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THE PERSIAN GULF WAR WAS A WAR

Report of the Standing Committee on Veterans Affairs

Emmanuel Dubourg, Chair

**DECEMBER 2024
44th PARLIAMENT, 1st SESSION**

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**Emmanuel Dubourg
Chair**

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NOTICE TO READER

Reports from committees presented to the House of Commons

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. Substantive reports on a subject-matter study usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations.

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has the honour to present its

EIGHTEENTH REPORT

Pursuant to its mandate under Standing Order 108(2), the committee has studied the recognition of Persian Gulf Veterans and Wartime Service and has agreed to report the following:

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LIST OF RECOMMENDATIONS

As a result of their deliberations committees may make recommendations which they include in their reports for the consideration of the House of Commons or the Government. Recommendations related to this study are listed below.

Recommendation 1

That Veterans Affairs Canada abolish the category of “wartime service veteran” in its *Policy on Disability Benefits in Respect of Wartime and Special Duty Service – The Insurance Principle* and list only those areas of conflict or military operations that qualify for disability compensation under the Insurance Principle. 11

Recommendation 2

That the Minister of Veterans Affairs introduce a bill amending sections 69 and 70 of the *Veterans Well-being Act* to add to the powers of the Minister of National Defence the power to assign to past, present or future military operations the following designations:

- “war emergency operation” when a military operation takes place further to a proclamation of a “war emergency” under the *Emergencies Act* (such a designation would be applicable to both the First and Second World Wars); and
- “war zone operation” when a military operation is carried out in defence of a state other than Canada and the situation would likely have justified the proclamation of a “war emergency” by that state if the criteria of the *Emergencies Act* were in force there, without a “war emergency” having been proclaimed in Canada (such a designation would be applicable to, among others, the Korean War, the Gulf War, the war in the former Yugoslavia and the war in Afghanistan). 15

Recommendation 3

That the Department of National Defence provide the Committee with a document explaining in greater detail the reasons for the policy prohibiting the dual recognition of medals and undertake a review of this policy. 22

Recommendation 4

That Veterans Affairs Canada enter into immediate consultation with Gulf War veterans in order to implement, before the 35th anniversary of the Persian Gulf War in 2026, commemorative measures that will, in the veterans’ view, recognize the inestimable value of their service..... 24

Recommendation 5

That Veterans Affairs Canada recognize the cluster of chronic symptoms referred to as “Gulf War Syndrome” as a compensable medical condition, that it collaborate closely with Canada’s allies—particularly the United States—on assessing its root causes, and contribute to research into the causes of the illness..... 26



THE PERSIAN GULF WAR WAS A WAR

INTRODUCTION

Canada's participation in the Persian Gulf War, which took place between August 1990 and April 1991, was the first military operation involving significant offensive action since the end of the Korean War in 1953. Some 4,500 Canadian servicemen and servicewomen were deployed.

Since the end of these operations, many veterans of the Persian Gulf War have been calling for greater recognition of their role during this conflict, both in terms of commemorating their efforts and financial benefits. Their main demand is that their service be recognized as equivalent to that of Korean War veterans and that it be designated as "wartime service" rather than the current legal designation of "special duty service." In their view, this change of designation would better recognize the specific risks of these operations, which were not limited to peacekeeping, and would result in more adequate financial compensation for disabilities resulting from participating in these operations.

The evidence heard so far has raised a number of issues that relate to these demands:

- 1) the impact of the "wartime service" designation on access to Veterans Affairs Canada (VAC) programs and services;
- 2) the designation of "special duty service" and recognition of the risks associated with military operations during the Gulf War;
- 3) the consequences of replacing disability benefits under the *Pension Act* with those under the *Veterans Well-being Act* as of April 2006;
- 4) commemorating the Gulf War with monuments and events;
- 5) policies regarding the wearing of medals awarded to Canadian military personnel by foreign powers; and
- 6) recognizing Gulf War Syndrome as a compensable condition by Veterans Affairs Canada.

The Committee held 11 meetings on this subject between June and November 2024. Not including the extensive documentation tabled to support members' deliberations,



the Committee heard 29 witnesses. We trust that this report adequately addresses their concerns.

THE ADMINISTRATIVE CATEGORY OF “WARTIME SERVICE”

If It Looks Like A War...

On 2 August 1990, Iraq invaded Kuwait, citing among other things a long-standing dispute that Kuwait was stealing its oil resources. A coalition of 35 countries led by the United States was subsequently deployed as part of Operation Desert Shield. Canada joined these efforts in August 1990, launching [Operation Friction](#) and sending three ships to the region. In his testimony, Rear Admiral (Ret'd) Ken Summers, who was the commander of the Canadian Forces in the Middle East at the time, summed up the operation as follows:

Our ships ... were instrumental in the interdiction operations that took place in the gulf prior to actual hostilities. Canada, with only about 5% of the interdiction ships, ended up doing in excess of 25% of all the boardings in the gulf, and quite honestly, we were in the central, middle gulf.¹

In October 1990, Canada sent 16 aircraft to Doha, Qatar, along with over 100 military personnel to protect and maintain the Canadian equipment. According to Rear Admiral Summers, this part of the operation was underestimated:

I have to mention the aircraft, the CF-18s, which people believed were just flying over the ships in the gulf and protecting them. In actual fact, they did an awful lot more. They started doing that, but then they were moved up to the head of the gulf and were right off Kuwait City and the operations there ...

When the requirement came to actually conduct fighter operations and bombing missions over Iraq and Kuwait, we were asked to provide close air support, the so-called sweep and escort missions, where they went ahead of the attacking force and with the attacking force going over Kuwait and Iraq. That was a tremendous thing. Toward the end, they got into doing air-to-ground, or air-to-sand, perhaps. In any event, it was a mission.

1 ACVA, *Evidence*, 21 October 2024, RAdm (Ret'd) Ken Summers (Commander Canadian Forces Middle East, As an individual), 1540.

I would point out very proudly that of all the aircraft over there, it was only the Canadians who did all three missions with the same aircraft and the same pilots. That was a testimony to the professionalism of our air force.²

Several medical teams were also deployed, and dozens of Canadian military personnel were integrated into the military units of other countries participating in Desert Shield. RAdm Summers described the usefulness of the hospital as well as the risks involved in the mining operations:

[The field hospital] was stationed at Al Jubail, which was on the Persian Gulf, but when war started, it went out to the west to a place called Al Qaysumah on the Saudi-Kuwait border. When it was being set up, it came under a Scud attack. It was the hospital that looked after not only injured allies but injured Iraqi people coming to the headquarters. It was really quite something. In fact, the number of Iraqis coming there because they were given up.... Our security forces who went with them became very much the guards of all the POWs until they could send them elsewhere.

Someone mentioned this, but the mining that took place on the shores of Kuwait City and at the airport was absolutely incredible. It was our engineers who went there and were able to clear the shores and the airfield of booby-trapped bunkers with ammunition and all sorts of stuff. I would also proudly say that other allies were not quite as lucky, so I put it down to our professionalism and the training of our soldiers that no one ever got hurt doing those mining operations.³

With the outbreak of the air war on 16 January 1991, Canadian forces became involved in more offensive efforts as part of the allied operation Desert Storm, and the Canadian contingent was increased. With the effective liberation of Kuwait, a ceasefire was declared on 28 February 1991, and Canada's participation in the Gulf War ended on 16 April.

Anyone following events in Kuwait and the region during this period would have said that this was indeed a war. As Rear Admiral Summers pointed out, even though the original UN resolution did not involve hostilities, it was still a war: "When the time came, we had to be able to do it, so that's when it went from a UN resolution to a conflict of

2 ACVA, *Evidence*, 21 October 2024, RAdm (Ret'd) Ken Summers (Commander Canadian Forces Middle East, As an individual), 1545.

3 ACVA, *Evidence*, 21 October 2024, RAdm (Ret'd) Ken Summers (Commander Canadian Forces Middle East, As an individual), 1625.



war.”⁴ Vice Admiral (Ret’d) Duncan Miller, who was the commander of the Canadian naval operations, echoed his comments:

There’s no doubt in my mind that we were in a war: 150 Americans and 37 British soldiers died in the war, and countless were injured. A number of Canadians have suffered and still suffer from post-traumatic stress disorder as a result of being in the war, with all of the stresses that entails.⁵

Harold Davis of the Persian Gulf Veterans of Canada said:

Gulf veterans will tell you that they were in a war. Ask the pilot who flew a bombing mission against the fourth-largest military at the time. Ask the navy veteran who sailed into a minefield to assist in the rescue of a United States Navy ship that struck a mine. Ask a nurse who treated prisoners of war during the conflict, or ask the veteran who was under numerous Scud missile attacks.⁶

Official diplomatic statements do not provide objective criteria for defining a war either. As Rear Admiral Summers pointed out, those days are over:

There are the classic wars, if you want to call them that, because that’s what they were—infantry against infantry and that sort of stuff, like the Second World War, the First World War and the Korean War—and there’s what we’re doing now, which is far more technology-oriented. All we have to do is look at what’s happening in Ukraine and Russia. They’re not sending soldiers back and forth quite so much; they’re sending drones. Technology has taken over. It is a different kind of warfare that’s going on now.⁷

...

