

Date: 21st September, 2021

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

Submission to the Senate Inquiry into Australia's engagement in Afghanistan

This submission is made by the Independent and Peaceful Australia Network (IPAN) which is a network of organisations around Australia – community, faith and peace groups, trade unions and concerned individuals – aiming to build public dialogue and pressure for change to a truly independent foreign policy for Australia – one in which our government plays a positive role in solving international conflicts peacefully.

IPAN shares the widespread community concern that Australia's involvement in the U.S.-led invasion and subsequent war in Afghanistan lasting 20 years has not been in the best interests of Australia and has had some disastrous consequences for the Australian people and even more disastrous consequences for the people of Afghanistan.

IPAN is therefore very supportive of a Senate Inquiry examining the costs and consequences of this Australian involvement in that war and in determining what lessons can be learned to prevent Australia becoming involved in any further disastrous wars of this nature.

IPAN is, however, critical of the restricted scope of the Inquiry as stated in its terms of reference but will seek to address the issues which it believes are vital to an evaluation of this war involvement via the specific terms of reference: (a) (i) our success in achieving the Australian Governments' stated objectives, (a) (iii) the costs of Australia's engagement in Afghanistan; and (d) any related matters.

(a) (i) our success in achieving the Australian Governments' stated objectives

There is a dearth of documentation in which the Australian governments' stated objectives have been made public or in the progressive evaluations of progress towards those objectives. One question therefore whether, in fact, there were clear, stated objectives when Australia entered this Afghanistan war with the United States. John Blaxland in the SMH of 16th April, 2021 made a pertinent statement on this matter saying: "Most of the time Australia was comfortable allowing the United States to take the lead in strategy formulation, reckoning that by avoiding engaging too closely on such decision-making Australia could risk manage its contributions. As a result, Australians deployed with only woolly ideas about exactly what they were trying to do there."

This lack of clarity and lack of publicly available documentation makes it difficult to judge whether these objectives have been achieved.

Reasons for engagement in this war have been given but clear objectives for that involvement are hard to identify. The specific strategies adopted, which could then be evaluated for progress in their achievement, are lacking. Certainly this is lacking in the public domain.

Further if the reasons and justifications for the engagement are not sound and in fact smack of international illegality, then the objectives must surely be flawed.

Let's examine the reasons and justifications.

On 12 September 2001 the Prime Minister, John Howard, [announced](#) that the Government was invoking Article IV of the ANZUS Treaty in response to the terrorist attacks against the US, the first time this had been done in the treaty's 50 year history.

On 25 October 2001 in a [speech](#) to the Australian Defence Association, Mr Howard set out the reasons for Australia's decision to support the US attack on the Taliban.

"The Australian Government has continued to emphasise that Australia's own national security is greatly enhanced by denying al-Qaeda and other jihadist groups a haven in Afghanistan, and that this will be achieved by helping to build a more secure and democratic Afghanistan."

The legality of the decision to invoke the ANZUS treaty is certainly questionable. The ANZUS treaty refers to an attack on a member signatory in the pacific area. New York was not in the pacific area. Afghanistan is not in the pacific area.

The decision to invade a sovereign country, Afghanistan, was not sanctioned by the United Nations. It was therefore in violation of the United Nations Charter.

The military action was not focused simply on denying al-Qaeda and other jihadist groups a haven in Afghanistan but quickly became focussed on removing the Taliban from power despite the fact that even the CIA stated that the Taliban were not linked to the 9/11 attack on the Twin Towers in NY. Removing the Taliban then became a regime change, installing a government favourable to western interests, the USA in particular. If this is the way you build a democratic Afghanistan, by invading and removing its government and installing a puppet replacement without any election, then the perpetrators, including the Australian government have a lot to learn about democracy. As for making it more secure, it is hard to see the 20 year-old war making the country more secure for its inhabitants some of whom, several million in fact, fled the country because of its insecurity and the day to day threat to life and limb and the destruction of their way of life.

