

Australian government and media seek to bury Afghanistan war crimes

Oscar Grenfell
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Four months after the government-commissioned Brereton report said there was “credible evidence” of Australian war crimes in Afghanistan, including the murder of at least 39 civilians and prisoners, and multiple acts of torture, the perpetrators remain in the military. No investigations for criminal prosecutions have begun.

This is only the starkest expression of an ongoing cover-up involving the Liberal-National Coalition government, the Labor Party opposition, multiple state agencies and the official media. For years they have sought to hide evidence of the atrocities, which occurred under a Labor government between 2009 and 2013.

The Brereton report was a damage-control operation, initiated after some details were leaked to the media. It suppressed more information than it revealed and absolved governments and senior military command of any responsibility, based on the implausible assertion that they had been unaware of the crimes. The report’s release was greeted by brief hand-wringing from politicians and the media over the impact that the revelations would have on “our military.” The issue was then dropped almost entirely.

It resurfaced at a Senate estimates hearing on Monday. Chris Moraitis, director-general of the Office of the Special Investigator, established at the recommendation of the Brereton report to conduct a criminal investigation into the allegations, provided an update on the progress of its work.

In short, Moraitis indicated that the body he heads has done virtually nothing. The organisation does not even have any investigators.

“We’re in the process of engaging investigators and we’re going to do that in the next one, two, three months,” Moraitis said. “That involves them being sworn in as special members of the Australian Federal Police and involves at least three weeks of induction in preparation, and involves us also doing a few other things.”

Moraitis is clearly working to a timetable prepared by the government. After the report’s release last November, Home Affairs Minister Peter Dutton and other government representatives declared that any criminal prosecutions, if they eventuated at all, would likely take up to a decade. These statements had the character of a directive rather than a

prediction.

Moraitis’ comments underscored the character of the Brereton report, as a continuation of the cover-up. Conducted in secret, it was dragged out from 2016 to 2020. Investigators provided an untold number of military personnel with immunity for testimony, and much of the evidence was given on the proviso that it could not be used in a court. This was justified on the pretext of encouraging witnesses and participants in the crimes to testify freely.

The overwhelming majority of the material remains classified. The publicly-released version of the report contains few details that had not been previously reported in the media. Its descriptions of the war crimes were as vague as possible.

The main outcome of the Brereton investigation was to create a potential legal minefield, as to what evidence is admissible and what is not. Moraitis said his staff were sifting through the Brereton material to “help ensure investigators will only receive information they can lawfully obtain and use in criminal investigations and any future criminal proceedings.” This process is being conducted under a shroud of secrecy.

Moraitis’ testimony followed a report in the Murdoch-owned *Daily Telegraph* on March 16, which revealed that at least some of the 25 soldiers implicated in the war crimes remain in the military. The alleged criminals would not be sacked. They would be allowed to discharge from the army on unspecified “medical grounds.” No other media outlet picked up the story.

The article, apparently based on information provided from within the military, appeared just days before the Coalition, Labor, the Greens and other MPs voted for a royal commission into the treatment of military veterans and their high rates of suicide. The timing indicates that the hardships faced by soldiers, resulting from their deployment to predatory and illegal wars, will be exploited to obfuscate the criminality of what occurred in Afghanistan.

As for the victims and their relatives, the Coalition government stated after the release of the Brereton report that it did not intend to provide them with any compensation. A Google search indicates that the issue was last mentioned in the corporate media in December.

The obvious attempts to forestall any criminal prosecutions of the soldiers involved are all the more extraordinary, given that

millions of people have seen cast-iron evidence of at least some of the crimes.

Last March, for instance, the Australian Broadcasting Corporation published footage from a soldier's helmet camera, showing the point-blank execution of an unarmed Afghan civilian in 2012. Had the murder occurred in any other context, the perpetrator would have been arrested, charged and sentenced years ago. Military whistleblowers, as well as Afghan victims, have also provided eyewitness accounts of some of the crimes to the media.

The bid to prevent the cases from ever reaching a court is motivated by several factors. When the report was released, some of the soldiers implicated indicated through the press that they felt "betrayed" and "scapegoated." Shortly after, an image was leaked to the media, showing a senior special forces commander drinking beer from the prosthetic leg of a dead Afghan.

It was rapidly revealed that the man pictured was warrant officer John Letch. When he stood down after the publication, Letch was the Command Sergeant Major of Special Operations Command. Letch had worked at Army Headquarters and Headquarters Special Operations Command.

Whoever leaked the image of Letch, it was directed against the claim of the Brereton report that no one above the level of squadron command was aware of the violations of international law. The government and military command are undoubtedly fearful that if soldiers are tried, they will testify that they were merely following orders.

Many of the murders occurred after the Labor government of Prime Minister Julia Gillard ordered greater involvement of Australian troops in US-led "kill and capture" raids, supposedly targeting insurgent leaders in 2011.

In April 2013, then Chief of the Defence Force General David Hurley issued a secret directive to soldiers, warning that they could be "exposed to criminal and disciplinary liability, including potentially the war crime of murder" if they could not prove that those they killed were participating in hostilities. In other words, the crimes flowed from the government-led prosecution of a neo-colonial war, and were known to military command.

Clearly, there are also concerns that the true scale of the war crimes could be revealed if the alleged perpetrators are pressed in court. The Brereton inquiry acknowledged that there were likely many more incidents that were not covered in its report.

The latest proof that murder and torture were commonly used instruments of the occupation was provided by Shamsur Rahman Mamond, who worked as a translator for the Australian military in Uruzgan Province.

Mamond told the Special Broadcasting Service this week: "[In the] provincial reconstruction team, it was our job to connect with local elders and local people. They were coming and telling us what was going on out in the fields. They would say, 'They're destroying the whole house. They're killing the

kids and ladies and everyone because they're looking for insurgents and Taliban.'"

The translator indicated that torture was routine at the Australian base in the town of Tarin Kowt. "My accommodation was a few metres away from the jail," he said. "I saw sometimes they were taking people out of the car like toys, we also sometimes heard people yelling, it was sad because if someone is in the detention centre, they don't have a weapon, they are not a threat anymore, there was no necessity for punishment."

Such information runs counter to the promotion of the military by the entire political and media establishment, and preparations for its involvement in new and even greater crimes.

The last major media mention of the war crimes came in December, when Zhao Lijian, a Chinese foreign ministry representative, tweeted a condemnation of the killings. This was accompanied by a graphic, produced by a visual artist, showing an Australian soldier holding a knife to the neck of an Afghan child. The picture clearly referred to an incident described in the Brereton report, involving soldiers slashing the throats of two 14-year-old boys.

Labor, the Liberal-Nationals, the Greens and various independents all denounced Zhao's tweet as a Chinese "attack" on Australian soldiers. The media treated the tweet as a far more serious offence than the killings themselves.

The hysterical reaction was a warning that ongoing exposure of the military was beyond the pale and would be treated as treasonous and "un-Australian." This was directed against anti-war opposition, and was the signal for the war crimes to be dropped entirely from the press.

The denunciation of China also highlighted the fact that the cover-up of the war crimes is aimed at ensuring that the atrocities committed in Afghanistan do not get in the way of the preparations for Australia to play a frontline role in US plans for a catastrophic war against China.



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