

KABUL -GR -C4R

From: LAPORTE Eric -IDR -C4
Sent: June 2, 2008 6:51 PM
To: KANDH -C4R; EXTOTT -IRP -C4; EXTOTT -IDR -C4; EXTOTT -IRH -GHA -C4; EXTOTT -JLH -C4
Cc: EXTOTT -IFM -C4; EXTOTT -IRD -C4; EXTOTT -IDD -C4; EXTOTT -ISD -C4; EXTOTT -ISR -C4; EXTOTT -RAD -C4; EXTOTT -IRC -C4; EXTOTT -IRP -C4; EXTOTT -ISI -C4; EXTOTT -ISIW -C4; EXTOTT -ICX -C4; EXTOTT -ICT -C4; EXTOTT -IDC -C4; CCATS; KABUL -GR -C4R; KANDH -KAF -C4R; WSHDC -GR -C4; WSHDC -DR -C4; BNATO -C4; -HAGUE -DR -C4R; EXTOTT -RAS -C4; -HAGUE -C4R; EXTOTT -GFM -C4; EXTOTT -RGM -C4; EXTOTT -DMA -C4; HUGHES Stuart -ISBAD -GR -C4; HOFFMANN Ron -LDN -GR -C4; ALEXANDER Vera -WSHDC -GR -C4; LALANI Arif -RAS -C4; FAIRCHILD David -IRP -C4; MARTIN Barbara -IDR -C4; NELSON David -IDR -C4; BERGSTRAND Brad -FSDN -IRP -C4; GRAHAM Janet -FSDN -C4; GILMOUR Wendy -FSDN -IRP -C4; TERMORSHUIZEN Cindy -RAS -C4; BONNAR Jon -RAS -C4; HODGINS Glen -RAS -C4; ARBEITER Richard -RAS -C4; AHMAD Nadia -RAS -C4; LAFLEUR Marie-Josée -IRP -C4; ELMS Geordie -ISBAD -DR -C4; Privy Council Office / Foreign & Defence Policy -C4R; Privy Council Office / IAS -C4R; NDHQ OTT D NATO POL -C4; NDHQ OTT DGIS POL -C4; NDHQ OTT NDCC -C4; NDHQ +CEFCOM Comd -C4R; NDHQ +CEFCOM J2 -C4R; NDHQ +CEFCOM J3 -C4R; NDHQ +CEFCOM J5 -C4R; NDHQ +CEFCOM J9 -C4R; NDHQ OTT DPK POL -C4; DUHAIME Stephanie -RAS -C4; ELLIOTT Mike -ISIW -C4; DIGANGI John -ISI -C4; KABUL -HOM -C4R; Royal Canadian Mounted Police Head Quarter -C4R; PILLAROTT -RAP -C4R; OLEXIUUK Eileen -IRD -C4; EXTOTT -BCM -C4; PILLAROTT -CT -C4R; KABUL -DA -C4R; BURGESS Anne E -BNATO -GR -C4; BLOODWORTH Catherine -JLA -C4; BARBER Shawn -IRC -C4; EXTOTT -ISRA -C4; EXTOTT -MINA -C4; GENEV -GR -C4; EXTOTT -GIO -C4; CORMIER Terry -GENEV -GR -C4; AMEGAN Karim -GENEV -GR -C4; MEYER Andrea -PRMNY -GR -C4; GOLBERG Elissa -IRH-GHA -C4; NOLKE Sabine -JLH -C4; YATES Brenda -IRH-GHA -C4; CCATS
Subject: IDR-0512 -- Detainees [REDACTED] concerns over notification by Cdn forces

SECRET -CEO

Document Number / Numéro du document: D-110-001

RCMP -- pls pass to IPB
Privy Council/IAS -- pls pass to Popovich/Bryson
NDHQ/DNATO POL -- pls pass to Anderson/Kaduck/Bos
CEFCOM J9 -- pls pass to Rebenchuk
CEFCOM J3 -- pls pass to Powell
KANDH-KAF -- pls pass to Fraser/Putt/Basinger/Hope/Isfeld
BCM -- pls pass to Girtel

Receipt Date / Date reçue: 16-11-09

Redacted by AG

Receipt Date: 19-11-09

REFTEL: KANDH-0029 of 26MAY06

Thank you for your message of 26MAY regarding concerns expressed [REDACTED] over Canadian notification procedures for the transfer of detainees. [REDACTED] are scheduled to visit Ottawa on 12 June to provide Canada with [REDACTED] legal reading of the situation in Afghanistan in light of our involvement in NATO-ISAF and to discuss detainee issues. At that time, we will endeavour to discuss further [REDACTED] some of the concerns expressed informally in your message.

[REDACTED] In this context, we take the concerns expressed [REDACTED] seriously and will endeavour to address their concerns and to ensure transparency and cooperation in our dealings [REDACTED] as is intended under international law and the terms of our 18 December arrangement with the Afghan authorities on the transfer of detainees. In the meantime,

please find below our initial observations on the concerns expressed [REDACTED] in advance of your eventual follow-up meeting.

3. We are somewhat surprised by the tone of the report and the assertion that there has been "a lack of cooperation" from the Canadian Forces in the field on this matter. There is an understanding at all levels that it is in our collective interest to have an effective notification/tracking process. Furthermore, it should be noted that notification procedures and practice for collecting information as per the existing form are in full compliance with the official requirements of the ICRC under the Geneva Conventions and what has been previously agreed at the strategic level between DFAIT/DND [REDACTED]

4. While this is not the first time [REDACTED] has asked questions concerning our notification practice, they have never, to our knowledge, notified us of any concerns with regard to agreed procedures. In this context, we believe, that the delays alluded to [REDACTED] rather than the transmission of information between Canada [REDACTED] as we make best efforts to notify the ICRC as promptly as possible. Generally speaking, the notification from time of transfer to Afghan authorities to informing the ICRC in Geneva has taken between 2-4 days. It has to be stressed, however, that each case is different, based on the location of where the individual is detained, what is happening when the individual is detained (patrol, active operation, time of day, health condition of the individual etc...). In this regard, we will be discussing further internally the notification process and will be in a position to provide additional information at a later date. That being said, KANDH (PRT and KAF) as well as KABUL are already copied on all notifications of transfer. In this context, we will inquire through GENEV to determine the ICRC's receptivity to also transmitting the information that is formally shared between GENEV and the ICRC HQ directly with ICRC field contacts on an informal basis.

5. Concerning [REDACTED] request for additional information (i.e. name; [REDACTED] and [REDACTED] the authority transferred to), to be included in the notification of transfer, this request will be incorporated in subsequent notifications. In this regard, the CF will endeavour to provide as much information as the person in custody is willing to divulge voluntarily recognizing that it not uncommon for Afghans in custody to be reluctant to provide additional information. Furthermore, normal operational security considerations will also apply when it comes to indicating specific location of detention. We believe this to be consistent with our obligations under the *Agenda for Humanitarian Action* adopted at the 28th International Conference of the Red Cross and Red Crescent in Geneva (2003), including to take effective measures, such as the provision of means of personal identification, to prevent and protect persons from becoming missing in situations of armed conflict or internal violence.

6. With regards to a point of contact, the National Command Element (NCE) Provost Marshall, Maj. James A. Fraser, is the national point of contact on detainee issues in theatre. We acknowledge that there appears to have been some confusion and that one [REDACTED] phone call remained unanswered. This was largely due to personnel on home leave and a mix up in theatre between the Brigade, Task Force and personnel. We are confident that future contacts between the Provost Marshall [REDACTED] will be productive.

Drafted: IDR/Laporte

Consulted: IRH-GHA, IRP, RAS, ADM(POL), DNATO POL, DPK POL, CEFCOM

Approved: IDD

—Original Message—

From: KANDH -C4R
Sent: May 26, 2006 6:49 AM
To: EXTOTT -IRP -C4; EXTOTT -IDR -C4; EXTOTT -IRH -GHA -C4; EXTOTT -JLH -C4
Cc: EXTOTT -IFM -C4; EXTOTT -IRD -C4; EXTOTT -IDD -C4; EXTOTT -ISD -C4; EXTOTT -ISR -C4; EXTOTT -RAD -C4; EXTOTT -IRC -C4; EXTOTT -IRP -C4; EXTOTT -ISI -C4; EXTOTT -ISIW -C4; EXTOTT -ICX -C4; EXTOTT -ICT -C4; EXTOTT -IDC -C4; CCATS; KABUL -GR -C4R; KANDH -KAF -C4R; WSHDC -GR -C4; WSHDC -DR -C4; BNATO -C4; HAGUE -DR -C4R; EXTOTT -RAS -C4; -HAGUE -C4R; EXTOTT -GFM -C4; EXTOTT -RGM -C4; EXTOTT -DMA -C4; HUGHES Stuart -ISBAD -

GR -C4; HOFFMANN Ron -LDN -GR -C4; ALEXANDER Vera -WSHDC -GR -C4; LALANI Arif -RAS -C4; FAIRCHILD David -IRP -C4; MARTIN Barbara -IDR -C4; LAPORTE Eric -IDR -C4; NELSON David -IDR -C4; BERGSTRAND Brad -FSDN -IRP -C4; GRAHAM Janet -FSDN -C4; GILMOUR Wendy -FSDN -IRP -C4; TERMORSHUIZEN Cindy -RAS -C4; BONNAR Jon -RAS -C4; HODGINS Glen -RAS -C4; ARBEITER Richard -RAS -C4; AHMAD Nadia -RAS -C4; LAFLEUR Marie-Josée -IRP -C4; ELMS Geordie -ISBAD -DR -C4; Privy Council Office / Foreign & Defence Policy -C4R; Privy Council Office / IAS -C4R; NDHQ OTT D NATO POL -C4; NDHQ OTT DGIS POL -C4; NDHQ OTT NDCC -C4; NDHQ +CEFCOM Comd -C4R; NDHQ +CEFCOM J2 -C4R; NDHQ +CEFCOM J3 -C4R; NDHQ +CEFCOM J5 -C4R; NDHQ +CEFCOM J9 -C4R; NDHQ OTT DPK POL -C4; DUHAIME Stephanie -RAS -C4; ELLIOTT Mike -ISIW -C4; DIGANGI John -ISI -C4; KABUL -HOM -C4R; Royal Canadian Mounted Police Head Quarter -C4R; PILLAROTT -RAP -C4R; OLEXIUK Eileen -IRD -C4; EXTOTT -BCM -C4; PILLAROTT -CT -C4R; KABUL -DA -C4R; BURGESS Anne E -BNATO -GR -C4; BLOODWORTH Catherine -JLA -C4; BARBER Shawn -IRC -C4; EXTOTT -ISRA -C4; EXTOTT -MINA -C4; GENEV -GR -C4; EXTOTT -GIO -C4; CORMIER Terry -GENEV -GR -C4; AMEGAN Karim -GENEV -GR -C4; MEYER Andrea -PRMNY -GR -C4; GOLBERG Elissa -IRH-GHA -C4; NOLKE Sabine -JLH -C4

Subject: KANDH0029 - Detainees [REDACTED] concerns over notification by Cdn forces

SECRET -CEO

RCMP -- pls pass to IPB
Privy Council/IAS -- pls pass to Popovich/Bryson
NDHQ/DNATO POL -- pls pass to Anderson/Kaduck/Bos
CEFCOM J9 -- pls pass to Rebenchuk
CEFCOM J3 -- pls pass to Powell
KANDH-KAF -- pls pass to Fraser/Putt/Basinger/Hope/Isfeld
BCM -- pls pass to Girtel

Summary: Because of inadequate information collection and occasional reporting delays, the [REDACTED] office is losing track of some Afghan detainees. Efforts to resolve these problems to date have not been successful. [REDACTED] "very much taken aback" by the lack of cooperation from Cdn military in theatre. A more detailed reporting form, and a helpful point of contact at KAF, would address principal [REDACTED] concerns.

Report: We met on May 23 [REDACTED] We asked for the meeting to discuss Kandahar prison (report to follow). However, in the course of the discussion [REDACTED] to politely express [REDACTED] about detainee issues.

3. [REDACTED] concern is notification. The information currently being collected by the Cdn forces is inadequate. In part because of Afghan peculiarities (some only use one name), the standard DND form does not record sufficient information always to allow [REDACTED] to correctly identify the detainee. For example, [REDACTED] also flagged occasional reporting delays. Sometimes as long as two months pass before [REDACTED] notification of a detention -- "and a lot can happen in two months."

4. As a result [REDACTED] spending considerable time trying to account for people detained by Cdn forces. Because of delays and information shortfalls, [REDACTED] losing track of some detainees. In sum, [REDACTED]

5. [REDACTED] has been trying for some time to get these concerns taken seriously. [REDACTED] "very much taken aback by the reaction -- the very strong reaction -- of the Canadian military" [REDACTED] not questioning the content of the agreement between Cda and the Afghan authorities. But it was "important that there be an easy dialogue" between Canada [REDACTED] That was in everyone's interest. "It is bad for Canada to appear to be dealing badly" [REDACTED] "Canada will be looked at."

6. [REDACTED] the ICRC is fully integrated into NATO mission exercises in Brussels and

Stavanger -- another will take place soon. The ICRC deals effectively with the military in Afghanistan at the highest level, i.e. LGen Eikenberry. Canada [redacted] is usually a strong supporter of the ICRC. [redacted] But somehow, at a lower level, [redacted]

7. For example, [redacted]

8. Following this initial discussion, we facilitated a meeting between [redacted] and Maj. Erik Liebert, PRT deputy commander. Liebert has been following up at KAF. There has been some local direction (TSO 321A 1 March) to collect more information on detained personnel, but this does not address all [redacted] concerns. The staff are looking into this and have been encouraged to contact [redacted]

9. Discussions with [redacted] were friendly but it is clear [redacted]

10. **Comment:** We share [redacted] assessment that it is in Canada's interest, [redacted] that Canada not only meet ICRC requirements, but be seen as cooperative and responsive. The detainee issue is highly sensitive and we should be making every effort to satisfy the ICRC's reasonable requests.

11. Detainee information currently being provided to ICRC is certainly minimal. For example, in most recent case, only info provided was [redacted] and that he was transferred to the NDS on [redacted] In a 3 May transfer notification, only one name is recorded for [redacted] detainees. [The ICRC's full list of requested info is: Name; [redacted]

[redacted] and the authority transferred to.]

12. We do not fully understand [redacted] reference to reporting delays. Three most recent detainee notifications have been relatively swift, with turnover between detention in Afghanistan and notification of the ICRC ranging from two to eight days. That said, do protocols/ agreements allow -- in parallel to formal notification via Ottawa and GENEV -- for ICRC in the field to be informed as soon as detainees are taken? This would allow ICRC delegates in principle to have access to detainees while still in Cdn custody. For Cda, benefit would be to ensure speedy fulfilment of our responsibilities, to demonstrate good will, and to prove that detainees in Cdn custody are being well treated -- as is undoubtedly the case. [redacted]

13. **Recommendation:** We told [redacted] that we would meet with [redacted] soon to follow up on our discussions. Solutions would seem to be: a more detailed reporting form (not the current DND 1361 PW) that solicits all the information requested by the ICRC; and a helpful, permanent point of contact at KAF. This issue also requires greater emphasis [redacted] concerns have not been transmitted across the chain of command.

Consulted: Maj. Liebert/ DND
Drafted/ released: Colvin

From: KABUL -HOM -C4R
Sent: September 9, 2006 8:59 PM
To: EXTOTT -FTAG -C4; FOX James -RGM -C4
Cc: EXTOTT -USS -C4; EXTOTT -MINA -C4; EXTOTT -IFM -C4; EXTOTT -IRD -C4;
EXTOTT -IRC -C4; EXTOTT -IRP -C4; EXTOTT -IRH -GHA -C4; EXTOTT -ISD -C4;
EXTOTT -ISR -C4; EXTOTT -ISRA -C4; EXTOTT -ISI -C4; EXTOTT -ISIW -C4; EXTOTT
-ICX -C4; EXTOTT -ICT -C4; KABUL -HOM -C4R; EXTOTT -IDD -C4; EXTOTT -IDC -C4;
EXTOTT -IDR -C4; EXTOTT -RGM -C4; EXTOTT -RAD -C4; EXTOTT -RMD -C4;
EXTOTT -RMG -C4; EXTOTT -FTAG -C4; EXTOTT -RMR -C4; EXTOTT -RRD -C4;
EXTOTT -RRO -C4; EXTOTT -BCM -C4; EXTOTT -GFM -C4; EXTOTT -GIO -C4; CIDA -
C4R; Privy Council Office / Foreign & Defence Policy -C4R; Privy Council Office / IAS -
C4R; Royal Canadian Mounted Police Head Quarter -C4R; NDHQ OTT D NATO POL -
C4; NDHQ OTT DGIS POL -C4; NDHQ OTT NDCC -C4; NDHQ +CEFCOM HQ -C4R;
NDHQ +CEFCOM J2 -C4R; NDHQ +CEFCOM J3 -C4R; NDHQ +CEFCOM J5 -C4R;
NDHQ +CEFCOM J9 -C4R; NDHQ OTT DPK POL -C4; PILLAROTT -RAP -C4R;
PILLAROTT -CT -C4R; CCATS; KABUL -GR -C4R; KABUL -DA -C4R; KANDH -KAF -
C4R; ISBAD -GR -C4; ISBAD -DR -C4; ISBAD -SL -C4; DELHI -GR/PA -C4; DELHI -DR -
C4; DELHI -HOM -C4; -TERAN -C4R; -TERAN -GSRP -C4R; WSHDC -GR -C4; WSHDC
-DR -C4; LDN -GR -C4; LDN -DR -C4; -CNBRA -C4R; -CNBRA -DR -C4R; -HAGUE -DR
-C4R; -HAGUE -C4R; BRLIN -GR -C4; BNATO -C4; BNATO -HOM -C4; GENEV -GR -
C4; PRMNY -DR -C4; PRMNY -GR -C4; FAIRCHILD David -FTAG -IRP -C4; HERA
Tudor -IRP -C4; POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; GRAHAM Janet
-FSDN -C4; GILMOUR Wendy -FSDN -IRP -C4; GOLBERG Elissa -IRH-GHA -C4;
YATES Brenda -IRH-GHA -C4; DIGANGI John -ISI -C4; OLEXIUK Eileen -IRD -C4;
BONNAR Jon -RAS -C4; ARBEITER Richard -FTAG -C4; AHMAD Nadia -FTAG -C4;
NOLKE Sabine -JLH -C4; LAFLEUR Marie-Josée -IRP -C4; COLLINS David -ISBAD -
HOM -C4; ELMS Geordie -ISBAD -DR -C4; RICHARDSON Mark -ICT -C4; PUXLEY
Evelyn -ICT -C4; IRISH Jennifer -ICT -C4; BARBER Shawn -IRC -C4; BURGESS Anne E
-BNATO -GR -C4; DREWS Martin -BNATO -DR -C4; LABBE Serge -BNATO -DR -C4;
HARVEY Andre -BNATO -DR -C4; GRANT Alison -PRMNY -GR -C4; CORMIER Terry -
GENEV -GR -C4; AMEGAN Karim -GENEV -GR -C4; HUGHES Stuart -ISBAD -GR -C4;
HOFFMANN Ron -LDN -GR -C4; LENARCIC David -WSHDC -GR -C4; ALLEN Mark -
LDN -GR -C4; HEINBECKER Yasemin -FTAG -C4; FOX James -RGM -C4; EXTOTT -
IRP -C4; ZAPACH Marla -IRC -C4; RICHARDSON Mark -ICT -C4; GLAUSER Mark -
WSHDC -GR -C4; DION Nathalie -WSHDC -GR -C4; EXTOTT -RAS -C4; EXTOTT -IDR
-C4; PINNINGTON Phil -BNATO -GR -C4; LDN -HOM -C4; BNATO -HOM -C4; DAVIS
Christopher -OGD -PCO/BCP -C4R; NDHQ OTT DM -C4; LEBLANC Pam -USS -C4;
BARBER Shawn -IRC -C4; ISBAD -HOM -C4; DELHI -HOM -C4; PROUDFOOT Douglas
Scott -VPERM -C4; COOTER Chris -BNATO -GR -C4; WSHDC -D/HOM -CDM/A -EC -
C4; LAKER Marina -IRP -C4; BALDWIN-JONES Elizabeth -IDR -C4
Subject: KBGR0110/GSRP -- Visit by Minister of Defence O'Connor to Kabul

SECRET -CEO

RCMP - IPB
CIDA - BSV/ Tse, BSA/ Graves/ Baker/ Wiebe/ Maillet
KANDH KAF - Fraser/ Lavoie/ Lewis/ Isfeld/ Green
KANDH - Hetherington/ Murray/ Hera/ Callan/ Walraven/ Fudge
PCO/IAS - Popovich/ Bryson
NDHQ/ DNATO POL - Anderson/ Kaduck/ Bos/ Lemieux
CEFCOM - J3/Powell; J5/Lizotte; J9/Rebenchuk

Document Number / Numéro du document: 0-110-002

Receipt Date / Date reçue: 16-11-09

Redacted by AG

Receipt Date: 16-11-09

Ref: KBGR0101/GSRP of 1 September, 2006 on Operation Medusa in Panjwayi

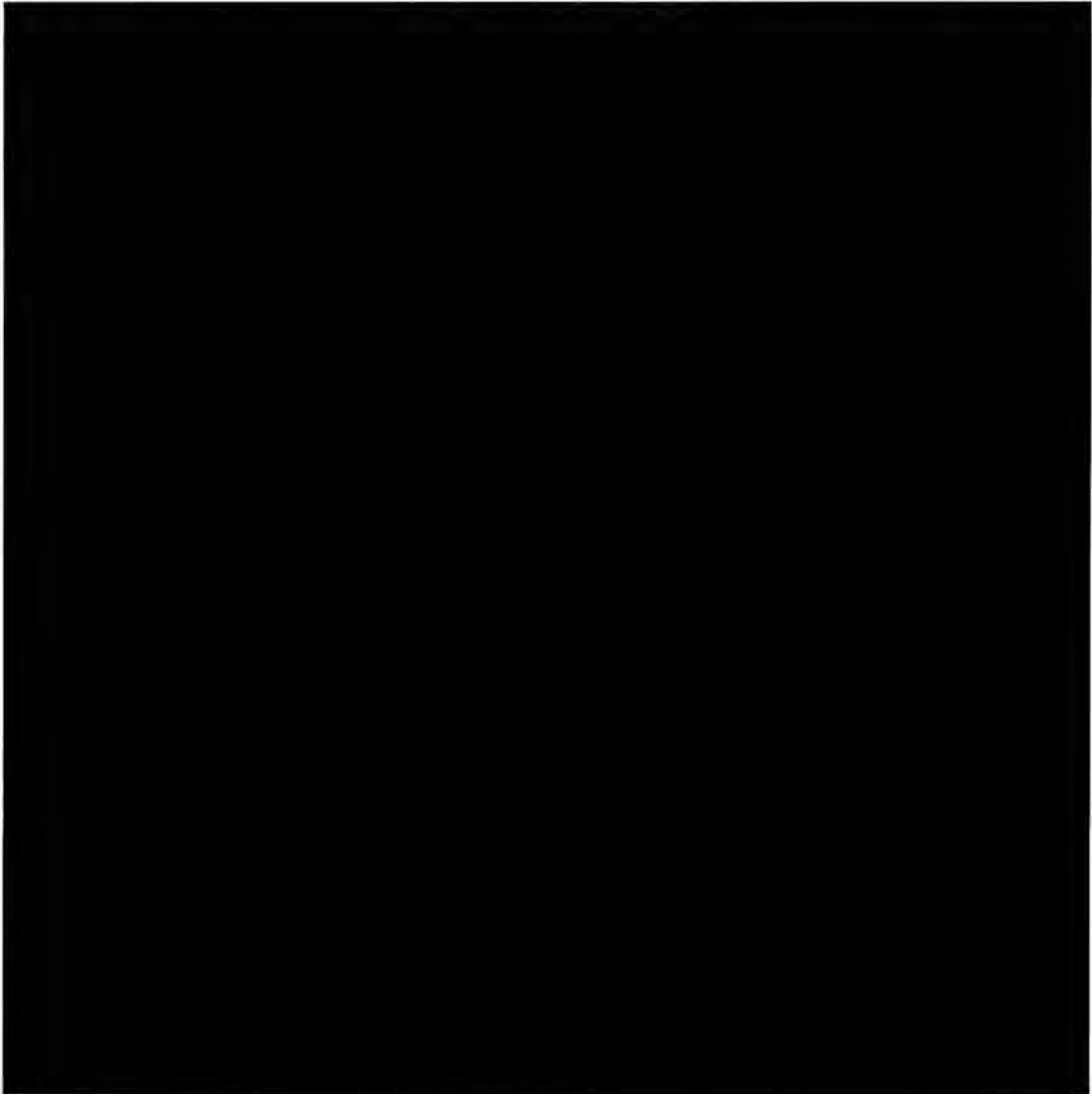
Summary: MND visited Kabul on August 31 for discussions with President Karzai, Defence Minister Wardak and NATO partners. [REDACTED]

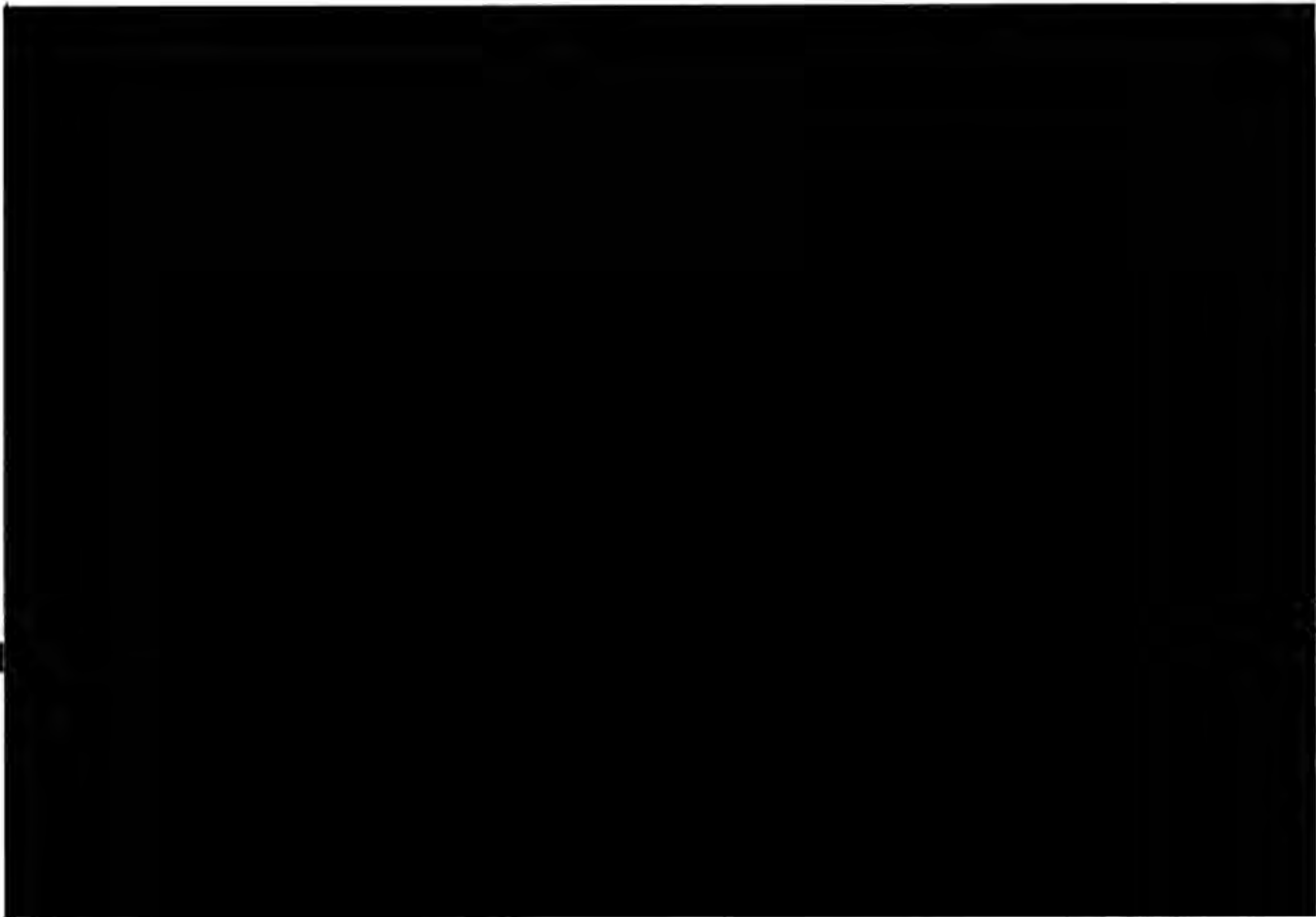
[REDACTED]

[REDACTED] Both thanked Canada for its military sacrifices, which the president called "a matter of immense gratitude."

Report. After a two-day program in Kandahar, Defence Minister O'Connor flew to Kabul on 31 August for a one day program. He was accompanied by LGen Michel Gauthier, commander of the Canadian Expeditionary Forces Command, and RAdm Dan Murphy, Director of Staff at the Strategic Joint Staff. The delegation was briefed by DND's Strategic Advisory Team, which provides strategic planning for selected GoA partners; took part in a roundtable hosted by HOM Sproule with Canada's diplomatic and military partners in the south; and met with Defence Minister Abdul Rahim Wardak (who also hosted a lunch), ISAF commander LGen David Richards, and President Hamid Karzai.

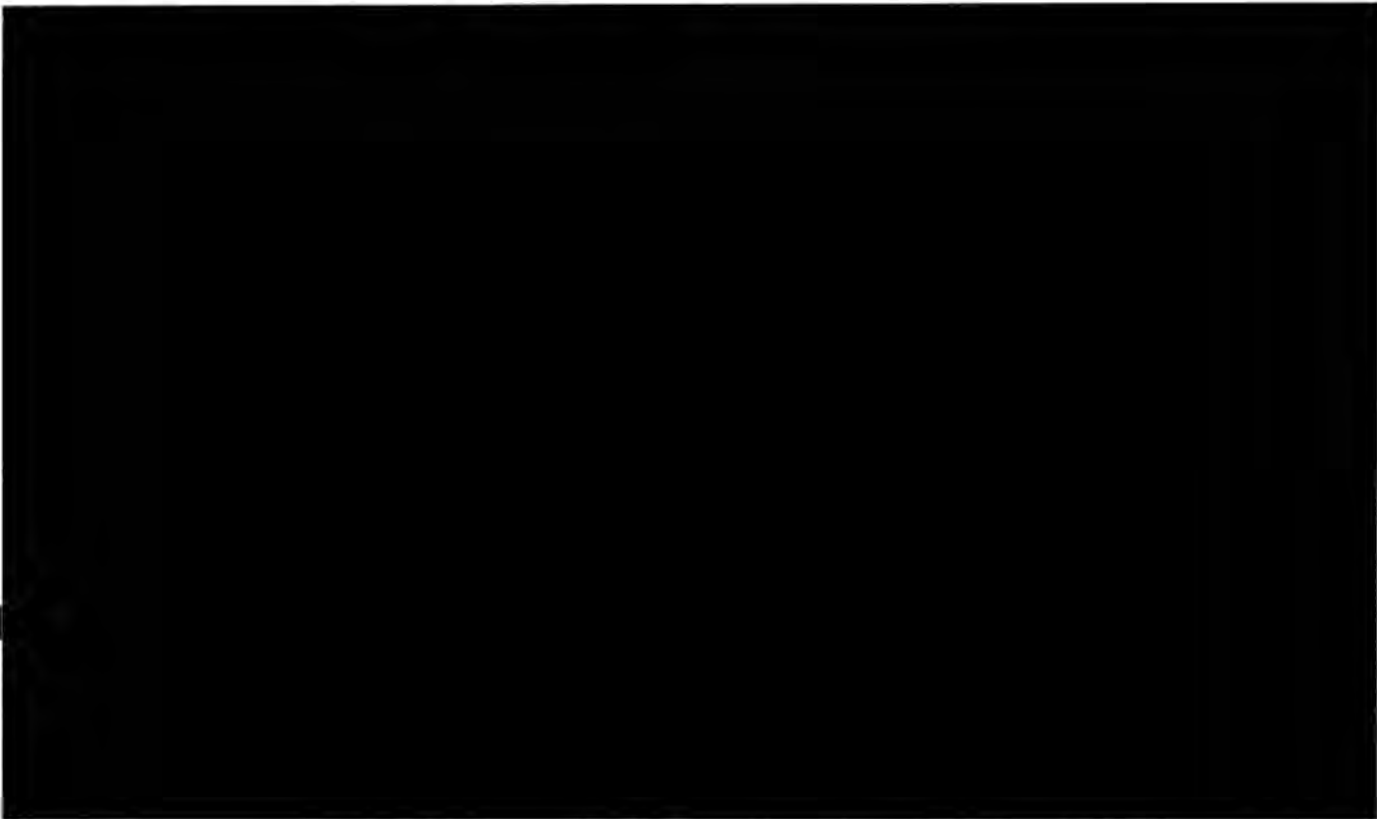
The Roundtable






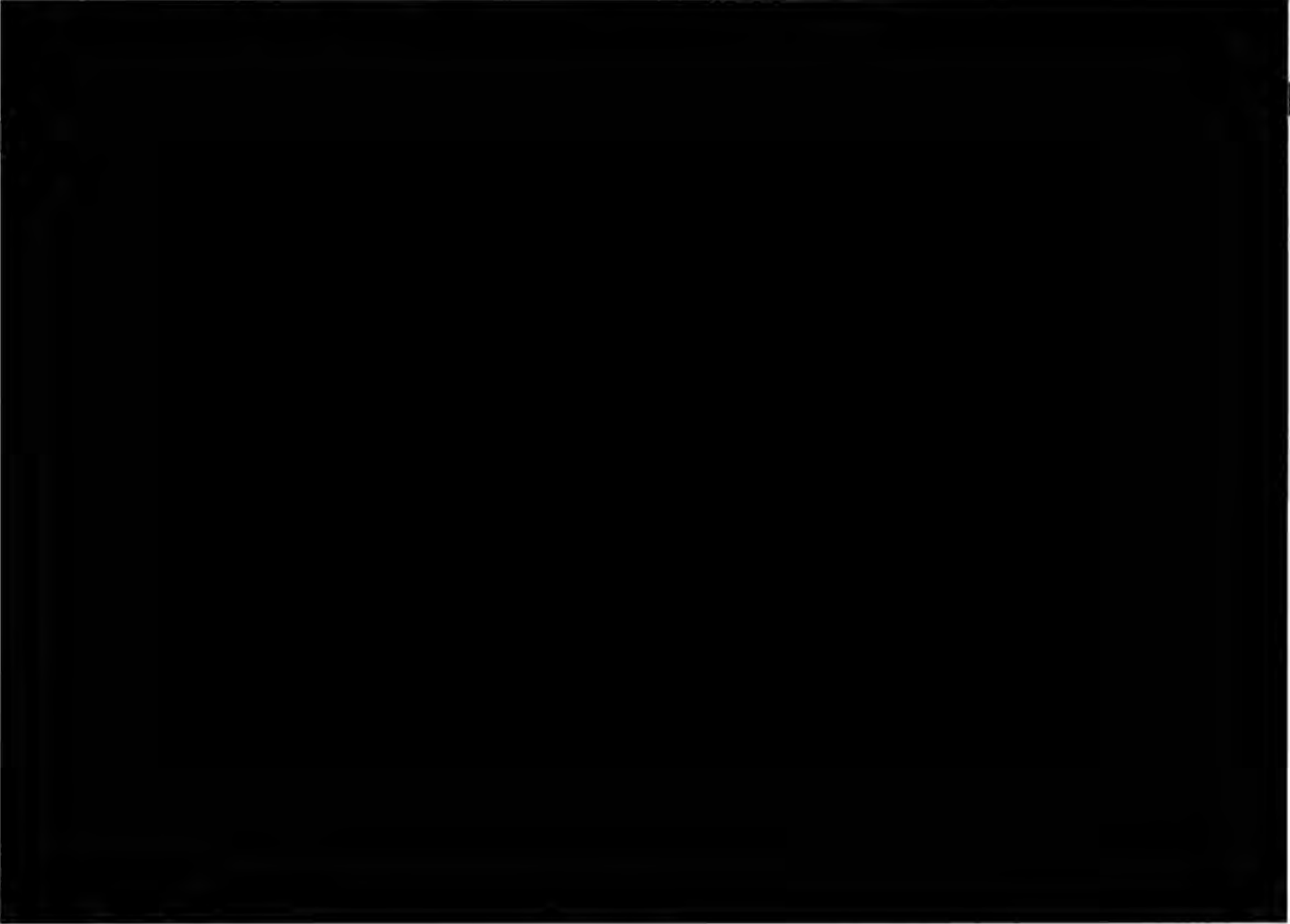
Minister of Defence Abdul Rahim Wardak

11. Gen. Wardak began by expressing his great appreciation for the sacrifices made by Canadian soldiers. Canadian soldiers, he said, are doing an excellent job.







ISAF commander LGen Richards



President Karzai

22. In a 45-minute meeting, the President showed himself in strong form. Also present were Foreign Minister Spanta, Defence Minister Wardak, Chief of Staff Ludin and National Security Advisor Rassoul, though on the Afghan side only Karzai spoke. His two main subjects were 



24. MND told the president that, in his view, Kandahar must be the focus of Canadian effort. Canada is trying both to deal with the Taliban and deliver improvements on the ground. To that end, MND intended to strengthen our PRT.



26. The president eloquently thanked Canada for the sacrifices of Canadian soldiers, which he called “a matter of immense gratitude.” During his upcoming visit to Canada, pledged Karzai, he would find a way to express his appreciation. For Canadian soldiers “from that comfortable life to find themselves in the deserts and mountains of Kandahar in order to fight for us, is immensely kind.”



30. The call concluded with MND reiterating how much our government looks forward to President Karzai's upcoming visit. President Karzai said he was anxious to thank Canada for his contribution to Afghanistan and asked MND to pass along his regards to PM Harper.

Drafted: Colvin/ GSRP
Consulted: Bloodworth
Approved: Sproule

KABUL -HOM -C4R

From: KABUL -HOM -C4R
Sent: September 19, 2006 9:12 PM
To: LAPORTE Eric -IDR -C4
Cc: POUPART Isabelle -IDR -C4; GOLBERG Elissa -IRH-GHA -C4; NOLKE Sabine -JLH -C4; KABUL -GR -C4R; KANDH -C4R; KANDH -KAF -C4R; GENEV -GR -C4; NGUYEN Mi -IRH -C4; EXTOTT -IDR -C4; WALSH Eric -GENEV -GR -C4; EXTOTT -IDR -C4; EXTOTT -FTAG -C4; ARBEITER Richard -FTAG -C4; PROUDFOOT Douglas -FTAG -C4; AHMAD Nadia -FTAG -C4; TOWNSON Colin -FTAG -C4; PINNINGTON Phil -BNATO -GR -C4; BURGESS Anne E -BNATO -GR -C4; COOTER Chris -BNATO -GR -C4; -HAGUE -C4R; ALLEN Mark -LDN -GR -C4; AMEGAN Karim -GENEV -GR -C4; FOX James -RGM -C4; BECK Stefanie -IDR -C4; LENARCIC David -WSHDC -GR -C4; LAKER Marina -IRP -C4; MARTIN Tim -IRD -IRG -C4; MARTIN Isabelle -LDN -GR -C4; MEYER Andrea -PRMNY -GR -C4; CORMIER Terry -GENEV -GR -C4; FAIRCHILD David -FTAG -IRP -C4
Subject: KBGR0118 – Afghanistan: [redacted] detainee concerns

CONFIDENTIAL -CEO

KANDH/KAF -- For Isfeld only
KANDH -- For Buchan only

[redacted] today raised with us an ongoing concern about detainees. [redacted] Cdn forces in southern Afghanistan are refusing to provide basic detainee information, [redacted]

2. [redacted] and another [redacted] contact, first raised this issue with us several weeks ago. We mentioned it in a C4 of 28 August, 2006 that was copied to a range of DND addressees. CEFCOM J9, in reply, said they would pass [redacted] concern up the NDHQ chain. (The original exchange is copied below.)

