

Bonanza

By Jack Adams

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Photo: Courtesy of the author

Office staff, Canadian consulate, Managua, Nicaragua, 1982.

My eyes turn toward the crumpled, yellow paper in my lap, a page torn from a school notebook. Scribbled on both sides, it's a message received in secret only this morning, by the taciturn individual seated beside me. Dressed in a Che Guevara T-shirt, army fatigues, and heavy boots, his expression is inscrutable. Only those of us in this vehicle know that this paper exists. In the front passenger seat, arms waving, fists pumping with every word she utters, is Dra. Vilma Nunez. Our driver is Bayardo Izabá, a young lawyer, legal advisor to CENIDH, the Nicaraguan Human Rights NGO headed by Dra Vilma.

Our battered 4x4 bounces wildly, as we skirt the potholes on the dirt road. We're outside Bonanza, a small gold mining community in this remote sector of northeast Nicaragua. I try to focus on the scribbled note. It is difficult to follow – full of misspellings and grammatical errors. Better to try to interpret it phonetically, I decide. My companion watches me, his eyes studying my every move.

Three days earlier, on a quiet Thursday afternoon, the thirtieth of September, 1999, my phone rang. It was Tom McGrail, Canadian Mine Manager at Bonanza. He quickly recounted how a young mining

technologist from Kelowna, B.C., Manley Guarducci, had been taken hostage within the last hour, along with a young Nicaraguan soldier named Rocha. A gang of fifteen men had over-powered them, stolen a large amount of dynamite and blasting caps, set fire to the company pickup trucks, and fled on foot into the surrounding jungle with the two men as hostages. McGrail ended with a terse: “I need the help of the Canadian Government on this one!”

When I put down the receiver, I took a long, deep breath. Where do we start? I’m in Nicaragua, responsible for managing an office of some fifteen local professionals and staff, implementing the plans of the Canadian International Development Agency, CIDA. As the only Canadian diplomat in Managua, I’ve been designated “consul”, reporting to our Ambassador in Costa Rica. For consular matters, I had a short training session in Ottawa, but nothing to cover a situation like this.

I immediately called the Ambassador in San Jose. When he couldn’t be



“Yo voy a donde esté mi esposa. Donde ella vaya yo voy”, dijo Manley Guarducci cuando se le preguntó hacia dónde se dirigía. LA PRENSA/MOLINA

Manley Guarducci and his spouse Dionne celebrate his release from captivity. Photo scanned from a contemporary Nicaraguan newspaper.

Photo: Courtesy of the author

reached, I called the Watch Office in Ottawa, briefing them about the situation. To reach Guarducci’s next of kin, I passed on his contact information, leaving it to Ottawa to deal with communications at that end. I called others who had lived and worked in Nicaragua for many years, as well as the UN Development Program in Nicaragua, which had programs in the region. Late that evening, I finally got through to the Ambassador in San Jose. He then called the Nicaraguan foreign minister, advising him of what had taken place and asking that we be given time to assess the situation before the Nicaraguan government took any action. Our concern was that the Nicaraguans would call in their military and National Police, risking a confrontation that might put the hostages at risk.

I arranged a meeting to bring Nicaraguan officials up to speed on the situation. It did not go well. At the suggestion of the UNDP representative, I invited Dra Vilma Nuñez de Escorcía, head of CENIDH, a Nicaraguan Human Rights NGO, because of her extensive knowledge of the area. But when Minister of the Interior René Herrera arrived at our office, he

refused to participate in a meeting with Dra Nuñez. She had been Vice-President of the Supreme Court in the Sandinista government of the 1980s, when Herrera and his family had fled Nicaragua, leaving his family’s land and business to be confiscated by the new government. He eventually agreed to sit in my office, while I relayed information from the meeting. Dra. Vilma had brought along another individual, Camilo Turcios, from a counterpart organization receiving CIDA support to resettle Sandinista ex-combatants in the area near the mine. At this point, I knew nothing about Turcios. Later I would learn much more.

We emphasized to the Nicaraguan government that we needed time to assess the situation before they stepped in. Dr. Herrera agreed but allowed us only seventy-two hours – no more. So, with the clock ticking, I took a twin-Beech charter aircraft to Bonanza. With me were Dra Vilma, Bayardo Izabá, Camilo Turcios, and Pedro, a senior officer of the mining company. As we approached the grass airstrip at Bonanza, in a light rain shower, a rainbow appeared briefly as we lined up for final descent. “Please let that be a good luck omen,” I prayed silently.

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Email: edit.forum99@gmail.com

Web: www.forumdiplocan.ca

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Once in Bonanza, we set up a *Comité de Enlace*, or liaison committee, to act as a link between ourselves and the hostage-takers. It consisted of all of the involved parties – the local military commander, the local chief of the National Police, the company (represented by Pedro), CENIDH, Camilo Turcios, the mayor of the town of Bonanza, and *Hermana* Sandra Price – an American nun who lived in nearby Siuna. She had been part of a peace commission that had facilitated an agreement two years earlier with groups in the area. Guarducci's wife Dionne, newly arrived in the country, also insisted on being part of whatever plan was developed.

At the first meeting, we couldn't be certain of the identity of the kidnappers nor what they wanted. There were three possibilities: either artisanal miners, *güiseros* who had recently staged a blockade of the company, demanding higher pay for the unprocessed ore they sold to the company; ex-Sandinista soldiers unhappy with the terms of their demobilization agreement;



Dra. Vilma Nunez de Escorcía, president of CENIDH.

or opportunists who simply saw a fortuitous occasion to make a windfall profit through a demand for ransom.

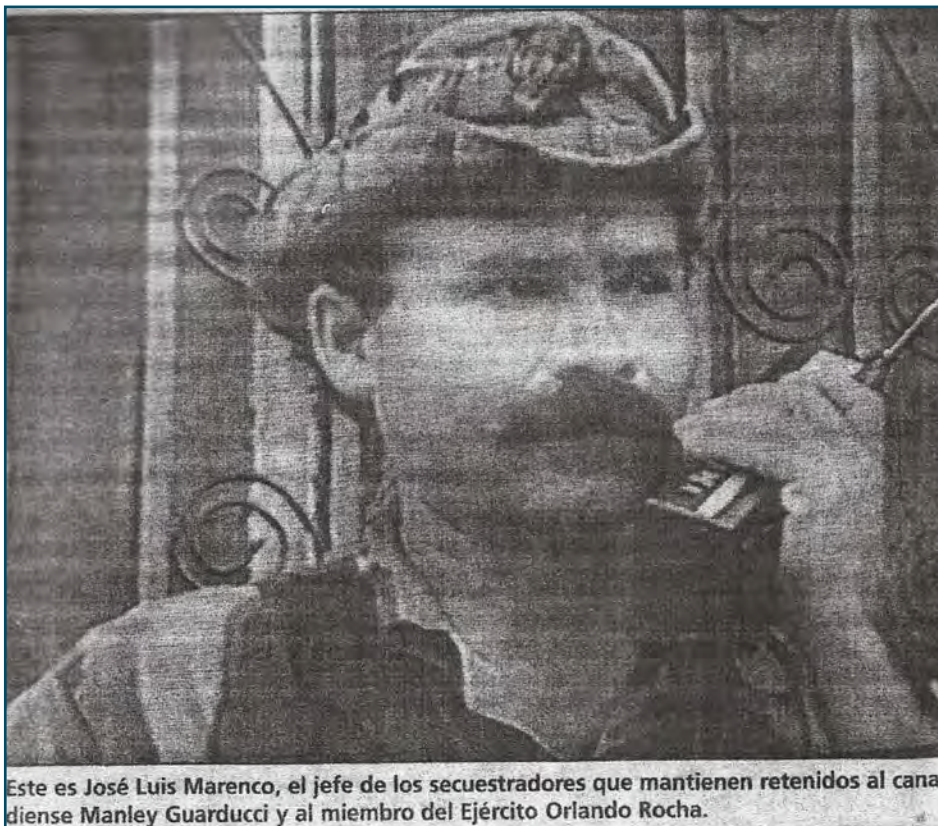
Camilo Turcios then indicated that he had received a note from the kidnappers, but he left out

mentioning a demand for payment of two million US dollars. The note stated that the group had captured a *jóven* (youth) as well as a *pelón*, (soldier). It also gave the names of three colleagues whom they wanted released from prison. Turcios had told us that, after receiving the note, he had sent back one page of it to signify that the note had been received. We couldn't figure out why. Later, after intense questioning from CENIDH, he admitted that he hadn't given us the full story. He still had the second page of the note, which he hadn't shown us at the committee meeting.

With the full letter now in front of me, we had a better idea as to what was happening. The letter was signed by Laureano Rivera, one of several pseudonyms used by José Luís Marengo, a former Sandinista officer whose gang never agreed to hand in their weapons at the end of the civil war. This was the first time I had heard of Marengo, and I decided that I had to sit down privately with Pedro to get a deeper explanation of the background and why Turcios was involved. Camilo Turcios was a former Sandinista military officer and head of an organization of ex-combatants known as the Andrés Castro United Forces, FUAC. It had two arms – the demobilized faction, which Canada had been funding through the UNDP, as well as an armed wing under José Luís Marengo, a colleague of Turcios. Marengo's band had never made peace with the present government. They roamed the jungle in this remote area, enforcing their own law, and were prepared to continue the fight if a 1997 agreement that he and Turcios and two other leaders of the FUAC had signed with the present government was not fulfilled.

