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WHO DARES, KILLS? Alleged war crimes and cover-ups by Britain's special forces



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British special forces are being investigated for war crimes allegedly committed between 2010 and 2013 in Afghanistan. A public inquiry is looking into the deaths of Afghans who were killed in suspicious circumstances, mostly involving detention operations that showed hallmarks of summary executions, the majority in Helmand. The force most implicated is also the most culturally revered in the UK – the Special Air Service – or SAS. The killings came to light because of whistle-blowers inside the military, combined with the tenacity of victims, their lawyers and investigative journalists. The scale of the alleged crimes is shocking – lawyers say there were more than 80 suspicious deaths in the time period of the inquiry – with media reports suggesting even higher numbers of deaths over a much longer timespan. For the families involved, the inquiry may take months or even years to conclude and is unlikely to bring justice. It might result in yet more military investigations – though the inquiry would not have been needed in the first place had previous efforts by the army's own police not been so perfunctory. In this report, Rachel Reid explores what is known about the killings and the failures of accountability, which resonate darkly with other incidents and with the behaviour of the 'elite forces' of other nations. The inquiry and the reporting around it raise questions about the true numbers of victims and the dangers of a culture of rule-breaking among special forces, which appears to morph easily into one of impunity.

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INTRODUCTION

The SAS is the most mythologised of all British military units, encapsulated in the daredevil heroism of their motto, 'Who Dares Wins'. The picture revealed through the public inquiry and investigative journalism, however, smacks not of daring, but of a ruthless disregard for Afghan lives. While special forces wrote up these killings as committed in self-defence, most of those killed were detainees. Some were children. Many were likely civilians. One former SAS member told the BBC that far from being targeted killings, "on some ops, the troop would go into guest house type buildings and kill everyone there. They'd go in and shoot everyone sleeping there, on entry. It's not justified, killing people in their sleep."

These operations were based on 'intelligence' about supposed Taliban insurgents. Even if the intelligence was accurate, once the men were detained, it would be unlawful to kill them (unless in self-defence). However, there is plenty of evidence, including from former servicepeople, that the intelligence used for detention operations was often deeply flawed, making these killings even more disturbing. Certainly, many of the families of those killed say that the men and boys killed had nothing to do with the Taliban. Another former member of the SAS said to the [BBC](#) of his former colleagues: "These are murderers. They should all be locked up."

In addition to the killings themselves, a picture of a widespread cover-up has emerged, characterised by weapons dropped beside bodies to feign a fight, far-fetched stories in official reports to justify the killings as self-defence and other incriminating evidence locked away by a commanding officer in a private safe. That cover-up appeared to have extended up through the ranks, with seniors wilfully abandoning their legal responsibility to prevent unlawful killings, and investigators instructed not to review potentially incriminating evidence.

Many of the crimes that we have so far come to know of took place over a decade ago, so the families of victims have spent years waiting for justice. It was complaints from two families, known in legal proceedings as Saifullah and Noorzai, as well as investigative reporting, that helped force investigations by the Royal Military Police

(RMP) and subsequent judicial reviews of those botched investigations.¹ The RMP investigations were mired in obstruction and interference and, as a result, failed to establish the truth or provide justice. After continued pressure from lawyers representing victims, mounting disquiet and whistleblowers emerging from within the special forces, and more tenacious media reporting, the then UK government was forced to launch a public inquiry in December 2022.

The [mandate](#) of the Independent Inquiry Relating to Afghanistan is to look into allegations of unlawful killings by the SAS between mid-2010 and mid-2013, as well as the response to those allegations by the Ministry of Defence and Royal Military Police. Lawyers say there are at least 80 suspicious deaths arising from more than 30 detention operations, though it is not clear that all these deaths will be considered by the inquiry, let alone additional incidents reported in the media outside that time period. The inquiry is not a court: the judge can determine whether there is credible evidence of unlawful killings, as well as deciding whether additional criminal investigations are required – such investigations, though, would be led by the same military police force whose credibility has come under question.

All too often in the UK, a public inquiry can be an elongated process where politicians dump scandals to wither and die. However, this inquiry has already resulted in the release of so much incriminating evidence that UK Special Forces have taken a reputational hit. More damage may yet be done, though the judge overseeing the inquiry is increasingly choosing closed sessions rather than public hearings. Whether meaningful justice for the victims will ever ensue is another matter.

The killings under scrutiny do not stand alone. Reporting by the [BBC](#)'s Panorama programme suggests that the timespan of these suspicious deaths is far longer than the scope of the inquiry, which focuses on the period from 2010 to 2013, and also implicates the naval equivalent to the SAS, the Special Boat Service, or SBS. The British scandal follows comparable revelations about crimes by Australian special forces with similar patterns, which were also subject to an earlier, official inquiry, resulting in the [Afghanistan Inquiry Report](#) (known as the Brereton Report), which triggered criminal investigations. There have also been various reports of

¹ The [Royal Military Police](#) (RMP) is responsible for policing the British Army and providing police support to the force. Since it is a corps of the British Army, it is not independent of it. Within the RMP, it is the Special Investigation Branch (SIB) that conducts investigations into major and serious crimes, including homicide investigations such as those described in this report, though the report refers to 'RMP investigations', rather than SIB investigations.

extrajudicial killings by United States and Afghan special forces, including fresh evidence from investigative reporting by [The New York Times](#) in 2025. The CIA and US forces were also famously responsible for widespread and largely officially authorised torture and detention abuses. However, the magnitude of the alleged murders – the sheer number of them – by UK forces is disturbing.



Fazel Mohammed, Mohammed Tayeb, Mohammed Ibrahim and Hussain Uzbakzai, were killed by British Special Forces in incidents that are under investigation by the Independent Afghanistan Inquiry.

Photo: Leigh Day, via Opinio Juris

This report will first describe some emblematic killings, as well as the cover-ups by military and political officials, the failed investigations and key revelations from whistleblowers and other insider accounts in the inquiry and journalistic investigations. It will also look at the wider context in which special forces were operating, including the reliance on ‘kill/capture’ operations and the sometimes flawed intelligence on which these operations were based, as well as providing a brief overview of similar allegations implicating other nations’ forces. It will end with a reflection on prospects for justice for those Afghans who were wrongfully killed and harmed.

Methodology

This report is based on fourteen interviews with former military personnel, journalists, lawyers and experts, as well as a review of extensive primary sources from the UK military, many of which were handed over during judicial reviews of RMP investigations and later made public by the independent inquiry. The report also draws on a review of secondary sources, including the investigative journalism

of the BBC's Panorama programme which helped trigger the inquiry. Panorama has made three films, along with countless news stories and has cultivated sources inside both the special forces and the RMP, making the BBC an invaluable resource for both the RMP and the inquiry. That also makes the BBC a frequent citation in this report; please click on the citation to find which programme or online story is referred to in each case.

Much of the data and documents from the inquiry are available on the [Independent Inquiry site](#), including transcripts of statements from the lawyer who was initially representing the Afghan families, Richard Hermer, King's Counsel (KC), who has since moved into government, as well as the counsel to the inquiry, Oliver Glasgow, KC, referenced in several places.² However, the UK-based research unit of the University of Westminster, [Unredacted](#), which focuses on national security investigations, offers a very helpful [chronological list](#) of incidents with links to the relevant documentation from the inquiry. Citations sometimes point to this page because it takes the reader directly to relevant information on the inquiry site, making it easier to navigate than the inquiry website itself, though the public inquiry site is also a useful resource.

² A King's Counsel (KC) is a senior barrister.

THE VICTIMS: CHILDREN, SLEEPING PARENTS, DETAINEES

The full scale of unlawful killings by UK Special Forces is not yet known. The independent inquiry has been confined to unlawful deaths by two units between 2010 and 2013, covering at least 20 incidents in which 80 deaths were recorded. A 2022 [BBC investigation](#) linked 54 suspicious deaths to just one unit in one six-month tour, and a 2025 [BBC investigation](#) found evidence of similar incidents which took place after 2013.

The following cases (not in chronological order) have proven to be particularly significant or emblematic of the pattern of killings that emerged.

Four teenage boys killed while drinking tea

While far from the first suspicious incident, the killing of four teenage boys in 2012 really threw the spotlight onto SAS crimes because it involved the killing of children and because the family got legal representation. It not only made it into news headlines but also brought them to the attention of the Royal Military Police.

On 18 October 2012, 12-year-old Ahmed Shah, 14-year-old Mohammed Tayeb, 16-year-old Naik Mohammed and 18-year-old Fazel Mohammed were shot at close range in their home located in Loy Bagh village in Nad Ali district of Helmand.³ An International Security Assistance Force (ISAF) spokesman had told Afghan media at the time that “four Taliban enemies” had been killed “in action” ([Guardian](#)).

Naik and Fazel's mother, Sabbah, told the [BBC](#) that the boys had been drinking tea together when they were killed: “The cups were full of blood,” she said. “They had shot the boys in the head.”

The family discovered the boys' bodies in a line, but photographs of their wounds and the bullet holes in the walls looked like they had been shot while seated and at close range, as a statement from the lawyer representing the family explained ([Guardian](#)):

³ Afghan names are spelled as they are in the independent inquiry, where relevant.

It was clear that the bodies had been dragged into that position and all had been shot in the head and neck region as they sat on the floor of the guesthouse leaning against the wall drinking tea.

Photographs obtained by BBC journalists showed bullet holes that were all below one metre, supporting the family's story. According to ballistic experts consulted by the [BBC](#), the photographic evidence is more indicative of killings at close range, from above, than of sudden shots in self-defence.



A collage of photographs obtained by the BBC and reviewed by ballistics experts shows clusters of bullet holes low on the walls, supporting the family's claim that the four boys were shot from above, contradicting SAS claims that they were killed in a firefight.

Photos: The victims' family via the [BBC](#)

The killing of children was one of several red flags that should have immediately triggered an investigation by the Royal Military Police. But it was only after Fazel's brother, Akhtar Noorzai, and his wife, Shapia Noorzai, got legal representation and filed a complaint with the Ministry of Defence, that the RMP was finally forced to

investigate ([Guardian](#)). That investigation yielded little in terms of accountability, as will be discussed later, but the legal challenge against the Ministry of Defence did trigger the release of some damning documentation, which was made public years later in the public inquiry.

Documentation released included the unit's 'First Impression Report', which is usually completed within 24 hours of an operation. In it, the SAS claimed that the boys had been armed and that they had been killed in self-defence. It also said that, according to ISAF information, Fazel Mohammed, the eldest of the teenagers killed, was a 'Taliban commander' involved in planting and planning bomb attacks.⁴ The report blamed the deaths on the SAS's Afghan partner forces, something which they eventually admitted was false during the RMP investigation.



The bodies of three of the boys during their funeral on 19 October 2012, the day after the raid.

Photo: The victims' family, published by [The Times](#)

That investigation, [Operation CESTRO](#), was launched in December 2012, but investigators were obstructed at every turn: the video surveillance of the incident had been 'accidentally' overwritten, while the backup on the external hard drive was also 'lost'. The RMP were not given access to the weapons recovered from the scene, eventually being informed that they had been

"recycled or sold for parts."⁵ Added to this, the RMP did not interview any of the Afghan forces present, nor the family or any other Afghan witnesses. There was no forensic investigation of the site, the weapons, or the bodies.

Despite these obstacles, the RMP did recommend that three of those involved be referred for prosecution. However, the prosecuting authority dismissed the cases in March 2015, citing insufficient evidence.⁶

⁴ See the [Opening Statement: Counsel to the Inquiry](#) by Oliver Glasgow KC, Independent Inquiry Relating to Afghanistan, 9 October 2023.

⁵ See the [Opening Statement on behalf of the Afghan families](#) by Richard Hermer KC, Independent Inquiry Relating to Afghanistan, 11 October 2023, p87.

⁶ See FN 2, Hermer, p90.

“You Couldn’t Make it Up:” Four more suspicious deaths

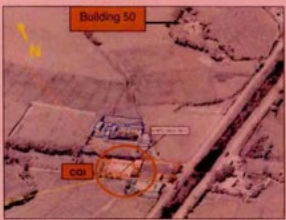
The Noorzai case was far from the only incident where the SAS justifications for killings did not stack up. A similar incident had taken place on 16 February 2011, when four people were killed in Gawahargin, in Nawa district ([Unredacted](#)). The victims were Abdul Khaliq, described as an elderly farmer, Atta Ullah, a student, Ahmed Shah and Saddam Hussein, also described by his family as a student. The SAS would later claim he was a member of the Taliban.

