

Page 81

Date 1-19-1382

Question

What is your name?

Answer

Pen Name [REDACTED]

Son of [REDACTED] From - [REDACTED]

Village [REDACTED]

District -

) Please make it clear. ① My Name is [REDACTED]

What is your relationship

WIT AZIM SHAH - SON OF Saleh

Mir

TAJU MIRZA KALI

LARIM Father Name mirwati

Tawaid " " Hazrat Khan

and TOTA KHAYEL

do you have any relation

with them or what?

Give us information

Pen Name [REDACTED]

I have no relation with
the people you named.

) Also make it clear ②

The people you named

that you (11 People) have
done any Deale or what?I Never made any Deale
with them and I dont ~~do~~
associate with them.

) Please make it Clear

Who give you order to search
the people we named

and If you find and get

thing from them

. who are they?

Me [REDACTED] Father Name
[REDACTED] with 15 personal 000329
in Stakande from the Discover
Group of Paktia's National Army

3 is working over there

AnswersQuestion's

(4) Please make clear if there was any group of Robber's around your post if you have any information introduce.

(5) If we find any proof that you have search cars you will be responsible?

(6) If you all haven't search the who did it? Please give us information

(7) Do you think beside your group there was any other group that was searching vehicles or people and getting things from people? If you know any place introduce us to them

(4) I been working only for 6 day's I don't have any information about robbery groups and I havn't searched any vehicle or any body if you find any proof I will be responsible

I was just a cook cook I don't know nothing about cars I don't know who search it.

(7) I have no knowledge about anything because I been working only for six day's

Finger print 000339

EXHIBIT

THE AFGHANISTAN TRANSFERRED GOVERNMENT
ASSISTANT OF DEFENCE ATTORNEY OFFICE
Directory of Investigation.
Team at Duty

Question's

To the Directory of General Attorney of Paktia province!

The following Name's Case

Father name [REDACTED]

"

"

"

"

"

"

Soldiers for the Sistan and Baluchestan
of Paktia province
which has been captured/reduced
accused for robbery.

by the Coalition force
in late March stay in
American Camp area. in Gardez

as soon torture during
interrogation and punishment like
to the soldier by name of
Jamil son of Gholam
age 21 years old

last He is life

Answer

→ investigation by

Directory of investigation
and their is a Form

Council which is doing
investigation

Please Help us and about
following facts - Give us
information So we Go on.

BEST COPY AVAILABLE

000331

b6
b7c

Question

Answer

D We Hope any Documents and evidence that you have Give it to the form team and do your part.

) Your information is most useful to conclude the case we are hoping you can help about it.

③ Did any one bring JAMAAL [REDACTED] body to any hospital for Autopsy?

) The One's has been injured in this case

Did any one took them to Hospital? **BEST COPY AVAILABLE**

and thank you for your help

Defence Attorney on Duty

The form from the Afghanistan Government.

The representative from the

Attorney General of Paktia province

in He's inquiry paper write:

① about the suspect's of the people named that

They been Captured by the Coalition force

and after they did Consultation with Governor, [REDACTED]

give a reason to the

Province Security Commander

also to the Criminal office

that they should print organization

and attorney offices to

observe about this case

000332

According to the Governor's

proposed and offered

to put this case

DOD DOA 27822

b6
b7c

... in absentia.

So they can investigate the case
by the consultation or directory of litigation
and we should decide about the case
about the suspects being under custody
what ever is necessary follow it.

BEST COPY AVAILABLEpage 85

I put so much effort to light up the case

also I did investigation after I complete it

I take the Form's opinion. I prepare everything
and give it to the higher level for more studying
and consideration. everything is in the file.
and every thing the higher level did is also on the
file.

② The Form about Lightening of the case asked for
inquiry from discovery organisations. 000333
we kept that also in the file.

③ about the person who dead I find out During
investigation and let the OFFICE know about it.

④ about the question tell you the reality

that what this case not only attorney General has
responsibility also

EXHIBIT

→ Have responsibility that the patient's has complaint, and they should go to local Hospital and should be treated.

NOTE: because the form requested.

The original file we have it. total 23 pages and B(2) page of Shifer paper. which is from General Attorney secretary office will get it.

and the organization's and province should work together and following the law we will work together.

With best regards
Sign
Interrogator of investigation
Director

000334

86

Defence Attorney OFFICE

To The Secretary

Directory of Investigation Inquiry

paper

note	Question	Answer
2	To the Director of Health about the Spatial case that we are investigating in this administration according to the Document and proof's give us information about.	To the Emergency office! give us information. Sign
31	Jamal [REDACTED] that in which date and with which Authority's introduce to Hospital?	Date 17-3-2003 in book of Record says, Jamal Father name: [REDACTED] Trib: [REDACTED] He's cousin [REDACTED] [REDACTED] Father Name [REDACTED] Received He's body. Sign The signature accepted Signature [REDACTED] b6 000335

page 87 0062-04-C D 369-697786

also give us information what is
the cause of death. So we can
further investigate.

Sign

Barrister at law

Sign.

Defence Attorney

at Putty.

b4
7C

000336

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EXHIBIT 44
DOD DOA 27826

ATTORNEY GENERAL

Secretary of Attorney general.

Directory of investigation

Date - 82-3-1

Question

To the secret of commissar
to the Criminal Directory.

With observation of document
and per statements
about the Stokendo post
members. That 8 people
got arrested. and one
person in American Campin
got kill.

all petition's from province
had said it which was
full of complaints.

Please make it clear

which was the people?

How you question'd them
about the items or?

So we can appeal for

them

State Attorney
or else

Answer

Dear The form members

Since white we sind
paper work about the acc

Petitioners they wer not
hear so we could have

Run something about it

We sind the petitioners

Paper down with letter
16 of national security
attorney general.

So I give you information
above

Sign

000337

Mc Investigation
Director.

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EXHIBIT # 27827

Read page 91
before 90

page 90

0062-04-C ID 369-69

In Gardayig province carry one person because of
beating and torturing got killed in the rest.

of the members delivered to the security comm.
OFFCE.

The Governor of Paktia province personally was
try to make the case and to give a bad
name to the Commander (Atiqullah)
and the all members.

Sign
National security of Paktia province.

000338

BEST COPY AVAILABLE

page 91 0062-04-CID 369-69278

ATTORNEY GENERAL I.L.I.