There may be evidence that al-Qaeda and other jihadist were eliminated or were chased out of Afghanistan. But there is overwhelming evidence that the subsequent US-led and Australia- supported invasion of Iraq stimulated the rise of jihadist forces which offset any advantage which might have been gained by the Afghanistan military operation. Further, if Australia's national security was enhanced by this war operation then there are 88 Australian bodies from the Bali bombings by jihadists to prove the operation was not successful in preventing that terrorist attack.

One lesson Australian governments have not learnt after Vietnam and now Iraq and Afghanistan is that intervention by western military forces cannot impose a basically Western European type political system on a people whose culture and history differs so markedly from that of Europe.

Based on the publicly available information, this submission concludes that Australia's stated objectives were not in fact achieved in Afghanistan. The Taliban were the government before the invasion and were removed from government during the invasion but now after the withdrawal of foreign forces, have returned to government.

One way in which transparency and a realistic evaluation of the achievement of the Government's objectives can be assessed is by the release to the public domain of all operational directives/instructions/orders issued to Australian Defence Force (ADF) force elements, the Australian Federal Police and any other government organisations (e.g. DFAT and AusAID) that deployed into the Afghanistan Area of Operations. It is expected that these documents would include the strategic intent, legal basis and the specific and measurable missions/tasks/objectives expected of the ADF and other government agencies.

Additional information that should be released are the Measures of Effectiveness/Measures of Performance used by the ADF and any other government agencies to assess their performance, as well as Post Operational Reports/After Action Reviews.

Without this information an effective evaluation is impossible. Whilst some of the documents may have the potential to cause embarrassment to past governments, with the operation now complete there is no compelling operational security justification for not releasing this information to the inquiry and the public.

IPAN recommends that before any decision is made by government to commit our ADF to an expeditionary war:

- (i) It must clearly state its justification for such a commitment and demonstrate it is in compliance with the United Nations Charter and international law
- (ii) It must clearly demonstrate that such action is vital to the security of the Australian people
- (iii) It must clearly state the objectives of such an engagement and the process for evaluating and reporting on progress towards those objectives during the engagement
- (iv) It must clearly state the exit strategy from such an engagement
- (v) Points (i) to (iv) must be made public to facilitate community and parliamentary scrutiny and discussion before a decision to commit is made
- (vi) The decision to commit must be subject to parliamentary debate and vote.

(a) (iii) the costs of Australia's engagement in Afghanistan

This submission will address the costs of Australia's engagement in Afghanistan under four headings:

- (i) The human costs to the Australian community, members of the ADF and their families, in particular
- (ii) The financial cost to the Australian tax payer
- (iii) The human cost to the people of Afghanistan
- (iv) The cost to Australia's reputation in the international community
- (v) The cost to our freedoms and democratic rights

The human costs to the Australian community, members of the ADF and their families, in particular.

These figures represent human suffering and deaths with the suffering extending to their families and friends.

The figures are readily available.

The twenty years of the disastrous war in Afghanistan has led to:

- 41 Australian soldiers killed
- 261 Australian soldiers wounded
- Over 500 soldiers committing suicide

This has left an indelible mark on the lives of members of the ADF and their families and the communities from which they come. In many cases these scars will continue for lifetimes.

The scars are made even more unbearable now it has become clear that no useful purpose resulted from the ADF's involvement in Afghanistan; to the contrary of the claim made by former PM John Howard who committed the ADF to the war, those who died, did so in vain.

The financial cost to the Australian tax payer

Financial costs to the Australian tax payer include both the direct costs of Australia's contribution to the war and the indirect and ongoing costs associated with the Department of Veterans Affairs (DVA).

The figure which is provided by the Department of Defence is that \$9 billion has been spent over 20 years on Australia's ADF deployment in Afghanistan. Whilst this figure is dwarfed by the \$2 trillion spent by the USA on that war, nevertheless, \$9 billion represents an opportunity cost lost to address social need in the Australian community. If the Afghanistan war engagement is judged to have been a failure in that it did not achieve its objectives, then, indeed this has been a misuse of taxpayers' money which could have been put to more socially valuable use.