3. According to [redacted] The Cdn Provost Marshal in Kandahar has told [redacted] that he would be pleased to provide the information [redacted]

4. We would be grateful if this issue could be pursued with NDHQ.

5. We would also note a reasonably significant delay in the last notification of detainees sent on by NDHQ. It was for [redacted] detained on [redacted] and handed to the Afghan National Directorate of Security on [redacted] Notification was sent from NDHQ to GENEV/ KABUL only on [redacted] (In that context, we understand that a large number of Afghans were detained during Operation Medusa. We are not however aware whether this detention was carried out by Cdn forces or by Afghan police or army units supporting the operation. So far we have only received information about the [redacted] on [redacted])

6. At our end, after NDHQ in their 28 August msg [redacted]

7. [redacted]

Document Number / Numéro du document: D-110-003

Consulted: Bloodworth
Drafted/ released: Colvin

Receipt Date / Date reçue: 16-11-09

Redacted by AG

Receipt Date: 16-11-09

Original Message

From: NDHQ +CEFCOM J9 -C4R
Sent: August 28, 2006 9:14 PM
To: KABUL -HOM -C4R; AMEGAN Karim -GENEV -GR -C4; NDHQ OTT D NATO POL -C4
Cc: CORMIER Terry -GENEV -GR -C4; MEYER Paul -GENEV -HOM/CDM -C4; POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; GOLBERG Elissa -IRH-GHA -C4; NOLKE Sabine -JLH -C4; NDHQ OTT DGIS POL -C4; NDHQ OTT DPK POL -C4; NDHQ OTT NDCC -C4; NDHQ +CEFCOM J3 -C4R; KABUL -GR -C4R; KANDH -C4R; KANDH -KAF -C4R; GENEV -GR -C4; NGUYEN Mi -IRH -C4; EXTOTT -IDR -C4; WALSH Eric -GENEV -GR -C4
Subject: RE: ICRC Detainee Notification 18 August

PROTECTD B

For GENEV: Pls pass to Karim Amegan
For KABUL: Pls pass to Richard Colvin
For D NATO Pol: Pls pass to Jonathan Stone

Thanks Richard:

I will have my colleagues here pass your number and that of Catherine to the ICRC rep in Kandahar. It would be great to get confirmation of transmission to the ICRC on your end too - much appreciated.

I will pass the [REDACTED] request/concern up the chain here as well.

Thx again,
Kim

-----Original Message-----

From: KABUL -HOM -C4R
Sent: August 28, 2006 12:15 PM
To: NDHQ +CEFCOM J9 -C4R; AMEGAN Karim -GENEV -GR -C4; NDHQ OTT D NATO POL -C4
Cc: CORMIER Terry -GENEV -GR -C4; MEYER Paul -GENEV -HOM/CDM -C4; POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; GOLBERG Elissa -IRH-GHA -C4; NOLKE Sabine -JLH -C4; NDHQ OTT DGIS POL -C4; NDHQ OTT DPK POL -C4; NDHQ OTT NDCC -C4; NDHQ +CEFCOM J3 -C4R; KABUL -GR -C4R; KANDH -C4R; KANDH -KAF -C4R; GENEV -GR -C4; NGUYEN Mi -IRH -C4; EXTOTT -IDR -C4; WALSH Eric -GENEV -GR -C4
Subject: RE: ICRC Detainee Notification 18 August

PROTECTED B

For GENEV: Pls pass to Eric Walsh, Brian Parai and Karim Amegan
For KABUL: Pls pass to Richard Colvin
For D NATO Pol: Pls pass to Jonathan Stone

This information was transmitted to ICRC in Kabul via embassy dip note a week ago (August 22? -- will check.) Tomorrow will follow up with Kabul ICRC rep. Would also encourage ICRC in Kandahar, if they have questions, to call either me (0799-315-343) or Catherine Bloodworth (0799-287-534).

In future, we will reply (as per GENEV) when we have sent our dip note to ICRC.

[REDACTED]

[REDACTED] are now following up through their military chain but grateful their concern/ request also be passed on via yr channels.

Thanks,

Richard Colvin
Chargé

-----Original Message-----

From: NDHQ +CEFCOM J9 -C4R
Sent: August 28, 2006 5:42 PM
To: AMEGAN Karim -GENEV -GR -C4; NDHQ OTT D NATO POL -C4
Cc: CORMIER Terry -GENEV -GR -C4; MEYER Paul -GENEV -HOM/CDM -C4; POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; GOLBERG Elissa -IRH-GHA -C4; NOLKE Sabine -JLH -C4; NDHQ OTT DGIS POL -C4; NDHQ OTT DPK POL -C4; NDHQ OTT NDCC -C4; NDHQ +CEFCOM J3 -C4R; KABUL -GR -C4R; KANDH -C4R; KANDH -KAF -C4R; GENEV -GR -C4; NGUYEN Mi -IRH -C4; EXTOTT -IDR -C4; WALSH Eric -GENEV -GR -C4
Subject: RE: ICRC Detainee Notification 18 August

PROTECTED B

For GENEV: Pls pass to Eric Walsh, Brian Parai and Karim Amegan
For KABUL: Pls pass to Richard Colvin
For D NATO Pol: Pls pass to Jonathan Stone

Grateful KABUL indicate if the detainee information below has been transmitted to the ICRC rep in Kabul as per the request contained in the original message.

Task Force Afghanistan has notified CEFCOM that [REDACTED]

Thanks,
Kim Rebenchuk
A/J9 CEFCOM
613-944-8245

-----Original Message-----

From: AMEGAN Karim -GENEV -GR -C4
Sent: August 21, 2006 12:26 PM
To: NDHQ OTT D NATO POL -C4
Cc: CORMIER Terry -GENEV -GR -C4; MEYER Paul -GENEV -HOM/CDM -C4; POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; GOLBERG Elissa -IRH-GHA -C4; NOLKE Sabine -JLH -C4; NDHQ OTT DGIS POL -C4; NDHQ OTT DPK POL -C4; NDHQ OTT NDCC -C4; NDHQ +CEFCOM J3 -C4R; NDHQ +CEFCOM J9 -C4R; KABUL -GR -C4R; KANDH -C4R; KANDH -KAF -C4R; GENEV -GR -C4; NGUYEN MI -IRH -C4; EXTOTT -IDR -C4; WALSH Eric -GENEV -GR -C4
Subject: RE: ICRC Detainee Notification 18 August

NDHQ OTT NATO POL: Jonathan Stone

Les notifications concernant les détenus mentionnés dans le message du 18 août ont été communiquées aujourd'hui au siège du CICR par notes diplomatiques.

Karim Amégan

KABUL -HOM -C4R

From: KABUL -GR -C4R
Sent: September 28, 2006 5:24 PM
To: LAPORTE Eric -IDR -C4
Cc: POUPART Isabelle -IDR -C4; GOLBERG Elissa -IRH-GHA -C4; NOLKE Sabine -JLH -C4; KANDH -C4R; GENEV -GR -C4; NGUYEN Mi -IRH -C4; EXTOTT -IDR -C4; WALSH Eric -GENEV -GR -C4; EXTOTT -FTAG -C4; ARBEITER Richard -FTAG -C4; PROUDFOOT Douglas -FTAG -C4; AHMAD Nadia -FTAG -C4; TOWNSON Colin -FTAG -C4; PINNINGTON Phil -BNATO -GR -C4; BURGESS Anne E -BNATO -GR -C4; COOTER Chris -BNATO -GR -C4; -HAGUE -C4R; ALLEN Mark -LDN -GR -C4; AMEGAN Karim -GENEV -GR -C4; FOX James -RGM -C4; BECK Stefanie -IDR -C4; LENARCIC David -WSHDC -GR -C4; LAKER Marina -IRP -C4; MARTIN Isabelle -LDN -GR -C4; MEYER Andrea -PRMNY -GR -C4; CORMIER Terry -GENEV -GR -C4; FAIRCHILD David -FTAG -IRP -C4; KABUL -HOM -C4R; KANDH -KAF -C4R
Subject: KBGR0121 -- Afghanistan: [redacted] detainee concerns -- update

CONFIDENTIAL -CEO

Further to recent discussions of detainee issues, we met with [redacted] was one of the two [redacted] contacts (other was from Polad office) who approached us in August about problems with Canada on detainee issues.

[redacted] what can only be described as strong criticisms of the Cdn approach on detainee issues. There are [redacted]

3. [redacted]

4. [redacted] the only information [redacted] needs is what Canada is already collecting in the field. Who is the person (in enough detail to identify them)? Where is that person? What happened to him/ who has he been handed to? [redacted]

5. [redacted]

[redacted] Between Aegis and the National Command Element, it is unclear even who is the point of contact in Kandahar, [redacted] It is sometimes difficult even to get a phone call answered.

6. [redacted]

7. [redacted]

8. **Comment:** [redacted] comments about perceived non-responsiveness and secrecy are reminiscent of frustrations about detainee notification expressed to us [redacted] in May. Since then, [redacted] concerns have been mostly addressed, and a better working relationship established. We would be pleased if dialogue could be similarly improved and a mutually agreeable solution reached [redacted]

Consulted: Bloodworth
Drafted/ released: Colvin

Document Number / Numéro du document: D-110-004

Redacted by [redacted]

Receipt Date / Date reçue: 16-11-09

Receipt Date: 16-11-09

-----Original Message-----

From: KANDH -KAF -C4R
Sent: September 21, 2006 11:08 AM
To: KABUL -GR -C4R

KABUL -HOM -C4R

From: KABUL -GR -C4R
Sent: October 15, 2006 1:16 AM
To: EXTOTT -FTAG -C4; EXTOTT -IRP -C4
Cc: EXTOTT -USS -C4; EXTOTT -MINA -C4; EXTOTT -IFM -C4; EXTOTT -IRD -C4;
EXTOTT -IRC -C4; EXTOTT -IRP -C4; EXTOTT -IRH -GHA -C4; EXTOTT -ISD -C4;
EXTOTT -ISR -C4; EXTOTT -ISRA -C4; EXTOTT -ISI -C4; EXTOTT -ISIW -C4; EXTOTT
-ICX -C4; EXTOTT -ICT -C4; KABUL -HOM -C4R; EXTOTT -IDD -C4; EXTOTT -IDC -C4;
EXTOTT -IDR -C4; EXTOTT -RGM -C4; EXTOTT -RAD -C4; EXTOTT -RMD -C4;
EXTOTT -RMG -C4; EXTOTT -RMR -C4; EXTOTT -RRD -C4; EXTOTT -RRO -C4;
EXTOTT -BCM -C4; EXTOTT -GFM -C4; EXTOTT -GIO -C4; CIDA -C4R; Privy Council
Office / Foreign & Defence Policy -C4R; Privy Council Office / IAS -C4R; Royal Canadian
Mounted Police Head Quarter -C4R; NDHQ OTT D NATO POL -C4; NDHQ OTT DGIS
POL -C4; NDHQ OTT NDCC -C4; NDHQ +CEFCOM HQ -C4R; NDHQ +CEFCOM J2 -
C4R; NDHQ +CEFCOM J3 -C4R; NDHQ +CEFCOM J5 -C4R; NDHQ +CEFCOM J9 -
C4R; NDHQ OTT DPK POL -C4; PILLAROTT -RAP -C4R; PILLAROTT -CT -C4R;
CCATS; KABUL -GR -C4R; KABUL -DA -C4R; KANDH -KAF -C4R; ISBAD -GR -C4;
ISBAD -DR -C4; ISBAD -SL -C4; DELHI -GR/PA -C4; DELHI -DR -C4; DELHI -HOM -C4;
-TERAN -C4R; -TERAN -GSRP -C4R; WSHDC -GR -C4; WSHDC -DR -C4; LDN -GR -
C4; LDN -DR -C4; -CNBRA -C4R; -CNBRA -DR -C4R; -HAGUE -DR -C4R; -HAGUE -
C4R; BRLIN -GR -C4; BNATO -C4; BNATO -HOM -C4; GENEV -GR -C4; PRMNY -DR -
C4; PRMNY -GR -C4; FAIRCHILD David -FTAG -IRP -C4; HERA Tudor -IRP -C4;
POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; GRAHAM Janet -FSDN -C4;
GILMOUR Wendy -FSDN -IRP -C4; GOLBERG Elissa -IRH-GHA -C4; YATES Brenda -
IRH-GHA -C4; DIGANGI John -ISI -C4; OLEXIUK Eileen -IRD -C4; BONNAR Jon -RAS -
C4; ARBEITER Richard -FTAG -C4; AHMAD Nadia -FTAG -C4; NOLKE Sabine -JLH -
C4; LAFLEUR Marie-Josée -IRP -C4; COLLINS David -ISBAD -HOM -C4; -0701-ELMS
Geordie -ISBAD -DR -C4; RICHARDSON Mark -ICT -C4; PUXLEY Evelyn -ICT -C4;
IRISH Jennifer -ICT -C4; BARBER Shawn -IRC -C4; BURGESS Anne E -BNATO -GR -
C4; DREWS Martin -BNATO -DR -C4; LABBE Serge -BNATO -DR -C4; HARVEY Andre -
BNATO -DR -C4; GRANT Alison -PRMNY -GR -C4; CORMIER Terry -GENEV -GR -C4;
AMEGAN Karim -GENEV -GR -C4; HUGHES Stuart -ISBAD -GR -C4; HOFFMANN Ron -
LDN -GR -C4; LENARCIC David -WSHDC -GR -C4; ALLEN Mark -LDN -GR -C4;
HEINBECKER Yasemin -FTAG -C4; FOX James -RGM -C4; EXTOTT -IRP -C4;
ZAPACH Marla -IRC -C4; GLAUSER Mark -WSHDC -GR -C4; DION Nathalie -WSHDC -
GR -C4; EXTOTT -RAS -C4; EXTOTT -IDR -C4; PINNINGTON Phil -BNATO -GR -C4;
DAVIS Christopher -OGD -PCO/BCP -C4R; NDHQ OTT DM -C4; BARBER Shawn -IRC -
C4; ISBAD -HOM -C4; COOTER Chris -BNATO -GR -C4; WSHDC -D/HOM -CDM/A -EC
-C4; FOX James -RGM -C4; LAKER Marina -IRP -C4; BALDWIN-JONES Elizabeth -IDR -
C4; PROUDFOOT Douglas -FTAG -C4; KANDH -C4R; MARTIN Isabelle -LDN -GR -C4;
PAQUIN Bob -RPD -C4; DOBNER Gallit -FTAG -C4; FOSS Karen -IRP -C4
Subject: KBGR0133 -- Afghan National Police, auxiliary police and LOTFA

CONFIDENTIAL

Document Number / Numéro du document: D-110-005

Pls pass to:

Receipt Date / Date reçue: 16-11-09

RCMP - IPB/ Beer/ Mombourquette
CIDA - BSV/ Tse, BSA/ Graves/ Baker/ Callan/ Wiebe/ Maillet
KANDH KAF - Fraser/ Lavoie/ Lewis/ Isfeld/ Green
KANDH - Buchan/ Hetherington/ Murray/ Kadi/ Fudge
PCO/IAS - Popovich/ Bryson
PCO/FDP - Mulrone/ Sinclair/ Alexander
NDHQ/ DNATO POL - Anderson/ Kaduck/ Bos/ Lemieux
CEFCOM - J3/Powell; J5/Lizotte; J9/Rebenchuk

Redacted by AG

Receipt Date: 16-11-09

Ref: KBGR0125 (4 Oct 06) and KBGR0126 (5 Oct 06) on discussions at PAG, KBGR0124 (3 Oct 06) on the Afghan National Army, KAF0045 (28 Sep 06) on mtg with southern governors on auxiliary police, KBGR0104 (4 Sep 06) on auxiliary police

Summary: The Afghan National Police (ANP) remain poorly trained, badly equipped and underpaid. According to

the [REDACTED] However, given the shortage of Afghan army and ISAF forces, the ANP have been forced into a counter-insurgency role. Although 62,000 ANP are listed on the official rolls, in practice far fewer registered police are operational on the ground, especially in high-risk districts in the south. To supplement numbers, eleven thousand auxiliary police, initially on one-year contracts, are to be recruited across the country. The first batch of 40 has just graduated in Zabul, with recruitment getting underway in another 10 eastern and southern provinces, including Kandahar. The initiative is essentially an accelerated recruiting program for ANP -- auxiliary police will fall under the same laws and command-and-control mechanisms as regular police, and fulfil identical roles and responsibilities. [REDACTED]

The police 'standby' reserve battalions, [REDACTED] are also to be dissolved over the next two years. They are to be replaced by a quick-reaction force that will be deployed in major cities, including Kandahar, as well as along the border with Pakistan. Other police reform initiatives are underway, including modernization of management systems and Phase III of pay and rank reform (PAR), which is intended to improve police leadership. Underperforming senior policemen installed under the first two phases of PAR - [REDACTED] are being replaced. In order to reinforce the Ministry of Interior's chain of command, and detach police from the control of provincial governors, regional police commands are being strengthened. [REDACTED]

All police, including auxiliaries, are to be paid exclusively by the donor-funded Law and Order Trust Fund (LOTFA), which currently has a US\$ 19 m deficit. Given our engagement in the south, [REDACTED] Canada about resuming our contribution to LOTFA, which ceased this year.

Report: Over the past weeks, we met with key contacts on Afghan police issues. This includes Minister of Interior Zazar Moqbil; [REDACTED] Afghan National Police (ANP); [REDACTED] US-led Combined Security Transition Command -Afghanistan (CSTC-A), which is training, equipping and reforming the Afghan police and army; [REDACTED] UN Assistance Mission in Afghanistan (UNAMA), which is involved in governance issues, including police appointments; and [REDACTED] Law and Order Trust Fund for Afghanistan (LOTFA), which was set up by donors to pay police salaries. We also attended the monthly Interagency Police Coordinated Action Group (IPCAG), chaired by [REDACTED] an ad hoc group, also chaired by [REDACTED] that met to discuss LOTFA and its potential role in paying for auxiliary police; a LOTFA Steering Committee meeting chaired by Minister Moqbil; and numerous sessions of the Policy Action Group (PAG), including its security sub-group, which has been guiding the rollout of auxiliary police in the south.

Overview

3. Among international interlocutors, the ANP is considered [REDACTED] Unlike the Ministry of Defence and Afghan National Army (ANA), which have received considerable assistance over the past three years, the Ministry of Interior (MoI) and police remain largely unreconstructed.

4. [REDACTED]

5. In the provinces, the MoI chain of command [REDACTED]

6. In the south, the police have borne much of the brunt of the insurgency. Minister Moqbil notes that the ANP are supposed "to enforce laws, not fight" in a counter-insurgency. Their mission should be to establish order and regain the trust of the people, said Moqbil. However, given the security situation in the south, the police are unavoidably drawn into conflict, even if only to defend themselves when attacked. Due to insufficient numbers of ANA and ISAF

16. The Civil Order Maintenance component of COMC will function like riot police. They are to be stationed in Kabul, Kandahar, Herat, Mazar-i-Sharif and Jalalabad. They will report to the regional police commanders (see para. 30) but will be available to respond to emergency calls from the governors. The Constabulary units will "approach paramilitary forces," and will be used in part to establish a presence along border zones with Pakistan, [REDACTED]

17. The COMC will eventually number 5000. They will receive four months of intensive training -- eight weeks of basic training, plus specialized training in riot control, interventions (insurgency and land/ tribal disputes), crime scene investigation and rule of law. The COMC will be well equipped, including with armoured, mineproof vehicles. The force should be ready for deployment by the end of 2008, [REDACTED]

18. **Recruiting 2100 new police in the southern provinces.** Of the three rebalancing initiatives, the recruitment drive in [REDACTED] has been the most successful. Half-way along the timeline, 1100 new recruits have been hired in the south. These are to be further supplemented by auxiliaries.

Afghan National Auxiliary Police

19. **Filling the security vacuum.** In an attempt to address the problem of inadequate numbers of ANP and ANA on the ground, especially in 'high-risk' or threatened areas, MoI [REDACTED] are in the process of creating Afghan National Auxiliary Police (ANAP).

20. [REDACTED]

21. According to Minister Moqbil, the ANAP initiative [REDACTED]

[REDACTED] The auxiliary program is also de facto an accelerated recruiting program for ANP. In law, auxiliaries will be indistinguishable from regular police. They are to be equipped the same as ANP, fulfil identical roles and responsibilities, be paid the same salary, and report up the same MoI chain of command as regular ANP. Both will be registered on the *tashkil*. Although recruitment is local, the intention is for auxiliaries to be deployable elsewhere, as are regular police. [REDACTED] says that, instead of 'ANAP', he would prefer to call them 'ANP (A)', i.e. 'ANP augmentees.' The main difference is that the auxiliaries will initially be hired on one-year as opposed to three-year contracts. However, [REDACTED] intention is that, when their contracts expire, they will become regular ANP.

22. **Recruitment and training.** Under their current plan, MoI [REDACTED] will recruit, vet and train 11,274 ANAP, to be deployed in 124 'high-risk' districts in 21 provinces. [In Afghanistan as a whole, there are 355 districts in 34 provinces.] The *tashkil* will be correspondingly expanded, from 62,000 to 73,000. Recruitment will be of individuals, not militias as a group. In the absence of national ID cards -- in Uruzgan, of 300 recruits, only five have ID cards -- vetting will be done largely through tribal elders. Training will be minimal -- 10 days to start with, with an additional week per quarter. However, as [REDACTED]

23. **Equipment.** [REDACTED] will equip the auxiliaries with regular police gear -- AK-47, uniform, baton. [REDACTED] currently has 4000 sets of equipment available (with 1000 sets already at the Regional Training Centre in Kandahar), and will locate the remaining 7000 sets in coming weeks.

24. **Rollout.** In Zabul, the pilot province, some 40 auxiliaries have already graduated, with another 200 about to start training. MoI reported today to PAG's Security Operations Group that recruiting is underway in 11 provinces in the south and east, including Kandahar. Across those provinces, 3300 enrolment forms have been issued to potential recruits, said MoI.

25. [REDACTED] and the Provincial Reconstruction Teams (PRTs) -- training capacity for the provinces. In the meantime, it has been urging MoI to delay recruiting until the trainers are in place so that new recruits are not discouraged by the delay. The composition of the training teams remains unresolved, though a rough breakdown has been agreed -- [REDACTED] and the PRTs their existing police advisors. [REDACTED] hopes that five or six training teams will be deployed in each province.

26. **Kandahar** is set to receive 1300 auxiliaries [to supplement the 1600 regular ANP who are believed to be in the province; how many are actually on the ground is open to speculation]. [REDACTED] and the PRTs to supply the rest. We understand that two or possibly three of the five-officer RCMP/ civilian-police unit at Canada's PRT can assist with training, as well as the MP detachment. [REDACTED] has asked MoD to provide space in the ANA camp at Sherzai in Kandahar. The plan is to graduate 320 auxiliaries the first month, and 400 graduates each subsequent month, with all the ANAP for Kandahar to be trained by the end of January 2007.

27. Comment: We have heard suggestions that more than 1300 auxiliaries are needed in Kandahar -- including calls for 500 ANAP in Panjwayi/ Zheray alone. ANAP numbers in the event may be adjusted, particularly if the audit/ survey (see para. 9) reveals few police on the ground. We would welcome input on this matter from KAF and the PRT.

Police reform

28. At the national level, police reform is being pushed forward on several fronts.

29. CSTC-A is trying to transform 14 **management systems**, from intelligence and strategic planning to personnel management, finance and logistics. This is planned as a multi-year effort.

30. **Command and control**. To detach ANP from the control of the provincial governors, [REDACTED] and MoI have set up regional commands. The chain of command is: interior minister; deputy minister for security; regional commander; provincial police chief; district police chief. A "clarification" of Article 4 of the Police Law reinforcing this chain of command was recently signed by the Attorney General; the original wording, which gave the governors "guidance" over police, had been used by some governors [REDACTED] to assert control over the police within their province. To reinforce their standing, the regional commands are now being employed by [REDACTED] to distribute vehicles, weapons, ammunition and other equipment. Training is also being carried out at the regional rather than provincial level. [Comment: As an incentive, graduates are offered a substantially higher salary than their untrained counterparts -- US\$ 70 rather than US\$ 40 per month.]

31. **Leadership**. In an attempt to address [REDACTED] pay and rank reform (PAR). This is intended both to reduce the number of officers and to ensure that those who occupy senior positions have been [REDACTED]

32. Before PAR, the ANP had 319 generals, each receiving only US\$ 100 in official salary; post-reform, there are 120 generals, each paid US\$ 750. Full colonels are being slashed from 2,447 to 235, while each colonel's pay will increase from US\$ 92 to US\$ 400/ month.

33. Under PAR, officers are chosen by GoA from a list of vetted candidates [REDACTED] Phases I and II (senior officers) have now been completed. For the first phase, 31 General Officers were appointed, with another 85 during Phase II. [REDACTED] A probation board is reviewing the performance of these appointees. [REDACTED]

34. Part of the problem is filling the vacancies. Unfortunately, rather than return to the unused names from the Phase II list, MoI is proposing new candidates, who then have to be vetted.

35. Phase III of PAR -- mid-level officers -- is now being implemented. Over 8000 candidates were tested to fill 1000 positions for colonels, lieutenant-colonels and majors. So far, a pool of 300 candidates has been identified to fill 235 colonel positions; their names are now being vetted. However, [REDACTED] both to allow the government some choice and to ensure ethnic and regional balance, e.g. enough Hazaras and Uzbeks.

36. Although these complications are slowing PAR, the process nevertheless is resulting in significant improvement in the quality of ANP leadership. On a parallel track, [REDACTED] and MoI are reviewing the performance of district

police chiefs [REDACTED]

[REDACTED] at which KABUL and possibly also the PRT will participate.

37. At the senior level, the German Police Program Office (GPPO) under [REDACTED] will continue its program of training senior police leadership. CSTC-A is also to provide mentors for senior police officers, analogous to the system whereby NATO attaches mentors and training teams to the ANA. [Comment: [REDACTED]]

38. **Financial reform.** As an adjunct to PAR, individual bank accounts are being set up for policemen. [REDACTED] As most districts have no bank branch, [REDACTED] is trying to extend the banking system to those outlying areas. [REDACTED] reports "good progress" on this endeavour, its success is probably greater in the more secure, more accessible provincial centres.

39. As noted in para. 5, [REDACTED]

[REDACTED] To address this problem, [REDACTED] and Deputy Interior Minister Khaled in late September met with the southern governors, [REDACTED] (see KAF0045). The governors were told i) that the auxiliary police program would meet their demands for additional security forces, with Kabul picking up the bill, and ii) that they could keep their special operational funds. However, in return, [REDACTED] DM Khaled also informed the governors about the clarification of Article 4 (see para. 30). Each governor in turn [REDACTED] agreed to this deal. [REDACTED] while accounting procedures are being set up to track expenditures.

40. Comment: It is unclear whether this arrangement can be made to stick. [REDACTED]

[REDACTED] So far, no solution to this problem has been agreed (see para. 42).

41. **Law and Order Trust Fund.** Unlike the ANA, who are paid by the GoA Ministry of Finance (with support from the US/ CSTC-A), police salaries are paid by the international community via the Law and Order Trust Fund for Afghanistan (LOTFA).

42. At a LOTFA Steering Committee meeting on 9 October, donors discussed the proposal -- raised at the last presidential PAG -- to increase ANP salaries to match the recent jump in ANA pay (see KBGRs 0124 and 0126). [REDACTED] The Steering Committee's consensus was that, given LOTFA's existing shortfall, it would be imprudent to raise ANP salaries at this time. However, donors acknowledged that, in the medium term, police salaries will need to keep pace with their army counterparts, both for reasons of equity and because all the Afghan security forces are hired from the same, limited pool of potential recruits.

43. **LOTFA shortfall.** LOTFA was created in May 2002 under the umbrella of UNDP. Its major donors are the US (US\$ 40 m), EU (US\$ 38.3 m), Japan (US\$ 2.9 m), UK (US\$ 2.6 m) and Finland (US\$ 255,000, rising to \$1 m). The [REDACTED] Including a balance from last year of US\$ 8.7 m, but less UNDP's US\$ 2.7 m administration fee, LOTFA has US\$ 90 m available for this fiscal year.

44. Unfortunately, LOTFA's expected obligation for this year is US\$ 109m (US\$ 70 m for police salaries and US\$ 39 m for their food allowance). This makes for a shortfall of US\$ 19 m -- or, [REDACTED]

45. However, after lengthy discussions at PAG over who will pay auxiliary police salaries, it now looks very likely that LOTFA will be used -- a decision essentially confirmed at the Steering Committee meeting. ANAP are expected to cost LOTFA between US\$ 5 m and \$ 8 m for this fiscal year, depending on how fast they can be recruited. (When the auxiliary force hits its maximum of eleven thousand, it is expected to consume about US\$ 12 m/ yr). Even with additional [REDACTED] the deficit is therefore likely to linger at US\$ 19 m in the absence of further contributions.

46. A Canadian role? [REDACTED] have all asked us about the possibility of Canada's resuming our contribution to LOTFA. (Canada provided \$2.4 m in 2002 and \$3.1 m in 2004, falling off to \$1.6 m in 2005 and then stopping.)

47. At the Steering Committee meeting, [REDACTED] - in a suggestion seemingly aimed at us -- said that [REDACTED] hopes that nations engaged in the south would contribute to the cost of Afghan National Security Forces (ANSF) deployed in the southern provinces. [REDACTED] told us separately that, of all the possible support we could offer for the ANSF, a contribution to LOTFA would be most welcome. [REDACTED] pitch was that a Cdn substantial contribution (he noted the [REDACTED] pledge) would give us leverage, influence and an important seat at the police-reform table, including with regard to decisions affecting the south in general and Kandahar in particular.

Consulted: Buchan/ KANDH, Bloodworth
Drafted/ released: Colvin

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: November 18, 2006 11:49 AM
To: DOBNER Gallit -FTAG -C4
Cc: ALLEN Mark -LDN -GR -C4; NETLEY Rebecca -WSHDC -GR -C4; EXTOTT -FTAG -C4; PRMNY -GR -C4; EXTOTT -GIO -C4; LDN -GR -C4; EXTOTT -IRP -C4; EXTOTT -RGM -C4; -HAGUE -C4R; ALEXANDER Vera -OGD -PCO/BCP -C4R; ARBEITER Richard -FTAG -C4; AHMAD Nadia -FTAG -C4; EXTOTT -GHH -C4; EXTOTT -IDR -C4; KANDH -C4R; KANDH -KAF -C4R; FAIRCHILD David -FTAG -IRP -C4; FOX James -RGM -C4; HEINBECKER Yasemin -FTAG -C4
Subject: KBGR0148 - [REDACTED] UNAMA

SECRET -CEO

Ref: FTAG0058 on performance of 1 Nov 2006 international organizations in Afghanistan, KANDH0070 of 13 Nov 2006 on [REDACTED]

[REDACTED]
[REDACTED] On many key political files, it has played (and continues to play) a high-profile and indispensable leadership role, within the constraints of its limited resources. [REDACTED]

[REDACTED]
[REDACTED] Many of his key staff, in both Kabul and Kandahar, are experienced and effective. A more detailed analysis follows.

Leadership, staff and structure

[REDACTED]

[REDACTED] Under Koenigs, UNAMA has been active on many files, from PAG (UNAMA is de facto secretariat) to engagement with Pakistan. Koenigs is strengthened by able deputies -- Chris Alexander on the political side (Pillar I), and Ameerah Haq on development (Pillar II).

3. Pillar 1 (Political) has five units: police advisory, military advisory, human rights, rule of law, and political affairs. From our standpoint, the key units are human rights (headed by Richard Bennett) and political affairs (as of 1 November, headed by former Kandahar regional office head Talatbek Masadykov), whose purview includes Disarmament of Illegal Armed Groups (DIAG), the Policy Action Group (PAG), parliamentary affairs, the regions and religious affairs.

[REDACTED] There is also the Joint Mission Analysis Cell (JMAC), an assessment/ intelligence unit. Each unit has between three and six international staff.

4. Pillar II -- development -- is headed by Ameerah Haq, who is reportedly the most senior female official in the UN system. In the absence of Diana Youdell/ CIDA, who is in Thailand for a CIDA meeting, we are reluctant to offer much commentary on this area.

5. In addition to the Kabul HQ, there are 12 UNAMA field offices. Some are regional (e.g. the Kandahar office, which also covers Helmand, Uruzgan, Farah and, until recently, Zabul). Others cover just one province (e.g. Qalat). The number of staff varies but the larger offices may have two internationals working on political issues, and another two each on human rights and reconstruction/ relief. Others, such as Qalat, have just one international in total.

6. As a rule, we are impressed by the calibre of UNAMA's people. In an environment of staggeringly high turnover

Document Number / Numéro du document: D-110-006

(military personnel tend to stay six to nine months in Afghanistan, internationals often just a year), UNAMA benefits from an unusually deep pool of long-established internationals. It thus brings to bear considerable local knowledge, including language skills, as well as intellectual and analytic talent. Alexander -- a former Canadian ambassador in Afghanistan -- is a dynamic, high-profile and impressive personality, and one of the best-connected internationals in Afghanistan. He is in his fourth year in Afghanistan. Masadykov, a Pashtunologist, knows the south as well as any foreigner. They are backed up by a small but impressive corps of international staff. For example, [REDACTED] of JMAC has lived in Afghanistan for eight years (apart from a year in Baghdad) and is an impressive interlocutor on security issues. [REDACTED] ('best practices') and [REDACTED] (PRTs) each spent three years in the south.

[REDACTED]

Human Rights/ Governance/ Rule of Law/ Corruption

[REDACTED]

Other Issues

11. **Pakistan.** UNAMA's high-profile activism on the Pakistan 'cross-border' issue has overall been a positive development, helping spur more action in a critical area. [REDACTED]

[REDACTED]

12. **PAG.** Although PAG is chaired by the National Security Council, with its agenda [REDACTED] [REDACTED] UNAMA provides an important secretariat function. [REDACTED] is attached full time to PAG; she schedules the meetings, drafts the reports, and helps organize the regional visits. When she is away, PAG meetings tend to get postponed.

13. **Police.**

[REDACTED]

[REDACTED]

[REDACTED] UNAMA also recently submitted to PAG a useful analysis of implementation of the Auxiliary Police initiative, and has been helping CSTC-A on police-related governance issues, e.g. compiling a list of legitimate tribal chiefs to serve as guarantors during the vetting process. At PAG, JCMB and LOTFA meetings, Chris Alexander tends to be one of the most consistently effective interlocutors on police and Ministry of Interior issues.

16. **DIAG.**

[REDACTED]

[REDACTED]

17. **Afghanistan Compact/ JCMB.** UNAMA played an active role in the development of the Compact and the Afghan National Development Strategy (ANDS).

Kandahar office

18. As a complement to KANDH0070, we would add the following thoughts on UNAMA's regional office for the south, which is located in Kandahar.

[REDACTED]

[REDACTED]

22. We met this morning with [REDACTED] for a session of [REDACTED] identified [REDACTED] in his organization:

[REDACTED]

23. [REDACTED] who brings considerable institutional memory -- said that, [REDACTED]

24. On the positive side, said [REDACTED] once [REDACTED] UNAMA has been able to devote more effort to DIAG, as well as supporting such initiatives as Tier I of police Pay and Rank Reform.

25. Looking ahead, [REDACTED] identified four overarching priorities:

- "Substantive progress" on governance. "We know what needs to be done; now we need to do it";
- A "proper program" of justice and rule of law;
- DIAG. It is critical to establish a credible government presence in the provinces, which requires pushing back the militia commanders;
- Generate a counter-insurgency strategy.

26. Apologies for the delay in submitting this report.

Drafted: Sproule, Colvin
Approved: Sproule

-----Original Message-----

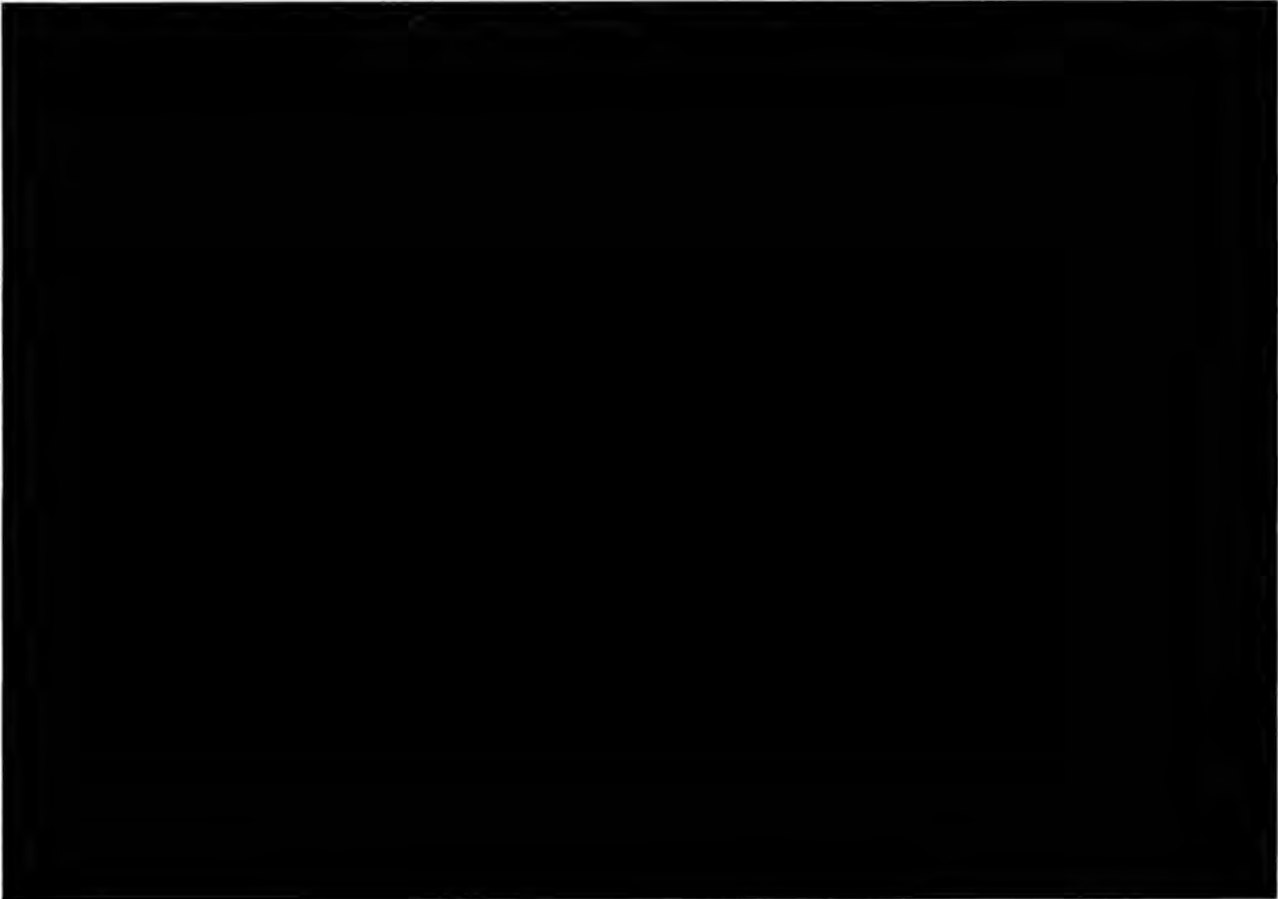
From: DOBNER Gallit -FTAG -C4
Sent: November 1, 2006 6:13 PM
To: WSHDC -GR -C4; LDN -GR -C4; PRMNY -GR -C4; KABUL -GR -C4R
Cc: ALEXANDER Vera -OGD -PCO/BCP -C4R; NETLEY Rebecca -WSHDC -GR -C4; ALLEN Mark -
LDN -GR -C4; -HAGUE -C4R; EXTOTT -GIO -C4; EXTOTT -GHH -C4; EXTOTT -IDR -C4;
EXTOTT -IRP -C4; EXTOTT -RGM -C4; EXTOTT -FTAG -C4
Subject: FTAG-0058: Performance of International Organisations in Afghanistan

SECRET

REF: YBGR-0415

Colleagues:

1. As some of you may already be aware,



4. We would be grateful for KABUL/PRMNY views of the above analysis, [REDACTED]
[REDACTED] We also welcome any suggestions you may have with respect to concrete areas for improvement. At the same time, we would be grateful if WSHDC and LDN could approach appropriate interlocutors to seek their assessment, drawing on the points below. We would appreciate responses, if at all possible, by COB Tues, Nov 7, 2006.