OPEN DISCLOSURE FOR USE ONLY IN WOD vs SAIFULLAH JR

SECRET REL ISAF

FIR

FIRST IMPRESSION REPORT (FIR)

Event #	788
RC/Component	SW Unit [REDACTED] Partner Unit [REDACTED]
DTG	2009000+FE011
Report	COS [REDACTED]
Approved by:	[REDACTED]
When	160015D+FE011
Where	RED compound - 41R PQ 2500 78930.
What	 Fig 1: Overview and Building 50 location, and COI Red, Blue and Green in detail. BACKGROUND 1. Between 160015 and 160435D+FE011, [REDACTED] conducted a Deliberate Detention Operation (DDO) against SADAM (CtY TYBURN [REDACTED]). It resulted in 4 EKAs and 1 detainee removed from target for UK IEP Detention. 2 males, 9 women and 5 children were protected throughout. [REDACTED] roused SADAM in the COI (RED) at 1410hrs and no one left until the TF arrived at the compound at 0100hrs. TARGET 2. SADAM (CtY TYBURN [REDACTED]) is part of an active IED cell in the KOBEE network fulfilling the role of primary facilitator, store man and distributor of IED components, and is the second in command to Ahmed SHAH (CtY TURTON [REDACTED]) who was arrested on 15 Feb (signature) 'B'. He is linked directly to the product head of the cell [REDACTED] and to the head of the KOBEE network [REDACTED] (CtY [REDACTED]). SIGNIFICANCE 3. SADAM is directly involved in the facilitation of IED components, construction of IEDs and targeting of CF within the LKG area. He fulfils the role of enabler and facilitator for an attack. 1. JACROBT: the targeted individual is confirmed as either captured or killed. 2. released military person for a trial, and will be used throughout this document. 1 of 5 SECRET REL ISAF

The special forces' 'First Impression Report' on the 16 February 2011 night raid.

Source: Ministry of Defence/Afghanistan Inquiry

One of the survivors of this raid, Saifullah Yar, has been tireless in his pursuit of the truth about what happened to his family. On that February morning, Saifullah, who was around 19 at the time, had been detained, blindfolded and handcuffed with the children and female members of his family, only able to listen to the gunshots. When he was released, he found the body of his father, Abdul Khaliq, with gunshot wounds to the head and neck. His cousin was found in the neighbouring house, with gunshot wounds to the neck. It was some time before the bodies of Saifullah's two brothers were found, shot dead in nearby fields. Saifullah went on to push for a judicial review, in which the UK Ministry of Defence was forced to produce a huge amount of material that helped expose these troubling raids ([Guardian](#)).

That material included the justifications given by the SAS, which were again, highly implausible.⁷ The SAS unit claimed that after they had detained the men, they escorted Abdul Khaliq into the house, where he reached behind a curtain and pulled out a grenade. A similar story was given to account for the killing of Attah Ullah, who was also taken back inside the house, where, despite being under the control of special forces, he somehow pulled an AK-47 assault rifle from behind a

⁷ Matt Bardo and Hannah O'Grady, [Did UK Special Forces execute unarmed civilians?](#), BBC, 1 August 2020.

table. Saddam Hussein was supposedly found hiding in a bush until he came out with a grenade, while Ahmed Shah was found hiding under a blanket until he came out with an AK-47.

The judicial review released emails between senior officers sent later that day, one of which was titled “EJKs” – meaning extrajudicial killings ([Hermer](#) p29). Another email sent hours after the incident described it as the “latest massacre,” and another expressing disbelief about the SAS accounts, saying, “you couldn’t make it up” ([Unredacted](#) p26).

The emails also reveal that the incident outraged the Afghan partner force, not least because Abdul Khaliq was a well-known teacher and respected local elder. Afghan forces complained to their British counterparts, while the then governor of Helmand province, Gulab Mangal, also raised complaints about the killing of civilians ([Unredacted](#)).⁸ Despite the concerns expressed by both Afghan partner forces and British officers, at the time, no referrals were made to the RMP.

Complaints from two family members, Saifullah and his relative Muhammad Bang, eventually formed part of a slightly wider RMP investigation, codenamed Northmoor, which opened in March 2014. Northmoor looked at eleven night raids from February 2011. But as will be discussed later, it was prematurely closed and had little impact.

The family eventually won an out-of-court financial settlement with the Ministry of Defence in 2018, the terms of which were not made public. But there has never been any criminal accountability for the killings. One of the lawyers for the bereaved families, Tessa Gregory, said that families have questions about the cover-up, “but all have the fundamental, why? Why were their loved ones killed?”

Killed where they lay

Just a few days before the Nawa incident, another suspicious raid raised alarm bells within the UK military, though it became public knowledge only when the [BBC](#) reported it in 2022. Seven men and a 15-year-old boy were killed on 9 February 2011 in Khanano, Musa Qala, with only four weapons recovered. This was papered over with another unlikely account from the SAS, citing self-defence and a bizarre claim that four of the eight had killed each other by mistake (described as fratricide in the

⁸ [Opening Statement: Counsel to the Inquiry](#), Independent Inquiry Relating to Afghanistan, 9 October 2023.

SAS report), while another man supposedly 'discovered' a weapon while detained and under escort. The SAS claimed that as they first entered the compound, one man had come out of a small guest house with a weapon, even though their own photographs of the aftermath show all the bodies were inside the main house. The photographs also suggest that seven of the men were shot from above in the head and chest. This also undermined the SAS account and confirmed what the family said – that seven were killed where they lay, with the eighth also killed inside the house (inquiry documentation accessible via [Unredacted](#)).

In the days following this incident, there were incredulous exchanges between senior officials about the SAS accounts, including from the Special Forces Operations Chief of Staff from the time, who is cited in another email ([Unredacted](#)) saying of this incident: "If we don't believe this, then no one else will and when the next Wikileaks occurs then we will be dragged down with them." In another email exchange, the Senior Legal Advisor at UK Special Forces headquarters ([Unredacted para 87](#)) in London remarked: "It is a case 'more bodies than weapons' – but with 4 of the EKIA [enemy killed in action] being a result of fratricide."

This is another case that the RMP came to look at as part of Operation Northmoor, given the mismatch between weapons recovered and 'fighters' killed. They noted "alarming" inconsistencies in the evidence, including, "The absence of material (blood) where you would expect to see it," and the position of the bodies in contrast to the SAS account, noting that one of the soldiers gave an account which tied in with the photographs: "Fighting aged males executed on target ... not holding [weapons]" ([relayed](#) by the family's lawyer at the inquiry, Richard Hermer).

Infants shot beside their parents

Another, particularly disturbing case involved the shooting of a family of four in Shesh Aba in Nimruz province. The night of 6 August 2012 was warm, so Hussain Uzbekzai and his wife Rukkia were sleeping in the courtyard of their home with their 18-month-old baby, Bilal, and his three-year-old brother, Imran ([BBC](#)). In the early hours of 7 August, the SAS stormed their compound, shooting all four where they lay outside. The parents, Hussain and Rukkia, were killed. The two infants, Imran and Bilal, survived, albeit with serious injuries. In another area of the compound, two other men, brothers Mohammad Wali and Mohammed Juma, were also killed where they lay, apparently at close range ([Unredacted](#)).

The special forces had taken the little boys away for medical treatment, so when their uncle, Mansour Aziz, arrived at the compound, he found his brother and sister-in-law dead and his nephews missing. Mansour Aziz told AAN that despite everything that happened, the family did not even receive an apology:

Foreigners, along with the provincial governor at that time, came to the district and the elders of our village went to talk to them. I didn't go. They told the elders they'd mistakenly attacked the village. They didn't even apologise to us. Apart from that, nothing else happened. I've never gone to any court over this. I haven't complained to anyone because it would be useless.

Despite the serious injury of children, the mismatch between weapons they claimed to have recovered (one grenade) and four deaths, as well as what Mansour Aziz says was an apparent admission of an error by foreign forces at the time, the RMP did not investigate this incident until the BBC reported the story, ten years later ([BBC](#)). The RMP had been informed about the incident years earlier, during the course of its Northmoor operation, according to an RMP investigator's workbook which was released to the inquiry. The workbook noted the injured children and that the



Bilal and Imran as children. The boys sustained serious injuries, but their father, Hussain Uzbekzai (right), was killed.

Photos: The family via BBC

incident “seemed unusual/ disproportionate that so many individuals were killed with little evidence of the scale of the threat i.e. one grenade” and that the incident had led to an email correspondence between the ISAF commander at the time, General John Allen, and President Hamed Karzai ([Hermer](#) statement, p85).

Mansour Aziz said his nephews were now old enough to want to know what really happened on the night their parents were killed:

Bilal and Imran were little boys at that time. They didn't understand anything then, but they do now. They want to know the truth behind that incident and why their parents were killed. For them, justice means the punishment of the killers of their parents. They want the perpetrators to be brought to justice and punished.

A former governor, killed in plasticuffs

Another case worthy of mention involved the killing of a former senior district official in Gereshk in Helmand, Mohammed Ibrahim, who had worked closely with UK forces for years, but was killed, according to his family, execution style, while wearing 'plasticuffs', a type of lightweight handcuffs. Not surprisingly, this sparked local and national consternation, though to little avail.



Mohammed Ibrahim, a former deputy police chief and district governor, was killed by UK special forces in November 2010.

Source: The family via the BBC

On 30 November 2010, UK Special Forces conducted a raid in search of someone they believed was active in placing IEDs, based on a summary of evidence given to the inquiry by Counsel to the inquiry, [Oliver Glasgow](#) (pp54-64). They detained the males inside the property, including Mohammed Ibrahim, who had been a deputy police chief and later Gereshk district governor between 2001 and 2007, roles in which he worked closely with the UK civilian and military presence in Helmand. SAS accounts from the raid claimed that he had been escorted back into the building to assist with a search, but had grabbed a grenade, at which point he was shot. His son told the BBC how he found his father's body:

His hands were tied at the front. He had been killed. They had shot him in the corner of his eye, and later they had fired the shot at my father's chest.⁹

The incident triggered complaints from the then governor of Helmand, Gulab Mangal, as well as President Karzai. The [BBC](#) reported that the then head of UK Special Forces, General Sir Mark Carleton-Smith, was briefed about the incident, but had not referred it to the RMP for investigation.

⁹ The interview was broadcast by the BBC in 2022. The full documentary is no longer available, though a short video with this interview is embedded in: [SAS unit repeatedly killed Afghan detainees, BBC finds](#), BBC, 12 July 2022.

Untold numbers killed

These five incidents are emblematic of a larger number of night raids with a high 'kill-rate'. The inquiry is limited to the period from mid-2010 to mid-2013. Of the many suspicious incidents within this time period, 14 individuals have been granted what is called "Core Participant" status in the inquiry, from nine different families, who, between them, have lost 33 family members in seven SAS raids. This represents only a "partial subset" of the families affected by the conduct of special forces in the relevant period, including many incidents which the inquiry has received information on but which have not been disclosed ([Hermer](#) p13).



A British officer stands in front of the Union Jack in Kandahar as British and US forces withdraw from the British Camp Bastion airbase and military complex, in Helmand province.

Photo: Wakil Kohsar/AFP, 27 October 2014

In contrast to the seven incidents being looked at in-depth by the inquiry, the investigative news site [Unredacted](#) lists at least 26 operations by UK Special Forces where there were suspicious deaths, resulting in the deaths of 84 people. While there was a particular spike of killings associated with one unit that was deployed between November 2010 and May 2011, the pattern was not confined to that unit, nor does it

appear to have been confined to the SAS. There have been incidents of concern that took place on either side of this. In September 2025, [The Sun](#) reported the arrest of two members of special forces in connection with an incident in 2009 (one of whom was subsequently released), while a May 2025 [BBC](#) investigation highlighted incidents that took place after 2013, including some involving the Special Boat Service (SBS) rather than the Special Air Service (SAS).

Since most of these incidents have come to light because of legal action by families and investigative reporting, it is highly likely that there are yet more incidents that have not come into the public realm. Reporting from the frontlines of the conflict was difficult for Afghan and international reporters as well as human rights investigators. It was also a time when mass killings, such as from airstrikes on wedding parties, dominated investigative and human rights reporting, while lone or small numbers of killings in night raids could not all be investigated. Clearly, the military was not inclined to do so without external pressure.

Unlawful killings of civilians

AAN has not attempted to verify families' claims that their relatives were civilians, but in some cases, particularly the children, there are no doubts. These incidents clearly disturbed some former SAS, as one told the [BBC](#):

They handcuffed a young boy and shot him, he was clearly a young child, not even close to fighting age. I couldn't believe what they were doing. There's no justification for that. There's not any kind of advantage to killing children. This didn't just happen once. These were kids.

There are multiple reasons to suspect that the special forces had not individually identified many of the adults as Taliban, or had misidentified them as such. One of the most glaring is evidence that some special forces may have been targeting all men that they encountered, regardless of whether they had been identified as Taliban. This was not happening across the board – there were clearly cases where the special forces units were only attempting to detain a specific individual target – but this was “often” not the case, at least according to one former special forces member interviewed by the [BBC](#):

If a target had popped up on the list two or three times before, then we'd go in with the intention of killing them. There was no attempt to capture them.

Sometimes we'd check we'd identified the target, confirm their ID and shoot them. Often [the] squadron would just go and kill all the men they found there.

The notion of targeting based on age and gender is a highly controversial one, which is not unique to UK forces: [The New York Times](#) revealed in 2012 that the US was excluding men and boys they assumed to be of fighting age (known by the jargon 'military aged males') from its count of civilian casualties (primarily in relation to its surging use of drone strikes). It also introduced so-called 'signature strikes' which targeted men based on suspicious behaviour rather than being known combatants (see this [Guardian](#) article).



A British soldier with the NATO-led ISAF walks through a destroyed building during a patrol on the outskirts of Kabul.

Photo: Shah Marai/AFP, 27 July 2008

The term "military-aged males" appears in some SAS incident reports that have been made public, including the incident report for the teenage boys who opened this section (see [Unredacted](#)). Two of those boys – Ahmed Shah and Mohammed Tayeb – were just 12 and 14 years old.