The next morning, at our meeting of the full *comité*, I confronted Turcios angrily:

“Canada has been the only country to step up to help FUAC's members reinsert into civilian life. Why would



Este es José Luis Marengo, el jefe de los secuestradores que mantienen retenidos al canadiense Manley Guarducci y al miembro del Ejército Orlando Rocha.

Jose Luis Marengo, head of the organization that had planned the kidnapping. Photo scanned by a contemporary Nicaraguan newspaper.

Marenco's group take a Canadian hostage?"

I went on to point out the obvious. If anything happened to Guarducci, the mining company would withdraw from Bonanza, leaving hundreds of miners out of work. Potable water and electricity provided cost-free by the mine to the community would cease. All this would end up in the lap of Marenco, Turcios and the FUAC. Turcios did not react. He simply sat in silence, staring at me through dark, penetrating eyes.

The Comité decided to adjourn. I headed to the washroom and locked the door behind me. Looking in the mirror, suddenly, without warning I broke down. The tension was becoming intense; our seventy-two hours were almost up.

Suddenly, Dra. Vilma banged on the door with news. Turcios had received more letters. The first scribbled note, signed by Guarducci, advised that he and Rocha were in good health and asked that the government pull back the army and police. They were already harassing the campesinos, demanding to know where Marenco and his gang were keeping the hostages. A second note was from Guarducci to his wife Dionne, telling her not to worry. There was a third letter from Rocha, asking that his family be informed that he was fine.

Finally, there was a three-page letter from Marenco. It began with a rambling justification for taking hostages, citing the present government's failure to follow up on the peace accord signed earlier with FUAC. It then listed their numerous demands to end the situation. These included removal of the police and troops from the area; government compliance with the 1997 peace accords; freedom for three of their members from prison; ensuring that the mining company continue to operate without interruption, that the company continue to supply electricity to Bonanza, and that the company pay them an "indemnity"



Photo: Courtesy of the author

The author (red shirt) at the opening of an aid project in Nicaragua in less urgent times.

of one million US dollars in cash, in non-traceable bills.

We were relieved that the hostages were alive. But Marenco's demands caused problems. We had no difficulty taking to the Government of Nicaragua the demands for an activation of the peace accords of 1997 and a release of prisoners. But the demand for a cash payment was a non-starter. We decided that Turcios had to go back into the bush as soon as possible, find Marenco, and give him our response, particularly that there would be no payment of a ransom. We drew up a *Laissez Passer* for him to carry, in case he was stopped by the police or army patrols. It was signed by the senior police and military officers who were members of our Committee, as well as the Governor of the Northern Atlantic Autonomous Region of Nicaragua. It was then faxed to Managua for the signatures of the Ministers.

That afternoon, Dra. Vilma held a press conference for journalists in Bonanza covering this story. I stood beside her while she gave the briefing. At one point, when she explained that the hostages were safe and that

the Committee had finally received a message from Marenco with a list of their demands, she broke down, emotion choking her voice. I put my arm around her. Recovering, she added that it was time now for us to return to Managua.

It was also time for us to follow up with Ministers, and we knew that it might be days until Turcios could return from the bush. A massive storm delayed our departure for Managua, but on arrival we went directly to the office of Dr Herrera to deliver the note containing Marenco's demands. I then went home to await developments. I phoned the Ambassador in San Jose to advise him it was time for extra support in Managua. Although I wanted an experienced person from Canada, the only assistance I could get was a colleague from the embassy in San Jose. However, right from his arrival, he proved to be a tremendous help as the days wore on.

We knew that the Government of Nicaragua was becoming impatient with the lack of progress. We had the Canadian Minister of State for Latin America and Africa, David Kilgour,

speak by telephone to Deputy Foreign Minister Arguello Poessy, urging him to keep the police and army at a distance while negotiations continued. At last, Turcios returned with a letter from Marengo, dropping his demand for a ransom. He still wanted the implementation of the agreements of 1997, and he asked that a human rights oversight committee be established, under the direction of CENIDH, including members from international organizations, to ensure the government fulfilled its part of the bargain.

The Nicaraguan Government insisted that the hostages had to be released before any negotiations took place. They gave Turcios a deadline to return with the hostages, or face charges himself for being the intellectual author of the kidnapping. (The army has insisted all along on Turcios' involvement.)

Turcios returned again to the bush, and the hostages were turned over to him in the remote community of

Kukulaya, on 31 October. It took them three days to walk the forty-two miles out of the bush to Siuna, where he delivered them to mining company officials. The embassy received a call from the company at 3:00 PM that day, stating that the hostages were free. Defence Minister Dr Antonio Alvarado flew to Bonanza immediately by armed forces helicopter to bring them back to Managua. Guarducci was reunited with his wife at a hotel near the airport. I was in Bluefields, on the Nicaraguan southern Atlantic coast when Marion, our Consular Assistant, called me with the news. The helicopter from the mine arrived in Managua an hour before my flight from the coast. I went immediately to the airport hotel, where the first person I saw was Pedro, who leaped up, crushing me in a huge bear hug, shouting at the top of his lungs:

“We did it! We did it!”

I sat down slowly, my body numb,

letting it all sink in. The whole drama had lasted thirty-three days. Suddenly, everyone in that room, all strangers, stood up and began to clap and cheer wildly. Manley Guarducci, who I recognized from photos, and his wife Dionne, were just entering, hand in hand. Gaunt and exhausted, Guarducci could barely walk, his feet swollen. But they both had smiles that stretched from ear to ear, lighting up the room. Joining Pedro and me at the table, we hugged as one, jabbering, laughing, crying uncontrollably, all at the same time. Our Canadian part of the nightmare was over. For the FUAC and CENIDH however, it was to take a tragic turn, but that's another story. ■

Jack Adams was with CIDA for thirty-one years, the majority of which were overseas. In Nicaragua, he was Head of Mission from 1998-2002, one of his most challenging but rewarding postings. He and his wife, Marilyn, now live on the BC coast.

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The Phantom Saboteur When Diplomacy Becomes Burlesque

By John Graham

Peter Ustinov, Lawrence Durrell, and others found the Cold War an irresistible target for comic satire. In most cases, they fictionalized the bizarre reality. In Guyana, where I was High Commissioner in the late seventies, fiction was unnecessary.

I didn't set out to sabotage the North Korean propaganda campaign in Guyana, nor of course were there any instructions from Ottawa to do so -they would have disapproved. In any event, the unctuous adulation heaped on the Supreme Leader, Kim Il Sung, was more than sufficiently counter-productive without any help from Western librettists. What happened was the result of boredom and the mischievous pleasure of a playing a game with a determined adversary. However, making sense of the absurd requires a few lines of context.

Too small and too isolated, Guyana was never an important pawn in the cold war. Nevertheless, so intense was the East/West engagement that both sides invested heavily in unlikely and usually unrewarding places. Guyana offered an example of how zealous political courtship by the United States and Britain, and then by the Soviet Union and China, could produce disappointing and occasionally bizarre results.

In the early 1960s, Washington became increasingly alarmed that Guyana was shifting to the East. Their solution was to find and then tutor a local leader sympathetic to at least some of their goals. They

selected Forbes Burnham, an ambitious Guyanese politician and alleged moderate. The plan involved instruction by the CIA and Britain's MI6 on how to manipulate elections. With his new skills, Burnham was able to overcome the numerical voting advantage of his Marxist opponent, and he became Prime Minister, whereupon he turned his back on his Western benefactors to embrace the 'Socialist' suitors.

Through the seventies and until his death in 1985, Burnham had become part of the Non-aligned Movement and an 'associate' member of the Communist Bloc. The sugar and Bauxite industries were nationalized and other economically-disruptive policies were implemented. Although Burnham was too fond of the material benefits of capitalism to become a fully disciplined Marxist-Leninist, Moscow was not going to ignore a gift horse in South America – even though this gift horse was walled in by rain forest with no road connection with any of its Latin American neighbours. The Russians established a huge embassy with more space, more staff and more luxurious

Cartoon by John Graham



cars than the US Embassy. Nations such as Libya, East Germany, China, Yugoslavia and North Korea soon set up missions in Georgetown. Political nomenclature changed. The nation became a 'Cooperative Republic', and correct social intercourse began with the salutation 'comrade' as in 'Comrade Minister,' or in my case 'Comrade High Commissioner'. Disenchanted Guyanese called the culture "So-so Socialism" and composed a calypso with that as the central lyric.

Like my colleagues in most parts of the world, I spent an annoyingly disproportionate amount of time sitting in the antechambers of ministers or senior officials, waiting for the door to open. In Georgetown these rooms tended to be on the frowsy side as befitted old wooden buildings being slowly consumed by termites and dry rot. Basically furnished, they always contained a coffee table or a credenza piled high with magazines and brochures. But unlike other waiting rooms, there were no National Geographics or

Homes and Gardens – not even Time magazine. There were usually some government pamphlets, but most of the reading comprised embassy handouts supplied by Georgetown's exotically varied diplomatic community. It was not long before I realized that the North Korean Embassy's publications with images of the Supreme Leader were almost invariably found at the top of the heap. It seemed unlikely that this arrangement reflected the interests of waiting-room visitors. It was more likely the result of direct intervention by some minor North Korean apparatchik. "Ah hah," I said to myself. Why not use the waiting room constructively by taking all the North Korean propaganda, stuffing it at the bottom of the pile, and replacing it on the top with Forbes and other material from the Capitalist and wicked West?