The Inquiry should also disclose the costs incurred via DVA resulting from injuries sustained by Australian service personnel in Afghanistan and the other benefits that Veterans are entitled to. Additionally, given that the war in Afghanistan will result in liabilities for DVA up until around 2100 (when it is expected that most of the veterans from Afghanistan will have died) the estimated cost/cost models should be released to the public. This information is important to fully understand the cost of the Afghanistan war which will have impacts many times longer than the war itself.

The human cost to the people of Afghanistan

It is difficult to segregate the human cost inflicted on the people of Afghanistan specifically by the ADF as opposed to the overall human costs inflicted on the people of Afghanistan by the U.S.- led war in which Australia participated and supported as did other allies such as the UK. But because Australia supported the U.S.- led invasion of Afghanistan politically and militarily, Australia must share some responsibility for the following:

“An estimated 241,000 people have died as a direct result of the war since the US invaded Afghanistan to topple the Taliban in the wake of the September 11, 2001 attacks in the US, according to the most recent figures from Brown University’s [Costs of War](#). Hundreds of thousands more, mostly civilians, have died due to hunger, disease and injury caused by the devastating war.

Of the people killed, 71,344 were civilians who died on both sides of Afghanistan’s long, porous border with Pakistan. At least 47,245 civilians have died in Afghanistan and 24,099 in Pakistan.” Reference Al Jazeera.

“Afghanistan continues to be one of the deadliest places in the world to be a child. In the past decade alone, the UN Assistance Mission in Afghanistan ([UNAMA](#)), has recorded at least 7,792 children killed and 18,662 injured. Many of the wounded children have lost limbs to improvised roadside bombs and air attacks.

Women have paid a heavy price too, with more than 3,000 deaths due to the war and 7,000 injuries since 2010. Last year has been the deadliest for women in Afghanistan in the past decade, with 390 deaths recorded.” Reference Al Jazeera

“At least 2.7 million of Afghanistan’s population of 38 million has been forced to flee due to the war, becoming refugees in neighbouring Pakistan, Iran and beyond. An additional four million are internally displaced according to the UN [\[PDF\]](#).” Reference Al Jazeera

The Brereton Report identified what can only be described as crimes against humanity by members of the ADF’s Special Air Service Regiment (SASR). There is no point in re-iterating what is to be examined in the courts and hopefully if sufficient evidence is gathered to initiate criminal proceedings, that the perpetrators will be held to account and given appropriate sentences. The report however, raised serious questions about the culture in the ADF or at least in the SASR and the poor supervision by superiors of that unit’s activities. Any culture of brutality and disregard for basic human rights must be expunged from the armed services and the commanders held accountable for the actions of those under their command. The internal impact within the ADF of war crimes allegations (e.g. morale, legitimacy of the chain of command etc) should also be considered.

The cost to Australia’s reputation in the international community

When Australia joined the NATO coalition in Afghanistan in 2001, we had been building a multicultural society for three decades. Interchange and cooperation with Asian countries had expanded to mutual benefit, educational exchanges were flourishing, and trade with

China spared Australia the worst of the Global Financial Crisis and the Asian Financial Crisis. Australia liked to think of itself as a good international citizen, supporting various arms control treaties and international conventions, and intervening peacefully and productively in Cambodia, the Solomon Islands, and East Timor.

Soon after the ADF was deployed to Afghanistan, where it lost 41 servicemen, 88 Australians died in Bali in a jihadist bombing. The Indonesian perpetrators made it clear that they intended to kill Americans and their allies who were attacking fellow Muslims in Afghanistan. This was confirmed soon afterwards when the Australian Embassy in Jakarta was attacked, with more deaths and injuries.