If gender and age were the sole basis for targeting, it would clearly violate [Rule 1](#) of the Geneva Conventions, which is the principle of distinction between civilians and combatants. That principle would also be breached if targeting were based solely on proximity to a suspect, including just being present in the same house as them. This 'guilt by association' or proximity approach to targeting may account for, but not justify, some of the male civilians reportedly killed. Alternatively, their deaths may have been the result of misidentification

(more on that to come). Neither explanation is sufficient for families of victims, such as the son of the former district governor quoted above, who says his father had nothing to do with the insurgency.

Unlawful killings of detainees

Even when special forces had narrowly focused on individuals they believed they had identified as Taliban, once those men were detained, their status changed. [Common Article III of the Geneva Conventions](#) states that people who are detained are protected from murder and violence.¹⁰ Based on survivor statements, photographs and some of the reports of the forces themselves, most of those who were killed were detainees.

All militaries have their own rules of engagement, which are designed to comply with international humanitarian law (also known as the laws of war). ISAF's Standard Operating Procedure 362 allows for the use of force against a detainee only in narrow circumstances:

*Detaining forces are authorised to use force to restrain a violent detainee or to stop a detainee escaping. In the latter circumstance, deadly force is not to be used unless necessary to prevent an act which constitutes an immediate threat to life.*¹¹

The UK also has its own national rules of engagement, including what is known as Card Alpha ([UK Ministry of Defence](#)), which allows the use of lethal force only in narrow circumstances, to defend oneself or one's colleagues from an immediate threat to life.

The US popularised the notion of 'kill/capture' missions, a term which the media tended to favour, but for UK forces, it was rare for an operation to have the official and explicit objective of killing a suspect (although there was a controversial shared targeting list, more on which below). There were rules of engagement that allowed UK Special Forces to use lethal force in an offensive way against verified targets, but only occasionally and with specific pre-authorisation. All the incidents being investigated by the independent inquiry were intended to be what the UK called Deliberate Detention Operations, meaning that British forces were meant to be *detaining* suspected targets, not killing them.

¹⁰ The article states that those who are not actively engaged in hostilities, including members of armed forces who have been detained or taken out of action for other reasons, such as sickness, are *hors de combat* (outside of combat) and shall be "treated humanely" and that murder and other violence is prohibited.

¹¹ Detention Of Non-Isaf Personnel SOP 362, NATO/ISAF Standard Operating Procedures, 1d, p9 (accessible in a searchable form here on [Public Intelligence](#), an international research project which archives materials deemed relevant to the public's right to information). See also the [testimony](#) of Gareth Martin, the UK's Director of National Security within the Ministry of Defence, at the public inquiry, in which he lays out the rules of engagement in paras 34-35.

CRIME PATTERNS AND METHODS OF COVERING-UP

That these killings might have been war crimes is not only seen in the individual incidents, but also in the patterns between multiple killings, as well as efforts by special forces to conceal the truth of what they had done. There is evidence to suggest that they faked incident reports, planted weapons, removed handcuffs and prevented or destroyed video evidence. There is also clear evidence of an awareness of these potential crimes among senior UK military and government officials, some of whom are also implicated in cover-ups, raising concerns about high-level command responsibility and obstruction of justice.

Time and again, special forces tried to make the killings look like 'self-defence'. Hence, the unlikely sounding accounts in their after-action reports of detainees grabbing weapons, or of having planted weapons to support stories that the British forces had come under fire. It was all deliberate, as one former SAS member told the [BBC](#) (AAN's transcript):

Squadron was acting under Card Alpha – acting in self-defence to justify a shooting. That's why a lot of the reports are written like they are. It's a fiction. But they're written up to appear within the rules of engagement.

Patterns pointing to cover-ups:

Dropped Weapons: There is evidence that members of special forces used a practice of planting weapons near bodies, known as 'dropped weapons', to help conceal murders. A member of the special forces' Afghan partner unit (more on whom later) told investigators that British soldiers would: "carry an old Kalashnikov rifle with them, they would engage and kill people, place a weapon next to the body and photograph it in situ" ([Hermer](#) p66).

A former SAS member told the BBC that they chose weapons to drop that were easy to carry:

You'd see a lot more folding stock AKs. Because of the way they were designed to fold they were easier to carry in day sacks, easier to bring on to the targets

and plant by the body to make it look like the person was holding a rifle when they were shot. We had grenades that didn't detonate, they wouldn't go off.

One senior special forces whistleblower who gave evidence to the inquiry noted that the people who dropped the weapon would be called 'Mr Wolf', based on the character in the film 'Pulp Fiction', a mafia fixer who covers up crimes ([Sky News](#)).



British combat forces patrol the streets of Showal in Nad Ali district, Helmand province.

Photo: Thomas Coex/AFP, 25 February 2010

An officer who attended multiple post-operation meetings and debriefs with UK Special Forces in late 2009 told the inquiry that photographs in the post-incident reports made him suspicious that the same weapons were being used in multiple photographs:

On numerous occasions it would appear that the same rifle would be in more than one photo with an EKIA [enemy killed in action]. ... When this was questioned during the meeting the [redacted] would state that the insurgents had picked up the same weapon and were therefore engaged and killed. ... I know that no two AK rifles are the same. For example, some would be decorated

by insurgents; others would have different coloured barrels and various marks. I found this very suspicious.

The Brereton inquiry, which similarly found the deployment of dropped weapons, or 'throwdowns', concluded that it had "evolved to be used for the purpose of concealing deliberate unlawful killings" ([ABC](#)). Similarly, investigative reporting by [The New York Times](#) also found evidence of dropped weapons (more on this later).

Removing handcuffs: Survivors described detainees being escorted back into buildings in handcuffs. This was standard practice in detention operations. Some family members testified to being cuffed themselves, or their loved one's bodies still being in cuffs, as was the case with the former district governor, mentioned above. According to a former SAS member who talked to the BBC, they would remove the handcuffs after someone was killed and before they were photographed:

The guys from the squadron were regularly killing detainees. It had become routine. They'd search someone, handcuff them, then shoot them. They'd cut off the handcuffs and plant a pistol.

Spinning the ball: Another contemporaneous form of cover-up involved the drones which should have been routinely filming 'detention' operations. Frank Ledwidge, a barrister who previously served as a military officer in Afghanistan, told AAN that drone operators would be told to turn their cameras away when something unlawful was going to happen. He said they used to call it 'spinning the ball', referring to the gimbal, the device which holds and stabilises the camera on a drone.

They'd be told by ground forces to "look over there," claiming that they'd heard some movement or something, so the camera swings over by 200 metres and by the time it's swung back, there are dead people. That's what was called spinning the ball.

This, again, shows a deliberate, premeditated intent by those on the ground to cover-up killings before they happened. It also potentially implicates other forces: the UK had its own surveillance capabilities, though it often relied on US air surveillance given their superior capacity (we do not know if US drone operators were also being asked to look the other way).¹² When the RMP investigators eventually gained access

¹² This point about shared surveillance assets was made in an interview with AAN with a former military official, unnamed. Some details about how UK drone capabilities could intertwine with US operations are described in this 2008 UK House of Commons report, [The contribution of Unmanned Aerial Vehicles to ISTAR capability](#), p14. See also this press release, [Upgraded surveillance aircraft arrive in Afghanistan](#) from 2010,

to some of this video, they were directed not to review it, something which will be discussed later.

First impression misreporting: These reports are usually completed within 24 hours of an operation. Particular reports by SAS units, revealed through lawsuits and the inquiry, revealed improbable stories of how detainees under escort suddenly acquired arms. An email from a senior special forces officer expressed bewilderment:¹³

I find it quite incredible the amount of [Afghans] that [the SAS sub-unit] send back into a building who then decide to get weapons/grenades and engage the [SAS] knowing that it will achieve nothing. Why come out – why not wait for the [SAS] to come into the room and engage them in a confined space where there is a greater chance of causing cas [casualties]?

Whilst murder and the UKAF [UK forces in Afghanistan] have oft been regular bed-fellows, this is beginning to look bone [stupid/pointless].

There were similar exchanges, a few days later, after the deaths of the four men in Gawahargin on 16 February 2011, described above – Atta Ullah and Ahmed Shah, who supposedly grabbed AK-47s, and Abdul Khaliq and Saddam Hussein, who discovered grenades, all whilst detained and under armed escort. This extract is from an email by a special forces staff officer:

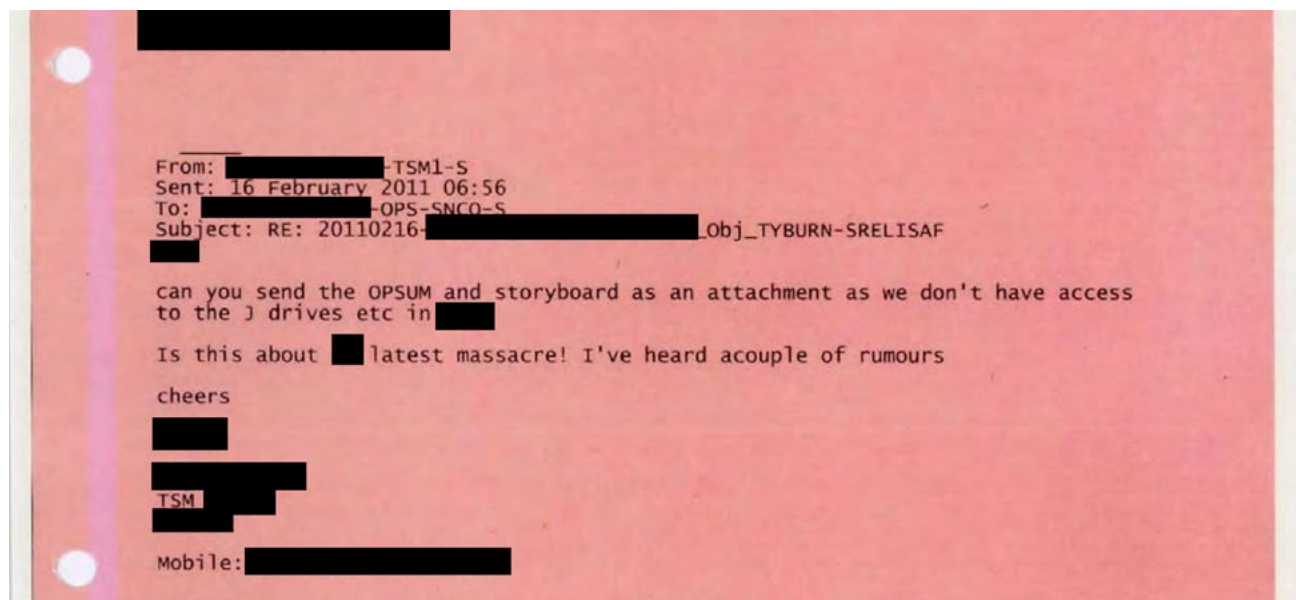
For what must be the 10th time in the last two weeks, they sent an [Afghan man] back into the [room] to open the curtains (??) he re-appeared [sic] with an AK. Then when they walked back in to a different [room] with another [Afghan man] to open the curtains he grabbed a grenade from behind a curtain and threw it. ... Fortunately, it didn't go off ... this is the 8th time this has happened. And finally they shot a guy who was hiding in a bush who had a grenade in his hands. You couldn't MAKE IT UP! ¹⁴

which notes that surveillance aircraft were also operated by the Royal Air Force, Royal Navy and Army. The Defence Secretary acknowledged in his statement to the inquiry that the US was asked for its Full Motion Video (FMV) footage of a number of special forces operations, but the response was that they “could not find any FMV for those dates and times” ([Wallace](#) statement, 2024, paras 36-37).

¹³ The email exchange was initially released by the MoD during the judicial review and later made public during the inquiry, most easily accessible here on [Unredacted](#). See also, Jonathan Calvert, George Arbuthnott and David Collins, [The SAS murders: how a senior officer exposed a war crime cover-up](#), The Times (behind a paywall), 5 May 2024.

¹⁴ Described in a background release by Leigh Day, lawyers to the family, on file (shared with media, including AAN).

The email response from a colleague was, “is this about the latest massacre! I’ve heard rumours.”



Email exchange between UK Special Forces personnel from February 2011.
Source: Ministry of Defence/Afghanistan Inquiry

The Assistant Chief of Staff (Operations) at UK Special Forces headquarters from 2010 to 2011 later told RMP investigators that he knew at the time episodes like this were implausible:

*Afghan males would be accompanied by members of the SU [sub-unit] with weapons trained on them throughout. The chances of successful contact under such circumstances would be extremely slim. Especially so if using a grenade. The delay in activating a grenade and waiting for it to go off would render it almost certainly ineffective when abundant cover is nearby. The individual looking to employ the grenade would almost certainly be killed before it became effective. The use of a grenade seemed particularly odd in these circumstances in a country where small arms are abundant.*¹⁵

The assistant chief of staff also noted that these incidents were taking place in a context where the Taliban had adapted to the likelihood that detention by UK forces would be short-lived: detainees captured by international forces (excluding the US) had to be handed over to Afghan detention within 96 hours, from where they

¹⁵ Witness statement from N1466 HHQ(UK) ACOS OPS, referenced in Glasgow’s opening statement, paras 173-4.

often managed to buy or break their way out. This apparently meant that they were increasingly likely to surrender during special forces assaults, because “surrender was a better outcome than fighting against overwhelming odds.” The combination of circumstances, said the assistant chief of staff, made the grab for a grenade or AK, “logic defying.”