Over the next several weeks, I tackled my self-appointed task in four or five ministry waiting rooms, thinking that for each antechamber this would be a one-time event.

I was mistaken. Occasionally, within as short a time as a week, I would return to the ministry to find that I was looking at Kim Il Sung's face on top of the coffee table. The Supreme Leader had resurfaced, and I had underestimated my adversary. It was obviously the routine responsibility of a third secretary or perhaps a more senior member of the embassy to do the rounds of all of the principal government offices, to add new material, but primarily to ensure that the coffee table reading was 'correctly' configured.

Surprised but stimulated by this challenge, I continued this Cold War skirmish and often wondered whether the 'credenza crisis' had been drawn to the attention of Pyongyang and whether the North Korean embassy had ever identified the phantom saboteur. ■

John Graham enjoyed a long career in External Affairs and served afterward in a number of capacities, including as a senior official in the Organization of American States. He is a frequent contributor to FORUM.

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Mission pénible en Haïti

Par Paul Hitschfeld

À l'ACDI (Agence canadienne de développement international) j'ai eu le plaisir, pendant mes trente-quatre ans là, de travailler sur des dossiers très différents. Un seul, sur ma dizaine de postes, n'était pas agréable : Directeur du Programme Haïti. Nommé à cette fonction en 1991, tout portait à croire que ce serait un moment de renaissance en Haïti. Un nouveau président était élu en 1990, Jean-Bertrand Aristide, un prêtre, et, à sa façon, un révolutionnaire, sans liens ni soutiens des militaires, des politiciens ou des élites. Ni même de l'Église. Il était seul, un peu comme Lumumba l'était au Congo en 1960, et il voulait tout changer, dans un pays où tout devait être changé. Il n'avait pas l'expérience de vie, comme Mandela, par exemple. Un illuminé, disaient certains d'Aristide, un naïf dangereux, clamaient d'autres. Mes patrons m'ont demandé de relancer le programme de coopération et de gérer une présence d'aide canadienne accrue en Haïti.

Je me suis entretenu au Canada avec de nombreux intervenants, canadiens, canado-haïtiens et haïtiens. Ensuite, j'ai monté une mission de reconnaissance, de haut-profil. Arrivé à Port-au-Prince, l'ambassade m'a remis le programme des rendez-vous, très chargé. Aussi, on m'a donné un walkie-talkie imposant, avec son chargeur, « au cas-où ». Le premier soir, épuisé, je me suis couché tôt. Le lendemain je devais rencontrer le ministre du développement, pour lancer la mission officiellement. À six heures le matin le walkie-talkie commence à grincer, et m'a réveillé. Une voix posée et calme annonce à tous les abonnés canadiens à travers Haïti qu'il y avait eu un coup d'État, et que Aristide était arrêté, et qu'il fallait dans aucun cas quitter son chez-soi. Deux minutes plus tard, l'ambassade m'appelle pour me dire de rester à l'hôtel et d'attendre des nouvelles.

J'y suis resté cinq jours, collé au walkie-talkie, ma seule source de



L'auteur sur une photo récente, avec sa courtoisie.

nouvelles. J'entendais des Canadiens à travers le pays faire des rapports sur la situation dangereuse près de chez eux. Les clients de l'hôtel, presque tous des étrangers, attendaient des instructions, qui ne venaient pas. Il y avait toutes sortes de rumeurs, aucune vérifiable. De la terrasse de l'hôtel on entendait les camions de l'armée se promener en ville et tirer partout avec des mitrailleuses de gros calibre. On dit que 3,000 personnes ont été tuées lors de cette première



Photo : de l'UNOCHA.

Photo contemporaine de Port-au-Prince, en Haïti, au milieu d'une spirale de violence des gangs et d'une situation sécuritaire qui se détériore.

semaine. Il y avait un seul téléphone avec une ligne vers l'étranger et je faisais la queue tous les jours pour appeler mon bureau et ma famille, pour les rassurer.

Après quelques jours l'ambassade m'a avisé que la ministre des Affaires étrangères, Barbara McDougall, et des ministres-collègues d'autres pays de l'Organisation des États américains, viendraient en Haïti pour rencontrer le chef des putschistes, le Général Raoul Cédras, pour essayer de le convaincre de mettre fin au coup et de rétablir Aristide en poste. La délégation de haut-niveau arriva dans un avion des Forces armées canadienne, à partir de Washington. Les palabres devaient avoir lieu dans le salon VIP de l'aéroport.

L'ambassade m'a dit au walkie-talkie de faire ma valise et de me rendre à l'aéroport pour rejoindre la délégation canadienne. Pas facile : l'armée, déchaînée, tirait sur tout, et les troupes étaient nerveuses car elles craignaient que Cédras allait peut-être fléchir devant la pression internationale. Malgré cela, un brave chauffeur de l'ambassade est venu me prendre à l'hôtel, avec un immense drapeau du Canada, que je tenais à l'extérieur de la voiture, pendant qu'il roulait à très vive allure, zigzagant entre les déchets et les barrières sur la route.

Arrivé à l'aéroport il me déposa devant le bâtiment principal et repartit sur le champ. Un soldat s'approcha de moi en me pointant de sa carabine. Il avait les yeux rouges, il était drogué, et peut-être ivre aussi. J'ai eu peur. Heureusement, au même moment, la porte du salon VIP s'ouvrit avec fracas, et les délégués-ministres et leurs adjoints déversèrent sur le tarmac, en marchant vite vers l'avion, dont les moteurs tournaient déjà. J'ai passé à côté du soldat à la carabine, confus par tout le bruit, puis j'ai commencé à courir pour rejoindre les autres. J'étais le dernier à monter dans l'avion. Un soldat a poussé l'escalier du mieux qu'il

pouvait avec ses pieds et ferma la porte. J'étais encore debout dans l'entrée. Le pilote a mis les pleins gaz et l'avion a commencé à rouler. Il y avait un bruit terrible. Un soldat m'a crié de m'asseoir n'importe où, et vite. Le pilote a dirigé l'avion vers la piste et ne s'est pas arrêté pour faire les contrôles d'usage. L'avion décolla. Les personnes à bord retenaient leur souffle. Une fois l'avion arrivé au-dessus des nuages, le pilote a dit sur le haut-parleur, « bon, ça va bien tout le monde? » Le personnel a servi beaucoup de boissons aux passagers désireux de consommations de soulagement. J'en ai peut-être pris une moi-même... Plus tard, Mme McDougall, souriante, comme si rien n'était, est venue me dire bonjour:

« C'est vous le monsieur de l'ACDI? Comment c'était en ville? »

« Beaucoup de morts, j'ai dit, tout est chaotique. Il va être difficile de monter un programme de coopération avec ces gens... »

« Oui, sans doute. On n'a pas réussi avec Cédras. J'ai l'impression que son entourage n'allait pas lui donner l'opportunité de faire la moindre concession. À la fin on a dû quitter vite, l'ambiance devenait menaçante. Bon, ben, bon voyage, et bonne suite... »

Arrivé à Andrews Air Force Base à Washington, j'ai remercié la ministre, et j'ai pris un taxi pour aller dans un hôtel en ville, d'où j'ai appelé ma femme.

Pendant les trois années qui ont suivi, mon équipe et moi avons démantelé le programme bilatéral de coopération et avons organisé un programme en parallèle, avec des agences non-étatiques. J'ai même rencontré Aristide à Montréal, lors d'une de ses tournées, mais je voyais que les événements l'avaient traumatisé. Mais il était charismatique, il est vrai. (Quelques années plus tard, en 1994, il fut remis sur son siège de président, suite à de fortes pressions américaines sur les militaires haïtiens.)

Vous qui lisez ce texte, vous savez qu'Haïti se porte encore moins bien aujourd'hui et que les crises s'enchaînent dans ce pays. Je pense souvent à tout le personnel canadien courageux, présent à Port-au-Prince depuis les coups d'État et autres crises qui meurtrissent ce pays depuis toujours. La vie de diplomate peut être agréable, certes, mais il y a aussi des moments de terreur et de risque. Je les salue tous et toutes. ■

Paul Hitschfeld a travaillé au siège de l'ACDI, et en poste à Dar-es-Salaam et à Addis Abéba. Il a toujours apprécié les moments où il faisait affaire avec les collègues des autres ministères.

Thanks!

The FORUM board would like to express its thanks and appreciation to Victor Rakmil, who over the past three years has been a major contributor to our newsletter through his column on photography. Victor will be taking a break after appearing in almost every issue since we began the publication. He will be returning occasionally, we hope, with special columns. Those who wish to see more of his work should click on: <http://www.rakmilphotography.com>. For the work of his partner, Belinda Grover, click on the following link: <https://belindagroverphotography.com>.

We thank them both for helping us launch FORUM and for their steady dedication to helping the photographers among us.