Before Australia invaded Afghanistan, we consulted none of our Asian neighbours to inquire why we felt so threatened by terrorism but they did not. Many had fought for their independence: we had not. Had we asked them they would of course have pointed out that our joining the war on terror had nothing to do with threats to Australia. We knew and they knew that in spite of our claims of engagement or enmeshment with Asia, we allowed our foreign and defence policies to be determined by the United States.

Throughout the course of the war that lack of independence became even more evident. America's purpose for the war changed, yet Australia stayed. It was known that the Coalition forces could not succeed even when it became a war against the Taliban, and then Al-Qaeda. Several NATO members departed, but Australia remained until the US decided to withdraw in chaotic defeat.

Australia has never had a great reputation as an independent country: that has now evaporated completely. We have had a reputation for supporting international law and the rules of war. That too we have undermined during our campaign in Afghanistan. To have Australians 'credibly accused of war crimes' is shameful. It is equally disgraceful that Australia has offered no compensation to the families concerned, nor reparations to Afghanistan for our invasion.

Not only are the war crimes allegations shameful but they will be used against Australia for decades to come. For example, the provocative image of an Australian soldier slitting the throat of an Afghan child will no doubt be used against Australia for decades to come, every time the Australian Government raises concerns over human rights (as is already occurring regularly on social media). Whilst this may sound overstated, it is fact no different to how the iconic image of a Chinese citizen standing in front of a tank after the 1989 Tiananmen Square incident is still regularly used by Western and Australian media against the Chinese Government.

The war in Afghanistan has won Australia no friends except among equally culpable nations. It has diminished our influence as a middle power, and has eroded our international influence, particularly in Asia. Australia's view is rarely sought in any international forum where the US is present, which is why we were not needed in the six-party consultations on North Korea. We are irrelevant in climate change negotiations where the Biden administration does take a lead. We are of so little importance to the US that the President cannot name our Prime Minister.

Throughout the 20 years of the Afghanistan war, Australia has reduced the resources devoted to DFAT and to overseas aid. At a time when avoiding war is more than ever important, this is a retrograde tendency which can be expected to have serious consequences.

The cost to our freedoms and democratic rights

The launching of war on Afghanistan was characterised as a war on Islamic terrorism.

1. Anti-terror laws

Since the start of Australia's engagement in Afghanistan war in 2001, we have been witnessing the rapid erosion of many long held democratic and civil rights in Australia.

During the 20 years of our participation in the Afghanistan war, more than 92 far reaching anti-terror laws have been legislated by successive Australian governments. These anti-democratic laws are unprecedented in their scope and breach of civil and human rights. Unlike most war powers during previous wars, the "anti-terror" laws legislated during the Afghanistan war, have no end date.

Under the pretext of eradicating Islamic terrorism these laws have been used to criminalise democratic and civil rights. The definition of terrorism is so broad it captures people exercising their normal democratic rights, and can be used against peaceful protests to protect the environment, for peace, and the protection of workers' rights. ASIO, Federal and State Police have been given extensive intrusive and surveillance powers (secretly access people's computers, listening devices, collection of metadata, etc). New ASIO powers allow compulsory questioning and detention of children as young as 14 years of age, for 48 hours. Suspects can be held for long periods without any charges being laid.

Muslims and people of Middle Eastern and Central Asia ethnicity are targeted.

Journalists and free speech are caught in the broad net of "anti-terror" laws and national security.

Under the threat of persecution or imprisonment journalists and lawyers reporting on and publicly speaking on injustices and war crimes are silenced.

2. Vilification of Muslims and people of Middle Eastern and Central Asian ethnicity.

The war on Afghanistan and the accompanied anti-terror laws continue to fuel Islamophobia, hostility and discrimination against people of Muslim faith and Middle Eastern and Central Asia ethnicity. "The war on terror" has created divisions, conflicts and aggression in our communities, and ironically has strengthened the voice of racism and actions of right-wing extremism. The vilification of Islam and Muslims under the guise of the War on Terror created a deep suspicion of the intent and honesty of the local authorities from a large section of the Muslim community. There were such blatant lies told about Islam and the Muslim community to justify the invasion of Afghanistan that a lot of trust and respect was lost. This suspicion of government continues today.