It was also revealed that the false narratives involved not just the troops on the ground, but staff reviewing those false reports. A former trooper told the BBC that staff at headquarters were helping to massage the incident reports so that they did not trigger investigations:

We understood how to write up serious incident reviews so that they wouldn't trigger a referral to the Royal Military Police. If it looked like a shooting could represent a breach of the rules of conflict you'd get a phone call from the legal adviser, or one of the staff officers in HQ, they'd pick you up on it, they'd help you 'clarify' the language. Do you remember someone making a sudden move? Oh yeah, I do now, that sort of thing. It was built into the way we operated.

Stymied investigations: From disappearing evidence to collective amnesia

When cases were eventually referred to the RMP, their investigations were thwarted at multiple levels, both within the SAS and the wider Ministry of Defence. Some of those failures are detailed below.

Evidence suppressed

One of the most audacious forms of obstruction of the RMP was the ‘accidental’ destruction or obstruction of access to surveillance footage of special forces operations. In the RMP's CESTRO investigation, for example, body cameras “had not been in use” and overhead surveillance footage was “overwritten.”¹⁶ Similarly, the RMP was not given access to the weapons retrieved from the incident and was eventually told that they had been “recycled or sold for parts.” In Operation Northmoor, the RMP was also initially told that footage was unavailable. This seemed to be a tipping point for the then Minister for Veterans' Affairs, Johnny Mercer, who was also told that he could not review footage from the Bang and Saifullah incident

¹⁶ See footnote 14, Leigh Day background.

([Hermer](#) p139). As a former army officer who had worked alongside special forces in Afghanistan, Mercer was known for being a passionate advocate for the army. In 2017, while he was veterans minister, Mercer was warned by two SAS sources that the allegations against the SAS should be taken seriously, including one who confirmed the practice of dropped weapons ([Guardian](#)). In what Mercer described as an attempt to disprove the allegations, he asked to see the drone footage – known as Full Motion Video (FMV) – but was told it was not available. He told the inquiry:

In my experience, FMV was routinely deployed in the field and this type of evidence was likely (at least to some extent) to assist my mind in proving or disproving the allegations one way or the other.

I was told that there was no FMV available for any part of any of the operations we were concerned with. This was not plausible.

As discussed later, the RMP was eventually given access to some of this surveillance footage, but chose not to view it.

In addition, the UK headquarters of special forces obstructed access to their internal 'ITS1' server, where potentially incriminating emails and documents were stored. When the RMP eventually got access to the server, they discovered that – in direct defiance of an order – unknown quantities of data had been deleted shortly before the RMP investigators arrived.¹⁷ As lawyers Leigh Day note, this amounts to several times when the RMP's investigations "were impeded by the mysterious and highly suspicious deletion of critical digital evidence."¹⁸

The secret safe: Evidence was not just withheld by operational level special forces personnel. It was also withheld from the RMP by very senior special forces officials. Gwyn Jenkins, who in 2011 was head of the Special Boat Service, locked away evidence in a secret safe, rather than handing it over to the RMP, despite clear rules on the need to refer credible allegations to them. An SBS officer was told informally by a serving SAS operator, while on training, about a de facto policy of extrajudicial executions by the SAS. The officer relayed this information to his superior, Jenkins, who asked for a written account of what he had heard, which included this extract:

It was said that "all fighting age males are killed" on target regardless of the threat they posed, this included those not holding weapons. It was also

¹⁷ See the legal [submission](#) of the bereaved families to the inquiry, June 2023, page 9, clause 3.

¹⁸ See footnote 14, p49.

indicated that “fighting age males” were being executed on target, inside compounds, using a variety of methods after they had been restrained. In one case it was mentioned a pillow was put over the head of an individual before being killed with a pistol. It was implied that photos would be taken of the deceased alongside weapons that the “fighting age male” may not have had in their possession when they were killed. (Unredacted, pp42-3).

Despite the seriousness of the allegations and the credibility of the primary source, rather than refer the allegations to the RMP, Jenkins then locked away this incriminating documentation in a safe ([Observer](#)), described in a special forces briefing document dated 6 April 2011 (Figure 1) below as a ‘Security Compartment’.

During this same period, Jenkins did inform his superior, Jacko Page, Director of Special Forces, of the allegations. Page and several others were briefed about the secret safe, with access granted to at least five officials (based on the document in Figure 1). The RMP was not informed of the existence of this repository of evidence for another four years.

Figure 1: Document disclosed to Afghanistan Inquiry on Afghanistan outlining a ‘Security Compartment’ for evidence of EJK (extrajudicial executions)

Prepared for OPEN disclosure for use only in the Independent Inquiry Relating to Afghanistan

SECRET - LIMITED - UK EYES ONLY

6 Apr 11

File ref [REDACTED]

CO [REDACTED] UKSF3

Op A [REDACTED] **SECURITY COMPARTMENT**

Overview and Definition

- As directed by CO [REDACTED] UKSF3 and in accordance with Ref A, a Security Compartment will be generated in order to protect information pertaining to the possible involvement of [REDACTED] SU1 in EJK.¹
- In overview, the information requiring protection under this Compartment is as follows (as per Ref A this equates to the overall ‘definition’ of the Compartment and is expanded upon in Annex A):

‘Anecdotal evidence suggesting EJK have been carried out by members of [REDACTED] SU1 in Afghanistan has been recounted by [REDACTED] UKSF1 ranks who have served on [REDACTED] SU1 to an [REDACTED] UKSF3 officer.’
- The Security Compartment will become extant as at 1200hrs on 7 Apr 11.

MOD F102 BOOK
SER No. 001
089

Source: Ministry of Defence/Afghanistan Inquiry

We know from emails that have been made public that this was not the only warning that Page had of extrajudicial executions by special forces. He had also been told by his chief of staff and one of the commanding officers about a unit that is now under investigation by the inquiry.¹⁹ However, rather than referring any of this evidence to the RMP, in April 2011, Page commissioned an internal review of the 'tactic, technique or procedure' (TTP) of sending Afghan men back into compounds after they had been detained by special forces. The review was completed within the same month. Its mandate made clear the assumption that the killings were lawful; it also took at face value the official reports from operators about this apparently suicidal trend of detainees grabbing previously unseen weapons. The RMP later heard during operation Northmoor that this TTP was designed to be "a thinly veiled Coded message from [headquarters in the UK] to the [sub-unit] to stop their activities."²⁰ It was also a means of preventing the RMP from investigating what clearly appeared to be suggestions of criminality.

Clearly, the suppressed report, as well as the emails to Page, were accurately describing a pattern of unlawful killings. Had these senior officers fulfilled their legal obligation to refer evidence of potential war crimes to the RMP, perhaps the investigation could have started years earlier. Instead, the killings continued, including those of the four teenagers shot while drinking tea and Bilal and Imran's parents as they lay beside them. Both took place in the year after Jenkins created his secret compartment.

The code of silence: Counsel for the inquiry, Oliver Glasgow, also spoke of the "regimental amnesia" that the RMP faced when interviewing members of the units responsible ([Glasgow](#) p25). This was echoed in testimony from Mercer, who was troubled by the inability or refusal of special forces to cooperate with the RMP investigations, describing a "culture of 'omertà' within special forces," ie a mafia code of silence about criminal activity. It seems plausible that Page's TTP Review was a coded signal to the units involved, and also part of the special forces' code of silence.

It is striking how the special forces' culture was not only about engendering tribal loyalty but also provoking fear. The SBS officer who told Page what he had heard

¹⁹ The memo from Page's Chief of Staff (known as N4166 in the inquiry) is accessible [here](#) on Unredacted, dated 7 April 2011; the memo dated 5 April 2011 from the commanding officer (known as N1785) is [here](#) on Unredacted.

²⁰ Quote from the counsel for bereaved families, Richard [Hermer](#); see transcript, p82.

about the extrajudicial executions did not put his name on the written statement he had been asked for, nor was he named when he gave evidence to the inquiry.²¹ When asked if he had concerns about being identified, he said 'yes', both because of a mentality that "things that happen on tour stay on tour," but also because "you're calling out a historic organisation [the SAS]. It's quite a big thing to do and these people are trained killers." When asked if making the allegations caused him concern for his well-being, he answered: "I did then and I still do now."²²

Denying refuge to potential Afghan witnesses: Another revealing and more recent episode that appeared to be a further attempt to thwart accountability was the special forces' leadership's decision to deny the eligibility of former Afghan special forces for asylum in the UK. UK Special Forces generally partnered with two Afghan special forces that had been set up and trained by the UK, known as the 'Triples', Commando Force 333 (CF333) and the Afghan Territorial Force 444 (ATF444).

Typically, the military would be a strong supporter of providing refuge to former partners and interpreters, but the RMP investigations, legal reviews and inquiry appear to have triggered fears for some that men who partnered with UK Special Forces on operations might have compelling evidence about unlawful killings. Some had made their disquiet known at the time, as noted in some of the incidents described at the start of this report, such as the operation on Imran and Bilal's home. Another such warning had come when an operations commander informed Jacko Page in April 2011 that the Afghan partner unit had "refused to soldier" with UK Special Forces on multiple occasions (see Hermer's [opening statement](#) pp 54-55).

UK Special Forces rejected requests for sponsorship from more than 2,000 Afghans who, following the fall of the Islamic Republic of Afghanistan, claimed to have served in UKSF's partner forces when they sought protection in the UK ([BBC](#)).²³ This was reportedly with the knowledge of the then head of UK Special Forces, General Sir Gwyn Jenkins, who had delegated the review of their applications to a former special forces member who had served in Afghanistan ([BBC](#)).

Officials initially denied that there had been any blanket rejection, suggesting that some applicants had been rejected due to false information or technical errors,

²¹ The officer gave evidence in closed session in the spring of 2024, but the 'gist' of it was made public [here](#).

²² [See Gist Of Concerns And Complaints Hearings Part 1](#), N179, hosted by the inquiry website, p12.

²³ Afghans who were at risk because of their work with the UK government could apply for the [Afghan Relocations and Assistance Policy \(ARAP\)](#).

such as the unavailability of employment records.²⁴ However, a number of people familiar with the events behind the scenes have raised concerns about whether this might have been an attempt to block potential witnesses, given the ongoing inquiry. For example, the former veterans minister, Johnny Mercer, suggested that the special forces ability to veto their applications was an obvious “conflict of interest” ([BBC](#)). Some triples who were rejected for asylum have already been killed ([The Lighthouse Reports](#)). Former Afghan special forces personnel have mounted a legal challenge and, in February 2024, the government announced a “reassessment of all eligibility decisions” (see [Hansard](#), the UK’s parliamentary record).

At the time of publication, no direct testimony from Afghan partner units had been heard at the inquiry, although this could still happen at a future date.

RMP failures

The obstructions above were mostly carried out by special forces units themselves or by their senior leadership. The RMP, itself, however, also made mistakes or deliberate omissions. The inquiry heard a highly critical assessment from former police Chief Constable Alan Pughsley, who reviewed the investigations. Pughsley largely placed the blame not on the RMP investigators, but on higher-ranking officials. He said, “The failure to pursue critical lines of inquiry, including potential witnesses and forensic evidence, represents a profound failing of justice.”²⁵

Delays and under-resourcing: The first deficit was that the RMP did not start their murder inquiry until 2014, years after most of the incidents, thus missing what is sometimes called the ‘golden hour’ of policing. Pughsley criticised the slowness in referring incidents to the RMP and getting its investigation properly resourced, including a three-year gap before Operation Northmoor was launched. That meant there were no contemporaneous accounts of witnesses and/or suspects, no visits to the scene and no forensics. Even when the investigation started in 2014, it was 2017-2018 before soldiers’ statements were taken, while interviews with Afghan witnesses did not happen until 2019 ([Pughsley](#) p78). While the RMP’s Colonel Kristian Rotchell, who gave an account of the RMP investigations to the inquiry,

²⁴ See, for example, a [statement](#) in parliament from a former Minister for the Armed Forces, James Heapey, on 23 December 2023.

²⁵ Alan Pughsley’s testimony, made on 27 January 2025, is available on the inquiry website [here](#), as well as summarised by Action on Armed Violence [here](#) (28 January 2025).

argued that a murder investigation during an active conflict cannot be expected to operate in the same way as a domestic police investigation, he also agreed that delays and under-resourcing hampered it.²⁶ Rotchell told the inquiry that even when the investigation was initiated in 2014, it was not fully resourced until 2018, only to be wound up the following year.

A deficit of skills and experience: Pughsley observed that the officers in Operation Northmoor lacked “the skills, clearances and experience to conduct an investigation on this scale.” He said that an investigation into multiple homicides, particularly given the additional complexity of delays and obstruction, is so complex that it requires the most highly skilled and experienced investigators, akin to the difficulty of cold case investigations ([Pughsley](#) p53). Professor Sir Jon Murphy, a former Police Chief Constable who conducted a review of the military police services ([Ministry of Defence](#) 2019-22), told a parliamentary hearing on the Armed Forces Bill in 2021 that the investigators of the Special Investigation Branches, including the RMP, lacked experience of investigating crime: “each SIB investigator is called on to investigate approximately a single crime a year. When you compare that with the caseload of the civilian detective, it is probably a hundred times less” (parliamentary hearing [transcript](#), question 109).