Our Senate Report on the Foreign Service

By Peter M Boehm

With considerable bias, I would suggest that the Senate Report “More than a Vocation: Canada’s Need for a 21st Century Foreign Service” is a long overdue assessment of the current situation at Global Affairs Canada (GAC), with its 29 recommendations providing some prescriptive advice as to how things should change. The Senate Standing Committee on Foreign Affairs and International Trade (AEFA) began its study in April 2022 and concluded in September 2023, following 16 meetings (22 hours of hearings), travel to four countries (USA, United Kingdom, Norway and Germany) and hearing from 10 departments and agencies, current and former ministers and deputy ministers, retired Heads of Mission, academic experts and diversity networks.

The most relevant previous study had been the “Royal Commission on Conditions of Foreign Service”, led by former diplomat Pamela McDougall, which published its findings in 1981. The start of the Senate study preceded the internal “transformation” exercise signalled by Foreign Minister Mélanie Joly and may have had some influence on the actions and deliberations underway in the department. The Report was tabled and approved by the full Senate, thereby giving the government a limited timeframe to provide the mandatory response.

To the chagrin of some of my colleagues, we did not embark on a foreign policy review, which would normally fall within the purview of the government. Instead, we examined “plumbing” and structure, human resource practices and policies. Receiving accurate and recent human resource and budgetary data from the Department was difficult; the minister herself



intervened to ensure we received the right materials. Within the data package, a few facts stood out: the comparative decline over time of foreign service (FS) positions abroad, from 50% of Canada-based staff abroad in the 1990s to just 26% today. The fact that 20% of headquarters FS positions were filled by “non-rotational” (non-FS) professionals and that in 2022, 17% of funded FS positions were vacant. Moreover, there had been a suspension of national FS recruitment from 2009 to 2019 which heavily impacted cohort demographics, with the average age of an FS officer sitting at 47 in 2022. Such numbers do not promote career building. It was not clear to us whether the amalgamation of the Canadian International Development Agency into the department in 2013 had led to the greater policy and operational coherence that the move was touted to achieve. The British had gone through a similar exercise last year and were very curious to compare notes during our meetings in London.

First among our recommendations was the need for far greater

departmental outreach. The virtual platforms that were refined during the pandemic period could be used to great effect in reaching out to schools, universities and interested groups with little cost. The importance of the foreign service needs to be made palpable for the average Canadian, punditry and the media. More outreach leads to more interest and that is why we also recommended reinstatement of an annual pan-Canadian recruitment exercise and with it ab initio official language training. Recruitment should be predictable, straightforward and transparent, promoting the diversity that is our country.

We discovered that senior management in the department was top-heavy, that the Assistant Deputy Ministers and Directors General often had too much of an operational role; more decision-making and accountability should be pushed down to the working levels, thus providing incentives, job satisfaction and better morale. There should be greater mobility between the various officer streams as well as pathways for non-rotational employees to become rotational, thereby eliminating what has in effect become a caste system in which taking on the same work does not necessarily provide the same career opportunities.

The talent management and performance evaluation system should be improved, perhaps with the engagement of more “assignment officers” to provide advice on career planning and development. Exchanges of personnel with other departments, agencies, academe, as well as the private sector should be considered and promoted. All would benefit. If the government and department are serious about this type of human resource cross-

pollenization, it will require the direction of the Clerk of the Privy Council to make it work, so as to ensure all departments play. There must be greater and consistent spending on foreign language training so that we can keep up with our competitors.

We also made some structural recommendations, including the need for the international legal function to remain with the department, as well as considering whether the department should formally achieve central agency status, given its peculiarities in hiring, the fact that it manages both Canada-based and locally-engaged staff abroad and possesses by far the largest number of executive level officials of any government department. The ubiquitous Foreign Service Directives, which govern Canada-based employees abroad, require a major revision to reflect both the needs of today and the lessons learned from the administration of pandemic measures to staff at missions.

It was heartening to see that the recent federal budget included

\$159.1 million for “Global Affairs Transformation” over five years, split between recruitment and training, support for competitive compensation for locally-engaged staff, modernization of IT systems and funding for an enhanced presence at our mission to the United Nations in New York. I have referred to this in the media as a “down payment”. More funding will be required and on a consistent basis.

The pundits tell us that in Canada elections are not fought on foreign policy issues. Yet in a “polycrisis” global environment that is becoming increasingly complex, there remains a strong need to have a fully-functioning foreign, international trade and development ministry that is nimble in its operations, ready to the policy task and suitably equipped with talented and motivated employees. Minority governments normally do not have a long focal length when they view international policy. They react to events. Elections can bring in governments that will wish to make quick changes, budgetary cuts or undertake

structural and/or programme reviews. We have seen this in the past and may very well again. That is why the recommendations of our report, and the department’s ongoing transformative actions should be heeded, including our recommendation to establish an advisory council that would accompany this and future governments along the road to their implementation.

I believe that the confluence of recommendations from a parliamentary committee report and the stated transformative objectives set out by an experienced minister may not necessarily realign anytime soon. For those who wish to see real change, now is the time to act. ■

Senator Peter Boehm served for more than three decades in the foreign service, culminating in his appointments as a G-7 sherpa and deputy minister of international development. Following his retirement from the public service, he joined the Senate in 2018 and currently chairs the Senate’s Standing Committee on Foreign Affairs and International Trade.

An International Women’s Day First at External Affairs, 1972

By Chuck Svoboda

This is a belated celebration of International Women’s Day, with a story of a triumph more than fifty years ago.

My spouse, Lisa, born a Swede, became a Canadian just in the months before the 1972 federal election in Canada, and not long after Canada’s election rules changed to allow non-military Canadians serving abroad as diplomats, spouses, other of-age family members, etc. to vote. We were posted in Wellington, NZ, just on the other side of the

Lisa’s name (with a demure picture) was mentioned in the Department’s annual display in the Pearson building lobby in salute to International Women’s Day.

International Date Line. She and I were the first ones into our High Commission that morning. I was the designated “returning officer”, a typical task befitting the sole External Affairs officer at the small post, apart from the High Commissioner. After opening the voting, I passed Lisa a ballot, took one myself, and invited other Canadians in our office to vote when it suited them. For no special reason, they all did so in quick order. I closed the ballot box and reported to



Photo: Courtesy of the author.

Lisa Svoboda on the South Island of NZ, c. 1971.

Ottawa, as our instructions required, that our voting was completed by about 0930 local time. Neither of us thought about the historic event that had been thus unfolded along with the ballots. After Lisa had dropped in her ballot, she then went off to her normal daily pursuits.

Not more than an hour had passed when we received an “immediate delivery” telegram (remember those?) from Sydney, across the Tasman Sea, in Australia. The substance was that Harry Horn, our Consul General, announced that he had become the first non-military Canadian serving abroad to have voted in a Canadian election. Harry had organised a press conference and had invited a gaggle of media and other local Canadians

to be present for the event – which consisted of his dropping a ballot into a slot. Sydney’s time zone, alas for him and his aspiration, was then (and may still be) an hour after Wellington, despite recent tinkering with international time zones. So poor Harry’s trumpet blast was misguided, and he incorrectly laid claim to his moment of fame. He didn’t take kindly to his almost immediate defenestration (through my report), and he asked Ottawa to confirm that he in fact had been the first to deposit his ballot. The department promptly asked at what time we remote Canucks had voted in Wellington. Lisa indeed turned out to be the first in the Whole World! It was a moment that

demonstrated that we did indeed attract the best and brightest.

In response to our triumph, I promptly ordered a suitably decorated cake for the High Commission staff and, as usual in what was then a busy and understaffed post, we got back to work. Somewhere in my personal archives, we have a photo of this historic event. Harry may have dropped his bugle then and pulled out his hair later on. According to his surviving friends as of 2024, the late Harry had a grand sense of humour, so he may have had a chuckle over the entire affair once he had vented.

The importance of this event was not lost on world opinion. For some reason, the then-Canadian version of Time magazine carried a small item on what we thought was a non-event, as did a few newspapers in Canada. For a few years afterward, Lisa’s name (with a demure picture) was mentioned in the Department’s annual display in the Pearson building lobby in salute to International Women’s Day. If it still does, long may that commemoration prosper. ■

Chuck Svoboda was a member of the noted “class of ‘63” in External Affairs. Having served abroad in Havana, Wellington, Belgrade, and New York, and finally, as Director of the Multilateral Affairs Division and as Acting Director General of the Bureau, he moved to CSIS, where he served as Director General for Requirements and Analysis, until he retired in 1996.

Lisa Svoboda, having entered the department in 1974, served abroad as First Secretary and Consul in Belgrade and as Consul in New York, 1984-88. She retired from DFAIT HQ in 1999, moving to Spain with her husband the following year. There, they tend to a failing vineyard and two wonderful dogs.

In “retirement,” Lisa served on the local town Council, and Chuck led an active and largely successful campaign, backed by a 30,000-member strong association, against abusive land laws- all the way to the EU Parliament.

Character weakness. Pervert. Human frailties. Sexual psychopath. Deviant. Criminal.

By Svend Robinson

If you were gay or lesbian in External Affairs during the 1950s through the early 1990s, this was the reality you faced. It is hard to believe that, only a few decades ago, External Affairs, along with other federal departments, the military and the RCMP, all had policies that led to the investigation, interrogation and firing of gay and lesbian employees.

