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Penny Wong on the Israel-Hamas war

In an interview with *The Saturday Paper*, the foreign affairs minister notes the way events in the Middle East are 'refracted' in Australia, while continuing to call for 'restraint and protection of civilian lives'.

Karen Middleton is *The Saturday Paper's* chief political correspondent.

Foreign Affairs Minister Penny Wong is acutely aware of what words can do. She is also aware of the distress in the community at the deaths of civilians in the October 7 Hamas terrorist attack and in the subsequent Israeli military retaliation in Gaza, and the risk of a binary debate that rejects complexity.

"What happens in the Middle East is refracted into the Australian community in a really profound way," Wong told *The Saturday Paper* in an interview on Wednesday. "The government understands that for each of those communities, the reality, or the experience, of what's happening in the Middle East is also their emotional experience. They are not disconnected from it ... So it's visceral. And it's real for people."

The numbers attending weekly capital-city protests against the civilian death toll in Gaza are the largest since the rallies against the invasion of Iraq in 2003. The political atmosphere surrounding this current issue, however, is dramatically more volatile.

In the weeks since Hamas attacked Israel, killing at least 1200 people and taking a further 240 hostage, and Israel launched its military response, killing an estimated 11,000 or more in Gaza, the Australian government's language has shifted several times.

On the night of October 7, Wong faced a backlash from the Jewish community over her first public comments on the Hamas attack, which included a call for "restraint" in Israel's response.

"Australia unequivocally condemns the attacks on Israel by Hamas including indiscriminate rocket fire on cities and civilians," Wong's social media statement read. "We call for these attacks to stop and recognise Israel's right to defend itself. Australia urges the exercise of restraint and protection of civilian lives."

Prime Minister Anthony Albanese posted his own response the following day. > Israel-Hamas war, Page 4



Ali Jan's sons, Sediqullah and Ezatullah, at their home in Helmand province, Afghanistan. Mahab Azizi

Exclusive: Afghan war crime families ready to testify

The widows of Afghan civilians allegedly killed by Australian soldiers say they have had no contact from the Australian government but are ready to testify about the war crimes.

Michelle Jasmin Dimasi is an anthropologist and freelance writer based between Kabul and the UAE.

Bibi Dhorko, the widow of Ali Jan, an Afghan civilian allegedly murdered by an Australian soldier, sits on the dirt floor under a roof thatched with sticks and plastic collected from a local village in Helmand province. Timidly, pulling a teal blue cotton chador

across her face, she says, "Our lives are ruined. We don't have a bite of food to eat. We can't afford clothes for our children and do not have any medicine. We want justice in a court. They have oppressed us, and they should face justice."

In the spring of 2012, Ali Jan was allegedly kicked off a cliff in Darwan by then corporal Ben Roberts-Smith, who purportedly directed another soldier to execute the farmer, who was unarmed. The incident occurred while Australian soldiers were pursuing Hekmatullah, a rogue Afghan soldier responsible for killing three Australian troops. Two other Afghan male civilians, Haji Nazar Gul - a cousin of Ali Jan - and Yaro Mama Faqir, were also allegedly executed by Australian soldiers in a separate incident on the same day.

While the family continues to grieve Ali Jan's murder, what's most troubling for them is that more than a decade after his killing no response has come from the Australian government. "We want someone to care about us and punish whoever is responsible

for the killing of my husband," says Dhorko, now in her 30s.

She is not alone in her demand for justice. Bala Nasta, one of Nazar Gul's two wives, spoke of her readiness to testify before the Australian government. She wants financial compensation for the dire poverty resulting from her loss: "Our economic situation is so bad, we ask for help."

The story of Ali Jan's execution became widely known to the Australian public during a landmark defamation trial in June, when Justice Anthony Besanko ruled that allegations Roberts-Smith murdered four Afghans, including Ali Jan, were "substantially true". Despite the publicity, no one has since spoken to their widows.

The Saturday Paper obtained permission from the Taliban to interview the families of the alleged victims of war crimes, and the women all say they are ready to testify. Dhorko says: "No one has contacted us yet."

The Department of Defence did not respond to a request for comment. > Australian war crimes, Page 8



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'My children sleep hungry'

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This week marks three years since the public release of the Brereton report, which found credible information that Australian Defence Force personnel committed war crimes in Uruzgan. It documented 39 unlawful killings of non-combatants, including Ali Jan and Nazar Gul.

The report exposed a dark moment in Australia's military history. It drew attention to the practice of "throwdowns", where military weapons were placed by the bodies of Afghan civilians, which were then photographed to cover up unlawful killings. "Bloodings" also occurred, where junior soldiers were required by their patrol commanders to execute prisoners as an initiation rite.

The Office of the Special Investigator (OSI) was established under the Morrison government to investigate allegations in response to the Brereton report. Then opposition leader Anthony Albanese said: "We must act on the Brereton report findings and never hide from the truth of our past. We must also face the future - to make sure that this never happens again."