<< Message: FW: YBGR0415 - NATO: South Afghanistan PermReps Meeting, Oct 23 >>

6. Suggested Talking Points.

- Canada strongly supports the presence of international organisations in Afghanistan and we encourages their enhanced engagement in Afghanistan's transition at this critical juncture.
- Canada, in particular, encourages UNAMA to take a more prominent and active role in Afghanistan, particularly with respect to security (such as the Disbandment of Illegal Armed Groups - DIAG - program), transitional justice and human rights.
- In this respect, we advocated and welcomed UNAMA's agreement to co-lead the Joint Co-ordination and Monitoring Board (JCMB) for the Afghan Compact. We hope their participation will help to ensure that key benchmarks are met with respect to security, justice and human rights.
- How would you evaluate the performance of international organisations, particularly UNAMA and the World Bank, in Afghanistan?
- How do you think we can better support their activities?

RESPONSIVE

Drafted: FTAG/Dobner
Consulted/Approved: FTAG/Arbeiter

KABUL -GR -C4R

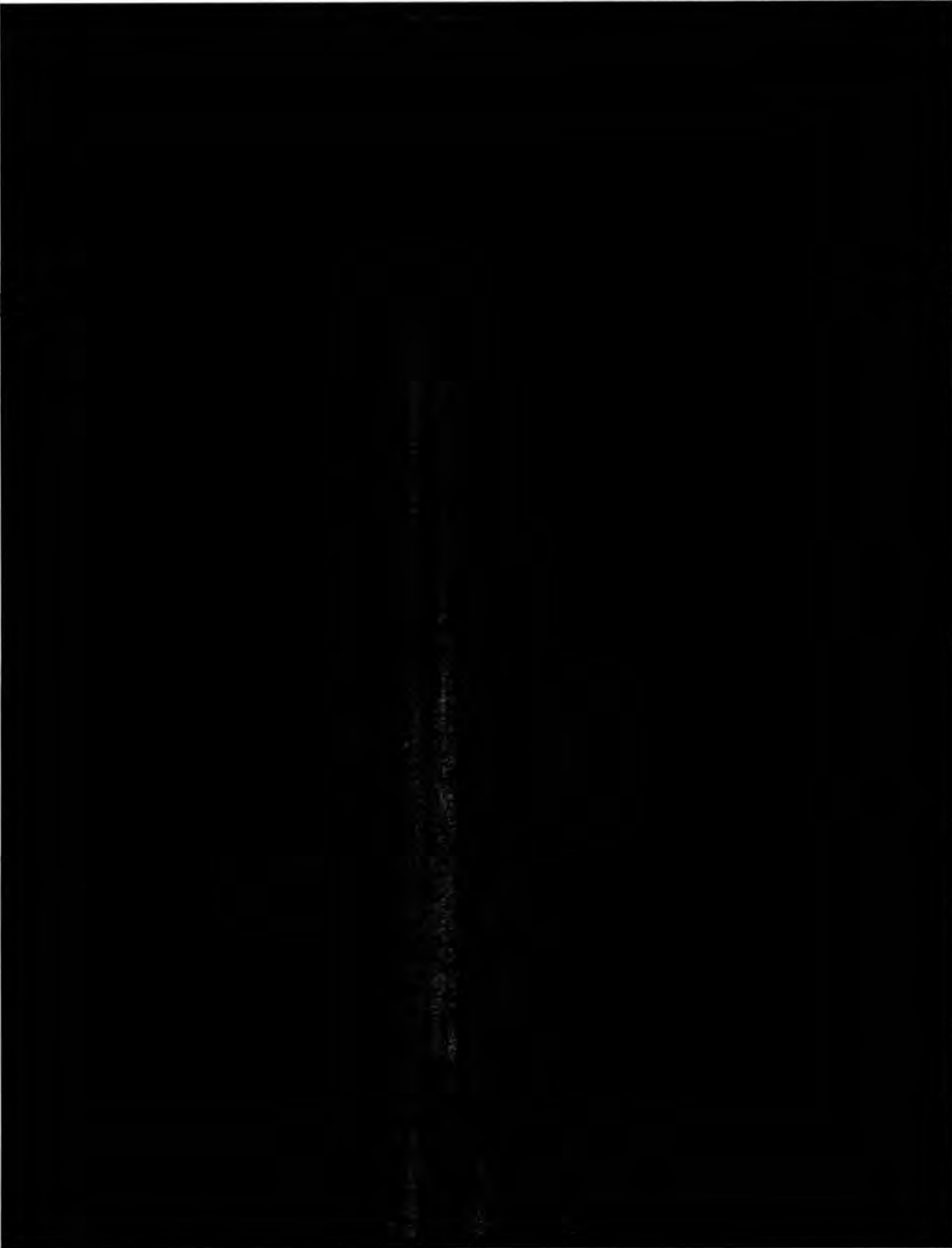
From: KABUL -GR -C4R
Sent: December 4, 2006 10:04 AM
To: LAPORTE Eric -IDR -C4
Cc: BECK Stefanie -IDR -C4; POUPART Isabelle -IDR -C4; EXTOTT -IDR -C4; EXTOTT -FTAG -C4; AHMAD Nadia -FTAG -C4; PROUDFOOT Douglas -FTAG -C4; ARBEITER Richard -FTAG -C4; NOLKE Sabine -JLH -C4; NGUYEN Mi -IRH -C4; GOLBERG Elissa -IRH-GHA -C4; NDHQ +CEFCOM J9 -C4R; NDHQ OTT D NATO POL -C4; KABUL -HOM -C4R; KANDH -C4R; KANDH -KAF -C4R; BURGESS Anne E -BNATO -GR -C4; PINNINGTON Phil -BNATO -GR -C4; COOTER Chris -BNATO -GR -C4; FAIRCHILD David -FTAG -IRP -C4; LAKER Marina -IRP -C4; WSHDC -GR -C4; LENARCIC David -WSHDC -GR -C4; ANDERSON Kelly -WSHDC -GR -C4; EXTOTT -IDD -C4; ARPIN Dominic -JLHA -C4; CCATS; KABUL -HOM -C4R; ALLEN Mark -LDN -GR -C4; -HAGUE -C4R; -HAGUE -DR -C4R; -CNBRA -C4R; -CNBRA -DR -C4R; WSHDC -DR -C4; GENEV -GR -C4; ALEXANDER Vera -OGD -PCO/BCP -C4R; Privy Council Office / Foreign & Defence Policy -C4R; Privy Council Office / IAS -C4R; BREU -C4; BNATO -C4; BNATO -HOM -C4; EXTOTT -RGM -C4; EXTOTT -USS -C4; LDN -GR -C4; LDN -HOM -C4
Subject: KBGR0160 -- Afghanistan: Detainee issues


SECRET -CEO

FOR DNATO POL: Please forward to Col. N. Anderson, Cmdr M. Chupick, JAG/Bolt
FOR CEFCOM J9: Please forward to M. Bos

Ref: GSRP/KBGR0091 of 25 July 06 on Afghan detention policy, IDR-0952 of 20 Oct 06 and IDR-1095 of 24 Nov 2006







Drafted: Colvin
Consulted: Bloodworth, LCol Elms
Approved: Sproule

-----Original Message-----


From: LAPORTE Eric -IDR -C4
Sent: November 24, 2006 7:40 PM
To: KABUL -HOM -C4R
Cc: BECK Stefanie -IDR -C4; POUPART Isabelle -IDR -C4; EXTOTT -IDR -C4; EXTOTT -FTAG -C4; AHMAD Nadia -FTAG -C4; PROUDFOOT Douglas -FTAG -C4; ARBEITER Richard -FTAG -C4; NOLKE Sabine -JLH -C4; NGUYEN Mi -IRH -C4; GOLBERG Elissa -IRH-GHA -C4; NDHQ +CEFCOM J9 -C4R; NDHQ OTT D NATO POL -C4; KABUL -HOM -C4R; KABUL -GR -C4R; KANDH -C4R; KANDH -KAF -C4R; BURGESS Anne E -BNATO -GR -C4; PINNINGTON Phil -BNATO -GR -C4; COOTER Chris -BNATO -GR -C4; FAIRCHILD David -FTAG -IRP -C4; LAKER Marina -IRP -C4; WSHDC -GR -C4; LENARCIC David -WSHDC -GR -C4; ANDERSON Kelly -WSHDC -GR -C4; EXTOTT -IDD -C4; ARPIN Dominic -JLHA -C4; CCATS
Subject: IDR-1095: Detainee Issues [REDACTED] - Request for Information

SECRET CEO

FOR DNATO POL: Please forward to Col. N. Anderson, Cmdr M. Chupick - Please forward to JAG/Bolt
FOR CEFCOM J9: Please forward to M. Bos

REFTEL: IDR-0952 of 20OCT06

Ambassador,



KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: January 23, 2007 2:22 PM
To: EXTOTT -FTAG -C4
Cc: KABUL -GR -C4R; KABUL -DR -C4R; KABUL -DA -C4R; KABUL -HOM -C4R; KANDH -C4R; KANDH -KAF -C4R; -AMMAN -HOM -C4R; BNATO -C4; BNATO -HOM -C4; BREU -C4; BRLIN -GR -C4; BRLIN -DR -C4; -CNBRA -C4R; -CNBRA -DR -C4R; DELHI -GR/PA -C4; DELHI -DR -C4; GENEV -GR -C4; -HAGUE -C4R; -HAGUE -DR -C4R; ISBAD -GR -C4; ISBAD -DR -C4; ISBAD -HOM -C4; ISBAD -SL -C4; LDN -GR -C4; LDN -DR -C4; LDN -HOM -C4; -MDRID -C4R; PRMNY -GR -C4; PRMNY -DR -C4; ROME -GR -C4; ROME -DR -C4; -TERAN -C4R; -TERAN -GSRP -C4R; -TERAN -HOM -C4R; TOKYO -GR -C4; WSHDC -GR -C4; WSHDC -DR -C4; EXTOTT -BCM -C4; EXTOTT -GFM -C4; EXTOTT -GIO -C4; EXTOTT -ICT -C4; EXTOTT -ICX -C4; EXTOTT -IDR -C4; EXTOTT -IDD -C4; EXTOTT -IFM -C4; EXTOTT -IRC -C4; EXTOTT -IRD -C4; EXTOTT -IRH -GHA -C4; EXTOTT -IRP -C4; EXTOTT -ISD -C4; EXTOTT -ISI -C4; EXTOTT -ISIF -C4; EXTOTT -ISIW -C4; EXTOTT -MINA -C4; EXTOTT -POL -C4; EXTOTT -RAD -C4; EXTOTT -RAS -C4; EXTOTT -RGM -C4; EXTOTT -RMD -C4; EXTOTT -RMG -C4; EXTOTT -RMR -C4; EXTOTT -RRD -C4; EXTOTT -RRO -C4; EXTOTT -USS -C4; AHMAD Nadia -FTAG -C4; ALEXANDER Vera -OGD -PCO/BCP -C4R; ALLEN Mark -LDN -GR -C4; AMEGAN Karim -GENEV -GR -C4; ANDERSON Kelly -WSHDC -GR -C4; ARBEITER Richard -FTAG -C4; BALDWIN-JONES Elizabeth -IDR -C4; BARBER Shawn -IRC -C4; BECK Stefanie -IDR -C4; BONNAR Jon -RAS -C4; BOWMAN Alan -PRMNY -GR -C4; BURGESS Anne E -BNATO -GR -C4; COLLARD-WEXLER Simon -FTAG -C4; COOTER Chris -BNATO -GR -C4; CORMIER Terry -GENEV -GR -C4; DAVIS Christopher -OGD -PCO/BCP -C4R; DIGANGI John -ISI -C4; DION Nathalie -WSHDC -GR -C4; DOBNER Gallit -FTAG -C4; DORGAN Erin -RMR -C4; DREWS Martin -BNATO -DR -C4; FAIRCHILD David -FTAG -IRP -C4; FOSS Karen -IRP -C4; FOX James -RGM -C4; GARSON Ron -POL -C4; GILMOUR Wendy -FSDN -IRP -C4; GLAUSER Mark -WSHDC -GR -C4; GOLBERG Elissa -IRH-GHA -C4; -0704-GRANT Alison -PRMNY -GR -C4; HARVEY Andre -BNATO -DR -C4; HERA Tudor -IRP -C4; HOFFMANN Ron -LDN -GR -C4; HUGHES Stuart -ISBAD -GR -C4; IRISH Jennifer -ICT -C4; LABBE Serge -BNATO -DR -C4; LAFLAMME Martin -TOKYO -GR -C4; LAKER Marina -IRP -C4; LENARCIC David -WSHDC -GR -C4; MAHERALI Alnoor -FTAG -C4; MARTIN Isabelle -LDN -GR -C4; NETLEY Rebecca -WSHDC -GR -C4; NOLKE Sabine -JLH -C4; OLEXIUK Eileen -IRD -C4; PAQUIN Bob -RPD -C4; PINNINGTON Phil -BNATO -GR -C4; POUPART Isabelle -IDR -C4; PROUDFOOT Douglas Scott -FTAG -C4; PUXLEY Evelyn -ICT -C4; RICHARDSON Mark -ICT -C4; TOWNSON Colin -FTAG -C4; WASCHUK Roman -BRLIN -GR -C4; ZAPACH Marla -IRC -C4; CIDA -C4R; NDHQ +CEFCOM HQ -C4R; NDHQ +CEFCOM J5 -C4R; NDHQ +CEFCOM J9 -C4R; NDHQ OTT ADM (POL) -C4; NDHQ OTT CDI -C4; NDHQ OTT CCIRM -C4; NDHQ OTT D NATO POL -C4; NDHQ OTT DAP POL -C4; NDHQ OTT DGIS POL -C4; NDHQ OTT DM -C4; NDHQ OTT DPFL -C4; NDHQ OTT DPK POL -C4; NDHQ OTT NDCC -C4; NDHQ OTT J2 DSI -C4; NDHQ OTT J2X -C4; Privy Council Office -C4R; Privy Council Office / Foreign & Defence Policy -C4R; Privy Council Office / IAS -C4R; PILLAROTT -CT -C4R; PILLAROTT -RAP -C4R; Royal Canadian Mounted Police Head Quarter -C4R; CCATS KBGR0183 -- Afghanistan: PAG - [REDACTED]

Subject:

CONFIDENTIAL

Document Number / Numéro du document: D-110-008

Pls pass to:

Receipt Date / Date reçue: 16-11-09

CIDA - Greenhill, BSV/ Tse, BSA/ Baker/ Graves/ Callan/ Wiebe/ Mojaddedi
 KANDH KAF - Grant/ Lavoie/ Lewis/ Anderson/ Rex/ Pistone
 KANDH - Buchan/ Hetherington/ Kadi/ Fudge/ Walraven/ Huneault/ Murray
 PCO/IAS - Popovich/ Bryson
 PCO/FDP - Mulroney/ Sinclair/ Alexander
 NDCC/ DOS SJS

Redacted by AG

Receipt Date: 16-11-09

Summary: The Policy Action Group heard an exceptionally upbeat presentation [REDACTED] With the killing of top commander Mullah Osmani, the capture of the chief Taliban spokesperson, the destruction of a militant force in the east and the arrest of several IED cells, the Taliban has suffered a "serious blow." This feel-good message was

reinforced by [REDACTED] Apart from propaganda, the Taliban had achieved none of its objectives in 2006, said [REDACTED]

2. **Report:** The Policy Action Group (PAG) met on 20 January under the chairmanship of National Security Advisor Zalmi Rasool. Afghan participation [REDACTED] included Defence Minister Abdul Rahim Wardak, National Directorate of Security head Amrullah Saleh, and the deputy ministers of the interior, education and information. On the international side sat the US, UK and Australian ambassadors, the Canadian and Dutch DHOM equivalents, ISAF commander Gen. David Richards, UN envoy Tom Koenigs and his deputy Chris Alexander, and the deputy commander of Combined Security Transition Command -Afghanistan, Cdn BGen Greg Young. FTAG/ Christoff also attended.

3. This PAG session was relatively short (1 h 20 min) as Rasool and Wardak had to attend Karzai's farewell for US LGen Carl Eikenberry, who is leaving Afghanistan as the new ISAF commander, US Gen. Dan McNeill, arrives. It was also something of a swansong for General Richards, who will transfer command to McNeill on 4 February.

4. PAG opened with a concise [REDACTED] upbeat presentation [REDACTED]. He listed recent [REDACTED] successes against the Taliban: the killing of Mullah Osmani, who had commanded Taliban forces across the south; the capture in Jalalabad of Taliban spokesperson Mohammad Hanif; the ambush and killing by US/ Afghan troops of a force of 120-150 Taliban in the east; and the arrest of several IED cells. This all amounted to a "serious blow" against the Taliban. Overall, recent months have seen a "sharp decline" in attacks. [REDACTED] also listed recent (unspecified) successes in Spin Boldak, Shah Wali Kot and Uruzgan.

5. [REDACTED] was also generally positive. Although the "same level" of enemy activity is apparent, and more emphasis on remote-controlled mines, phase two of Operation Eagle (Oqab) has been "very successful."

6. [REDACTED] made a critical assessment of 2006. [REDACTED]

[REDACTED] ANA training is now being accelerated. CSTC-A will provide specialized training and technology to counter IEDs. [REDACTED]

7. [REDACTED] congratulated Saleh and Wardak on GoA's accomplishments. [REDACTED]

11. On Afghan Development Zones (ADZs), [REDACTED] said that their roll-out is going well in Helmand, Uruzgan and Zabul. (He distributed a handout on ADZ implementation in Helmand.) In Kandahar, ADZ implementation depends on the ongoing [REDACTED] described this as a "very good combined operation;" local residents are returning, and the Taliban threat has been largely removed. There has been no serious attack in Kandahar since the

week of the presidential PAG, which took place on 12 December. However, of the four locations where ADZs are being implemented, Kandahar's is the "slowest," said [REDACTED]

[REDACTED]


13. CSTC-A/ [REDACTED] briefed gave an update on initiatives with the Afghan National Police (ANP). The Regional Training Centres are being improved and the Afghan National Auxiliary Police (ANAP) is expanding. Meanwhile, recruitment of ANCOP (constabulary/ riot police/ SWAT forces) has begun. They will be "elite, more mobile and better armed" than regular ANP. The first units, to be deployed in urban areas, should be ready by May or June, said [REDACTED]

14. The Ministry of Information rep reported that the new national communications centre ('NC3') had secured funding from [REDACTED] for its secretariat; the [REDACTED] would pay for running costs. Leaflets, including photos of Karzai in religious settings, had been distributed to Afghans returning from the annual hajj. [REDACTED]

15. The Ministry of Education gave a short update on the Reconstruction and Development subgroup of PAG, including reconstruction in [REDACTED]

[REDACTED]

17. [REDACTED] reported that newly appointed Governor [REDACTED] wants to amend the agreement so that professional policemen, not locals, will fill the posts of Chief of Police and head of the Criminal Investigations Department in [REDACTED]. According to [REDACTED] he elders had accepted this condition at a meeting with [REDACTED]



Consulted: Christoff
Drafted/ released: Colvin

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: February 4, 2007 2:29 PM
To: EXTOTT -FTAG -C4
Cc: KABUL -GR -C4R; KABUL -DR -C4R; KABUL -DA -C4R; KABUL -HOM -C4R; KANDH -C4R; KANDH -KAF -C4R; -AMMAN -HOM -C4R; BNATO -C4; BNATO -HOM -C4; BREU -C4; BRLIN -GR -C4; BRLIN -DR -C4; -CNBRA -C4R; -CNBRA -DR -C4R; DELHI -GR/PA -C4; DELHI -DR -C4; GENEV -GR -C4; -HAGUE -C4R; -HAGUE -DR -C4R; ISBAD -GR -C4; ISBAD -DR -C4; ISBAD -HOM -C4; ISBAD -SL -C4; LDN -GR -C4; LDN -DR -C4; LDN -HOM -C4; -MDRID -C4R; PRMNY -GR -C4; PRMNY -DR -C4; ROME -GR -C4; ROME -DR -C4; -TERAN -C4R; -TERAN -GSRP -C4R; -TERAN -HOM -C4R; TOKYO -GR -C4; WSHDC -GR -C4; WSHDC -DR -C4; EXTOTT -BCM -C4; EXTOTT -GFM -C4; EXTOTT -GIO -C4; EXTOTT -ICT -C4; EXTOTT -ICX -C4; EXTOTT -IDR -C4; EXTOTT -IDD -C4; EXTOTT -IFM -C4; EXTOTT -IRC -C4; EXTOTT -IRD -C4; EXTOTT -IRH -GHA -C4; EXTOTT -IRP -C4; EXTOTT -ISD -C4; EXTOTT -ISI -C4; EXTOTT -ISIF -C4; EXTOTT -ISIW -C4; EXTOTT -MINA -C4; EXTOTT -POL -C4; EXTOTT -RAD -C4; EXTOTT -RAS -C4; EXTOTT -RGM -C4; EXTOTT -RMD -C4; EXTOTT -RMG -C4; EXTOTT -RMR -C4; EXTOTT -RRD -C4; EXTOTT -RRO -C4; EXTOTT -USS -C4; AHMAD Nadia -FTAG -C4; ALEXANDER Vera -OGD -PCO/BCP -C4R; ALLEN Mark -LDN -GR -C4; AMEGAN Karim -GENEV -GR -C4; ANDERSON Kelly -WSHDC -GR -C4; ARBEITER Richard -FTAG -C4; BALDWIN-JONES Elizabeth -IDR -C4; BARBER Shawn -IRC -C4; BECK Stefanie -IDR -C4; BONNAR Jon -RAS -C4; BOWMAN Alan -PRMNY -GR -C4; BURGESS Anne E -BNATO -GR -C4; COLLARD-WEXLER Simon -FTAG -C4; COOTER Chris -BNATO -GR -C4; CORMIER Terry -GENEV -GR -C4; DAVIS Christopher -OGD -PCO/BCP -C4R; DIGANGI John -ISI -C4; DION Nathalie -WSHDC -GR -C4; DOBNER Gallit -FTAG -C4; DORGAN Erin -RMR -C4; DREWS Martin -BNATO -DR -C4; FAIRCHILD David -FTAG -IRP -C4; FOSS Karen -IRP -C4; FOX James -RGM -C4; GARSON Ron -POL -C4; GILMOUR Wendy -FSDN -IRP -C4; GLAUSER Mark -WSHDC -GR -C4; GOLBERG Elissa -IRH-GHA -C4; HARVEY Andre -BNATO -DR -C4; HERA Tudor -IRP -C4; HOFFMANN Ron -LDN -GR -C4; HUGHES Stuart -ISBAD -GR -C4; IRISH Jennifer -ICT -C4; LABBE Serge -BNATO -DR -C4; LAFLAMME Martin -TOKYO -GR -C4; LAKER Marina -IRP -C4; LENARCIC David -WSHDC -GR -C4; MAHERALI Alnoor -FTAG -C4; MARTIN Isabelle -LDN -GR -C4; NETLEY Rebecca -WSHDC -GR -C4; NOLKE Sabine -JLH -C4; OLEXIUK Eileen -IRD -C4; PAQUIN Bob -RPD -C4; PINNINGTON Phil -BNATO -GR -C4; POUPART Isabelle -IDR -C4; PROUDFOOT Douglas Scott -FTAG -C4; PUXLEY Evelyn -ICT -C4; RICHARDSON Mark -ICT -C4; TOWNSON Colin -FTAG -C4; WASCHUK Roman -BRLIN -GR -C4; ZAPACH Marla -IRC -C4; CIDA -C4R; NDHQ +CEFCOM HQ -C4R; NDHQ +CEFCOM J5 -C4R; NDHQ +CEFCOM J9 -C4R; NDHQ OTT ADM (POL) -C4; NDHQ OTT CDI -C4; NDHQ OTT CCIRM -C4; NDHQ OTT D NATO POL -C4; NDHQ OTT DAP POL -C4; NDHQ OTT DGIS POL -C4; NDHQ OTT DM -C4; NDHQ OTT DPFL -C4; NDHQ OTT DPK POL -C4; NDHQ OTT NDCC -C4; NDHQ OTT J2 DSI -C4; NDHQ OTT J2X -C4; Privy Council Office -C4R; Privy Council Office / Foreign & Defence Policy -C4R; Privy Council Office / IAS -C4R; PILLAROTT -CT -C4R; PILLAROTT -RAP -C4R; Royal Canadian Mounted Police Head Quarter -C4R; CCATS
Subject: KBGR0187 – The Taliban spring offensive: ISAF, intelligence and Pakistan.

SECRET

Document Number / Numéro du document: D-110-009

Pls pass to:

Receipt Date / Date reçue: 16-11-09

CIDA - Greenhill, BSV/ Tse, BSA/ Baker/ Graves/ Callan/ Wiebe/ Mojaddedi
 KANDH KAF - Grant/ Lavoie/ Lewis/ Anderson/ Rex/ Pistone
 KANDH - Baldwin-Jones/ Hera/ Fudge/ Kadi/ Walraven/ Huneault/ Chamberlain/ Murray
 PCO/IAS - Taylor/ Popovich/ Bryson
 PCO/FDP - Mulroney/ Sinclair/ Alexander
 NDCC/ DOS SJS

Ref: KBGR1083 of 23 Jan 07 on the Policy Action Group; unnumbered ISBAD report of 02 Feb 07 on [REDACTED]

Redacted by AC

Receipt Date: 16-11-09

Summary:

Report:

A new approach

The military response

6. To consolidate NATO's gains from Operation Medusa, keep the Taliban off balance, and shape the ground for the spring/ summer fighting,

7. In Regional Command -South (RC-S),

8. In March, once the snow melts in the mountains, the focus of ISAF effort

9. However, northern Helmand and Uruzgan is a notoriously difficult zone in which to operate. Geographically as well as politically isolated, it is notable for narcotics traffickers and fiercely independent communities, who have no interest in falling under ISAF or Government of Afghanistan control. Northern Helmand includes the district centres of Musa Qala, Sangin and Nawzad,

[REDACTED]

10. Northern Helmand also contains Kajaki dam. Built by the USSR in the mid-1950s, then upgraded by the US to a major hydroelectric plant in the 1970s, it irrigates southern Helmand, including its poppy crop. [REDACTED] This will help USAID to launch an ambitious US\$ 150 m project to reconstruct/ expand Kajaki -- a project that should also increase the electricity supply to Kandahar.

11. In Regional Command -East, which is largely a US theatre of operations [REDACTED]

[REDACTED]

12. In RC-S, ISAF forces starting in March [REDACTED]

[REDACTED]

The intelligence response

13. [REDACTED]

[REDACTED]

14. As reported by [REDACTED] at the last Policy Action Group (see ref tel), recent weeks have seen some notable successes on the intelligence front. This includes the killing by airstrike of Mullah Osmani, the overall Taliban commander for the south, in southern Helmand; an airstrike/ ambush on a Taliban column in Paktika, killing an estimated 120 insurgents; the capture of the main Taliban spokesman, Dr. Mohammad Hanif; and the arrest of IED cells in both Kabul and Kandahar. As a result, Kabul has been relatively quiet for the past four months, while Kandahar has suffered no major IED strikes since mid-December. [REDACTED]

[REDACTED]

Diplomacy/ Pakistan

[REDACTED]



A spring offensive?

21. Publicly, ISAF under UK leadership has been forecasting a manageable spring. They talk of an ISAF, not Taliban, offensive.



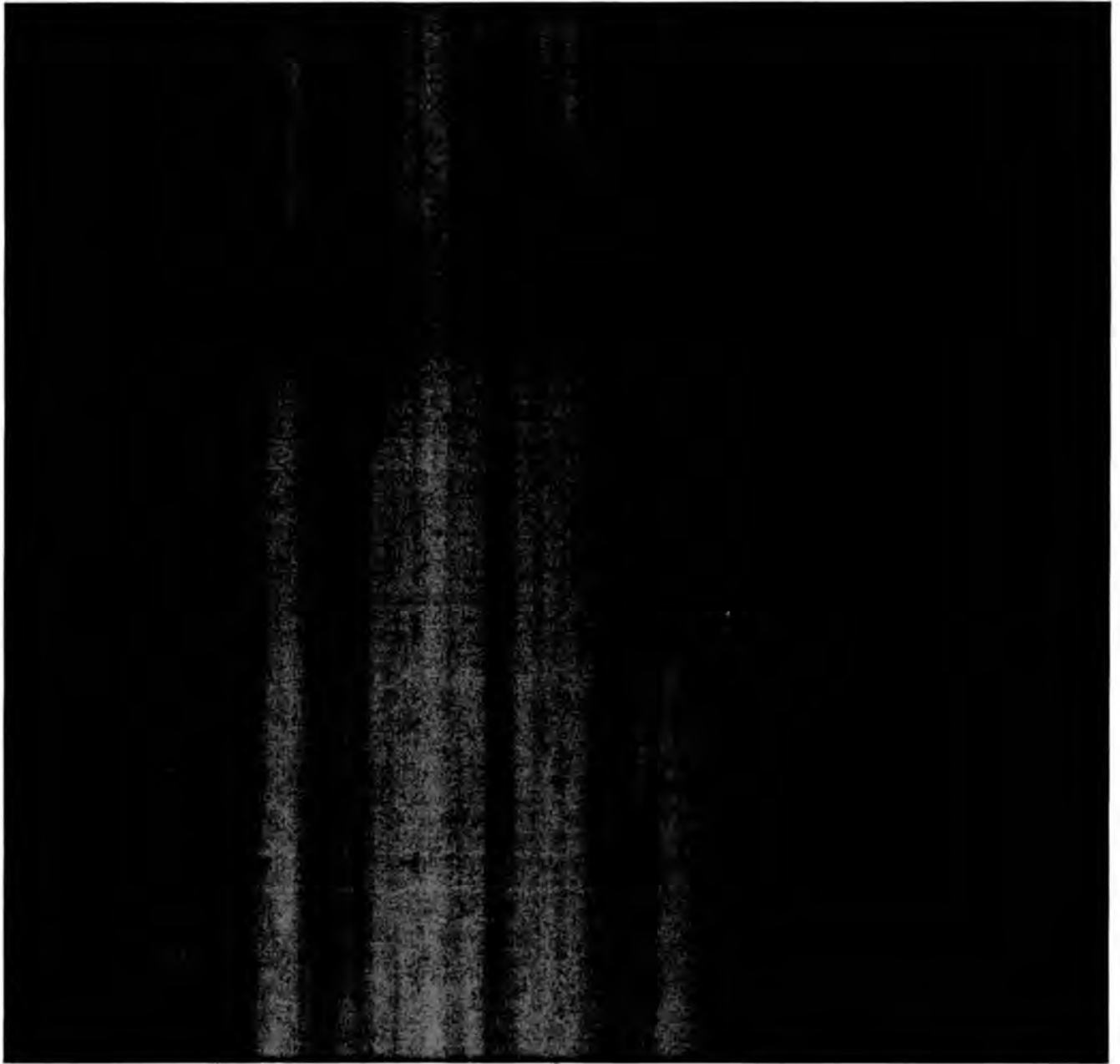
Drafted: Colvin
Consulted: Bloodworth, Naidoo
Approved: Sproule

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: February 26, 2007 3:18 PM
To: PROUDFOOT Douglas Scott -FTAG -C4
Cc: AHMAD Nadia -FTAG -C4; ARBEITER Richard -FTAG -C4; DOBNER Gallit -FTAG -C4; EXTOTT -RGM -C4; EXTOTT -DMA -C4; KANDH -C4R; KABUL -GR -C4R; KABUL -HOM -C4R; ALEXANDER Vera -OGD -PCO/BCP -C4R; DIGANGI John -ISI -C4
Subject: [REDACTED]

SECRET -CEO

KANDH: For Buchan and Fudge only



D-110-010

Receipt Date / Date reçue: 16-11-09

Redacted by AG

Receipt Date: D-110-010



Colvin

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: April 3, 2007 3:36 PM
To: PROUDFOOT Douglas Scott -FTAG -C4
Cc: EXTOTT -DMA -C4; EXTOTT -FTAG -C4; EXTOTT -XDC -C4; BUCK Kerry -PID -C4; AHMAD Nadia -FTAG -C4; FAIRCHILD David -FTAG -IRP -C4; TOWNSON Colin -FTAG -C4; EXTOTT -IRP -C4; GILMOUR Wendy -FSDN -IRP -C4; LAKER Marina -IRP -C4; Royal Canadian Mounted Police Head Quarter -C4R; Privy Council Office / Foreign & Defence Policy -C4R; SINCLAIR Jill -PCO/BCP -C4R; DAVIS Christopher -OGD -PCO/BCP -C4R; KANDH -KAF -C4R; KANDH -C4R; ISBAD -PL -C4; NOLKE Sabine -JLH -C4; KANDH -KAF -C4R; NDHQ +CEFCOM HQ -C4R; NDHQ OTT ADM (POL) -C4; PILLAROTT -CT -C4R; KABUL -HOM -C4R; KABUL -CS -C4R; GOLBERG Elissa -IRH-GHA -C4; DIGANGI John -ISI -C4; EXTOTT -JLH -C4; -AMMAN -HOM -C4R; DOBNER Gallit -FTAG -C4
Subject: KBGR0232- Glyn Berry investigation: Meetings with [REDACTED]

SECRET CEO

Document Number / Numéro du document: D-110-011

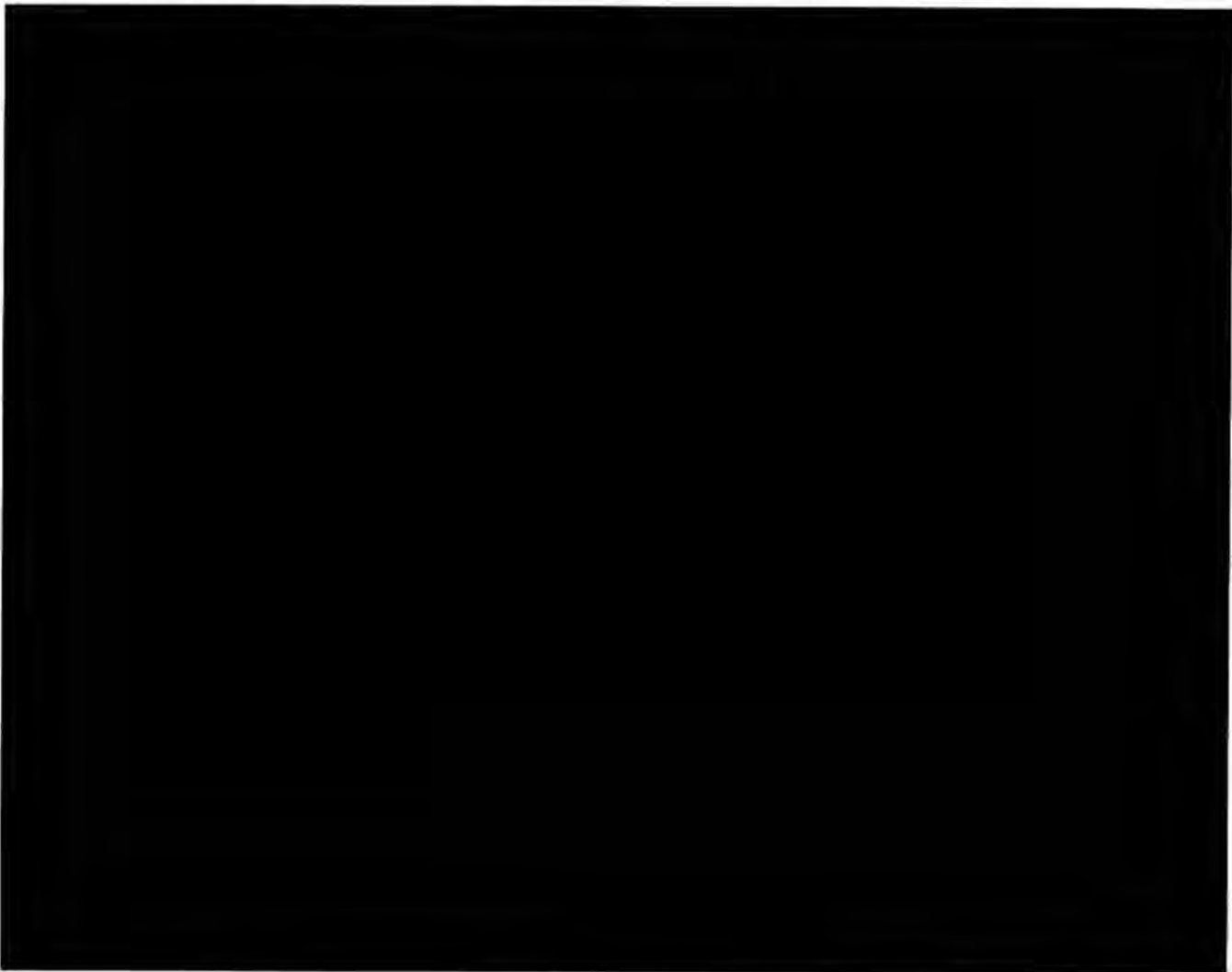
Please pass to:

Receipt Date / Date reçue: 16-11-09 - Redacted by AG

Receipt Date: 16-11-09

RCMP: NSCOB/Reynolds/Doren, Peacekeeping/Martin
XDC: FTAG/Chowdhury

Ref: KANDH0016 of 29 Mar 07, FTAG0082 of 30 Mar 07, KBGR0228 of 2 Apr 07, KANDH0018 of 3 April 07



Drafted/ released: Colvin

—Original Message—

From: KANDH -C4R
Sent: April 3, 2007 9:46 AM
To: PROUDFOOT Douglas Scott -FTAG -C4
Cc: EXTOTT -DMA -C4; EXTOTT -FTAG -C4; EXTOTT -XDC -C4; BUCK Kerry -PID -C4; AHMAD Nadia -FTAG -C4; FAIRCHILD David -FTAG -IRP -C4; TOWNSON Colin -FTAG -C4; EXTOTT -IRP -C4; GILMOUR Wendy -FSDN -IRP -C4; LAKER Marina -IRP -C4; Royal Canadian Mounted Police Head Quarter -C4R; Privy Council Office / Foreign & Defence Policy -C4R; SINCLAIR Jill -PCO/BCP -C4R; DAVIS Christopher -OGD -PCO/BCP -C4R; KANDH -KAF -C4R; ISBAD -PL -C4; NOLKE Sabine -JLH -C4; KANDH -KAF -C4R; NDHQ +CEFCOM HQ -C4R; NDHQ OTT ADM (POL) -C4; PILLAROTT -CT -C4R; KABUL -HOM -C4R; KABUL -CS -C4R; GOLBERG Elissa -IRH-GHA -C4; DIGANGI John -ISI -C4; EXTOTT -JLH -C4; -AMMAN -HOM -C4R; KABUL -GR -C4R
Subject: KANDH0018 - Glyn Berry Investigation -- option of NDS investigation
Importance: High

SECRET CEO

Please pass to:

RCMP: NSCOB/Reynolds/Doren, Peacekeeping/Martin
XDC: FTAG/Chowdhury

Ref: FTAG0082 30MAR07, KANDH0016 of 29MAR07, KBGR0228 02APR07

1. With regards to the questions posed in FTAG reftel:

- *does the nature of the case (terrorist bombing) lend itself to a security-intelligence rather than a police investigation?*
Yes. RCMP advise that it would be a logical fit given the mandate of the National Directorate of Security (NDS).