The rationale was twofold: alleged security risk of blackmail, and public disapproval of the moral degeneracy of homosexuality. Of course, there was not a single documented case of a gay or lesbian employee ever being successfully blackmailed by hostile intelligence services. But over this period, hundreds of dedicated External Affairs employees were fired or forced to resign on threat of loss of their security clearances, asked to report on other gay or lesbian colleagues, and condemned to live and work in fear of losing the jobs they loved solely because of their sexual orientation. Others were denied the opportunity to serve

and refused promotions. Security clearance interviews involved degrading and offensive questions to applicants and their references.

The relationships of gay and lesbian employees were denied any recognition, totally invisible as documented powerfully in the 1992 Bout de Papier article “The Ghosts Among Us”, until the mid-1990s.

In November 2017 Prime Minister Justin Trudeau issued an apology in Parliament for the Purge. As Canada’s first openly gay MP, I was invited by the Prime Minister to help coordinate the apology. Soon after, the government settled a class-action lawsuit brought by survivors of the Purge. I have been working with the Purge Fund, representing survivors, to review confidential government documents telling the story of the Purge. And I am now writing a book, to be published by Cormorant, on the history of the Purge.

I am reaching out to current and past employees of DEA/DFAIT/

GAC to help me tell those stories. If you were affected by the Purge, know a colleague who was, or can share stories about the impact of the Purge on friends, family, or partners, contact me. I will fully respect confidentiality, and nothing will be published without full consent.

Please contact me at sjr99@hotmail.com if you have any questions or are able to assist in telling the story of the impact of the Purge in External Affairs.

The stories of some of the highest profile victims of the Purge, such as John Watkins, John Holmes and David Johnson, have been shared. Many more felt the sting of these devastating policies. Some took their own lives as a consequence. We owe it to all of those whose lives were affected by the Purge to ensure that this history is told and that we shed light on this dark chapter of Canada’s history. ■

Svend Robinson was a member of parliament from 1979 to 2004, representing the riding of Burnaby for the New Democratic Party (NDP).

Faiblesse de caractère. Pervers. Fragilités humaines. Psychopathe sexuel. Déviant. Criminel.

Par Svend Robinson

Si vous étiez gai ou lesbienne aux Affaires extérieures des années 1950 jusqu’au début des années 1990, c’était la réalité à laquelle vous étiez confronté. Il est difficile de croire qu’il y a quelques décennies à peine, le ministère des Affaires extérieures, de même que d’autres ministères fédéraux, les forces

armées et la GRC, avaient tous des politiques qui menaient à l’enquête, à l’interrogatoire et au congédiement d’employé.es gais et lesbiennes.

La raison était double : le risque de chantage présumé pour la sécurité et la désapprobation publique de la dégénérescence morale de l’homosexualité. Bien sûr, il n’y a

pas eu un seul cas documenté d’un.e employé.e gai ou lesbienne qui ait été victime de chantage de la part de services de renseignement hostiles. Mais au cours de cette période, des centaines d’employé.es dévoué.es des Affaires extérieures ont été congédiés ou forcés de démissionner sous la menace de perdre leur

habilitation de sécurité, on leur a demandé de faire des rapports sur d'autres collègues gais ou lesbiennes et on leur a demandé de vivre et de travailler dans la crainte de perdre leur emploi qu'ils ou qu'elles aimaient, uniquement en raison de leur orientation sexuelle. D'autres n'ont pas eu la possibilité de servir et se sont vu refuser des promotions. Les entrevues d'habilitation de sécurité comportaient des questions dégradantes et offensantes à l'intention des candidats et de leurs références.

Jusqu'au milieu des années 1990, les relations des employé.es gais et lesbiennes étaient privées de toute reconnaissance, totalement invisibles, comme l'a documenté avec force l'article de Bout de Papier de 1992 intitulé « The Ghosts Among Us ».

En novembre 2017, le Premier ministre Justin Trudeau a présenté des excuses au Parlement pour la

Purge. En tant que premier député ouvertement gai du Canada, j'ai été invité par le Premier ministre à participer à la coordination des excuses. Peu de temps après, le gouvernement a réglé un recours collectif intenté par des survivants de la Purge. J'ai travaillé avec le Fonds de Purge, qui représente les survivants, pour examiner des documents gouvernementaux confidentiels racontant l'histoire de la Purge. Et je suis en train d'écrire un livre, à paraître chez Cormorant, sur l'histoire de la Purge.

Je fais appel à des employés actuels et passés du MAE, du MAECI et d'AMC pour qu'ils m'aident à raconter ces histoires. Si vous avez été touché.e par la Purge, si vous connaissez un.e collègue qui l'a été ou qui peut partager des histoires sur l'impact de la Purge sur vos ami.es, votre famille ou vos partenaires, contactez-moi. Je respecterai pleinement la confidentialité et

rien ne sera publié sans votre plein consentement.

N'hésitez pas à communiquer avec moi au sjr99@hotmail.com si vous avez des questions ou si vous êtes en mesure de m'aider à raconter l'histoire de l'impact de la Purge aux Affaires extérieures.

Les histoires de certaines des victimes les plus médiatisées de la Purge, telles que John Watkins, John Holmes et David Johnson, ont été partagées. Beaucoup d'autres ont ressenti les effets de ces politiques dévastatrices. Certains se sont suicidés. Nous devons à tous ceux et celles dont la vie a été touchée par la Purge de veiller à ce que cette histoire soit racontée et que nous fassions la lumière sur ce sombre chapitre de l'histoire du Canada. ■

Svend Robinson a été député de 1979 à 2004, représentant la circonscription de Burnaby pour le Nouveau Parti démocratique (NPD).

Who are they, and where are they now?



Photo: Courtesy of Library and Archives Canada, External Affairs Collection

Several people responded to the photo we published in the last issue of FORUM. David Stockwell was the first responder with a complete list. Pictured with Minister Paul Martin were the following officers from the class of 1966: from left to right, Jeremy Kinsman (now in Victoria); Verona Edelstein (now in Vancouver); Witold Weynerowski (died 2009); Ted Johnston (died 2019); Raymond Chrétien (now in Montreal); Michel Beaubien (deceased). Thanks to David for the careful accounting! ■

Upcoming Capital Gains Tax Changes in Canada's Budget 2024

By the Tradex Team

On April 16th, the Liberal government presented the 2024 Canadian federal budget, which includes a modification to the capital gains tax. This adjustment aligns with broader economic priorities and addresses current fiscal challenges. It is currently expected that this proposal will be tabled before Parliament's summer break and will take effect on June 25th. The changes will affect a wide range of individuals, from everyday Canadians to small businesses and large corporations, impacting how capital gains are realized and taxed.

To address the changes outlined in the Budget, Canadians should first understand what capital gains are. Capital gains are the profit earned from the sale of an asset or investment. This occurs when the selling price of the asset exceeds its original purchasing price (plus additional investments and reinvested distributions). Therefore, capital gains are considered a form of income and are subject to taxation. For instance, if you buy a property for \$600,000 and sell it for \$800,000, your capital gain is \$200,000. Capital gains can be realized on a variety of assets including, but not limited to, real estate (excluding primary residences), investments such as mutual funds, ETFs, stocks, bonds, collectibles, and business assets.

Under the existing capital gains tax structure, Canadians are required to include 50% of their realized capital gains in their taxable income. For instance, if an individual were to sell an asset and realize a capital gain of \$100,000, only \$50,000 of that gain is subject to taxation at their marginal tax rate. This inclusion rate has been effective since October of

2000, balancing the need to generate revenue for the government while encouraging investments and savings. The proposed increased inclusion tax rate, however, is not new. In 1972, the 50% capital gains inclusion rate tax was introduced and, in 1988, it was increased to 66.7% and then to 75% in 1990. During 2000, the inclusion rate was dropped back to 66.7% and then to 50%. For individuals, the 2024 Budget proposes to increase the inclusion rate for capital gains exceeding \$250,000 in a calendar year. For corporations and trusts, the 66.7% taxation will be enforced on all realized gains, a substantial increase from the previous structure. For the same \$100,000 gain, \$66,700 would then be taxable under the new rules. This change is expected to have a profound impact on everyday Canadians investments, savings, and the broader Canadian economy.

The increased inclusion rate means higher tax consequences on investment gains. This policy may act as a potential catalyst for some individuals to sell their appreciated assets or investments to avoid the 66.7% capital gains inclusion rate. This will allow the investment gains to be deferred or exempt from taxes. Corporations and small businesses are potentially more affected by the increased capital gains tax inclusion rate. Businesses that rely on the sale of assets for liquidity or investment purposes will face higher tax burdens, impacting their financial planning and investment decisions. Small businesses, in particular, may find it challenging to navigate these changes, as some rely on the sale of businesses for retirement planning (i.e. doctors).

The real estate market, particularly for investment properties, could see significant effects from the increased capital gains inclusion rate. Investors in real estate, who often rely on the appreciation of property values for substantial portions of their returns, may find themselves with larger tax bills upon selling their investment property or cottage. This could lead to a slowdown in the buying and selling of investment properties, potentially affecting market liquidity and housing prices. Alternatively, the change might encourage real estate investors to hold properties for longer periods, further contributing to reduced market activity. Some investors may also seek to transfer their holdings to family members through estate planning to defer the realization of capital gains, although these strategies come with their own complexities and costs.

