



AUSTRALIANS FOR WAR POWERS REFORM

**Foreign Affairs, Defence, and Trade References Committee
Department of the Senate
PO Box 6100
Parliament House
Canberra 2600**

6 October 2021

Submission on Australia's engagement in Afghanistan

The Executive Committee of Australians for War Powers Reform (AWPR) welcomes this opportunity to present a submission on an important matter of public concern. We are Australian citizens with an interest in how, why, and with what results Australia goes to war. Our members have long experience in government, defence, higher education, law, and medicine. They include many former ADF personnel. All of us have family and friends who have served Australia in war. The group has produced several publications in consultation with the public, commissioned opinion surveys, provided the results to MPs and Senators, consulted and briefed them on our work.

AWPR's interest in Afghanistan

Originating as the Iraq War Inquiry Group in 2012, we became the Campaign for an Iraq War Inquiry in 2014, and have continued our efforts as AWPR from 2015. Our current campaign is No War Without Parliament. Our group has called on Federal politicians for a full, open and independent investigation (along the lines of the UK's Chilcot Inquiry) of how Australia entered the wars in Afghanistan, Iraq, and Syria, and their consequences. Two inquiries focussed on the performance of the intelligence agencies for the Afghanistan and Iraq deployments (Jull 2004 and Flood 2007) but they did not analyse or account for the legal, military, and political decisions that were made, nor inquire into the results. Australia lags behind our NATO coalition partners in this regard. Since the withdrawal of Australian forces from Afghanistan, AWPR has drafted and promoted an appeal to Federal politicians from ADF veterans and their families who have been adversely affected by the war experience. We have also made a submission to the Senate Foreign Affairs, Defence, and Trade Legislation Committee concerning the Defence Amendment (Parliamentary Approval of Overseas Service) Bill 2020.

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Submission

This submission addresses the following selected Terms of Reference:

a. Australia's twenty-year military, diplomatic and development engagement in Afghanistan, with reference to:

(i) Our success in achieving the Australian Government's stated objectives,

(iii) The costs of Australia's engagement in Afghanistan.

c. How the Australian Government should respond to recent developments in Afghanistan in order to:

(i) Protect Australia's national security,

(ii) Prevent or mitigate damage to Australia's international reputation, if necessary.

d. Any related matters.

a. Australia's twenty-year military, diplomatic and development engagement in Afghanistan.

(i) Our success in achieving the Australian Government's stated objectives.

It is impossible to evaluate what success the ADF had in achieving the Australian Government's stated objectives, because those were unclear, equivocal, and changeable. Prime Minister Howard, invoking the ANZUS Treaty, stated in September 2001 that the purpose of the ADF deployment was to destroy Al-Qaeda and to fight the war on terror globally. The continued deployment was said to be to rid Afghanistan of the Taliban. The public is no better informed now than when Prime Minister Abbott said Australia's involvement was ending 'not with victory, not with defeat, but with, we hope, an Afghanistan that is better for our presence here.' Mr Abbott stated on 16 December 2013 as the ADF left Uruzgan Province, that 'It has been worth it.' In August 2021, Prime Minister Morrison also claimed without evidence, as the remaining troops left Afghanistan, that 'Freedom is always worth it'.

(iii) The costs of Australia's engagement in Afghanistan.

The actual costs are much higher than the 41 servicemen's lives lost, and the thousands injured or suffering from PTSD. Suicides of serving personnel, veterans, and reserve service members were conservatively estimated at 419 between 2001 and 2017: one for every two weeks of the deployment in Afghanistan at that time. More than 200 suicides followed. Partly as a result of our activities there, hundreds of thousands of Afghan civilians are dead or injured. Australia spent \$7.8 billion on the war in Afghanistan to June 2021.

c. How the Australian Government should respond to recent developments in Afghanistan in order to:

(i) Protect Australia's national security.