- *would an NDS investigation supplement or replace a police investigation?*

By preference there should be only one investigation underway at any given time-- overlapping or competing investigative processes can interfere with each other.

- *can we expect that an NDS investigation could produce evidence which could be used in law court?*

Yes, but not a regular criminal court. The NDS has its own prosecutor (known as an attorney general) and system of courts, distinct from the regular criminal system.

[REDACTED]

Drafted: KANDH/Buchan, RCMP/Fudge

—Original Message—

From: KABUL -GR -C4R

Sent: April 2, 2007 11:42 PM

To: PROUDFOOT Douglas Scott -FTAG -C4

Cc: EXTOTT -DMA -C4; EXTOTT -FTAG -C4; EXTOTT -XDC -C4; BUCK Kerry -PID -C4; AHMAD Nadia -FTAG -C4; FAIRCHILD David -FTAG -IRP -C4; TOWNSON Colin -FTAG -C4; EXTOTT -IRP -C4; GILMOUR Wendy -FSDN -IRP -C4; LAKER Marina -IRP -C4; KANDH -C4R; Royal Canadian Mounted Police Head Quarter -C4R; Privy Council Office / Foreign & Defence Policy -C4R; SINCLAIR Jill -PCO/BCP -C4R; DAVIS Christopher -OGD -PCO/BCP -C4R; KANDH -KAF -C4R; ISBAD -PL -C4; NOLKE Sabine -JLH -C4; KANDH -KAF -C4R; NDHQ +CEFCOM HQ -C4R; NDHQ OTT ADM (POL) -C4; PILLAROTT -CT -C4R; KABUL -GR -C4R; KABUL -HOM -C4R; KABUL -CS -C4R; GOLBERG Elissa -IRH-GHA -C4; DIGANGI John -ISI -C4; EXTOTT -JLH -C4; -AMMAN -HOM -C4R

Subject: KBGR0228: Glyn Berry investigation - [REDACTED] proposals

SECRET CEO

Please pass to:

RCMP: NSCOB/Reynolds/Doren, Peacekeeping/Martin

XDC: FTAG/Chowdhury

Ref: FTAG0082 of 30 March 07, KANDH0016 of 29 Mar 07

[REDACTED]

[REDACTED] but our understanding, based on consultations here, is that security/intelligence machinery was engaged but did not turn up any information beyond that already widely known, i.e. the identity of the bomber and the vehicle he used.

2. As KANDH notes, 14 months on, there may be little additional reliable evidence to gather. For example, it is quite possible that the members/organizers of whatever IED cell supported and directed the dead bomber have since been killed in [REDACTED] efforts to eliminate such networks.

3. Understanding the importance of progress on this issue, [REDACTED]

[REDACTED]

5. We would therefore tend to favour use of [REDACTED] reinforced by a visit by RCMP LO and, if appropriate, by additional RCMP-led measures [REDACTED]

[REDACTED]

Colvin

-----Original Message-----

From: PROUDFOOT Douglas Scott -FTAG -C4
Sent: March 30, 2007 4:32 PM
To: KANDH -C4R; KABUL -GR -C4R; EXTOTT -JLH -C4; Royal Canadian Mounted Police Head Quarter -C4R
Cc: EXTOTT -DMA -C4; EXTOTT -FTAG -C4; EXTOTT -XDC -C4; BUCK Kerry -PID -C4; AHMAD Nadia -FTAG -C4; FAIRCHILD David -FTAG -IRP -C4; TOWNSON Colin -FTAG -C4; EXTOTT -IRP -C4; GILMOUR Wendy -FSDN -IRP -C4; LAKER Marina -IRP -C4; Privy Council Office / Foreign & Defence Policy -C4R; SINCLAIR Jill -PCO/BCP -C4R; DAVIS Christopher -OGD -PCO/BCP -C4R; KABUL -GR -C4R; KANDH -KAF -C4R; ISBAD -PL -C4; NOLKE Sabine -JLH -C4; KANDH -KAF -C4R; NDHQ +CEFCOM HQ -C4R; NDHQ OTT ADM (POL) -C4; PILLAROTT -CT -C4R
Subject: FTAG0082-GLYN BERRY INVESTIGATION: [REDACTED] proposals

SECRET CEO

ref yourtel KANDH0016 29 March

Thank you for report on this subject and for raising our concerns over the investigation with [REDACTED]. We will provide a comprehensive answer early next week following consultations.

[REDACTED] please convey to them these key messages:

- Canada expects GOA to seek evidence and act on it.
- We are not/not in a currently in a position to assess what evidence may exists against any individual; this is GOA's responsibility.
- It follows that we are not in a position to ask GOA to take action in regard to any individual.
- Our repeated request to GOA is to pursue a rigorous investigation, and on the basis of the evidence gathered in that investigation prosecute those responsible for Glyn Berry's murder.

3. With regard to your comment on para 4 of ref tel, upcoming visit to LO will be opportunity to gain a better understanding of the status of the investigation.

[REDACTED] Grateful action addressees provide views on advisability of this option, factoring in the following issues:

- does the nature of the case (terrorist bombing) lend itself to a security-intelligence rather than a police investigation?
- would an NDS investigation supplement or replace a police investigation?
- can we expect that an NDS investigation could produce evidence which could be used in law court?

Grateful views by 021700.

Approved: FTAG/Buck

-----Original Message-----

From: KANDH -C4R
Sent: March 29, 2007 4:56 PM
To: PROUDFOOT Douglas Scott -FTAG -C4
Cc: EXTOTT -DMA -C4; EXTOTT -FTAG -C4; EXTOTT -XDC -C4; BUCK Kerry -PID -C4; AHMAD Nadia -FTAG -C4; FAIRCHILD David -FTAG -IRP -C4; TOWNSON Colin -FTAG -C4; EXTOTT -IRP -C4; GILMOUR Wendy -FSDN -IRP -C4; LAKER Marina -IRP -C4; Privy Council Office / Foreign & Defence Policy -C4R; SINCLAIR Jill -PCO/BCP -C4R; DAVIS Christopher -OGD -PCO/BCP -C4R; KABUL -GR -C4R; KANDH -KAF -C4R; Royal Canadian Mounted Police Head Quarter -C4R; ISBAD -PL -C4; NOLKE Sabine -JLH -C4; KANDH -KAF -C4R; KABUL -GR -C4R
Subject: KANDH0016 - Glyn Berry investigation

SECRET CEO

Please pass to:

RCMP: NSCOB/Reynolds/Doren, Peacekeeping/Martin
XDC: FTAG/Chowdhury
ISBD: RCMP LO/Ryan

Ref FTAG0079 29MAR07

Summary: [REDACTED]

2. Report: [REDACTED]

Comment: [REDACTED]

Comment: [REDACTED]

6. Grateful you advise whether you wish us to pursue the [REDACTED] further, and if so under what parameters.

KANDH/Buchan

KABUL -GR -C4R

From: KANDH -KAF -C4R
Sent: April 14, 2007 12:34 PM
To: KABUL -GR -C4R
Subject: RE: Upcoming Globe & Mail story on alleged NDS torture of detainees in Kandahar

Richard,

I spoke with the media folks about this a few days ago, and they told me the comms group under DMA had been informed. They are, according to him, very much on the ball.

Martin

-----Original Message-----

From: KABUL -GR -C4R
Sent: April 14, 2007 9:56 AM
To: PROUDFOOT Douglas Scott -FTAG -C4
Cc: GOLBERG Elissa -IRH-GHA -C4; MULRONEY David -DMA -C4; BUCK Kerry -PID -C4; EXTOTT -BCD -C4; CHRISTOFF James -FTAG -C4; AHMAD Nadia -FTAG -C4; GIBBINS Christopher -FTAG -C4; ANDERSON Cory -FTAG -C4; KANDH -C4R; KANDH -KAF -C4R; LAPORTE Eric -IDR -C4; BECK Stefanie -IDR -C4; KABUL -HOM -C4R; KABUL -GR -C4R
Subject: Upcoming Globe & Mail story on alleged NDS torture of detainees in Kandahar
Importance: High

SECRET CEO

KANDH -- For Buchan and Laflamme only

Graeme Smith of the *Globe & Mail* has told us that he has been conducting extensive research in Kandahar over the past two weeks into the alleged torture of detainees by the National Directorate of Security (NDS) -- including detainees transferred to NDS by Cdn forces. Smith said that "some of these stories [of torture] are really terrible"; that abuse has been carried out in a "systematic and regularized way"; and that "some of the Canadian involvement is too close for comfort."

2. Smith implied that he will be submitting this story for publication in the very near future.

Consulted: Sproule
Drafted/ released: Colvin

Document Number / Numéro du document: D-110-012

Receipt Date / Date reçue: 16-11-09

Redacted by AG

Receipt Date: 16-11-09

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: April 18, 2007 6:34 PM
To: EXTOTT -FTAG -C4; PRMNY -GR -C4
Cc: BNATO -C4; DOBNER Gallit -FTAG -C4; BUCK Kerry -PID -C4; MULRONEY David -DMA -C4; EXTOTT -DMA -C4; EXTOTT -ISI -C4; EXTOTT -ISIW -C4; EXTOTT -ISRA -C4; TOWNSON Colin -FTAG -C4; COOTER Chris -BNATO -GR -C4; BURGESS Anne E -BNATO -GR -C4; PINNINGTON Phil -BNATO -GR -C4; PROUDFOOT Douglas Scott -FTAG -C4; GIBBINS Christopher -FTAG -C4; CIDA -Afghanistan -C4R; KABUL -GR -C4R; KABUL -DA -C4R; KANDH -C4R; KANDH -KAF -C4R; McNEE John -PRMNY -HOM/CDM -C4; LDN -GR -C4; -HAGUE -C4R; BOWMAN Alan -PRMNY -GR -C4; EXTOTT -IRP -C4; FAIRCHILD David -FTAG -IRP -C4; Royal Canadian Mounted Police Head Quarter -C4R; Privy Council Office / IAS -C4R; ALEXANDER Vera -OGD -PCO/BCP -C4R; SINCLAIR Jill -PCO/BCP -C4R; DORGAN Erin -RMR -C4; EXTOTT -FTAG -C4; GILMOUR Wendy -FSDN -IRP -C4; LAKER Marina -IRP -C4; FOSS Karen -IRP -C4; DRUKIER Wendy -GIO -C4; LENARCIC David -WSHDC -GR -C4; NETLEY Rebecca -WSHDC -GR -C4; EXTOTT -GIO -C4; EXTOTT -IDR -C4; LAPORTE Eric -IDR -C4; POUPART Isabelle -IDR -C4; SOUTHERN Barry -IRP -C4; HUGHES Stuart -ISBAD -GR -C4; COOKE Martin -ISBAD -GR -C4; MOSCO -GSRP -C4; -CNBRA -C4R; NDHQ +CEFCOM J2 -C4R
Subject: KBGR0256 -- UNAMA in southern Afghanistan: Prospects for expansion

CONFIDENTIAL -CEO

Summary: The long-time head of UNAMA's regional office in Kandahar, [REDACTED]

Report: As requested by FTAG and PRMNY, we have begun exploring with UNAMA the prospects for expanding the UN's presence in the south. [REDACTED]

UNAMA expansion in the south?

3. Asked whether UNAMA should open new offices in the south, [REDACTED]

7. Comment: We talked to [REDACTED] two days before yesterday's IED attack in Kandahar city on a UNOPS vehicle, which killed four Nepalese security guards and their Afghan driver. This was the worst attack yet experienced by the UN

Document Number / Numéro du document: D-110-013

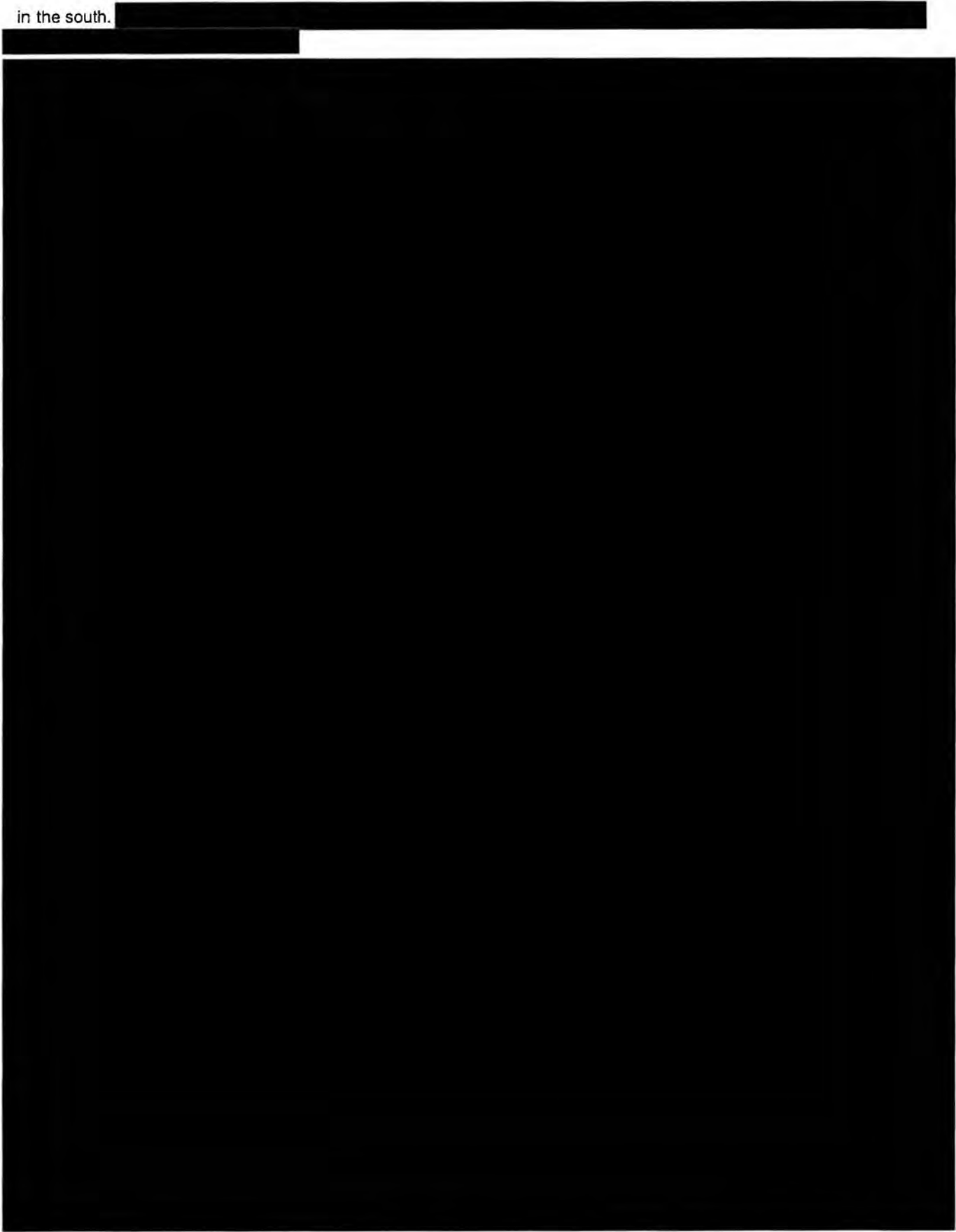
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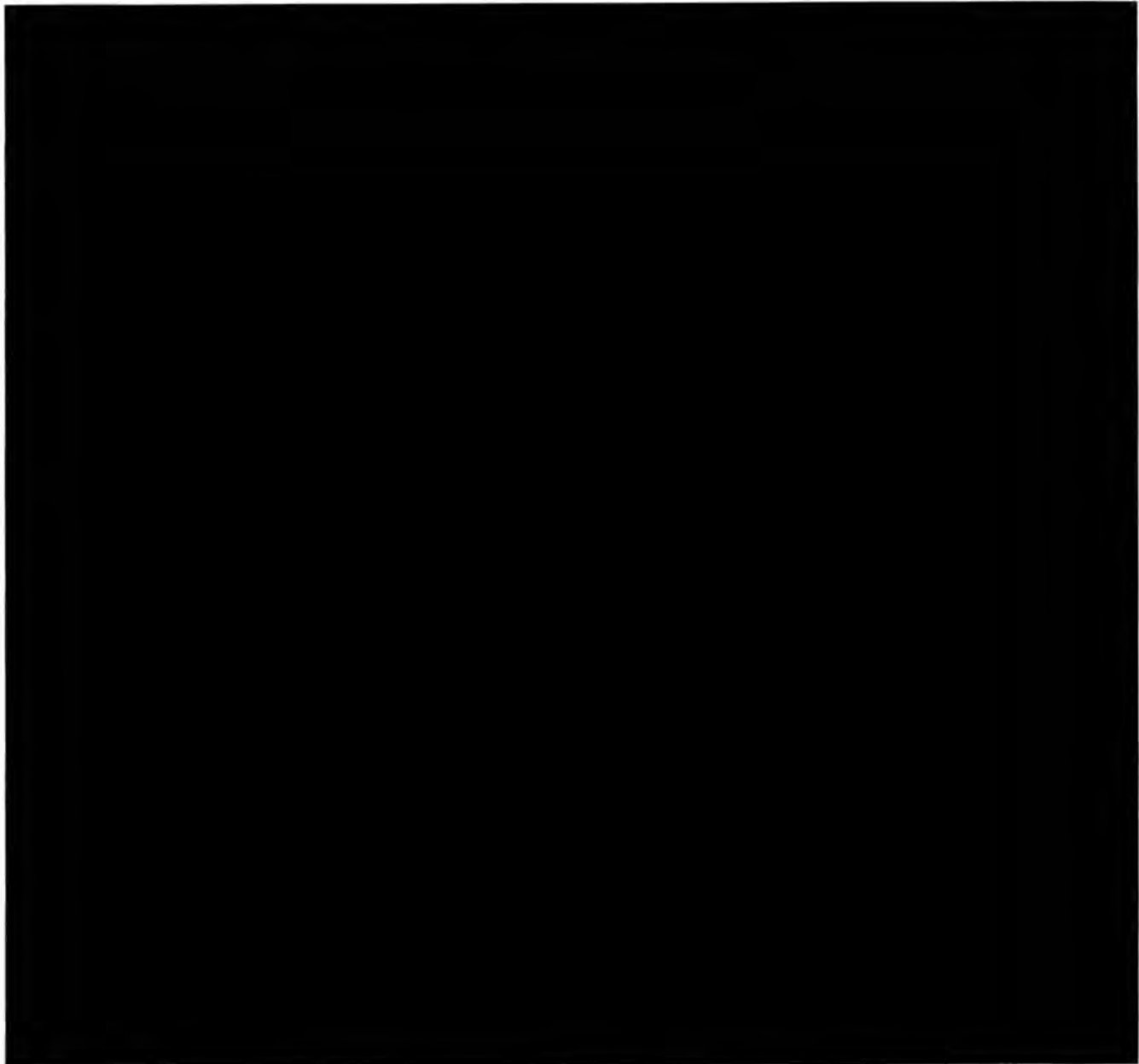
Redacted by AG

Receipt Date / Date reçue: 16-11-09

Receipt Date: 16-11-09

in the south.





Consulted: Naidoo
Drafted/ released: Colvin

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: April 20, 2007 2:36 PM
To: EXTOTT -IDR -C4; EXTOTT -FTAG -C4; EXTOTT -IRH -GHA -C4; EXTOTT -JLH -C4
Cc: BECK Stefanie -IDR -C4; POUPART Isabelle -IDR -C4; AHMAD Nadia -FTAG -C4; PROUDFOOT Douglas Scott -FTAG -C4; NOLKE Sabine -JLH -C4; NGUYEN Mi -IRH -C4; GOLBERG Elissa -IRH-GHA -C4; NDHQ +CEFCOM J9 -C4R; NDHQ OTT D NATO POL -C4; KABUL -HOM -C4R; KANDH -C4R; KANDH -KAF -C4R; BURGESS Anne E -BNATO -GR -C4; PINNINGTON Phil -BNATO -GR -C4; COOTER Chris -BNATO -GR -C4; FAIRCHILD David -FTAG -IRP -C4; LAKER Marina -IRP -C4; WSHDC -GR -C4; LENARCIC David -WSHDC -GR -C4; ANDERSON Kelly -WSHDC -GR -C4; EXTOTT -IDD -C4; ARPIN Dominic -JLHA -C4; CCATS; ALLEN Mark -LDN -GR -C4; -HAGUE -C4R; -HAGUE -DR -C4R; -CNBRA -C4R; -CNBRA -DR -C4R; WSHDC -DR -C4; GENEV -GR -C4; ALEXANDER Vera -OGD -PCO/BCP -C4R; Privy Council Office / IAS -C4R; BNATO -C4; BNATO -HOM -C4; EXTOTT -RGM -C4; EXTOTT -USS -C4; LDN -GR -C4; NDHQ +CEFCOM HQ -C4R; NDHQ +CEFCOM J2 -C4R; NDHQ OTT ADM (POL) -C4; NDHQ OTT CDI -C4; NDHQ OTT DM -C4; BUCK Kerry -FTAG -C4; EXTOTT -DMA -C4; MULRONEY David -DMA -C4; GIBBINS Christopher -FTAG -C4; ANDERSON Cory -FTAG -C4; DOBNER Gallit -FTAG -C4; EXTOTT -IRP -C4; HOFFMANN Ron -LDN -GR -C4; SINCLAIR Jill -PCO/BCP -C4R; EXTOTT -ISI -C4; EXTOTT -ISIW -C4; GILMOUR Wendy -FSDN -IRP -C4; EXTOTT -IFM -C4; BOUCHER Catherine -BREU -GR -C4; EL-SAWY Deena -IRC -C4; EXTOTT -JFM -C4; EXTOTT -JLD -C4; HANSON Christine -JLH -C4; SINCLAIR Robert -GHH -C4; LATULIPPE Alain -MINA -C4; SHAPARDANOV Christopher -USS -C4; LDN -DR -C4; KABUL -DR -C4R; HUGHES Stuart -ISBAD -GR -C4; DORGAN Erin -RMR -C4; KABUL -CS -C4R; COLLARD-WEXLER Simon -FTAG -C4; KABUL -GR -C4R
Subject: KBGR0258 -- Afghan detainees: UK, Dutch, Australian and US experience

SECRET -CEO

Pls pass to:

Document Number / Numéro du document:

D-110-014

KANDH KAF -- Grant/ Cessford/ Walker/ Laflamme
KANDH -- Buchan/ Fudge/ Chamberlain
PCO/IAS -- Taylor/ Popovich/ Telford/ Bryson
DNATO POL -- Anderson/ Chupick/ JAG/ Bolt
LDN -- Lalani

Receipt Date / Date reçue:

16-11-09

Redacted by AG

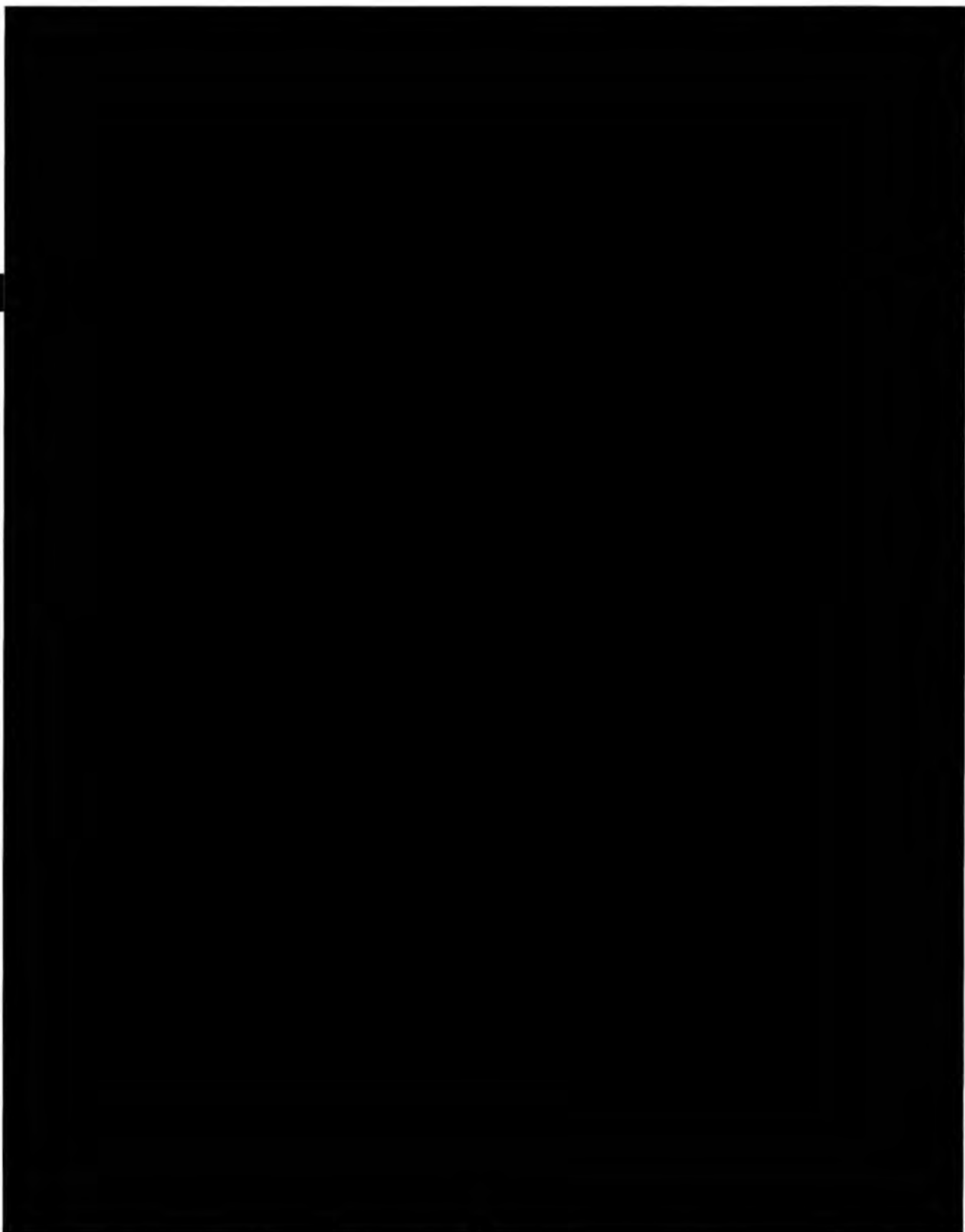
Receipt Date: 16-11-09

Ref: Our KBGR0160 of 4 December, 2006 on detainee issues in Afghanistan

Report. As context for ongoing discussions in Ottawa, we met over the last week with colleagues from the UK, Dutch and US embassies, and the Australian National Command Element, to discuss their national practices on Afghan detainees.



4. Canada by contrast has taken some [redacted] detainees. Roughly [redacted] were released without ever being transferred to GoA security-force custody. Of the remaining [redacted], the vast majority were transferred to the National Directorate of Security (NDS), a much smaller number to the Afghan National Police (ANP). For example, in the [redacted] of this year [redacted] Cdn forces detained [redacted] Afghans. Of this total [redacted] were transferred to NDS and [redacted] released, including [redacted] whose detention consisted primarily of hospitalization because of gunshot wounds. [redacted]





Consulted: Bloodworth
Drafted/ released: Colvin

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: April 23, 2007 9:37 AM
To: HOFFMANN Ron -LDN -GR -C4
Cc: PROUDFOOT Douglas Scott -FTAG -C4
Subject: Suggestions to address the detainee problem

SECRET -CEO

LDN: For Lalani

As requested, pls find below our suggestions for concrete actions to address detainee concerns:

1. Canadian Forces, [REDACTED] approach, to take fewer detainees.
2. Amend MOU (if political circumstances allow) to allow for Cdn follow-up monitoring.
3. As recommended in the document "Afghanistan Detainee Monitoring and Tracking Options for Greater Canadian Engagement" (no date or author), post to KABUL and, if possible, KAF/ PRT, a dedicated CBS or Canadian-national LES human rights/ humanitarian-affairs officer to i) personally track detainees, ii) regularly monitor their condition while in GoA custody and iii) engage regularly with ICRC, AIHRC, other GoA actors, UNAMA, and Dutch, UK and US embassies on human rights and detainee issues.

In our assessment, direct engagement by Cda is needed on this issue a) to respond, and be seen to respond, to concerns by the Cdn public and media, and [REDACTED]

Drafted/ released: Colvin

Document Number / Numéro du document: D-110-015
Receipt Date / Date reçue: 16-11-09

Redacted by AG
Receipt Date: 16-11-09

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: April 23, 2007 12:27 PM
To: PROUDFOOT Douglas Scott -FTAG -C4; KABUL -HOM -C4R
Cc: MULRONEY David -DMA -C4; BUCK Kerry -FTAG -C4; SWORDS Colleen -IFM -C4; POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; ANDERSON Cory -FTAG -C4; KANDH -C4R
Subject: RE: Detainees: Urgent Demarche
Importance: High

SECRET

I just spoke to Ahmad Zia Langari, one of the (nine) commissioners at the Afghan Independent Human Rights Commission (AIHRC) and delivered the five bullets below, as well as the supplemental, sixth bullet ("Should the AIHRC indicate they have reports of abuse, why have such reports not been communicated to GoC as per the arrangement?").

Langari said that the AIHRC has faced problems of access to NDS facilities. As a result, the commission is unable to monitor the condition of detainees, as per their agreements with the Canadians, Dutch and others. Langari said that Dr. Sima Samar, the AIHRC chair, raised this issue about 9 days ago with President Karzai. The president subsequently set up a meeting between Dr. Samar and NDS chair Amrullah Saleh. However, according to Langari, the access problem has still not gone away.

Separately, the issue was raised yesterday at the Human Rights Forum, which Catherine attended. The deputy AIHRC chair, Ahmad Fahim Hakim, reported that, as follow up to the Samar-Saleh meeting, he met with the Legal Advisor of NDS to request enhanced access to NDS facilities. However, if this does not result in improved access, AIHRC may ask Canada, Netherlands, UK and others jointly to demarche NDS.

Finally, I have had a request in since April 17 to meet with Saleh on i) general detainee-handling issues and ii) Glyn Berry. Saleh was away but returned to Kabul today. We are still awaiting confirmation of the appointment.

Colvin/ chargé

—Original Message—

From: PROUDFOOT Douglas Scott -FTAG -C4
Sent: April 23, 2007 11:14 AM
To: KABUL -GR -C4R; KABUL -HOM -C4R
Cc: MULRONEY David -DMA -C4; BUCK Kerry -FTAG -C4; SWORDS Colleen -IFM -C4; POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; ANDERSON Cory -FTAG -C4; KANDH -C4R
Subject: Detainees: Urgent Demarche

SECRET

Globe & Mail articles of today re: detainees inserted below. As discussed, grateful you make formal demarche with the Afghan authorities and the Afghan Independent Human Rights Commission

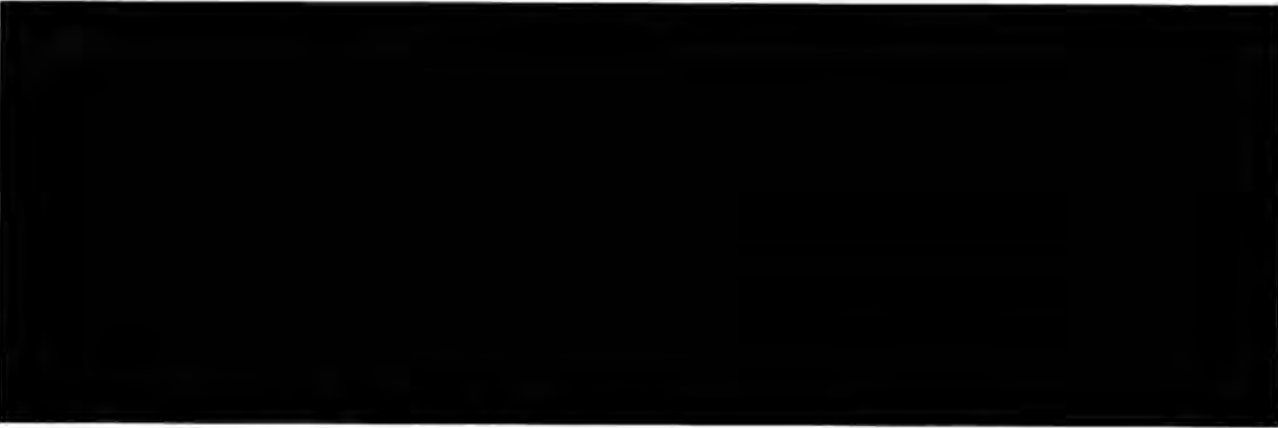


Document Number / Numéro du document: D-110-016

1 Redacted by AG

Receipt Date / Date reçue: 16-11-09

Receipt Date: 16-11-09



Drafted: FTAG/Anderson/Proudfoot/Buck
Approved: Buck

Globe And Mail articles

All of <Canada>'s assurances have proven false on the detention of prisoners handed over to the Afghan authorities. The prisoners appear to have been tortured, and <Canada> is hardly in a position to claim it did not know what was going on. At best, it tried not to know; at worst, it knew and said nothing.

Among those who gave assurances that the prisoners were properly treated (or who rejected claims of prisoner abuse) are Defence Minister Gordon O'Connor, Public Safety Minister Stockwell Day and Brigadier-General David Fraser. The name on <Canada>'s detainee agreement with the Afghans, signed in December, 2005, is Gen. Rick Hillier, <Canada>'s Chief of Defence Staff. With senior ministers in the <Canadian> government and the heads of the military staking their credibility on the treatment of detainees, <Canada> might have been expected to inquire into whether their assurances would hold up to scrutiny. If The Globe and Mail's Graeme Smith could find out about a pattern of extreme abuse, including the use of electrical currents, boiling water and beatings with cables, it defies belief that <Canada> could not.

For a country that just conducted a painful self-examination, lasting nearly three years, into how <Canadian> citizen Maher Arar wound up in a Syrian torture cell (where he was beaten with cables), this is shattering news. <Canada> can not, after all that, claim merely to be playing by the rules of a tough part of the world. That would be naked hypocrisy.

It is still government policy -- or should be -- that the torturers on our side are no more justifiable than anyone else's. This country is a signatory to the <United> <Nations> Convention Against Torture, which forbids returning people to another state where there are substantial grounds to believe they will be tortured. There is a practical reason, too, for not being complicit in torture; such complicity may put <Canadians> at higher risk of being tortured if they fall into the enemy's control.

The first job for the <Canadian> government now must be to stop all transfers of prisoners to Afghan authorities immediately until a new process can be developed, in agreement with <Afghanistan>, to provide a high level of confidence that they will not be tortured when handed over to local authorities. At the same time, <Canada> needs to ensure that all current detainees turned over by <Canada> are safe from abuse. The Netherlands has a strict agreement with the Afghans that allows its diplomats and military officials access to any prisoners. It has never been clear why <Canada> has not obtained a similar agreement.

Voluntary

KABUL -GR -C4R

From: SWORDS Colleen -IFM -C4
Sent: April 24, 2007 4:15 PM
To: KABUL -GR -C4R; ANDERSON Cory -FTAG -C4
Cc: MULRONEY David -DMA -C4; BUCK Kerry -FTAG -C4; POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; KANDH -C4R; PROUDFOOT Douglas Scott -FTAG -C4; KABUL -HOM -C4R
Subject: RE: Detainees: Urgent NDS Demarche

Copying BNATO on this msg as coordination with NATO is important aspect of how we deal with detainees as we move forward.
Could we automatically put them on distr detainees msgs so we can best integrate that angle.

-----Original Message-----

From: KABUL -GR -C4R
Sent: April 24, 2007 12:31 PM
To: ANDERSON Cory -FTAG -C4
Cc: MULRONEY David -DMA -C4; BUCK Kerry -FTAG -C4; SWORDS Colleen -IFM -C4; POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; KANDH -C4R; PROUDFOOT Douglas Scott -FTAG -C4; KABUL -HOM -C4R; KABUL -GR -C4R
Subject: RE: Detainees: Urgent NDS Demarche
Importance: High

Have spoken to [redacted] at NDS, with whom we outlined (in brief) our concerns, and requested an urgent meeting with NDS. [redacted] said that NDS chief Amrullah Saleh, who arrived back in country today, is not available tonight (it is already 20:30) but that we could very likely get a meeting tomorrow. If Saleh for whatever reason is not available [redacted] promises a meeting instead with NDS [redacted]

2. We could also probably meet tomorrow with Karzai's chief of staff Omer Daoudzai and [redacted] possibly also Karzai himself. Pls let us know if you wish us to pursue that option.

3. [redacted] SCR met today on this issue with [redacted] and the Deputy Minister of Justice. SCR has also offered to provide assistance, should we request it.