Lastly, increasing the capital gains tax rate can have multifaceted implications for both corporations and trusts. A corporation is a separate legal entity owned by shareholders, which can buy, sell, and hold assets independently. When it realizes capital gains from asset sales, a portion of the profit is subject to taxation. On the other hand, a trust is a legal arrangement where a trustee holds assets on behalf of beneficiaries. When a trust sells assets for a profit, a portion of the capital gains is typically subject to taxation which is not distributed to the beneficiaries. For corporations, a higher inclusion rate on capital gains would directly impact their profitability, potentially reducing the returns available to shareholders. In addition, with the 50% inclusion rate, 50% of the realized gains can be transferred tax-free to the

shareholders. This amount is reduced to 33% after June 25th.

Moreover, the effects of rising capital gains inclusion on corporations and trusts appear to extend to Graduated Rate Estate Trusts (GREs). A GRE is a testamentary trust for an estate that arises as a result of an individual's death. GREs can qualify for certain tax benefits under Canadian tax law. It can exist for up to 36 months after the individual's death, during which it may qualify for graduated tax rates on its income. An increase in the capital gains inclusion rate can significantly impact GREs, as they often hold investments, real estate, or other valuable possessions. This could lead to reduced returns for beneficiaries and prompt GRE executors to reconsider asset sale timing and investment strategies to mitigate tax impacts. However, it is currently unclear whether the proposed increase in capital gains tax will be applied to GREs, leaving uncertainty regarding their tax treatment.

If considering realizing capital gains early, it is important to consider the

impact of the loss of all future growth and returns perhaps over decades on the amount of tax prepaid. As indicated above, the inclusion rate has changed multiple times in Canada and could change again in the future. The higher inclusion rate will also increase the benefit from making "in-kind" donations to charities. However, with a trusted advisor, individuals should seek always to optimize their tax situations by maximizing their contributions to the tax-advantaged accounts such as the Registered Retirement Savings Plans (RRSP), Tax-Free First Home Savings Accounts (FHSA), and Tax-Free Savings Accounts (TFSA). Tradex can help navigate during these uncertain times to manage the transition and mitigate potential realization of additional tax on capital gains.

The broader economic implications of the increased capital gains inclusion rate are complex and multifaceted. While the new changes intend to increase government revenue and promote tax fairness,

they could also lead to reduced investment activity and economic growth. The long-term effects will depend on how investors, both individual and institutional, adapt their strategies in response to the new tax environment. Moreover, the changes could influence the overall attractiveness of Canada as an investment option, as higher capital gains taxes could deter foreign investors, potentially impacting sectors that rely heavily on international capital. The capital gains tax changes proposed in Canada's Budget 2024 represent a significant shift in tax policy, with wide-ranging implications for individual investors, the real estate market, corporations, and the broader economy. ■

This article was provided to us by the Tradex team at Tradex Management Inc. (TMI) and is for information purposes only. TMI takes reasonable steps to provide up-to-date, accurate, and reliable information, and believes the information to be so when written, as of May 24th 2024.

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For illustrative purpose only, assuming marginal tax rates in Ontario in 2024. Interest income (53.53%), Eligible dividends (39.34%), Capital gains tax (26.76%).
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Gérard Araud, Henry Kissinger: Le diplomate du siècle

Tallandier, 2021, 331 pages

Par **Éric Pelletier**



Gérard Araud a été ambassadeur de France en Israël, puis à l'ONU (New York), et enfin à Washington. Retraité depuis 1979, il publie régulièrement des commentaires et des chroniques sur l'actualité internationale et il participe activement à des plateaux de télévision et autres plateformes. Gérard Cossette avait d'ailleurs analysé dans ces pages son ouvrage "Quarante ans au Quai d'Orsay".

Qui est Henry Kissinger? C'est certainement une personnalité connue, mal aimée mais influente. C'est avant tout un personnage hors norme et centenaire depuis mai 2023.

D'emblée, Gérard Araud, insiste qu'il ne s'agit pas d'une "biographie au sens traditionnel". Pour cerner Henry Kissinger, il s'appuie sur une abondante littérature, d'entretiens avec Kissinger et de ses publications pour analyser la carrière de ce "grand diplomate dans ses oeuvres, avec ses ombres et ses lumières que reflètent l'admiration mais aussi les

controvertes qui l'entourent".

Avec méthode, Araud s'inscrit dans une approche théorique européenne d'analyse et une vision française de l'Amérique. En outre, il situe Kissinger vis-à-vis des personnalités française dont notamment De Gaulle. Le mérite de son ouvrage est de passer en revue l'abondante documentation sur ce personnage.

Arnaud décline succinctement les étapes de cette longue vie, de l'enfance, son exil et son amerrissage dans le Bronx. Puis, il survole son éducation, sa participation à la 2^{ème} Guerre mondiale fraîchement naturalisé américain, et sa formation universitaire en sciences politiques à Harvard, où sa longue thèse touffue sur Metternich, bien qu'orthodoxe, étonne.

Il s'attarde ensuite au développement de l'homme Kissinger notamment à travers les courants idéologiques qui forgeront la pensée de celui-ci, et ses interactions avec des mentors comme Fritz Kraemer, William Elliott, ou Nelson Rockefeller. Ces derniers stimuleront non seulement son intellect, mais plus important encore, lui permettront d'élargir sa base de puissants et influents contacts pour servir son ambition dévorante.

Henry Kissinger est un conservateur dans l'âme, probablement une conséquence de son enfance mouvementée. Il a été exposé au nazisme et aux persécutions contre sa famille, quoiqu'il n'évoquera jamais en public le nazisme ou le judaïsme.

C'est un homme brillant, immodeste et très ambitieux. Cependant, c'est un universitaire rigoureux (la règle qui limite la longueur des thèses à Harvard porte son nom). À travers son réseau social, sa carrière universitaire, sa participation dans des "Think Tanks", et ses écrits (livres, articles, etc.), il devient un acteur de la politique étrangère américaine. De 1968 à 1973 il sera au centre de la mêlée d'abord comme conseiller à la sécurité nationale puis secrétaire d'État auprès des présidents Nixon et Ford. Même

s'il s'est écoulé un demi-siècle depuis sa retraite des affaires étrangères, il demeure actif dans le domaine international et son avis est sollicité.

Partout où il passe, il impressionne, irrite et est contesté tant à droite qu'à gauche. Il n'en n'est pas à une contradiction près. Pour Araud, "Kissinger fut paradoxalement le secrétaire d'État le plus secret vis-à-vis du reste de l'administration et le plus ouvert à la presse". Il concède que c'est un bon négociateur, dosant humour et flatterie, arrogant, insensible, adepte des formulations ambiguës, Kissinger manie les colères feintes et les demi-vérités sans tomber dans le mensonge. Toutefois certains membres conservateurs du Congrès y voyaient plutôt des demi-mensonges.

Son nom, bien avant l'attaque sanglante du Hamas le 7 octobre 2023 évoque encore ses incessantes navettes diplomatiques, la guerre du Kippour, le rapprochement avec la Chine et la poursuite de la "Realpolitik" avec l'Union soviétique. Mais il est aussi caractérisé par des actions moins reluisantes et polémiques, alimentées par sa vision de la guerre froide en une lutte à finir entre les États-Unis, terre des libertés, et l'Union soviétique, épice du communisme. Mentionnons quelques exemples: le coup d'État au Chili en 1974, la chute de Phnom Penh et Saïgon notamment, les lourdes pertes de vie américaines et les victimes civiles des bombardements. Il recevra néanmoins le prix Nobel de la paix en 1973 pour son action dans la résolution de la guerre du Viet-Nam.

Henry Kissinger, un peu comme Théodore Roosevelt avant lui, n'était pas mu par ses valeurs morales (pour parler XXI^{ème}), mais par une très forte conception de la puissance et de l'intérêt stratégique des États-Unis. "Entre un ordre injuste et un désordre juste, il choisit le premier. Et cette stabilité ne peut reposer que

sur l'équilibre des puissances.”

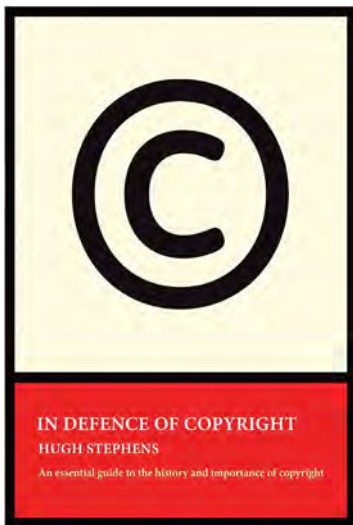
Si, manifestement Arnaud admire Kissinger, il demeure lucide et objectif. Au final, Arnaud se garde bien de porter un jugement définitif sur l'homme mais nous laisse, comme lecteur, cette latitude. Ce faisant, il ne parvient pas non plus à "...dissiper les malentendus qui souvent opposent l'opinion publique" aux diplomates. Parce que, particulièrement dans le contexte de la rectitude politique actuelle, dans ses approches, Kissinger "... n'essaie pas de l'envelopper de la rhétorique pieuse...". Pour Arnaud, les Américains n'aiment pas cette "rhétorique froide". Ils croient plutôt dans la destinée manifeste de leur pays et son corollaire d'une lutte entre le Bien et le Mal. La raison d'état doit épouser la morale personnelle. Or dans un tel pays, il n'est pas surprenant qu'Henry Kissinger indispose. Il reviendra aux historiens et politicologues du futur de décortiquer tout cela.

