



Opening statement to the Legal and Constitutional Affairs Legislation Committee

2025-26 Additional Estimates – 9 February 2026

Director-General, Chris Moraitis PSM

Thank you chair.

I would like to provide a brief update on the progress of our work.

The OSI's joint investigation with the AFP—Operation Emerald— continues to make significant progress. We are working to complete the joint investigations as expeditiously as possible, cognisant of the potential impact on the welfare of those involved and the broader Defence community.

Operation Emerald has, in total, commenced **53** investigations involving allegations of war crimes by Australian Defence Force members in Afghanistan.

To date, our investigations have resulted in a former Australian Special Forces soldier being charged with one count of war crime – murder. That matter is now before the NSW Supreme Court.

We currently have **13** active investigations. A further **39** investigations are no longer under active investigation, subject to any new evidence emerging.

OSI's preparation of briefs to the Commonwealth Director of Public Prosecutions (CDPP) continues to be careful and resource-intensive and requires the support of our key stakeholders.

In closing, I would like to advise the Committee of the retirement of the Hon Mark Weinberg AC KC and acknowledge his contribution as our Special Investigator. As a former judge of the Federal Court and Victorian Court of Appeal, as well as a former Commonwealth Director of Public Prosecutions and Dean of the Faculty of Law at Melbourne University, Mr Weinberg's extensive experience has been invaluable in guiding the challenging work of the OSI since its inception.

Given the advanced stage of investigations, the OSI will conclude its operations with its existing experienced staff, including senior Counsel who have worked very closely with Mr Weinberg in providing advice to the investigations, and working with the AFP leadership under our joint investigation model.

Thank you.