Secretary Office

Directory of investigation

Date 82-3-31

The mission form

Question

to the National Security
directory of paktia province

by the letter # 113
1382-2-12

of the all Related directory
of Justice Department.
of Afghanistan.

According to the letter

109
1382-2-12 of National
Security directory of paktia
province was the figure.

The follow names

[REDACTED] Father name [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

④ [REDACTED] Father Name [REDACTED]

#515

In Starkando location accused that they take people's IT tanks and such people & do an robbery.

That's why they demanded for investigation to this administration. case is under investigation. I hope for more information and opening this case you will give us following information.

So we can ~~open~~ appeal the case.

Q) What kind of information you have about the suspects and what kind of reports?

and what have you done about it?

Q) The Suspects are saying that they spent 17 day's

in American camp and they were tortured and because of that one

they stop a group of people whom have wedding party and they were going to Khost.

They stopped in Starkando location they have been pulled with NO reverence and later they got captured by ~~re~~ request of governor of Paktia by American force.

and delivered to American compnay.

003343

V

b6
b7c

2nd page 40

IS THIS THROW?

GIVE US INFORMATION.

③ THE ACCUSED PEOPLE STATEMENT SAY'S

THAT THEY WERE INJURED AND

FOR 55 DAY'S THE KAPT

^{while} ~~ON~~ CONCEALMENT WAS
GOING ON. AND THEY
WERE UNDER TREATMENT.

IS THIS THROW?

④ WHAT KIND OF DOCUMENT
OR PROOF AND EVIDENCE
YOU FOUND IN THIS CASE
AND WHAT THE SUSPECTS
HAVE SAID IN THEIR
STATEMENTS?

PLEASE HELP US AND
GIVE US INFORMATION.

000341

SIGN
FEDERAL ATTORNEY
GENERAL ATTORNEY

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EXHIBIT 44

DOD DOA 27831

Page 92 - 006710
BEST COPY AVAILABLE

ATTORNEY General OFFICE, I.I.I.

Secretary OFFICE Directory of investigation.

Date

form on Duty.

Question	Answer
To Be Commander of National Army # 3 about the case by letter # <u>113</u> <u>Q-12-13 P2</u> from Directory of relation from Directory of all for presences of Justice department, imitating letter # <u>109</u> <u>3-20-82</u> of National Security office of paktia province and incloud the case of eight (8) people which has been Captured the responsible Authority and members of Stakards past take place by the American Compain finely the person by name of Juwel get know	Dear form member for Defence Attorney OFFICE of National Army of Afghanistan with respect this is the answer. because the Coalition force are fitting against (Al Qaida) and Tora and bad people probably friends have good information about the capturing. The Army Group # 3 don't have much 003342 information an other The Government hasn't give any information

and the other member
has been tortured and
got betting.

So you as a responsible
person give us an
accurate information

and give us based
information.

That what was the
main cause of arrest?

When and how did you
find out? That American's
captured the Starkando
post and what have
you done about it?

write it.

S. JN

only they find out
by telegram that

The American friends
captured the post.

Sign
Defence Attorney
on duty.

page 93

and the suspects are
in American camp in
under arrest

and the reason is
not the Army

be case the Afghan army
was not involved in this

case

000343

Sign

page 94

- (1) Real Name: [REDACTED]
- (2) Family Name: [REDACTED]
- (3) Father's Name: [REDACTED]
- (4) Date of birth / place of birth: ?
- (5) Ethnic background:
- (6) Nationality:
- (7) Language:
- (8) Current Address including Village, Dist. Province:
Permanent Address: [REDACTED]
- (9) Occupation: District _____
Province _____
- (10) Education:
- (11) Marital Status:
- (12) Wife's occupation:
- (13) Children:
- (14) Criminal background:
- (15) Nearest Relatives:

Left side

- (1) Real Name: [REDACTED]
- (2) Family Name: [REDACTED]
- (3) Father's Name: [REDACTED]
- (4) Date of birth / place of birth: [REDACTED]
- (5) Ethnic background: [REDACTED]
- (6) Nationality: [REDACTED]
- (7) Language: [REDACTED]
- (8) Current Address including Village, Dist. Province:
Army Colonies. [REDACTED] ↓ [REDACTED]
- (9) Permanent Address: [REDACTED] ↓ [REDACTED]
- (10) Occupation: [REDACTED]
- (11) Education: [REDACTED]
- (12) Marital Status: [REDACTED]
- (13) Wife's occupation: [REDACTED]
- (14) Children: [REDACTED]
- (15) Criminal background: [REDACTED]
- (16) Nearest Relatives: [REDACTED]

000345

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7C

EXHIBIT 44

DOD DOA 27835

(94)

to the paktia province OFFICE
of Gourner!

With all Respect This is my Statement!

Some time ago som one by the name of

[REDACTED] which is a close relative of commander
([REDACTED]) Came to my shop which is located in
Gardar's city and take a Sharp TV.

The price of the TV is (12 Thousand Pakistani Rupees)
and carry it to the stakando when I ask
[REDACTED] to give me back the TV he
never did. and He never give me the money.

now He is Serving in National Security OFFICE
in presen. please Help me so I can get
my money back . and I want to thank you.

Sign [REDACTED]

000846

b6
b7c

0062-04-CID 369-69278

sage

95

Date 12-~~12~~ 26 - 81

TO THE NATIONAL SECURITY OFFICE OF
PROVINCE

WE DID OBSERVATION ON THE STATEMENT.

Sign

[REDACTED] (?)

000347

b6
IC

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EXHIBIT 44

DOD DOA 27837

page

96

0062-04-CIN369-69278

380 Transferred Government of Afghanistan

2/6

ATTARNY GENERAL

Secretary ATTARNY GENERAL

Director of investigation and crime

To The Defence Attorney office of National Army
3 at paktia province

I am sending along this letter a file
about:

BEST COPY AVAILABLE

[REDACTED] Father NAME [REDACTED]

[REDACTED] " [REDACTED]

[REDACTED] " [REDACTED]

" " [REDACTED]

" " [REDACTED]

" " [REDACTED]

" " [REDACTED]

They are under investigation in this office 006347

after we get the conclude we send it to you,

So You do what is necessary also copy's

will be send to Defence attorney office and to the Governor office at paktia [REDACTED] office of

paktia.

