



HEADQUARTERS JOINT TASK FORCE 633
MIDDLE EAST AREA OF OPERATIONS
s33(a)(i), AUSTRALIAN DEFENCE FORCE, SYDNEY, NSW 2890

HQ JTF633/OUT/2012/2350

Afghanistan Independent Human Rights Commission

s33(a)(iii)

Dear Sir/Madam

ALLEGATIONS MADE AGAINST THE AUSTRALIAN DEFENCE FORCE (ADF)

1. I refer to a meeting on 22 May 2012 between your representatives and representatives from Combined Team – Uruzgan (CT-U) and Provisional Reconstruction Team – Uruzgan (PRT-U). During that meeting you informed CT-U and PRT-U of a number of allegations made to you regarding the Australian Defence Force (ADF).

2. The ADF is proud of its record of upholding the laws of armed conflict. We plan and execute operations in a disciplined manner that complies with Australian legal obligations and respects fundamental human rights. All credible allegations, therefore, will be taken seriously and assessed.

s33(a)(i) – s33(a)(i) and (iii)

3. An unidentified source alleges that on s33(a)(i) in s33(a)(i) and (iii), s47F was shot in the right leg while s47F was herding sheep and goats. The ADF has assessed this allegation and has determined that there was an ADF operation conducted in s33(a)(i) and (iii) on s33(a)(i). During that operation there was an Afghan s47F who was wounded. It is likely that the allegation refers to this operation. Further assessment has determined that:

- a. s47F was armed with an AK-47 and was posing a threat to ADF forces.
- b. Medical care was provided at an ISAF medical facility.
- c. The use of force against s47F was necessary and lawful.

4. The ADF now considers this matter closed.

s33(a)(i) – s33(a)(i) and (iii) (Allegation 1)

5. s47F alleges that on s33(a)(i), while in s47F house with s47F hands up, a coalition soldier hit s47F with a rifle, causing cuts to s47F forehead, back, arms and hips. It is also alleged that s47F was bitten by a dog. The ADF has assessed the allegation and has determined that there was an ADF operation conducted in s33(a)(i) and (iii) on s33(a)(i)

s33(a)(i) During that operation there was a s47F wounded by a military working dog. It is likely that the allegation refers to this operation. Further assessment has determined that:

- a. s47F was not in s47F house when the military working dog engaged s47F; s47F was running through the fields and compounds.
- b. ADF forces called to s47F in Pashtu several times to stop, but s47F did not.
- c. s47F was not hit with a rifle or beaten in any manner.
- d. The ADF provided s47F with medical care and AFN 2 000 to cover any further medical treatment.
- e. The use of force against s47F was necessary and lawful.

6. The ADF now considers this matter closed.

s33(a)(i) - s33(a)(i) and (iii) (Allegation 2)

7. An unknown source alleged that s47F was hiding in a wheat field when dogs found s47F and attacked s47F. It is also alleged that while s47F was in the act of surrendering, s47F was attacked by coalition soldiers with knives, and then shot. The ADF has assessed the allegation and has determined that there was an ADF operation conducted in s33(a)(i) and (iii) on s33(a)(i). During that operation there was an Afghan s47F who was shot and killed. It is likely that the allegation refers to this operation. Further assessment has determined that:

- a. s47F was armed with an AK-47 and was posing a threat to ADF forces.
- b. No military working dogs were released upon s47F and s47F was not stabbed.
- c. The use of force against s47F was necessary and lawful.

8. The ADF now considers this matter closed.

9. The ADF is still in the process of assessing the allegations concerning events of s33(a)(i) in s33(a)(i) and (iii). We may require further information as part of our assessment; if so, any assistance you can provide would be greatly appreciated.