That’s the type of operation we were involved in. War was never declared. It all happened when he didn’t do that. At two o’clock in the morning on the 16th, all hell broke loose, and that’s how we got involved in it. Eventually, at some point in time, a ceasefire was declared and they stopped fighting. However, it was never declared. Saddam Hussein never declared a ceasefire. They all stopped.⁸

4 ACVA, *Evidence*, 21 October 2024, RAdm (Ret’d) Ken Summers (Commander Canadian Forces Middle East, As an individual), 1625. See also the remarks of VAdm (Ret’d) Duncan Miller (Commander Canadian Naval Forces, Allied Combat Logistics Commander, As an individual), ACVA, *Evidence*, 21 October 2024, 1600.

5 ACVA, *Evidence*, 21 October 2024, VAdm (Ret’d) Duncan Miller (Commander Canadian Naval Forces, Allied Combat Logistics Commander, As an individual), 1550.

6 ACVA, *Evidence*, 3 October 2024, Harold Davis (President, Persian Gulf Veterans of Canada), 1105.

7 ACVA, *Evidence*, 21 October 2024, RAdm (Ret’d) Ken Summers (Commander Canadian Forces Middle East, As an individual), 1600.

8 ACVA, *Evidence*, 21 October 2024, RAdm (Ret’d) Ken Summers (Commander Canadian Forces Middle East, As an individual), 1635.

Several Canadian government documents and decisions seem to support recognizing the Gulf War as a war. According to Vice Admiral Miller: “The ships Athabaskan, Terra Nova and Protecteur, as well as 423 Helicopter Anti-Submarine Squadron and 439 Tactical Fighter Squadron, were awarded battle honours by the government. Battle honours are awarded for combat in a war.”⁹

These definitions are important for veterans, as they validate their experience of conflict. The Canadian Armed Forces [Medals Chart](#) states that 4,458 members and veterans were awarded the Gulf and Kuwait Medal for serving a minimum of 30 cumulative days in this theatre of operations between 2 August 1990 and 27 June 1991. Moreover, 3,198 of them also received the bar for serving one day or more in this theatre “during actual hostilities” between 16 January 1991 and 3 March 1991. The website notes that the bar is “awarded for those deployed during the actual war.”¹⁰

In her June 2024 testimony, however, Amy Meunier, VAC’s Assistant Deputy Minister of Commemoration and Public Affairs, said “[the Persian Gulf War is] not defined as a war.”¹¹ That took a number of Committee members by surprise.

What she meant, and what other witnesses later tried to clarify, was that, although the Gulf War was a war, Canada was not itself “at war” in the legal sense of the term, as it was the last time during the Second World War. According to the Hon. Ginette Petitpas Taylor, Minister of Veterans Affairs, the problem lies in the difference between the usual definition of war and its legal definition:

We have to recognize that the men and women who served in the Persian Gulf were in harm’s way, number one. They were also outside of the safety of Canada, and they signed up for this mission.

Do I consider this a war? I would consider it a war. With respect to the legislation, however, my definition as to what I qualify as a war does not necessarily mean that the legal definition in the legislation does the same.¹²

...

9 ACVA, *Evidence*, 21 October 2024, VAdm (Ret’d) Duncan Miller (Commander Canadian Naval Forces, Allied Combat Logistics Commander, As an individual), 1550.

10 See the comments of Mike McGlennon (Vice-President, Persian Gulf Veterans of Canada), ACVA, *Evidence*, 3 October 2024, 1220.

11 ACVA, *Evidence*, 17 June 2024, 1130 (Amy Meunier, Assistant Deputy Minister, Commemoration and Public Affairs Branch, Department of Veterans Affairs).

12 ACVA, *Evidence*, 28 October 2024, Hon. Ginette Petitpas Taylor (Minister of Veterans Affairs), 1535.



[The veterans deployed in the Gulf] were in a danger zone.¹³

The Hon. Bill Blair, Minister of National Defence, echoed this argument about the constraints of the legal definition, adding: “Colloquially and in my view, it meets a war.”¹⁴

Several Canadian statutes have referred to the term “war” over the years. Between 1914 and 1988, the *War Measures Act* authorized the Governor-in-Council to proclaim a state of war, invasion or insurrection, real or apprehended, without those terms being directly defined in the legislation. The Act was invoked during the First and Second World Wars, as well as during the October Crisis in Quebec in 1970. However, the Act was not invoked during the Korean War, although the government was granted certain powers under the *Emergency Powers Act* between 1951 and 1954.

The *War Measures Act* was repealed in 1988 and replaced by the *Emergencies Act*. This Act defines four types of “national emergency”: I. public welfare emergency; II. public order emergency; III. international emergency; and IV. war emergency.

A “war emergency” means “war or other armed conflict, real or imminent, involving Canada or any of its allies that is so serious as to be a national emergency. A “national emergency” is “an urgent and critical situation of a temporary nature ... that cannot be effectively dealt with under any other law of Canada.”

For an armed conflict involving Canada to be designated as a war under this Act, it must “seriously endanger” the lives, health or safety of Canadians or “seriously threaten the ability of the Government of Canada to preserve the sovereignty, security and territorial integrity of Canada.”

In other words, even if Canada’s participation in an armed conflict seriously endangers the military personnel who are deployed there, the conflict could not be designated as a “war” if it did not seriously threaten Canada’s sovereignty, security and territorial integrity.

It is easy to see that, from the Kuwaiti government’s point of view, the Gulf War was a war, and if that government had been able to pass a proclamation under a law similar to Canada’s, it would have declared a war emergency. The Gulf War was objectively a war by any standard definition of the term. It was also a war in the sense of the subjective experience of all those who participated in it. Lastly, it was a war, in the legal sense, for Kuwait, but not for Canada. In other words, Canada actively participated in a war which,

13 ACVA, *Evidence*, 28 October 2024, Hon. Ginette Petitpas Taylor (Minister of Veterans Affairs), 1550.

14 ACVA, *Evidence*, 31 October 2024, Hon. Bill Blair (Minister of National Defence), 1215.

according to Canadian law, did not threaten its territorial integrity or the safety and security of its citizens. It is this interpretation that forms the basis of Recommendation 2 (see below page 15). Before formulating it, it is necessary to clarify in the next section the process by which certain military operations may receive a particular designation.

Regardless of the legal semantics, the Gulf War meets the objective definition of a war, and the experience of the soldiers who took part in it was that of a war. As Mr. Blois said:

[A]ll the airmen, sailors, airwomen and soldiers involved in the gulf would tell you this was not a peacekeeping mission. It was war, pure and simple. Those who were there knew it, and they and their families back home knew it and felt it.¹⁵

It is this lived experience that must be listened to, heard and recognized at its true value by the Government of Canada.

THE TERM “WARTIME SERVICE” HAS NO LEGISLATIVE BASIS

In a [petition](#) presented to the House of Commons in March 2023, the Persian Gulf Veterans of Canada called upon “the Government of Canada to reclassify “Persian Gulf War - The Liberation of Kuwait” from “Special Duty Area” to “Wartime Service” within all Canadian policy.”

According to this association, the “wartime service” designation was granted to Korean War veterans, including veterans of the merchant marine and other civil groups, even though Canada did not declare war during that conflict. Moreover, the operations carried out by the Canadian military during the Gulf War were similar to those carried out in wartime:

Canadians were under threat from ballistic missiles and chemical warfare nightly; performed integral combat related duties; captured and processed prisoners of war; provided combat air patrols and performed a disproportionate number of naval interventions. ([Petition](#) from the Persian Gulf Veterans of Canada)

In other words, the Gulf War operations marked a significant increase in risk compared to those carried out after the Korean War. This increased danger, even if it did not result in fatalities as it did during operations in Afghanistan, should be recognized by the designation of “wartime service.”

15 ACVA, *Evidence*, 10 October 2024, Michael Blois (Lawyer, Veteran, Canadian Afghanistan War Veterans Association), 1155.



In his [response to the petition](#), signed by Bryan May, Parliamentary Secretary, the Minister of National Defence wrote:

Applying these categories is not meant to signal greater or lesser respect for the service of members and Veterans, nor are such categories indicative of a lesser degree of risk on the part of those deployed. For example, in addition to the Persian Gulf, service in the Balkans and Afghanistan have been classified by Order of the Minister of National Defence as “Special Duty Service”. Moreover, changing the categorization of those who served in the Persian Gulf from “Special Duty Service” to “Wartime Service” would not necessarily result in any change to offered benefits, as these Veterans are eligible for the highest level of benefits through Veterans Affairs Canada for any injuries arising from such service.

In other words, if this increased danger were recognized and Gulf War veterans were granted a “wartime service” designation, Balkan and Afghanistan veterans would also have to be granted it. What’s more, this designation would be essentially symbolic, since it would likely entail no real change in terms of financial benefits or other services.

In VAC’s administrative documents, there is a distinction between “wartime service veterans” and “modern day veterans.” As we will see later, the administrative term “modern day veterans” refers to both “special duty service veterans” and to those who may be clients of the department but whose needs for service are not linked to a special duty operation.