With respect

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DOD DODA 27838

Secretary Attorney General

EXHIBIT

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0062-04-CID 369-69278

Sign

Brigade General
[REDACTED]

Observation by Date - 4-9-13-82
Clerk on Duty

Sign

COPY to PAKTIA province

COPY to National Security Office

COPY to Attorney General Office

000349

98

- (1) Real Name: [REDACTED]
- (2) Family Name: [REDACTED]
- (3) Father's Name: [REDACTED]
- (4) Date of birth / Place of birth: [REDACTED] Years old
- (5) Ethnic background: [REDACTED]
- (6) Nationality: [REDACTED]
- (7) Language: [REDACTED]
- (8) Current Address including Village, Dist. Province: [REDACTED]
- (9) Permanent Address:
Family Subdivision in Gardaing [REDACTED]
- (10) Occupation: Group Leader
- (11) Education: N.C.N
- (12) Marital Status: M For Official Use Only-Law Enforcement Sensitive b6 b7c
- (13) Wife's occupation:
- (14) Children: N/A EXHIBIT 44
- (15) Criminal background:
- (16) Nearest Relatives: [REDACTED] DOD DOA 27840

I that my Renown is mentioned
in (JIHAD) time I was a child and with
my family whom was the Mojahidin members
Went to pashawar pakistan after the Islamic
Government got the control in Afghanistan in (1371)

I came back to my country.

and continue my education.

after Taliban Fall since 4 month I been working
in National Army in paktia province as a Grop leader
and between Khost and Gardarz post 12 People
have duty now 6 of them under arrest in heat

because of some contrariety between (National Army)
of paktia and (padshah Khan) from ZADRIN
They didn't like National Army post in this
location approximately 3½ month ago by the
American force he captured 8 member of the post

we been in American Camp with we be questioned
that (we stop the vehicle and we did robbery) : 000351
they Tortured us that is why [REDACTED] b6
[REDACTED] 7C
TANIAI) lost his life

page 99 0062 04-CID 369-69278

We are not guilty what so ever.

You can see some marks because of beating
in my body even now.

We served some time in American camp and they
transfer us to National security of paktia province
we spent two month in paktia province now we been
here in Kabul presen for 5 day's
personally me and the other member in post we are
not guilty at all. If you find any proof I will be
responsible for it.

Finger print.

000352

Interview of Suspect

Soldier in National Army

(100)

- (1) Real Name: [REDACTED]
- (2) Family Name: [REDACTED]
- (3) Father's Name: [REDACTED]
- (4) Date of birth / place of birth: [REDACTED] (in [REDACTED] years old)
- (5) Ethnic background: [REDACTED]
- (6) Nationality: [REDACTED] Afghan
- (7) Language: [REDACTED]
- (8) Current Address including Village, Dist. Province:
↓
[REDACTED] [REDACTED]
- (9) Permanent Address:
- (10) Occupation: Labor
- (11) Education: 3rd grade
- (12) Marital Status: Married
- (13) Wife's occupation: House wife 000353
- (14) Children: [REDACTED]
- (15) Criminal background: None EXHIBIT 44
bb7c
- (16) Nearest Relatives: Father - [REDACTED] and [REDACTED]
+ [REDACTED] and [REDACTED]

page 101

(actual incident)

4 month ago in #3 National Army Voluntarily become Soldier after approximately 2 month I got one month pay and one month CPT.

(~~10-12-1381~~) Some ISAF force came to Shabando post where I was working they told to the commander we will go to Room and have some tea we prepared some tea one's we start pouring it to the cups they got their arms and shout rise your hand's and don't move they collect all the arms and take us to the American base in Gardez and after that to the commander of security of Gardez province and then the Discovering commander came and told us the they will free us at (10 o'clock) 003354106

they move us to the Gardez national security office and the (-2-1382) we were about EXHIBIT
44.

page 1.1

We don't know over Guilt we have been told that people told the Americans that we been stealing things from people and we been searching the cars or clocting many. This was the true incident that I said and after they write it they read it to me and I am satisfied.

it is necessary to add that they tortured us what they are doing interrogation.

That is what [REDACTED]

Jamal die [REDACTED]?

Finger print

000355

b6
7C

The Beginning interrogation of The CaseQuestionAnswer

NAME: [REDACTED]

① Dear! American's arrest

Please Answer The following
Question.us around 11 AM They
accused us that we been
searched cars an got money
from people we told them2 When Where and
by whom did you
Captured?That over post is for
Security not for searching
and we havn't done any
thing wrong.3) ~~after arrest~~ Answer

② We had Arms Qus

After the proceeding arrest
did you had armour ?
The su shot over eyebut when they came to
drink tea we follow the
Afgan Culture when evryhand tie over head and
put us in Vehicle

one got biggy they

take us to American base

Dear They treated us
one person by name
of Jamal die

BEST COPY AVAILABLE

Question

003356

bc

After Arrest went
where you been under
investigation ?

102

④ how was the behavior
of the American's.

④ that was injustice
to us they did oppression.

⑤ Do you have any law
suit on anyone?

⑥ How many have you
been on the first day.

How many are you now?

000357

page 104 beginning interrogation of the case

Question	Answer
NAME : [REDACTED]	Dear !
please answer the questions post was located in	gardaz province in (stakando)
When where and whome arrest you ?	around 11 AM whe we had tea with american's they start arresting us,
What was the reason ?	They clos'd our ex's foot and hand's and delivered us to base
When they captured you what you been doing and where were you ?	They start torturing us why they did
How was the interrogators behavior ?	interrogation one they ask us if we stopped Vehicles take things or take people's food ?
To whom you have to claim to pretend ?	first time in was 000358
and what is that you are claiming ?	They put cold water on me
at the arresting time who was your Commander ?	EXHIBIT 44 b6 b7C for 17 day DOD DOA 27848

my eye's closed I was injerd.
 even now do you ~~can~~ can see some signs
 on my skin and body in gardaiz the
 doctor came and did some treatment.

Dear !

The people in (ZADRAN) didn't want any
 post or National Army

That is why they give wrong information
 and they put us under punishment

The punishment was so heavy that one
 of the member by the name of Jamal
 Got killed by (American force) since they
 punish us we didn't see how they killed

Jamal the complainant is from (ZADRAN)
 people in arrestment time the ~~the~~
 commander (██████) was not their he
 was in (██████) (██████) in He's house,

Finger print,

000359

page 106

Forme Adresss of Petioner.