Yours faithfully
s22

C.J. Sawade, CSC
Air Commodore
Deputy Commander Joint Task Force 633

/s/ August 2012



HEADQUARTERS JOINT TASK FORCE 633

Middle East Area of Operations

s33(a)(i) Australian Defence Force, SYDNEY NSW 2890

HQ JTF633/OUT/2013/1065

s47F

s47F

Afghanistan Independent Human Rights Commission (AIHRC)
s33(a)(iii)

Dear s47F,

ALLEGATION MADE AGAINST THE AUSTRALIAN DEFENCE FORCE

1. I refer to your email to s47E(d) on 17 January 2013 in which you relayed an allegation that on s33(a)(i), during a joint s33(a)(i) and (iii) operation in s33(a)(i) and (iii), s33(a)(i) and (iii), s33(a)(i) and (iii), s33(a)(i) and (iii) assaulted a civilian named s47F and killed another civilian named s47F.

2. I can assure you that Australia takes such allegations extremely seriously and an internal assessment of Australian missions and activities for the relevant area and period has been conducted.

3. I can advise you that the allegation correlates with a combined s33(a)(i) and (iii) mission conducted on s33(a)(i). During this mission, a s47F named s47F was detained and subsequently released on s33(a)(i). Our evidence is wholly inconsistent with an allegation of assault against this individual, and our records indicate that at time of release, s47F was satisfied with the treatment s47F received.

4. I can also advise you that s47F was engaging in a hostile act and was targeted in accordance with the Laws of Armed Conflict. The claim that this individual was a civilian is not supported by our intelligence and operational reporting of the incident.

5. Based on the information you have provided, I consider these claims to be unsubstantiated and that no further investigation is warranted into this matter. I now consider the matter closed.

6. My point of contact on this issue remains s47E(d).

M.P. Crane, DSC, AM
Major General
Commander Joint Task Force 633

Tel: s47E(d)

April 2013



HEADQUARTERS JOINT TASK FORCE 633

Middle East Area of Operations

s33(a)(i), Australian Defence Force, SYDNEY NSW 2890

HQ JTF633/OUT/2013/1318

s47F

s47F

Afghanistan Independent Human Rights Commission (AIHRC)

s33(a)(iii)

Dear s47F,

ALLEGATION MADE AGAINST THE AUSTRALIAN DEFENCE FORCE

1. I refer to your meeting with s47E(d) on 09 April 2013 in which you raised two allegations against the Australian Defence Force (ADF). In raising Allegation One you claimed that on 05 April 2013 a s47F was shot and killed during a joint operation in the vicinity of s33(a)(i) and (iii). Allegation Two claims that on s33(a)(i), a s47F ferrying s47F on s47F motorcycle was engaged by s33(a)(i) and (iii), shooting the s47F in the right arm and killing the s47F rider.

2. I can assure you that Australia takes such allegations extremely seriously and comprehensive assessments of Australian missions and activities for the relevant areas and periods have been conducted by the Australian National Headquarters.

3. In relation to Allegation One, our investigation concluded that no Australian Forces were in the vicinity of s33(a)(i) and (iii) on or around s33(a)(i). I am of the view that the incident referred to in Allegation One is not attributable to any ADF activity.

4. In relation to Allegation Two, investigations concluded that the incident is related to a partnered ADF operation. The s47F were engaged by ADF members, whose actions were consistent with the Laws of Armed Conflict. The s47F was observed immediately following the engagement and during an ADF facilitated evacuation, displaying no signs of injury as claimed. An adequate payment was made by the ADF to compensate for any medical expenses and a meeting was held with the Provincial Chief of Police, who also made a payment to the family. In raising this allegation the AIHRC has not presented any new evidence that is sufficient to call into question previous analysis of this incident.

5. I consider these allegations to be unsubstantiated and that no further investigation is warranted. I now consider both matters to be closed.