The administrative categories of “wartime service veterans” and “modern day veterans” have no legislative basis or impact on eligibility for departmental programs and services. They are intended only to separate the hundreds of thousands of volunteers and conscripts who participated in the First World War, the Second World War and the Korean War from the proportionally smaller number of military personnel who spent their career in the CAF in the decades that followed. Korean War veterans were included as “wartime service veterans” for primarily practical reasons, since many Korean War veterans had also served in the Second World War. Together, for the purposes of the department, those two groups of veterans formed a single cohort.

The point aptly made by the Persian Gulf Veterans of Canada is that the “wartime service veteran” designation was extended to Korean War veterans when Canada was not officially “at war” either. Those troops were deployed on offensive operations under UN resolutions, just as they were during the Gulf War. Although the Korean War was a war in the objective sense, it was not a war in the legal sense, since the *War Measures Act* was not invoked for it. By the same criteria, therefore, the Korean War was not a war in the legal sense either, yet the veterans who participated in it were still designated as “wartime service veterans,” unlike those of the Gulf War and subsequent conflicts,

including the war in Afghanistan. This supports the argument of Mike McGlennon, Vice President of the Persian Gulf Veterans of Canada: “From a legal standpoint, the Persian Gulf special duty mission service was legally identical to the Korean War experience. Both were chapter VII missions, parts of a coalition for liberation of a country.”¹⁶

These administrative categories may have led to confusion about the programs and services to which the term “wartime service veterans” gives access. Since there is no legislative basis for the designation “wartime service,” attributing it to the military operations of the Persian Gulf War would have no impact on veterans’ eligibility for VAC programs and services. As the Hon. Bill Blair, Minister of National Defence, said:

[R]eclassifying those who served in the Persian Gulf on special duty service to mirror the definitions for service during the first and second world wars or in the Korean War would not necessarily change the benefits they are eligible to receive. This is because these veterans are already eligible for some of the highest levels of benefits through Veterans Affairs Canada for injuries arising from their service.¹⁷

As noted above, the meaning of “war emergency” in the *Emergencies Act* can have far-reaching consequences for the lives of Canadians and the powers granted to the government to protect them. The category of “wartime service,” as currently used by VAC, serves only to classify cohorts of veterans. It is therefore not the appropriate instrument to respond to the demands of Gulf War veterans.

Since it has no legislative basis, the “wartime service” category can be abolished or modified by a simple administrative decision. The Committee therefore recommends:

Recommendation 1

That Veterans Affairs Canada abolish the category of “wartime service veteran” in its *Policy on Disability Benefits in Respect of Wartime and Special Duty Service – The Insurance Principle* and list only those areas of conflict or military operations that qualify for disability compensation under the Insurance Principle.

16 ACVA, *Evidence*, 3 October 2024, Mike McGlennon (Vice-President, Persian Gulf Veterans of Canada), 1140. See similar remarks by VAdm (Ret’d) Duncan Miller (Commander Canadian Naval Forces, Allied Combat Logistics Commander, As an individual), ACVA, *Evidence*, 21 October 2024, 1600.

17 ACVA, *Evidence*, 31 October 2024, Hon. Bill Blair (Minister of National Defence), 1155.



THE LEGAL DEFINITION OF “SPECIAL DUTY SERVICE”

In the course of this study, the administrative category of “wartime service” was frequently used in opposition to that of “special duty service,”¹⁸ which has a very specific legislative basis. Some witnesses suggested that it is the Department of National Defence itself that uses these designations to classify an operation.¹⁹

This is probably a misunderstanding caused by VAC’s policy document 1447 mentioned earlier, and entitled *Disability Benefits in Respect of Wartime and Special Duty Service – The Insurance Principle*. This document is intended to clarify the difference between the compensation principle and the insurance principle in the adjudication of disability benefits. Given the wording of the policy’s title, it may give the impression that there are criteria for designating a military operation as “wartime service,” whereas there are only criteria for designating it as “special duty service.” Kevin Sampson of the Rwanda Veterans Association of Canada said: “It is the Department of National Defence, on its own accord, that in turn takes that active service and delineates it into two different types of services [one of which is] wartime service.”²⁰

As we have seen, this is a misunderstanding, as DND does not have the authority to designate a military operation as “wartime service.” As Minister Blair said: “I do have the authority, and I’m quite prepared to exercise it, in designating a conflict under the two categories available in the legislation [“special duty operation” and “special duty area”], but I would not be in a position to retroactively declare a war. That would be an executive decision.”²¹

To understand the significance of the “special duty service” designation, we need to go back to the First and Second World Wars and the application of the “insurance principle.” According to this principle, if a veteran could demonstrate that they had left Canada for a military operation in either of these conflicts and had returned suffering

18 The term “special duty service” is defined in section 2(1) of the *Veterans Well-being Act*. It includes two distinct legislative designations, defined in sections 69 and 70 of the same Act, which are the responsibility of the Minister of National Defence “after consulting” with the Minister of Veterans Affairs. The “special duty area” designation identifies a geographical area where military operations have been carried out that give rise to the right to compensation under the insurance principle, while the designation “special duty operation” identifies the military operation itself as giving rise to this right.

19 ACVA, *Evidence*, 19 September 2024, Kevin (Sammy) Sampson (President, Rwanda Veterans Association of Canada), 1115.

20 ACVA, *Evidence*, 19 September 2024, Kevin (Sammy) Sampson (President, Rwanda Veterans Association of Canada), 1115.

21 ACVA, *Evidence*, 31 October 2024, Hon. Bill Blair (Minister of National Defence), 1205. See also the remarks of Minister Blair at 1210.

from a disability, there was no need to demonstrate that this disability was related to military service. It was assumed. All other claims to the Department of Veterans Affairs were treated under the “compensation principle,” that is, they had to be supported by evidence linking the disability to military service.

All the financial benefits available to veterans of the First and Second World Wars were subsequently extended to Korean War veterans in the 1950s. Benefits continued to be paid under the “insurance principle.”²²

In the years following the Korean War, Canada built up a larger permanent, professional armed forces, avoiding the need to mobilize a volunteer expeditionary force in the event of conflict. These armed forces took part in numerous peacekeeping operations, which entailed obvious health risks. The question was therefore raised as to whether, for those peacekeeping operations, disability benefits should continue to be awarded on the same basis as for veterans of previous conflicts.

The solution was to assign a “special duty” designation to high-risk operations and compensate veterans who participated in these operations under the “insurance principle.” All other service-related disabilities were to be assessed under the “compensation principle.” Veterans whose disability arose during a special duty operation were therefore not required to demonstrate a link to military service. This distinction was adopted in 1964, granted retroactively to operations since 1949, and is still applicable today.²³ In other words, the “special duty service” designation does not imply any distinction in eligibility for VAC programs and services, but it does imply a legal distinction in the burden of proof required to access them.²⁴

The “special duty” designation was adopted to distinguish peacekeeping operations from those arising from the world wars and the Korean War. In official documents up to the mid-2000s, the term “special duty operations (i.e., peacekeeping)” was frequently

22 In this respect, some of the witnesses’ statements were inaccurate. For example, Harold Davis, President, Persian Gulf Veterans of Canada, said: “In 1981, Korean War veterans were redesignated as wartime service veterans, 28 years after they returned home. This legal precedence reflects that the Government of Canada has effected military service classification status changes when deemed appropriate and can do so in the future.” ACVA, *Evidence*, 3 October 2024, Harold Davis (President, Persian Gulf Veterans of Canada), 1105. Mr. Davis confuses belated commemoration measures with the wartime service designation, which was never used for “military service classification.” See also similar interpretations by Kevin (Sammy) Sampson (President, Rwanda Veterans Association of Canada), ACVA, *Evidence*, 19 September 2024, 1140.

23 See Vote 58a of Schedule B to *Appropriation Act No. 10, 1964*. [Bill C-41](#) of 1999 incorporated this power to designate special duty service as section 91.1 of the *Pension Act*.

24 See the explanations of Pierre Tessier (Assistant Deputy Minister, Strategic Policy, Planning and Performance Branch, Department of Veterans Affairs), ACVA, *Evidence*, 7 October 2024, 1545.



used.²⁵ In this sense, it is true that it can imply a lower level of risk than that experienced by veterans of previous conflicts and, by the same token, by veterans of more offensive operations carried out since the early 1990s, including during the Gulf War.

Captain (Ret'd) Sean Bruyey proposed a possible distinction between “combat and non-combat”²⁶ or the outright abolition of these categories, which would mean applying the insurance principle to all veterans: “when we join the military, we’re training for SDAs [special duty areas] from the day we put on that uniform. I really think that there shouldn’t be any distinction.”²⁷

Committee members recognized the merits of such a proposal but felt that it would not satisfy the demands of the Persian Gulf Veterans of Canada to emphasize the more offensive nature of the operations in which they participated. Instead, Senator Patterson recommended the addition of a “war service” category as a sub-category of “special duty service.”²⁸ While this solution would potentially avoid a legislative change, it would perpetuate the equivalence between the more offensive operations of the Gulf War and other types of special duty operations, in addition to opening up possible confusion with the legal designation of Second World War operations.

