



Koninkrijk
der Nederlanden



Government
of Canada Gouvernement
du Canada



6 September 2007

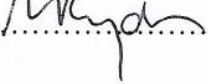
ACCESS TO DETAINEES TRANSFERRED TO THE GOVERNMENT OF AFGHANISTAN


This letter seeks to set forth a common approach, in principle, of all the undersigned concerning the provisions of the bilateral arrangements (Memoranda of Understanding, exchange of letters) between the Governments of Canada, Denmark, the Netherlands, Norway, the United Kingdom and the United States with the Government of Afghanistan regarding access to individuals detained by their forces and transferred to the custody of the Afghan authorities. This letter is without prejudice to any of the provisions of the aforementioned bilateral arrangements.


It is the understanding of the undersigned that the aforementioned bilateral arrangements are to be interpreted as permitting officials from each undersigned government (including officials from our respective Embassies, members of our armed forces, and others duly authorized to represent our governments) to enjoy access to Afghan detention facilities to the extent necessary to ascertain the location and treatment of any detainee transferred by that government to the Government of Afghanistan. On request, an official from one of the undersigned governments may interview in private any detainee transferred by that government to the custody of Afghan authorities. Access to Afghan facilities is to be permitted to organizations that are already afforded access under that government's bilateral arrangements with the Government of Afghanistan including, where applicable, the International Committee of the Red Cross and Red Crescent (ICRC), relevant human


rights institutions within the UN system, and the Afghan Independent Human Rights Commission (AIHRC).


We kindly request you to confirm this understanding.

Michael Ryder.....
Chargé d'affaires
British Embassy, Kabul

William B. Wood.....
Ambassador
United States of America, Kabul

Arif Lalani.....
Ambassador
Canadian Embassy, Kabul

Hans Blankenberg.....
Ambassador
Embassy of the Netherlands, Kabul

Jens Haarlov.....
Chargé d'affaires
Embassy of Denmark, Kabul

Jan Erik Leikvang.....
Ambassador
Embassy of Norway, Kabul
Helene Sand Andresen
Chargé d'Affaires a.i.

جمهوری اسلامی افغانستان
دفتر شورای امنیت ملی



د افغانستان اسلامي جمهوریت
د ملی امنیت شورا دفتر

Islamic Republic of Afghanistan

Office of the National Security Council

۹۳۳
۵۹۴

16 October 2007

H.E. Hans Blankenberg, Ambassador of the Netherlands

On behalf of the Government of the Islamic Republic of Afghanistan, I acknowledge the content of the letter of 06 September 2007 received from the Ambassadors of Canada, the Netherlands, Norway, the United States of America, the chargé d'Affaires of Denmark and the United Kingdom, and confirm the understandings set forth therein.

The Government of the Islamic Republic of Afghanistan agrees furthermore to address any AIHRC recommendations for improvements, and to notify the AIHRC and relevant embassies of the actions taken.

The NDS will issue a written instruction to all its provincial offices informing them of the access and visiting procedures as outlined in the letter of 06 September 2007 and the bilateral arrangements.

Sincerely,

Dr. Zalmai Rassoul
National Security Advisor
Islamic Republic of Afghanistan

Cc: H.E. Ambassador of the United States of America
H.E. Ambassador of Canada
H.E. Ambassador of Norway
H.E. Chargé d'Affaires of the United Kingdom
H.E. Chargé d'Affaires of Denmark