Name [REDACTED]

father name: [REDACTED]

Date

Adresss

Ebrahim Khayel
village

District → [REDACTED]

Province [REDACTED]

Job ?

Honourable Governor of Paktia Province.

Respectfully inform you that:

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me and the district chefe of [REDACTED] and some village elders had to go from shorak to gardaiz town center and I was trying to deposit (70,000 AF) (Seventy Thousand) Afghani to (GARDIBANK) on the way between gardaiz and shorak in (JADI) month of this year some people from the post stop us and some one by the Name of commandor [REDACTED] order he's soldiers to take EXHIBIT 4 part of the car and his force Mex [REDACTED]

~~page 106 0062-04-CID 369-69278~~

got the Seventy Thousand (Cold Afghani)
and for (5Hr) I was under arrest
after(5 Hor) They let us go we Complain
to the National Army and no one
take any respond .

000331

page 107 0062-04 D 369-69278

I the petitioner give you the information
and I hope Help me on any way's.

Finger Print

The Directory of outsider observance.

please do necessary things about the petitioners
statement.

Sign

12-17-81

to the Directory of clerks
please observe the law

Sign

to National Security Commandant
observe the law

Sign

Pakistan province
Governer

000332

b6
b7c

beginning interrogation of the case

Question	Answer
NAME : Please answer this question's.	Dear ! I was with friends at the Stakando post about (11 AM) some foreigners came and ask about drinking some tea.
1 - Who where and by whom you been captured?	during drinking tea
2 - What was the cause of arrestment?	They start arresting us they shut our hand and our eye's finger print
③ at the arrestment time what was your position?	Dear ! They was a interpreter they just exgaing one or two words they told us that we been searching cars and you been stop the cage vehicles 000333
④ How was the examiners behavior?	and get mark from people
⑤ Do you have any case against any one? and at the time of <u>arrestment</u> who was your counselor?	but we hasn't done any of they's b6 DOD DOA 27853

108

after arrestment they took us to American Base. They start torturing us. They beat us

Page 109

They tortured us somuch. That is why one of us He's Name was Jamal ~~dear~~ got killed. we still have the marks from the beating and torturing in body's even they give us some treatment in gardaz Hospital.

Finger print.

Dear! we have a case against (ZADRAN) because they give wrong information and the cause was they didn't want any post.

Dear, During arrestment the commander was [REDACTED] and he was at He's house in (ZADI)

Finger print

000364

b6
7C

page → 110

ATTORNEY GENERAL
Secretary of Attorney General
Directorship of investigation

Question	Answer
<p>Dear Doctor on duty! please after introduce your self give us information : Whom and when brought Jamal son of [REDACTED] to the Hospital. Please make it descriptive and give us your observation that you have seen in body - please write the truth and reality.</p>	<p>Answer to your question I was not on duty on that night I came to get some medications that was my need at the same time Criminal directory was using ambulance to bring the body but the driver for ambulance was not there so they took us with their own car to the base</p>

000365

They wrap the body
and with commanders
car got it to the
hospital and give it
to [REDACTED]

DODDOA127855 EXHIBIT 44

Sign: M. B. 3/2

Ver. 3/3

0062-04-CID 369-69278

(110)

and since I was not feeling well I want home next day by permission of commander we delivered the body to He's family.

This was what I have seen and told you.

With respect

Sig

Nurse at Gardaiz Hospital

000366

b6
b7c

page → 112

ATTORNEY GENERAL

Secretary of Attorney General

Date - 1-3-82 Director of Criminal Investigation

Question	Answer
Respectful [REDACTED]	[REDACTED] daughter of [REDACTED]
[REDACTED] [REDACTED] [REDACTED]	per [REDACTED] mother [REDACTED]
please introduce your self and give us information.	of Jamal is saying He's story:
- Who your son's was working for?	[REDACTED] [REDACTED] [REDACTED] Jamal Father name [REDACTED]
2- Your son Jamal when died? Who did they bring the body home? and what was	[REDACTED] got job in Stakando post for the National Army Commandership. later during job they got captured by American's [REDACTED] 000387 for 10 day's the been under arrest during interrogation [REDACTED] by American. They tortured [REDACTED] 7C
He's condition?	[REDACTED]

page 112 + 113

Have you seen Ho's body with your own eye?

Have you see any marks or sign in Ho's body?

and what do you want now?

do you have any case against any one?

Sign

Sign 82
1-3

Defence attorney
conducting

and Jamal got killed during interrogations I see they are body's They're chest was full of marks their feet had signs and injury marks. They give Jamal's body to the hospital American's brat take body home.

and they take [redacted]

to Kabul

This was what

000368

have seen

106
JL

page

114

ATTORNEY GENERAL TO
 Secretary Attorney General
 Director of Crime Investigation

Question

to the Magistrate
 OFFICE OF NATIONAL
 Afghan Army of
 Paktia province!

Is you know late 1381
 The Coalition force arrest
 3 people from Starkando.
 They been accused for Stoping
 vehicles and collecting Money
 from people. They delivered
 to American base in gardays
 and for 17 day's they
 been under Interrogation
 according what they are
 saying they been tortured

some of them got injo for Official Use Only - Law Enforcement Sensitive

and one of them by the and observer DOD DOA 27859

Answer

to the Secretary of Attorney
 General in National Army.

This is the Answer to
 Your inquiry.

① No one informed us
 about arrestment or
 accusation but Letter
 they delivered to the
 paktia province security
 commander office.

No one give any Report
 if some one will

give any report to this
 office we would use

The Law # 36 EXHIBIT 44

DOD DOA 27859

page 114 + 115

got Kud. any way the accusation in this post is under Right # 36 of Attorney General should be taking place.

but that hasn't happened even after 3 month pass the ~~sold~~ serve time in American base in Paktia province finally they delivered to Kabul by the directors of Prison's and jailers of Justice Department.

That is why this file by observing the law introduced to the National Army Magistrate so please give us information about following:

① do you have information

② About this case

There was a commission (Form gathering) or examining & in this gathering the paktia province litigation was involved

that is why this directory didn't inter fair.

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③ about the

Delivery of prisoners this office don't have any information

Sign
Secretary of Magistrate
in National Army
in 3rd Division of
Paktia

000378

DOD DOA 278

EXHIBIT

0062-04-CID 369-69278

114 + 115

2

What have you did about
it?