Committee members believe that the involvement of Canadian military personnel in more offensive combat operations than peacekeeping operations justifies the creation of a specific designation to recognize this reality. As Colonel (Ret'd) Mark Gasparotto said of operations in Afghanistan: “Combat operations in Kandahar, Afghanistan, cost the lives of many CAF personnel and involved the application of significant violence against a determined enemy. Calling it a “special duty area” rings hollow when judged against the realities on the ground.”²⁹ Lieutenant-Colonel (Ret'd) Dean Tremblay, who, like Colonel Gasparotto, was commander of a combat sub-unit in Afghanistan, defended the same point of view: “We were at war. We were engaged in daily operations against a

25 See, for example, the [summary of Bill C-41](#) of 1999.

26 ACVA, *Evidence*, 10 October 2024, Sean Bruyey (Retired Captain, Air Force Intelligence Officer, As an individual), 1145.

27 ACVA, *Evidence*, 10 October 2024, Sean Bruyey (Retired Captain, Air Force Intelligence Officer, As an individual), 1150.

28 ACVA, *Evidence*, 10 October 2024, Hon. Rebecca Patterson (Senator, Ontario, CSG), 1210.

29 ACVA, *Evidence*, 10 October 2024, Col (Ret'd) Mark Gasparotto (Afghanistan Veteran Combat Sub-unit Commander, As an individual), 1215. See similar remarks by Sergeant Nina Charlene Usherwood (As an individual), ACVA, *Evidence*, 23 September 2024, 1550; Mike McGlennon (Vice-President, Persian Gulf Veterans of Canada), ACVA, *Evidence*, 3 October 2024, 1135.

determined and armed enemy. Every day we were at risk of being targeted, wounded or killed. We were expected to do the same to our enemy, if legally called upon.”³⁰

To recognize the distinction requested by veterans who have taken part in more offensive operations since the Gulf War and to give it a legislative basis that would ensure compliance with the legal definition of a war emergency in Canada, the Committee recommends the addition of two designations in addition to that of “special duty”:

Recommendation 2

That the Minister of Veterans Affairs introduce a bill amending sections 69 and 70 of the *Veterans Well-being Act* to add to the powers of the Minister of National Defence the power to assign to past, present or future military operations the following designations:

- **“war emergency operation” when a military operation takes place further to a proclamation of a “war emergency” under the *Emergencies Act* (such a designation would be applicable to both the First and Second World Wars); and**
- **“war zone operation” when a military operation is carried out in defence of a state other than Canada and the situation would likely have justified the proclamation of a “war emergency” by that state if the criteria of the *Emergencies Act* were in force there, without a “war emergency” having been proclaimed in Canada (such a designation would be applicable to, among others, the Korean War, the Gulf War, the war in the former Yugoslavia and the war in Afghanistan).**

THE TRANSITION FROM THE *PENSION ACT* TO THE *VETERANS WELL-BEING ACT*

The *Veterans Well-being Act* (New Veterans Charter) was passed unanimously by both Houses of Parliament in May 2005 and came into force in April 2006. It replaced monthly *Pension Act* disability benefits with a maximum tax-free lump-sum payment of \$250,000, subsequently increased to \$441,000. The Act also introduced a rehabilitation program providing access to income replacement and other benefits. Income replacement

30 ACVA, *Evidence*, 10 October 2024, LCol (Ret’d) Dean Tremblay (Afghanistan Veteran Combat Sub-unit Commander, As an individual), 1220.



benefits guaranteed that veterans participating in the rehabilitation program would receive 75% of their pre-release earnings, rising to 90% in 2017.

The real difference between the benefits is not the wartime service or special duty service designation, but simply the date on which the claim was filed with VAC. If the claim was filed prior to 1 April 2006, it was processed and benefits were paid under the *Pension Act*, and if it was filed on or after 1 April 2006, it was processed under the *Veterans Well-being Act*.³¹ While there are a few exceptions to this distinction, they do not affect any of the demands made by Gulf War veterans.

As a result of the above misunderstanding regarding a possible distinction between “wartime service” and “special duty service” in some VAC policies, some veterans may have believed that the wartime service designation allowed them to access disability benefits under the *Pension Act* rather than those under the *Veterans Well-being Act*.³² This is not the case, since all veterans who served abroad on operations after the Korean War were recognized as special duty veterans. Gulf War veterans therefore had access to *Pension Act* benefits if their claims were filed prior to April 2006.

Although disability benefits paid under the *Pension Act* are indeed generally higher than those paid under the *Veterans Well-being Act*, this has nothing to do with the distinction between special duty service and wartime service since, as we have seen, the wartime service designation is for VAC classification purposes and has no legislative basis for entitlement to any benefits whatsoever.

Under the *Veterans Well-being Act*, veterans can choose to receive either a lump sum or a pension for life benefit, whichever is more beneficial given their age and financial situation. Over two thirds choose the lump sum. This means that fewer than a third of disabled veterans have opted for lifetime monthly benefits since this option became available.

Under the *Veterans Well-being Act*, the maximum lump sum payment of \$441,000 is multiplied by the extent of disability determined by the department. If this amount is converted to a pension for life, the maximum amount is \$1,355.38/month. That is where the problem lies. Veterans who applied under the *Pension Act* prior to April 2006 can

31 ACVA, *Evidence*, 7 October 2024, Mr. Pierre Tessier (Assistant Deputy Minister, Strategic Policy, Planning and Performance Branch, Department of Veterans Affairs), 1615. ACVA, *Evidence*, 7 October 2024, Mr. Mitch Freeman (Director General, Policy and Research, Department of Veterans Affairs), 1720.

32 See for example Mr. Kevin (Sammy) Sampson (President, Rwanda Veterans Association of Canada), ACVA, *Evidence*, 19 September 2024, 1115, 1125, 1135 and 1145; Sergeant Nina Charlene Usherwood (As an Individual), ACVA, *Evidence*, 23 September 2024, 1555 and 1620; Mr. John Senior (Master Corporal (Retired), As an Individual), ACVA, *Evidence*, 21 October 2024, 1650.

receive a maximum monthly disability pension of \$3,357.30/month, an amount two and a half times higher.

This difference was pointed out as soon as debate started on the *Veterans Well-being Act*. This Committee recognized it on several occasions, including when the then Minister of Veterans Affairs, the Honourable Julian Fantino, mandated it in November 2013 to conduct a “comprehensive review” of the Act since it came into force.³³ At the time, the Committee recommended increasing the maximum lump sum payment to bring it into line with the compensation paid in civil liability cases for personal injuries, which was accepted by the government and led to the current amount.

In its June 2014 report on the issue, the Committee wrote:

Members agree with the findings of several studies showing that the lifetime amount paid under the *Pension Act* for pain and suffering was generally higher than the disability award paid out under the [New Veterans Charter].

...

However, by focusing on financial comparisons, we fail to consider the rehabilitation program, which is the central feature of the NVC programs and the main difference between the NVC and the previous system.

...

Committee members believe the philosophy of the NVC, with its focus on rehabilitation, must remain at the core of support programs for disabled veterans. This does not preclude a review of financial support programs, but this review must presuppose the acceptance of the current NVC framework. There is no question of returning to the system under the *Pension Act*. As the Veterans Ombudsman clearly stated, “[W]e need to accept the fact that veterans are supported under two different benefit schemes, and that we are not going to rewrite the past.”³⁴

Before 2018, the difference between the amounts paid by the two plans was less apparent, since a single lump sum had to be compared with monthly payments for life. When the “Pension for Life” program came into effect, veterans were able to directly compare the monthly amounts paid before and after 2006. The superiority of the pre-2006 amounts was confirmed by analyses by the [Veterans Ombudsman](#), the Library of Parliament and the [Parliamentary Budget Officer](#).

33 ACVA, *Evidence*, 19 November 2013, 1110 (Hon. Julian Fantino (Minister of Veterans Affairs)).

34 ACVA, [The New Veterans Charter: Moving Forward](#), June 2014, p. 12 and 13.



During their appearance before the Committee, as at the launch of the Pension for Life program, departmental officials said that this difference stemmed from the fact that the *Pension Act* compensated economic and non-economic losses in the same monthly disability pension:

The *Pension Act*'s disability pension covers two things. It grouped economic and non-economic factors into one pension, whereas the *Veterans Well-being Act* that came into force in April of 2006 separated those two items. In replacing or superseding the *Pension Act*, it became broader in its services. It has the pain and suffering compensation—which is in non-economic benefits—and it includes the additional pain and suffering for someone who has integration issues going back into civilian life. Those are the non-economic pieces.

The economic piece is primarily around the income replacement benefit. It is a benefit that provides 90% of a veteran's previous salary in the military if they cannot return to work after they've retired.³⁵

In other words, the higher amount of the old disability pension, according to the department, would have been separated into different benefits for which eligibility depended on participation in a rehabilitation program, the extent of the disability or the occupational disability. Instead of comparing the old and new pension amounts, the appropriate comparison would be between all the new programs introduced in 2006 and all the ones that existed previously.

