, § 1:22, § 2:2, § 6:3

military preparations against, during, § 1:16, § 1:22

Geneva Convention (1929), not covered by, § 8:2 to § 8:11

Threat to Western Europe, § 1:18, § 6:2 to § 6:5

SPECIAL FINDING OF GUILTY

Generally, APP E3 § E3:96

SPECIAL FORCES

Canadian, § 6:1, § 6:14 to § 6:16 Iraq, in, § 5:20, § 7:10

SPECIAL PROSECUTOR

Appointment, § 2:12

Consider charges against Chief Military Judge, § 2:12

SPECIAL SERVICE/FIELD FORCE

Korea, § 1:18 North-West Rebellion, § 1:4 South Africa, § 1:5

SPIES

Children, used as, § 6:9.50 Status of, § 6:1, § 6:13, § 8:6

SPOUSAL ABUSE IN MILITARY

See also FAMILY VIOLENCE IN THE CANADIAN FORCES Generally, § 4:24

SPYING

Generally, APP E3 § E3:11

STANDING COMMITTEE ON NATIONAL DEFENCE

See also STANDING COMMIT-TEE ON NATIONAL DEFENCE AND VETERANS AFFAIRS

Bill C-41, consideration of, § 1:26 Composition of, § 3:7

Referral of defence bills to, § 1:21, § 2:11

Work of, § 3:7

STANDING COMMITTEE ON NATIONAL DEFENCE AND VETERANS AFFAIRS

Bill C-25, consideration of, § 1:24 amendment to make five-year review, § 2:11

Reports

quality of life, § 3:7 scope and type of, § 3:7

STANDING MILITARY FORCES

Canadian, § 1:15 to § 1:18

STANDING OPERATIONS ORDER FOR DOMESTIC OPERATIONS ("SOODO")

Intelligence collection, § 5:2 to § 5:10

STATUS OF FORCES

Agreements ("SOFAs"), § 6:1, § 6:2 to § 6:5

NATO, § 6:3

Conventional, § 6:1, § 6:6, § 6:7 medical and religious personnel, § 6:19

Unconventional, § 6:1 Canadian Rangers, § 6:16

STATUTE OF WESTMINISTER (1931)

Generally, § 1:11, § 3:7

STEALING

Generally, APP E3 § E3:10, APP E3 § E3:47, APP E3 § E3:70 to E3:88

ST. LAURENT, PRIME MINISTER LOUIS

Generally, § 1:19 to § 1:22

Defeat of government in 1957, § 1:18

New defence legislation, introduction of, § 1:17

STRATEGIC JOINT STAFF

Generally, § 5:11 to § 5:20

Role in relation to rules of engagement, § 7:6

STRIKING OR OFFERING VIOLENCE TO A SUPERIOR OFFICER

Generally, **APP E3 § E3:17, APP E3 § E3:92**

SUDAN

Genocide and killing of civilians, calls for intervention to stop, § 5:16, § 8:4

Responsibility to protect, § 8:4

SUICIDE

Boards of inquiry and, § 4:13 Bombers, § 6:8 to § 6:13, § 6:19, § 7:3

Ex-military members, among, § 4:11

Military Police Complaints Commission inquiry into military police investigation re, § 3:9, § 4:13

Post operational deployment, § 5:18 Rates in military, § 4:13 Removal of self harm as service offence, § 4:13

SUMMARY HEARING

Replacing summary trial, § 1:27, § 2:10

SUMMARY INVESTIGATION

See also INVESTIGATIONS Determine facts, § 2:9

SUMMARY TRIAL

Generally, § 2:1 to § 2:7, § 2:10
Assisting officer, § 2:10
Background, § 2:10
Inappropriate computer usage,
§ 4:26