6. My point of contact on this issue remains s47E(d).

M.P. Crane, DSC, AM

Major General

Commander Joint Task Force 633

Tel: s47E(d)

April 2013



HEADQUARTERS JOINT TASK FORCE 633

Middle East Area of Operations

s33(a)(i), Australian Defence Force, SYDNEY NSW 2890

HQ JTF633/OUT/2013/1983

s47F

s47F

Afghan Independent Human Rights Commission (AIHRC)

s33(a)(iii)

Dear s47F,

ALLEGATION MADE AGAINST THE AUSTRALIAN DEFENCE FORCE

1. I refer to your meeting with s47E(d), the Combined Team-Uruzgan s47E(d) Officer, on 01 April 2012 in which you raised four allegations against the Australian Defence Force (ADF). An investigation into Allegations One, Three and Four has now been completed. Allegation Two made at this meeting relating to a s47F being shot by s33(a)(i) and (iii), has been investigated and separate correspondence has been delivered to you detailing the closure of this allegation.

2. The investigation into Allegation One, found that s47F was killed by Australian Forces in accordance with the Laws of Armed Conflict, as was the destruction of the two motorcycles and other property damage. There was no evidence found to support the claim that s47F was hit on the head or s47F had dogs set upon s47F by Australian Forces.

3. Allegation Three, found that Australian Forces were operating in the area at the time stated, however there is no evidence to support this allegation made by s47F that s47F was beaten by s33(a)(i) and (iii).

4. Allegation Four, that s47F was bitten by dogs and stood on by s33(a)(i) and (iii), has been found to be unsubstantiated. There were no ADF s33(a)(i) and (iii) operating in the area at the time alleged.

5. Based upon the evidence that you presented I am confident that the allegations made against Australian Forces either align with legitimate actions to target insurgents and their networks, or are unconnected with the activities of Australian Forces. I now consider these matters closed.

6. My point of contact on this issue is s47E(d), Combined Team-Uruzgan s47E(d) Officer, who can be contacted on s47E(d).

M.P. Crane, DSC, AM
Major General
Commander Joint Task Force 633

Tel: s47E(d)

August 2013



HEADQUARTERS JOINT TASK FORCE 633
MIDDLE EAST AREA OF OPERATIONS

s33(a)(i) AUSTRALIAN DEFENCE FORCE, SYDNEY, NSW 2890

HQ JTF633/OUT/2013/2660

s47F

Afghan International Human Rights Committee

Dear s47F,

ALLEGATION MADE AGAINST THE AUSTRALIAN DEFENCE FORCE

1. I refer to your conversation with s47E(d) on 29 June 2013, in which you relayed an allegation referred to as AIHRC 17. This claim states that, on or about s33(a)(i) s33(a)(i) and (iii) killed s47F in the village of s33(a)(i) and (iii).
2. I can assure you that Australia takes such an allegation seriously and that an internal assessment of the Australian missions and activities relevant to the date and location has been conducted.
3. I can advise you that this claim correlates with a combined s33(a)(i) and (iii) mission conducted in the vicinity of s33(a)(i) and (iii) on s33(a)(i). During this mission, I can confirm that s33(a)(i) and (iii) engaged an insurgent, resulting in s47F death. The insurgent was observed to exit from a compound, occupied by a known facilitator of lethal aid. The insurgent then took a direct part in hostilities by moving tactically within a walled orchard, armed with a rifle and loaded magazine, in proximity to s33(a)(i) and (iii).
4. The individual was engaged in accordance with the Laws of Armed Conflict. The s47F killed was probably s47F, a known insurgent supporter.
5. Based on the information you have provided, I consider this claim to be unsubstantiated and no further investigation is warranted into this matter. I now consider AIHRC 17 closed. My point of contact on this issue is the Combined Team Uruzgan s47E(d) Officer, s47E(d) s47E(d).

Yours faithfully

M.P. CRANE
Major General
Commander Joint Task Force 633



**HEADQUARTERS JOINT TASK FORCE 633
MIDDLE EAST AREA OF OPERATIONS**

s33(a)(i) AUSTRALIAN DEFENCE FORCE, SYDNEY, NSW 2890

HQ JTF633/OUT/2013/0181

Afghanistan Independent Human Rights Commission (s33(a)(iii))

s33(a)(iii)

s33(a)(iii)

ATT s47F

Dear s47F

ALLEGATION MADE AGAINST THE AUSTRALIAN DEFENCE FORCE

1. I refer to a meeting on 05 December 2012 between yourself and representatives from Combined Team – Uruzgan (CT-U). During that meeting you informed CT-U of an allegation made to you regarding the Australian Defence Force (ADF).