Not reviewing available video footage and data: The RMP’s decision not to watch video footage of some of the incidents was described by Richard Hermer, the families’ lawyer in the inquiry, as “inexplicable” ([Hermer](#) p103). As previously noted, it was common practice for detention operations to be filmed from the air. One intelligence officer attached to the SAS told the [BBC](#) that they always had “eyes in the sky,” which fed video back to headquarters, where it was recorded. Special forces were slow to hand over footage, and when it was finally released to the RMP, investigators found it was technically difficult to view. However, it emerged in the judicial review that they were offered technical assistance so that they could view the material, but were “ordered” to decline this offer, apparently by senior leadership.²⁷ This meant video footage of alleged war crimes was never viewed.

The RMP also encountered initial obstruction when trying to access relevant data stored on computer servers located in the UK. In fact, at one point, they were led to believe that the relevant data had been deleted. When it was discovered that

²⁶ See Colonel Kristian Rotchell’s [testimony](#) to the inquiry, made on 14 September 2023, para 21.

²⁷ High Court of Justice, *Saifullah v Secretary of State for Defence*, 21 Oct 2021, para 54, accessible on [Unredacted](#).

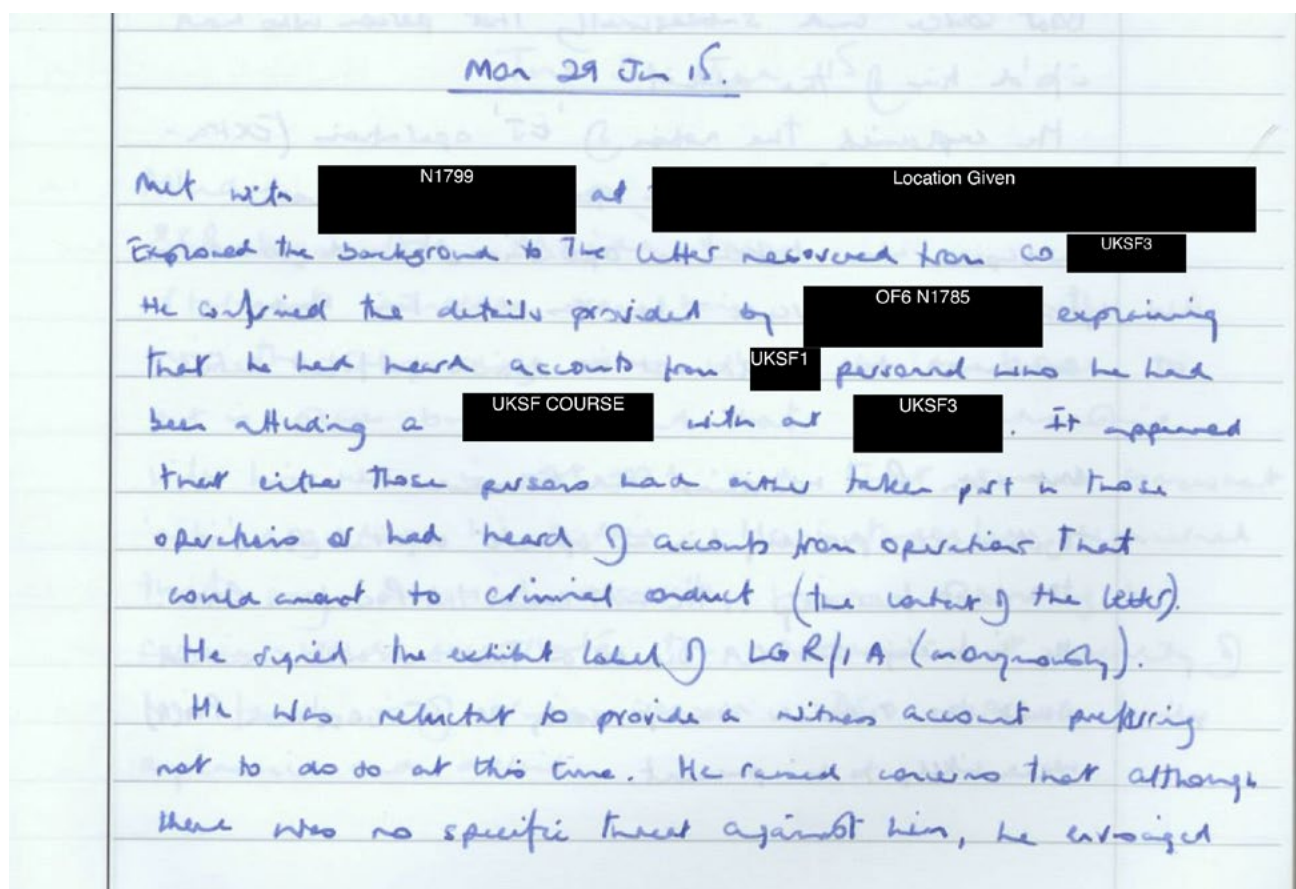
some material was accessible, a decision was again made not to view it, despite its potential relevance to the RMP's investigation ([Unredacted](#)).



A British Royal Military Police officer during a patrol in Lashkargah, Helmand province, in May 2006.
Photo: John D Mchugh/AFP, 13 May 2006

That video footage and data are available to the inquiry, but there is no guarantee that the missing evidence will be reviewed. The inquiry judge only needs to reach a threshold of 'credible evidence', rather than the higher burden of proof in criminal proceedings, where the standard of evidence required is 'beyond a reasonable doubt'. But it would seem extraordinary if the opportunity to review highly relevant video and other data was ignored, again. It may be relevant in relation to the alleged war crimes, but also the question of whether there have been attempts to pervert the course of justice at high levels.

Figure 2: Redacted extract from RMP investigator Captain Jason Wright's workbook, noting a "reluctance to provide a witness account."



Source: Ministry of Defence/Afghanistan Inquiry

Avoiding questions of command responsibility: One of the lawyers for the bereaved families, Tessa Gregory, told AAN that one of the most egregious failings of the RMP investigation is that it did not – or chose not to – look at the *pattern* of unlawful killings and cover-ups in the round: “Unless you look at it cumulatively,” she said, “you miss connections and links.” Even Operation Northmoor, which looked at multiple potential murders, did not look at operational-level culpability – neither at the failure of leadership, nor whether there was a de facto policy of executions and obstructing justice. The same “funnel approach,” said Gregory, was being taken by the inquiry, which is looking at selected individual incidents rather than command-level failure. This is despite the clear evidence that the top leadership of the special forces was aware of what was happening.

Premature closure of the investigation: Questions have been raised in the inquiry by the bereaved families’ lawyers and expert witness Alan Pughsley, a former police Chief Constable, about why the Northmoor investigation was shut down

prematurely, despite so many open leads. This decision was made by the then head of the RMP, Brigadier David Neal. It became apparent in workbooks and emails released through the judicial review that the RMP senior investigator in the early years of Northmoor, Captain Jason Wright, among others, expressed concerns about decisions by Neal and the overall commander of the Northmoor investigation, Major John Harvey, including their not pushing to seize evidence or interview witnesses (BBC). The decision to close such a complex murder investigation, when “still in the foothills of the investigation with lots of major leads,” must mean, according to Gregory, that there had to be “some political aspects.”

Compensation

While the victims of UK Special Forces discussed above have clearly been failed by the RMP's accountability mechanisms, a small minority of victims of special forces raids may have received some financial compensation directly from the MoD. This could either be through reaching a settlement with the UK government (as mentioned in one case, above), an arduous process, or through settlements paid out by the forces on the ground. Families of at least 289 civilians killed by British forces received compensation, according to a [2021 study](#) of UK compensation payments to Afghan civilians by Action on Armed Violence.²⁸ However, only one of those cases seems to have involved special forces, an incident in which three men were shot on 8 July 2012 in the Nahr-e Saraj district of Helmand, as reported by the [Sunday Times](#) in 2017. The article cites Chris Green, a former British regular army major, who attempted to investigate the incident but was prevented from doing so. That included blocking him from accessing the camera footage of the incident. That said, this incident is likely to have been investigated by the RMP, named as Operation Shiverwood, after a contractor who apparently witnessed the killing reported the incident to the RMP. The RMP did not refer it for prosecution.

It is possible that there were other special forces' killings in which families were compensated, though the UK's compensation system was notoriously inconsistent, hard to access and lacking in transparency. A [2010 study](#) by the Centre for Civilians in Conflict found that the UK was more likely to compensate for property damage than death or injury. The onus was placed on civilians themselves to approach the

²⁸ The payment of compensation was a practice of most international forces in Afghanistan and did not signify that the killing or injury was deemed unlawful, not least because the unintended death or injury of civilians is not necessarily unlawful, according to international humanitarian law.



Districts in Helmand where some of the incidents took place.

Map by Roger Helms for AAN, 2025, based on a list by Unredacted

UK at a military base in order to make a claim, but since approaching a foreign military base risked making any Afghan civilian a Taliban target, this was a massive impediment. Frank Ledwidge, in his book *Investment in Blood – The True Cost of Britain's Afghan War*, compared UK payouts to reported deaths and injuries, revealing, unsurprisingly, a high divergence between estimated civilian casualties and compensation (pp78-88).

CONTEXT: AN INDUSTRIAL-SCALE KILLING MACHINE

This section will look at the wider context in which the killings took place, as well as a number of circumstantial or explanatory factors that critics and/or defenders have cited. First is the operational context of night raids and special forces.

The UK operations, in which the alleged murders took place, came at a time when, as ordered by US President Barack Obama, the wider international military presence had surged, in 2009-10, and there was also a supercharging of special operations' missions. The latter is strongly associated with the leadership of the US general David Petraeus, who took command of US and ISAF forces in June 2010. Former counterinsurgency adviser to Petraeus, John Nagl, in a 2011 interview with [PBS](#), described the military intervention as "an almost industrial-scale counterterrorism killing machine."

There was a selective veil of secrecy surrounding special forces' operations, but in November 2010, several journalists were informed that in a 90-day period, between August and November 2010, international special operations forces carried out an average of 17 detention operations per night, totalling 1,572 operations. The US military claimed that 368 'insurgent leaders' were killed or captured, with 968 'lower-level insurgents' killed and 2,477 captured ([New York Times](#)). This high kill rate was echoed in an analysis for AAN by Alex Strick van Linschoten and Felix Kuehn of ISAF press releases about [kill/capture operations](#). Their research into data from a 22-month period (December 2009 to September 2010) found an average of 5.79 people killed and 10.68 people detained every day (which they assumed to be a low estimate given under-reporting). Both sets of data demonstrate an extraordinary pace of operations, across a vast geography, often in very remote places, with high kill-to-capture levels.

President Karzai and his administration faced a constant stream of complaints from around the country about night raids, given the deaths, wrongful arrests, destruction and cultural dishonour. In a memo published by Wikileaks from February 2009, Karzai asked US Under-Secretary of Defence for Policy Michele Flournoy for a limit on night raids ([Guardian](#)). His plea fell on deaf ears. As will be discussed later, given

the potential crimes, mistakes and manipulation of international forces, it was understandable that Afghan politicians were disturbed by the pace and lethality of these operations.

Kill, don't capture: An internal logic?

By some accounts, mostly from former military personnel, one motivation for killing rather than capturing men on the target list was a concern about 'catch and release'. According to ISAF rules of engagement, detainees had to be handed over to the Afghan government after 96 hours ([ICRC](#)).²⁹ However, detainees would often then escape or be released from Afghan detention. Hence, it was dismissively known by soldiers as 'catch and release' ([HuffPost](#), [Long War Journal](#)). There were a couple of reasons for the quick releases: firstly, there was insufficient evidence for trial in Afghan courts, since their arrests often relied on intelligence which was not always shared with or admissible in civilian courts; and secondly, widespread corruption meant that connected Talibs could buy their way out of jail ([Reuters](#)).

This was the framing given by one former member of the SAS who was involved in some of the incidents in the inquiry, speaking to a British reporter from the [Daily Mail in 2017](#). He admitted to having executed unarmed Afghans, claiming that it was "an unwritten rule of our job." The reporter surmised:

Over a single year, the SAS's D and G squadrons [the units under question] killed more than 600 enemy fighters, some of whom could have been captured. The soldier insisted there was no point taking prisoners because they would be released days after being handed over to the Afghan police.

The soldier was unrepentant: "I don't think we done wrong. I think it was needed for the people we were dealing with, and that's how we folded [defeated/dealt with] the Taliban." The interviewee recalled being asked by his team leader to take an Afghan detainee back into a house to do 'a search', reading between the lines and killing the detainee, then worrying later that he had misinterpreted what his team leader had wanted. He recalled: "When we went to the bar afterwards, I went quietly, I was like, 'Have I f***** up here by doing what I did?' But he [the team

²⁹ The US operated its own detention facility in Parwan until 2014. See this [Guardian](#) article on its closure and reports in this AAN dossier: [Detentions in Afghanistan – Bagram, Transfer and Torture](#), 20 December 2024, which details the years-long efforts by the Afghan government to get it closed.

leader] went, 'No, I will never give you anyone to take anywhere unless it is for a reason.'" The full [interview](#) was supplied to the inquiry.



An Afghan policeman sits next to the entrance to the tunnel through which nearly 500 Taliban fighters escaped in an audacious jailbreak from Kandahar prison on 25 April 2011.

Photo: AFP/STR

The same sentiment was expressed by a former Afghan interpreter for the international military, whose pen name is Eddie Idrees. Idrees had various roles with ISAF and UK forces, including a spell with the SAS in Helmand whom he joined on around 30 operations, according to his book, *Special Forces Interpreter: An Afghan on Operations with the Coalition*:

I always hoped that we would not take any terrorist Taliban alive. There was no point in taking them alive. Arresting them would mean they would go through a corrupt Afghan judicial system and the end result was almost always that they were released. Then the terrorist was back on the street to kill more British soldiers or innocent women and children. Killing was the best option; it always made me feel great to see them die (pp73-74).

