

# German army abandons investigation of officer who ordered Kunduz massacre

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No one is to be held accountable for the single biggest massacre carried out by German soldiers since the Second World War.

Following the lead of the federal prosecutor, the army has also abandoned its investigation into Colonel Georg Klein, who almost a year ago ordered an air attack near the northern Afghan city of Kunduz that claimed up to 142 mostly civilian victims. Preliminary investigations had produced no evidence of a breach of discipline, the Defence Ministry in Berlin said last week. Consequently, there would be no disciplinary proceedings against Klein.

In April, the federal prosecutor had concluded that the dropping of two 500-pound bombs onto two immobilised tankers that were clearly surrounded by numerous people, did not constitute a violation of “international humanitarian law”. Klein had not infringed international law nor had he breached Germany’s criminal code, the federal prosecutors claimed in order to justify their decision.

The abandonment of all investigative and disciplinary proceedings against Klein equates to a “first class acquittal” according to *Spiegel Online*. The website accuses the military investigators of acting out of a “misunderstanding of the esprit de corps”. The colonel will not even receive a warning, although a NATO investigative report shows he clearly violated the existing rules of engagement.

At the same time the proceedings against Klein were abandoned, the parliamentary committee of inquiry supposed to investigate the background of the massacre in Kunduz has been transformed into a farce.

On formal grounds, the Federal Court of Justice dismissed a request by opposition representatives to invite Defence Minister Karl-Theodor zu Guttenberg (Christian Social Union, CSU) and former Bundeswehr

(Armed Forces) General Inspector Wolfgang Schneiderhan and ex-Defence Secretary Peter Wichert before the committee to clarify contradictions in their previous statements.

Previously, the Bundeswehr had refused to provide the inquiry with any information concerning the role of the KSK (Special Forces Command) and other important information, for “security reasons”. It decided autocratically what parliamentarians should be told and to what extent they may distribute and publish information.

This says a great deal about the real relationship between the army and parliament. Contrary to the spirit of the post-war German constitution and political practice, it is not parliamentarians who review the legality of military operations and hold the army leadership to account, but the military that dictates what information should be released to parliament and the public.

There are many indications that the massacre in Kunduz was intentionally and consciously brought about on the part of the army leadership in order to force politicians to step up support for a war that is rejected by two-thirds of the population.

From the start, the federal government and military top brass have done everything in order to conceal the facts surrounding the massacre. It was only when press releases and statements from the US authorities appeared that the true scale of the massacre was gradually revealed.

The then Defence Minister Franz Josef Jung (Christian Democratic Union, CDU) was forced to resign last year because for days he had denied there were any civilian casualties, despite his knowledge to the contrary. His successor, Karl Theodor zu Guttenberg, had initially defended Klein’s conduct but

then later had to correct himself, calling the attack “militarily inappropriate”. He dismissed the most senior military figure, General Inspector Wolfgang Schneiderhan, along with State Secretary Wichert, because they had allegedly withheld documents.

If the Ministry of Defence now absolves Klein of all guilt, it is giving a free hand to the army to commit similar massacres with impunity. This “first class acquittal”, writes *Stern Online*, “will impact on the Bundeswehr mission in Afghanistan as a whole.”

In this way, the restrictions imposed on the Bundeswehr when it was established in the aftermath of World War II are being gradually overcome, and the policy of targeted killing legitimized—a policy that has been practiced by the US, British and Israeli army for a long time.

Foreign Minister and Vice Chancellor Guido Westerwelle (Free Democratic Party, FDP) recently defended the targeted killing of opposition leaders by NATO troops in Afghanistan as “legitimate”. “We need to know”, said Westerwelle, “that enemy combatants in a non-international armed conflict can and must be combated within the confines of international humanitarian law”.

Shortly beforehand, Defence Ministry spokesman Christian Dienst had stated that “targeted killing was in line with international law”.

The documents published recently by *Wikileaks* show that the policy of targeted killing in Afghanistan has long been used to break popular resistance to the occupation.

The practice of the Bundeswehr is no exception to this policy. After the massacre in Kunduz, substantial evidence came to light that the KSK was intimately involved in the targeted killing of insurgents. According to research by news magazine *Der Spiegel*, Klein had ordered the attack on the two tankers because he suspected several local Taliban leaders of being in the vicinity. The KSK, whom Klein consulted before the attack, had been tracking these Taliban leaders.

The latest calls by Defence Minister Guttenberg for the transformation of the Bundeswehr into a volunteer army and the abolition of compulsory military service must be seen against this background. The government and the military top brass are seeking to transform the Bundeswehr into an effective operational army, capable of defending the interests of German imperialism at

home and abroad using all means and without any legal restrictions.



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