

GIBBINS Christopher -FTAG -C4

From: KANDH -PRT -C4R
Sent: [REDACTED] 12:08 PM
To: KANDH -PRT -DIR -C4R; KANDH -KAF -C4R; KABUL -GR -C4R
Cc: BUCK Kerry -FTAG -DFD -C4; GIBBINS Christopher -FTAG -C4; Public Safety -C4R; NDHQ +CEFCOM J9 -C4R; NDHQ OTT ADM (POL) -C4; Privy Council Office / Foreign & Defence Policy -C4R; Swords, Colleen -IFM -C5; KANDH -PRT -C4R; KABUL -DHOM -C4; Correctional Services -BH; ALEXANDER Vera -OGD -PCO/BCP -C4R; Mulroney, David -DMA -C5; KABUL -HOM -C4R
Subject: KANDH0125 - Detainees: Periodic Follow-up Visit to NDS on [REDACTED]

SECRET CEO - NOT FOR FORWARD DISTRIBUTION

NDHQ OTT ADM (POL) - Pls fwd to JAG
Public Safety - Pls fwd to DM/Hurtubise and
PCO/FDP - For S. Cartwright, J. Sinclair
CSC - Pls fwd to Comm. Coutler

1. On [REDACTED] KPRT Political Director/Davison, KPRT Political Officer/Gosselin visited the National Directorate of Security (NDS) detention facility in Kandahar City to interview Canadian-transferred detainees. No advance notification of the intention to interview detainees was given to NDS officials.
2. KPRT was greeted by [REDACTED] who indicated that General QAYUM needed to authorize our visit. We met with Gen. QAYUM and explained the visit in the context of the arrangement but also in light of events in Canada including newspapers' allegations of abuse of detainees and a recent court decision to render public documents concerning our visits to NDS and Sarpoza. KPRT again emphasized the commitment of the Canadian Government to assisting the GoA to improve the conditions of detention and expressed our appreciation with the collaboration that we had received from NDS officials so far. QUAYUM indicated that the NDS also appreciates the support received from the Canadian Government.
3. KPRT explained that it is essential that NDS adheres to Afghan as well as international laws and ensures that due judicial process is followed. As such, detainees' rights must be respected throughout the judicial process.
4. KPRT then met with [REDACTED] and indicated that we would like to see [REDACTED] Canadian-transferred detainees present at the facility and proceed with at least a couple of private interviews. KPRT/Davison conducted an interview with [REDACTED] while KPRT/Gosselin was escorted by [REDACTED] to conduct an inspection of the facility and conduct a visual assessment of the remaining [REDACTED] detainees. KPRT/Gosselin later joined KPRT/Davison to conduct an interview with a [REDACTED]
5. Reporting follows below per the template defined in Annex C of the Arrangements (MISSION REPORTING TEMPLATE ON PERIODIC FOLLOW-UP VISITS TO ASSESS CONDITION OF CANADIAN-TRANSFERRED DETAINEES).

Drafted: Gosselin/Davison
Approved: Davison

DATE OF VISIT: [REDACTED]

1. Administrative details

- a. Name of Institution visited
National Directorate of Security (NDS) Detention Facility, Kandahar City.
- b. Number of security-related detainees overall
77
- c. Number of Canadian-transferred detainees present
[REDACTED]

- d. Number of Canadian-transferred detainees seen by officials on visit [redacted]
- e. Nature of interaction with Canadian-transferred detainees
 Conducted a visual assessment of [redacted] detainees.
 Conducted private interviews with [redacted] detainees.
- f. Interaction with any other detainees (allies; general population)
 n/a.
- g. Outline any constraints in accessing Canadian-transferred detainees
 We were readily granted access to the holding facility, and then to those with whom we specified we wanted private interviews.
- h. Assessment of operational procedures being followed by relevant prison authorities regarding reception, registration and discharge
 NDS registers detainees upon arrival at the facility, and has separate ledgers for transfer and release. Canadian-transferred detainees are labeled as such in the ledgers. Name, age, profession, province, district, weapons (if any), and detainee contact with Taliban are also recorded for each individual.