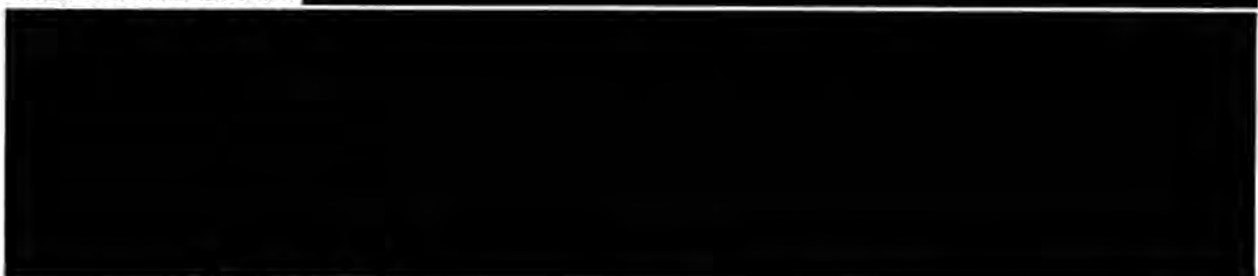
Colvin

-----Original Message-----

From: ANDERSON Cory -FTAG -C4
Sent: April 24, 2007 11:15 AM
To: KABUL -GR -C4R; KABUL -HOM -C4R
Cc: MULRONEY David -DMA -C4; BUCK Kerry -FTAG -C4; SWORDS Colleen -IFM -C4; POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; KANDH -C4R; PROUDFOOT Douglas Scott -FTAG -C4
Subject: Detainees: Urgent NDS Demarche
Importance: High

SECRET

Globe & Mail articles of today re: detainees inserted below. As discussed, grateful you make formal demarche with the NDS [redacted]



Document Number / Numéro du document: D-110-017

Receipt Date / Date reçue: 16-11-09

1 Redacted by AG
Receipt Date: 16-11-09



Drafted: Anderson
Consulted: Proudfoot
Approved: Buck

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Detainee watchdog: 'We can't monitor these people'
Despite repeated assurances by O'Connor, Afghan agency says its staff are barred from visiting key detention centre in Kandahar

GRAEME SMITH

Globe and Mail Update

April 24, 2007 at 2:08 AM EST

KANDAHAR, AFGHANISTAN - The watchdog agency Canada is relying on to prevent abuse of detainees in Afghan custody says it can't do the job properly because it has been barred from access to the notorious detention cells of the intelligence service.

Despite assurances that any abuse would be reported, repeated in the House of Commons by Defence Minister Gordon O'Connor on Monday, the regional head of investigations for the Afghanistan Independent Human Rights Commission conceded in a recent interview that his staff are being prevented from visiting detainees in the National Directorate of Security's detention cells in Kandahar.

"We have an agreement with the Canadians, but we can't monitor these people," said Amir Mohammed Ansari, chief investigator for AIHRC in Kandahar. "Legally, we have permission to visit prisoners inside the NDS prison. But they don't allow it."

The AIHRC signed an agreement in February to monitor detainees after Canadian forces hand them over to the NDS. The AIHRC promised to inform Canada immediately if any captives handed over to the NDS were mistreated.

Related Articles

Responding to a firestorm of criticism in the House after a Globe and Mail report of widespread abuse and torture of detainees, Prime Minister Stephen Harper and his ministers repeatedly referred to the agreement with the AIHRC as sufficient to ensure that the rights of detainees are respected.

"We have made a recent agreement with the human-rights commission of Afghanistan and it has guaranteed that it will report to us any abuses of any detainees we transfer. I have the personal assurance of the leader of the human-rights commission in Kandahar and at the national level," Mr. O'Connor said in the House.

Mr. Harper said the Liberals had signed an inadequate policy, and that the Conservative government has improved it.

"The government has signed a new agreement. The previous Liberal government had an agreement in place that has proven to be inadequate despite their assurance," Mr. Harper said.

When asked Monday whether the AIHRC has the necessary access to monitor detainees at the NDS facility in Kandahar city, a Defence Ministry spokesperson cited the February agreement and said Canadian officials would follow up with the AIHRC in getting "to the bottom of these rumours and allegations."

The head of Kandahar's intelligence contradicted Mr. Ansari's account, saying his staff regularly welcome visitors from the AIHRC.

"Always we make time for the human-rights people," said Sadullah Khan, Kandahar NDS chief, by telephone. "Ansari always comes to the NDS prison. You can ask Ansari."

Since the new agreement was made, the Canadians have already informed the AIHRC about at least 10 detainees who were held at Kandahar Air Field and transferred to the NDS. The only way the AIHRC might learn of their fate, Mr. Ansari said, is if the NDS sends them to the short-term holding cells operated by the Afghan National Police or, more likely, to the national-security wing of Sarpoza prison in Kandahar.

Investigators for the AIHRC regularly speak with prisoners at both facilities.

Interviews with 30 people who were detained recently in Kandahar province suggest the NDS doesn't always send its captives to local jails, however. Some detainees are transferred to an NDS centre in Kabul, and it's not clear whether prisoners are transferred again from there.

Still, the Canadian lists of transferred detainees will be useful, Mr. Ansari said, because it will serve as a reminder to the intelligence police that they could be held accountable for them. The NDS, a successor to an Afghan intelligence agency set up by the Soviet KGB, has the worst reputation among local security forces for mistreatment of prisoners.

Keeping track of the detainees is crucial, AIHRC officials say, because so many families have already lost their sons or brothers in the labyrinth of jails. These worried relatives bring their complaints to the AIHRC in Kandahar, but often the investigators can't do anything except write down their names.

The tiny AIHRC investigations office cannot handle the volume of cases, staffers say. Five people regularly document the treatment of prisoners, but two of them are dedicated to issues concerning women and children. That leaves Mr. Ansari and two assistants to watch over the flood of suspected Taliban who have been scooped up during months of fighting in Kandahar. They cannot even estimate how many people have been detained.

Besides checking on suspected Taliban, the three AIHRC investigators are also responsible for monitoring the criminal-justice system, and, in theory, reporting on abuses in other jails across southern Afghanistan.

"We need more people for this work," said Abdul Qadar Noorzai, the AIHRC's regional director.

The work itself is frustrating for Reza Ibrahimi, 25, one of Mr. Ansari's assistants. He hears stories of torture every week during his visits to the Sarpoza prison, he said. He writes them down, but the allegations are usually months old by the time the prisoners are transferred to Sarpoza.

"It's difficult to get the NDS to confirm that they are torturers, so yes, most of our information comes from prisoners," Mr. Ibrahimi said.

"From a physical examination we can confirm that prisoners have scars of torture on their bodies, but unfortunately the NDS usually keeps people until they are healed. Blunt trauma and internal injuries are hard to document."

Even if the intelligence police throw open the doors to their facility, Mr. Noorzai said, the AIHRC has little power.

"What if we saw the torture equipment?" Mr. Noorzai said. "What if we saw the freshly tortured people? Our authority is to write a letter. They could reject our findings and we could be back at zero."

He told me, 'Don't bleed on the carpet'

GRAEME SMITH

From Tuesday's Globe and Mail

April 24, 2007 at 2:12 AM EST

KANDAHAR, AFGHANISTAN - Crouched against a crumbling stone wall, Abdul Wali is a small man with curly dark hair, sweaty and matted under a cap that sits askew on the back of his head.

He plays nervously with a broken wristwatch, kneading the metal bracelet through his fingers like a string of prayer beads. He doesn't want to tell his story, he said. What good would it do? His situation is pretty much the same as everybody else's here in the national-security wing of Sarpoza prison. He stands accused of involvement with the Taliban insurgency, and denies it. No judgment has been passed, so he's not sure how long he will languish in these dark cells.

Yes, he answers in a quiet voice, he was tortured. He opens his shirt and shows scars on his chest. He refuses to show his naked back, where a human-rights investigator said he saw worse scarring on the young man's flesh.

"I'm hopeless," he said. "I've told my story many times to the interrogators, but they don't listen."

Related Articles

His ordeal started when he met Canadian troops in a grape field last summer in Nalgham, a cluster of villages about 35 kilometres southwest of Kandahar city, on the north bank of the Arghandab River. At the time, he didn't know the nationality of the soldiers; like most people in southern Afghanistan, he referred to them only as haroji, or foreigners.

But he remembers clearly that the troops had dark-green, eight-wheeled vehicles of the kind used by the Canadians, and he has heard enough stories in prison to understand that he owes his captivity to Canada.

He has no quarrel with the foreign soldiers, he said, although it's easy to understand why the Canadians thought he was a Taliban fighter.

At age 23, he falls into the category that the soldiers usually refer to as "fighting-age males." He belongs to Omarkhail tribe, a tiny branch of the Pashtun ethnic group, one of many smaller tribes that often feel disenfranchised under the new government. His hometown is located in Helmand province, a long way from the grape field where he encountered the Canadians. That part of the countryside was an unlikely place to be lingering, too, because gun battles had ripped through those fields earlier in the day.

None of that proves he was an insurgent, Mr. Wali said. He was obliged to stay in Nalgham despite the recent fighting because he was guarding a farm that belonged to his brother-in-law. Mr. Wali said he had been living in the district for three years, after his family started a meagre business in a nearby migrant camp.

His father was a livestock trader in Helmand province, he said, but the trade wasn't enough to support all eight sons. Mr. Wali moved with three of his brothers

to set up a tailoring shop in a ramshackle camp west of Kandahar city, where thousands of people have sought shelter from war and drought. All the brothers lived with their wives and children in a mud house, 14 people crowding into three rooms. They could afford to eat meat about once a week. He was relaxing in the shade when the Canadian troops surrounded him, he said. They took off his green pinstripe vest and tore open the lining, finding nothing except his wallet, decorated with Japanese cartoon characters and the words, "Kiki & Coco." The wallet was later emptied of cash, although Mr. Wali said he's sure the foreign troops didn't steal anything; he blames the local police.

The Canadians tied his hands with plastic cuffs and kept him in the back of their armoured vehicle for two or three hours, he said. The foreigners didn't harm him, only asked questions through a translator and scribbled in a notepad.

Afterwards, the Canadians blindfolded him and gave him to Afghan forces. The beatings started almost immediately, he said, and only paused whenever it seemed that Canadians were nearby.

"The foreign soldiers didn't like to see beating," he said.

The Afghans took him to a nearby town and uncovered his eyes. He found himself in the Panjwai district headquarters, a high-walled compound where Canadian officers often meet local leaders for cups of green tea.

Mr. Wali was shown less hospitality. Afghan officers took him to a room with bare cement walls and cudgelled him with rifle butts, he said. They also jabbed him in the chest with the muzzles of their Kalashnikovs, he said, which left him with the rash of dark scars on his chest.

At one point, he said, about nine police officers forced his face into the floor. One officer sat on the back of his head, while the others pummelled him. A man in civilian clothes questioned him between beatings, he said.

The local police kept him in that cell for three days, he said, with only two meals of tea and bread. Next he was transferred to Kandahar city, and thrown into the grey block of holding cells beside police headquarters.

Around midday, a fat officer and a thinner one took him up the cement stairs of the headquarters building. They brought him to a room overlooking the busy street, shut the windows, and closed the yellow curtains.

He had a quiet moment to contemplate what was about to happen, he said, as the officers searched for a suitable whip. It seemed they wanted to find a length of chain, but settled on a bundle of electrical cables.

They forced him onto his stomach, he said, and thrashed him on his back and legs.

It was hard to guess how long the beating lasted, he said. He didn't bleed, but later he found himself covered with black bruises. They beat him on three consecutive days, he said, and then started asking for money.

Tales of extortion and bribery are very common among people who have passed through Kandahar jails; in Mr. Wali's case, he said the first person to ask for a bribe was the police interrogator, a tall man with red henna in his neatly trimmed beard. He didn't quote a price, but suggested that a gift would mean freedom.

"I said, 'What if I don't give you money?'" Mr. Wali said.

"He said, 'The pen is in my hand. I can send you to the NDS, right now.'"

The National Directorate of Security, the domestic intelligence agency, has a fearsome reputation. Mr. Wali knew his family didn't have enough money for a bribe, however, so he refused the interrogator's offer. He was sent to the NDS the same afternoon, he said, escorted in a taxi by two police officers and a prosecutor.

His got a little relief when NDS officers took him to a bathroom and allowed him to

wash, he said, and they gave him a few minutes for prayers. Then they sent him to interrogation, the first in a series he would endure over the next month.

He was introduced to the questioner that prisoners have nicknamed Shin, meaning "green," because of the sickly colour of his skin. Other prisoners called him Bobo, local slang for a B-52 bomber.

"His beating was like a bombing," Mr. Wali said. "He kicked me in the head, and I fell into a table. Blood came out my nose. He told me, 'Don't bleed on the carpet. Go wash your face.' " The bleeding didn't stop, however, so his interrogation was suspended until the next day. The NDS wanted him to give his signature and thumbprint to a written confession, acknowledging himself as a Taliban insurgent. Some interrogators also wanted money.

"I said, 'I have no money in my pockets,'" he said. "'I have to call my family to bring money. Give me a phone.'" The interrogator refused, and instead demanded his relatives' phone numbers. Realizing it was useless, Mr. Wali admitted that his family was too poor to afford telephones.

The beatings continued. From his tormentors, he learned that the written accusations against him claimed that the Canadians who originally detained him had discovered two bullets in his pockets.

These two bullets, he said, were considered physical evidence of his involvement with the Taliban.

"Please, ask the Canadians, did I have two bullets?" he said, flicking a reporter's notebook with an angry gesture. Then he sighs, deflated, and slumps back against the prison wall.

The abuse stopped when the NDS sent him to Sarpoza prison, he said. He has been waiting eight months for a formal sentence.

"I saw many people who were beaten for five months, six months," he said. "They want to put pressure on people and make them say lies. If the beating is one or two days, okay. But six months?"

DANIEL LEBLANC

From Tuesday's Globe and Mail

April 24, 2007 at 2:14 AM EST

OTTAWA - Prime Minister Stephen Harper ignored growing allegations of torture in Afghan prisons and said Monday that Canadian soldiers will keep transferring detainees to local authorities in the war-torn country.

He rejected arguments from the opposition and human-rights experts who argue that Canada is breaking international law by exposing prisoners to torture and that Minister of Defence Gordon O'Connor must resign as a result.

Instead, the Prime Minister said that Canada's current agreement with Afghan authorities contains the necessary safeguards after being beefed up by his government.

"We take such allegations seriously. That is why we have concluded an agreement with the Afghan government," Mr. Harper said. "It is why we will be in discussions with them to pursue this matter and to ensure that they have the capacity to undertake their terms of the agreement."

The agreement, in fact, is with the Afghanistan Independent Human Rights Commission, an independent organization funded in part by the Afghan government. The chief investigator for the AIHRC, however, recently told The Globe and Mail that his staff are prevented from visiting prisoners held by Afghanistan's National

Directorate for Security, the intelligence agency where detainees handed over by Canadians told of being whipped, starved, frozen, choked and subjected to electric shocks.

All three opposition parties rejected the Prime Minister's assurances and said the transfer of prisoners must cease immediately to ensure that Canada abides by the Geneva Conventions.

"We will need to keep them under our control in Afghanistan," Liberal Leader Stéphane Dion said of the detainees. "The Prime Minister cannot tell Canadians that he will continue to hand over human beings to the Afghan government in the current circumstances."

The Liberals joined the other parties in calling for Mr. O'Connor to step down. Deputy Liberal leader Michael Ignatieff said the Defence Minister is "incompetent" and should be replaced by someone "who can ensure the Geneva Convention will be respected" by both Canada and its allies.

Bloc Québécois Leader Gilles Duceppe said Mr. O'Connor had been "just lying to us since the very beginning ... not only on detainees, on the whole situation in Afghanistan," and joined the chorus calling for his resignation.

At a news conference, two human-rights experts said Canadian authorities are complicit in torture if they ignore the most recent reports of mistreatment of prisoners in Afghanistan. University of British Columbia law professor Michael Byers said Canadian troops face prosecution for war crimes if they continue to deliver prisoners to Afghan authorities.

"I want this government to do the right thing with respect to detainees in large part because I want our government to protect our soldiers from the possibility of prosecution for war crimes," Prof. Byers said. "A government that allows, indeed orders, detainees to be transferred in situations where they are at risk of torture, is letting our soldiers down."

University of Ottawa law professor Amir Attaran said the solution is for the Canadian Forces or the North Atlantic Treaty Organization to build a detention facility in Afghanistan.

"The Canadian Forces cannot be turned into a collection agency for torturers," he said.

The NDP and the Bloc Québécois agreed that the current system doesn't work and that prisoners need to remain in Canadian hands. NDP Leader Jack Layton said the evidence of torture is "absolutely terrible and Canadians are very worried."

"Will the government now do what needs to be done, which is to immediately stop the transfer of prisoners, launch a public inquiry and fire the Minister of Defence?" Mr. Layton said.

Alex Neve, secretary-general of Amnesty International Canada, said the allegations of torture are not surprising.

"It's clear that Afghan assurances that there will be no torture are unreliable," he said.

He urged the government to stop all future detainee transfers and drop its opposition to an attempt by Amnesty International and the British Columbia Civil Liberties Association to obtain a legal review of the constitutionality of such handovers.

With a report from Paul Koring in Washington

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: April 24, 2007 4:37 AM
To: EXTOTT -IDR -C4; EXTOTT -FTAG -C4; EXTOTT -JLH -C4; EXTOTT -IRH -GHA -C4
Cc: SWORDS Colleen -IFM -C4; MULRONEY David -DMA -C4; ADLER Jeremy -IFM -C4; McRAE Robert -IDD -C4; BECK Stefanie -IDR -C4; POUPART Isabelle -IDR -C4; BUCK Kerry -FTAG -C4; KANDH -KAF -C4R; PROUDFOOT Douglas Scott -FTAG -C4; ANDERSON Cory -FTAG -C4; GOLBERG Elissa -IRH-GHA -C4; NGUYEN Mi -IRH -C4; KANDH -C4R; NOLKE Sabine -JLH -C4; LAPORTE Eric -IDR -C4; NDHQ OTT D NATO POL -C4; NDHQ +CEFCOM J9 -C4R; GIBBINS Christopher -FTAG -C4; EXTOTT -IRH -GHA -C4; EXTOTT -IFM -C4; EXTOTT -DMA -C4; NDHQ OTT ADM (POL) -C4; NDHQ OTT DGIS POL -C4; Correctional Services -BH; Royal Canadian Mounted Police Head Quarter -C4R; PILLAROTT -C4R; DAVIS Christopher -OGD -PCO/BCP -C4R; MOORE-GEROS Lindsay -OGD -PCO -C4R; SINCLAIR Jill -PCO/BCP -C4R; ALEXANDER Vera -OGD -PCO/BCP -C4R; CCATS; KABUL -HOM -C4R; DOBNER Gallit -FTAG -C4; HOFFMANN Ron -LDN -GR -C4
Subject: KBGR0261: Comments on Detainee Diplomatic Contingency Plan
Importance: High

SECRET CEO

For DNATO POL -- Please forward to Col. N. Anderson, M. Bos
For CEFCOM J9 -- Please forward to G. Dushner, M. Carter
For CSC -- Please forward to D. O'Connor
For RCMP -- Please forward to Supt. W. Martin
For CSIS -- Please forward to L. Portelance

Ref: IDR-0329 of 21 April 07 on diplomatic contingency plan, KBGR0258 of 20 April 07 on UK/ Dutch/ Australian/ US detainee practices

We would like to register our concerns with the 'Detainee Diplomatic Contingency Plan' (refel), which in our view is insufficient to address the urgent detainee crisis.



4. The only practical solution we see is:

a) modify the MOU, [redacted] to allow for Government of Canada (GoC) follow-up access;

b) rapidly establish a GoC capacity (in Kabul as well as Kandahar) to conduct that follow-up monitoring -- again, [redacted]

[redacted] liaise with [redacted] and Task Force Afghanistan; and try to link up what goes on in Kandahar with what goes on in Kabul.

5. At the same time, we would recommend, [redacted] that we develop a more cautious field methodology that would result in fewer detainees i) being transferred to GoA control and thus ii) requiring follow-up Cdn monitoring.

Document Number / Numéro du document: D-110-018

Receipt Date / Date reçue: 16-11-09

1

Redacted by AG

Receipt Date: 16-11-09

Consulted: Bloodworth, Hannan
Drafted/ released: Colvin (chargé)

-----Original Message-----

From: LAPORTE Eric -IDR -C4

Sent: April 21, 2007 3:59 PM

To: KABUL -GR -C4R; KABUL -HOM -C4R; KABUL -GSRP -C4R; KANDH -C4R; KANDH -KAF -C4R

Cc: SWORDS Colleen -IFM -C4; MULRONEY David -DMA -C4; ADLER Jeremy -IFM -C4; McRAE Robert -IDD -C4; BECK Stefanie -IDR -C4; POUPART Isabelle -IDR -C4; BUCK Kerry -FTAG -C4; PROUDFOOT Douglas Scott -FTAG -C4; ANDERSON Cory -FTAG -C4; GOLBERG Elissa -IRH-GHA -C4; NGUYEN Mi -IRH -C4; NOLKE Sabine -JLH -C4; NDHQ OTT D NATO POL -C4; NDHQ +CEFCOM J9 -C4R; GIBBINS Christopher -FTAG -C4; EXTOTT -IDR -C4; EXTOTT -FTAG -C4; EXTOTT -IRH -GHA -C4; EXTOTT -IFM -C4; EXTOTT -DMA -C4; NDHQ OTT ADM (POL) -C4; NDHQ OTT DGIS POL -C4; Correctional Services -BH; Royal Canadian Mounted Police Head Quarter -C4R; PILLAROTT -C4R; DAVIS Christopher -OGD -PCO/BCP -C4R; MOORE-GEROS Lindsay -OGD -PCO -C4R; SINCLAIR Jill -PCO/BCP -C4R; ALEXANDER Vera -OGD -PCO/BCP -C4R; CCATS

Subject: IDR-0329: Detainee Diplomatic Contingency Plan

SECRET CEO

For DNATO POL: Please forward to Col. N. Anderson, M. Bos

For CEFCOM J9: Please forward to G. Dushner, M. Carter

For KANDH-KAF: Please forward to M. Laflamme

For CSC: Please forward to D. O'Connor

For RCMP: Please forward to Supt. W. Martin

For CSIS: Please forward to L. Portelance

At the request of DMA and IFM, please find attached the diplomatic contingency plan developed by FTAG and approved by PCO/Bloodworth in the event that Canadian authorities are made aware of credible allegations of detainee abuse by Afghan authorities following their transfer by the Canadian Forces.

2. Please note that the plan does not preclude continued reminders to the Afghan authorities (at all levels) regarding our expectations as to the treatment of detainees transferred by the Canadian Forces.

3. It should also be noted that DND is currently in the process of elaborating a complementary "military" contingency plan that examines possible implications on Canadian Forces activities should credible allegations be brought to the attention of Canadian authorities.

Drafted: IDR/Laporte

Consulted: FTAG, JLH, IRH-GHA

Approved: IDR/Poupart

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: April 25, 2007 3:16 PM
To: EXTOTT -FTAG -C4
Cc: MULRONEY David -DMA -C4; BUCK Kerry -FTAG -C4; SWORDS Colleen -IFM -C4; POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; KANDH -C4R; PROUDFOOT Douglas Scott -FTAG -C4; NDHQ OTT D NATO POL -C4; NDHQ OTT DGIS POL -C4; NDHQ OTT ADM (POL) -C4; NDHQ +CEFCOM J9 -C4R; Privy Council Office -C4R; Privy Council Office / Foreign & Defence Policy -C4R; Public Safety & Emergency Preparedness -C4R; Correctional Services -BH; Royal Canadian Mounted Police Head Quarter -C4R; SINCLAIR Jill -PCO/BCP -C4R; ALEXANDER Vera -OGD -PCO/BCP -C4R; COOTER Chris -BNATO -GR -C4; BNATO -HOM -C4; PINNINGTON Phil -BNATO -GR -C4; ANDERSON Cory -FTAG -C4; BURGESS Anne E -BNATO -GR -C4; KABUL -HOM -C4R; DOBNER Gallit -FTAG -C4
Subject: KBGR0266 -- Afghan detainees: recommendation
Importance: High

SECRET -CEO

PCO: for Cartwright/Sinclair/Davis/Alexander
DND: for CDS/Gauthier/Deschamps/Rigby/Goselin/Anderson
CIDA: for Greenhill/Tse/Hallihan
CSIS: for Judd
PSEP: for Hurtubise/Maclaren
CSC: for Couiter
RCMP: for Beer/Martin

We would recommend that Canada, for reasons of our own national interest, establish -- and publicly announce that we are establishing -- a Canadian capacity to monitor, in both Kandahar and Kabul, the treatment of Afghan detainees following their transfer to Government of Afghanistan (GoA) control.

2. In our view, this would be most effective if accompanied by an attempt to reduce the numbers of Afghans detained by Cdn regular forces and handed to GoA. In our view, detainee methodologies in the field are too expansive, resulting in the detention of a significant number of Afghans who are not/ not insurgents or combatants. [REDACTED]

3. The large majority of Afghans detained by Cdn forces in Kandahar are transferred to the NDS, which is an important and effective partner in ongoing Cdn efforts to suppress the Taliban insurgency [REDACTED]

4. Some NDS detainees are kept in Kandahar. High-value targets as a rule are transferred to the main NDS facility in Kabul.

5. Without close, hands-on monitoring by Canada in both Kandahar and Kabul, we do not believe that efforts to prevent abuse of detainees [REDACTED] are likely to be successful. [REDACTED] The International Committee of the Red Cross (ICRC), which monitors NDS facilities, is not permitted to report to Canada, while the Afghan Independent Human Rights Commission (AIHRC) [REDACTED]. In our view, the only practical and sustainable solution is for Canada to take responsibility for the wellbeing of Canadian detainees in GoA custody.

6. This recommendation is based on regular and lengthy discussions on detainee issues over the past year, in both Kabul and Kandahar, with [REDACTED] NDS and other GoA interlocutors, [REDACTED] and AIHRC, and Cdn forces in Kandahar.

Richard Colvin
Chargé d'affaires
Canadian Embassy, Kabul

Document Number / Numéro du document: D-110-019

Receipt Date / Date reçue: 16-11-09

Redacted by AG

Receipt Date: 16-11-09

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: April 25, 2007 4:28 AM
To: KABUL -GR -C4R; LAPORTE Eric -IDR -C4
Cc: BUCK Kerry -FTAG -C4; GIBBINS Christopher -FTAG -C4; GOLBERG Elissa -IRH-GHA -C4; NGUYEN Mi -IRH -C4; PROUDFOOT Douglas Scott -FTAG -C4; NOLKE Sabine -JLH -C4; ANDERSON Cory -FTAG -C4; POUPART Isabelle -IDR -C4; KABUL -HOM -C4R; SWORDS Colleen -IFM -C4; KANDH -C4R
Subject: RE: Allied detention facilities

SECRET -CEO

As an addendum to the below:

1. [REDACTED] confirms they have never had bilateral discussions with [REDACTED] on a detention facility. Only discussion was on multilateral basis, [REDACTED]
2. [REDACTED] -- one in their own base, one at the Afghan National Army base. Both are new but relatively simple. [REDACTED] ANA apparently complained however that the holding facility is better than their own barracks. [REDACTED]

Colvin

-----Original Message-----

From: KABUL -GR -C4R
Sent: April 25, 2007 2:38 AM
To: LAPORTE Eric -IDR -C4
Cc: BUCK Kerry -FTAG -C4; GIBBINS Christopher -FTAG -C4; GOLBERG Elissa -IRH-GHA -C4; NGUYEN Mi -IRH -C4; PROUDFOOT Douglas Scott -FTAG -C4; NOLKE Sabine -JLH -C4; ANDERSON Cory -FTAG -C4; POUPART Isabelle -IDR -C4; KABUL -GR -C4R; KABUL -HOM -C4R; SWORDS Colleen -IFM -C4
Subject: Allied detention facilities

SECRET -CEO

1. [REDACTED] The wing was originally intended for all RC-S nations. [REDACTED]
2. Yesterday, at our regular UK/ Dutch/ US/ ISAF/ Canadian pol/ mil meeting, one of the US embassy's pol/mil officers said [REDACTED]
3. UK, Canada (CIDA funding) and Belgium, using UNODC as the implementing agency, have paid for renovation of a wing of Pol-Charki for high-value CN prisoners. It is physically beside the [REDACTED] security wing but otherwise completely separate. This CN wing was completed a while ago but, because no high-value CN targets have been taken, it has not been operationalized. Chairs are covered with plastic bags and the facility is sitting empty. However, it is earmarked specifically for CN purposes and therefore could not be used for security (non-CN) detainees.
4. [REDACTED] and, we believe, [REDACTED] are renovating/ have renovated their temporary detention facilities in, respectively, [REDACTED]. These are quite small and intended to hold detainees only during the 96 hours they are in [REDACTED] hands. Canada has a similar facility at KAF.

Colvin

Document Number / Numéro du document: D-110-020

Receipt Date / Date reçue: 16-11-09

Redacted by AG

Receipt Date: 16-11-09

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: April 25, 2007 2:37 PM
To: EXTOTT -FTAG -C4
Cc: MULRONEY David -DMA -C4; BUCK Kerry -FTAG -C4; SWORDS Colleen -IFM -C4; POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; KANDH -C4R; PROUDFOOT Douglas Scott -FTAG -C4; NDHQ OTT D NATO POL -C4; NDHQ OTT DGIS POL -C4; NDHQ OTT ADM (POL) -C4; NDHQ +CEFCOM J9 -C4R; KABUL -HOM -C4R; Privy Council Office -C4R; Privy Council Office / Foreign & Defence Policy -C4R; Public Safety & Emergency Preparedness -C4R; Correctional Services -BH; Royal Canadian Mounted Police Head Quarter -C4R; SINCLAIR Jill -PCO/BCP -C4R; ALEXANDER Vera -OGD -PCO/BCP -C4R; COOTER Chris -BNATO -GR -C4; BNATO -HOM -C4; PINNINGTON Phil -BNATO -GR -C4; BURGESS Anne E -BNATO -GR -C4; ANDERSON Cory -FTAG -C4
Subject: Detainees: [REDACTED]

Importance: High

SECRET -CEO

- PCO: for Cartwright/Sinclair/Davis/Alexander
- DND: for CDS/Gauthier/Deschamps/Rigby/Goselin/Anderson
- CIDA: for Greenhill/Tse/Hallihan
- CSIS: for Judd
- PSEP: for Hurtubise/Maclaren
- CSC: for Coulter
- RCMP: for Beer/Martin

As follow-up to today's meetings/ discussions [REDACTED]

[REDACTED]

[REDACTED] we would be grateful for instructions as to whether we should request a statement, a demarche, or something else.

Colvin/ chargé

Document Number / Numéro du document: D-110-021

Receipt Date / Date reçue: 16-11-09

Redacted by AG
Receipt Date: 16-11-09

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: April 25, 2007 6:09 AM
To: ANDERSON Cory -FTAG -C4; PROUDFOOT Douglas Scott -FTAG -C4; BUCK Kerry -FTAG -C4
Cc: MULRONEY David -DMA -C4; SWORDS Colleen -IFM -C4; POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; KANDH -C4R; KABUL -HOM -C4R; NDHQ OTT D NATO POL -C4; NDHQ OTT DGIS POL -C4; NDHQ OTT ADM (POL) -C4; NDHQ +CEFCOM J9 -C4R; Privy Council Office -C4R; Privy Council Office / Foreign & Defence Policy -C4R; Public Safety & Emergency Preparedness -C4R; Correctional Services -BH; Royal Canadian Mounted Police Head Quarter -C4R; SINCLAIR Jill -PCO/BCP -C4R; ALEXANDER Vera -OGD -PCO/BCP -C4R; DAVIS Christopher -OGD -PCO/BCP -C4R
Subject: KBGR0263 – Detainees: Urgent demarche to NDS chief Amrullah Saleh
Importance: High

SECRET CEO

PCO: for Cartwright/Sinclair/Davis/Alexander
DND: for CDS/Gauthier/Deschamps/Rigby/Goselin/Anderson
CIDA: for Greenhill/Tse/Halihan
CSIS: for Judd
PSEP: for Hurtubise/Maclaren
CSC: for Coulter
RCMP: for Beer/ Martin

Ref: KBGR0250 of 13 April 07

We met today at 1130 with National Directorate of Security (NDS) chief Amrullah Saleh and, point by point, delivered the demarche. This was followed by a lengthy (40-minute) discussion on the substance of the allegations and possible ways to address the legitimate human-rights concerns raised in the Cdn media. Saleh is visibly very concerned about the allegations and open to constructive solutions to address them. [Comment: SLO is on leave so Chargé met with Saleh alone.]

2. Saleh said he was "shocked" to read the Globe & Mail article, which he described as "one-sided" and "largely unfounded." He said that the Globe & Mail should have contacted him first.

3. Saleh said that NDS, partly in response to our phone call last night, partly on the request of Ambassador Samad in Ottawa, is preparing a press release that NDS could issue today. It would/ could:

- confirm that AIHRC enjoys unhindered access to NDS facilities
- point out that the Globe and Mail made no effort to contact Saleh to refute the points in the article
- for specific cases, refute the allegations reported in the Globe
- promise a GoA investigation into the allegations

4. Saleh suggested that the press release could include, as attachments, a copy of the guarantee of access given to the Kandahar AIHRC, as well as a copy of the NDS' procedures/ laws for detainees

5. Saleh said that Engineer Noorzai, head of the AIHRC in Kandahar, already has a letter confirming his unhindered access to NDS facilities. According to Saleh, Noorzai has not used that letter to enter detention facilities. Saleh said he also has an agreement with AIHRC chair Dr. Sima Samar to the effect that, if she is aware of a problem at the NDS, she will alert Saleh. According to Saleh, she has not done so. (Saleh also said that, for our information [REDACTED])

6. Saleh said that, when the investigation is finished, NDS will share a copy of their findings with us, as well as with ISAF, ICRC and AIHRC. He added that he has asked the Kandahar office of NDS to invite Cdns in Kandahar to visit their detention facilities, which he believed would happen today at 1400. [Comment: The PRT has reported that it will take place at 1600.]

Document Number / Numéro du document: D-110-022

Redacted by AG

Receipt Date / Date reçue: 16-11-09

1

Receipt Date: 16-11-09

7. According to Saleh, [REDACTED]

8. Saleh also addressed some of the allegations reported in the Globe's article. He said that [REDACTED] one of the interviewed detainees, had killed the brother of an NDS officer. According to Saleh [REDACTED] had been detained by "tribals" and had never been tortured by NDS. In general, "many of those beaten were first beaten by the police," not the NDS.

9. We noted that the Globe had interviewed many detainees who allege abuse, not just [REDACTED]. We did not necessarily recommend attempting to refute allegations case by case. Moreover, the Cdn public is not so much interested in which organ of GoA might have abused a detainee. [REDACTED]

10. [REDACTED]

[REDACTED] Saleh agreed but noted that involving Karzai's office might delay a press release by a couple of days. Would it be better to have an NDS release today, or a presidential release on Friday? We said that we would meet today at 1530 with the president's chief of staff, Omer Daoudzai, in order to discuss with him how GoA and Canada might most effectively respond to the legitimate concerns of the Canadian public. Saleh said that he would hold off on an NDS press release until that discussion, and possibly others, had taken place, and we had phoned to inform him of its conclusions.

11. As a general principle, we underlined to Saleh that we value the NDS' important contribution to our shared challenge of dealing with a brutal insurgency in the south. In that regard, we obviously need to find a way to achieve our common security goals while doing everything we can to minimize the risk that, in the process, Afghans' human rights are violated. We asked Saleh, of the [REDACTED] Afghans transferred to NDS by Cdn regular forces, as opposed to other sorts of forces, how many of those were, in NDS' judgment, Taliban insurgents as opposed to, for example, local farmers. Saleh said that he simply did not know but he would ask his analysts to look into it. He suggested that, in general, conventional forces are not necessarily the best instrument for identifying high-value combatants. Most of those detained by Cdn forces, he guessed, would subsequently have been released. However, any person held in an Afghan detention centre, even if not maltreated, "is unlikely to come away praising the hospitality of those who detained him," said Saleh.

12. In that regard, Saleh noted the offer he had recently made to Public Security [REDACTED]

13. Finally, we passed on to Saleh FTAG comments on the Glyn Berry case (FTAG0087 of 5 April 07). Saleh said that he understood our concerns. At the same time, NDS is taking this issue seriously and should soon be in a position to report back on its findings.

Colvin

—Original Message—

From: ANDERSON Cory -FTAG -C4
Sent: April 24, 2007 6:56 PM
To: KABUL -GR -C4R
Cc: MULRONEY David -DMA -C4; BUCK Kerry -FTAG -C4; SWORDS Colleen -IFM -C4; POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; KANDH -C4R; PROUDFOOT Douglas Scott -FTAG -C4; KABUL -HOM -C4R; NDHQ OTT D NATO POL -C4; NDHQ OTT DGIS POL -C4; NDHQ OTT ADM (POL) -C4; NDHQ +CEFCOM J9 -C4R; Privy Council Office -C4R; Privy Council Office / Foreign & Defence Policy -C4R; Public Safety & Emergency Preparedness -C4R; Correctional Services -BH; Royal Canadian Mounted Police Head Quarter -C4R
Subject: RE: Detainees: Urgent NDS Demarche

SECRET

PCO: for Cartwright/Sinclair/Davis/Alexander
DND: for CDS/Gauthier/Deschamps/Rigby/Goselin/Anderson
CIDA: for Greenhill/Tse/Hallihan
CSIS: for Judd
PSEP: for Hurtubise/Maclaren
CSC: for Coulter
RCMP: for Beer/Martin

1. NDS: Please continue to push for a meeting with NDS, preferably Saleh, using the points previously provided.

2. Karzai Chief of Staff Omer Daoudzai: Agree a meeting with the COS would be useful. Please use the following points:



3. We would appreciate if you could convey informally [redacted]



DMA conveyed same messages to Ambassador Samad today.

4. With regard to a possible inquiry, grateful if Kabul could look into this and report back on any developments, if appropriate raising it with Daoudzai.

BACKGROUND: BNATO ref tel YBGR0193 of 24 April notes the following:

"Afghanistan detainees: [redacted]



Drafted/Released: Anderson
Consulted: Proudfoot
Approved: Buck

-----Original Message-----

From: KABUL -GR -C4R
Sent: April 24, 2007 12:31 PM
To: ANDERSON Cory -FTAG -C4
Cc: MULRONEY David -DMA -C4; BUCK Kerry -FTAG -C4; SWORDS Colleen -IFM -C4; POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; KANDH -C4R; PROUDFOOT Douglas Scott -FTAG -C4; KABUL -HOM -C4R; KABUL -GR -C4R
Subject: RE: Detainees: Urgent NDS Demarche
Importance: High

Have spoken to [redacted] at NDS, with whom we outlined (in brief) our concerns, and requested an urgent meeting with NDS. [redacted] said that NDS chief Amrullah Saleh, who arrived back in country today, is not available tonight (it is already 20:30) but that we could very likely get a meeting tomorrow. If Saleh for whatever reason is not available [redacted] promises a meeting instead with NDS [redacted]

2. We could also probably meet tomorrow with Karzai's chief of staff Omer Daoudzai and, [redacted] possibly also Karzai himself. Pls let us know if you wish us to pursue that option.

