



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**HOUSE OF REPRESENTATIVES**

**MINISTERIAL STATEMENTS**

**Afghanistan**

**SPEECH**

**Thursday, 24 May 2012**

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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## SPEECH

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**Speaker** Smith, Stephen, MP

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**Mr STEPHEN SMITH** ( Perth — Minister for Defence and Deputy Leader of the House ) ( 09 :0 2 ): by leave—The government is committed to providing regular reports and updates on Afghanistan, including to the parliament. I last updated the House on 10 May on a range of issues relating to Australia's detainee management in Afghanistan in keeping with my commitment to provide regular updates to the Australian people on detainee management and to be open and transparent on these matters. I undertook at that time to update the parliament more generally on Afghanistan following my attendance with the Prime Minister at the NATO/International Security Assistance Force (ISAF) Leaders' Summit in Chicago over the weekend. The summit followed on from the recent meeting in Brussels of NATO/ISAF Foreign and Defence Ministers, which I attended together with Foreign Minister Carr.

### Chicago s ummit

At the NATO/ISAF Leaders' Summit in Chicago on 20 and 21 May, the Prime Minister and I reaffirmed Australia's long-term commitment to Afghanistan. This was a valuable opportunity for the international community to commit to supporting Afghanistan post-transition, after 2014, so essential to secure Afghanistan's future. Australia's commitments to Afghanistan align with the key outcomes of the Chicago summit. Firstly, at Chicago, the international community reviewed transition and mapped the way forward in Afghanistan to the end of 2014. As President Obama said at the conclusion of the Chicago Summit, 'We leave Chicago with a clear roadmap. Our coalition is committed to this plan to bring our war in Afghanistan to a responsible end.'

In Afghanistan, transition is already in progress, with around half the population living in areas where the Afghan National Security Forces (ANSF) have begun taking lead security responsibility. The third tranche of provinces and districts will formally commence transition in the middle of this year, at which time three-quarters of the population will be living under ANSF security lead. It is expected that the final, and fifth tranche, will begin transition by mid-2013, the so called Lisbon milestone. At this point, with all of Afghanistan's population under Afghan National Security Forces security lead, ISAF's role will shift from combat to support. Oruzgan province will formally commence transition in the middle of this year and will likely have fully transitioned to Afghan National Security Forces responsibility over the subsequent 12 to 18 month period.

Secondly, the international community is committed to continuing to fund, train and support the Afghan National Security Forces post-transition to consolidate and build on the security gains of the transition strategy. As the Prime Minister and I announced on 16 May, Australia will contribute US\$100 million annually for three years from 2015 as part of international community efforts to help sustain and support the Afghan National Security Forces beyond the end of the transition process. It is essential that the international community provides the resources for ensuring the sustainability and effectiveness of the Afghan National Security Forces beyond 2014.

Australia has already contributed substantially to the development and sustainment of the Afghan National Army (ANA), pledging in 2009 US\$200 million over five years to the Afghan National Army Trust Fund. Australia has a vital national interest in supporting Afghanistan's security and stability after transition. Our commitment to ANSF funding reflects these enduring national interests.

Thirdly, at the Chicago summit, the international community committed to supporting Afghanistan's development in the long-term. Australia's longer term commitment will be underscored by the Comprehensive Long-Term Partnership with Afghanistan, signed at the Chicago summit by the Prime Minister and President Karzai. This was foreshadowed by the Prime Minister in her statement to parliament in November 2011. The signing of the partnership confirms Australia's bilateral commitment to Afghanistan and sets out Australia's enduring cooperation and relationship with Afghanistan post-2014. It sends a signal to the people of Afghanistan, the Taliban and the region that the international community will not walk away from Afghanistan at the end of 2014.

Similarly, on 1 May 2012, the United States signed a strategic partnership agreement with Afghanistan, which provides a framework for their long-term bilateral relationship. A number of our international partners, including NATO, the United Kingdom, France, India and Italy have signed similar agreements.

Eighteen months ago at the Lisbon summit, in November 2010, the international community and the Afghan government set down a clear process and timeframe for transition of full security responsibility to the Afghan National Security Forces. Australia's own transition planning is entirely consistent with this strategy.