Former US Army colonel and advisor to three commanders of US and ISAF, Chris Kolenda, told AAN he was “appalled and shocked” to learn of the allegations of extrajudicial killings by British special forces, but said “there was real frustration with ‘catch and release’. I heard [this] in Iraq and I heard it in Afghanistan, so in one sense it would not be surprising for people to take a vigilante approach.”

Problems with detention also came up in the investigation into unlawful killings by Australian special forces, with the Assistant Defence Minister Andrew Hastie saying of catch and release: “This system incentivises killing rather than capturing” ([Guardian](#)).

Clearly, however, to the extent that catch and release was an issue, it was a policy problem rather than a justification for unlawful killing.

Incentives to kill

Catch and release was not the only incentive to kill, however. In a flailing military campaign, ‘kills’ had become the way success was measured. A former intelligence officer attached to special forces told the [BBC](#):

It was all about the stats. When the numbers were read out at the morning meeting at NATO headquarters, they wanted the SAS Task Force to have high numbers. It was seen as a metric of success.

Some special forces operatives appeared to be keeping a count of their kills, as if it were a badge of honour. One former member of the special forces told the [BBC](#): “The squadron was keeping count of how many people were killed. Certain people in the squadron would keep count of how many they’d personally killed as well.”

The inquiry into Australian special forces also found that tallies of kills were celebrated, with references to competitiveness with their counterparts in British and American special forces ([Times](#)). This was echoed in an email exchange between a British Operations Chief of Staff and a Lieutenant Colonel, which was released to the UK inquiry, in which the chief of staff lamented seeing a UK Special Forces unit comparing its kill rate to another nation’s force.³⁰

³⁰ Richard Hermer KC, [Opening Statement on behalf of the Afghan families](#), Independent Inquiry Relating to Afghanistan, 11 October 2023, p43, describing MoD submission (MOD-198-0002064-A). See also this [BBC](#) article.

Chris Kolenda observed how powerful such unofficial internal reward systems can be, even when they are at odds with operational guidance:

If kills or captures were seen as a measure of success, then what you measure creates incentives. You can keep issuing guidance, but what you measure is often what shapes behaviour the strongest, particularly if it relates to recognition, respect or promotion internally.

Killing on the basis of flawed intelligence

The high kill rates are particularly chilling in light of how many mistakes were being made, with an evident intelligence gap that belied these supposedly 'targeted' operations. The intelligence required to pinpoint the Taliban in villages across the country was well beyond the ability of US and other international forces, as some later acknowledged. Douglas Lute, for example, a three-star Army general who directed Afghan strategy at the National Security Council during the Bush and Obama administrations, told a US lessons-learned project in 2015: "We were devoid of a fundamental understanding of Afghanistan – we didn't know what we were doing."³¹ This was echoed in the report by an "unnamed advisor to [US] Army Special Forces":

They thought I was going to come to them with a map to show them where the good guys and bad guys live. ... At first, they just kept asking: 'But who are the bad guys, where are they?'

The intelligence gap was matched by a crude binary framework of 'good guys and bad guys', which belied the complexity of most rural communities and the state versus insurgency dynamic. It made the international military wide open for manipulation. If an unscrupulous Afghan wanted to make his enemy a target to be killed or captured by the foreigners, it was not that hard, as Chris Kolenda told AAN: "We know that the intelligence was flawed, that people were often reporting on their rivals."

Mike Martin, a former British Army officer who was deployed to Helmand province from 2008 to 2010, witnessed so many incidents of manipulation and

³¹ The lessons learned project was carried out by the Special Inspector General for Afghanistan Reconstruction (SIGAR). Confidential documents from the project were obtained and published by [The Washington Post](#) in 2019.

misidentification that he describes them not as aberrations but as the norm.³² In his book, *An Intimate War*, Martin gives an excruciating example from Nad Ali in Helmand in 2008, where the British enabled a local predatory armed group to take over a village where people had been trying to resist their abusers: the British had accepted at face value the lie that the resistors were in fact Taliban (this story was also summarised by [The Times](#)). Martin was initially able to voice his doubts as an advisor in military targeting meetings, he told the [Sunday Times](#):

They [the SAS] would go in and kill members of a family based on faulty intelligence. The next morning there would be people going, 'What was going on last night? You just murdered a whole family.'

Martin raised so many concerns about bad intelligence that he was barred from the targeting meetings.

A classified study by Dr Larry Lewis at the US Center of Naval Analyses found that 50 per cent of civilian casualty incidents studied involved misidentification, based on hundreds of incidents between 2007-09 and 2010-11.³³

The UK had plenty of its own intelligence operatives in Afghanistan, but its special forces were largely operating on the basis of an ISAF-wide targeting list, called the "Joint Prioritized Effects List, or JPEL."³⁴ It listed the names of men who had been judged to be combatants for kill/capture. Of course, such a list relied on accurate intelligence and identification. A 2014 investigative report by [Spiegel](#) suggested that one of the weak spots with this expansive list of thousands of names was a reliance on phone numbers as a form of target identification. Citing leaked documents, it says, "sometimes locating a mobile phone was all it took to set the military machinery in motion." AAN's Kate Clark investigated a case in [Takhar](#) province in 2010 in which the US killed ten men campaigning in the parliamentary elections after the identity of the candidate's election agent was conflated with a Taliban commander, based on a mix-up of their phones; the other nine men were judged

³² Mike Martin, *An Intimate War: An Oral History of the Helmand Conflict*, Hurst, 2014, pp2, 3, 234, 237, 239. It is worth noting that the UK Ministry of Defence tried to ban Martin's book ([Guardian](#)).

³³ Dr Larry Lewis, the Center for Naval Analyses, worked with the Department of Defence and the Department of State on the study. Interview with Larry Lewis in 2016, by this author, for this report: [The Strategic Costs of Civilian Harm](#), Open Society Foundations, June 2016, p19.

³⁴ The British military tended not to acknowledge the JPEL, though it did use it, as acknowledged by this former serviceman, [A British 'kill list' does exist. We used it in Afghanistan](#), The Spectator, 9 September 2015.

to be combatants, and therefore killed, solely because of their proximity to the misidentified election agent.

One former British ambassador to Afghanistan (2007-10), Sherard Cowper-Cowles, told AAN that he tried and failed to get some civilian oversight of special forces' targeting:

I pressed repeatedly for there to be some political input into JPEL – there was no political oversight. I feared it was drawn up in the most amateurish way. But they wouldn't accept it.

Oversight was not just lacking for the JPEL but for the special forces in general, as will be discussed later.

Divergent chains of command and rules of engagement

By some accounts, a factor in the casual use of lethal force by the UK may have been the dominance of the American chain of command and, potentially also, its rules of engagement. Although UK Special Forces had a national command chain, the dominant chain of command appeared to be to ISAF's Special Operations Forces, which reported directly to the (American) Commander of ISAF, rather than the ISAF regional commander.³⁵ According to retired British Army Major Chris Green, UK Special Forces were effectively operating according to US rules:

US experts concluded that targeted killings, in keeping with enhanced interrogation techniques,³⁶ were legally sound and embarked on an ambitious programme of kill/capture missions. If British operatives under a US command were to have utility, they had little option but to embrace tactics that would not meet British legal or ethical thresholds. The removal of field command over British troops was the final nail in the coffin and prevented effective oversight.³⁷

This was echoed by a former commander of the UK Task Force in Helmand, speaking anonymously to [The Times](#), who admitted that he had not really known what the

³⁵ Colonel Ronald M Johnson, [Command and Control of Special Operations Forces in Afghanistan: Is Unity of Effort Good Enough?](#), Joint Military Operations Department, Naval War College, p6.

³⁶ 'Enhanced interrogation techniques' was widely regarded as an American euphemism for torture, which was banned by President Obama after he took office in 2009; see this [BBC](#) report on the subsequent US Senate inquiry.

³⁷ Chris Green, 'Killing over winning – How fluid ethics turned success into failure for Britain's special forces', in *Ground Truth – the Moral Component in British Contemporary Warfare*, Frank Ledwidge, Helen Parr and Aaron Edwards (eds), Bloomsbury 2024, p113.

SAS were doing in Helmand. A report into allegations against Australian special forces made a similar observation, where the (American) influence of ISAF Special Operations Forces rendered the Australian regional command “irrelevant and inconvenient, if not an impediment.”³⁸ (More on the Australian allegations in the section on Wider Patterns).

While the rules of engagement for UK forces were very clear, the US rules of engagement and their emphasis on ‘kill/capture’ may have influenced UK Special Forces. The US also has a permissive notion of individual or unit self-defence, which allows for lethal force in response to an ill-defined notion of hostile act or hostile intent.³⁹ So, for example, an unarmed man who is running away might be running towards weapons and thus, have hostile intent.⁴⁰ European militaries tend to assert that self-defence is only justified in response to an imminent threat. That may also require positive identification of the individual’s status as a combatant, rather than killing on the basis of their behaviour.

NATO does have Rules of Engagement (ROE) that authorise the use of force in response to “hostile intent” and “hostile acts” (421 and 422).⁴¹ Another NATO ROE, 429, allows for someone to be attacked on the basis of positive identification, regardless of whether or not they pose an imminent threat, hostile intent or are engaged in a hostile act, although this requires pre-authorisation. In relation to the JPEL, this of course carried risks: if a person was listed and therefore judged to be legally cleared for killing, without any further evidence, including whether or not they were actively involved in fighting at the time they were targeted, everything rested on the quality of that intelligence. According to one British army document (date unclear, though no earlier than 2009), there was “widespread use of Rule 429” under the British mission until 2006, when complaints about civilian casualties meant a more defensive posture was applied (Card Alpha, discussed

³⁸ [Inspector-General of the Australian Defence Force \(IGADF\) Afghanistan Inquiry Report](#), known as the ‘Brereton report’, after the investigation head, para 27.

³⁹ Rule A-A 1, [U.S. Standing Rules of Engagement](#), Chairman of the Joint Chiefs of Staff, 2005, p19.

⁴⁰ Erica Gaston, [Reconceptualizing Individual or Unit Self-Defense](#), Harvard National Security Journal, pp306-307.

⁴¹ NATO’s hostile act and hostile intent ROEs are 421 and 422, see [NATO Legal Deskbook](#) p256. See Gaston in the previous Footnote, where she observes that “in practice, commanders and soldiers often use the three interchangeably” (where the three are the two ROE and the self-defence paradigm), p292. See also Camilla Guldahl Cooper, [‘Use of Force’ Categories in NATO ROE Doctrine](#), International Humanitarian Law Series, Volume 57, November 2019, pp89-90.

above), with 429 subsequently available only on request in limited circumstances.⁴² In general, however, UK rules of engagement were more restrictive than the US's and the inquiry is limited to detention operations which would have been under Card Alpha rules of engagement.



A British soldier in the village of Biabanak in Kandahar province.
Photo: Nicolas Asfour/AFP, 2 July 2007

The competing or changing ROE, in particular the use of 429, does appear to have been part of the disquiet in Australia at least. An investigative report by Australia's [The Saturday Paper](#) from February 2025 links several killings by Australian special forces to more permissive ROE than the national ones they were thought to be operating under. The paper cited 429, which was said to be in use with regard to JPEL killings:

⁴² [Rules of Engagement](#), Platoon Commanders Battle Course, MIV001853, Army Recruiting and Training Division, UK Infantry Battle School. See also this article from 2008 about an incident in 2007 where two different sets of UK forces were under different rules of engagement – 429A and Card Alpha; [Afghanistan mission 'stopped to discuss rules of engagement'](#), The Guardian, 15 July 2008.

These ISAF ROE believed to be used in JPEL killings were 429A, which allowed the targeting of “individuals ... resisting ISAF in its mission to facilitate the lawful extension of Afghan government,” and 429B, which allowed the targeting of “Individuals ... challenging ISAF’s complete and unimpeded freedom of movement.”

Perhaps killing, rather than detaining suspects, had been normalised on earlier tours with more aggressive rules of engagement in Afghanistan and Iraq. But regardless of which rules of engagement were in force, they do not override the applicable laws of armed conflict. In many of the cases of alleged unlawful killing by UK forces in Helmand, this revolved around the protection of detainees: it remained the case in all situations and under all rules of engagement that if an individual was detained or under the control of UK Special Forces, it was unlawful to kill him.

There may be a less complex explanation than divergent rules of engagement, chains of command or concerns about catch and release, all of which may be little more than post-facto rationales for unlawful killings. Chris Green, the former British regular army major, suggested simply: “They [UK SAS] had been culturally conditioned to believe the end justifies the means.”⁴³

A law unto themselves

Since their founding, special forces have been set apart from conventional military behaviour, from their casual dress code to their clandestine operations. Histories, such as *SAS: Rogue Heroes*, revel in stories of renegade rule breakers.⁴⁴ Their operations and rules of engagement are shrouded in secrecy, so that not even the British parliament is privy to them: special forces are the only part of the military which is not answerable to parliament’s Defence Select Committee. Even the UK’s intelligence agencies are overseen by parliament’s Intelligence and Security Committee. Instead, special forces are accountable only to the prime minister and the defence secretary.

