

Ministry of Defence confirms war crimes inquiry into UK Special Forces deployed to Afghanistan

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Britain's Ministry of Defence (MoD) confirmed last week that UK special forces (UKSF) members are at the centre of a war crimes inquiry pertaining to their deployment in Afghanistan.

A challenge had been made by bereaved family members and by media outlets into the conduct of the Special Air Service (SAS) between 2010 and 2013. The inquiry follows years of reporting of alleged unlawful killings in Afghanistan by the SAS.

The probe will also look at allegations that a previous investigation by the Royal Military Police (RMP) of unlawful killings by special forces was inadequate. In 2014, the RMP launched Operation Northmoor, an investigation into allegations of over 600 offences by British forces in Afghanistan, including the alleged killing of children by the SAS. It began winding down in 2017 and was terminated in 2019. The MoD said it had not found sufficient evidence for any prosecutions.

In a statement ahead of the latest hearing of the Independent Inquiry, Defence Secretary Ben Wallace said, "The inquiry is now reaching the stage of substantive hearings, and I can confirm that the allegations relate to the conduct of UK Special Forces."

Wallace was careful to make clear that the military and government view the proceedings as extremely restricted and unique in character.

Stressing that a confirmation of Special Forces involvement was made only "in the exceptional circumstances of this inquiry," Wallace continued, "Outside of this very specific context, such confirmation should not be seen to alter the long-standing position of this government, and previous governments, to not comment on the deployment or activities of the UK Special Forces."

Prior to its July 3 announcement, the MoD held that the inquiry should restrict from the public "any evidence or documents or words or passages of documents, that tend to confirm or deny the alleged involvement of United Kingdom

Special Forces in the operations that are to be investigated." However, before they were due to argue their case in front of the chair of the inquiry, Lord Justice Haddon-Cave, MoD lawyers wrote to the inquiry informing it that the ministry "proposed to abandon that part of their application."

This reversal, confirmed at a hearing Wednesday, means that evidence of involvement of UK Special Forces in the alleged unlawful killings in Afghanistan can be discussed openly in the inquiry proceedings and reported.

The government has already made clear that any official inquiry will aim to protect the guilty. In January, Wallace said, "While there have been several comprehensive investigations into the events in question, if there are further lessons to learn it is right that we consider those fully, to ensure all allegations are handled appropriately and in equal measure, to ensure our personnel are adequately protected from unnecessary re-investigations."

The MoD is currently pursuing automatic anonymity for all UKSF personnel involved in operations in Afghanistan. It was also pushing for all witness evidence about the operations themselves to be held in closed hearings, away from both the bereaved families and the public.

The MoD lawyer, Brian Altman KC, said that the ministry intended to keep in place its "neither confirm nor deny" policy in relation to naming specific UK Special Forces units or sub-units. Altman argued that the identification of "particular force elements" would pose a risk to future capabilities and operations.

Lawyers for the families of Afghans killed in seven separate SAS operations have argued that restrictions sought by the MoD are "unjustifiable and seriously damaging to the credibility of the inquiry."

Tessa Gregory, a partner at Leigh Day, representing the families, said that the relatives had suffered "years of cover-up and obfuscation." The relatives remained concerned even as the inquiry began that the MoD was "seeking to shut the door on them and prevent evidence being heard in public."

Lord Justice Haddon Cave, speaking at the opening of the hearing at the Royal Courts of Justice in London, said the case “as much as possible should be heard in public to allay public concerns about the subject matter of the inquiry,” while declaring that some evidence would need to be heard in closed hearings, because of “national security” concerns.

Last July, the BBC screened an episode of its *Panorama* documentary series, “SAS Death Squads Exposed: A British War Crime?” The programme aired interviews and evidence based on official files from police investigations and a four-year probe showing that one SAS unit in Helmand province had killed 54 people in suspicious circumstances between 2010 and 2011.

The unit’s tour of duty resulted in an Afghan death toll more than double that number. None of the unit’s members sustained any injuries in the raids, indicating they had not faced threats to their safety. Also revealed was evidence that senior officers were aware of concerns within the SAS but failed to pass on evidence to the military police.

The government denounced *Panorama* for “irresponsible, incorrect” journalism. But within 24 hours the government was forced to initiate a formal fresh investigation into the allegations, in which the BBC and other organisations were asked to share information, and which led to the recent announcement of a statutory inquiry. The inquiry was announced by the government a day after the BBC released a follow-up investigation into a night raid on the southwestern Nimruz province in 2012 in which the SAS killed two young parents and severely injured their infant sons.

US-led invasion and occupation of Afghanistan

In October 2001, under the manufactured pretext of retaliation for the 9/11 terrorist attacks, the United States carried out an invasion and occupation of Afghanistan. Cloaked in a spurious mission to destroy Al Qaeda, a creation of the CIA-orchestrated war against Soviet forces in Afghanistan in the 1970s and 1980s, the real objective of the US military was to seize control of a country bordering the oil-rich former Soviet republics of the Caspian basin, as well as China and Iran.

Britain’s military played the leading supporting role. The invasion inaugurated the “war on terror” under which Washington claimed the right to pre-emptively invade any country it perceived as a threat to its global interests, establishing “black sites” used for rendition, torture and interrogation. In March 2003, the US-led invasion and occupation of Iraq commenced, based on lies relating to “weapons of mass destruction.”

The British government and military signed off on all of this in defiance of mass protests by millions in the UK and around the world.

Subsequent regime-change wars were launched under the hypocritical banner of “human rights,” including in Libya, the country with the largest oil reserves in Africa, and Syria. These wars killed and injured millions of civilians, turned tens of millions more into refugees and destroyed entire societies.

In Afghanistan, the longest official war involving the US military before its ignominious departure in August 2021, conservative estimates are that at least 175,000 civilians were killed since the 2001 invasion. The true death toll including deaths caused indirectly by the war, such as due to disease and cold, are believed to be closer to a million.

This dirty colonial war, with mass murder through air strikes and night raids and the killing and torturing of detainees, was intended to terrorise the population into submission. Instead, it swelled a growing anti-occupation insurgency until Taliban militias were able to overrun six provincial capitals within the space of barely one week, ousting the hated and isolated US-backed Kabul regime in August 2021.

UK forces stationed in Afghanistan reached a peak of 10,000 a decade into the occupation and were deployed to Helmand province in the south, between 2006 and 2014, where many of the 457 British fatalities took place. These were predominantly soldiers in their 20s or younger, fighting a futile but bloody battle to stop the insurgency spreading to the nearby capital. It was during this period that British special forces were operating.

The persistence of the bereaved families for justice for their murdered loved ones is a thorn in the side on London as it pursues its geopolitical interests. A major propaganda trope of the US/NATO war against Russia in Ukraine has been demands to arraign Russian president Vladimir Putin before the Hague on charges of war crimes.

No-one can believe that any inquiry overseen by Britain’s ruling elite can bring justice. Those in charge of this and previous inquiries are motivated solely by protecting the “integrity” of the armed forces and the state they defend. No official inquiry will condemn as “war criminals” the political and military elite that has inflicted a 30-year cycle of imperialist military violence across the globe and left countless millions destitute in its wake.



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