Afghanistan has never threatened Australia's national security. Its capacity to do so now is less than ever. Four possible security threats following Australia's retreat are:

- Danger to Afghan former employees of Australia and Afghan Australians remaining in Afghanistan.
- Danger from revenge terror attacks by Afghans against Australians abroad or in Australia.
- Risks involved with a large exodus of refugees from Afghanistan.
- The inspiration that Salafi jihadi groups, estimated to have increased three to fourfold since the beginning of the war in Afghanistan, has gained with the US defeat in Afghanistan.

(ii) Prevent or mitigate damage to Australia's international reputation, if necessary.

The deployment in Afghanistan and our retreat have damaged Australia's former claim to be a 'good international citizen.' Australia's diplomatic influence has diminished in Afghanistan and neighbouring countries where if we are not hated, we are not trusted. Throughout the period of the war, our foreign service has been depleted, and DFAT's power in the bureaucratic hierarchy has declined. Bipartisanship prevails in Australian foreign and defence policy, preventing initiatives that might rebuild our reputation. Since 1975, neither major party has made the US Alliance or Australian independence an election issue. Instead of conducting a review of the 70 year-old Alliance, immediately after the retreat from Afghanistan in August 2021, Australia announced a military pact, the 'Enhanced Trilateral Security Partnership', which was met with disparagement in Europe, India, China, and Southeast Asia. Clearly aimed at 'containing' China, the agreement eliminates what reputation Australia had left for independent, progressive, or peaceful foreign policy. To reverse the damage, the Australian Government should cease the debilitating defunding of DFAT and of Australia's foreign service. We should not threaten or use force against our neighbours, and Australia should obey the international laws it so often recommends to others.

d. Any related matters.

Australia is responsible for the conduct of our troops in Afghanistan. If charges of committing war crimes are brought against any of them, and are not fully adjudicated in Australia, their commanders, and the Ministers who authorised their deployment could equally be indicted before the ICC.

Australia is also responsible for the humanitarian harm caused by our long deployment in Afghanistan. Australian activities have not only been devastating for the civilians involved, including millions who were forced to flee their homes and seek refuge elsewhere, but they also intensify anti-Australian and anti-NATO sentiment. The consequences are life-long, and they potentially undermine the very security we seek to defend.

The defeat of Australian and allied forces in Afghanistan was the latest of a series of victories achieved by Afghans against invaders of their country. We should not pretend otherwise. AWPR considers it appropriate that:

- A thorough review should be undertaken in Defence and across other relevant government departments, and the lessons to be learnt should be submitted to the Government.
- Reparations in cash, kind, or project activity should be offered to Afghanistan.
- An apology from the Australian government for crimes committed should be offered to Afghanistan.

Recommendations

In order to ensure that future Australian troop deployments are made in conformity with the Constitution, international law, and Australia's national interests, and to guard against the repetition of disastrous deployments like those in Afghanistan, AWPR *specifically recommends* that legislation be introduced to ensure that:

- The recent practice of dispatching Australian forces to armed conflict abroad under a provision of the Defence Act should not continue;
- In advance of the deployment of Australian forces, the matter should be considered by security-cleared members of a Parliamentary Committee, and be debated and voted on by both houses of Parliament;
- The Government should set out clearly the political and strategic considerations involved in any deployment of troops, its legal basis, purpose, likely duration and estimated costs, including the likely humanitarian impacts, plans for addressing them, and for post-war rehabilitation;
- If a proposal for armed deployment is carried, the Governor-General should be asked to consider it and have the opportunity to seek more information before the Government acts on it;
- The Government should be required to report to the Parliament at regular intervals on the progress of a conflict, including its human costs;
- At a specified time, a further debate and vote in the Parliament should determine whether the deployment should continue or not;
- After the conflict, an independent inquiry should present a full, public report, including recommendations to guide Governments in future deployments.
- Establish a full and independent inquiry into Australia's deployment of armed force to Afghanistan from 2001 to 2021, the activities of the ADF there, their departure, and the costs and consequences of that deployment. This should be followed by a public report.

Signed:

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