This sense of being untouchable clearly had an effect. One senior special forces officer told the inquiry that the SAS seemed to be “beyond reproach,” with a “golden pass allowing them to get away with murder” (transcript [here](#)). Frank

⁴³ See footnote 37, *Ground Truths*, pp117-8.

⁴⁴ Ben Macintyre, *SAS: Rogue Heroes: The Authorized Wartime History*, UK, Viking, 2016.



The emblem of the UK Special Air Service (SAS), featuring a winged dagger and the regiment's motto, "Who Dares Wins."

Source: Public domain, UK Government via Wikimedia Commons

Ledwidge said the SAS killings “demonstrate with crystal clarity the dangers of having an important part of our armed forces acting without continuous and effective democratic oversight” ([Guardian](#)). Ledwidge described them as the “blue-eyed boys,” a sentiment echoed in an anonymous account by a former British major published by an online magazine called [The Fence](#). The author recounted an incident in which an SAS operative threatened a regular British military officer in Afghanistan after he asked questions about a detainee who was unaccounted for. The officer did not pursue the matter of the missing detainee, said the author, because:

As far as the rest of the Army is concerned, you don't mess with the SAS. This is not because they can kill you with a glance, but because they are the blue-eyed boys. They are beyond discipline in the normal way.

One public admirer of the SAS, the conservative historian, Andrew Roberts, is happy to defend their right to avoid having their “hands tied” by the laws of war. He also went so far as to argue in [The Times](#) that: “Britain should not be bound by the Geneva conventions when fighting against anyone not bound by them,” referring to the Taliban. This is not, of course, a legal principle.

Dehumanising Afghans

Racism or some degree of dehumanising Afghans may have played an enabling factor in the casualness of killings, particularly when it came to killing what special forces referred to as “military-aged males.” Former ambassador Sherard Cowper-Coles told AAN that the enthusiasm of special forces for their relentless operations had a disturbing subcurrent:

They treated the Afghans as Untermensch [a German word meaning subhuman, famously used by the Nazis to refer to Jews, Slavs, the disabled

and non-heterosexuals]. There was a racist undertone. For them it was like fox hunting in Herefordshire.

Several other interviewees, former officials who worked in some capacity with or for the UK and other international forces, spoke on background about how commonplace racism towards Afghans was among British soldiers and officers. One recalled a commander bemoaning his inability to get his troops not to assume that all – he used a derogatory term for Afghans – were enemies.



A blindfolded, handcuffed detainee sits on the ground at a US Marine military camp in Marjah district, Helmand province, following an early-morning operation.

Photo: Massoud Hossaini/AFP, 23 May 2011

Soldiers have always used slang and shorthand, but the language that emerged in documentation released in the inquiry does suggest a degree of dehumanisation. Executions were referred to as “flat packing” ([Guardian](#)), while new troopers getting their ‘first kill’ were said to have been ‘blooded in’ (see the “[gist of evidence](#)” given by a commanding officer of UK Special Forces in the inquiry, p13). This same phrase, “blooding,” was used by Australians for a practice of junior soldiers shooting prisoners to get their first kill ([BBC](#)).

The ombudsman for the British armed forces has warned that racism is “prevalent” in the British military ([BBC](#)).⁴⁵ Former SAS member Ben Griffin also said racism was commonplace in the UK military:

*Haji, Raghead, Sand Nigger, Chogie, Argie, Paddy, Gook, Chink, Jap. Kraut, Hun. All terms used by our armed forces. The product of a society which still believes in its superiority over other peoples and cultures.*⁴⁶

The inquiry will not address wider cultural problems like racism, though it seems likely that a degree of racism was a factor in those who came to see Afghan men and teenage boys as inherently targetable.

Mental ill-health

Militaries often like to brush off the gravity of unlawful acts by their soldiers as either the work of ‘bad apples’, sometimes involving mental ill-health as a kind of diminished responsibility. Critics of the military may assume this is a convenient excuse, though the high levels of veteran suicides would suggest that it is worthy of serious consideration. The statistics of veteran suicides certainly point to traumatic impacts: a 2021 study of post-9/11 US war veterans found 30,000 deaths by suicide, as opposed to 7,000 killed in combat ([Costs of War](#) project, Brown University). Studies in the UK have also shown high levels of suicides by veterans ([BBC](#), [Reuters](#)).

Soldiers – special forces in particular – are trained to be killers and conditioned to obey orders and respect discipline. Former SAS member Ben Griffin said his training left him with one purpose:

To go to war, and kill the enemy. ... This idea, this thought, this want, took up ... every waking hour. ... Any war, any enemy, it didn't matter. ... That was what we'd been indoctrinated into, that to go to war and kill the enemy was the highest achievement a human could achieve.

It is unsurprising that with this training, in a context of a military machine that was focused on kill/capture, some of those involved in the crimes described above came

⁴⁵ For more on racism in the UK military, see the documentary, [A Very British Institution The UK Military And The Far Right](#), 2019, hosted by Internet Archive. For a report on growing links between far-right groups and UK veterans, see [Defending Our Defenders - Preventing Far-Right Extremism in UK Security Forces](#), Royal United Services Institute, February 2024.

⁴⁶ Ben Griffin, Speech at the Oxford Union, February 2014, [archived](#) on the WayBackMachine Internet archive.

to enjoy killing, as described by a former special forces member who spoke to the BBC:

It can be an addictive thing to do, to kill someone. These blokes were intoxicated by that feeling of killing people. Some of the guys we killed genuinely were bad people, but they were taking pleasure in the brutality and the killing. Lots of psychotic murderers.

Another said of a notorious colleague: "It seemed like he was trying to get a kill on every operation. Every night, someone got killed. He was notorious in the squadron. He genuinely seemed like a psychopath."

Similar comments were made to Dr Samantha Cromptvoets, who was commissioned in 2015 by the Australian Defence Department to examine the culture of their special forces. One former member told her: "Guys just had this blood lust. Psychos. Absolute Psychos. And we bred them" ([SBS](#)).

Some suggest such 'psychopathic' behaviour is a sign of combat trauma. Former head of Australia's special forces, Major General Jeff Sengelman, initiated the inquiry into unlawful killings by the forces he was then in command of following Cromptvoets' work. Sengelman observed that, unlike in most professions, special forces undergo a wide gamut of testing, "ethically, mentally, physically, even spiritually," so that, at least when they join, "we know that that person is as good as they can be."⁴⁷ This, he says, raises the question of why militaries still do not pay enough attention to things going wrong, ten or twenty years later, particularly for special operations forces:

They were continuously exposed to high-intensity combat operations that often, if not almost always, involve some form of lethal type outcome in it.

Well, what does that do to someone? How many people do you need to see killed to be disturbed? So what if the answer is five, or ten, or twenty? And what if it happens year after year after year? And should we be surprised if it impacts?

Frank Ledwidge agrees that this is a necessary conversation, distinct from the 'bad apple' defence typically used by militaries. He says good soldiers can be "ruined by endless tours."

⁴⁷ Major General Jeff Sengelman gave his first interview since the Brereton report to an international justice podcast: [Episode 123 – Confronting Australia's War Crimes Allegations with Major General Jeff Sengelman](#), Asymmetrical Haircuts (podcast), 30 January 2025 (the two quotes can be heard at 46'12").



Supporters and family celebrate the reduced conviction of British soldier, Alexander Blackman – known as Marine A – whose guilty verdict for shooting an injured Taliban fighter was reduced from murder to manslaughter.

Photo: Adrian Dennis/AFP, 15 March 2017

The case of Alexander Blackman provides an example of using mental disorder as a legal defence. Blackman, who was a Royal Marine (an elite British Navy force), shot dead a wounded, prostrate Taliban fighter, who had been part of an attack on a military checkpoint on 15 September 2011. As an injured fighter, he should have been given medical assistance and could also have been detained, but he was *hors de combat* and therefore considered a protected person. Instead, Blackman was recorded by headcam footage saying, “Shuffle off this mortal coil, you [expletive]. It’s nothing you wouldn’t do to us.”⁴⁸ After killing the wounded man, he is heard on the footage saying to his two colleagues: “I have just broke [sic] the Geneva convention.”

Blackman was sentenced to life imprisonment for murder on 6 December 2013, but appealed, partly citing his state of mind at the time of the incident. In March

⁴⁸ A documentary about Blackman, described in this [Guardian article](#) from 31 July 2022, can be accessed in the UK on Channel 4: [War and Justice: The Case of Marine A](#). (Blackman, one of three marines tried, was known as Marine A during the trial. The other two were acquitted).

2017, the Courts Martial Appeal Court upheld his argument that his mental health meant he had reduced criminal responsibility and [quashed the murder](#) conviction, substituting it for manslaughter.

While Blackman may well have been suffering from mental ill-health, one professor of international law expressed the concern that “Blackman’s supposed adjustment disorder was based on factors common to basically every soldier who ever served in a dangerous part of Afghanistan or Iraq” ([Opinio Juris](#)). This could mean that many might be seen as legally incapable of committing murder.

However, in the context of patterns of unlawful killings, the culture and leadership of special forces is far more significant than discussions of whether individual troopers engaged in unlawful killing because they had PTSD as Frank Ledwidge (who is sympathetic to Alexander Blackman’s defence) explained to AAN The culture of UK Special Forces, he said, “is out of control – even if it’s only five per cent out of a couple of hundred regulars – that’s ten or twenty people acting like death squads.” Despite this, many in the UK Special Forces’ senior leadership – except for the laudable whistleblowers – either did nothing or engaged in cover-up.

A failure of leadership

This report has covered multiple factors that may have contributed to a terrible pattern of unlawful killings. It is very clear, particularly from the emails between officials, how high up knowledge of these killings went within the UK military and political establishment. The whistle-blowers from within the special forces were as senior as the third-in-command of the UK Special Forces.

In this context, the real responsibility is less with those who fired the shots than with those commanders who either actively promoted this practice as de facto policy, or knew this practice was in place and did nothing to stop it, thus effectively sanctioning it, or who received credible information of war crimes and chose to do nothing or to participate in concealing them. Command responsibility is legally clear in the UK’s [Armed Forces Act](#) (2006) and in the Rome Statute of the ICC, which has been adopted in the UK under the [International Criminal Court law](#), section 65:

A military commander ... is responsible for offences committed by forces under his command... as a result of his failure to exercise control properly over such forces where ... he either knew, or owing to the circumstances at the time,

should have known that the forces were committing or about to commit such offences and he failed to take all necessary and reasonable measures within his power to prevent or repress their commission or to submit the matter to the competent authorities for investigation and prosecution.

There are many whose role in the unlawful killings should be investigated for, at the very least, an obstruction of justice. Obvious names include:

General Sir Mark Carleton-Smith, head of UK Special Forces, 2012-15

Several incidents occurred while Carleton-Smith was in command, which he chose not to pass on to the RMP. This includes the incident in August 2012 when Imran and Bilal were wounded and their parents killed. Despite signing off on the Serious Incident Review, which mentioned the children and other civilians, Carleton-Smith chose not to pass evidence on to the Royal Military Police. He was made Chief of the General Staff in 2018 and knighted in 2019 ([Forces News](#)).



Britain's former Defence Secretary Ben Wallace (L) and Vice Chief of the Defence Staff, Major General Gwyn Jenkins, in 2023. Jenkins is now First Sea Lord and Chief of the Naval Staff.

Photo: Daniel Leal/AFP, 31 January 2023

**General Gwyn Jenkins, Commander, Special Boat Service (2009 to Apr 2011),
Commanding Officer of UK Special Forces in Afghanistan (April 2011 – April 2012)**

General Jenkins was alerted to possible war crimes by the SAS in March 2011, which he asked to be documented, then created a secret compartment in which he filed the evidence away for years, even after the RMP investigation began in 2014. He informed his then superior, General Sir Mike Jackson, but did not refer the matter to the RMP. He was also involved in the rejection of hundreds of resettlement applications from Afghan special forces ([BBC](#)) after the fall of the Republic. He was promoted to head the [Royal Navy](#) in May 2025, the third most senior member of the UK military.

There are many others whose complicity should be considered, some of whose names are not in the public domain, but whose cyphers are included in this [list](#) by Unredacted. These include senior lawyers inside the MoD who helped special forces to falsify reports to avoid triggering investigations.

WIDER PATTERNS: EXECUTIONS BY OTHER INTERNATIONAL AND AFGHAN FORCES

The British were not alone in their patterns of extrajudicial executions in Afghanistan. As discussed, Australian special forces have been exposed for a series of alleged war crimes over the duration of their engagement. These were deliberate and repeated killings and included practices such as the planting of weapons beside bodies to make it look like the victims had been armed, deploying dropped weapons, just as the British SAS did. The work of a military sociologist whose interviews with Australian soldiers helped spark a government inquiry revealed a disturbing culture, including derogatory language towards Afghans and the taking of 'souvenirs' from the dead, including a prosthetic leg used as a drinking vessel by soldiers on base ([Guardian](#), [SBS](#), [BBC](#)).

The Australian government carried out an [inquiry](#) into incidents where concerns had been raised about the operations of its special forces from 2005 to 2016. The Inspector-General of the Australian Defence Force, Major General Paul Brereton, found evidence in 2020 of the murders of 39 people and the cruel treatment of two others. The head of the Australian armed forces, Angus Campbell, has acknowledged that there may have been more killings than those investigated by the inquiry ([ABC](#)).

