

# Official New Zealand inquiry into Afghan war crimes further exposed as a whitewash

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26 July 2019

Recent developments around the Labour-led government's inquiry into killings of civilians in Afghanistan have confirmed that it is a whitewash. Far from laying bare the truth about Operation Burnham in which NZ Special Air Services (SAS) raided two villages in 2010, the inquiry is seeking to clean up the SAS's reputation and protect the officers responsible.

Successive governments and NZ Defence Force (NZDF) commanders have covered up the raid. No one has been held responsible, despite an eventual admission by the military that six civilians were killed, including a three-year-old child, and 15 injured.

Jacinda Ardern's Labour-NZ First-Green Party government is supporting the Trump administration's militarism and asserting New Zealand's own imperialist interests across the Pacific. The inquiry is vital to these efforts, as it seeks to whitewash the image of the SAS in the face of widespread public opposition to war.

SAS members are trained killers, receiving a rare unit citation from President George Bush in 2004. The SAS was first sent to Afghanistan in 2001 by the then Labour government, supported by its "left" coalition partner the Alliance. A 2017 Fairfax Media investigation revealed the SAS routinely used a "bait and hook" tactic in which Afghan villagers were terrorised in order to provoke clashes.

The Labour government established the inquiry in 2018 in response to a 2017 book *Hit and Run*, by investigative journalists Nicky Hager and Jon Stephenson. The book detailed the midnight raids conducted by the SAS in the villages of Naik and Khak Khuday Dad, in the Tirgiran Valley, on October 22, 2010, in co-ordination with Afghan troops and US aircraft.

Headed by former Supreme Court judge Terence Arnold and ex-Labour Prime Minister Geoffrey Palmer, the inquiry has been conducted almost entirely in secret. Attorney-General David Parker declared that "classified"

parts of the findings may never be made public.

Last month, Afghan witnesses and victims from the two villages withdrew from the inquiry. Their lawyer Deborah Manning said they were "disillusioned" and "worn down" by the lack of progress and transparency. The inquiry refused to allow the villagers or their lawyers to be present during the hearing of evidence. The death of the three-year-old girl has never been acknowledged, Manning added.

The legal team earlier sought a High Court review to challenge the inquiry's level of secrecy. Manning said the inquiry was "skewed" from the start. Rather than the villagers and their rights, the inquiry had made central the NZDF's "need to be able to defend themselves and their public reputation."

According to *Hit and Run*, the raids were organised in response to the death of NZ Lieutenant Tim O'Donnell, who was killed by a roadside bomb in August 2010. SAS personnel reportedly thought that Taliban members suspected of planting the bomb were present in the area.

Many civilian houses were badly damaged also, due to bombardment from US Apache helicopters. SAS commanders did not call off these attacks, nor did they attempt to provide assistance to the civilians.

The NZDF initially sought to tarnish the reputations of Hager and Stephenson by claiming that no raids ever occurred. Even after the military was forced to admit that they had taken place, it maintained that no civilian casualties had resulted.

However, Hager recently presented evidence that the US undertook its own inquiry in 2010, which conceded the existence of casualties. He released videos from the raid taken from an American aircraft, obtained after a request to American authorities, through a lawyer in Washington. The videos show helicopters firing on people at Khak Khuday Dad village, only two of whom appeared to be carrying weapons.

The videos were among a trove of US documents not publicly available until retrieved by Hager. He said they flatly contradicted what the NZDF had claimed they showed. He had previously criticised the military for obfuscating when responding to Official Information Act requests, while seeking to bolster its own narrative.

It was revealed last month that the Security Intelligence Service and Government Communications Security Bureau had failed to hand over 115,000 emails to a separate investigation relevant to their role in the operation.

The ongoing cover-up is in line with the global crackdown on the media, spearheaded by the persecution of WikiLeaks founder Julian Assange. In June, just after Assange's arrest, the Australian Federal Police raided the Australian Broadcasting Corporation, investigating journalists for reporting on atrocities committed by Australian Special Forces soldiers in Afghanistan.

The NZSAS raids in Naik and Khak Khuday Dad were no aberration. Such criminality flows necessarily from the filthy and devastating character of the predatory US-led invasion of Afghanistan.

For all the media depiction of the Ardern government as a force for "kindness" and "compassion" in global geopolitics, it is lockstep with the US march to war, saying it would participate in US actions against North Korea, and naming China and Russia as the "threats" to the international order.

New Zealand's current deployment of 100 soldiers to Iraq is set to be extended for another 12 months, and a dozen troops will remain in Afghanistan for at least another 18 months. While \$NZ20 billion has been earmarked for upgrading the NZDF, the Operation Burnham inquiry has refused to interview the villagers in Afghanistan, citing costs as a prohibitive factor.



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