The department's position is surprising, since it was contradicted in 2012 by the Federal Court in *Manuge*, and the government did not challenge its findings:

[The benefits payable to disabled CF members under the *Pension Act*] are not an indemnity for lost income. Rather, they represent compensation for impairments to the activities in daily living including loss of function and for reductions in the quality of life.³⁶

This means that the *Pension Act* disability benefits served the same purpose as the *Veterans Well-being Act* benefits. Comparing the two is like comparing apples to apples.

This was the main argument in a [12 February 2018 article by Sean Bruyey in the Hill Times](#): "All injured Canadian Forces veterans, under all three plans [*Pension Act*, pre-2018 *Veterans Well-being Act* and Pension for Life] essentially have access to the same income loss, medical rehabilitation and care, as well as vocational rehabilitation and

35 ACVA, *Evidence*, 7 October 2024, Mr. Pierre Tessier (Assistant Deputy Minister, Strategic Policy, Planning and Performance Branch, Department of Veterans Affairs), 1635.

36 [Manuge v. Canada](#), 2012 FC 499 (CanLII), [2013] 4 FCR 647, accessed 2024-11-13.

education (if not too disabled). We, therefore, can set those benefits aside and compare pain, suffering, and incapacity payments amongst the three programs.”

The then Minister of Veterans Affairs, the Honourable Seamus O’Regan, replied in an [article on 26 February 2018](#): “While there are numerous other errors in the opinion piece, I want to focus on just one more: the misconceived notion that veterans who qualify for Pension for Life “will receive less than” what they would have previously. Let me be clear—NO veteran will receive less than what they are receiving today and most will be receiving more.”

This is indisputable if the Pension for Life programs are compared to the ones in place between 2006 and 2018, but not if the Pension for Life programs are compared to what was paid under the *Pension Act*. Under the Pension for Life program, all programs other than disability benefits are available to all veterans, including those compensated under the *Pension Act*. There is no difference in this respect. Disability benefits, on the other hand, are mutually exclusive. Since 1 April 2006, no veteran can claim a disability pension under the *Pension Act*. Since they have access to everything else, the only remaining difference is the disability benefit amount. As all the analyses have shown, the amounts paid under the *Pension Act* were higher than those paid under the *Veterans Well-being Act*, even after the Pension for Life program improvements.

The *Veterans Well-being Act* programs are certainly an important step forward in terms of rehabilitation, recognition of the most seriously injured veterans and income replacement benefits. However, the amounts paid out under disability programs remain lower than they were under the *Pension Act*.

The solutions put forward by the witnesses amount to “harmonizing” the two regimes. That is what Senator Patterson recommended.³⁷ Mr. Davis suggested giving veterans the choice between the benefits of either regime.³⁸ Mr. Bruyeyea decried the Government of Canada for “[choosing] to change their end of the bargain while [Veterans] still needed them to uphold the benefits in place at the time of our enlistment,”³⁹ suggesting that the simplest solution would be to replace the maximum amount in the *Veterans Well-being Act* with the maximum amount in the *Pension Act*.⁴⁰ This position was particularly

37 ACVA, *Evidence*, 10 October 2024, Hon. Rebecca Patterson (Senator, Ontario, CSG), 1215.

38 ACVA, *Evidence*, 3 October 2024, Mr. Harold Davis (President, Persian Gulf Veterans of Canada), 1105.

39 ACVA, *Evidence*, 10 October 2024, Mr. Sean Bruyeyea (Retired Captain, Air Force Intelligence Officer, As an Individual), 1115.

40 ACVA, *Evidence*, 10 October 2024, Mr. Sean Bruyeyea (Retired Captain, Air Force Intelligence Officer, As an Individual), 1150.



well developed in the brief submitted to the Committee by Brian Forbes, Chairman of the National Council of Veteran Associations in Canada. In his view, such a harmonization

... would result in the elimination of artificial cutoff dates that arbitrarily distinguish veterans based on whether they were injured before or after 2006 or, alternatively, in the case of the Persian Gulf Veterans, whether they initiated a claim with VAC before or after 2006.

As pointed out by Mr. Bruyea, harmonizing the regimes would result in significant costs for the Government of Canada. The Parliamentary Budget Officer estimated that the difference in the projected lifetime costs for all veterans receiving a benefit under the Pension for Life or *Pension Act* in 2018, combined with the new beneficiaries added between 2018 and 2023, would be \$18 billion.⁴¹ To this would have to be added a difference for subsequent years, which would depend on the number of new departmental clients. If the number of new clients was similar to the estimated average for the period 2018 to 2023, it would be around \$600 million per year.

Since roughly two thirds of veterans choose to receive a lump sum rather than a monthly pension for life, this lump sum should be adjusted in proportion to the adjustment to the monthly pension for life. This would mean that, based on [current 2024 rates](#), the maximum monthly pension amount would increase from \$1,355.38/month to \$3,357.30/month. The maximum lump sum would increase from \$440,991.96 to \$1,066,745.58. A retroactive adjustment should also be paid to ensure fairness between those who would receive these amounts as of the date they come into force and those who have been receiving lower amounts since 1 April 2006. In order for these changes to take effect, the amounts in columns 3 and 4 of Schedule 3 of the *Veterans Well-being Act* would have to be changed.

WEARING OF MEDALS

During their appearances, veterans also criticized a Canadian Armed Forces policy prohibiting them from wearing over their heart a medal awarded by a foreign country if Canada awarded them one for the same conflict. For example, Mr. Sampson said:

You'll notice I'm wearing medals over my heart. This medal is not. This medal is from the ambassador of Kuwait, who gave it to me personally. Because my mission was not

41 Parliamentary Budget Officer, [The cost differential between three regimes of Veterans Benefits](#), section 3, 21 February 2019.

wartime service, I am not allowed to wear this medal on this side, over my heart, and every time the ambassador of Kuwait sees it, it's embarrassing for us both.⁴²

Although it is true that these medals cannot be worn over the heart, it is not because the mission was not considered wartime service. On the [War Museum website](#), it says that the Kuwait Liberation Medal awarded by Saudi Arabia to coalition members may be “accepted” by CAF members, but they may not wear it on their uniforms “because they are only authorized to wear the Canadian Gulf and Kuwait Medal.”

[Major-General Erick Simoneau](#) said that “[a]s long as it’s provided to you by a recognized head of state, it’s worn on this side, the left side. All the ones that we receive from other countries, other states, usually go on the other side from the Canadian decorations.”⁴³ Brigadier-General Luc Girouard said that “there is also a principle of dual recognition: A person cannot be recognized twice for the same mission. If a Canadian medal was awarded for a particular mission, a medal from another country could not also be worn.”⁴⁴

In other words, if Canada had not awarded a Gulf War medal, the veterans of that mission would have been able to wear the medal awarded by Saudi Arabia or Kuwait on the right side. However, since Canada awarded its own medal, they may not wear one awarded by the other countries at all, even if they may “accept” them. This policy is found in the [Canadian Forces Honours Policy Manual](#). As set out in Chapter 6, paragraph 8:

A request for the award of a Commonwealth or foreign campaign or service medal is assessed on a group basis for all who qualify for the honour. The dual recognition principle applies for Commonwealth and foreign campaign or service medals. If Canada has provided recognition for a service (e.g. the Gulf and Kuwait Medal), it will not authorize the issue of a foreign medal for the same service. This is why, for example, the South-Korean Syngman Rhee War Service Medal, the Saudi Arabian Liberation of Kuwait Medal and the NATO medal for the International Security and Assistance Force (NATO-ISAF) are not approved for wear.

42 ACVA, *Evidence*, 19 September 2024, Mr. Kevin (Sammy) Sampson (President, Rwanda Veterans Association of Canada), 1200.

43 ACVA, *Evidence*, 7 October 2024, MGen Erick Simoneau (Deputy Commander, Military Personnel Command, Department of National Defence), 1655.

44 ACVA, *Evidence*, 7 October 2024, Brigadier-General Luc Girouard (Director General Support, Chief of Joint Logistics, Department of National Defence), 1550.



A number of witnesses, including Rear-Admiral Summers, disagreed with this policy.⁴⁵ The Committee is reluctant to take a position on this issue since this is a specific responsibility of the CAF. Nevertheless, it would appreciate it if the Department of National Defence could explain the reasons for this prohibition and review it to determine whether these reasons are still valid.

Recommendation 3

That the Department of National Defence provide the Committee with a document explaining in greater detail the reasons for the policy prohibiting the dual recognition of medals and undertake a review of this policy.

COMMEMORATION

Although they have benefited from the same programs and services as veterans of other conflicts, Gulf War veterans feel that their military service has not been fully recognized in VAC's commemoration programs. Ms. Meunier said that their most significant request in this respect is "for Persian Gulf to be inscribed on the National War Memorial."⁴⁶

Mr. Blois referred to the common experiences linking them to those of past wars:

[W]hen I look at all of those other battle honours on there, like the Pursuit to Mons, Vimy Ridge and the Battle of Ortona, I don't look at that and say, "That's somebody else." Those are my brothers. Those are my sisters. Those are the people who I fought with; we're the same. If I see a veteran who fought in Korea, we look at each other and we're family and we see each other the same way.⁴⁷

Ms. Meunier presented the reasons why the First World War, inscribed at the time of the initial inauguration in 1939, the Second World War and the Korean War, inscribed in 1982, and the South African War and the mission in Afghanistan, inscribed in 2014, are the only ones to be inscribed on the Monument: "those are the five largest missions

45 ACVA, *Evidence*, 21 October 2024, Rear-Admiral (Retired) Ken Summers (Commander, Canadian Forces Middle East, As an Individual), 1615.