2. The ADF is proud of its record of upholding the laws of armed conflict. We plan and execute operations in a disciplined manner that complies with Australian legal obligations and respects fundamental human rights. All credible allegations, therefore, will be taken seriously.

3. The complainant was identified as the s47F of the s47F and had advised that s47F was making the complaint as their s47F had already died. The complainant alleged that at approximately 4.00am on the morning of s33(a)(i) at s33(a)(i) and (iii) s33(a)(i) and (iii)

s33(a)(i) and (iii) had launched an attack whereby four villagers were killed and four other s47F were arrested and taken by the s33(a)(i) and (iii). The complainant alleged that the dead villagers and the detained persons were innocent and should not have been killed/captured.

4. A comprehensive operational assessment has been conducted and analysis indicates that an operation was conducted in the area at the time specified. However, the deaths and detention were legally justified and there is no substantive evidence to support the allegations and no similar supporting allegations have been proffered. I am therefore satisfied that no further investigation or inquiry is warranted into this matter.

5. I consider this matter closed.

Yours faithfully

M.P. CRANE

Major General

Commander Joint Task Force 633



**HEADQUARTERS JOINT TASK FORCE 633
MIDDLE EAST AREA OF OPERATIONS**

s33(a)(i), AUSTRALIAN DEFENCE FORCE, SYDNEY, NSW 2890

HQ JTF633/OUT/2012/3872

s47F

Afghan Independent Human Rights Committee

Dear s47F,

**OPERATIONAL ALLEGATIONS PASSED TO COMBINED TEAM URUZGAN ON
06 NOVEMBER 2012**

1. I refer to your meeting at Provincial Reconstruction Team House with s47E(d) s47E(d) on 06 November 2012 in which you relayed three allegations.

2. The allegations you raised were:

- a. **Allegation one:** at approximately 1130 on s33(a)(i), in the vicinity of s33(a)(i) and (iii) that during an operation the house of s47F was burnt and three s47F; named s47F, s47F and s47F were identified by name during conduct of a search and taken away. They are alleged to have later been found deceased the following day in nearby crops, having been shot. It was further alleged that 8000kg of wheat seed, a tractor (destroyed by explosives detonated underneath), two motorcycles and PR130 000 were taken away and destroyed by s33(a)(i) and (iii);
- b. **Allegation two:** on s33(a)(i), in the vicinity of s33(a)(i) and (iii) s33(a)(i) and (iii) during a search operation s47F was shot dead and that s47F was beaten so severely that s47F became paralysed; and
- c. **Allegation three:** on s33(a)(i), in s33(a)(i) and (iii), s33(a)(i) and (iii) during a joint s33(a)(i) and (iii) search operation, s47F s47F; s47F s47F were identified by name and taken from the village and shot. It was further alleged that AFN100 000 was taken from the pocket of s47F when s47F was searched and that PR50 000 was taken from the house of s47F during a search.

3. I can assure you that Australia takes such allegations extremely seriously and an internal assessment of Australian missions and activities for the relevant dates and locations has been conducted.

4. I can advise that, with regard to the first two allegations, Australian forces did not undertake any operations correlating in time or location as detailed above. With regard to the third allegation, while Australian forces did conduct a mission in the area on s33(a)(i), no innocent local nationals were killed (the persons killed were insurgents), nor was any money taken. I am of the view that all three allegations are unsubstantiated and no further action shall be taken in relation to these allegations. I now consider them closed.

5. My point of contact in this matter is my ^{s47E(d)} Officer, ^{s47E(d)} [REDACTED], ^{s47E(d)} [REDACTED], who you can contact on ^{s47E(d)} [REDACTED] or alternatively, you may wish to continue dealing with ^{s47E(d)} [REDACTED]

Yours faithfully

M.P. CRANE
Major General
Commander Joint Task Force 633