(d) any related matters.

The release of the *'Afghanistan Papers'* and ongoing reports by the Special Inspector General for Afghanistan Reconstruction (SIGAR) (<https://www.sigar.mil/>) highlight that many senior US officials, both civilian and military, were aware that the progress of the war was far different to that communicated to the public. The Inquiry should investigate if Australian politicians and officials were aware that war was not progressing as communicated to the public, and to what extent the public may have been misled. This is critical to ensure that the mistakes made in Afghanistan are not repeated.

This submission by IPAN would not be complete without identifying and addressing the true driving force behind Australian government's enthusiasm to join military engagements with the United States in their expeditionary wars not just in Afghanistan but prior to that in Vietnam and following Afghanistan in Iraq and Syria.

Former PM John Howard invoked the ANZUS treaty to justify joining the United States in the Afghanistan military invasion. The legality of this use of that treaty in this situation has been questioned under terms of reference (a)(i) above. However, over the decades since its signing in 1952, that treaty has been given a life of its own unrelated to the purpose for which it was originally signed. That "life of its own" is called the Australia-U.S. alliance which does not exist in any written form but consists of agreements to have U.S. military bases on Australian soil and U.S. military personnel on our soil. It consists of annual meetings of the Australian defence and foreign affairs ministers and their U.S. equivalents, called the AUSMIN talks. These meetings appear to determine and ensure that Australia's attitudes to a range of international issues including alleged security matters are aligned with those of the U.S. The alliance has also resulted in Australia adopting military hardware with interoperability with that of the U.S. military so that the two can fight together efficiently. Australia is now very dependent on the supply and know-how from the United States to the extent that some defence commentators claim Australia could not go to war or engage in its own defence without the agreement and know-how support of the United States.

The major political parties adopt defence policies in which dependence on the United States to protect Australia from (undefined) enemies is fundamental and this is despite the fact that no guarantee written or verbal has ever been given by the United States to that effect. So to ensure that Australia is always on the "radar" of the U.S., the political leaders are quick to follow the lead of the U.S. in foreign policy are equally quick to commit Australian troops to expeditionary wars in which the U.S. is engaged. Critical commentators have likened this to paying "premiums on an insurance policy". Whether these expeditionary wars are just, moral and have United Nations sanction is of no consequence. The issue is for Australia to be there with the United States so they don't forget us and may feel some indebtedness to Australia and so come to our aid in time of need.

IPAN believes that the Australia-U.S. alliance is in urgent need of review.

Does it actually guarantee protection for Australia in times of need when our security is threatened? Is the U.S. a reliable ally or does it act primarily in its own interests?

Has Australia compromised our own self-defence ability by tying our military procedures and military hardware too closely to that of the U.S.

Would we gain respect among our neighbours and give ourselves credibility to support and construct peaceful resolutions to conflict in our region, if we stood on our own feet, acted

as an independent country, concentrating on providing for our own territorial defence, and raising the status of our diplomatic and trade services to engage with other countries peacefully and to mutual benefit.

We are a country of 25 million people now. We have abundant natural resources and the workforce and knowhow to become far more self-reliant and independent and are capable of defending our territory, our independence and our way of life with a re-structured military trained for that purpose.

IPAN believes it is time for us to do so.

IPAN is currently conducting its own Peoples' Inquiry into the costs and consequences of Australia's involvement in U.S.-led wars, the alliance and alternatives. Some 250 submissions have been made to that Inquiry from a wide range of community organisations and individuals including lawyers, writers, academics, trade unionists, retired military personnel and people who simply want to live in a country that keeps out of war. The submissions are being examined by a panel of experts led by lawyer and human rights activist, Kellie Tranter. The report will be released in the first week of parliament in February 2022.

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