3) What is the reason
of moving the prisoners
to Kabul?

Please give us information

Sign
Magistrate on
Duty

000371

Page

116

0062-04-CIN 369-69278

BEST COPY AVAILABLE

ATTARNY GENERA

Transferred Government of Afghanistan

Secretary of National Army Magistrate

(Director of Criminal investigation)

inquiry

to the Paktia province
National Security Commander
and Criminal Directory!

by letter # 113
1382-2-12
of prisoners directory.

We point following the
Following People

Father Name

[REDACTED]
[REDACTED] [REDACTED]

Dear the executive

Committee!

I informed from You're
inquiry I will give you
following information
about arrestment of 7

[REDACTED]
[REDACTED] Son of [REDACTED]
[REDACTED] - 4. M. [REDACTED]
3- [REDACTED] 113 [REDACTED]
[REDACTED]
4- [REDACTED] 113 [REDACTED]
5- [REDACTED] 113 [REDACTED]
6- [REDACTED] 113 [REDACTED]
7- [REDACTED] 113 [REDACTED]

They are the one's been
arrested by American's
000372
and delivered by Governor
to this commander's office

DODDOA 27802 EXHIBIT 44
The arrest made

They stop cars and did robbery between Khost and Gardaiq in Starkando post
 The 3rd division National Army
 They take people's things
 That is why they got arrested and delivered to American base and finally to this commander office about the confiscation of accused people the Examiner is saying:

after arrestment they serve 17 day's in American Base first they been 8 one of them got killed because of torturing and we delivered the others.

to make the case more clear please give us all background and statements with explanation in this case

Completing the investigation and predestination by Letter # 12
 guidance and conduct to the Governor office because of completing the case

There is a form Magistrate of National Army - the Criminal Director of National Security and the representative of attorney General office (litigation) and the other # 164 has been send and it all page 003373 delivered by letter #

16
 3-11-1382 DOD DOA 27863 EXHIBIT 44

page → 116 + 117

also why they been
for to 2 month under
arrest and what will be
they are predestination?

Sign
magistrate
on duty

~~Sign~~
Sign

That the farm
about this case can
get Attribution since
the exom took place
by national security
magistrate.

I give the information
above so case should
be falow

Sign

Note: I send the copy
of all motion's and
proposal's to the farm.

Sign

000374

b6
7C

Page 118 0062-04-CID 369-69278

ATTARNY GENERAL

Transferred ISLAMIC Government
OF AFGHANSTAN

Secretary Attarny General

Dirictory of Criminal Invistigation

TO THE ATTARNY GENERAL !

Honourable !

The letter 113 2-12-1382 Dirictory of
all related ~~of~~ for Prisoners Justice Depatrment.
letter # 109 - ~~#~~-1-1382 Dirictory of —
National Securaty of paktia province
with respect on you're Shefer #(490) 1-31-1382
Answer is : the accused people :

- | | | |
|---|---|----------|
| ① | [REDACTED] son of [REDACTED] neck NAME [REDACTED] | 66
26 |
| ② | [REDACTED] // [REDACTED] | |
| ③ | [REDACTED] // [REDACTED] | 000375 |
| ④ | [REDACTED] // [REDACTED] | |
| ⑤ | [REDACTED] // [REDACTED] | |
| ⑥ | [REDACTED] // [REDACTED] | |
- EXHIBIT 44
- son of [REDACTED]

118

Has been Send.

The people above mentioned on the road between Khost and Gardyez in stakando post of security for the 3rd Division of National Army has been working.

They always did robbery and take people's things - They search all passengers and collect peoples things by force so the coalition force captured all of them unarmed all of them and with Governor's consultation the above experts delivered from American base to this commander.
So above was the information.

The steps for transferring the 7 accused that has been delivered by guards in Kabul province Governor office about the interrogation and predestination 000376
~~the accused individuals~~ individuals should start working and let us know about it and with copy of this we let the paktia province informed

So they provide as more information.
because of demanding of above letter the case
has been mentioned by observing all interrogations
plan's and expedient has been under investigation
The involve people in this case which have
similar proposal's . This will be the consideration.
The 12 individual's whom was working in
Stakando past between Khost and Gardaiz to
Keep Security 3 month ago ex march
(1381) a Group of American Arm'd force
captured them why they been busy with
drinking tea at that day only 8 people
was working later on they been delivered to
in American base in Gardaiz and after
that they been tortured be cause of that
One person by name of Jamal got killed,
all together they been 17 day's under 000377
investigation after Jamal died it's body
delivered to punkt in province Security commandor

118 - 119

and the others been here for 2 month
 far treatment after we got better by consultation
 of Governor of Gardaiz they been delivered to Kabul
 us been study you can see some sign and
 marks of injuries in their body's you
 can see some nail's pulled off. So we take
 them to hospital us we see this case
 can be resolve because

- ① observation from crime location, the original report and more tools and the investigation should take place in Gardaiz
- ② about the arms which was on the port,
what kind are they and how they been used
- ③ about the Jamal's cloth should get in touch with American base in gardaiz
- ④ about the local police (what have they did)
why they treat the prisoners secretly and
why they keep them for so many days

000373

ATTORNEY GENERAL for Transferred Government
of Afghanistan Attorney General Secretary

for National Army - Directory of Criminal investigation

To the Attorney General!

Dear Sir Letter # 113 → 2-12-1382

of all prisoners related directors for Department of
Justice

Not: Page 120 and

page 118 are the same

but the sign on the back is different

The sign on 120 is by the form

of executive committee on page 121

Says : observation and considering 000379
and investigated by executive committee

Interrogation page for [REDACTED] page 13

The Beginning Interrogation of B.I.
CASE

Question

Answer

- 1 - plz give us information
about follow
Since when you are member
of [REDACTED] # before
the new Government did
you work for Taliban?
What was your job?
When did you start working in Pakistan after
for National Army of Pakistan?
- 2) besides your group
post) was the army
other post?

- 3) according to the information
some friends your group
members stop the car's
what were you think?

(1) With your respect
my brothers work with

([REDACTED]) I was just
a child and I wasn't
a member of [REDACTED]
at taliban's time I was
a driver my home was
in pakistan after

([REDACTED]) ([REDACTED])
became prevalent we move
to gardar province 000380

all together I work
for 7 to month with
pakistan National Army
and that was all my work

but 3 month after EXHIBIT
DOD DOA 27870

Question

- ④ ascription showing that you ordered your members to search the cars and take people's things what will you say about it?
- ⑤ if you think you havn't done any thing wrong why they put you in percent what they arrest you?