3. [redacted] SCR met today on this issue with [redacted] and the Deputy Minister of Justice. SCR has also offered to provide assistance, should we request it.

Colvin

-----Original Message-----

From: ANDERSON Cory -FTAG -C4

Sent: April 24, 2007 11:15 AM

To: KABUL -GR -C4R; KABUL -HOM -C4R

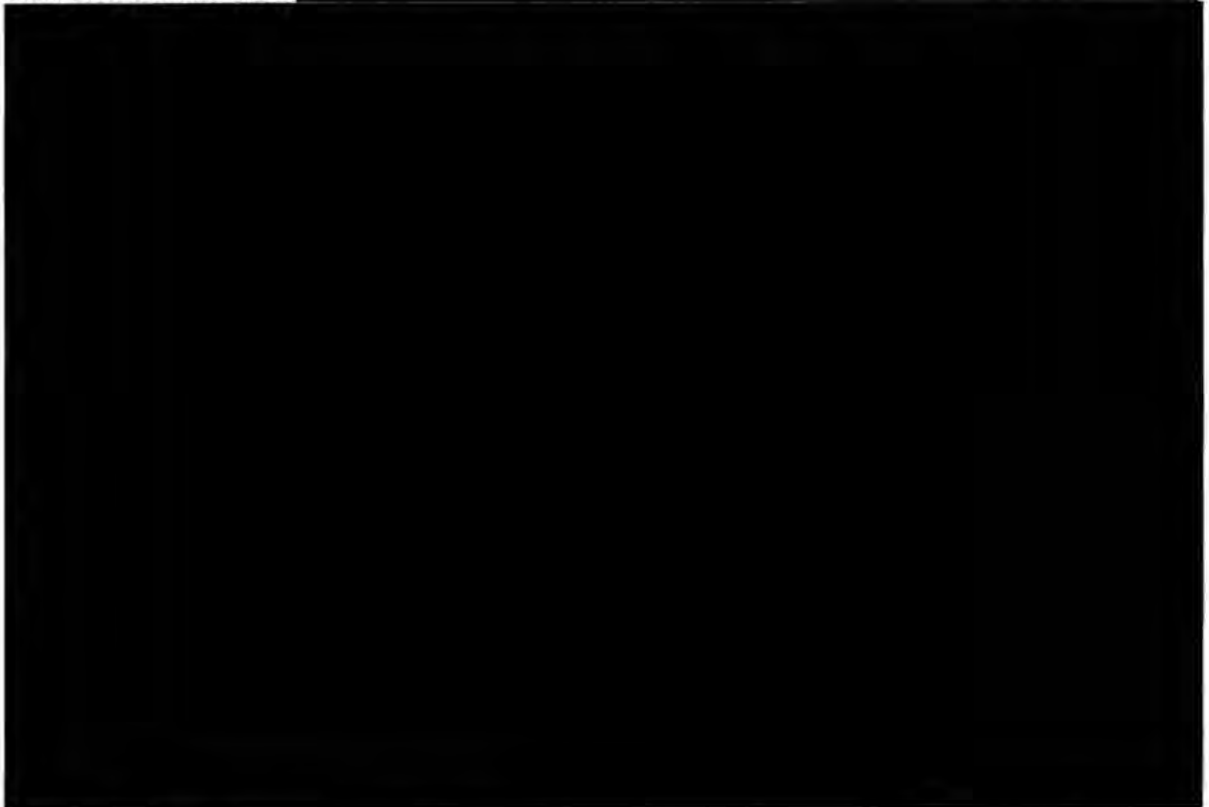
Cc: MULRONEY David -DMA -C4; BUCK Kerry -FTAG -C4; SWORDS Colleen -IFM -C4; POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; KANDH -C4R; PROUDFOOT Douglas Scott -FTAG -C4

Subject: Detainees: Urgent NDS Demarche

Importance: High

SECRET

Globe & Mail articles of today re: detainees inserted below. As discussed, grateful you make formal demarche with the NDS



Drafted: Anderson
Consulted: Proudfoot
Approved: Buck

Detainees

KABUL -GR -C4R

From: KABUL -HOM -C4R
Sent: April 25, 2007 9:29 AM
To: ANDERSON Cory -FTAG -C4
Cc: MULRONEY David -DMA -C4; BUCK Kerry -FTAG -C4; SWORDS Colleen -IFM -C4; POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; KANDH -C4R; PROUDFOOT Douglas Scott -FTAG -C4; NDHQ OTT D NATO POL -C4; NDHQ OTT DGIS POL -C4; NDHQ OTT ADM (POL) -C4; NDHQ +CEFCOM J9 -C4R; Privy Council Office -C4R; Privy Council Office / Foreign & Defence Policy -C4R; Public Safety & Emergency Preparedness -C4R; Correctional Services -BH; Royal Canadian Mounted Police Head Quarter -C4R; SINCLAIR Jill -PCO/BCP -C4R; ALEXANDER Vera -OGD -PCO/BCP -C4R; COOTER Chris -BNATO -GR -C4; BNATO -HOM -C4; PINNINGTON Phil -BNATO -GR -C4; BURGESS Anne E -BNATO -GR -C4; KABUL -GR -C4R
Subject: KBGR0265 -- Detainees: demarche to Karzai's chief of staff (corrected copy)
Importance: High

(corrected copy -- word missing in para. 3)

-----Original Message-----

From: KABUL -GR -C4R
Sent: April 25, 2007 9:15 AM
To: ANDERSON Cory -FTAG -C4
Cc: MULRONEY David -DMA -C4; BUCK Kerry -FTAG -C4; SWORDS Colleen -IFM -C4; POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; KANDH -C4R; PROUDFOOT Douglas Scott -FTAG -C4; KABUL -HOM -C4R; NDHQ OTT D NATO POL -C4; NDHQ OTT DGIS POL -C4; NDHQ OTT ADM (POL) -C4; NDHQ +CEFCOM J9 -C4R; Privy Council Office -C4R; Privy Council Office / Foreign & Defence Policy -C4R; Public Safety & Emergency Preparedness -C4R; Correctional Services -BH; Royal Canadian Mounted Police Head Quarter -C4R; SINCLAIR Jill -PCO/BCP -C4R; ALEXANDER Vera -OGD -PCO/BCP -C4R; COOTER Chris -BNATO -GR -C4; BNATO -HOM -C4
Subject: KBGR0265 -- Detainees: demarche to Karzai's chief of staff
Importance: High

Document Number / Numéro du document: 0-110-023

SECRET

Receipt Date / Date reçue: 16-11-09

- PCO: for Cartwright/Sinclair/Davis/Alexander
- DND: for CDS/Gauthier/Deschamps/Rigby/Goselin/Anderson
- CIDA: for Greenhill/Tse/Hallihan
- CSIS: for Judd
- PSEP: for Hurtubise/Maclaren
- CSC: for Coulter
- RCMP: for Beer/Martin

Redacted by AG

Receipt Date: 16-11-09

We met this afternoon with Omar Daoudzai, chief of staff to President Karzai, to deliver the demarche and to discuss a possible way forward.



8. NATO.

Colvin

—Original Message—

From: ANDERSON Cory -FTAG -C4

Sent: April 24, 2007 6:56 PM

To: KABUL -GR -C4R

Cc: MULRONEY David -DMA -C4; BUCK Kerry -FTAG -C4; SWORDS Colleen -IFM -C4; POUPART Isabelle -IDR -C4; LAPORTE Eric -IDR -C4; KANDH -C4R; PROUDFOOT Douglas Scott -FTAG -C4; KABUL -HOM -C4R; NDHQ OTT D NATO POL -C4; NDHQ OTT DGIS POL -C4; NDHQ OTT ADM (POL) -C4; NDHQ +CEFCOM J9 -C4R; Privy Council Office -C4R; Privy Council Office / Foreign & Defence Policy -C4R; Public Safety & Emergency Preparedness -C4R; Correctional Services -BH; Royal Canadian Mounted Police Head Quarter -C4R

Subject: RE: Detainees: Urgent NDS Demarche

SECRET

PCO: for Cartwright/Sinclair/Davis/Alexander

DND: for CDS/Gauthier/Deschamps/Rigby/Goselin/Anderson

CIDA: for Greenhill/Tse/Hallihan

CSIS: for Judd

PSEP: for Hurtubise/Maclaren

CSC: for Coulter

RCMP: for Beer/Martin

1. NDS: Please continue to push for a meeting with NDS, preferably Saleh, using the points previously provided.
2. Karzai Chief of Staff Omer Daoudzai: Agree a meeting with the COS would be useful. Please use the following points:

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: April 25, 2007 3:54 PM
To: BUCK Kerry -FTAG -C4
Cc: NDHQ +CEFCOM J9 -C4R; KABUL -HOM -C4R; Privy Council Office -C4R; Privy Council Office / Foreign & Defence Policy -C4R; Public Safety & Emergency Preparedness -C4R; Correctional Services -BH; Royal Canadian Mounted Police Head Quarter -C4R; SINCLAIR Jill -PCO/BCP -C4R; ALEXANDER Vera -OGD -PCO/BCP -C4R; COOTER Chris -BNATO -GR -C4; BNATO -HOM -C4; PINNINGTON Phil -BNATO -GR -C4; BURGESS Anne E -BNATO -GR -C4; ANDERSON Cory -FTAG -C4
Subject: RE [REDACTED]

SECRET CEO

As discussed with FTAG circa 2200 Kabul time, regrettably it is too late tonight to contact [REDACTED]

2. We can however tomorrow (Thursday) [REDACTED]

[REDACTED] In our view, he would likely be responsive to our requests.

Colvin/ chargé

Document Number / Numéro du document: D-110-024

Redacted by AG

-----Original Message-----

Receipt Date / Date reçue: 16-11-09

Receipt Date: 16-11-09

From: BUCK Kerry -FTAG -C4
Sent: April 25, 2007 3:11 PM
To: KABUL -GR -C4R
Cc: NDHQ +CEFCOM J9 -C4R; KABUL -HOM -C4R; Privy Council Office -C4R; Privy Council Office / Foreign & Defence Policy -C4R; Public Safety & Emergency Preparedness -C4R; Correctional Services -BH; Royal Canadian Mounted Police Head Quarter -C4R; SINCLAIR Jill -PCO/BCP -C4R; ALEXANDER Vera -OGD -PCO/BCP -C4R; COOTER Chris -BNATO -GR -C4; BNATO -HOM -C4; PINNINGTON Phil -BNATO -GR -C4; BURGESS Anne E -BNATO -GR -C4; ANDERSON Cory -FTAG -C4
Subject: [REDACTED]

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: April 30, 2007 10:03 AM
To: PROUDFOOT Douglas Scott -FTAG -C4; BUCK Kerry -FTAG -C4
Cc: ALEXANDER Vera -OGD -PCO/BCP -C4R; KANDH -C4R; KANDH -KAF -C4R
Subject: KBGR0267 -- Detainees: Meetings with ICRC and UNAMA

SECRET CEO

We leave further distribution to FTAG

Ref: KBGR0259 of 21 April, 2007 on UNAMA in the south

Summary: On 26 April, we met with the International Committee of the Red Cross (ICRC) and UNAMA as part of our ongoing dialogue and to discuss ways to effectively monitor detainees transferred by Cdn forces to Afghan custody. [REDACTED]

Report: As part of our ongoing dialogue, KABUL/Colvin and Bloodworth on 26 April met with International Committee of the Red Cross (ICRC) [REDACTED]. We also met separately with UNAMA Chief Human Rights Officer Richard Bennett. During these meetings, we sought ICRC and UNAMA views on possible methodologies to effectively monitor detainees transferred to Government of Afghanistan (GoA) custody by Cdn forces. The information is useful as we consider our options. [REDACTED]

3. [REDACTED] ICRC's position is that each nation has international legal obligations regarding the transfer of detainees. [REDACTED]

Document Number / Numéro du document: 0-110-025

2009 11 14
Receipt Date / Date reçue: 16-11-09

¹ Redacted by AG

Receipt Date: 16-11-09



UNAMA

11. According to Richard Bennett, UNAMA's mandate includes monitoring detainees, and UNAMA does conduct some detainee monitoring. Bennett said that UNAMA will look into specific cases if requested, as well as visit jails and report on prison conditions. UNAMA's emphasis however is on supporting AIHRC and, over the medium term, helping build their capacity to take on this role.

12. We asked Bennett whether UNAMA could, in whole or part, monitor detainees transferred by Cdn forces. He said that capacity is an issue. There is only one international human rights officer, [REDACTED] in Kandahar; the UN's security division will not increase the staff ceiling. [Comment: For an assessment of UNAMA security consideration, pls see refel.] Bennett was unsure as to whether [REDACTED] currently even visits NDS facilities. In Kabul, the operational Human Rights Office staff – as opposed to the UNAMA Human Rights office staff – numbers only three, so here too there may be resource issues, said Bennett.

13. Bennett said he would however make enquiries as to whether UNAMA could possibly take on such a role. The next day, on 27 April, he emailed us to inform us that, "After consideration, I do not think UNAMA will be in a position to systematically monitor detainees transferred to Afghan authorities by Canadian forces. We may be able to follow up on individual cases should you have cause for concern, provided we have access to the relevant place of detention. I agree that it may be advisable for the Canadian government to deploy its own monitors in Afghanistan."

14. [REDACTED]

15. [REDACTED] He asked about Canada's policy in that regard. As there is no declared war, detainees are not technically prisoners of war; should insurgents in our view be put through the Afghan criminal justice system? We said we did not know but would make enquiries and get back to him.

Drafted: Colvin
Consulted: Bloodworth
Approved: Lalani

KABUL -GR -C4R

Richard
- please go with my photo.

To: EXTOTT -IDR -C4; EXTOTT -FTAG -C4; EXTOTT -IRH -GHA -C4; EXTOTT -JLH -C4
Cc: BECK Stefanie -IDR -C4; POUPART Isabelle -IDR -C4; AHMAD Nadia -FTAG -C4;
 PROUDFOOT Douglas Scott -FTAG -C4; NOLKE Sabine -JLH -C4; NGUYEN Mi -IRH -C4;
 GOLBERG Elissa -IRH -GHA -C4; NDHQ +CEFCOM J9 -C4R; NDHQ OTT D NATO POL -C4;
 KABUL -HOM -C4R; KANDH -C4R; KANDH -KAF -C4R; BURGESS Anne E -BNATO -GR -C4;
 PINNINGTON Phil -BNATO -GR -C4; COOTER Chris -BNATO -GR -C4;
 FAIRCHILD David -FTAG -IRP -C4; LAKER Marina -IRP -C4; WSHDC -GR -C4; LENARCIC David -WSHDC -GR -C4;
 ANDERSON Kelly -WSHDC -GR -C4; EXTOTT -IDD -C4; ARPIN Dominic -JLHA -C4; CCATS; ALLEN Mark -LDN -GR -C4; -HAGUE -C4R; -HAGUE -DR -C4R;
 -CNBRA -C4R; -CNBRA -DR -C4R; WSHDC -DR -C4; GENEV -GR -C4; ALEXANDER Vera -OGD -PCO/BCP -C4R;
 Privy Council Office / IAS -C4R; BNATO -C4; BNATO -HOM -C4; EXTOTT -RGM -C4; EXTOTT -USS -C4; LDN -GR -C4; NDHQ +CEFCOM HQ -C4R;
 NDHQ +CEFCOM J2 -C4R; NDHQ OTT ADM (POL) -C4; NDHQ OTT CDI -C4; NDHQ OTT DM -C4;
 BUCK Kerry -FTAG -C4; EXTOTT -DMA -C4; MULRONEY David -DMA -C4; GIBBINS Christopher -FTAG -C4;
 ANDERSON Cory -FTAG -C4; DOBNER Gallit -FTAG -C4; EXTOTT -IRP -C4; HOFFMANN Ron -LDN -GR -C4;
 SINCLAIR Jill -PCO/BCP -C4R; EXTOTT -ISI -C4; EXTOTT -ISIW -C4; GILMOUR Wendy -FSDN -IRP -C4; EXTOTT -IFM -C4;
 BOUCHER Catherine -BREU -GR -C4; EL-SAWY Deena -IRC -C4; EXTOTT -JFM -C4; EXTOTT -JLD -C4;
 HANSON Christine -JLH -C4; SINCLAIR Robert -GHH -C4; LATULIPPE Alain -MINA -C4;
 SHAPARDANOV Christopher -USS -C4; LDN -DR -C4; KABUL -DR -C4R; HUGHES Stuart -ISBAD -GR -C4;
 DORGAN Erin -RMR -C4; KABUL -CS -C4R; COLLARD-WEXLER Simon -FTAG -C4; KABUL -GR -C4R
Subject: KBGR0267 -- Detainees: Meetings with ICRC and UNAMA

SECRET CEO

Pls pass to:

PROUD FOOT; BUCK; V. ALGHORGE; KAF/KAN/COF; KAN/BUCHAN

-WB CEAGE FEASIBLE DISTR TO # FTAG

KANDH KAF -- Grant/ Cessford/ Walker/ Laflamme
 KANDH -- Buchan/ Fudge/ Chamberlain
 PCO/IAS -- Taylor/ Popovich/ Telford/ Bryson
 DNATO POL -- Anderson/ Chupick/ JAG/ Bolt

Ref: KBGR0259 of 21 April, 2007 on UNAMA in the south

Summary: On 26 April, we met with the International Committee of the Red Cross (ICRC) and UNAMA to discuss ways to effectively monitor detainees transferred by Cdn forces to Afghan custody;

[REDACTED]

Report: On 26 April, KABUL/Colvin and Bloodworth met with International Committee of the Red Cross (ICRC) [REDACTED]. We also met separately with UNAMA Chief Human Rights Officer Richard Bennett. Primary purpose of the meetings was to seek ICRC and UNAMA views on possible methodologies to effectively monitor detainees transferred to Government of Afghanistan (GoA) custody by Cdn forces. The information is useful as we consider our options. [REDACTED]

3 [REDACTED] ICRC's position is that each nation has international legal obligations regarding the transfer of detainees. [REDACTED]

Document Number / Numéro du document: D-110-026

1 Redacted by AG

Receipt Date: 16-11-09

Receipt Date / Date reçue: 16-11-09



UNAMA

13. According to Richard Bennett, UNAMA's mandate includes monitoring detainees, and UNAMA does conduct some detainee monitoring. Bennett said that UNAMA will look into specific cases if requested, as well as visit jails and report on prison conditions. UNAMA's emphasis however is on supporting AIHRC and, over the medium term, helping build their

capacity to take on this role.

14. We asked Bennett whether UNAMA could, in whole or part, monitor detainees transferred by Cdn forces. He said that capacity is an issue. There is only one international human rights officer, [REDACTED] in Kandahar; the UN's security division will not increase the staff ceiling. [Comment: For an assessment of UNAMA security consideration, pls see refel.] Bennett was unsure as to whether [REDACTED] currently even visits NDS facilities. In Kabul, the operational Human Rights Office staff -- as opposed to the UNAMA Human Rights office staff -- numbers only three, so here too there may be resource issues, said Bennett.

15. Bennett said he would however make enquiries as to whether UNAMA could possibly take on such a role. The next day, on 27 April, he emailed us to inform us that, "After consideration, I do not think UNAMA will be in a position to systematically monitor detainees transferred to Afghan authorities by Canadian forces. We may be able to follow up on individual cases should you have cause for concern, provided we have access to the relevant place of detention. I agree that it may be advisable for the Canadian government to deploy its own monitors in Afghanistan."

16. [REDACTED]
[REDACTED]

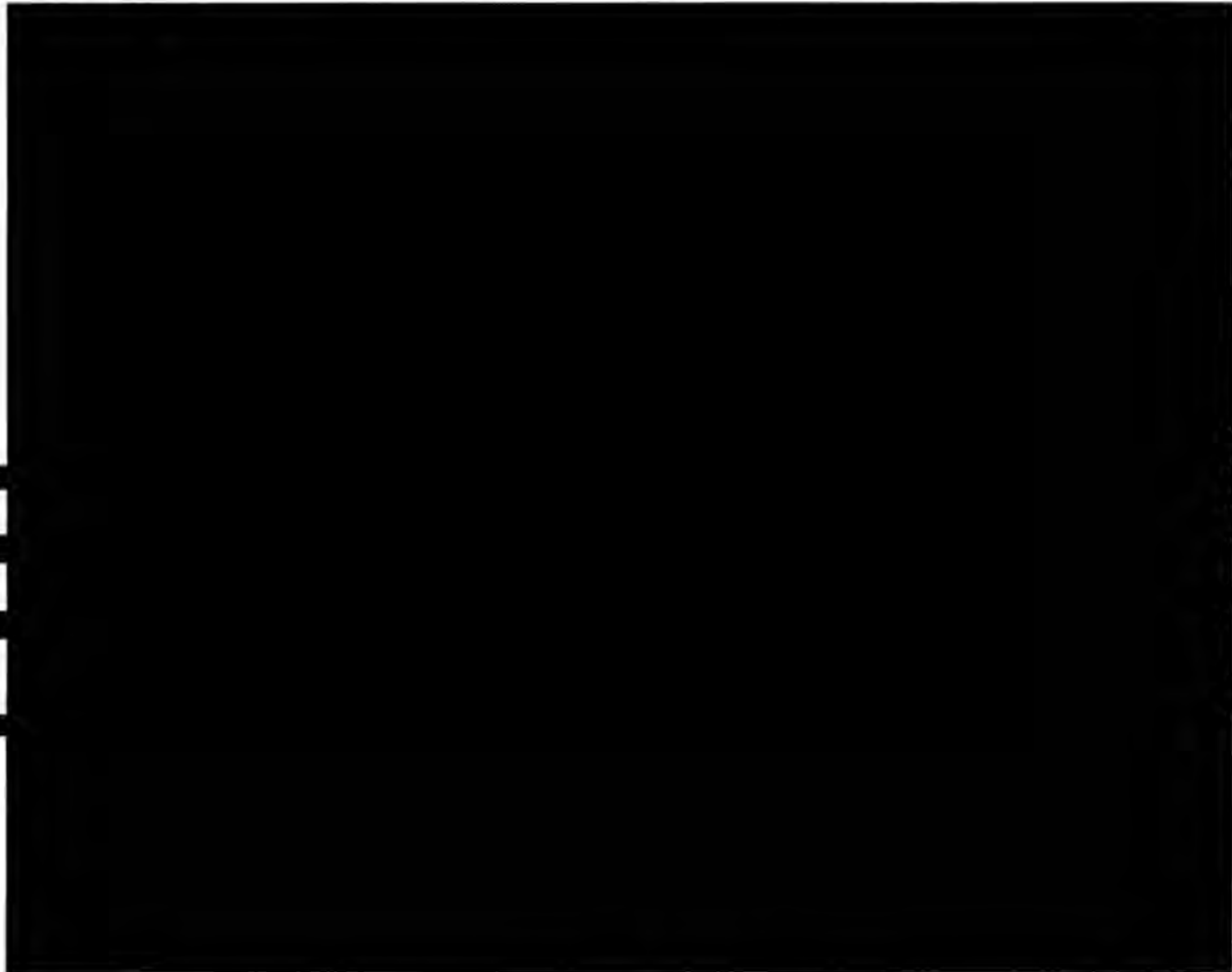
17. [REDACTED] He asked about Canada's policy in that regard. As there is no declared war, detainees are not technically prisoners of war; should insurgents in our view be put through the Afghan criminal justice system? We said we did not know but would make enquiries and get back to him.

Drafted: Bloodworth, Colvin
Approved: Lalani

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: April 30, 2007 9:10 AM
To: PROUDFOOT Douglas Scott -FTAG -C4
Cc: MULRONEY David -DMA -C4; BUCK Kerry -FTAG -C4; SINCLAIR Jill -PCO/BCP -C4R; ANDERSON Cory -FTAG -C4; LAPORTE Eric -IDR -C4; EXTOTT -IFM -C4; KANDH -C4R; SWORDS Colleen -IFM -C4
Subject: KBGR0269 - ██████████ SOPs for handing over detainees

CONFIDENTIAL



Drafted: Colvin
Consulted: Bloodworth
Approved: Lalani

Document Number / Numéro du document: D-110-027 Redacted by AG

Receipt Date / Date reçue: 16-11-09 Receipt Date: 16-11-09

-----Original Message-----

From: KANDH -C4R
Sent: April 29, 2007 2:12 PM
To: KABUL -GR -C4R
Cc: MULRONEY David -DMA -C4; BUCK Kerry -FTAG -C4; SINCLAIR Jill -PCO/BCP -C4R; ANDERSON Cory -FTAG -C4; LAPORTE

Subject: Eric -IDR -C4; EXTOTT -IFM -C4; SWORDS Colleen -IFM -C4
RE: █████ SOPs for handing over detainees

Richard,

We have a case of mistaken identity-- I suppose that's what we get for posting two people with British accents to adjacent missions...

Can you provide IFM with a written copy of the █████ SOPs that you read out last night?

Cheers,
Gavin

-----Original Message-----

From: SWORDS Colleen -IFM -C4

Sent: April 29, 2007 10:28 PM

To: KANDH -C4R

Cc: MULRONEY David -DMA -C4; BUCK Kerry -FTAG -C4; Privy Council Office / Foreign & Defence Policy -C4R; SINCLAIR Jill - PCO/BCP -C4R; ANDERSON Cory -FTAG -C4; LAPORTE Eric -IDR -C4; EXTOTT -IFM -C4

Subject: █████ SOPs for handing over detainees

CONFIDENTIAL

Gavin,

Grateful if you could put in writing what the █████ Standard Operating Procedures are for the handing over of detainees to Afghan authorities, as you mentioned in yesterday's conference call (28 April). Please provide this to Ottawa as soon as possible.

Many thanks,
Colleen

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: May 3, 2007 1:50 PM
To: LAPORTE Eric -IDR -C4; ANDERSON Cory -FTAG -C4
Cc: EXTOTT -IRC -C4; EXTOTT -IRP -C4; EXTOTT -FTAG -C4; BUCK Kerry -FTAG -C4; EXTOTT -DMA -C4; KABUL -DA -C4R; -HAGUE -C4R; GOLBERG Elissa -IRH-GHA -C4; NOLKE Sabine -JLH -C4; CIDA -Afghanistan -C4R; KANDH -C4R; KANDH -KAF -C4R; PINNINGTON Phil -BNATO -GR -C4; BURGESS Anne E -BNATO -GR -C4; COOTER Chris -BNATO -GR -C4; O'SHEA Kevin W -SXTC -C4; HOFFMANN Ron -LDN -GR -C4; -HAGUE -C4R; PROUDFOOT Douglas Scott -FTAG -C4; EXTOTT -IDR -C4
Subject: KBGR0271 -- Afghan detainees: Options/ ideas for building capacity

SECRET

Pls forward to other addressees as appropriate

Ref: KBGR0160 of 4 December, 2006 on detainees

1. As requested by FTAG, please find below very preliminary ideas for possible ways to build capacity in the areas of investigations, detainees, corrections, and related justice- and security-sector reform activities. Please note that this should be considered a menu of options rather than a set of recommendations. It is broken into six sections: assistance to the "supply side" (GoA), "demand side" (society/ civil society) and "third-party actors" (organizations with an active role, e.g. ICRC and AIHRC), followed by three specific proposals put forward by [REDACTED] colleagues.

2. This paper is based on discussions with [REDACTED]

[REDACTED] There was also extensive input from Stephen Wallace, CIDA Vice-President for Afghanistan.

3. The menu of options follows:

i) Assistance to the "supply side" -- Government of Afghanistan actors who provide justice/ detainee 'services,' e.g. NDS, corrections/ prisons, courts, prosecutors

- **assistance to partner GoA institutions;** more work is needed to identify vulnerabilities and deficiencies, e.g. in the transfer system for detainees; to accelerate the process, our assessments could be aided by input from other actors, e.g. [REDACTED]

- assistance could be provided through:

- a local capacity-building fund, possibly underwritten by GPSF
- technical cooperation through RCMP, SolGen or CSC, in Kabul and/ or Kandahar
- coordination/ cooperation with appropriate UN agencies

ii) Assistance to the "demand side" -- society, which wants protection and accountability in the justice/ detainee sector -- the advocacy/ watchdog/ engagement function

- **build capacity of local NGOs or other civil-society groups,** e.g. a human rights caucus in parliament

- one mechanism for funding could be the Canada Fund for Local Initiatives, managed by the Project Support Unit in Kabul (although these could only be small projects, given CFLI's expenditure limits)

iii) Assistance to third-party players, i.e. organizations with active responsibilities in the justice/ detainee sector -- the oversight function

Document Number / Numéro du document: D-110-028

Receipt Date / Date reçue: 16-11-09

1

Mediated by: AC

Receipt Date: 16-11-09

- **capacity building for AIHRC** in one, two or all three of the following areas:

- although its financing seems secure, we could provide additional financial assistance to support AIHRC's eight principal business lines, e.g. management controls and finance
- a Kandahar-specific component, i.e. support for the AIHRC's regional office
- technical cooperation to expand and professionalize AIHRC's monitoring/ investigations functions

- Canada could establish "mentoring and liaison teams," either through

- Canadem or Rights & Democracy (for general detainee pool) or
- GoC officials (if Cdn detainees)

- **ongoing support for ICRC**

iv) *Creation of an NDS database (UK proposal)*

- UK has proposed setting up a **collective database of detainees across NDS facilities** [REDACTED]

- The UK this past week asked us if Canada would be interested in participating. [REDACTED]

v) *Establishment of a joint ISAF facility* [REDACTED]





4. Comment: At this point, we wished only to map out a range of proposals and ideas for building capacity in the detentions and related sectors. If any of these ideas are of particular interest, we would be happy to provide further detail, as well as our own assessment.

5. We'd also be grateful for any input from the PRT and KAF. Due to time constraints, regret this msg was not consulted with them.

Drafted: Colvin
Consulted: Bloodworth, Youdell
Approved: Lalani

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: May 3, 2007 2:57 PM
To: LAPORTE Eric -IDR -C4
Cc: MULRONEY David -DMA -C4; SWORDS Colleen -IFM -C4; BUCK Kerry -FTAG -C4; BECK Stefanie -IDR -C4; POUPART Isabelle -IDR -C4; McRAE Robert -IDD -C4; GOLBERG Elissa -IRH-GHA -C4; NOLKE Sabine -JLH -C4; PROUDFOOT Douglas Scott -FTAG -C4; ANDERSON Cory -FTAG -C4; SINCLAIR Jill -PCO/BCP -C4R; ALEXANDER Vera -OGD -PCO/BCP -C4R; LAROCQUE Carl -XDC -C4; KANDH -C4R; KANDH -KAF -C4R; KABUL -HOM -C4R
Subject: KABUL comments/ suggestions on draft SOPs
Importance: High

SECRET CEO (with attachment)

Thank you for the opportunity to comment on the draft SOPs. Pls find attached KABUL's comments/ suggestions.

Suggested additions are in green and underlined. Commentary is [*italicized and in square brackets.*] Suggested deletions are via ~~strikeout~~.

Consulted: Lalani
Released: Colvin



detainees.wpd

Document Number / Numéro du document: D-110-029

Receipt Date / Date reçue: 16-11-09

Redacted by AG

Receipt Date: 16-11-09

STANDARD OPERATING PROCEDURES
ENHANCED MONITORING FOR DETAINEES TRANSFERRED BY THE CANADIAN FORCES IN
AFGHANISTAN

DRAFT

INTRODUCTION

The Standard Operating Procedures (SOPs) articulated in this document are intended to provide guidance on the conduct of [REDACTED] follow-up activities by the Government of Canada with respect to detainees transferred by the Canadian Forces in Afghanistan pursuant to the 2005 Arrangement concluded between Canada and Afghanistan and the supplement to that arrangement concluded in May 2007. These should be viewed as part of an iterative process which can be adjusted to respond to new requirements as required.

One of Canada's roles in Afghanistan is to assist the democratically elected Government of Afghanistan to build indigenous justice and security sector capabilities [REDACTED]. For this reason, Canadian [REDACTED] follow-up activities are meant to complement existing and future Afghan capabilities to monitor the conditions of detention of individuals transferred by Canadian [REDACTED] forces. This includes recognition of and a desire to support the Afghan Independent Human Rights Commission's (AIHRC) constitutional role to conduct national human rights monitoring and to investigate human rights violations.

CANADIAN ROLES AND RESPONSIBILITIES

The Department of Foreign Affairs and International Trade (DFAIT), in consultation with partner departments including the Correctional Service of Canada (CSC), the Royal Canadian Mounted Police (RCMP), the Department of National Defence (DND), the Canadian International Development Agency (CIDA) and others as required, leads in the implementation of these SOPs. This remains, however, a whole of government effort and will require continued contributions and expertise from a variety of Canadian departments. The following lists the primary roles and responsibilities of selected authorities or department/agencies:

- DMA oversees on behalf of MINA the Government of Canada's [REDACTED] follow-up activities [REDACTED] detainees [REDACTED] by the Canadian Forces to Afghan authorities. [REDACTED]
- The Canadian Embassy in Kabul and the Canadian Ambassador has a central role in the coordination [REDACTED] Canadian monitoring activities and follow-up requirements, with the assistance of [REDACTED] other relevant Canadian actors. [REDACTED]
- DFAIT personnel at Kandahar Airfield and the Provincial Reconstruction Team (PRT) [REDACTED]

[REDACTED]

DFAIT staff in the field notify ICRC and AIHRC once detainees are to be transferred to GoA custody.

- DFAIT HQ (FTAG/IDR/IRH-GHA) provides policy advice/guidance [REDACTED]
[REDACTED] GENEV acts as a focal point to provide notifications of transfers to ICRC HQ.
- CSC, the RCMP, CIDA and CSIS [REDACTED]
[REDACTED] provides technical expertise in support of DFAIT lead responsibility as required.

- [REDACTED]

SPECIFIC PROCEDURES TO FOLLOW

The following provides specific procedures to follow with respect to the notification of a capture and the tracking of the subsequent transfer, release or status determination of a detainee captured by the Canadian Forces.

[REDACTED]



Step 3 Notification by Afghan Authorities of Status Change of Detainee

- Afghan authorities notify the DFAIT POLAD² at KAF or KABUL of the status change of a particular detainee or detainees (e.g. release, transfer to another facility, initiation of court proceedings, other). DFAIT POLAD or KABUL updates the detainee database/spreadsheet accordingly. [REDACTED]

Step 3a Request for Third Party Transfer by Afghan Authorities

- Requests for third party transfer should be forwarded to KABUL HOM, IFM and DMA for consideration [REDACTED]

[REDACTED] DETAINEES TRANSFERRED BY THE CANADIAN FORCES

[REDACTED] to facilities which hold detainees transferred by the Canadian Forces [REDACTED] be conducted [REDACTED]

[REDACTED] visits [REDACTED] complement on-going capacity-building activities conducted by the Correctional Service of Canada [REDACTED]



[REDACTED]

REPORTING

Following each [REDACTED] visit, a detailed report will be prepared [REDACTED].
Using a standardized reporting format [REDACTED].

Reporting from other sources, including [REDACTED] AIHRC and UNAMA, pertaining to the state of Afghan detention facilities or the treatment of detainees should be forwarded to KABUL/DFAIT HQ (IRH-GHA/IDR/FTAG/IFM/DMA).

FOLLOW-UP ACTION

[REDACTED] KABUL, as part of its regular engagement with Afghan authorities, will provide continued reminders [REDACTED] to Afghan authorities at all levels regarding Canadian expectations as to their treatment of detainees transferred by the Canadian Forces. KABUL will also advise appropriate Afghan authorities of the conduct and results of [REDACTED] conducted by Canadian personnel.

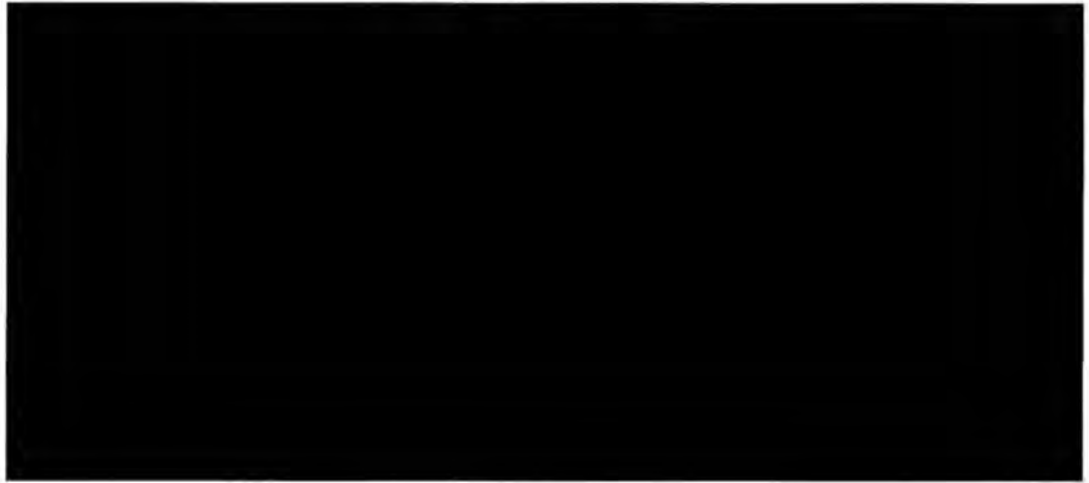
[REDACTED] In the event that Canadian personnel are made aware of allegations or evidence of abuse/mistreatment of a detainee or detainees transferred by the Canadian Forces, DFAIT will enact the diplomatic contingency plan found at ANNEX B. [REDACTED]

[REDACTED] Canadian personnel are made aware of allegations or evidence of abuse/mistreatment of a detainee or detainees transferred by an Ally or ISAF partner, DFAIT would inform the Ally or ISAF partner (if known) and notify Afghan authorities, the AIHRC and the ICRC.

Follow-up activities could also include support for capacity-building requirements (e.g. training, technical assistance, infrastructure upgrades etc...).

[REDACTED]

SECRET CEO
2007.05.02



KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: May 4, 2007 8:07 AM
To: LAPORTE Eric -IDR -C4
Cc: PROUDFOOT Douglas Scott -FTAG -C4; NOLKE Sabine -JLH -C4; GOLBERG Elissa -IRH-GHA -C4; SINCLAIR Robert -GHH -C4; GOLBERG Elissa -IRH-GHA -C4; ANDERSON Cory -FTAG -C4; BUCK Kerry -FTAG -C4; KABUL -GR -C4R; KABUL -HOM -C4R; KANDH -C4R; KANDH -KAF -C4R; GIBBINS Christopher -FTAG -C4; McRAE Robert -IDD -C4; BECK Stefanie -IDR -C4; POUPART Isabelle -IDR -C4; EXTOTT -IDR -C4; SWORDS Colleen -IFM -C4; MULRONEY David -DMA -C4; SINCLAIR Jill -PCO/BCP -C4R; ALEXANDER Vera -OGD -PCO/BCP -C4R
Subject: Part two of KABUL comments/ suggestions on draft SOPs

SECRET -CEO

Many thanks for incorporating the bulk of our proposed changes, and for the very good current version.