Presiding officer, § 2:10
Provision in National Defence Act, § 1:17

Range of punishments, § 2:10 Rank of accused, § 2:10

Replaced by summary hearing process, § 1:27, § 2:10

Review of findings of, § 2:14 Time standards, APP D § D:8,

consequent, § 1:27

§ 2:9, § 2:10, § 3:8
Victims' rights legislation, changes

SUMMARY TRIAL—Cont'd

Witnesses, § 2:10

Working group seeking to improve, § 2:10

SUMMARY TRIAL, CONVICTIONS AT

Generally, **APP E3 § E3:97 to E3:142**

SUPERIOR COURT OF QUÉBEC

Generally, § 2:4

SUPERIOR ORDERS

War crimes, defence to, § 8:1, § 8:17

SUPPLEMENTARY DEATH BENEFIT

Generally, § 4:15

SUPREME COURT OF CANADA

Appeals to, from

courts martial, § 1:17, § 1:25, § 2:2 to § 2:5, § 2:11, § 2:12, § 2:14, § 3:13

lower federal courts, § 8:11

Class action re disability benefits, § 4:11

Constitutionality of military jurisdiction over criminal matters, ruling re, § 2:6

Finta decision, § 8:17

Justices, § 2:11, § 4:17

Separate military justice system upheld by, § 2:2

Stillman decision, trial by jury, § 2:7, § 2:11, § 2:13, § 2:14

Superior orders and, § 8:1

Trèpanier decision, leave to appeal refused by, **§ 2:11**

SUSPENSION OF SENTENCE

Generally, **APP E3 § E3:165 to E3:169**

SZCZERBANIWICZ, LIEUTENANT-COLONEL GARY

Spousal abuse, § 4:24

TALIBAN

Capture of Canadian soldiers by generally, § 6:10, § 8:8 friendly fire incidents during battles with, § 7:10 Hillier, General Rick, language used by to describe, § 8:16 JTF2 used against, § 6:15 legal status of, § 6:10 overthrow of, § 5:18, § 6:9 prisoner of war status withheld from, § 6:9, § 6:10, § 8:16 religious leadership, § 6:19 talks and negotiations with, stance of Canadian government toward, § 6:20

TARGETING

Canadian

Kosovo air operations, in, § 7:9 to § 7:11

Civilians directly, prohibition on, § 8:1

Friendly fire and, § 7:10
Hijacked commercial aircraft,
§ 7:11

Legitimate, § 6:6, § 6:7, § 6:9, § 6:17, § 6:18, § 7:1 to § 7:3, § 7:6, § 7:9 to § 7:11, § 8:1

Spies, § 6:13

Warships entering another nation's territorial waters uninvited, § 6:12

TASK FORCE ON REVIEW OF UNIFICATION OF THE CANADIAN FORCES

See also UNIFICATION OF CAN-ADA'S ARMED FORCES Report, § 1:22 Review group on, § 3:2

TERMS OF SERVICE

"Contract" of employment onesided or non-existent, § 4:8 Length of time, § 1:6 Overseas service, for, § 1:5

TERMS OF SERVICE—Cont'd

Peculiar to military, § 2:2

TERRORISM

Domestic, § 4:29, § 5:8

TERRORIST ACTIVITY

Generally, APP E3 § E3:161

THEATRE STANDING ORDER 321 (JOINT TASK FORCE-AFGHANISTAN) DETENTION OF AFGHAN NATIONALS AND OTHER PERSONS

Generally, § 8:8

THEFT

See STEALING

THREATENING

Generally, **APP E3 § E3:70 to E3:88**

TIME STANDARDS

Military justice, **APP D § D:8**, § 2:7, § 2:9 to § 2:11, § 3:8

TORONTO

Eggleton, Arthur (former mayor of, and Minister of National Defence), § 1:23, § 7:11

Military activities in, § 1:3 during snowstorm (1999), § 5:4

Protection measures against hijacked commercial aircraft situated in, § 7:11

TORTURE CONVENTION (1984)

Canadian signature and ratification, § 8:9

TORTURE OF CIVILIAN DETAINEES

See also ABUSE

Afghanistan, detainees handed over by Canadian troops to, § 3:9, § 8:1, § 8:8

strong evidence of torture, § 8:11, § 8:16

TORTURE OF CIVILIAN DETAINEES—Cont'd

Prohibitions on, § 6:9, § 8:9 Somalia, by Canadian soldiers in, § 1:23, § 3:12, § 8:1, § 8:10, § 8:16

TRAITORS

See also TREASON Status of, § 6:1, § 6:13

TRÉANIER, OFFICER CADET JOSEPH

Significance of court decision, § 2:11, § 4:2, § 4:19

Supreme Court of Canada dismisses Crown's application for leave to appeal, § 2:11

