



**Independent and Peaceful  
Australia Network (IPAN)  
Member organisation of the  
Pacific Peace Network (PPN)**

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## **Investigation into War Crimes in Afghanistan must be public and transparent**

- **Expunge brutality and disregard for human life from the culture of the defence forces**
- **Extend the investigation to determine the political responsibility for sending the ADF into Afghanistan and whether that constitutes, in itself, a war crime.**

IPAN welcomes the announcement that a special investigator will be appointed to probe allegations of war crimes by Australian special forces in Afghanistan and prosecute any criminal misconduct, following a four-year inquiry into [possible breaches of law between 2005 and 2016](#).

IPAN urges that his process should be public and transparent and not determined behind closed doors, stated IPAN spokesperson, Dr Alison Broinowski.

Whistle-blower Major David McBride is currently facing serious charges for exposing the aberrant culture in the SAS. He leaked documents related to possible war crimes to the ABC, an act that can be clearly seen to be in the public interest, but only took this action after having gone through the proper channels and seeing no evidence of effective action being taken to deter the dangerous culture.

The charges against Major McBride must be dropped immediately.

Further, every effort should be made to determine how far up the chain of command this culture of brutality and disregard for human life and human rights within the SAS extends.

“Any such culture must be expunged and replaced with respect for human life and adherence to internationally recognized standards in respect to civilian populations and prisoners”, stated Dr Broinowski.

But over and above this Inquiry, IPAN sees an urgent need to extend the investigation to determine the political responsibility for creating the environment in which these crimes have been committed in Afghanistan and whether that constitutes, in itself, a war crime.

Who was responsible for sending Australian troops into Afghanistan in the coalition led by the United States? What was their justification for doing so?

The invasion of Afghanistan did not have the sanction of the United Nations General Assembly or Security Council. It was an illegal war.

John Howard, as PM at the time, invoked the ANZUS Treaty as justification for sending our troops into Afghanistan with those of the United States, but Afghanistan had not attacked Australia or the USA. In any case the ANZUS Treaty applies to an attack on Australia, the USA or NZ in the Pacific area and in any event only stipulates that Australia should consult with other parties over any military action to be taken. Afghanistan has no seaboard with the Pacific.

The alleged perpetrators of 9/11 were Saudi Arabians not Afghans. And there has never been any evidence produced that the Afghani Government or the Taliban were responsible for 9/11.

*“The illegal invasion of Afghanistan with the consequential deaths, injuries and disruption to the civilian population including the creation of thousands of refugees is, in itself, a crime against humanity and the political perpetrators should be tried and if found guilty, face the consequences of the law”, said Dr Broinowski.*

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