Australia is yet to fully face up to what was done by some of its soldiers in Afghanistan. Widows such as Dhorko remain in the dark as to when or if the perpetrators will be prosecuted. When the Afghan government led by Ashraf Ghani collapsed in August 2021, after two decades of America's "war on terror", the Taliban became the de facto authority. Despite stalling with the change in regime, director-general of the OSI Chris Moraitis told Senate estimates in May that investigations "continue unabated".

While the Taliban is also being investigated for war crimes by the International Criminal Court, it has reported a willingness to allow Australian officials into Afghanistan for inquiries pertaining to misconduct by Australian soldiers.

Dr Chris Elliott, whose research at King's College in London includes Australian war crimes, said, "It is difficult to reconcile the Commonwealth's claim that it is willing and able to properly address these war crimes when its evidence collection is almost entirely focused on accounts from the perpetrating group. Here we have victim-survivors who are willing to submit to cross-examination before an Australian court but investigators have never even contacted them, in person or in camera, to obtain their version of events."

The Saturday Paper first met with Dhorko and Nazar Gul's other wife, Hazrat Gula, in Tarin

Kowt. After Ali Jan was murdered, Dhorko left Uruzgan and moved to Helmand province for economic support from relatives. Nazar Gul's family was already living in Helmand when he died.

"They killed him for no reason. I don't know why they killed my husband, he was working to provide food for his children," says Dhorko, who married Ali Jan as a teenager. When a relative told her Ali Jan had been killed, she recalled: "That night we were very scared" and her children "went to bed with hungry stomachs".

Privations have continued with no end in sight for Ali Jan's family. "Life is very difficult with these three orphaned children. They work in the mountains with bare feet because they don't have shoes to wear. Most of the time we have nothing to eat. Some people sometimes bring us food. My children sleep hungry," Dhorko says.

Mohammed, the teenage son of Nazar Gul, says: "If my father was alive, I would have been a literate person, I would be going to school and university. I wouldn't be compelled to beg now, so our life would be good."

The Saturday Paper met the widows in their homes several hours from Lashkar Gah, the provincial capital of Helmand. The families are living in desolate conditions side by side with their livestock.

Ali Jan's sons work seven days a week in the cotton fields that replaced Helmand's poppy crops after the Taliban clamped down on opium production. Wearing matching olive green salwar kameez and white pakol caps commonly worn in Afghanistan's south, Sediqullah, 15, and Ezatullah, 13, speak of their lost childhoods. Their tanned faces and worn hands reveal their hardship as child labourers. "Our lives are very difficult," says Sediqullah.

The pain of losing their father has been enduring. As Sediqullah recalls what happened to Ali Jan, Ezatullah sobs, hiding his small face in his hands. "My father used to bring the load with a donkey," says Sediqullah. "They arrested him, tied up his legs and hands, beat him and then martyred him."

Dhorko says: "The kids look around and see other kids happy and have fathers to look after them. But my children with dusty and dirty faces and clothes are always sad. And asking me where our father is."

A key recommendation of the Brereton report was that the 39 victims' families be given compensation by the Australian government, and this should not be delayed by further investigations: "Australia should compensate the family of the individual without waiting for the establishment of criminal liability." It also stated compensation "is simply the morally right thing to do".

The Department of Defence responded to the Brereton report with the Afghanistan

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Inquiry Reform Plan in July 2021. Included was Work Package 3, which stated that an approach to and time line for compensation would be settled by the end of that year. It acknowledged the need to "address the past".

Compensation remains a promise unfulfilled by the Australian government, however, seemingly too complex to address, particularly when involving the Taliban. Yet concerns that financial compensation might lead to corruption could be mitigated by involving international non-government organisations to distribute regular cash grants. Many of these organisations worked with the Taliban during its initial rule from 1996 to 2001 and are still fully operational across Afghanistan today.

The executive director of the Australian Centre for International Justice, Rawan Arraf, says the Australian government has made "zero progress" on its compensation obligations and "failed to consider other forms of reparations to Afghan victims, families and the communities impacted by allegations".

"This is unsatisfactory, they must do better," Arraf says. "Women who have been left as the sole breadwinners have been suffering with no prospects of redress. They are seeking justice and they must be heard."

While remnants of war have started to fade into Uruzgan's landscape, what hasn't disappeared is the Uruzganis' hope for justice for Australian war crimes. Their collective memory is still haunted by Australia's presence and the brutality of a handful of soldiers.

As Chris Elliott says, more than a decade after the events in Darwan: "The unjustified delay begins to resemble an attempt to nurse these allegations into oblivion. The problem with this approach is the families won't forget. Nor should they."

Honouring Australia's promise would alleviate poverty caused by the loss of male breadwinners in a patriarchal society and bring a semblance of closure to the prolonged suffering of each of the families affected.

"Whoever has killed them must rot, and it will calm my heart as they killed innocent people," says Niazai, the frail mother of Ali Jan and aunt to Nazar Gul. At least once a year she makes the arduous journey from Helmand to Darwan to mourn the men where they are buried together.

Providing opportunities for the widows to testify and access justice through the OSI is crucial. The voices of women such as Dhorko and Bala Nasta, who are living under some of the world's harshest gender restrictions, must be amplified and not forgotten. ●