TREASON

Canadian nationals, committed by, § 6:1, § 6:13

Khadr, Omar, § **6:13** Ribic, Nicholas, § **6:13**

TREASURY BOARD SECRETARIAT

Mandated vaccination policy against COVID-19 virus, § 4:4

TRIBUNALS

Limitations with respect to certain offences, APP E3 § E3:1

Offences in relation to, APP E3 § E3:51 to E3:53

TRUDEAU, PRIME MINISTER JUSTIN

Apology for treatment homosexuals in public service and military, § 4:21 to § 4:23

Defence policy review, Strong, Secure, Engaged, § 5:16, § 7:9 to § 7:11

Invokes Emergencies Act in response to trucker protests, § 5:8

TRUDEAU, PRIME MINISTER JUSTIN—Cont'd

National Security and Intelligence Committee of Parliamentarians, § 3:14

No comment on Vance affair, § 3:4 Settlement with Omar Khadr, views on, § 6:13

TRUDEAU, PRIME MINISTER PIERRE

FLQ crisis, response during, § 5:7 Legacy, § 1:24 National defence, attitude toward, § 1:22, § 3:2

UNAUTHORIZED USE OF MILITARY VEHICLE

Generally, APP E3 § E3:45

UNIFICATION OF CANADA'S ARMED FORCES

See also TASK FORCE ON REVIEW OF UNIFICATION OF THE CANADIAN FORCES

Comes into effect, § 1:22 Liberals push as policy, § 1:18, § 1:19 to § 1:22

Retreat from, § 1:22

Single service created, § 1:15 to § 1:22

Task force signifies retreat from, § 1:22

UNIFORM CODE OF MILITARY JUSTICE (AMERICAN)

Generally, § 1:17

UNIONS

See MILITARY UNIONISM

UNITED KINGDOM

See GREAT BRITAIN

UNITED NATIONS

Generally, § 1:15 to § 1:18, § 3:2, § 7:6

UNITED NATIONS—Cont'd

Afghanistan, § 5:18 report on civilian deaths in,

§ 5:18

Canadian support for, § 5:11 to § 5:20, § 8:1

Chapter VII of the Charter, \$ 5:11 to \$ 5:20, \$ 6:9, \$ 8:1, \$ 8:4, \$ 8:10

Chapter VI of the Charter, § 5:11 to § 5:20, § 8:4

Child soldiers, § 6:9.50

Department of Peacekeeping Operations, § 7:12

Military Planning Service, § 7:6 Deserters from, in Canada, § 4:23

Facilitating discussion between opposing sides, § 6:20

Friendly fire incident (Lebanon), § 7:10

Humanitarian intervention, § 8:4 Korea, action in, § 1:18

Mercenaries, condemnation of, § 6:11

Peacekeeping, § 1:19 to § 1:23, § 3:2, § 3:3, § 5:11 to § 5:20, § 6:4, § 6:9.50, § 8:10

peacekeepers seized as hostages, § 6:13

Reservist job protection in, § 4:6 Rules of engagement, § 7:6 self-defence, § 7:8

Rwanda, § 6:4, § 7:12

Security Council, § 5:11 to § 5:20, § 7:6

Status of forces agreements ("SOFAs"), § 6:4

model SOFA, § **6:4** Sudan (Darfur), § **5:16,** § **8:4**

Vancouver Principles, § 6:9.50

UNITED NATIONS ASSISTANCE MISSION FOR RWANDA ("UNAMIR")

Status of forces agreement, § 6:4

UNITED NATIONS

CONVENTION ON THE LAW OF THE SEA ("UNCLOS") (1982)

Generally, § 6:12

UNITED NATIONS MISSION IN ERITREA AND ETHIOPIA ("UNMEE")

Canadian involvement in, § 5:15

UNITED NATIONS MISSION IN THE SUDAN ("UNMIS")

Calls for intervention, § 8:4

Genocide and Canadian commander's and peacekeepers' actions, § 7:12

Peace agreement, oversight of implementation of, § 5:16

UNITED NATIONS

ORGANIZATION MISSION IN THE DEMOCRATIC REPUBLIC OF THE CONGO ("MONUC")

Canadian involvement in, § 5:17

UNITED STATES

Additional Protocols to Geneva Conventions (1977), attitude toward, § **6:7**, § **6:9**, § **8:3**