Éric Pelletier a été posté à Londres, Los Angeles, Atlanta et à Paris auprès de l'OIF, et à Ottawa a œuvré à l'organisation de plusieurs sommets internationaux.

Hugh Stephens, In Defence of Copyright

Toronto: Cormorant Books, 2023, 232 pages.

By Douglas George



The protection that copyright affords to authors and creators has evolved over the centuries since Britain's Statute of Anne in 1710 to encompass national laws, bilateral agreements, and international treaties and conventions, as well as a complex body of jurisprudence and interpretation. These protections were put in place to provide an incentive for authors to create new works for the benefit of society. There has always been a tension between balancing the incentive to create new works by protecting creators' individual rights against the interests of the users and competitors. Currently, there are new and evolving challenges such as AI, as well as longstanding problems such as piracy. In addition, Canada is facing additional issues in certain sectors due to legal decisions and policy choices that are putting pressure on Canadian creators. Hugh Stephens' book addresses these and many other issues and provides a strong basis for his argument that society needs to defend copyright.

For readers not immersed in the intricacies of intellectual property, *In Defence of Copyright* starts out with a good explanation of the basics. It outlines the role of the author/creator, the types of rights enjoyed by the copyright owner, including economic rights (distribution, reproduction, performance) and moral rights (ability to protect the integrity of the work), even after it is sold. Stephen's use of examples, including many from Canada, helps to illustrate how these rights apply in practice.

The description of the historical basis serves to underscore the original reason for copyright protections, which was to encourage learning. The author traces developments in the UK and the separate track taken in the USA, leading to some differences. Adapting to technological developments is not a new challenge. Over the years, rights have been expanded to cover new technologies and new categories

of works, including player piano rolls, films and computer programs. International agreements were also developed to provide protections beyond the home market. This was driven due to unauthorized copies of British works being published in the US and American works in Canada, both legal under existing laws. Pressure for an international agreement came from many sources, including Victor Hugo, leading to the Berne Convention of 1886. Other treaties have followed, and with the adoption of the WTO, the TRIPs agreement provided a mechanism to resolve disputes.

Stephens discusses the other side of the coin. He outlines the key limitations and exceptions which apply to copyright and sets us up for the later discussion of current and future challenges. With the basics outlined, the author brings his readers to a good basic level of understanding of copyright.

Piracy of copyrighted works is not new (Mark Tain complained about Canadian publishers), but technological advances have provided new avenues for widespread abuse. These include the ability to produce bootleg copies of music and films quickly and cheaply, and with the advent of streaming, the issues raised by Napster. The economic costs of piracy could be quite significant, with cultural industries contributing about 3% to the Canadian economy and over 7.4% to the US economy. Consumer acceptance or indifference to piracy is worrying. Stephen's discussion of piracy in China largely calls into question much of the conventional wisdom regarding Chinese attitudes to copyright. China and Hong Kong are major sources of pirated and counterfeit goods.

An ongoing debate concerns the extent which the public can legally access copyrighted works without prior permission. New technologies account for some of the issues, including Google's book digitization project, use of news

snippets by internet platforms and educational lending. The news example is well known in Canada over the recent disagreement between news organizations and digital news intermediaries regarding compensation for sharing articles.

The educational lending issue relates to decisions by Canadian universities to drop out of collective licensing agreements and stop paying licensing fees, claiming copies were “fair dealing”, which Stephens describes as “an inexcusable business and moral lapse”. The policy decisions, along with court decisions and legislation, have resulted in less interest in making content for the Canadian educational market. This runs counter to the original intent of the 1710 Statue of Anne which was “the Encouragement of Learning”.

Copyright law has adapted over the centuries to new challenges. Among the ones facing the industry and policy makers today are AI and blockchain. A key challenge to AI, is that copyright is only available to humans. This could test the foundations of copyright. Associated issues include the use of unlicensed copyrighted works to generate works by AI. Another issue that has become prominent is the question of protection against misuse of traditional cultural expressions. These do fit cleanly into current copyright definitions of a work created by a single creator or defined group and protected for a limited amount of time.

Overall, In Defence of Copyright sets out a clear understanding of the development of the protections, limitations and exceptions and the ongoing challenges the sector faces. Stephens has mounted a solid defence of the importance of copyright. ■

Douglas George served in Globe Affairs Canada, including as Director of the Intellectual Property and IT Trade Policy Division.

Report on CFSAF's Second AGM, 8 May, 2024

By Habib Massoud

The second Annual General Meeting (AGM) of the Canadian Foreign Service Alumni Forum (CFSAF) was held on 8 May 2024 in the facilities of the Beechwood Foundation. The AGM elected the CFSAF's Board of Directors for the coming year. In addition to the members of the outgoing Board, two new members will be joining: Gilles Breton and Carol Bujeau.

Following the election of the Board of Directors, the meeting reviewed and approved the Forum's financial statement for the previous year and its proposed budget for the coming year. This information will eventually be posted on our website, or can be obtained by sending a message to: edit.forum99@gmail.com.

The Co-Presidents reported on the initiatives and on-going work of the Forum. The newsletter continues to be published three times per year, in February, June and November. We now have three corporate sponsors, and may be finalizing a fourth, which makes the newsletter almost financially self-sustaining.

The archives project, headed by Kurt Jensen, has been highly successful. We are currently working with the archives of Trinity College, University of Toronto, and we are also seeking other archival institutions that may wish to hold the papers of members. We're also seeking the cooperation of museums that may wish to display the many artifacts of the diplomatic trade. That has been slow work because museums simply no longer have the space for storage of items that are not compelling and of immediate interest.

Bob Peck and Liz Heatherington are leading a project to finalize a coat of arms for the Canadian foreign

service. This is not a CFSAF project, but we have provided publicity for the project, which is now nearing completion. We should have news of this project shortly.

An Ottawa discussion group has been created, further to comments made at last year's AGM. This group is coordinated by Liz Heatherington and meets every few months at Beechwood. We are also looking to support the formation of other discussion groups in other cities across Canada. Let us know if you have a group or want to form a discussion group, and we can assist in communications.

The Forum website project is still awaiting volunteers to manage this important subject. What we are looking for is not technical people, since we deal with a commercial firm to manage our website. What we need is a small number of volunteers to look at what should be on the website, how the information should be organized, and how information management systems should be established so that the website is always up-to-date and informative.

Work has begun to erect a monument in memory of foreign service people who died abroad. This monument has been designed and will be located between the Pearson and Diefenbaker buildings. We will provide information when there is a ceremony to open the site.

We have also identified the desirability of putting together a Facebook page to offer services and support to some of the regional groups of foreign service people from across Canada. We hope to be able to have a zoom meeting of a group of interested people arranged soon. Ideally, we would

have representatives from Victoria, Vancouver, Montreal, Quebec, etc. on hand for this occasion, and see what we need, either one Facebook page, or a series of linked Facebook pages, serving the information needs of the wider community. Let us know if you can volunteer, at edit.forum99@gmail.com.

At the conclusion of the business aspects of the AGM, Forum members heard a presentation by Rt. Hon. Joe Clark, former Prime Minister, former Secretary of State for External Affairs, and former Minister for Constitutional Affairs. Mr. Clark spoke about his time in office as

the Minister at the formerly named Department of External Affairs and assessed the present state of Canada's international relations. Unfortunately, the Zoom system failed to function to expectations, for which we offer our apologies to those outside the National Capital Region. ■

Rapport sur la deuxième AGA du FASEC, 8 mai 2024

Par Habib Massoud

La deuxième Assemblée générale annuelle (AGA) du Forum des anciens du service extérieur canadien (FASEC) s'est tenue le 8 mai 2024 dans les locaux de la Fondation Beechwood. L'AGA a élu le conseil d'administration de la FASEC pour l'année à venir. En plus des membres du conseil sortant, deux nouveaux membres se joindront au conseil : Gilles Breton et Carol Bujeau.

Suite à l'élection du conseil d'administration, la réunion a examiné et approuvé les états financiers du Forum pour l'année précédente et son projet de budget pour l'année à venir. Ces informations seront éventuellement publiées sur notre site Web, ou pourront être obtenues en envoyant un message à : edit.forum99@gmail.com.

Les coprésidents ont rendu compte des initiatives et des travaux en cours du Forum. Le bulletin d'information continue d'être publié trois fois par an, en février, juin et novembre. Nous avons maintenant trois parrains corporatifs et nous espérons en finaliser un quatrième, ce qui rend le bulletin presque financièrement autonome.

Le projet d'archives, dirigé par Kurt Jensen, a connu un grand succès. Nous travaillons actuellement avec les archives du Trinity College de l'Université de Toronto, et nous recherchons également

d'autres institutions d'archives qui souhaiteraient détenir les papiers des membres. Nous recherchons également la coopération des musées qui souhaiteraient exposer les nombreux artefacts du corps diplomatique. Cela a été un travail lent car les musées n'ont tout simplement plus d'espace pour stocker des objets qu'ils n'exposeront pas ou ne sont pas d'un intérêt immédiat.