Answer
in Starkando I work

4 month.

② before us there was a post by [REDACTED] their was more post's in Starkando all belong to [REDACTED]

[REDACTED] son got Keld an other post was their belong to (Zadran) all together their was 3 post in Starkando the commander for (ZADRAN) was [REDACTED]

[REDACTED] in Showuk

Location

Finger print

([REDACTED])

000381

b6
b7c

Answer to question ③ ✓

With respect!

That is not the truth we never stop the cars
and we never search the cars we follow the law.
and I never stop or search any car. (fingerprint)

Answer to Question ④

With respect!

I am a military man That subject is all lies.

Answer to Question ⑤

This is a diversity of opinion between tribe's

The zedran tribe's tried to put their own post
on that location but they are not the Government people
They were not with Government and they were not
Uniformed that was so hard.

✓

page 123

000382

Question

⑤ at the arrestment time what you been doing?

⑥ Answer to Question ⑤

Latly the intrigue about us and they pass ~~wor~~ wrong information to American friends that is whay we got arrested.

~~What~~ With respect!

We been setting and having tea American's came and going us ~~why we~~ while we start poring tea into caps they star close lower eye and befting and torturing 3 start tie out us with cable or somthing and continue for 14 day's

Answer

Finally [REDACTED]

got kid it was around (1½ ocl)

When [REDACTED] get kid they didn't ~~gave~~ give my permission to see him.

~~about~~ around (5 oc)

Dari Lang linguist came He said he is going to bring coffin and move [REDACTED] body.

after that I intend to the room I see this was a plastic pip in my brother's mouth and 00383 injection in his hand.

at This moment 3 person (American big bosses) b6 DOD DOA 27873

123

intered and they ask me who did this
 to [REDACTED] I replied my eyes were shut
 I didn't see who did it at this moment he
 took one forevers to seize one by collar and told
 him. It was better if you would have shut him
 instead of doing this match torturing.

after that they left and I tie his chin
 his feet and hands which is our tradition.

they told me we respect your religion.

please forgive us our behavior was ~~ever~~ wrong
 because there was a misunderstanding.

and then they asked what we can do for you
 what kind of Help? my heart was broken.
 I told them I am not going to mis up my
 brothers (shahadat) to suffer martyrdom.

if you give me any thing I will burn that
 I was setting on my [REDACTED] death body

3 cars arrived from paktia province National Army

National security they put my brother into ambulance

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000384

b6
b7c

and I was with him later my relative got

DOD DOA 27874

EXHIBIT 44

123

got informed by Security commander and
they arrived and move the body I stay there.
letter they move us to Kabul they told us
we will be free. The time I served there
I had some injures because of torturing.
They give us some treatment.

000385

The beginning Interrogation of the case

Question

Answer

1 - during they take you from the room the commander was informed or he was there? or what?

With respect!

at the arrestment time my commander [REDACTED] was in He's house in (2A2AI)

② What do you want now and don't think you are guilty or what?

He find out very late finger print

[REDACTED]

With respect:

We want as son is possible get out of prison.

They had tyrannical behavior with us.

We have faith to

our Government we have fidelity.

I am not guilty of any thing my claim and pretension is DOD DOA 27876

~~EX-HEADMAN~~

Finger print

0062-04-CID 369-69278

✓23

000387

page 126 0062-04-CIN 369-69278

Security Commandership of Paktia
Directorate of Criminal Investigation

PROPOSED

TO : Paktia Governor Office!
us you know 7 people:

[REDACTED] Father Name [REDACTED]

[REDACTED] First by [REDACTED]

[REDACTED] Father Name [REDACTED]

Has been arrested by American's and by Governor's guidance they delivered to this Commandership. So after observe all paper work and arrestment's file because the crime havent prove yet the investigation shall continue, because the 7 people shudn't leave without knowing their predestination my —

proposal is to Governor's office so they give this proposal to the Attorney General's office sign in 15 days and out the

Orders

observed

1-3-1382

Attorney General

for Justice Department

This proposal is presented

to you so you can

use it and the follow

the law

Governor of

Paktia

Sign

000388

b6
b7c

Official Use Only Law Enforcement Sensitive

W.M. Report

Sign

and sign
Date

EXHIBIT 44

0062-04-C-1369-692

127

000389

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EXHIBIT 44
DOD/NDA 12/9

page → (128)

0062-04-CID 369-69278

Savvy Commander Office of Kabul province

Secretary of Security

Directory of Versify

afg 27-7-1982 Secretary of Prison

Inquiry

to ~~Health~~ Health Clinics
of Security of Kabul province
according to the directory of
criminal investigation of
Attorney General office of Kabul

The following

Father name: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

The individual he accused for
Thiefed on robbery during
Interrogation has been
interrogation has been

tortured and tortured the
been delivered to that Clinic
for treatment. Please treat him
well and give us the report

With respect!

the suspect has been examined
all together diagnosis
Post Traumatic Care.

That means because of beating
3 months ago they still

have some marks in kidney
Joint's - abdomen belly's

Spinal Column(Cupper)
Very bad damage.

but the majority of injury's
got better. Just in

[REDACTED] foot finger

the damage cause is
diagnosis Hematome

He need treatment that

000390

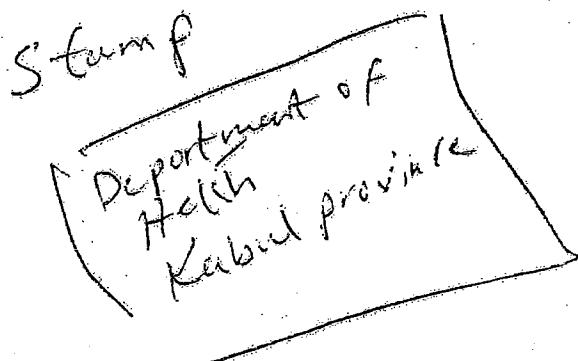
should be watch and
attention should be given.
After Left his anesthetic

page 12a (0062)-04-C-369-692

and that is also because of beating
and torturing also (████████) has
some damages on he's abdomen area's
now most of injury's been recover
this was the report

Sign
Directory of Health

DR ████████ 02-17-1382



b6
7C

000391

Paktia province Security commander
office → directory of crime fighting

Answer proposal

to the Governor's office.