Afghanistan

criticism of Canadian effort in, § 5:18

military involvement in, § 5:18, § 6:9

Anti-personnel land mines, § 8:3 Armed forces, § 5:1

Canadian cooperation with American forces, § 1:16, § 1:18,

\$ 3:3, \$ 5:1, \$ 5:2 to \$ 5:10, \$ 5:18, \$ 6:2 to \$ 6:5, \$ 6:9, \$ 6:15, \$ 7:10, \$ 7:11, \$ 8:3

Canadian security, guarantee of, § 1:16

Checks and balances on President, § 3:3

UNITED STATES—Cont'd Congress input into national defence, § 3:3 Congressional Budget Office, National Security Division, § 3:7 Continental defence, § 5:10 Contractors, general use of during military operations, § 6:17, § 6:18 Court of military appeals, § 1:17 Defence relationship with Canada, § 1:1 to § 1:6, § 1:17, § 1:22, § 3:2, § 3:3, § 5:2 to § 5:10 Friendly fire deaths of Canadian troops, § 7:10 Homosexuals in military, policy toward, § 4:23 Influences, § 1:3, § 1:17 military doctrine in Canadian Forces, on, § 3:8 Invasion by, of Canada, § 1:1 to § 1:6 Iraq, § 5:16 Investigation hate groups and domestic terrorists, § 4:29, § 5:8 Iraq, military mission against ISIL, § 5:20 Judge Advocate General, § 2:8 to § 2:14 Military nexus test, application, § 2:7 President intervention to seek action on rising incidence of sexual assault in armed services, § 4:20 seeks approval from Congress for military deployments and defence funding, § 3:4 Self-defence, interpretation of,

```
UNITED STATES—Cont'd
  Uniform Code of Military Justice,
       § 1:17
  Vietnam War
    My Lai massacre, § 8:1
     stance of Canada re, § 2:2
  War with, prospect of, § 1:3 to
       § 1:5
UNIVERSALITY OF SERVICE
  Canadian Forces, applied in, § 4:7,
       § 4:8
  Disabled soldiers and, § 3:4
  Military judges, applicability to,
       § 2:12
  Release on medical grounds, § 4:8
UNLAWFUL COMBATANTS
  Canadian Rangers, ambiguous
       standing of, § 6:16
  Enemy designation used by
       Americans in Afghanistan,
       § 6:10
  Status of, § 6:1, § 6:8 to § 6:13,
       § 8:8
    legal tribunal, determined by,
         § 6:10
  Types of
    mercenaries, § 6:11
    nationals fighting for opposing
         side, § 6:13
    pirates, § 6:12
    spies caught in the act of espio-
         nage, § 6:13
USE OF FORCE
  Civilian deaths in Afghanistan,
       leading to, § 5:18
  Control of, § 7:1 to § 7:3, § 7:6,
       § 7:8, § 7:9 to § 7:11
  Deadly and non-deadly, § 7:7, § 7:8
  Evacuations, if required during,
       § 5:12
  Fishery patrols, on, § 5:3
  Friendly fire incidents, § 7:10
  Inappropriate, § 7:4, § 7:5
```

Legal authority governing, § 1:16

Terrorist attacks on, § 3:3, § 3:7,

§ 7:8

§ 7:11

USE OF FORCE—Cont'd

Military forces and, § 7:1 to § 7:3 Military necessity and, § 7:2 Peacekeeping, during Rwanda, § 7:12 Proportionality and, § 7:3 Restrictions placed upon, § 7:6 Targeting, § 7:9 to § 7:11

Limitation upon soldiers, § 1:16

VACCINATION (INVOLUNTARY)

