

War crimes report: Australian special forces murdered 39 Afghans

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An official report into alleged Australian war crimes in Afghanistan was released yesterday, revealing “credible information” that special forces soldiers illegally executed 39 civilians and prisoners, and committed other atrocities that violate international law.

The document is the outcome of a four-year investigation, initiated by the military in 2016 and headed by retired Major General Paul Brereton. Its scope was the period from 2005 to 2016.

While nominally independent, the inquiry was essentially an in-house operation, stacked with current and former military officials and conducted under a shroud of secrecy. It served as an exercise in damage-control, aimed above all at whitewashing the responsibility of senior military command and successive Labor and Liberal-National governments for the war crimes, under conditions in which they were beginning to emerge in the press.

The information contained in the report is nevertheless a damning exposure of the utterly criminal character of the 19-year US-led occupation of Afghanistan, and of the Australian military. It reveals that murder, torture and abuse were routine tools for the subjugation of an impoverished and hostile population, in a predatory war aimed at securing resources and control of the geo-strategically critical Central Asian region.

Brereton and his colleagues stated that there was “credible information” of 23 occasions in which Afghans were illegally killed. The victims of those incidents number 39. They included civilians and potential fighters who were hors de combat (out of combat), because they were wounded or in custody. Twenty-five Australian soldiers are allegedly implicated.

The heavily-redacted section of the report, detailing the killings, indicates a consistent modus operandi in many of the murders.

On multiple occasions, the report indicates that a “throwdown” weapon or radio was placed next to the corpse of a murdered civilian or prisoner before it was photographed. This was so those responsible could claim they had acted in self-defence or that the victims had been killed in a fire-fight.

The investigation found “credible information” of “bleeding.” Junior special forces soldiers would be instructed

by their immediate superiors to murder detained Afghans so that they would experience their “first kill.”

Incidents are also listed, during which soldiers “inflicted severe pain” on Afghan detainees, and “caused them injury,” indicating the use of torture.

Many questions remain about the events listed in the report. They are described in sparse, bureaucratic language. There is no information provided about the methods, or the exact circumstances of the killings.

The dates (aside from year), places and names of those involved are all redacted, on the grounds that the public release of the information could jeopardise future prosecutions. This means there is no possibility of cross-referencing them with killings that have already been reported in the press. The hundreds of interviews conducted during the investigation, and other evidence, remain classified.

Several incidents are completely redacted. One of them is described as “possibly the most disgraceful episode in Australia’s military history.”

Little is detailed about 28 incidents of alleged breaches of law, which the investigation found were “unsubstantiated,” or the 11 more that are described as “discontinued.” They included claims of waterboarding and soldiers holding a knife to a man’s testicles. The secretive character of the inquiry means that the basis of its findings on those incidents cannot be scrutinised or examined by the media. They will not be referred to the police, or any other body for further investigation.

The report does, however, give some indication of other killings that were deemed “lawful.” It refers to knowledge of throwdowns in 2012 and 2013 “for the purpose of avoiding questions being asked about apparently lawful engagements when it turned out that the person killed was not armed, as distinct from facilitating or concealing deliberate unlawful killings.” The practice was described as “dishonest and discreditable,” “rather than an aid for covering up war crimes.”

Questions are also raised by references to another secret inquiry, which preceded the Brereton investigation. Dr. Samantha Cromptvoets was commissioned by senior military command in 2015 to provide a “snapshot” of special forces operations and to probe allegations of war crimes.

According to the Brereton report, Cromptvoets “said that she

was given the impression that there had been a ‘large number of illegal killings’ that had been ‘reverse engineered.’” Afghans would be killed, and then subsequently placed on the Joint Prioritized Effects List (JPEL) of targeted militants.

That claim, which is only briefly mentioned in the Brereton report, is highly significant. The JPEL was a Coalition-wide list of individuals who were to be killed or captured, on the basis that they were allegedly high-level Taliban or Al-Qaeda fighters and officials.

In 2010, WikiLeaks published the US army’s Afghan war logs, revealing the existence of a secret American assassination team, Task Force 373. Its targets were selected on the basis of the JPEL. Because of the flagrant illegality of these operations, the JPEL was a highly sensitive issue for the Coalition militaries. If Australian forces were placing Afghans on the list after they were murdered, it would likely have been known at a high level of the Coalition military command.

Aside from the many issues that are hinted at, but not illuminated, the character of the Brereton report, as a continuation of the protracted cover-up of Australian war crimes, is demonstrated by its insistence that senior military command was completely ignorant of the illegal actions.

“While it would have been much easier to report that it was poor command and leadership that was primarily to blame for the events disclosed in this Report, that would be a gross distortion,” the investigators declare. “But for a small number of patrol commanders, and their protégées, it would not have been thought of, it would not have begun, it would not have continued, and it would have been discovered. It is overwhelmingly at that level that responsibility resides.”

These patrol commanders, in some squadrons of the Special Air Service Regiment and the 2nd Commando Regiment, had fostered a “warrior culture.” They had covered up the violations of law, and operated with considerable autonomy from any branch of senior military command.

The purpose of this narrative is to legitimise the central claim of the report: that no military officials, above the level of patrol command, or government representatives knew anything about the war crimes.

This assertion is utterly implausible. The special forces were Australia’s fighting force in Afghanistan. They worked closely with allied troops, in sensitive operations, during a war that was widely opposed by the Australian and world population. It is therefore difficult to believe that their activities were not closely monitored by military intelligence, the Australian Secret Intelligence Service and US intelligence agencies, all of which would have reported back to military command and to governments.

A number of the crimes, moreover, were committed in the years immediately following WikiLeaks’ 2010 publication of the Afghan war logs, including 17 of the confirmed murders, which are listed as having occurred in 2012. In the wake of the WikiLeaks release, which revealed war crimes and heightened

popular opposition to the occupation, governments and their agencies would have been closely following the activities of the elite Coalition fighting units, for fear of further exposures.

The entire character of the Brereton investigation—its secrecy, the prominence within it of senior military officials and the four years required to produce a report that conceals more information than it reveals—points to a cover-up.

This is underscored by the fact that the investigation has proceeded alongside the attempt by Australian authorities to prosecute David McBride, a former military lawyer, for leaking information of the war crimes to the press. McBride still faces the prospect of decades in prison for the exposure, which also triggered an unprecedented federal police raid of the Sydney headquarters of the Australian Broadcasting Corporation.

Meanwhile, government ministers have stated that any prosecution of the 19 soldiers who have been referred by Brereton to the federal police, could take up to a decade. The report notes that the investigators modelled their efforts on inquiries into alleged war crimes in Iraq and Afghanistan by the British state. They did not result in any prosecutions.

The report’s release has been greeted by utterly hypocritical hand-wringing from the Liberal-National Coalition government, the Labor Party opposition and the corporate media. They have spoken of a “national shame,” and a “betrayal” by the special forces soldiers.

All of this is aimed at hiding the fact that the murders, torture and other war crimes were the result of an illegal, neo-colonial war of occupation, the longest in Australian history. It has been overseen by successive Labor and Liberal-National governments and supported by the entire political and media establishment.

Those responsible for the war crimes include the Coalition governments of prime ministers John Howard, Tony Abbott and Malcolm Turnbull, and the Labor governments of Kevin Rudd and Julia Gillard.



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