46 ACVA, *Evidence*, 7 October 2024, Ms. Amy Meunier (Assistant Deputy Minister, Commemoration and Public Affairs Branch, Department of Veterans Affairs), 1630. See also the comments from Mr. Sean Bruyey (Retired Captain, Air Force Intelligence Officer, As an Individual), ACVA, *Evidence*, 10 October 2024, 1115; Mr. Michael Blois (Lawyer, Veteran, Canadian Afghanistan War Veterans Association), ACVA, *Evidence*, 10 October 2024, 1130.

47 ACVA, *Evidence*, 10 October 2024, Mr. Michael Blois (Lawyer, Veteran, Canadian Afghanistan War Veterans Association), 1155.

with the greatest number of casualties, so those are inscribed individually.”⁴⁸ In 2014 the inscription “In Service to Canada” was added “to recognize all those who have served in the past, who are serving today and who will serve in the future.”⁴⁹ ... In terms of the Persian Gulf, that would be captured under ‘In Service to Canada.’ I do recognize that perhaps not everybody fully appreciates what that means, and I look forward to coming up with some options to make sure Canadians are clear about what that means.”⁵⁰

VAC stated that they make special efforts to include them in their anniversaries, ceremonies and documentation. Ms. Meunier set out what the department has done:

Just in the last year alone, in 2023, with regard specifically to the Persian Gulf, our Veterans’ Week materials profiled the Gulf War and talked about other efforts in Asia. We also, this year, commemorated the 33rd anniversary of the end of the Persian Gulf. We tend to do larger ceremonies on fifth anniversaries.

For Veterans’ Week this year, we also have more learning materials that profile Gulf War veteran Bettina Fuchs, who talks about her service there. It’s an important period of time, given that it was the first time women served in combat roles during that era.”⁵¹

Despite these efforts, Gulf War veterans feel that their particular experiences get lost among all the others in the inscription “In Service to Canada.”

Some Gulf War veterans have called for an official monument to be dedicated in their honour. Mr. Banks said that “[t]here are monuments dedicated to smaller missions, but 4,000 Canadians went to the Persian Gulf, and there’s no monument. Give them a monument.”⁵²

Other witnesses put into perspective the importance of monuments honouring military service, seeing them as a natural extension of recognizing their service as wartime service. According to Rear-Admiral Summers:

[T]he most important thing, quite honestly, is not something that’s in stone, a monument or something like that. It would be more just the recognition that they had

48 ACVA, *Evidence*, 7 October 2024, Ms. Amy Meunier (Assistant Deputy Minister, Commemoration and Public Affairs Branch, Department of Veterans Affairs), 1605.

49 ACVA, *Evidence*, 7 October 2024, Ms. Amy Meunier (Assistant Deputy Minister, Commemoration and Public Affairs Branch, Department of Veterans Affairs), 1605.

50 ACVA, *Evidence*, 7 October 2024, Ms. Amy Meunier (Assistant Deputy Minister, Commemoration and Public Affairs Branch, Department of Veterans Affairs), 1605.

51 ACVA, *Evidence*, 7 October 2024, Ms. Amy Meunier (Assistant Deputy Minister, Commemoration and Public Affairs Branch, Department of Veterans Affairs), 1605.

52 ACVA, *Evidence*, 10 October 2024, Mr. Christopher Banks (Sergeant (Retired), As an Individual), 1155.



served, and served in a wartime environment. They would like that: recognition that this is what had taken place. Other things would follow, like the monuments. There's a peacekeeping monument here on Sussex, and throughout the country there are others. Maybe the Persian Gulf War should be on there as well.⁵³

Another issue raised by witnesses concerns the Victoria Cross, the highest honour for military valour, which has not been awarded to a Canadian since the Second World War. Awarded by the United Kingdom since 1856, it was replaced by its [Canadian version](#) in January 1993. Mr. Sampson, among others, said:

I am appalled by the government's decision to not award the Victoria Cross for Afghanistan, when all of our colleagues, allies and friends—the Commonwealth countries—all awarded the Victoria Cross. From my perspective, the only reason we have not awarded the Victoria Cross is that our mission was not wartime service. That's the only time the Government of Canada has historically awarded the Victoria Cross—not for Korea and not for Afghanistan. None of them.⁵⁴

This kind of inaction has been understood as if the military service of veterans of more recent generations did not have the same value. It is difficult for the members of the Committee to identify on behalf of the veterans themselves what specific commemorative measures would best fill this gap. It is, however, urgent for the government to implement actions in the short term that will rally Gulf War veterans and demonstrate forcefully and unmistakably the inestimable value that the Government of Canada places on their service. The Committee therefore recommends:

Recommendation 4

That Veterans Affairs Canada enter into immediate consultation with Gulf War veterans in order to implement, before the 35th anniversary of the Persian Gulf War in 2026, commemorative measures that will, in the veterans' view, recognize the inestimable value of their service.

GULF WAR SYNDROME

One of the most concerning aspects of the Gulf War's aftermath is what has come to be known as "Gulf War Syndrome." While not an established medical diagnosis, it refers to

53 ACVA, *Evidence*, 21 October 2024, Rear-Admiral (Retired) Ken Summers (Commander, Canadian Forces Middle East, As an Individual), 1640. See also the comments from Vice-Admiral (Retired) Duncan Miller (Commander, Canadian Naval Forces, Allied Combat Logistics Commander, As an Individual), ACVA, *Evidence*, 21 October 2024, 1640.

54 ACVA, *Evidence*, 19 September 2024, Mr. Kevin (Sammy) Sampson (President, Rwanda Veterans Association of Canada), 1200.

a cluster of symptoms that are considerably more prevalent, particularly among American veterans of the conflict. These include chronic fatigue, headaches, joint pain, indigestion, insomnia, dizziness, respiratory disorders and memory problems. In the U.S. this is known as “chronic multisymptom illness.” If a combination of these symptoms persists in Gulf War veterans for more than six months, the U.S. government presumes that this “medically unexplained illness” is related to military service. This is how Gulf War veteran Lieutenant (Navy) Louise Richard (retired) described the health problems that developed and continue to plague her today:

The Gulf War caused a lot of sickness, not just death on the front lines, on the battlefield. It also caused invisible diseases, the symptoms of which have evolved and now correspond to diseases that are better known today. In my day, people used to talk about symptoms. When the symptoms became chronic, an illness could then be diagnosed.

I didn’t get the information that enabled me to understand what I was going through from Canada. I got it from the United States. ... Nevertheless, my country is Canada, and it is Canada’s responsibility to inform me and help me understand what’s going on. There’s no point in telling me that everything is in my head, that nobody knows what I’m suffering from and that I should pop some pills and go away.⁵⁵

A few witnesses referred to this syndrome, saying that VAC did not recognize it as a medical condition. Unable to identify the specific causes of their symptoms, the veterans who suffer from them would like it to be easier to relate it to their military service.⁵⁶

For this to be possible, research would have to support this link to military service, and in this respect, Canada is dependent on its allies, particularly the U.S. In this respect, Senator Patterson presented compelling testimony:

I ended up as the head nurse on the floor that ran the Gulf War clinic for the Canadian Armed Forces. Retired Colonel Ken Scott was the internal medicine specialist who did the assessments. This was driven by the fact that other allied nations were saying, “We’re getting a funny constellation of symptoms coming together, and we want to know what they’re linked to.” On my floor, people would come in from all across the country. That’s when we still had military hospitals. They would go through a full battery of tests to make sure it was not some underlying condition. As you know, it’s a disputed syndrome. What is it? How does it work?

55 Retired Lieutenant (Navy) Louise Richard, ACVA, *Evidence*, 24 October 2024, 1135 and 1230. See also the comments by Mr. Sean Bruyey (Retired Captain, Air Force Intelligence Officer, As an Individual), ACVA, *Evidence*, 24 October 2024, 1140.

56 See also the testimony of Sergeant Nina Charlene Usherwood (As an Individual), ACVA, *Evidence*, 23 September 2024, 1600-1605.



One of the challenges is that we don't invest in research. I'm going back to that again. If you want a Canadian solution, it's easy to say, "No, we need the data. Do the research." Moving forward, other countries have done a wealth of investigation. They've looked at things. Is it a form of post-traumatic stress syndrome? No. However, there are still these outlying things. They've done more work. If we in Canada want to get on this, we need to put some investment into proper research, because it will become hidden.⁵⁷

In light of the foregoing, the Committee recommends:

Recommendation 5

That Veterans Affairs Canada recognize the cluster of chronic systems referred to as "Gulf War Syndrome" as a compensable medical condition, that it collaborate closely with Canada's allies—particularly the United States—on assessing its root causes, and contribute to research into the causes of the illness.