Against biological warfare agents, § 3:13, § 4:4

Gives rise to trucker protests against government measures, § 5:8

Mandated against COVID-19 virus, § 4:4

VALENTE DECISION

Generally, § 2:4
Standard for military judges, § 2:11

VANCE, GENERAL JONATHAN, FORMER CHIEF OF THE DEFENCE STAFF

Extra-marital affairs, § 3:4
Paternity of children with lover,
§ 3:4

Pleaded guilty to obstruction of justice, § 3:4
Stripped of honour, § 3:4

VANCOUVER PRINCIPLES See CHILD SOLDIERS

VATTEL, EMMERICH DE (LEGAL PHILOSOPHER,

WRITER)
Proportionality, § 7:3, § 8:3

VEHICLES, OFFENCES IN RELATION TO

Generally, **APP E3 § E3:44, APP E3 § E3:45**

VESSELS, OFFENCES IN RELATION TO

Generally, **APP E3 § E3:38, APP E3 § E3:39**

VETERANS

Benefits, § 4:1, § 4:2, § 4:11 Homelessness among, § 4:11 Pension For Life (PFL), § 4:11 Treatment of, § 4:1, § 4:2, § 4:11

VETERANS AFFAIRS CANADA

Bill C-55, § 4:11

Disabled soldiers, assistance to, § 4:11

Pension For Life (PFL), § 4:11
Post-traumatic stress disorder and, § 4:12

Survivor's benefits, § 4:15

VETERANS' BENEFITS

Afghanistan, anticipated cost of for soldiers returning from, § 4:11
New Veterans Charter, § 4:11
Payable to soldiers, § 4:1, § 4:2
Pension For Life (PFL), § 4:11

VETERANS REVIEW AND APPEAL BOARD

Challenges to prior decisions, § 4:8

VICTIMS' RIGHTS

Bill C-32, § 1:27 Bill C-71, § 1:27 Military justice system, in, § 1:27

VIOLENCE

Use of toward military ends, § 2:2

VISITING FORCES

Germany, § 1:18, § 2:11, § 6:2 to § 6:5 Legislation re, § 1:11, § 1:13, § 6:2 to § 6:5

VISITING FORCES (BRITISH COMMONWEALTH) ACT (1933)

Generally, § 1:11, § 6:2 to § 6:5 Canadian enabling legislation, § 1:11

VOYEURISM

Generally, **APP E3 § E3:70 to E3:88**

WAR CRIMES

Canada's historical record, § 8:13 Command responsibility and, § 8:1, § 8:14, § 8:15 to § 8:17

Defences, § 8:17

Definition, § 8:12 to § 8:17

Hong Kong (1941), § 8:13

International Criminal Court, § 8:1, § 8:11, § 8:14

My Lai massacre, § 8:1

Normandy (1944), § 8:13, § 8:16

Prosecution of, § 8:13, § 8:14, § 8:16

Superior orders and, § 8:1, § 8:17

WAR MEASURES ACT

Powers invoked under, § 5:7

WEAPONS

Nuclear, § 1:18, § 1:22 Purchases of, § 1:23, § 3:2 Sophistication of, § 3:2 Targeting, § 7:9 to § 7:11

WHITE PAPERS AND STATEMENTS ON NATIONAL DEFENCE

1947, **§ 1:16**

1964, § 1:19 to § 1:22

1971, § 1:22

1987, **§ 1:22**

1994, § 1:23, § 3:8

"with the best and against the best," § 3:9

"Commitment-capability gap," § 1:22

"Multi-purpose, combat-capable forces," § 1:23

Relevance of, § 1:16, § 3:2, § 3:3

WHITE SUPREMACISTS

In Canadian Armed Forces, § 4:29

WILFUL OR NEGLIGENT FALSE STATEMENT

Generally, APP E3 § E3:61

WILLIAMS, COLONEL RUSSELL Generally, § 4:18

WILLS FOR MILITARY MEMBERS

Estate planning, § 4:14 Service, § 4:1, § 4:2, § 4:14

WITHHOLDING DELIVERY OVER OR ASSISTANCE TO CIVIL POWER

Generally, APP E3 § E3:37

WOMEN

And child soldiers, § **6:9.50**Integration in armed forces, § **4:2**, § **4:16** to § **4:20**

Response to sexual misconduct strategy, § 4:17

Serving in Canadian Forces, § 4:16 to § 4:20

Sexual harassment and sexual assault against, § 4:2, § 4:17 to § 4:20

WOUNDED, SICK AND SHIPWRECKED

Protection of, § 8:1, § 8:2 to § 8:11 Standards of care for, § 8:5

YOUNG, MINISTER OF NATIONAL DEFENCE DOUG

Generally, § 1:23

Lost seat in 1997 federal election, § 3:4

Shut-down of Somalia public inquiry, § 1:23