The 7 suspect's

[REDACTED] Father name [REDACTED]

Kneek name - [REDACTED]

Son of [REDACTED]

[REDACTED] Father name [REDACTED]

[REDACTED] Father name [REDACTED]

Father name - [REDACTED]

[REDACTED] Father Name :

[REDACTED] Which has been
arrested by American's

in this province and
under Governor's control

~~Proposal answer~~

Sign Date: 1-11-1382
observed

Sir! The security commander
please prepared all the arrest
papers and any eye witness
and anything from 3

Form include Attorney General
of National Security
Directory of Criminal
and defense Attorney
for appeal or the # 164
has been aplly so investigate
should falaki and finalise b6
sign

[REDACTED] 006392
Paktia Governor

Sign → Attorney General EXHIBIT 44
investigation director
Falki Governor's DOP DOA 27882
Attorney General

They can send to his Commander's office we will not know their predestination unless they send the Subpoena papers and arrestment papers to the one interrogation took place with.

This was the proposal so you respectful make decision about their predestination let us know your decision we need your guidance.

Sign



b6
b7c

000393

Page 13a National Security Command Office
of Paktia province 0062-04-CID 369-69278
Directorate of Criminal Fighters
Investigation directory

INQUIRY

ANSWER

The National Army division #3 to the National Security Commander!

The following 7 suspects.

D [REDACTED] father name [REDACTED]

Kurdic Name [REDACTED]

[REDACTED] father name [REDACTED]

Ismail - Momen father name -

[REDACTED] father name [REDACTED]

father name [REDACTED]

father name [REDACTED]

[REDACTED] father name [REDACTED]

Has been arrest it by American's
In this province

by Guidance of Governor they delivered. They is not any prove

To this Commander office the mention of any crime
soldiers belong to division #3 of
National Army please give us information If there is any please

If they are from 3rd division

National Army or what?

also we want to know for
what reason they been arrested.
Please give us information

so we can appeal

Sign

The Commander and Soldiers
whom mentioned to the
inquiry paper at #3 division
of National Army total of 8
of them are under arrest

at National Security office
& Commander's office and
One person lost his life

We confirm that they
belong to the 3rd division
of National Army

if they are from 3rd division
give it to the National
Security Commander office

Sign

3rd division National
Army Commander 000394

b6
b7c

ATTORNEY GENERAL

Transferred Government of Afghanistan

Secretary of Attorney General for National Army

DIRECTORY OF CRIME INVESTIGATION

Question

To the Attorney General Appeal
OFFICE of Province!

Letter 113
2-12-1382 from
Directory of Jailers and
Prisoners of Justice Department.
the following Name's:

Father name [REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED] Stakando location has been
accused that they did robbery
and take people's things.

introduced to the National
Army attorney General.

The names we mentioned during
interrogation give us this
statement:

Late Feb. (82) American
arrest them in Stakando area
after arrestment they been delivered
to American base in Garduz
they spent 17 day's during
interrogation they been tortured
they were being beaten

Answer

With respect I will answer your
question's because the suspect worked for
National Army
their office didn't had any
competents that is why
we dont know the exact date of
arrestment according to what
the suspects are seven of Americans
arrest them and later on they
been delivered to National Security
Commander's office.

The report is in Paktia province
Attorneys General office for
appeal.

(Q) The observation by Attorneys
of discovering are in National
Security office you can ask
for it.

else there was a Council
team from the province

has been working on the case
includ Attorney General for
appeal and war defendant 000395
organization's

DOD DODA 27885

~~which~~ which organization has
The competent? EXHIBIT 44

- badly also one of them
get killed because of torturing.

This case has been observed
and it is under investigation
of this office.

Please give us this information
so the case become more brief.

Do you have any information
but they're capturing if they're
was any report how was it?

What was the observation &
analysis about this case?

Did they inform you?
and with your competence what
have you done?

Have you work for their
freedom if you did so what is
your work about their predetermination
~~then~~ now was the interrogates
behavior about the of suspects?

From the location of arrestment
has been examined about the
freedom or predetermination of
suspects has been talk with
different organization.

according to the discovery
req's and investigation

Attorney General clearly have
complaint competence.

So by the form and

^{not} Governor has been accepted

(3)

000396

page 135

0062 D4-C1D369-69278

) as we know one person
by name of JAMAL father
name [REDACTED] among the arrested
people lost his life because
of torturing and the report
has been delivered to the
attorney general office or not?
If you been informed about
the case and Autopsy report
what was your observation?

Q about the other of injured
people whom are in security
office have you receive any
extend time?

and more observation and
information if you have any
and thank you for your
help

Sign
At Defence Attorney
on duty.

Q Which accused person
got killed NO one gives us
any report so we don't
have any information.

If their is any request that
should have been from National
army not from us.

NOT: The attorney general
and the appeal defence attorney
work together they work
on problems together
and with each others opinion's

Sign

[REDACTED]
see Secretary
for Attorney General
for appeal

b6
1C

000397

Consideration of the File by observation of
Law # 19 (law framing and competent defence Attorney)

Location: Directory of Defence attorney for paktia province.

Govt office got a file reference to:

[REDACTED] and [REDACTED] by letter # 1-12-1383

Directory of defence Attorney's for Appeal in paktia province
before this file has been observe and investigate

by Letter # ~~380~~
~~7-4-82~~ by Secretary of investigation Directory
for National Army for investigation they send it to this
office the paktia Attorney's Directory about completing
the file worked Hard you can see some proceeding in this
file about the finalization of this file from the
beginning of the fact Date (1-11-1382)

The paktia Governor office, Attorney General representative
of appeal - Defence attorney for National security. b6
b7C

Criminal Directory for paktia province for coming to
discuss and make the suspect's pretrial examination
has United duty so the case should luck from
different side frame the attorney general of paktia -
000398

former national security office by Director D.O.F
 investigation of Crimes. Secretary of Attorney General
 for National Army has been send. This office didn't
 knew any thing before. and now of the organization
 had Report it to this office
 but this file has been send the 3 way council
 about the 4 suspect's investigation from Secretary of
 attorney general in National Army by letter # 380
1-4-1382
 They sent it for more observation and investigation.
 The attorney general secretary for National Army send
 the file to appeal defence attorney by letter
 # 2804 7 12-20-1382 and the conductress
 on the court was
 (115) pages are included in this file has been
 send to you to follow the case by following
 the law and observing the paktia Army follow
 the case.

