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Afghan probe excluded key witnesses

By Gareth Porter and Ahmad Walid Fazly
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A follow-up investigation ordered by General Stanley McChrystal in early April of a botched Special [Operations](#) Forces (SOF) raid in Gardez, in Afghanistan's eastern Paktia province, on February 12 was ostensibly aimed at reconciling divergent Afghan and United States accounts of what happened during and after the raid, in which two government officials and three women were killed.

That implied that the US investigators would finally do what they had failed to do in an earlier investigation - interview the eyewitnesses. But three eyewitnesses who had claimed to see US troops digging bullets of the bodies of three women told Inter Press Service ([IPS](#)) they were never contacted by US investigators.

The failure to interview key eyewitnesses, along with the refusal to make public any of the investigation's findings, continued a pattern of behavior by McChrystal's command of denying that the SOF unit had begun a cover-up of the killings immediately after the raid. Both the original report of the US investigation and an initial North Atlantic Treaty Organization (NATO) report on the February 12 night raid in Gardez remain classified, according to Lieutenant Colonel Todd Bresseale, the officer who was spokesman for McChrystal on the issue before the general was relieved of his command on June 23.

Casting further doubt on the integrity of the investigation, the officer who carried out the follow-up investigation was under McChrystal's direct command after completing the investigation.

As a member of the SOF community who had promoted night raids as a privileged tactic

in his strategy in Afghanistan, McChrystal had an obvious personal and political interest in keeping evidence of an SOF cover-up of the killings out of any official US report on the Gardez [raid](#). Even while claiming that he could not reveal anything about the conclusions of the report, Breasseale told IPS, "Based on the findings of this investigation, I can reaffirm what I wrote on April 5 - there is no evidence of a cover-up."

Breasseale had said in an e-mail to IPS before McChrystal was relieved of command last month that "many" survivors of the raid were interviewed, "depending on whether they were available to speak to the investigating officer".

But the father and mother of an 18-year-old girl who died from wounds inflicted by the raiders and the brother of a police officer and a prosecutor killed in the raid all said in interviews with [IPS](#) last week that they had never been contacted by US investigators about what they had seen that night. All three gave testimony to the Afghan investigators.

In an interview with IPS, Mohammed Tahir, the father of Gulalai, the 18-year old girl who was killed in the raid, said, "I saw them taking out the bullets from bodies of my daughter and others." Tahir said that he and as many as seven other eyewitnesses had told interior ministry investigators about the attempted cover up they had seen. But he insisted, "We have never been interviewed by the US military."

Mohammed Saber, the brother of the two men killed in the raid - Commander Dawood, the head of intelligence for a district in Paktia province, and Saranwal Zahir, a prosecutor - said he had not been interviewed by any US investigator either. Saber told IPS, "The Americans were taking out the bullets from the bodies of the dead with knives and with other equipment that they always have."

Saber said the US soldiers refused to let relatives go to help the victims as they lay bleeding to death. Saber said he and other eyewitnesses were taken to a US base and detained for three nights and four days.

Sabz Patee, the 18-year-old woman's mother, also denied being interviewed by US investigators. "I saw everything," she told IPS. "The Americans had knives and were taking out the bullets from her."

In response to a request for comment on the denials by the three family members that they or other eyewitnesses had been interviewed by the US investigator, Breasseale wrote in an e-mail, "All available family members who offered themselves up to take part in the investigator's questions when he was there were interviewed during his visit[s]."

Breasseale said the name of the army colonel in charge of the investigation would not be made public for reasons of "privacy". He acknowledged in an [e-mail](#) before McChrystal was relieved of duty, however, that the officer was under McChrystal's "operational control", although he was not at the time he was appointed and during the investigation.

The target of the raid was a young man who had been at a celebration at the compound

but he was not detained, according to Mohammed Saber, who was shown pictures of the target while being held in detention for four days. The man turned himself in for questioning a few days later but was then released without charge, according to Saber.

The International [Security](#) Assistance Force (ISAF), the combined US-NATO command then headed by McChrystal, issued a statement within hours of the February 12 raid declaring that the two men who died in the raid were "insurgents" who had fired on the raiding party, and that the troops had found the bodies of three women "tied up, gagged and killed" and hidden in a room.

Military officials later suggested that the women - who among them had 16 children - had all been stabbed to death or had died by other means before the raid.

The officials told reporters the bodies had shown signs of puncture and slashing wounds from a knife - a claim that appears to support the eyewitness accounts by family members of the use of knives by SOF members to dig bullets out of the dead bodies.

The New York Times quoted a family member, Abdul Ghafar, as recalling that he had seen bullet entry wounds on the bodies of the three dead women that appeared to have been scraped out to remove bullets. "The holes were bigger than they were supposed to be," Gafar was quoted as saying.

When Jerome Starkey of The Times of London reported on March 13 that more than a dozen people interviewed at or near the scene of the attack had said the three women were killed by the US-NATO gunmen, McChrystal's spokesman, Rear Admiral Gregory Smith, tried to challenge the accuracy of Starkey's reporting.

On April 4, ISAF admitted for the first time that the woman had been killed as a result of the SOF raiders firing on the two men.

However, the ISAF statement suggested that the US and Afghan investigators had conducted a "thorough joint investigation" and maintained that there was no evidence of a cover up. It explained the earlier statement about the women being found bound and gagged as the result of "an initial report by the international members of the joint force who were not familiar with Islamic burial customs".

But the head of the Afghan Interior Ministry's Criminal Investigation Department, Mirza Mohammed Yarmand, publicly contradicted the ISAF statement, telling the New York Times on April 4 that his investigators had taken eyewitness accounts from survivors of tampering with the bodies of the dead.

Yarmand told the New York Times that his investigation had concluded that "there was evidence of tampering in the corridor inside the compound by the members" of the SOF raiding unit.

Within 24 hours of the publication of Yarmand's revelations, McChrystal's spokesman

was telling reporters that McChrystal had ordered a new US investigation, even as he was continuing to deny that there was any evidence of SOF tampering with the evidence.