2. However, wld like to note that the Ambassador remains strongly of the view that i) initial notification should be by Canadian Forces, and ii) notification to ICRC and AIHRC should be sent as soon as an Afghan is detained by CF, not only in connection with his transfer to GoA custody. This would serve two important purposes:

- It would underline DND ownership of detention. DFAIT would assume responsibility for follow-up once a detainee is transferred to GoA.
- It would give ICRC and AIHRC the opportunity to monitor Canadian, not just GoA, detention facilities. This would enhance transparency and confirm that Afghans in GoC custody are well treated. Establishing the same oversight standards for both Cdn and Afghan facilities would also strengthen our moral claim to insisting on potentially intrusive follow-up.

3. In that regard, four additional thoughts: i) during our visit to KAF in March, the warden of the KAF detention facility told us that, for information-gathering purposes, detainees in most cases are held for close to the full 96 hours; ii) in some cases, e.g. when a detainee is seriously injured, CF have held Afghans for several weeks, sometimes ending in their release rather than transfer to GoA; iii) speedy notification would conform with [REDACTED] standard; iv) [REDACTED] The only exception is if ISAF forces in the field detain someone for just a few hours and then let them go.

4. Thank you again for the opportunity to comment. We have sent separately our proposals for minor modifications to version two of the SOPs.

Consulted: Lalani
Released: Colvin

Document Number / Numéro du document: D-110-030

Receipt Date / Date reçue: 16-11-09

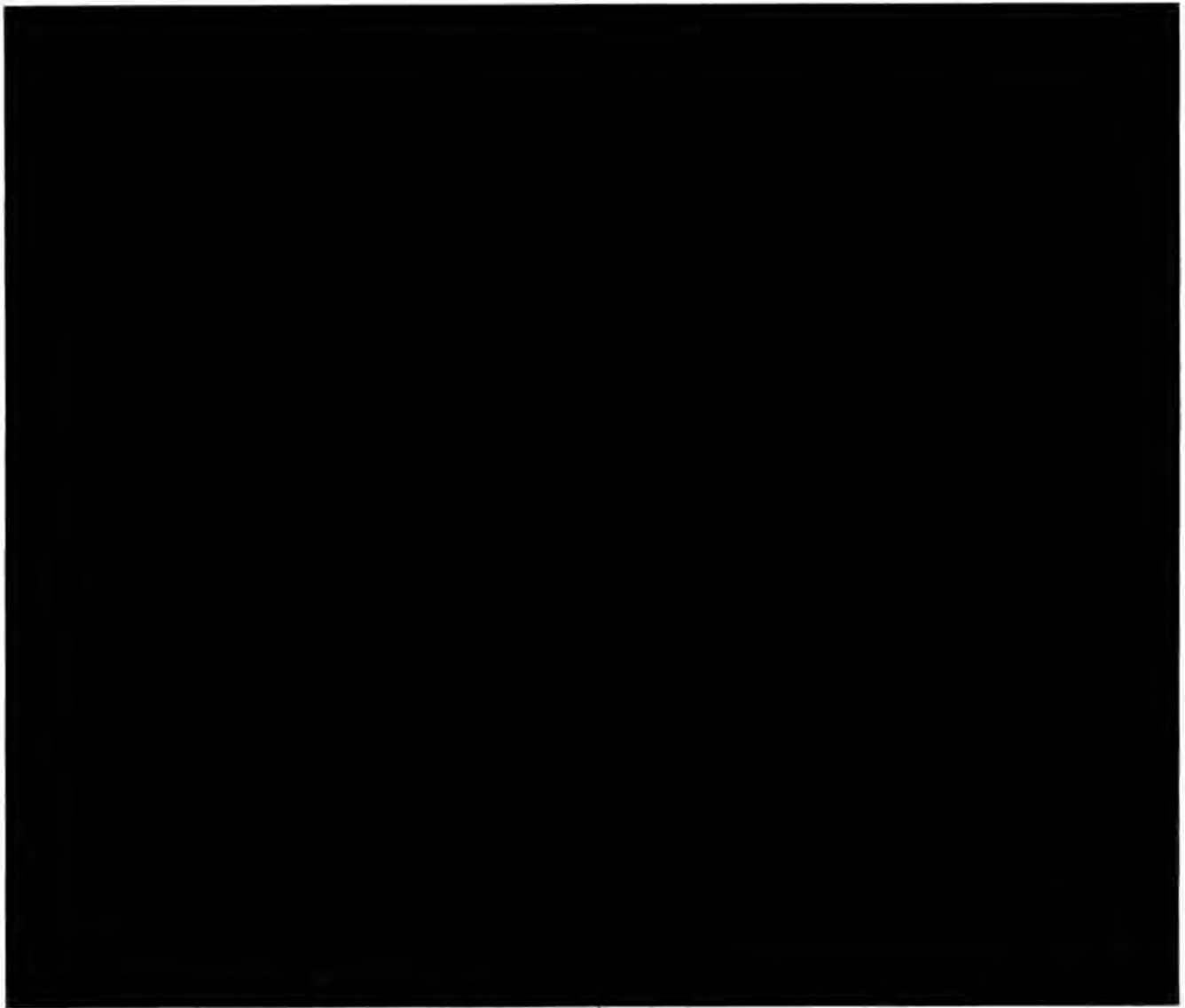
Redacted by AG

Receipt Date: 16-11-09

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: May 7, 2007 1:51 PM
To: PROUDFOOT Douglas Scott -FTAG -C4; LAPORTE Eric -IDR -C4
Cc: BUCK Kerry -FTAG -C4; FAIRCHILD David -FTAG -IRP -C4; GOLBERG Elissa -IRH-GHA -C4; EXTOTT -DMA -C4; KANDH -C4R; KANDH -KAF -C4R; GIBBINS Christopher -FTAG -C4; AHMAD Nadia -FTAG -C4; EXTOTT -FTAG -C4; EXTOTT -IRP -C4; KAPELLAS Anna -LDN -GR -C4; HOFFMANN Ron -LDN -GR -C4; -HAGUE -C4R; ALEXANDER Vera -OGD -PCO/BCP -C4R; SINCLAIR Jill -PCO/BCP -C4R; SINCLAIR Robert -GHH -C4; NOLKE Sabine -JLH -C4; NDHQ OTT ADM (POL) -C4; NDHQ OTT D NATO POL -C4; NDHQ +CEFCOM HQ -C4R; EXTOTT -IRH -GHA -C4; EXTOTT -IDR -C4; KABUL -HOM -C4R; EXTOTT -IDD -C4; EXTOTT -IFM -C4; KABUL -GR -C4R; DIGANGI John -ISI -C4; PINNINGTON Phil -BNATO -GR -C4; BURGESS Anne E -BNATO -GR -C4; COOTER Chris -BNATO -GR -C4
Subject: KBGR0275 -- Afghan detainees: Request by AIHRC, and UK proposal

CONFIDENTIAL




Document Number / Numéro du document: D-110-031

2009 11 14 Receipt Date / Date reçue: 16-11-09

72 Redacted by AC

Receipt Date: 16-11-09



13. **'Tripartite' proposal.** In order to assist with access, Samar said the AIHRC would like to enter into a "tripartite" arrangement between the GoA, interested ISAF nations and itself. This arrangement -- AIHRC suggested a MoU -- would confirm AIHRC officials' right of access. This right, said Nadery, stems from two legal rights: i) Afghan law establishing the AIHRC (Zellenrath said the Dutch consider this law supersedes the 1978 NDS law, which is secret) and ii) the existing MoUs between the ISAF nations and the GoA. Zellenrath wondered whether an exchange of letters, or a 'clarification/interpretation,' would work as an alternative to an MoU, 





20. **Follow-up meeting with AIHRC.** Yesterday afternoon, HOM/ Lalani, along with ADM Pol/ Rigby and MGen Ward, met separately with AIHRC. At that meeting, HOM assured Dr. Samar that we would test our new arrangement -- and AIHRC access to NDS facilities in Kandahar -- as soon as possible.

21. Recommendations:

- i) It is in Cdn interests to work for improved AIHRC access.
- ii) In cooperation (and good company) with UK, their proposal in our view makes sense. However, we should put some money behind our political support.
- iii) We should give a positive response to the UK but also move forward to test monitoring access in Kandahar with the current arrangement as soon as possible.

Drafted: Bloodworth, Colvin
Approved: Lalani

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: May 7, 2007 12:42 PM
To: PROUDFOOT Douglas Scott -FTAG -C4
Cc: BUCK Kerry -FTAG -C4; FAIRCHILD David -FTAG -IRP -C4; GOLBERG Elissa -IRH-GHA -C4; EXTOTT -DMA -C4; KANDH -C4R; KANDH -KAF -C4R; GIBBINS Christopher -FTAG -C4; AHMAD Nadia -FTAG -C4; ALEXANDER Vera -OGD -PCO/BCP -C4R; KABUL -HOM -C4R; KABUL -GR -C4R; CHRISTOFF James -FTAG -C4
Subject: KBGR0274 - [REDACTED]

SECRET -CEO

Graeme Smith, Afghanistan correspondent of the *Globe and Mail*, has told us that, in the course of his recent investigation on detainees, he interviewed a number of detainees who said [REDACTED]. Smith said that he will wait for a suitable opportunity to publish, but will do so "within a few months."

2. Smith said that, [REDACTED] this issue directly relates to Canada's engagement in the south and therefore in his view raises serious public-policy issues.

3. As has already been reported, [REDACTED]

4. [REDACTED]

5. [REDACTED]

6. [REDACTED] and in that regard hope to have a discussion with Grant and others at KAF and PRI.

Drafted: Colvin
Approved: Lalani

Document Number / Numéro du document: D-110-032

Receipt Date / Date reçue: 16-11-09

Redacted by [REDACTED]

Receipt Date: 16-11-09

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: June 6, 2007 11:27 AM
To: BUCK Kerry -FTAG -DFD -C4
Cc: MULRONEY David -DMA -C4; SWORDS Colleen -IFM -C4; LAPORTE Eric -IDR -C4; KABUL -HOM -C4R; KANDH -C4R; NDHQ +CEFCOM J9 -C4R; NDHQ OTT ADM (POL) -C4; SINCLAIR Jill -PCO/BCP -C4R; Public Safety -C4R
Subject: KBGR0291 -- Visit to NDS detention facility in Kabul

SECRET -CEO

KANDH - KAF: Please pass to General Grant
NDHQ OTT ADM (POL): For Vincent Rigby. Also please pass to JAG.
PSEPC: Pls pass to Suzanne Hurtubise

Summary

1. On 5-6 June, the Canadian embassy conducted a visit to Sederat, the central NDS detention facility in Kabul city, with the goal of interviewing the four Kandahar detainees that are believed to be detained in Kabul.
2. It proved hard to locate all four detainees. Although the NDS made available four detainees from Kandahar, some of the names or ages did not correspond with the limited and sometimes confusing information provided in the documentation. Better files, including photos, should be provided in advance of monitoring efforts.
3. Of the four detainees we interviewed, [REDACTED] said they had been whipped with cables, shocked with electricity and/ or otherwise "hurt" while in NDS custody in Kandahar. This period of alleged abuse lasted from between two and seven days, and was carried out in [REDACTED] and [REDACTED] detainees still had visible scars on his body. [REDACTED] seemed traumatized. This alleged abuse would have occurred before the new arrangement between the governments of Canada and Afghanistan was signed. (The [REDACTED] detainee terminated the interview before the possibility of mistreatment could be discussed.)
4. The detainees all complained about a lack of clarity in their cases. They said they did not know why they are being held, nor did any seem to have been charged.
5. We were generally pleased with the openness shown by NDS interlocutors. They provided us with quick access to detainees on two consecutive days, and readily agreed not to be present during the interviews. However, they said they needed permission from the NDS general director before they could allow us physical access to the facilities.
6. NDS detainees in Kabul are held in one of three facilities: the Sederat; a spillover facility beside the Sederat; and Pol-i-Charki.
7. Detainees said they preferred the conditions in [REDACTED] as they had more access to outdoors. They described sub-par conditions in the Sederat -- food is poor; cells are small and overcrowded; detainees are allowed outside once per week for 30 to 60 minutes; washing facilities are dirty; and, in at least some cases, visitors are not allowed access. However, none alleged mistreatment while in Kabul, nor did the detainees give the impression of reticence or fear regarding their current jailers. On the contrary, the atmosphere seemed surprisingly relaxed. [REDACTED]

Document Number / Numéro du document: D-110-033

Receipt Date / Date reçue: 16-11-09

Redacted by: AI

Receipt Date: 16-11-09

Report

8. **Overview.** On 5 and 6 June, KABUL/ Colvin (Political Counsellor) and Bloodworth (Second Secretary/ Political) conducted an initial visit to the Sederat compound, the primary NDS detention facility in Kabul. For the 5 June portion, Colvin and Bloodworth were accompanied by MCO Szwarc, who has received human rights training. Szwarc did not accompany on 6 June. On both days, del was assisted by a Pashto-speaking LES.

9. On 5 June, del spent three hours (1400-1700) at the NDS facility. During this time, we met NDS [REDACTED]

We also talked at some length with [REDACTED] as well as [REDACTED]. We then met separately with three detainees. No NDS officials were present during these interviews. The third interview had to be curtailed because the facility was closing but was resumed the following day.

10. The June 6 portion lasted from 1000 until 1215. We completed the interview with the third interviewee from June 5, and interviewed a fourth detainee. We met with the warden of the NDS prison, Ayetla, as well as the doctor in charge of the prison clinic.

11. Each interview lasted between 15 minutes and 60 minutes. NDS officials readily agreed to absent themselves during the interviews. None of the detainees were shackled, nor were there indications of recent shackling. Atmosphere overall was surprisingly relaxed. (While driving out of the compound on 5 June, we passed two of the interviewees as they returned to the prison. They were walking freely beside the guard, each holding the warden's hand.)

12. **Facility.** The NDS Sederat detention facility is on a large, sprawling compound in central Kabul, about 5 minutes' drive from the embassy (if the roads are clear). It is on the same street as, but separate from, the main NDS HQ compound. (A completely unrelated Afghan National Development Strategy compound, the Sederat Palace, separates the two NDS zones.) The NDS Sederat compound includes the National Security Court, which technically reports to the Attorney General's office rather than the NDS; office complexes; at least one detention building; and several other buildings whose purpose was unclear. The compound is walled and requires permission to enter.

13. **Modalities.** As this was our first visit, we alerted the NDS prior to our visit. For each of the two visits, we had to register at the main gate but were allowed in within five minutes. During our meeting with [REDACTED] and [REDACTED] we informed them that in future we would turn up unannounced. Both accepted that principle. We also provided [REDACTED] and [REDACTED] with a Dari-language copy of our detainee arrangement, which they had not yet seen. For future visits, they provided phone numbers of key contacts so that we would be allowed access when we turn up at the main gate.

14. With regard to detainee interviews, our NDS interlocutors were cooperative and even helpful. They speedily produced each detainee we asked to see, with the exception of one individual whose recorded name was peculiar (and possibly erroneous) and who they were unable to identify. Overall, our sense was that NDS interlocutors dealt with us in good faith and with the intention of meeting our requests.

15. However, we were not granted permission to tour the detention facilities themselves. Our interlocutors said that they did not have authority to do so and would need to receive explicit approval from NDS Director General Amrullah Saleh. When next we meet Saleh, we will ask him to issue such authorization. (We do not believe that NDS is deliberately concealing from us the state of the facility. [REDACTED])

16. **5 June visit.** The meetings and interviews took place in what seemed to be [REDACTED]

[REDACTED]

17. As the General was busy when we arrived, we were greeted by his main assistant [REDACTED]. We gave him the names of the four Canadian-transferred detainees that we know to be in Kabul, and asked to interview them. While those detainees were being located and brought to our meeting room, [REDACTED] gave us an overview of the procedures followed for each detainee, including transfer to Kabul and registration. They also showed us the registration room itself. The first detainee was brought into the room at around 1530, i.e. roughly an hour after we provided the names.

18 **6 June visit.** For this visit, we were led to what seems to be the detention facility itself. We met with the warden, and interviewed two detainees in his office. No NDS officials were present during those interviews. One of the individuals was [REDACTED] the third person from June 5. The second was new, [REDACTED]. We also briefly talked to a [REDACTED] detainee [REDACTED] who shared some of the name of one of our sought detainees, [REDACTED] (sic), but who turned out to be from [REDACTED] and too old to be our detainee. We therefore did not pursue the interview.

19 Apart from non-access to the detention facilities themselves, the main difficulty we faced was in correctly identifying "our" detainees [REDACTED] explained that they had no list of "Canadian" detainees. All they knew was that some detainees had been transferred by ISAF. Moreover, the information in our possession was quite limited. The names were written only in English, not Pashto. We had no photos or other descriptions of each detainees, only their age and the name of their village (not even the district) in [REDACTED]. Of the four, only in one case was the [REDACTED]. None of the [REDACTED]. In one case, the listed name [REDACTED] was very strange. This all resulted in confusion. The NDS seemed to do their best to identify "our" detainees but, in the result, we only have reasonable confidence that two of the four detainees we interviewed were in fact those detained by Canadian forces. The other two had some similarities to those we were seeking but in other respects the information did not correspond with that on our list. We interviewed them anyway. A [REDACTED] detainee, produced by NDS because his name was similar to that of [REDACTED] we declined to interview because his age was clearly wrong [REDACTED] rather than [REDACTED] and he said he is from [REDACTED].

20. Reports on [REDACTED] of the interviews follow:

- [REDACTED]
- NDS brought this individual to us instead of [REDACTED] as NDS said [REDACTED] was the [REDACTED]. However, this individual was clearly not anywhere close to [REDACTED] years old (actual age was probably [REDACTED] and he had been in detention for [REDACTED] rather than [REDACTED]. Unfortunately, we did not have the [REDACTED] for this detainee, nor the name of his [REDACTED]. Only information in the file was the name [REDACTED], age [REDACTED], place of birth [REDACTED], date and place of capture [REDACTED], and date of transfer [REDACTED]. This information was not sufficient to locate an individual.
 - Individual had no visible marks, although at the start of the meeting he was whispering to himself.
 - The individual appeared generally at ease talking with us and even smiled.
 - He said he had been taken approximately [REDACTED] ago and had been visited by the [REDACTED].
 - Individual did not wish to talk with us, saying he had been asked the same questions by others and the answers are all in his file. Meeting was therefore terminated after about [REDACTED] and we were not able to ask him about maltreatment.
- [REDACTED]


- This individual may be the person listed in our database but it is hard to be certain. He has the right name, is from [REDACTED] and has been in detention for the right length of time - about [REDACTED]. He said he was from the [REDACTED]. Our sought individual is from the village [REDACTED]. Main discrepancy is the age - [REDACTED] is listed in our database as [REDACTED] while this [REDACTED] said he is [REDACTED]. (Again, the info in the database is limited. It includes just the name [REDACTED], date and location of capture, date of transfer, sex, age and place of birth (village and province only. It does not provide the father's or grandfather's name.)
- Individual said that he had been held [REDACTED] the NDS facility for approximately [REDACTED].
- He said he had been sick [REDACTED] for approximately [REDACTED] while at [REDACTED] but when he had asked for [REDACTED] He has [REDACTED] since arriving at the NDS facility and receives [REDACTED]. He says that he got [REDACTED] when he got to Kabul because he keeps thinking about his family. His [REDACTED] is still not good.
- Individual says that at the NDS facility he lives in one room [REDACTED]. They sleep on mattresses on the floor. They are allowed out four times a day to pray and wash/ go to the washroom.
- He does get visits from his son-in-law on Fridays for about an hour.
- He is fed bread and tea for breakfast and rice and bread for lunch and supper. [Note: Other detainees talk of being fed potatoes rather than rice.]
- He complained of not having enough time for prayers and not being allowed to walk outside. He did not complain about the treatment at the Sedarat but did say that he preferred [REDACTED] because he got to walk around and interact with more people there. At the NDS facility he only gets 20 to 30 minutes a week to "see the sun."
- He has been visited by [REDACTED].
- Individual was quiet and careful, and sat with his hands clasped during the meeting. He was forthcoming but also seemed anxious, with some facial twitches.
- Individual sat with his toes curled under his feet. When he straightened his toes, it could be seen that the nails of the big toe and the one next to it, were a red/orange on the top of the nail (although the new growth underneath appeared fine).
- When we asked him about his treatment [REDACTED] rather than Kabul, he became quiet. He said that [REDACTED] he had been "hurt" and "had problems." However, he is "happy now." He did not elaborate on what happened [REDACTED].
- [REDACTED] seemed keen to please, very deferential, and expressed gratitude for our visit. General impression was that he was somewhat traumatized.

[REDACTED]

- On 5 June [REDACTED] was brought in place of [REDACTED] on 6 June it was established that there is an [REDACTED] se [REDACTED]. We conducted half of the interview on 5 June but had to stop because the facility was closing. We therefore completed it on 6 June. [REDACTED] is a [REDACTED] from [REDACTED].
- Individual appeared in dirty clothes although his finger nails were neatly trimmed.
- He said he was in [REDACTED] for [REDACTED]. He was then transferred to Kabul, where he has spent the past [REDACTED] and now at Sedarat.
- His said his health is very bad and that life is very bad
- He said his family doesn't know where he is and as a result no one comes to visit him.
- Individual says he doesn't sleep well because he thinks about his family. He is married and has a child.
- He said [REDACTED] is "very good for us" because they are allowed out to get out, walk and play.
- He said the rooms in [REDACTED] by contrast are [REDACTED]. The washing place is very dirty. [REDACTED]. At night, it is so tight that they cannot roll over.

- He said that, in Sedarat, they are fed only bread, potatoes and a watery soup. He and the people he shares a room with sometimes put money together and buy supplemental food.
- They are let outside only once a week for a total of between 30 and 60 minutes.
- He has never requested access to a doctor but that's because he's never sick
- When we asked him about his treatment in Kandahar, he said he had a "very bad time. They hit us with cables and wires." He said they also shocked him with electricity. He showed us a number of scars on his legs, which he said were caused by the beating.
- He said he was hit for [redacted] days while in NDS custody in [redacted]. [redacted] It was a "very dangerous place." He said he was not provided with any medicine.
- He said that he still has pain in his hands and fingers. This is from when his hands were shackled during his [redacted] detention [redacted]. He said the restraining device was too tight, and tightened by itself when he moved his hands. He said he was also blindfolded.
- He said that his treatment in Kabul has been "better" than [redacted]. The only specific problem he identified was being put in a dark room for a few hours at the time of one of his interrogations, when he was asked about Al-Qa'ida and the Taliban.

- [redacted]
- [redacted]
- This individual matched the information given in our database - age [redacted] length of detention and place of origin [redacted]. He said he is a [redacted].
- Individual appeared relaxed and even sometimes smiled. He willingly spoke with us.
- He said he has no health problems.
- He [redacted]
- He did say that he only ever got out to use the toilet. He is not allowed outside.
- He has been asked questions [redacted] about his detention but doesn't know why. He said he does not know whether Canadians or Americans detained him. He was working at his [redacted] when he was detained.
- His family has tried to visit him in Kabul but were not allowed. However, they have been able to deliver clothes and some food. He said that he prefers being held in [redacted] to Kabul because in [redacted] after [redacted] being held at NDS, his family was allowed to visit.
- He has been visited by [redacted] both in Kabul [redacted]
- He gets bread and tea for breakfast and potatoes for lunch and supper. They get water/tea only when they get out to pray.
- He was told that he was detained because he worked for [redacted]. Individual says he does not know any [redacted]. He said he had some [redacted] but said they were harmless. He said that, his whole life, he had never gone more than a few kilometres from [redacted]. He asked us, "If I am a serious Taliban, why didn't the Americans keep me?"
- He has not seen a lawyer or a judge and his documentation has not been prepared yet.
- He has been held [redacted] and [redacted] in Kabul.
- He said that, while being detained in [redacted] came and spoke with him once. He, and others, told the [redacted] that three fellow detainees had had their "fingers cut and burned with a lighter" while in NDS detention. [redacted]
- When we asked about his own treatment [redacted] he said that he was hit on his feet with a cable or "big wire" and forced to stand for two days, but "that's all." He showed us a mark on the back of his ankle, which he said was from the cable. [Note: There was a dark red mark on the back of his ankle.] He said it was the NDS who interrogated and held him.
- After two days of being beaten with the cable and made to stand, he was put in a [redacted]

- 
- He asked us to help him get his documents finalized and for his family to be allowed to visit. He also asked why he is still being detained - either he should be sent to jail or allowed to go home.

Drafted: Colvin, Bloodworth

Approved: Lalani

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: June 9, 2007 8:55 AM
To: BUCK Kerry -FTAG -DFD -C4
Cc: MULRONEY David -DMA -C4; SWORDS Colleen -IFM -C4; LAPORTE Eric -IDR -C4; KABUL -HOM -C4R; KANDH -C4R; NDHQ +CEFCOM J9 -C4R; NDHQ OTT ADM (POL) -C4; SINCLAIR Jill -PCO/BCP -C4R; Public Safety -C4R; ALEXANDER Vera -OGD -PCO/BCP -C4R; KANDH -KAF -C4R; NOLKE Sabine -JLH -C4; GOLBERG Elissa -IRH-GHA -C4; GIBBINS Christopher -FTAG -C4; ANDERSON Cory -FTAG -C4; DOBNER Gallit -FTAG -C4; SINCLAIR Robert -GHH -C4; KABUL -GR -C4R
Subject: KBGR0292 -- Detainees: [REDACTED]

CONFIDENTIAL -CEO

KAF: Pls pass to General Grant
NDHQ OTT ADM (POL): For Vincent Rigby, JAG
PSEPC: Pls pass to Suzanne Hurtubise

Summary:

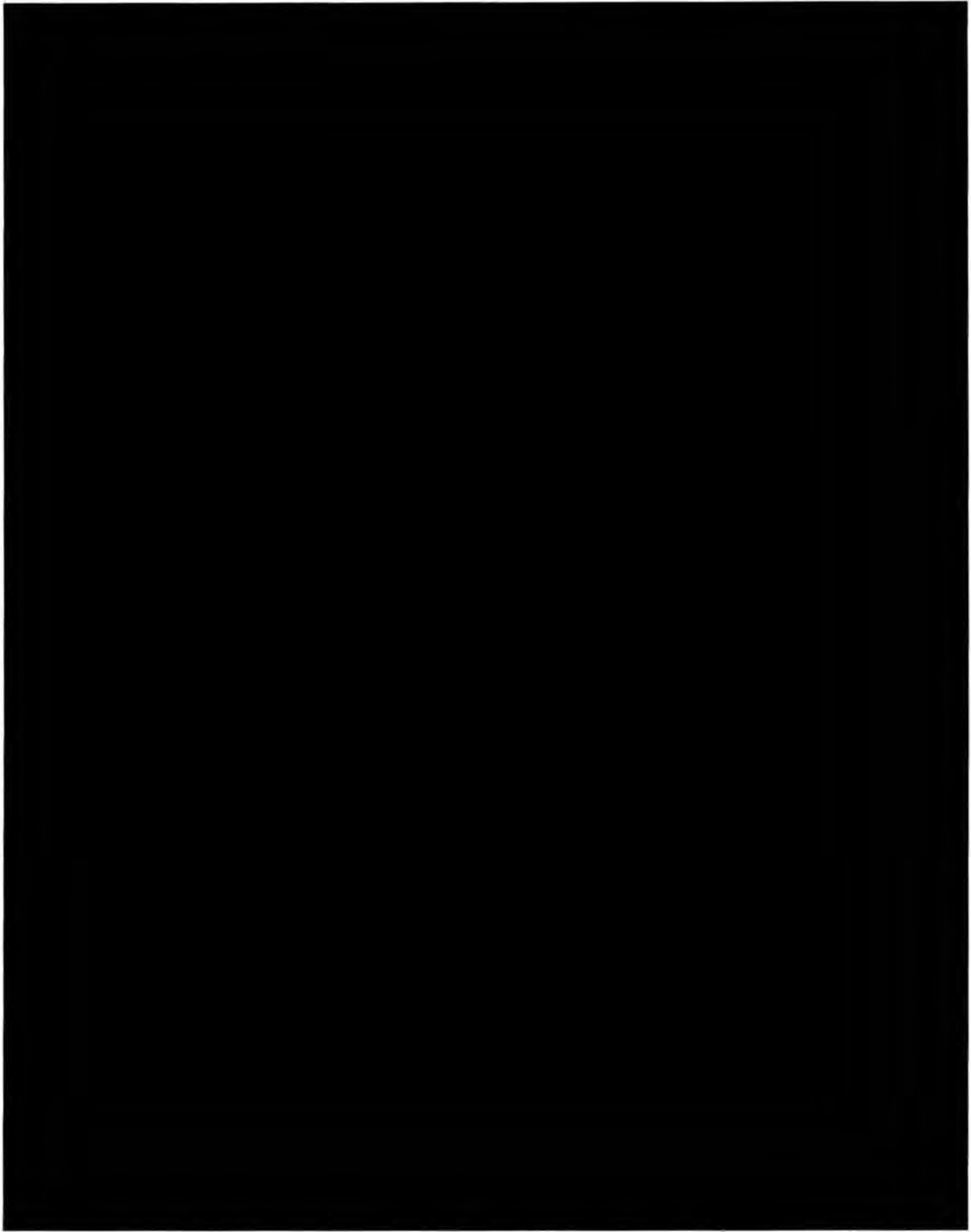
[REDACTED]


2. Report

[REDACTED]

Document Number / Numéro du document: D-110-034

2009 11 14 Receipt Date / Date reçue: 16-11-09





Drafted: Colvin
Approved: Lalani

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: June 21, 2007 7:17 AM
To: BUCK Kerry -FTAG -DFD -C4; LAPORTE Eric -IDR -C4; ANDERSON Cory -FTAG -C4
Cc: EXTOTT -DMA -C4; KANDH -C4R; KANDH -KAF -C4R; KABUL -HOM -C4R; KABUL -GR -C4R
Subject: KBGR0292 -- Meeting with NDS chief Saleh

SECRET -CEO

Pls pass to other addressees as appropriate


Report: HOM, Political Counsellor and SLO met on 16 June for an hour-long discussion with Amrullah Saleh. The NDS chief was accompanied by [REDACTED] Saleh provided assurances on monitoring, treatment and investigations.



8. **Follow-up.** On 18 June, the embassy visited the Department 17 facility (the Sederat). [REDACTED] met us, facilitated access to every part of the detention facility, and provided a tour of the overall Sederat compound. A more

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Rec'd Date / Date reçue: 16-11-09



detailed report will follow.

Drafted: Colvin
Approved: Lalani

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: June 26, 2007 9:34 AM
To: BUCK Kerry -FTAG -DFD -C4
Cc: EXTOTT -DMA -C4; PROUDFOOT Douglas Scott -FTAG -DFA -C4; EXTOTT -FTAG -C4; DIGANGI John -ISI -C4; KANDH -C4R; KANDH -KAF -C4R
Subject: KBGR0295 -- Senlis Council

SECRET -CEO

Over the past two months, we have been in regular contact with Senlis Council CEO Norine MacDonald regarding the closure by the Government of Afghanistan (GoA) of Senlis's offices in Afghanistan. Senlis is a European NGO, registered as The Network of European Foundations and funded by a Swiss philanthropist. However, MacDonald herself is Canadian (a lawyer from Vancouver) and maintains links with Canada, including a focus on the "Canadian" province of Kandahar and ongoing connections with the Canadian media and parliament. Senlis also recently opened an office in Ottawa.

2. Background.



Document Number / Numéro du document: D-110-036

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Redacted by AG

Receipt Date: 16-11-09

Detainees

KABUL -GR -C4R

From: KANDH -C4R
Sent: June 30, 2007 1:37 PM
To: KANDH -KAF -C4R
Cc: KABUL -GR -C4R
Subject: RE: A question on the transfer of Minors

SECRET CEO

Hi Kevin,

I don't know what the relevant Afghan legislation says, and our LEGAD is on leave, so that's one where KABUL is better placed to answer than we are.

That said, I'm fairly sure I know who you need to ask about the international humanitarian law/human rights angle-- if JLAH/Sabine Nolke doesn't handle it, she'll definitely know who does. For the Canadian policy decision I'm thinking IRH-GHA/Elissa Golberg, with a c.c. to GHH (and FTAG, of course).

My own two cents is that if we are clearly dealing with a minor, we should respect whatever Afghan law dictates in terms of institutions of detention. If that mean's transferring direct to Sarpoza and not to NDS, that's do-able-- logistically challenging, but not impossible. Mind you, you'll probably have trouble determining whether someone is a minor, as not many Afghans seem to carry a driver's license...

Cheers,
Gavin

-----Original Message-----

From: KANDH -KAF -C4R
Sent: June 29, 2007 6:44 PM
To: KABUL -GR -C4R; KANDH -C4R
Subject: A question on the transfer of Minors

SECRET CEO

Richard and Gavin,

As noted in Richard's e-mail below, in response to my query about to whom should we be transferring minors, the Commander has asked for a "ruling from DFAIT" on this one. This is obviously not my forté, so I just wanted to run this by you two, before I go firing off notes to Ottawa. To date, I believe that we simply transfer everyone to the NDS. I am not aware of any specific arrangements made for minors. I took a quick look through our SOPS and the MOU with the Afghan Gov't and did not see any reference to this point. If it is Afghan law then perhaps we simply rely on the NDS to turn them over to the MOJ. At what age is someone a minor here?

Would appreciate your collective wisdom, before I seek Ottawa's guidance on how the CF should handle the case of a minor.

Cheers,
Kevin

Document Number / Numéro du document: D-110-037

Receipt Date / Date reçue: 16-11-09

Redacted by AG

Receipt Date: 16-11-09

-----Original Message-----

From: KABUL -GR -C4R
Sent: June 29, 2007 4:29 AM
To: KANDH -KAF -C4R
Subject: RE: Follow-up RE: KBGR0294 -- Detainees: Site visit to Kabul NDS Detention Facility

SECRET CEO

Hi Kevin,

The four names were listed in our earlier monitoring report (on individuals, not the facility -- KBGR0291 of 6 June 07). However, at the time there was considerable confusion about their identities. Now we have the original files,

which lists their names as follows:

[REDACTED]

Incidentally, the [REDACTED] was called [REDACTED] so presumably targeted [REDACTED]

On minors, our understanding is that this is GoA law. We do not know if ISAF has a policy on this issue or not; will ask them next time we see them. I don't think Canada has ever specifically considered this question. It would be a good one to raise with HQ.

Cheers,
Richard

-----Original Message-----

From: KANDH -KAF -C4R
Sent: June 28, 2007 2:16 AM
To: KABUL -GR -C4R
Subject: Follow-up RE: KBGR0294 - Detainees: Site visit to Kabul NDS Detention Facility

SECRET CEO

Richard and/or Catherine,

A question, ref this report. I am sure were Martin here, he could answer these off of the top of his head, but alas, I'll have to call upon your kind services. Martin shared this report with the General, who had follow-up questions for the MPs here. They in turn have a few questions that I can not answer.

The four detainees that are in Kabul, are not listed by name in this report. I see that Martin sent you their details, but I do not have them, nor does the MP. Or, to be more precise, I am sure we do but do not know which four individuals we are specifically talking about. Can you send their names back to me?

Para 10 notes that minors would not be handed over to NDS but to MOJ. Is that a Cdn policy, an Afghan one, is that reflected somewhere in our SOPs? The question from General Grant is how the Forces are expected to handle that. Not sure that is has ever come up in the field, but best to be prepared I guess.

Thanks,

Kevin Rex
Development Advisor to the Commander
Joint Task Force-Afghanistan

Kandahar Airfield

-----Original Message-----

From: KABUL -GR -C4R
Sent: June 25, 2007 6:34 AM
To: BUCK Kerry -FTAG -DFD -C4
Cc: MULRONEY David -DMA -C4; SWORDS Colleen -IFM -C4; LAPORTE Eric -IDR -C4; KABUL -HOM -C4R; KABUL -GR -C4R; KANDH -C4R; KANDH -KAF -C4R; NDHQ +CEFCOM J9 -C4R; NDHQ OTT ADM (POL) -C4; SINCLAIR Jill -PCO/BCP -C4R; Public Safety -C4R
Subject: KBGR0294 - Detainees: Site visit to Kabul NDS Detention Facility

SECRET CEO

KANDH - KAF: Please pass to General Grant
NDHQ OTT ADM (POL): For Vincent Rigby. Also please pass to JAG.
PSEPC: Pls pass to Suzanne Hurtubise

1. On June 19, KABUL conducted a site visit to the Kabul NDS detention facility. Please see attached

report.

<< File: NDS Site Visit (June 19).wpd >>

2. As KABUL has now received documentation on the four Canadian-transferred detainees supposedly held in Kabul, and it appears as though we have only visited one out of the four, we intend to request a visit with the other three sometime this week.

Drafted: Bloodworth
Approved: Colvin

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: July 4, 2007 9:42 AM
To: LAPORTE Eric -IDR -C4; ANDERSON Cory -FTAG -C4; DOBNER Gallit -FTAG -C4
Cc: BUCK Kerry -FTAG -DFD -C4; PROUDFOOT Douglas Scott -FTAG -DFA -C4; GIBBINS Christopher -FTAG -C4; BORLÉ Cyril -FTAG -C4; NOLKE Sabine -JLH -C4; SWORDS Colleen -IFM -C4; KABUL -HOM -C4R; KABUL -GR -C4R; KANDH -C4R; KANDH -KAF -C4R; GOLBERG Elissa -IRH-GHA -C4; GILMOUR Wendy -FSDN -IRP -C4
Subject: KBGR0299 -- NDS facility in Kabul: Proposal for a Canadian renovation project

CONFIDENTIAL -CEO

During an earlier meeting with NDS Director General Saleh, and again during a recent tour of the NDS Sederat detention facility in Kabul, we were asked whether Canada would be interested in modernizing, rebuilding and expanding the prison. NDS officials, including Saleh, readily acknowledge that the facility is old, overcrowded and below standard, e.g. lacking any heating for winter, and with inadequate shower and exercise space. We believe that it probably dates to the 1970s and is based on Soviet or pre-Soviet standards.

2. During our tour, Saleh's [REDACTED] showed us some unused land at the back of the existing facility, which he said could be used for an expansion project. [REDACTED] also offered to share plans of the site.
3. During our interviews with prisoners, none complained of abuse at this facility. However, they all spoke of poor living conditions, which they compared unfavourably to Pol-i-Charkhi.
4. We would support such an investment as part of the package of international capacity-building being offered to NDS. Renovating/ expanding the facility would strengthen our relationship with this key Afghan partner, demonstrating that Canada is prepared to back up its concern about prisoner wellbeing with tangible, bricks-and-mortar improvements.
5. We do not know how much such a facility would cost – possibly two or three million dollars (this is a purely speculative figure).
6. Although an unorthodox project, we do not see any significant communications risks. Canada has already contributed funds to prison renovation as part of the UNODC wing for high-value drugs offenders at Pol-i-Charkhi. Reasonable journalists should understand that improving conditions for Afghan detainees in Kabul (not just those detained by Canada) is a worthwhile humanitarian endeavour, as well as evidence of Canada's seriousness to mitigating detainee issues and helping the NDS to reform.