Bob Peck et Liz Heatherington dirigent un projet visant à finaliser les armoires du service extérieur canadien. Il ne s'agit pas d'un projet du FASEC, mais nous avons fait de la publicité pour le projet, qui est maintenant presque terminé. Nous devrions prochainement avoir des nouvelles de ce projet.

Un groupe de discussion a été créé à Ottawa, suite aux commentaires formulés au cours de l'AGA de l'an passé. Ce groupe est coordonné par Liz Heatherington et se réunit quelque fois l'an à Beechwood. Nous cherchons également à soutenir la formation d'autres groupes de discussion dans d'autres villes du Canada. Faites-nous savoir si vous avez un groupe ou si vous souhaitez former un groupe de discussion, et nous pourrions vous aider dans les communications.

Le projet de site Internet du Forum attend toujours des volontaires pour gérer ce sujet important. Ce que nous

recherchons, ce ne sont pas des gens avec des habiletés techniques, puisque nous faisons affaire avec une firme commerciale pour gérer notre site Internet. Ce dont nous avons besoin, c'est d'un petit nombre de bénévoles pour examiner ce qui devrait figurer sur le site Web, comment l'information devrait être organisée et comment les systèmes de gestion de l'information devraient être établis afin que le site Web soit toujours à jour et informatif.

Les travaux ont commencé pour ériger un monument à la mémoire des agents et agentes du service extérieur décédés à l'étranger. Ce monument a été conçu et sera situé entre les édifices Pearson et Diefenbaker. Nous vous préviendrons par media électroniques lorsqu'il y aura une cérémonie d'ouverture du site.

Nous avons également identifié l'opportunité de créer une page Facebook pour offrir des services et du soutien à certains groupes régionaux du service extérieur de partout au Canada. Nous espérons pouvoir organiser bientôt une réunion Zoom d'un groupe de personnes intéressées. Idéalement, nous aurons des représentants de Victoria, Vancouver, Montréal, Québec, etc. sur place pour cette occasion, et verrons ce dont nous avons besoin, soit une page Facebook, soit une série de pages Facebook liées entre elles, répondant

aux besoins d'information de toute la communauté. Faites-nous savoir si vous pouvez faire du bénévolat.

À la fin des aspects formels de l'AGA, les membres du Forum ont entendu une présentation du Très hon. Joe Clark, ancien premier ministre,

ancien secrétaire d'État aux Affaires extérieures et ancien ministre des Affaires constitutionnelles. M. Clark a parlé de son mandat en tant que ministre de l'ancien ministère des Affaires extérieures et a évalué l'état actuel des relations internationales

du Canada. Malheureusement, le système de Zoom n'a pas répondu aux attentes, et nous présentons nos excuses à ceux et celles qui se trouvent à l'extérieur de la région de la capitale nationale. ■

Les titres des diplomates femmes

Par **Gérald Cossette et feu Marcel Cadieux**

Dans un numéro précédent, Isabelle Roy a fait mention des échanges qu'elle avait eu avec ses homologues européens quant au titre qu'elle portait ou 'devrait' porter à titre de cheffe de mission. Cette question, encore d'actualité dans certains services extérieurs, ne devrait plus être un secret pour nous puisque qu'elle était déjà soulevée dans les années 50s, alors que la participation des femmes comme diplomates prenait son envol

La première femme à devenir cheffe de poste est Elizabeth MacCallum qui fut détachée auprès de notre mission à Beyrouth à titre de Chargée d'Affaires en 1954. Sa nomination soulève un tollé de protestations au sein du corps diplomatique du moment alors que les chefs de missions des pays francophones ne s'entendaient pas sur l'appellation formelle devant être utilisée lorsque l'on s'adressait à elle. En 1958, Margaret Meagher devenait la première femme ambassadrice canadienne à notre mission en Israël.

Cependant, selon l'information dont nous disposons, c'est en 1957 pour une des premières fois, que la question des titres utilisés par les diplomates féminins est soulevée par les hautes instances du ministère. Alors sous-secrétaire d'état adjoint (Assistant Under-Secretary), Marcel Cadieux écrivait dans une note de service : *'Il ressort de l'excellent mémoire préparé en 1954 par M. Lavoie et des*

auteurs que j'ai consultés (grammaires, dictionnaires) qu'il n'existe pas encore de règles définies en cette matière. La plupart des sources sont muettes et les autres ne concordent pas.

En conséquence, à mon avis, nous devrions : (1) accepter l'usage local à l'étranger; (2) faire le choix nous-mêmes d'une règle que nous devons suivre systématiquement tout en l'adaptant à l'évolution de la pratique.

Quant à la solution que nous devons adopter, je me rallie volontiers à celle que suggère M. Lavoie (et que résume M. McGreer au paragraphe 3 de son mémoire) ; elle est conforme d'ailleurs à la pratique suivie par l'ONU. Lorsque l'usage a élaboré une version féminine du titre, il (faut) l'employer. Dans les autres cas, comme la profession est encore généralement exercée par des hommes, l'article et la forme du masculin devraient être utilisés surtout si la version féminine n'est pas particulièrement euphonique.

Il est probable cependant que l'évolution actuellement en cours va se poursuivre et que certains titres maintenant exclusivement masculins recevront une version féminine ; il faudrait adapter graduellement notre pratique à l'usage qui sera accepté.

Nous pouvons donc je suggère, adopter pour les diplomates femmes de notre service les titres d'Ambassadrice, Conseillère, Chargée d'Affaires ou de Mission, d'Attachée et de Secrétaire-générale, mais retenir la désignation masculine si elles sont le Ministre, Consul-général, Consul ou Vice-Consul du Canada.' M.C.

Malgré les avancées faites par les femmes au sein du milieu, le fait que l'enjeu soit encore soulevé par certains milite en faveur de plus d'efforts pour la reconnaissance du rôle que jouent les femmes au sein des différents corps diplomatiques. La question semble être réglée au Canada puisque ce n'est qu'au fil de mes lectures sur l'histoire du ministère que je suis tombé sur le sujet. Dans mes affectations à l'étranger ou mes interactions avec les diplomates d'autres pays, jamais je n'ai senti d'ambivalence dans la façon de m'adresser aux femmes qui servaient dans des corps diplomatiques étrangers. Il est vrai que ce 'problème' ne se présente pas en anglais alors que les titres ne s'accordent pas. Il suffit de dire Ms. ou Madame avant le titre Ambassador (Your Excellency, pour ceux et celles qui y tiennent) pour signifier qu'il s'agit d'un homme ou d'une femme. En ces temps d'identification sexuelle multiple, il ne faudrait pas se surprendre si l'enjeu refait surface. C'est à suivre...

Tiré de la publication : *Affaires étrangères et Commerce international Canada, Une histoire en documents 1909 – 2009, Affaires étrangères et Commerce international Canada, 2009, Ottawa, 2009, 337 p.* ■

Lors de son dernier passage au MAECI, Gérald Cossette était sous-ministre délégué.

“Ice-Breaker” at the Canadian Screen Awards

By Gary Smith

The event was the twelfth annual Canadian Screen Awards, held over three days at the CBC Broadcast Centre in Toronto. It turned out to be classy and celebratory, with lots of glam, glitz, and complimentary champagne. It was fun.

“Ice-Breaker”, our documentary about the 1972 Summit Series, directed by Robbie Hart, was nominated for the Barabara Sears Award for Best Editorial Research.

The competition was tough.

“Mr. Dressup: the Magic of Make Believe” won numerous awards for documentary pictures.

Ernie Coombs with his puppet friends (Casey and Finnegan) ran on CBC television for 29 years with 4,000 episodes, with millions of fans. They are Canadian icons.



Gary Smith (right) with Ice-Breaker director, Robbie Hart, courtesy of the author.

When the dust cleared on the evening of 30 May, Mr. Dressup won top prize.

But I came away happy and honoured to have received a nomination for a film which touched on Canadian diplomacy.

Gary Smith’s book, “Ice War Diplomat”, on which the movie “Ice-Breaker” is based, is widely available across Canada. ■

How to join the Canadian Foreign Service Alumni Forum (CFSAF)

The Canadian Foreign Service Alumni Forum (CFSAF) is a non-governmental organization consisting primarily of retired, or about-to-retire members of the Canadian foreign service, from several departments and various occupational groups. It includes spouses, as well as persons who did not serve abroad but constituted the support team for Canada’s foreign service in Canada.

We’d love to expand our membership. We have three types of members: annual members, life members, and benefactors. If you’re interested in joining the CFSAF, send us an email at edit.forum99@gmail.com.

Comment rejoindre le Forum des anciens du service extérieur canadien (FASEC)

Le Forum des anciens du service extérieur canadien (FASEC) est une organisation non gouvernementale composée principalement de membres retraités ou sur le point de prendre leur retraite du service extérieur canadien, de plusieurs ministères et divers groupes professionnels. Cela comprend les conjoints ainsi que les personnes qui n’ont pas servi à l’étranger mais qui ont constitué l’équipe de soutien du service extérieur du Canada au Canada.

Nous serions ravis d’élargir notre nombre de membres. Nous avons trois types de membres : membres annuels, membres à vie et bienfaiteurs. Si vous souhaitez rejoindre le FASEC, envoyez-nous un courriel à edit.forum99@gmail.com.

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