2. Overall Situation of Detention

The detainee holding facilities at NDS [redacted] The cells do not contain toilet facilities [redacted] The lights were turned on during our visit. The facility, being brand new, is generally clean and in good condition, with carpeted floors and fresh paint. [redacted] The cells do not contain toilet facilities. [redacted] The lights were turned on during our visit but the lighting is fairly dimmed. This facility is generally clean and in fair condition, there are no carpets and walls are painted or bare concrete. [redacted] chain-link leg irons.

a. Our [redacted] interview was with [redacted] who was transferred to NDS on [redacted] We [redacted]
 Name: [redacted] / Father's full name: [redacted] / Grandfather's name: - [redacted]
 [redacted] / Sex: [redacted] / Age: [redacted] / Identification Serial Numbers: [redacted] / Place of birth: [redacted]
 [redacted] Nationality: [redacted] / Tribe: [redacted] / General physical condition upon transfer: Fit for transfer, no medical complaints

The detainee indicated that his general condition is good. He knew what the day was and indicated that he has had contact with his family [redacted] but about [redacted] [redacted] He indicated that he is allowed outside once every 2 days for 1 hour. He has been sleeping well.

He indicated that his health is generally good with the exception of a pre-existing [redacted] that is causing him some pain. He did not get the opportunity to see a doctor [redacted] He was examined by this individual [redacted]

He indicated that food and water are provided. They eat different things (i.e. meat, rice, fruits, bread, beans, etc.). Some detainees also get food purchased for them on the outside by guards or relatives.

He indicated that water, toilets, and bathing facilities were all available to him. He gets to shower twice a week. He shares his cell with another detainee and he is able to move around in his cell.

He indicated that he has been informed by NDS officials that he is accused of being a Taliban [redacted] He has not been allowed to see a lawyer. He believes that what will happen to him next is that he will either be taken to a bigger jail (Sarpozza) or he will be released. He indicated that he has been visited [redacted] occasions.

The detainee indicated that he has been interrogated on approximately [redacted] occasions by NDS officials. He identified them as being [redacted] He was asked general questions

and was allegedly told that if he lied he would get beaten. He indicated that before [REDACTED], he was struck twice on the hip with an electric cable.

He would like KPRT to assist [REDACTED] by asking elders from his village to come to NDS. He also alleged that he gave a guard some money to get him grocery items but the guard did not return all his money.

He asked that the results of the interview be kept confidential.

b. Our [REDACTED] interview was with [REDACTED] who was transferred to NDS on [REDACTED]

Name: [REDACTED] Father's full name: [REDACTED] Grandfather's name: [REDACTED] / Sex: [REDACTED]
Age: [REDACTED] / Identification Serial Numbers: [REDACTED] Place of birth: [REDACTED] Nationality: [REDACTED]
Tribe: [REDACTED] General physical condition upon transfer: Good

His clothing, hands, and feet were clean, and he displayed no visible marks of ill treatment. He indicated that he was [REDACTED]. He indicated that he was not provided with the opportunity to see a doctor nor was he provided with [REDACTED]. He indicated that he [REDACTED] and he therefore would like access to [REDACTED]. He was not aware of what today's date was but he knew that he had been at NDS for [REDACTED]. He indicated that he did not have any contact/news with/from his family.

When questioned about the weather he indicated that he did not have an opportunity to go outside since his arrival. He indicated that detainees receive 3 meals a day and that the food/water provided is generally good.

He indicated that detainees have access to shower/sanitation facilities. He personally did not have the opportunity to shower but also indicated that he has not asked for it. His interaction with other detainees is limited to conversation with his cell mate. He indicated that he cannot walk around in his cell because it is too small.

According to the detainee, he was told that he is being held because of [REDACTED]. He has not seen a lawyer and does not know what will happen to him next. Since his arrival, he has not been visited by [REDACTED].

The detainee indicated that he had been [REDACTED]. He also stated that he had been interrogated [REDACTED] by a group of [REDACTED] individuals. [REDACTED]. The interrogation took place inside the NDS compound and lasted approximately [REDACTED]. He alleged that he was forced to stand up for an extended period of time and was slapped in the face 5-6 [REDACTED]. He was allegedly threatened [REDACTED]. Some time after the interrogation he was allegedly told that he would not be [REDACTED].

He asked that the results of the interview be kept confidential.

3. Compliance with Terms of Canada-Afghanistan Detainee Transfer Arrangements

NDS officials were aware of the detainee transfer Arrangements and were willing to allow us to interview Canadian-transferred detainees.

4. Priority Requirements and Recommendations

Once again we did not discuss specific allegations with NDS staff before leaving. Instead we made mention of detainees desire and right to have access to the care of a doctor and receive proper treatment/medication for their medical conditions.

We today raised with ICRC and AIHRC our concerns about possible abuse of detainees in NDS. We will provide AIHRC with an exact list of which Canadian-transferred detainees are currently in NDS. [REDACTED]