CONCLUSION

The Persian Gulf Veterans of Canada pointed out something important about many of the military operations that Canada has been involved in. Traditional peacekeeping missions have been replaced by much more offensive operations that are difficult to define based on our traditional idea of what we consider "war." These differences were dramatically felt by the veterans who served on these operations, and these experiences have stayed with them to this day. The Gulf War veterans were involved in a war, and they lived through it. These experiences must be validated and confirmed by Canadian government policies, and these policies should contribute to their recognition by Canadians.

The designation "special duty service" has been perceived by Gulf War veterans as downplaying their experiences, as opposed to "wartime service," which they believe is more accurate.

We hope that this report will have proposed satisfactory solutions to the misunderstandings that these designations have raised. The 4,500 Gulf War veterans deserve not only to know, but also to feel that their government understands their demands and has done everything in its power to address them responsibly.

57 ACVA, *Evidence*, 10 October 2024, Hon. Rebecca Patterson (Senator, Ontario, CSG), 1310.

APPENDIX A: LIST OF WITNESSES

The following table lists the witnesses who appeared before the committee at its meetings related to this report. Transcripts of all public meetings related to this report are available on the committee's [webpage for this study](#).

Organizations and Individuals	Date	Meeting
Department of Veterans Affairs Amy Meunier, Assistant Deputy Minister, Commemoration and Public Affairs Branch Pierre Tessier, Assistant Deputy Minister, Strategic Policy, Planning and Performance Branch	2024/06/17	101
Rwanda Veterans Association of Canada Kevin (Sammy) Sampson, President	2024/09/19	103
As an individual Nina Charlene Usherwood, Sergeant (Retired)	2024/09/23	104
Persian Gulf Veterans of Canada Harold Davis, President Mike McGlennon, Vice-President	2024/10/03	106
Department of National Defence BGen Luc Girouard, Director General Support, Chief of Joint Logistics Dr. Sean Graham, Historian, Directorate of History and Heritage MGen Erick Simoneau, Deputy Commander, Military Personnel Command	2024/10/07	107
Department of Veterans Affairs Mitch Freeman, Director General, Policy and Research Amy Meunier, Assistant Deputy Minister, Commemoration and Public Affairs Branch Pierre Tessier, Assistant Deputy Minister, Strategic Policy, Planning and Performance Branch	2024/10/07	107

Organizations and Individuals	Date	Meeting
As an individual Christopher Banks, Sergeant (Retired) Sean Bruyey, Retired Captain, Air Force Intelligence Officer Col (Ret'd) Mark Gasparotto, Afghanistan Veteran Combat Sub-unit Commander LCol (Ret'd) Dean Tremblay, Afghanistan Veteran Combat Sub-unit Commander	2024/10/10	108
Canadian Afghanistan War Veterans Association Michael Blois, Lawyer, Veteran Hon. RAdm (Ret'd) Rebecca Patterson, Senator, Ontario	2024/10/10	108
As an individual VAdm (Ret'd) Duncan Miller, Commander Canadian Naval Forces, Allied Combat Logistics Commander John Senior, Master Corporal (Retired) RAdm (Ret'd) Ken Summers, Commander Canadian Forces Middle East	2024/10/21	109
As an individual Sean Bruyey, Retired Captain, Air Force Intelligence Officer Louise Richard, Lieutenant Naval (Retired)	2024/10/24	110
Department of Veterans Affairs Mitch Freeman, Director General, Policy and Research Paul Ledwell, Deputy Minister Hon. Ginette Petitpas Taylor, P.C., M.P., Minister of Veterans Affairs	2024/10/28	111
Department of National Defence Hon. Bill Blair, P.C., M.P., Minister of National Defence Gen Jennie Carignan, Chief of the Defence Staff, Canadian Armed Forces MGen Erick Simoneau, Deputy Commander, Military Personnel Command	2024/10/31	112

APPENDIX B: LIST OF BRIEFS

The following is an alphabetical list of organizations and individuals who submitted briefs to the committee related to this report. For more information, please consult the committee's [webpage for this study](#).

National Council of Veteran Associations in Canada

REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this report.

A copy of the relevant *Minutes of Proceedings* ([Meetings Nos. 101, 103, 104, 106 to 113, 120 and 121](#)) is tabled.

Respectfully submitted,

Emmanuel Dubourg
Chair

Common-Sense Conservatives Recognize Canada's Wartime Veterans

This Supplemental report reflects the views of Conservative Members who sit on the Standing Committee on Veterans Affairs. Once again the Liberal government and their NDP coalition partners have spent years ignoring the issues that Canada's Veterans hold dear. For the past 7 years there has been an effort by Veterans to clarify the system by which the government of Canada designates the operational service of the military. The designation of "Wartime Service" was reserved for only Veterans of the two world wars and later on, after much advocacy, the Korean War as well, when Conservative Prime Minister Brian Mulroney officially recognized the service of Korean War Veterans.

The last large scale conventional war of the 20th century was the Persian Gulf War in which Canada made significant contributions. Despite this, the Veterans who served in the Persian Gulf War were not given the designation of Wartime service like the Veterans of the other 20th century wars. This discrepancy was the initial driving factor behind Veterans asking the Standing Committee on Veterans Affairs to conduct an investigation into the designation of Wartime Service for Canadian Veterans.

Despite the committee adopting motions to conduct a study into the process of designating Wartime Service, the Liberal/NDP coalition continued to avoid the issue in an attempt to avoid paying the proper respect to Canada's Veterans.

Common-Sense Conservatives agreed with the testimony shared with the committee by Veterans that the issue of designating Wartime service is not unique to Veterans of the Persian Gulf War, but also to Veterans of other conflicts such as the War in Afghanistan. Even the Veterans of the Persian Gulf War repeatedly stated that this issue was being raised not just for themselves, but for Veterans of Afghanistan and future wars as well.

Even with the unified position Veterans expressed on this topic, the Liberals and their NDP partners insisted on turning a blind eye to what we were hearing from veterans. The obvious issue this raises is that this creates a precedent where just like the Korean War Veterans, the Persian Gulf Veterans continue to need to fight for proper recognition and inevitably the Veterans of the War in Afghanistan will need to do the same.

A Call for Action

Perhaps one of the most egregious findings of this study is that, despite repeated requests from Veterans for almost a decade and while they signal their support, the Liberal Government has sat back and done absolutely nothing to implement even very basic solutions such as the construction of a dedicated monument for Veterans who served in War. Not only do the Persian Gulf War Veterans not have a dedicated monument, but the National Monument to

the War in Afghanistan was interfered with by the Prime Minister's Office for political reasons which marred the project in legal disputes and has left it incomplete for more than a decade after the last Canadian soldiers came home.

Veterans haven't been reaching out to the government for years only for more platitudes and phony assurances of support. Actions speak louder than words and tens of thousands of Canadian men and women displayed this when they put their lives on the line in theatres of war fighting for freedom. Its time now that the Liberal government does the same for them and put some action behind their increasingly hollow words.

Experiences of Wartime Veterans

It is very unfortunate that the committee left out vital testimony from the many highly decorated Veterans who made the effort to appear to testify. The lived experiences of these men and women who were on the ground in these warzones offers a perspective that cannot be obtained anywhere else which is why Conservatives are committed to sharing their thoughts and experiences through this Supplemental Report.

The committee's report suggests that the issues which were raised as a part of this study are somehow abstract and therefore commitments cannot be made to the Veterans who appeared and testified. Conservatives don't believe that and won't stand for it. While some of the issues raised are certainly complex, there were many other issues that can be addressed immediately by the government and the testimony that reflects this was disappointingly left out of the report.

Therefore, Common-Sense Conservatives are tabling this Supplemental Report to ensure that the voices of the Veterans who appeared at committee are actually heard. Veterans who fought in the Persian Gulf War, Afghanistan, and other conflict zones all weighed in with their thoughts. The core of this issue is that Veterans need to be given the respect that they deserve. This respect needs to be shown in many ways – whether that be through commemoration or through the timely provision of programs and services by Veterans Affairs Canada. The lack of respect towards Veterans from the Liberal Government means that Veterans are weary of the government publishing yet another report without any action. This lack of trust was expressed by John Senior, a Veteran of the War in Afghanistan when he stated to the committee:

"To be quite honest, right now, I think the lack in the government at this point in time for veterans is at an all-time low. That's the end of the story on that. It is at an all-time low. When this particular thing here goes mainstream, I think there are going to be a lot more upset veterans who will want to get things fixed. Currently, there's a deficit of street credibility of the government toward veterans."

Mr. Senior went on to add:

"Again, there's a drastic lack of confidence. That's why, on social media, there are so many start-up, local groups that take care of our own. It's because the government can't do it. Veterans Affairs can't do it, through bureaucracy, stonewalling and a denial-until-death kind of policy. That's what we call it. The pizza pension earned that name because you cannot buy a pizza once a month with less than \$36, which is what you get for missing a leg.

We have to take care of ourselves because it's not happening, at the end of the day."

Michael Blois, another Veteran of Afghanistan also testified about the lengths Veterans are forced to go to in court simply to force the government to "keep up their end of the deal" by ensuring combat Veterans get the care and benefits they are owed.

