

Borlé, Cyril -DFA -FTAG -C5

From: GIBBINS Christopher -FTAG -C4 [Christopher.GIBBINS@c4.international.gc.ca]
Sent: Friday, February 15, 2008 2:52 PM
To: Anderson, Cory -DFA -FTAG -C5
Cc: Borlé, Cyril -DFA -FTAG -C5; CARETTE Alexandre -DFA/FTAG -C4
Subject: FW: KPRT0038 - Update: NDS Capacity Building

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

From: KANDH -PRT -DIR -C4R
Sent: February 15, 2008 12:46 PM
To: BUCK Kerry -FTAG -DFD -C4
Cc: KANDH -PRT -C4R; PCO-AFG -C5; Public Safety -C4R; NDHQ +CEFCOM J9 -C4R; NDHQ OTT ADM (POL) -C4; Privy Council Office / Foreign & Defence Policy -C4R; Swords, Colleen -IFM -C5; KABUL -DHOM -C4; Correctional Services -BH; ALEXANDER Vera -OGD -PCO/BCP -C4R; KABUL -HOM -C4R; KANDH -KAF -C4R; EXTOTT (DFM C5); GIBBINS Christopher -FTAG -C4; KABUL -GR -C4R; Brodeur, Yves -DFM -C5; EXTOTT (JLH C5); NDHQ OTT D NATO POL -C4; ARBEITER Richard -FTAG -C4; NDHQ OTT DM -C4; KANDH -PRT -DIR -C4R
Subject: KPRT0038 - Update: NDS Capacity Building

SECRET

PCO/AFG: Please forward to Mulroney
NDHQ CEFCOM: Please forward to Gauthier & Deschamps
NDHQ/DM: Please forward to Fonberg
NDHQ DNATO POL: Please forward to Davis, Buchan & Bos
Correctional Services: Please forward to Commissioner Coulter
EXTOTT JLH: Please forward to Nölke, Amegan & Heinbecker
Public Safety: Please forward to Hurtubise
PCO/FDP: Please forward to Cartwright & Sinclair
RCMP: Please forward to Beer
KAF: LaRoche and Junneau

Since the November 2007 discovery of a case of abuse, KPRT DFAIT and CSC sections, joined in January 2008 by CivPol, have conducted regular visits to the NDS Kandahar facility with the aim of capacity building and monitoring NDS's own efforts to improve conditions and practices at the facility.

Mentoring the Investigations Unit and the Prosecutor

Through their regular visits and discussions with the NDS on the nature of the investigative process, CivPol has started mentoring investigators on questioning techniques and case file management (acquiring sample case files). DFAIT, CivPol and CSC personnel have been visiting NDS Kandahar twice a week to deepen discussions. CivPol officers have also made themselves available "on call" 24 hours a day should the NDS require immediate assistance. In addition, there is agreement on providing the NDS with a video camera, which should be donated by the beginning of next week. Training will follow on the use of the camera.

The Attorney General's representative at the NDS facility, the Prosecutor, is also responsible for investigating allegations of abuse made by detainees. We have begun to meet with him on a regular basis to keep apprised of his work, planning for trials and his observations regarding detainee treatment. He has agreed to attend training on recognizing signs of torture and abuse to be offered in early March at KPRT and taught by an internationally renowned expert on torture. We have also been emphasizing to the Prosecutor the need for appeals trials to start soon for those detainees convicted in primary court in June07 or in the recent trials.

Redacted by AG

Receipt Date: July 23, 2010

Other Canadian Initiatives

Document Number / Numéro du document: C-685

1

2010 07 15

Receipt Date / Date reçue: July 23, 2010

726

1 of 2

A +100K GPSF project awaits NDS Kabul signature of the MOU in order to proceed. Kabul is following up as a matter of priority. The project includes structural improvements to the old and new building detention areas, security upgrades and acquisition of new restraint equipment (i.e. handcuffs). Meanwhile, on 14 Feb, KPRT provided NDS with 200 detainee uniforms (shalwar kameez all of one colour) to facilitate identification of detainees at a distance, eventually allowing a reduction in use of physical restraints. Finally, KPRT has worked with AIHRC to design a four session program on human rights for all NDS staff to be delivered in half-day blocks over four weeks. The sessions will focus on: the Universal Declaration of Human Rights; Afghan law and procedures for those arrested, detained or under investigation; Afghan juvenile law; and Afghan penitentiary law. Course delivery is to begin before the end of February.

NDS Initiatives

Some concrete steps have been taken by NDS itself at its Kandahar facility and these are worth highlighting. Among the most important, a [REDACTED] has been appointed and the [REDACTED]. A second critical step was the early December 07 deployment of NDS HQ staff to Kandahar to monitor conditions and make recommendations. This team has been extremely activist in its approach including pushing for the start of primary trials for all national security cases at NDS or Sarpoza (these began in January and final decisions are expected this coming week). During this period, NDS created an additional series of registers to document detainees [REDACTED]. They have also started taking photos of detainees upon arrival and copies are kept attached to their registry entry.

Another innovation was the decision to make it standard practice for NDS to transfer all unaccompanied juvenile detainees to the juvenile wing at Sarpoza, once they had been registered. Previously, they would only do this if we directed them to do so with Canadian-transferred juvenile detainees. Although it took some pressure from KPRT, weekly medical visits have been arranged by NDS for their Kandahar facility. Also at KPRT prompting, NDS will begin registering these visits, any interaction with detainees, and the medication or treatment prescribed. On its own, however, NDS decided that it would pay medication costs for those detainees who could not afford to themselves.

The Road Ahead

While the implications will likely be for both Kabul and Kandahar, KPRT is ready to assist in the implementation of any applicable recommendations for the NDS in Kandahar stemming from the recent NDS Assessment Mission.

Drafted and released: Davison
Consulted: CivPol/Wassill; DFAIT/Laflamme