President Karzai announced on 13 May 2012 the third tranche of provinces and districts to formally enter the transition process. Australia welcomed the inclusion of Oruzgan province in this third tranche. The Afghan National Army 4th Brigade is progressing towards being able to operate independently, and is increasingly assuming the lead for the planning, preparation and execution of tactical operations. The Afghan security presence is expanding across Oruzgan province. We fully expect to be in a position to hand over security in Oruzgan province to the Afghan National Security Forces over the 12- to 18-month period that I have referred to.

We must, however, continue to be present in support of the Afghan National Security Forces in Oruzgan, and be combat ready to do so until transition is complete. This means that, as transition progresses, the Afghan National Security Forces will take on more and more responsibility for security. But ISAF partners must remain ready to support them, as required.

After the completion of transition, our commitment in Afghanistan will look significantly different from the commitment we have today. Australia's commitment to Afghanistan will not end with the transfer of security responsibility to the Afghan National Security Forces in Oruzgan province. Australia has made clear that we expect to maintain a presence in Afghanistan beyond 2014 through training, military advisers, capacity building and development assistance.

### **Civilian casualties**

Let me deal with a range of other matters relating to Afghanistan. The government is committed to transparency and providing information on civilian casualties in Afghanistan to the parliament and the Australian people. The Australian Defence Force takes the issue of civilian casualties very seriously. The Australian Defence Force operates under strict rules of engagement intended to minimise civilian casualties, and deeply regrets any loss of innocent life.

Today I update the parliament on the status of inquiries into the following civilian casualty incidents:

On 2 November 2010, following an engagement between an Afghan National Security Forces and Mentoring Taskforce 4 partnered patrol and insurgents in the Baluchi Valley region, it was claimed that a civilian had been killed by small arms fire.

On 27 March 2011, a small Afghan boy was seriously wounded, and an Afghan man was killed, during an engagement between insurgents and a partnered Afghan National Police Provincial Response Company-Oruzgan and Special Operations Task Group patrol. Sadly, the young boy, after receiving medical care, died from his wounds.

On 29 October 2011, Australian soldiers engaged and killed a man who approached their site at speed and failed to adhere to all directions to stop. Unfortunately, the Afghan male was unable to be saved.

An inquiry was conducted into each of these incidents. The inquiries are under consideration and I will advise on the outcomes of this consideration in due course.

On 1 May this year, an Afghan boy was injured during an engagement between insurgents and Australian Special Forces and elements of the Afghan National Security Forces undertaking a partnered security operation. The boy is receiving medical treatment and is expected to recover. As the Department of Defence advised on 9 May, an inquiry is underway on this matter. When completed, the inquiry will be considered and I will advise of the outcome in due course.

### **Combat fatality reports**

I now turn to an update on Inquiry Officer Reports into deaths of ADF soldiers in Afghanistan. All Inquiry Officer Reports into combat deaths which occurred in 2010 have been completed, the respective families have been briefed on the outcomes of the inquiries and the outcomes of the inquiries have been made public, or not, as appropriate.

In 2011 there were nine incidents resulting in the combat deaths of 11 soldiers. Family members have been briefed in relation to five of the nine incidents. Briefing the family members in relation to three of the nine incidents will be progressed as soon as possible. Once the Inquiry Officer Reports have been considered by the families, the reports will then be presented to me for consideration for public release. I regard the wishes of the family so far as public release is concerned as a relevant material factor to consider in publication of the report beyond the family itself and others directly affected.

In relation to the ninth incident involving the 30 May 2011 crash of the Australian CH-47D Chinook helicopter in Afghanistan, on 4 April the Chief of the Defence Force advised that he had appointed a commission of inquiry into the incident in which Lieutenant Marcus Case was tragically killed.

### **Detainee management update**

I turn now to detainee management issues. Since my statement to the House on 10 May 2012 on detainee management in Afghanistan, I can provide updates on a number of issues.

#### *CCTV failures*

I have previously reported to the House on the temporary loss of CCTV footage at the Australian Defence Force Initial Screening Area (ISA) in Tarin Kowt. As noted in my report to the House on 9 February 2012, I asked the Department of Defence to investigate whether any of these failures in the CCTV footage coincided with allegations of detainee mistreatment. I can now report to the House that Defence's review of detainee files has revealed that no additional allegations of detainee mistreatment were identified during the time of the CCTV outage.