"The Prime Minister of this country, prior to being elected as the Prime Minister, stated that no veteran should have to sue the government for benefits that they're entitled to, but that's had to happen many times since he has become Prime Minister.

In my capacity as a lawyer, I've represented a class of Afghanistan war veterans suing Veterans Affairs Canada and the government for failing to meet their own policies and time frames. The wait times that Afghanistan veterans suffer while waiting to get benefits is unacceptable, and nothing seems to change. In this lawsuit, we were successful in obtaining certification and are now in the appeals process."

Several witnesses spoke to the importance of commemoration and expressed frustration in the fact that this simple step hasn't been taken despite the current Liberal/NDP government constantly claiming that it is a priority for them. Mr. Blois agreed with his fellow Veterans on this point when he said:

"Commemoration should be the easiest thing we do. Putting Afghanistan on cenotaphs is a no-brainer. Getting a monument for a war that is in our recent collective memory, for which the average veteran ranges from their late thirties to their early sixties, should be a no-brainer and it should be done.

When these things aren't done, it feels like somebody is at best ignorant of how you feel and at worst indifferent to what went on and what we did. The horrors of war and the impacts of war don't change from generation to generation. Watching somebody die in front of you or having to take a life doesn't change, and the impact of that doesn't change, so the commemoration shouldn't be any different, and it should be done easily. When it's not, it hurts twice as much.

Sgt retired Christopher Banks reflected on some immediate changes that could be made to restore trust in the government by wartime Veterans, but had to concur with his fellow witnesses, that there is frustration in the current government for hearing these suggestions and then delaying any action to implement them:

"When I was doing some research before coming in today, I noticed that there is not a monument in Canada dedicated to the Persian Gulf mission. There are monuments dedicated to smaller missions, but 4,000 Canadians went to the Persian Gulf, and there's no monument. Give them a monument. I mean, here on the Afghanistan side, we're hammering for a monument. Give them a monument too.

There's another thing that I mentioned briefly in my opening statement. I talked about the combat action declaration that is teased every couple of years. We're talking about war service among different generations of veterans. Why not just apply that? That would give the recognition to those who crossed the line, who went outside the line and actually engaged the enemy. We've been talking about it for decades.

I think Mr. Blois was the one who said that commemoration is incredibly easy, and the fact that the government's dragging its feet on it is indicative."

So, while we can recognize that there is work to be done with regards to the concerns surrounding the designation of wartime service, there are immediate steps around commemoration that can be taken immediately which will go a long way to rebuild the trust of Veterans that has been eroded by the Liberal Government which continues to drag its feet when it comes to properly recognizing their efforts and sacrifices.

Recommendations

To better reflect what Veterans were asking for, Common-Sense Conservatives have proposed the following recommendations:

Echoing the points on commemoration made by several Veterans who appeared before the committee, the first Conservative recommendation is to call on the government of Canada to immediately commit to constructing a dedicated monument in honour of all those who served in the Persian Gulf War:

- 1. That the Government of Canada give Veterans of the Persian Gulf War the respect they deserve by immediately constructing a monument to the Persian Gulf War for the purpose of commemoration and honouring those who served in that war.**

Likewise, the Veterans of the Mission in Afghanistan still do not have a dedicated monument or place to honour their fallen. The current Liberal Government has dragged its feet on the process for 9 years now and just when the process was about to begin, the Prime Minister interfered for political reasons, delaying the construction of the monument yet again. This has left Veterans of the War in Afghanistan waiting more than a decade after the last of them returned home with no dedicated National place of recognition. Therefore, Conservatives recommend:

- 2. That the Government of Canada give Veterans of the War in Afghanistan the respect they deserve by apologizing for the Prime Minister's political interference in the design**

process for their National Monument which has caused years of delay and immediately constructing a monument to the War in Afghanistan for the purpose of commemoration and honouring those who served in that war.

One of the common complaints that was shared by Veterans over the course of this study was frustration surrounding the “insurance principle” which meant that depending on where members of the Armed Forces were, some of their injuries or illnesses were covered without question, while most other times, they were forced to fight the bureaucracy in Veterans Affairs Canada just to process basic claims. In light of this feedback which has permeated not just this study, but all of the studies undertaken by the committee in recent years, Conservatives recommend a change in policy when it comes to serving Veterans. This sentiment was captured well by Veteran Sean Bruyey who shared these thoughts with the committee:

“Currently, Veteran applicants must prove a standard of attributability to military service that approaches beyond any reasonable doubt. The process is more akin to a criminal trial than compassionate values of a caring disability system. This system has left many Veterans suffering sometimes as much from negotiating an insensitive and often opaque system than from their actual disabilities.”

Therefore, Conservatives recommend:

- 3. That the bureaucratic nightmares and vastly overcomplicated paperwork burden associated with Veterans Affairs Disability applications be replaced by a simplified process that is more compassionate, responsive and reliable for Canada's veterans and their families.**

In line with this line of thinking, Mr. Bruyey also shared with the committee the difficulty that Veterans and their families face not just navigating the complex bureaucracy of VAC, but just to understand what benefits and help they are entitled to at all. He shared the following with the committee:

“If there is one issue that pervades almost every study carried out by ACVA, it is the complexity of programs for Veterans and their families that only overwhelms and confuses Veterans. Parliamentarians are frequently perplexed by the complex nuances of so many benefits and regimes.”

Further to this point, Mr. Blois a Veteran of the war in Afghanistan and now a lawyer remarked similarly that navigating Veterans Affairs was a challenge for him as a legal professional, which only meant it would be that much more complicated for everyday Veterans and their families. On this point, Conservatives recommend:

- 4. That Veterans Affairs enshrine a policy which demands a “Duty to Inform” Veterans and their families of the benefits to which they are entitled.**

The more complicated and overarching theme within the study was the concerns about changes in remuneration and entitlements between Veterans who fell under the Pension Act vs the Veterans Well-being Act. What was clear in examining these concerns is that whenever Veterans Affairs Canada makes any sort of changes to their levels of coverage or programs, there always seems to be some Veterans who lose out and fall through the cracks, adding to confusion and frustration. A solution to relieve some of the stress that Veterans are feeling, especially during this time of unprecedented economic hardship under the failed policies and corruption of the current Liberal/NDP government, is that VAC stop income testing its benefits systems. If a Veteran is entitled to a form of benefits, then they should not be penalized for trying to earn money to better the situation of themselves and their families. Their entitlements are in place to recognize the sacrifices and dedication they already made to Canada and they should feel secure that their benefits will never be scaled back or reduced. Therefore, Conservatives recommend:

- 5. Allow disabled Veterans to earn additional income without a claw back of their veterans benefits to allow them more opportunities to grow and transition after service.**

Conclusion

In conclusion, while we support the recognition of Persian Gulf Veterans as having served in a war, this study should have been on the designation of Wartime service so that veterans of all conflicts could have been included in the report, a sentiment shared even by the Persian Gulf Veterans of Canada who were an integral part of this study.

The Liberal/NDP government continue to talk out of both sides of their mouths on this issue, claiming for the past 7 years that they support giving Wartime Veterans the recognition they deserve, but then sitting back and not taking any action on it despite being in a position to enact immediate change.

Further, it is disappointing that the committee's report tabled completely neglected all of the Veterans who appeared from other theatres of war and completely ignored the many excellent recommendations put forward by these Veterans to try and portray this issue as an abstract issue with an unknown solution.

Common-Sense Conservatives are listening to Veterans. This Supplemental Report serves as their voice to ensure that their service, dedication, and wisdom does not go unrecognized.

Supplementary Opinion of the New Democratic Party

New Democrats believe the committee report does not go far enough to address the needs of Persian Gulf War Veterans. It stops short of making a recommendation to address the issue of unequal economic benefits between the two regimes of the *Pension Act* and that of the *Veterans Well-being Act*.

As per the testimony of Veteran Sean Bruyey and the brief submitted by Brian Forbes, Chairman of the National Council of Veteran Associations in Canada, New Democrats believe the two regimes should be harmonized. It is very clear to the NDP that Veterans who filed claims before April 1, 2006 and Veterans who filed claims after April 1, 2006 are entitled to different economic benefits, even though those Veterans may have served in the same operation. This is unjust and unfair and must be addressed, as Senator Rebecca Patterson said in her testimony:

“It shouldn't matter if you served in 2005 and won access to benefits, or in 2007, when we brought in the new charter. When you see one of my recommendations, it needs to be a harmonization in collaboration with a veterans round table to have a look and see what those actually mean.”¹

Unlike other parties, New Democrats are unafraid to suggest policy changes that may be expensive but are necessary to uphold and honour our duty to Canadians who serve in the Canadian Armed Forces. All Veterans deserve to be treated fairly, with compassion and gratitude for their service regardless of the date of their application for benefits.

RECOMMENDATION

That the amounts payable under column 3 of Schedule 3 of the Veterans Well-being Act be replaced by the “Basic Pension” amounts shown in Schedule I of the Pensions Act and that the lump sum amounts under column 4 of Schedule 3 of the Veterans Well-being Act be adjusted proportionally.

¹ ACVA Evidence, Hon. Rebecca Patterson, 1238, [October 10, 2024](#), Hon. Rebecca Patterson