Consulted: Naidoo
Drafted/ released: Colvin

Document Number / Numéro du document: D-110-038

Receipt Date / Date reçue: 16-11-09

Redacted by AG

Receipt Date: 16-11-09

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: July 17, 2007 2:45 AM
To: EXTOTT -FTAG -C4
Cc: ALEXANDER Vera -OGD -PCO/BCP -C4R; KANDH -KAF -C4R; KANDH -C4R; Privy Council Office / IAS -C4R; SINCLAIR Jill -PCO/BCP -C4R; EXTOTT -ISI -C4; EXTOTT -ISIW -C4; BUCK Kerry -FTAG -DFD -C4; ISBAD -GSRP -C4; -TERAN -GSRP -C4R; DELHI -GR/PA -C4; KABUL -KAF -HOM -C4R; EXTOTT -DMA -C4; PINNINGTON Phil -BNATO -GR -C4; COOTER Chris -BNATO -GR -C4; BURGESS Anne E -BNATO -GR -C4; KAPELLAS Anna -LDN -GR -C4; NETLEY Rebecca -WSHDC -GR -C4; DOBNER Gallit -FTAG -C4; ANDERSON Cory -FTAG -C4; FAIRCHILD David -FTAG -IRP -C4; NDHQ +CEFCOM HQ -C4R; NDHQ +CEFCOM J2 -C4R; NDHQ OTT ADM (POL) -C4; NDHQ OTT D NATO POL -C4; KABUL -KAF -DR -C4R; KABUL -KAF -HOM -C4R; GIBBINS Christopher -FTAG -C4; HOFFMANN Ron -LDN -GR -C4; MOSCO -GSRP -C4; ISBAD -GR -C4; GLAUSER Mark -WSHDC -GR -C4; MARTIN Isabelle -LDN -GR -C4; DIGANGI John -ISI -C4; KABUL -GR -C4R
Subject: KBGR0302 -- DSRSG Alexander on regional actors, Asadullah and Zarar, and the counter-insurgency

SECRET -CEO

Summary: We met recently with UN deputy special representative Chris Alexander to discuss a range of current issues. On Kandahar, [REDACTED]

2. **Report:** On July 12 and 13, Counsellor/ political and SLO met with UN Deputy Special Representative of the Secretary General (Political) Chris Alexander, a former Cdn ambassador to Afghanistan, to discuss a range of recent issues.

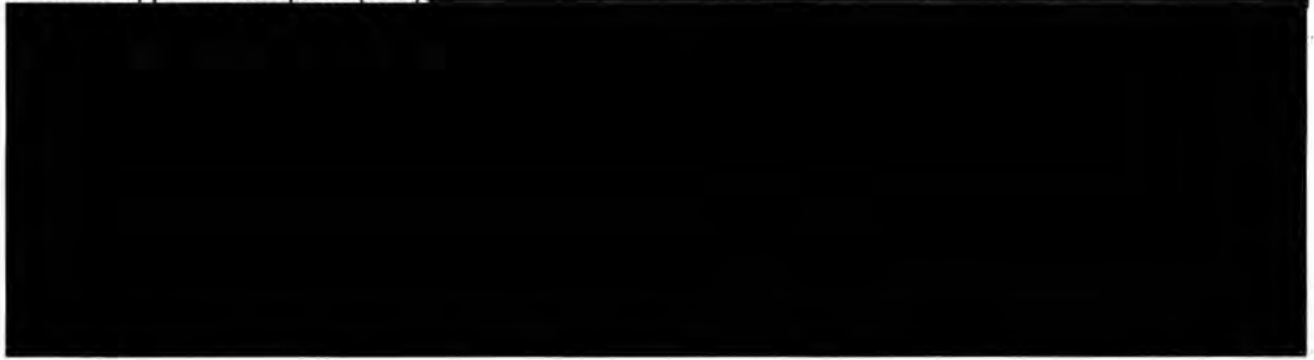
Personnel issues/ appointments

3. **Governor of Kandahar Asadullah Khalid.** [REDACTED]

4. **Interior Minister.** [REDACTED]

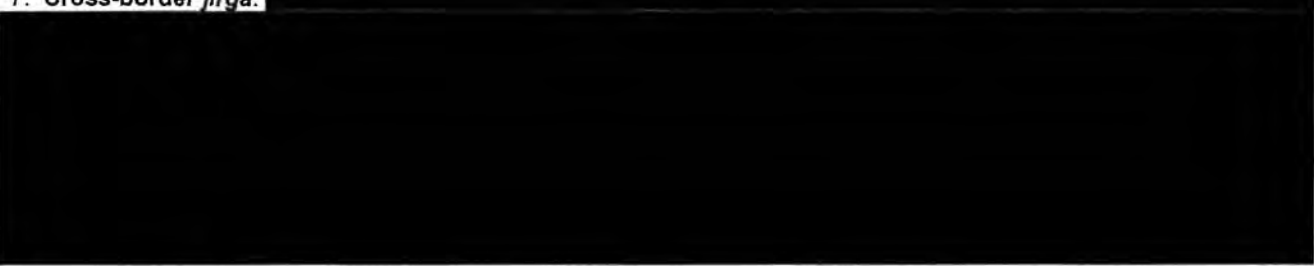


5. Senior appointments panel (SAP)

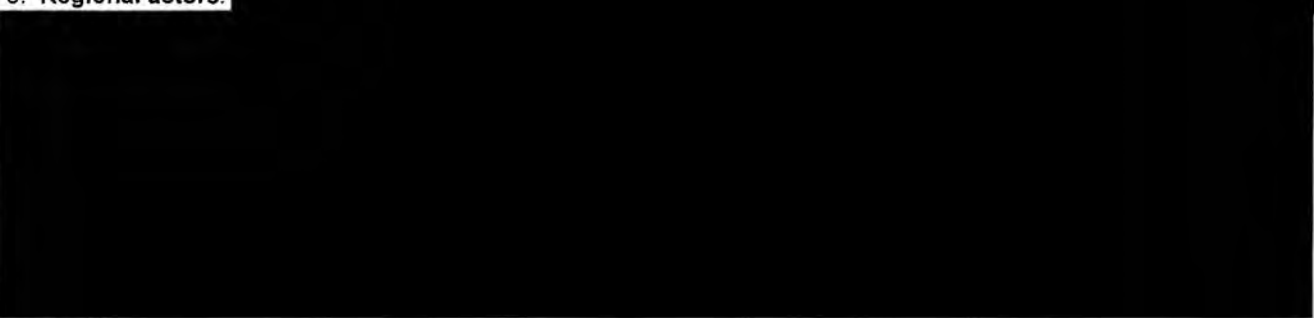


Regional issues

7. Cross-border *jirga*



8. Regional actors



Detainees

9. NDS



[REDACTED]

10. Afghan Independent Human Rights Commission (AIHRC).

[REDACTED]

Counter-insurgency

11. Civilian casualties/

[REDACTED]

12. Comment:

[REDACTED]

Consulted: SLO/ Astles
Drafted/ released: Colvin

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: July 27, 2007 2:48 PM
To: EXTOTT -FTAG -C4; EXTOTT -IRP -C4
Cc: KANDH -C4R; KANDH -KAF -C4R; KANDH -PRT -DIR -C4R; KABUL -GR -C4R; KABUL -KAF -HOM -C4R; KABUL -PL -C4R; BUCK Kerry -FTAG -DFD -C4; EXTOTT -DMA -C4; DOBNER Gallit -FTAG -C4; GIBBINS Christopher -FTAG -C4; LAKER Marina -IRP -C4; ANDERSON Cory -FTAG -C4; Royal Canadian Mounted Police Head Quarter -C4R; ALEXANDER Vera -OGD -PCO/BCP -C4R; Privy Council Office / IAS -C4R; KAPELLAS Anna -LDN -GR -C4; NETLEY Rebecca -WSHDC -GR -C4; BREU -C4; BOUCHER Catherine -BREU -GR -C4; PINNINGTON Phil -BNATO -GR -C4; COOTER Chris -BNATO -GR -C4; BURGESS Anne E -BNATO -GR -C4; FAIRCHILD David -FTAG -IRP -C4; NDHQ OTT D NATO POL -C4; NDHQ OTT DGIS POL -C4; NDHQ +CEFCOM J2 -C4R; NDHQ +CEFCOM HQ -C4R; NDHQ OTT ADM (POL) -C4; EXTOTT -ISI -C4; EXTOTT -ISIW -C4; KABUL -DA -C4R; KABUL -KAF -DR -C4R; CIDA -Afghanistan -C4R
Subject: KBGR0306 -- Police update: EU police mission and Mol reform

CONFIDENTIAL

Summary: [REDACTED]

Report [REDACTED]

3. The IPCAG agenda items were: i) Afghan National Police (ANP) Pay and Rank reform; ii) update on police recruitment; iii) setting up a "counting of police" task force; iv) recent police officer appointments; v) update on EUPol mission and handover of the IPCAG chair; vi) the future of the International Police Coordination Board (IPCB). [REDACTED]

[REDACTED]

5. [REDACTED] four-month tour finishes on 31 July. More serious are the reservations about [REDACTED] In a meeting requested with HOM prior to the scheduled IPCAG [REDACTED] vendrell is a former UN envoy and 'elder statesman'

Document Number / Numéro du document: A-110-040

2009 11 14 Receipt Date / Date reçue: 16-11-09

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Receipt Date: 16-11-09

[REDACTED]

10. **Ministry of Interior reform.** Separately, Deputy Minister of Finance Shahrani convened a meeting of major donors to discuss security-sector reform. [REDACTED]


[REDACTED] MoF's [REDACTED] agenda listed i) the National Directorate of Security (NDS), ii) structural and administrative reform at the Ministry of Defence (MoD), and iii) structural and administrative reform at the Ministry of Interior, specifically Pay and Rank Reform and LOTFA.

11. Shahrani began by noting that the Afghan National Army is "getting better and better." On equipment, procurement and wages, MoD is "one of the most transparent budget entities." At NDS, there has also been considerable reform at the middle and top levels. [In an interesting aside, Shahrani noted that the salaries of all 13,000 employees NDS employees are paid by [REDACTED] although there is a plan to hand wages back to GoA by August or September 2008.]


[REDACTED]

13. Shahrani said that Mol used to blame its problems on a lack of resources -- vehicles, ammunition, money etc. The international community has now put significant resources into Mol [REDACTED]

[REDACTED]



18. Comment:



Drafted: Colvin
Consulted: Ryan
Approved: Lalani

KABUL -GR -C4R

From: KABUL -GR -C4R
Sent: August 27, 2007 9:15 AM
To: BUCK Kerry -FTAG -DFD -C4
Cc: TERMORSHUIZEN Cindy -FTAG -C4; GIBBINS Christopher -FTAG -C4; Anderson, Cory -DFA -FTAG -C5; Nolke, Sabine -JLHA -C5; HUTCHISON David -IDR -C4; NDHQ OTT D NATO POL -C4; KANDH -C4R; KANDH -KAF -C4R; KABUL -KAF -HOM -C4R; KABUL -GR -C4R; EXTOTT -DMA -C4; GOLBERG Elissa -IRH-GHA -C4; ALEXANDER Vera -OGD -PCO/BCP -C4R; SWORDS Colleen -IFM -C4; NDHQ +CEFCOM J9 -C4R; NDHQ OTT ADM (POL) -C4; SINCLAIR Jill -PCO/BCP -C4R
Subject: KBGR0321 -- RC South Brainstorming on Detainees

Summary: The [redacted] last week convened a brainstorming session on detainees, bringing together Regional Command -South stakeholders to share experiences and explore ideas. Participants acknowledged the importance of the detainee issue and [redacted]. There was considerable interest in Canada's experience. Participants endorsed the two initiatives underway with the National Directorate of Security (NDS): the UK's prisoner tracking network, and a joint RC-S letter on access to NDS facilities. [redacted] suggested however that ISAF nations collectively could do more. [redacted]

Report: On 23 August, KABUL/Colvin/Bloodworth/Townson attended a working level meeting on detainee issues for Regional Command -South (RC-S) nations. The meeting was hosted by ISAF but [redacted]

[redacted] Turnout was very good, with the ISAF [redacted] among the 20-odd attendees. The purpose of the meeting was to share experiences, identify problems, provide an update on current initiatives and -- a clear [redacted] - brainstorm ideas for tackling the challenges identified during the meeting.

4. **Tour de table.** There was considerable interest in Canada's experience. We gave an update on the steps we have taken in recent months, noting in particular the inclusion of provisions in our revised MoU for monitoring by Canadian officials, in addition to the ICRC and Afghan Independent Human Rights Commission (AIHRC). The UK discussed the computer tracking network it is planning to install [redacted]

[redacted] [Comment: Canada has since submitted modest final comments, [redacted]]

10. Legal framework.



14. **Conclusions/Next Steps:** Following this helpful exchange of news and views, [redacted] to the crux of the issue: the way forward. We all recognize the problems but how are they to be solved? The [redacted]

15. Participants stressed the need to move forward together and to take steps to address both short-term and long-term imperatives. All emphasized the importance of winning Afghan support for whatever eventual course of action is adopted.

16. To close this helpful and lively meeting, the [redacted] for “creative brainstorming” for practical ideas, both short- and long-term, to address the underlying problems that continue to bedevil the detainee issue. They asked key RC-S partners, including Canada, to submit ideas to their [redacted]

[redacted] but would like to marshal ideas to push the detainee agenda forward.

Drafted: Townson, Colvin
Consulted: Bloodworth
Approved: Hoffmann

To: David Mulroney
Cc: Kerry Buck
From: Richard Colvin
Subject: End-of-posting observations
Date: 24 October, 2007

After completing 18 months in Afghanistan, I have decided to record some personal observations and recommendations in this end-of-assignment memo. I have limited these comments to three key issues: detainees, governance, and management by DFAIT of the Afghanistan file. Although there is no formal "dissent channel" in the Canadian foreign service, this memo is put forward in a spirit of constructive criticism of Canada's engagement in what remains officially our #1 foreign-policy priority.

To avoid suggestions that my recommendations are not sufficiently substantiated, I have taken the time in this memo to set out in some detail the grounds for the conclusions.

Detainees

Canada in my view has still not come to grips with the core of the detainee problem, which is that [REDACTED]

[REDACTED] In this context, Canada in my view should stop handing Afghans to NDS custody in Kandahar, [REDACTED]

[REDACTED] If we do continue to transfer detainees to NDS, we should do so only in Kabul, where we can be reasonably assured that Canadian officials can monitor them effectively [REDACTED]

[REDACTED] However, a much better solution would be to transfer detainees to another Afghan structure altogether, either the Ministry of Defence or the Ministry of Justice.

Weaknesses in Canadian management of detainees were apparent as early as May 2006, [REDACTED]

[REDACTED] My military counterpart at the PRT, [REDACTED] was similarly unable to find any colleague at KAF willing to assume responsibility for the detainee hot potato.

At around the same time, [REDACTED] to the PRT an Afghan woman with three young children. Her husband, a taxi driver, had disappeared several months earlier. However, because the information we were taking was inadequate, I was unable to confirm to her whether or not Canadian forces had detained her husband.

Although these problems were eventually addressed (a new form was introduced that asked for the names of the [REDACTED] and notification to the ICRC was accelerated, although delays persisted well into 2007), they were indicative of the low priority afforded by Canada to detainee management. This was also evident in Kabul, where it was clear during meetings with [REDACTED] colleagues that their governments were focusing a great deal of attention to the detainee issue, including regular, hands-on monitoring of detainees. The contrast with Canada was sharp. At that time, the embassy did not even have a

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Receipt Date: 16-11-09

pol/ mil officer [REDACTED] while reporting by the embassy on detainee issues did not seem to resonate in Ottawa.

Even after the detainee scandal broke into the open, in April 2007, with the publication by the Globe and Mail of an in-depth investigation into detainee abuse in Kandahar, a new policy was formulated in Ottawa without even the formality of consultation with the embassy. In March 2007, I had happened to attend one of these interdepartmental discussions on detainees in Ottawa and had been struck by the participants' collective lack of understanding, as well as the Defence Department's reluctance to acknowledge [REDACTED]

[REDACTED] Unsurprisingly, the new, unconsulted policy did not reflect Afghan realities and thus promised to perpetuate the existing problems. As charge d'affaires, I decided to register our concerns with this policy, adding three constructive suggestions for tackling the problem. The terse, dismissive reply from HQ made very clear that input from the field was not at all welcome, even though our key recommendations (e.g. the need for a new MOU, and for Canada to take responsibility for its own detainees given the well-entrenched practices of the NDS) were ultimately adopted.

As the detainee crisis escalated, the Canadian response became more serious but still tended to lag behind needs. A new MOU was hurriedly signed, granting Canada the right to monitor its own detainees. However, there was at first resistance to assigning a dedicated DFAIT human-rights officer to actually carry out the monitoring. As of October 2007, that officer had still not arrived, obliging both the PRT and embassy to use already overstretched officers, untrained in human-rights monitoring, or short-term secondees from HQ. A dedicated pol/ mil officer was eventually assigned to the embassy. However, given new, secretive information protocols, he is not privy to internal reporting on detainees and thus is unable to make an effective contribution. The same is now true for the head of the political section.

[REDACTED] The UN's annual human rights report, which is publicly available, spells out the problem very clearly, as did the embassy's annual human rights assessment [REDACTED]

[REDACTED] have personally seen physical evidence of abuse, including scars on legs, and heard credible allegations of abuse by all three of the detainees we interviewed in Kabul who were willing to discuss the issue.

[REDACTED]

Although the monitoring provisions in the MOU are designed to ensure that Canadian-transferred detainees are not abused [REDACTED]

[REDACTED] The embassy therefore suggested shifting Canadian detainees to Kabul. Provided they are placed in the 'open' facilities (Sederat or Pol-i-Charkhi) [REDACTED]

[REDACTED] This is the solution followed by the [REDACTED] However, the military resisted transferring detainees to Kabul as this would place additional demands on military resources. (This seems to have been one of the key reasons why Canada, from the beginning, declined not to monitor detainees at all, in contrast to our [REDACTED] in the south.)

[REDACTED]

[REDACTED] The 'acknowledged' NDS Sederat detainee facility, however, which we have been given access to, [REDACTED] as does Pol-i-Charkhi in Kabul, where NDS detainees are also held.

[REDACTED] in my view the only way to ensure that Canadian detainees are treated in accordance with international norms is to a) transfer detainees to one of the 'open' NDS facilities in Kabul (not Kandahar), with regular detainee monitoring by Canadian officials, or b) transfer detainees to an Afghan organization other than NDS – either the Ministry of Defence or Ministry of Justice. Unlike NDS facilities in Kandahar, MoJ jails (e.g. Sarpoza) are easily accessible to monitors and [REDACTED]

[REDACTED]

However, as before, there seems to be a continued reluctance to acknowledge the scope or severity of the detainee problem, instead claiming that the "alleged" abuse is a Taliban fabrication, or stressing fictitious 'Afghan investigations.' Our systemic failure to operationalize our human-rights rhetoric runs contrary to Canadian values and interests, and has needlessly damaged public support for the Afghan deployment.

[REDACTED] Kandahar

[REDACTED]

Rather than tackle this [REDACTED] Canada has systematically avoided it. It is now generally acknowledged that we need to 'get serious' about [REDACTED]



Management of Afghanistan by DFAIT

Canada's engagement in Afghanistan has been undercut by a continued reluctance by DFAIT to commit the resources, or to create the organizational environment, necessary for success.

Until late summer 2007, there were exactly three DFAIT officers in Afghanistan working for DFAIT – two in Kabul and one at the PRT. (The Polad at KAF was working for the Canadian forces commander. I have excluded the ambassador, who is supposed to represent the entire Canadian government, not just one department.) The Kabul embassy's political section was the same size as that of the Canadian Representative Office to the Palestinian Authority – a minor mission. At the same time, there was a severe structural dysfunctionality at HQ, with responsibility for Kabul completely separate from responsibility for Kandahar. During the two months I spent in Kandahar, I did not receive a single instruction or piece of policy guidance from HQ, even though this was a critical period, with the Taliban massing west of Kandahar city, and most Kandaharis believing that the city would soon fall to the enemy.

By early summer 2007, the two 'halves' of Afghanistan had organizationally been united, and HQ had agreed to the addition of a third political officer to the embassy. After further petitioning, this was subsequently increased again, to four. Although this represents a doubling of DFAIT effort, it is still much less than required.

By the standards of Canadian missions around the world, four is not a large significant number. It is much less than the DFAIT effort in Moscow, which has ten officers in total. It also compares very poorly to the level of effort made by our principal allies in Kabul. For example, [redacted] Where Canada has one officer, or not even one, [redacted] For example, the Canadian embassy has exactly one-third of a person dealing with counter-narcotics, which is one of the most important issues in the south.

At the same time as Canada has created only a modest staff in Kabul, it has greatly expanded its HQ effort. This trend, once again, is the opposite of the approach taken by our principal allies. The [redacted] have created a very large presence in Kabul, with considerable responsibility devolved to the field. This reflects the importance, the complexity and the nature of the challenge facing the international community in Afghanistan. As the international presence is propping up -- and often substituting for -- [redacted] Afghanistan requires time-consuming, hands-on management of issues by the international community. Afghanistan is a hyper-centralized state and all the key decisions -- including on Kandahar -- are taken in the capital. Moreover, as this is a strongly multinational effort, much time is needed to coordinate with our partners in the UK, US, Netherlands, UN, European Union and NATO/ ISAF.

Canada, by contrast, has created a weak field presence. The result of this chronic under-resourcing is that the embassy is able passively to track issues (and then incompletely), but not to hope properly to influence them. For example, what credibility can the embassy bring to bear on counter-narcotics when we do not even have a single dedicated officer? Because of under-staffing, we are unable to process the very heavy flow of information and intelligence, resulting in critical information gaps about key issues and personalities. We had nobody looking at development policy in Kandahar, only CIDA officers managing CIDA's own projects. Unlike our colleagues in the [redacted] we have no officer with either functional Dari or Pashtu. By contrast, every officer [redacted] was given a year's language training prior to being posted.

Canada consequently continues to punch below its weight in Kabul – and is seen by our allies to punch below its weight.

Canada did substantially increase the number of DFAIT staff at the PRT. The initial decision was for three more officers in Kandahar, but only one more in Kabul. As charge d'affaires, I tried to find out the basis for this decision but was unable, in March 2007, to find anyone at HQ willing to take responsibility for that decision, or to explain on what basis it had been taken. One senior official suggested only that there was no space at the embassy, which was simply not true. In order to make the case for additional staff, I was even obliged to spend a day drawing up floor plans to prove that plenty of space existed.

At the same time, it has dramatically expanded the number of officials managing the process from Ottawa – including a very significant public-affairs contingent. This suggests that, for Canada, Afghanistan is being treated primarily as a domestic issue, with improving the situation on the ground a much lesser priority.

The expansion in Ottawa has been accompanied by a greater emphasis on information control. Whereas, prior to April 2007, it was possible at post to report honestly about even the most sensitive issue, after April this was not always possible. I have mentioned earlier about the fierce lack of interest in Ottawa about our views on detainees, even though we had been tracking the issue closely for a year and were the best-informed part of the government. Discussion of detainee issues has since been restricted to a very small group of people, which does not include essential embassy staff (i.e. the head of the political section, the pol/mil officer). Reporting on detainees from the post is now virtually impossible – HQ has made clear that it wants nothing in writing. This hyper-secrecy is conducive to information control but not to effective management of this critical issue.

More recently, after I submitted a quick summary of the security situation, in response to a last-minute HQ request, it was made very clear that the assessment (things are getting worse) was 'wrong.' Even my professionalism was impugned. The next day, the point was unambiguously made to the whole embassy that henceforth the official embassy view is that things are getting better. This is completely contradicted by the available data, as well as by the careful assessments [REDACTED]

[REDACTED] I have never before in my 15-year career been told that, internally, we must lie to each other. A similar message was delivered when it was recommended that we be "very careful" about what we put into our next human-rights report. This all adds up, in my opinion, to a very troubling politicization of reporting.

Conclusion

In Afghanistan, Canada was presented with an extraordinary challenge. We found ourselves in one of the most dangerous, important provinces of the country, in an environment of rapidly deteriorating security. We also found ourselves with a very important role in the collective effort to fix one of the gravest foreign-policy challenges facing the international community today. This is indeed Canada's "#1 foreign-policy priority."

Unfortunately, DFAIT's response to this challenge has been timid, inadequate and ineffectual. There are some very good people working on Afghanistan but, at least in Kabul, there are not nearly enough of them. Important issues are ignored, or left to fester, until they explode into crisis – in other words, when they are picked up by the media. When a crisis does develop, the Canadian response seems to emphasize messaging over substance, and process over policy. As someone who believes in the Afghanistan mission, and has spent 18 months in the field, I have been deeply disappointed in our failure to live up to our rhetoric. We could do so much better.

If there is interest, I would be pleased to follow up on any of the points raised in this memo.

KABUL -GR -C4R

From: KANDH -C4R
Sent: June 2, 2006 12:10 PM
To: EXTOTT -IRP -C4; EXTOTT -RAS -C4; EXTOTT -IDR -C4; EXTOTT -IRH -GHA -C4; BURGESS Anne E -BNATO -GR -C4
Cc: EXTOTT -IFM -C4; EXTOTT -IRD -C4; EXTOTT -IDD -C4; EXTOTT -ISD -C4; EXTOTT -ISR -C4; EXTOTT -RAD -C4; EXTOTT -RAS -C4; EXTOTT -IRC -C4; EXTOTT -IRP -C4; EXTOTT -ISI -C4; EXTOTT -ISIW -C4; EXTOTT -ICX -C4; EXTOTT -ICT -C4; EXTOTT -IDC -C4; EXTOTT -RMD -C4; EXTOTT -RMG -C4; EXTOTT -RMR -C4; CCATS; KABUL -GR -C4R; KANDH -KAF -C4R; ISBAD -GR -C4; ISBAD -DR -C4; ISBAD -SL -C4; DELHI -GR/PA -C4; DELHI -DR -C4; WSHDC -GR -C4; WSHDC -DR -C4; LDN -GR -C4; LDN -DR -C4; BNATO -C4; -CNBRA -C4R; -CNBRA -DR -C4R; -HAGUE -DR -C4R; EXTOTT -GFM -C4; EXTOTT -RGM -C4; EXTOTT -DMA -C4; HUGHES Stuart -ISBAD -GR -C4; HOFFMANN Ron -LDN -GR -C4; ALEXANDER Vera -WSHDC -GR -C4; LALANI Arif -RAS -C4; FAIRCHILD David -IRP -C4; MARTIN Barbara -IDR -C4; LAPORTE Eric -IDR -C4; NELSON David -IDR -C4; BERGSTRAND Brad -FSDN -IRP -C4; GRAHAM Janet -FSDN -C4; GILMOUR Wendy -FSDN -IRP -C4; TERMORSHUIZEN Cindy -RAS -C4; BONNAR Jon -RAS -C4; HODGINS Glen -RAS -C4; ARBEITER Richard -RAS -C4; AHMAD Nadia -RAS -C4; LAFLEUR Marie-Josée -IRP -C4; COLLINS David -ISBAD -HOM -C4; ELMS Geordie -ISBAD -DR -C4; Privy Council Office / Foreign & Defence Policy -C4R; Privy Council Office / IAS -C4R; NDHQ OTT D NATO POL -C4; NDHQ OTT DGIS POL -C4; NDHQ OTT NDCC -C4; CIDA -C4R; NDHQ +CEFCOM Comd -C4R; NDHQ +CEFCOM J2 -C4R; NDHQ +CEFCOM J3 -C4R; NDHQ +CEFCOM J5 -C4R; NDHQ +CEFCOM J9 -C4R; NDHQ OTT DPK POL -C4; DELHI -HOM -C4; DUHAIME Stephanie -RAS -C4; ELLIOTT Mike -ISIW -C4; DIGANGI John -ISI -C4; KABUL -HOM -C4R; Royal Canadian Mounted Police Head Quarter -C4R; PILLAROTT -RAP -C4R; OLEXIUK Eileen -IRD -C4; EXTOTT -BCM -C4; PILLAROTT -CT -C4R; KABUL -DA -C4R; BLOODWORTH Catherine -JLA -C4; BARBER Shawn -IRC -C4; CIDA -C4R; GENEV -GR -C4; EXTOTT -GIO -C4; EXTOTT -ISRA -C4; EXTOTT -MINA -C4; PRMNY -GR -C4; PRMNY -DR -C4; LENARCIC David -WSHDC -GR -C4; YATES Brenda -IRH-GHA -C4; RICHARDSON Mark -ICT -C4; IRISH Jennifer -ICT -C4; PUXLEY Evelyn -ICT -C4; EXTOTT -ICX -C4; NOLKE Sabine -JLH -C4; EXTOTT -RRD -C4; EXTOTT -RRO -C4; CORMIER Terry -GENEV -GR -C4; AMEGAN Karim -GENEV -GR -C4; MEYER Andrea -PRMNY -GR -C4; GOLBERG Elissa -IRH-GHA -C4; KABUL -HOM -C4R; HUSAIN Masud -JLA -C4; -HAGUE -C4R; -BUCST -C4R; -HAGUE -HOM -C4R
Subject: KANDH0032 – Kandahar prison and Afghan detainees

SECRET -CEO

Ref: KANDH0029 of May 26, 2006 on [REDACTED] concerns over notification; unnumbered KABUL-HOM C4 of May 31 and YWGR0030 of May 30 on [REDACTED] concerns over detention centres in southern Afghanistan

RCMP – pls pass to IPB
CIDA – pls pass to BSV/ Tse and BSI/ Graves, Raiche and Baker
Privy Council/IAS – pls pass to Popovich/Bryson
NDHQ/DNATO POL – pls pass to Anderson/Kaduck/Bos
CEFCOM J3 – pls pass to Powell; J5 – Pls pass to Lizotte; J9 – pls pass to Rebenchuk
KANDH-KAF – pls pass to Fraser/Putt/Basinger/Hope/Strickland/Stalker/Isfeld
BCM – pls pass to Girtel

Summary: The Kandahar prison gets a passing grade from the ICRC. Although close to full capacity, it requires only modest physical upgrades. [REDACTED] for the southern region in Kandahar reflects the poor quality and severe overcrowding of the prison in Uruzgan, where the Netherlands is deploying a battle group and PRT as part of NATO's expansion into southern Afghanistan. In Kandahar, [REDACTED] not the prison itself but overall treatment of detainees, including those transferred to Afghan custody by Canadian forces.

Report: Given ongoing discussions about Afghan detainees and Kandahar detention facilities, and in light [REDACTED]

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intention to raise possible construction of a detention facility for the southern region in a trilateral [REDACTED] [REDACTED] we have packaged below our current state of knowledge on these issues. Report is based on a visit to the Kandahar provincial prison; [REDACTED] an ICRC assessment of Afghanistan's provincial jails; and an investigation into prison conditions by the Kandahar Provincial Council.

Kandahar provincial prison

3. On May 16, we visited the Kandahar provincial prison in Kandahar city, along with DGs from DFAIT, DND and RCMP. According to the [REDACTED] it is to some extent already a regional facility, holding prisoners from Helmand, Uruzgan and Zabul as well as Kandahar. [REDACTED] was unable to provide a breakdown by province but said the largest group was the Kandaharis. In addition to the provincial prison, each district in Kandahar has a small detention facility. [Uruzgan, Zabul and Helmand have separate provincial prisons; see paras. 13-15 below.]

[REDACTED]
[REDACTED] was unable or unwilling to say how many prisoners fit in this category.

5. The prison has [REDACTED] believes this is enough. Some of the guards are [REDACTED]

6. The prison seemed secure. We were able to [REDACTED]

[REDACTED] he said. Last year some prisoners and some guards were killed in an attack. [Comment: [REDACTED] have suggested that the Taliban may be planning an attack on the prison with a view to releasing Taliban detainees.] [REDACTED]

7. Facilities: From our superficial outside inspection, the prison seems to be in reasonably good condition. It received \$140,000 in upgrades last year via U.S. CERP funds. This included a new kitchen, a new shower facility for prison-guard officers, [REDACTED] Facilities for vocational activities, and a dining room for staff, were under construction during our visit. The ICRC provides additional summer and winter assistance, including towels, soap, sandals and blankets. According to [REDACTED] the prisoners get enough food. They are allowed two visits per week.

8. Processing: [REDACTED] said that, of the [REDACTED] prisoners, [REDACTED] have been sentenced and [REDACTED] are still being processed. He said nobody is being held without charges, and prisoners are usually processed by the courts within 15 days. [Comment: In at least one case, however, a prisoner was held for a month and a half with no charge. His arrest had been ordered [REDACTED]

9. Prisoners are sometimes transferred to Policharki prison, near Kabul. This is based on a decision of the High Court, said [REDACTED] It is also sometimes used as a punishment.

Priorities

10. Asked about possible improvements, [REDACTED] identified his top priorities:

- Transportation. Despite the recent donation of a van by the PRT, the [REDACTED] to move prisoners to [REDACTED] The van only holds [REDACTED]
- Training for prison personnel. [REDACTED]
- Medicines are needed for the clinic, and had been promised by the PRT, said [REDACTED] The last delivery of government

medical supplies was six months ago. [REDACTED]

- Miscellaneous: Fans are needed for some areas, e.g. the clinic. Help is needed in filling in the [REDACTED] Uniforms for the prisoners and guards would be useful.

ICRC assessment

11. [REDACTED] that Kandahar prison is "not that bad" and "not the worst in Afghanistan" for management and physical infrastructure. [REDACTED] more could be done for sanitation e.g. improving the latrines. But overall, "in terms of basic needs, it's not that far off." [REDACTED] if we wished to get involved in physical upgrades, we might be better off looking at the district jails, which, [REDACTED]

12. [REDACTED] ICRC report, published in December 2005, called *The Provincial Prisons of Afghanistan -- Technical Assessment and Recommendations Regarding the State of the Premises and of the Water and Sanitation Infrastructure*. The assessment of Kandahar prison was conducted in September 2005 and is relatively favourable. It says the cells are reasonably well kept, with sufficient natural light and ventilation, except in the five cells used for disciplinary purposes. Detainees have daily access to yards. The report classed prison renovation as only a "medium" priority. Areas for possible renovation include: renovation of cells (e.g. sanding of walls, provision of mosquito nets); construction of a proper area for family visits in the male section; and construction of a mosque or prayer area. The Helmand prison also received a generally favourable assessment.

13. By contrast, the provincial prisons in Uruzgan and Zabul were listed as an "immediate" priority, requiring not some renovation but, in each case, "immediate construction of a new prison." Of the two, the prison in Uruzgan -- where the Dutch are standing up a PRT and battle group as part of NATO's expansion into southern Afghanistan -- received by far the worse rating. It is already severely overcrowded (capacity: 33; population: 85). The four cells and other buildings are in poor condition. The yard is too small for exercise. There is no medical facility and no proper area for family visits, which take place in a corridor. Water is drawn from a canal of dirty water that runs through Tirin Kot before reaching the prison; detainees have to wash in that canal.

14. The ICRC report assigns a numerical rating to each facility. They were given the following marks:

- Kandahar city (Kandahar -- Cdn lead) -- 67%
- Lashkar Gah (Helmand -- UK lead) -- 57%
- Qalat (Zabul -- U.S./ Romanian lead) -- 52%
- Tirin Kot (Uruzgan -- Dutch lead) -- 33%

15. The ICRC report judges Kandahar prison to have a capacity of 600 male and 30 female prisoners, for a total of 630. However, according to [REDACTED] the prison's maximum capacity is [REDACTED] We cannot reconcile the glaring disparity between the two sets of numbers. Perhaps [REDACTED] are based on an unreasonable number of detainees per cell. However, even their cell numbers differed wildly -- 100 (ICRC) vs. 360 [REDACTED] numbers sound very high for the size of the facility. We presume that the ICRC's numbers are more accurate, and that Kandahar prison is therefore close to, or already at, full capacity. In our discussion [REDACTED] overcrowding as a potential concern.

16. [REDACTED] the Kandahar facility as a "major transfer facility," implying that many of the prisoners pass through on their way elsewhere.

17. [REDACTED] regretted that it was unable to discuss with us the condition of detainees [REDACTED] However, please see paras. 20-23 below.

Provincial Council assessment

18. In response to complaints, the Provincial Council (PC) of Kandahar conducted an investigation of both the women's and men's areas in the provincial prison. So far, only the report on the women's area has been published. However, we have been told that the report on the men's area reaches similar conclusions.

19. The PC report identified the following problems:

- No separate room (kindergarten or school) for detainees' children.
- "Unfair treatment" by jail staff, including taking bribes. "As a whole, the prison law is not enforced." [We do not know exactly what this means.]
- A doctor is needed. [There is a doctor but perhaps only a male doctor.]
- Insufficient water and sanitary system.
- Lack of possibilities for ablution and praying. Lack of religious and other education.
- Detainees are without work, which is "leading to corruption" [this apparently means unhealthy thoughts and state of mind.]
- No fan or mosquito net.
- No equipment in the vocational/ workshop area. [We verified this, although this facility seemed still to be under construction, which would explain the absence of equipment.]
- Detainees have no uniforms. Some have insufficient clothes.
- A vehicle is needed.

Treatment of detainees by Afghan authorities

20. [REDACTED] on the issue of how Afghan detainees are treated. In the case of prisoners in the Kandahar facility, [REDACTED] However, [REDACTED] did offer some roundabout answers.

21. For example, in response to a question about whether training was needed for guards, [REDACTED] training would better be directed to the police and judiciary. "How police treat their detainees has a great bearing on how the population sees" the authorities. [REDACTED] This issue is "increasingly important, increasingly complicated, and should be taken more and more into consideration." [REDACTED] "when things get difficult, some authorities in Afghanistan get tougher and tougher. This can turn the population against the authorities."

22. [REDACTED] (albeit still in code) the issue of treatment of Afghan detainees, including some who had been transferred to the Afghan authorities by Canadian forces. [REDACTED] said some of these detainees were being held in "unsatisfactory conditions." Picking [REDACTED] words carefully, [REDACTED] said the problem was a "lack of judicial safeguards." It was even unclear who was officially holding some of these detainees, [REDACTED] "All kinds of things are going on." [REDACTED] that some of those [REDACTED] who had been picked up in sweeps by Cdn soldiers, were released immediately [REDACTED]

23. [REDACTED] stressed the importance of speedy notification of detention and noted that Cda's responsibility for detainees did not cease just because they had been turned over to Afghan authorities. [REDACTED] two or three times, "I don't want to say too much right now," [REDACTED] For example, [REDACTED] began by describing some of the detainees as being held in "unsavoury" conditions, then changed that to "unsatisfactory."

24. Conclusions

- The existing Kandahar prison requires only modest physical upgrades. However, it may be close to -- or already at -- full capacity.
- [REDACTED] for the southern region reflects the poor quality and severe overcrowding of the prison in Uruzgan, where the Netherlands are deploying a battle group and PRT as part of NATO expansion into the south.
- [REDACTED] is not the prison itself but overall treatment of detainees, including those transferred to Afghan custody by Cdn forces.

Follow-up

25. We facilitated a meeting between [REDACTED] and Supt. Martin/ RCMP to discuss the Cdn training being provided to the Afghan National Police, especially as regards treatment of detainees. With the assistance of Isfeld/ KAF, [REDACTED] on May 30 met with LCol Randy Smith, a legal advisor with the National Command Element at KAF, in order to discuss mutual concerns and establish a regular channel of communication [REDACTED] and Cdn forces in Afghanistan.

Consulted: Martin/ RCMP, Maj. Liebert/ DND
Drafted/ released: Colvin