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000399

but the paktia attorney general hasn't follow any thing
 in this case but they send the file with
 letter # 12 9 1-12-1383 attorney general
 office of paktia province

DODD-00127889 44

EXHIBIT

and guidance letter 2805
12-20-1382

clerk for attorney General of National Army
return the file.

page 137

by letter 30
1-18-1382 to the Defence Attorney
for appeal in this province but they havn't
delivered the file. That is why the file
for suspect has been sent once again
to the Attorney General Security Office for
National Security Army

National Army by observing Rule # 19 of
Attorney General frame.

Sign _____

Interrogator of
this case b6

Note: That is why this is a proposal. This case
to the Attorney General Security of National Army
that by your connection with Director 800400
appeal in paktia province about the finalization
and predication of this case the conduction of
secretary of attorney general of paktia came's first
with respect

DODDOA 778994
EXHIBIT 44

The Administration for Armed Task Forces

Department of Criminal Investigation

Date 1382/2/31 - 03/10/2003

138

Question:-

To the security command of state of Paktia

At. Health Department

The ~~Detainees~~ people previously arrested for the crime of robbery and the areas of said detainees follows.

Name - Fathername nick name

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

BEST COPY AVAILABLE

66
ll

People mentioned above were captured and arrested by the coalition forces, and were detained in the American compound in this region. According to the detainees' statement that, they were tortured and beaten with heavy objects. One of the detainees had died under torture named Jamal Libari, his body along with the prisoners ~~were surrendered~~ to the security command of Paktia. The prisoners spend about 2 months under custody in the security command. In order to process this case, please give us your feedback to verify the situation?

The following information is needed:

1. Who is the family of Jamal Libari, over seat for him and his wife? 2. What was point of arrest? Please give file no.

EXHIBIT

006 04-CID 369-69278

Dear Sir -
I would like to thank you for your kind letter of
information concerning the killing of Mr. Sharif.
I will do my best to give you the required information.

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EXHIBIT 44

Dear Sir -

- Here are the answers for the questions above:
1. There was no autopsy performed on Sharif Chari's body and we don't know any details about it. 000402
 2. Nader son of Sharif who suffered multiple wounds and six others likewise; they were beaten with hard fist like objects and suffered wounds because

ST COPY AVAILABLE

of that. They were treated many times for their wounds in the health Department of the security command of Paktia and medication were prescribed for them, and also they were sent to the civilian health Department for treatment and diagnosis. They were sent on many different occasion for treatment.

Their wounds could not be identified because of lack of equipment necessary.

Sincerely

Signed [REDACTED]

Head of the Police Department

000403

b6
b7c

High Court of Transitional Islamic Government
 Administration for Armed Task forces
 and Administration for Criminal search

Date 05/10/2003 - 1382/2/21

Proposal -

To the security command of Paktia -
 The folder for [REDACTED] and other six who were
 arrested for robbery is being searched in this office
 and being investigated. During the investigation
 of those charged with crime, mentioned that they
 were eight people in the beginning, after they
 were arrested, only seven of them were in the
 jail cell in the American compound, and one of them
 had died under torture while interrogated, and the
 body of deceased Jamal - Ghazi was surrendered
 to the security command of Paktia region

I respectfully request proper attention towards
 investigation of this case and request proper action
 for clarifying the situation

signed

signed

bb
000404 16

Orders -

Criminal Office - pay serious attention to this case

signed

1382/2/21

05/10/2003

For Official Use Only-Law Enforcement Sensitive

Dear officials -

Since 7 people were arrested by the Americans [REDACTED]
 in this region and [REDACTED] surrendered to the
 security command of Paktia, there were no
 physical records and papers [REDACTED] and the body of
 [REDACTED] was found in other office

EXHIBIT 44

stayin

DOD DOA 27894

official records and papers held, and the body of
Jamal Sharri was not surrendered to this office.
All procedures were related to the above.

Signed

[REDACTED]
Director of investigation

000405

b6
7C

EXHIBIT 44

For Official Use Only-Law Enforcement Sensitive

0062-04-CID 369-69278

D 0062-04-C1C 59-69278 (140)

National General Security office

9/11/82

Administration for Police

National security office 12/1/2003

To the Security command of Paktia Region

To the attention of administration of crime
Prevention.

In respond to the proposal 3 or 3
05/21/2003 3/1/82

that seven people who were surrendered by the Americans to this office, still no documents relating these people submitted to security command of this region.

The information above is given to your office.

Signed
General National Security
office of Police

008406

Totia Khel request page to Paktia Province

To The Government of Paktia

With respect we request!

This request is about seven people from Totia Khel prisoners
who are [REDACTED]

[REDACTED] known as [REDACTED], [REDACTED], [REDACTED]

[REDACTED], [REDACTED] and [REDACTED].

It is several months that they are prisoner in the
state penitentiary. The people of Totia Khel wished
to know if they are charged with any crime and held
prisoner for their crime and if they are not charged
with any crime; and their are no charges against
them so please process our request for their release
and we appreciate order of release of our people

sincerely

Signed

[REDACTED], [REDACTED], [REDACTED], [REDACTED]
and [REDACTED], [REDACTED], [REDACTED], [REDACTED]
[REDACTED], [REDACTED], [REDACTED], [REDACTED]
[REDACTED], [REDACTED], [REDACTED], [REDACTED]
[REDACTED], [REDACTED], [REDACTED], [REDACTED], and the rest of Totia Khel.

Signed

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Chief Security office of Paktia
Administration of prevention of Criminal activities
Director of Investigation

With direct order of the Governor of Paktia for
surrendering seven prisoners that as follows
[REDACTED] son of [REDACTED] known as [REDACTED], [REDACTED]
[REDACTED] son of [REDACTED], [REDACTED] son of [REDACTED]
[REDACTED] son of [REDACTED], [REDACTED]
son of [REDACTED] son of [REDACTED]
to the security office of Paktia for the purpose of
completing investigation up on this case, was given
to the chief security office of Paktia. The original
order is included with this letter.

Signed

[REDACTED]
Province of Paktia

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