#### *Interrogation*

As previously reported, the government has agreed to extend the time selected detainees could be held in Australian custody at the Initial Screening Area, prior to their release or transfer, for the purpose of comprehensive screening. Comprehensive screening enables the Australian Defence Force to determine whether a detainee has knowledge which could assist in the force protection of the ADF, ISAF and Afghan partners. The length of time for which detainees can be held in the Initial Screening Area may be extended beyond the current 96 hours (four days) for an additional three days, and a possible further extension of three days.

As at 21 May 2012, approximately 20 per cent of detainees apprehended by the ADF while on operations in Afghanistan have undergone interrogation within the Initial Screening Area since interrogation operations commenced in February of this year. Of these, around 25 per cent of detainees interrogated by the ADF have been released within the initial 96-hour period as there was insufficient evidence to support their continued detention. The remaining 75 per cent of detainees interrogated by the ADF were held in Australian custody within the Initial Screening Area beyond the initial 96-hour period on an initial three-day comprehensive screening extension. Approximately 40 per cent of these detainees remained in Australian custody on a subsequent additional three-day comprehensive screening extension.

#### *Capture/recapture*

Between 1 August 2010—when Australia took responsibility for detainee management from the Dutch—and 21 May this year, the ADF captured 12 people who were subsequently released then recaptured. Six of the individuals in question were released as there was insufficient evidence to warrant their continued detention. Of the remaining six detainees, there was sufficient evidence to warrant their transfer and prosecution. Three were subsequently transferred to United States custody at the Detention Facility in Parwan, and three were transferred to Afghan custody at the NDS, National Directorate of Security detention facility in Oruzgan.

### **Australian Defence Force Investigative Service (ADFIS)**

In January this year, I was advised that the Inspector General of the Australian Defence Force had commenced an inquiry into allegations of flawed Australian Defence Force Investigative Service, or ADFIS, processes in the Middle East Area of Operations. Last week, I was advised that a number of further matters had been raised in the context of these allegations. In addition, concerns had also been raised in relation to the conduct of Inspector General of the Australian Defence Force inquiries in the Middle East Area of Operation. These matters are now the subject of separate inquiries by the Inspector General of the Australian Defence Force. I will advise on the outcomes as appropriate in due course.

### **Australia's wounded**

In Afghanistan, our military and civilian personnel carry out their work in a difficult, arduous and challenging security environment, at substantial personal risk. Since the beginning of this year, 10 soldiers have been wounded in battle. Eight of these injuries were sustained in improvised explosive device attacks and two were wounded during contact with the enemy. The government and the parliament acknowledge the sacrifice of Australian Defence Force members in fulfilling Australia's commitment to Afghanistan. We also acknowledge the sacrifice and the pain of their families.

We have also seen an Australian civilian wounded in Afghanistan for the first time. Mr David Savage, an AusAID worker, was injured in a suicide bomb attack on 26 March this year. The Australian people and the Australian government and the Australian parliament value very much the contribution made by our civilian personnel, such as Mr Savage, working closely alongside their military colleagues in Afghanistan.

### **Conclusion**

Progress towards transition to Afghan-led security responsibility is being made in Oruzgan province and across Afghanistan. This progress towards transition is in line with the Lisbon Strategy and the plans of our International Security Assistance Force and Afghan partners, as confirmed at the Chicago summit. The summit itself was a success: in reviewing transition and mapping the way forward in Afghanistan to the end of 2014; in securing the international community's commitment to continuing to fund, train and support the Afghan National Security Forces post-transition; and in supporting Afghanistan's security and development in the long term.

Notwithstanding this success, Afghanistan continues to be difficult and dangerous—difficult and dangerous for our troops deployed there. As the northern fighting season commences, the thoughts of all members of the House and all Australians will be with our forces in Oruzgan and Afghanistan. I thank the House.

I ask leave of the House to move a motion to enable the honourable member for Fadden to speak for 17 minutes. I also present a paper tabled in conjunction with my ministerial statement.

Leave granted.

**Mr STEPHEN SMITH:** I move:

That so much of standing and sessional orders be suspended as would prevent the honourable member for Fadden speaking in reply to my statement for a period not exceeding 17 minutes.

Question agreed to.