However, the first arrest stemming from the Brereton inquiry was of a whistleblower, rather than a war criminal, eliciting protests from Australian human rights advocates ([Human Rights Law Centre](#)). Just one Australian SAS member has been charged so far ([BBC](#)), with several others stripped of their medals of honour ([ABC](#)). The Australian SAS Association has protested that soldiers and junior officers were "thrown under the bus" in a process which has yet to touch senior officers who had command responsibility ([Guardian](#)).

The Australian inquiry also triggered questions about the involvement of Dutch troops, who overlapped with Australian special forces in Uruzgan between 2006 and 2010, albeit in relatively small numbers ([Dutch Ministry of Defence](#)). One Dutch

veteran came forward to say that he thought he had been involved in an incident where civilians were killed in 2007 ([JusticeInfo.net](https://www.justiceinfo.net/)). However, the Dutch Public Prosecution Service looked into the matter and concluded that the evidentiary threshold for war crimes was not met, although that did not rule out the possibility that there had been unlawful killings ([Just Security](https://www.justsecurity.org/)).



Relatives of victims killed by Australian troops pray at a tomb in Tirinkot, Uruzgan province.
Photo: Sharafat/Xinhua via AFP, 30 November 2020

US special forces carried out by far the most kill/capture operations, though, so far, there are fewer incidents of potential extrajudicial executions in the public domain. This might be because the evidence has not yet emerged (given how many years it took for revelations about the UK's special forces to emerge). Another factor may be that the US had its own, exceptional and legally questionable detention regime, with facilities in Bagram and in various 'forward operating bases', as well as its notorious detention camp in Guantanamo, Cuba.

But there are some very serious allegations, with parallels to the patterns of UK Special Forces, not least the killing of nine people by the special operations force, Bravo Company, in Wardak province in 2012. Investigative reporting by [The New](https://www.thenewintegrity.org/)

[York Times](#), published in September 2025, suggests that this incident could rank as “one of the worst war crimes in recent U.S. history.” Nine men were killed while in US custody, their remains later discovered outside the former Special Forces base in Nerkh district. Although the deaths were investigated, those involved were cleared of wrongdoing. The NYT reporter, Matthieu Aikins, described a number of other incidents involving disappearances in the area that featured some familiar ‘workarounds’, adopted by special forces to deal with restrictions on detention practices, including ‘dropped weapons’, as well as avoiding limitations on their own detention powers by pretending that Afghan partner forces were holding detainees. He [described](#) a culture of vigilantism, secrecy and impunity in the face of mounting allegations of extrajudicial killing.

Another Bravo Company soldier who was accused of murder, Matthew Golsteyn, was investigated and found guilty of the murder of a detainee and alleged bomb-maker in Marjah district in 2010. He was later pardoned by Donald Trump ([Politico](#)).⁴⁹

Other killings where there were trials involved a regular US army platoon that was dubbed the ‘kill team’. It murdered at least three civilians, one of whom was just 15, in Maiwand district in Kandahar in 2010. Four members of the platoon were found guilty of murder or manslaughter. They included Staff Sergeant Calvin Gibbs, who is serving a life sentence for the murders, as well as for keeping body parts as trophies ([Guardian](#)). Notably, drop weapons were involved in their attempted cover-up. The killings only came to light after a whistle-blower emerged – though it perhaps says something about the permissive killing culture that this soldier came forward first to blow the whistle on drug taking, rather than war crimes.

There have also been suggestions of extrajudicial executions by US Navy Seals. An operator working with Seal Team 6, one of several special operations forces deployed to Afghanistan, told [The New York Times](#) that “there were intense periods in which for weeks at a time their unit logged 10 to 15 kills on many nights, and sometimes up to 25.” The article notes several instances of alleged wrongdoing by the Seals, including summary executions and mutilations, though no one faced any charges. Instead, several individuals were sent home early. One of those incidents,

⁴⁹ According to the same series of investigative reports by [The New York Times](#), the zeal with which Golsteyn was prosecuted may have been driven more out of retaliation for his having embarrassed Bravo Company by admitting to murder during a CIA job interview, which the CIA was forced to share with the military, thus triggering an investigation. The same accountability efforts were not levelled at Golsteyn’s colleagues, even though they allegedly helped him burn and dismember the body.

which took place in Ghazi Khan in Kunar in December 2009, resulted in ten deaths, of whom eight were schoolchildren, according to [UNAMA](#).

In Iraq, US Marines were accused of some egregious war crimes, with botched accountability efforts in subsequent years. In what became known as the Haditha massacre in 2005, the Marines killed 24 Iraqi men, women and children, with nobody held responsible for the murders (explored in this award-winning 2024 podcast by [The New Yorker](#)). There were other incidents in Iraq, including a Navy SEAL who was convicted of war crimes and subsequently pardoned by US President Donald Trump in 2019 ([Guardian](#)). Ben Griffiths, who also served with the SAS in Iraq, told AAN that he had seen US forces use dropped weapons during operations in Iraq. It seems highly likely that there were far more incidents of potential abuse than were ever reported or investigated. The US reputation is, of course, forever tarnished because it authorised the use of torture and rendition throughout its so-called 'war on terror', which, despite deaths in custody, did not result in meaningful investigations or accountability.⁵⁰

In the US, the political winds could not be more firmly turned against holding US forces accountable. In his first term, Trump pardoned various military criminals like Golsteyn.⁵¹ In his second, he has again sanctioned the International Criminal Court for what the [White House](#) calls its "illegitimate and baseless actions targeting America and our close ally Israel."⁵² The US Secretary of War, Pete Hegseth, also declared an end to what he called the "war on warriors" in an address to the US military in September 2025 ([Department of War](#)), a subject on which Hegseth wrote a book in 2024 ([HarperCollins](#)). Hegseth's explanation for why President Trump ordered the renaming of the Department of Defence as the Department of War could not have been more blunt: "We're going to go on offence, not just on defence. Maximum lethality, not tepid legality. Violent effect, not politically

⁵⁰ See work by the Center for Victims of Torture: [The Legacy of U.S. Torture](#); the Open Society Justice Initiative's 2013 report: [Globalizing Torture: CIA Secret Detention and Extraordinary Rendition](#); and scrutiny of how the use of mass indiscriminate detention, rendition and torture as it affected Afghans specifically, Kate Clark, [Kafka in Cuba: A dossier of reports looking at the Afghan experience in Guantanamo](#), AAN, 8 October 2023.

⁵¹ For more on Trump pardoning military criminals during his first term, see Kate Clark, [Presidential Pardons: Trump sets his seal on a record of US impunity in Afghanistan](#), 20 November 2019.

⁵² The first Trump administration threatened to prosecute any ICC official as well as retaliation against any country cooperating with the Court if it 'went after' America ([AAN](#), September 2018). Subsequently, in December 2020, it sanctioned two key prosecutors ([Human Rights Watch](#)).

correct.” ([BBC](#)). For any Afghan victims of US forces, the prospects of justice in this context seem vanishingly small.

US-backed Afghan forces

US-backed ‘elite’ Afghan forces that were largely under the effective control of the CIA, though technically came under the command of the Afghan National Directorate of Security (NDS), were implicated in large numbers of extrajudicial executions and other civilian deaths. They included NDS 01 in the central region, NDS 02 in the east, NDS 03, also known as the Kandahar Strike Force, NDS 04 in the northeast and the Khost Protection Force, which dated to the earliest days of the US intervention. According to a [2019 report](#) by Human Rights Watch, these Afghan paramilitary forces were largely:

Recruited, trained, equipped, and overseen by the CIA. They often have US special forces personnel deployed alongside them during kill-or-capture operations; these US forces, primarily Army Rangers, have been seconded to the CIA. Afghan paramilitary strike forces generally carry out operations with US logistical support and are dependent on US intelligence and surveillance for targeting.

Reports of unlawful killings and other abuses were consistent, with eye-witnesses reporting Americans present, either in uniform or civilian clothes: see, for example, reporting by [The Independent](#) in 2011, AAN in [2013](#), [2017](#) and [2019](#), The New York Times in [2015](#) and [2018](#) and The Washington Post in [2015](#). UNAMA, in its reporting of civilian casualties, consistently name-checked NDS forces, for example, that they killed 99 civilians in the [first half of 2019](#). An in-depth [investigation](#) in October 2020 by Andrew Quilty into the 01 forces in Wardak found they were responsible for “a campaign of terror against civilians.” Quilty investigated 10 raids in 2018 which resulted in the deaths of 51 civilians in 4 districts of Wardak province: Nerkh, Chak, Sayedabad, and Daymirdad. Raids were sometimes backed by US airpower and “Americans are always with them,” according to an NDS officer from Wardark who spoke to Quilty; he was unsure if they were CIA or US special forces. While these ‘zero units’ were technically under NDS control, command responsibility was deliberately opaque ([New York Times](#)), with units also empowered by association with the foreigners to pursue their own vendettas with effective impunity from the Afghan justice system ([AAN](#)).

In addition, there were a number of Afghan commanders and units, who were notorious for disappearances, torture, executions and other abuses. This included the Kandahar police chief Abdul Razeq ([New York Times](#)), the former NDS chief and minister of defence and interior Asadullah Khaled, Hakim Shujoyi in Uruzgan ([Human Rights Watch](#)) and Azizullah in Paktika ([Human Rights Watch](#)).

UK forces in Iraq

The echoes are not confined to operations in Afghanistan. Hundreds of Iraqis who were detained by UK forces in Iraq have testified to abuse or unlawful detention during the Iraq war, from 2003 to 2011. One case which resulted in a court martial and a public inquiry was the death of 26-year-old father of two Baha Mousa, who was subjected to torture and died after 36 hours in British detention in Basra, Iraq ([Amnesty International](#)). One British corporal admitted to the war crime of inhumane treatment and was dismissed from the army in 2007 and imprisoned for one year ([BBC](#)). However, no commanding officers faced any punishment and the wider patterns of detention abuse and military impunity remained unaffected ([Guardian](#)).



British soldiers of the International Security Assistance Force (ISAF) stand guard during a morning patrol on a hill overlooking Kabul.

Photo: Shah Marai/AFP, 12 June 2006

So many cases of abuse emerged that in 2010, the then government set up an investigative body, the Iraq Historic Allegations Team (IHAT), to address over 3,000 claims by Iraqi victims of UK forces. It was closed in 2017, having come under sustained political attack, with politicians and former military leaders accusing lawyers of waging 'lawfare' through spurious claims (The [Times](#), The [Guardian](#)). One of the principal lawyers who represented Iraqi victims was himself investigated and eventually barred from legal practice because of misconduct, which included introducing cases without foundation ([BBC](#)).

However, despite public attacks on victims' lawyers from senior officials, the then British government also effectively acknowledged wrongdoing in more than 300 cases, paying millions of pounds in compensation ([BBC](#)). An opinion editorial from [The Guardian](#) in 2017 suggested that the high-profile attacks on lawyers were strategic: "The government would rather just silence the lawyers. The Ministry of Defence seems to be deliberately seeking to chill future claims."

The International Criminal Court also looked into allegations of war crimes by UK forces in Iraq. However, although the prosecutor found evidence that war crimes of wilful killing, torture, inhuman/cruel treatment and rape might have taken place, the UK government had done 'enough' to investigate charges to avoid the ICC stepping in, which it can only do if it can demonstrate that a national authority is "unwilling or unable" to investigate and prosecute. This decision was lamented by many, including the [European Center for Constitutional and Human Rights](#), which said that it "reveals systematic failures of international justice and proves, once again, that powerful actors can get away with torture." The ECCHR noted that Iraqi victims' testimonies showed "a pattern of violent beatings, sleep and sensory deprivation, "stress positions," deprivation of food and water, sexual and religious humiliation, and, in some cases, sexual abuse."

WHAT LIES AHEAD

Few who have been following the independent inquiry closely or the political squirming of the current and previous governments have high expectations of justice for the victims of these likely crimes. Successive British governments have tried to avoid becoming embroiled in the long-running scandal of multiple apparently unlawful killings by UK forces in Afghanistan to such a degree that some officials may themselves be implicated in the cover-up. Afghan government officials reportedly raised concerns with the British Prime Minister as early as 2011, which a former director of prosecutions for the armed forces, Bruce Houlder, says should be included in the ongoing inquiry ([BBC](#)). In response to legal actions relating to alleged abuses by British forces in Iraq and Afghanistan, the then Conservative government attempted (though failed) to remove the UK from the jurisdiction of the European Court of Human Rights, which the then Secretary of Defence, Michael Fallon, said would “protect our Armed Forces from many of the industrial scale claims we have seen post Iraq and Afghanistan” ([Just Security](#)). In 2020, the then Defence Secretary, Ben Wallace, tried to introduce changes to legislation that would have prevented the prosecution of the SAS for crimes that had been committed more than five years ago ([BBC](#)).

The Ministry of Defence is notoriously resistant to external pressures for more transparency or accountability. Lawyers for the victims' families told AAN that the Ministry of Defence was deeply obstructive during the judicial reviews into the failings of the RMP investigations. In fact, Richard Hermer KC, representing seven families in the inquiry, went so far in his [opening statement](#) (pp123-6) to the inquiry as to ask whether the MoD obstruction during the judicial review should be considered part of the cover-up. The former veterans minister, quoted several times above, Johnny Mercer, expressed anger in his testimony to the inquiry that MoD officials had given him false information about the evidence against special forces, which he said had, in turn, led him to make misleading statements in parliament ([Guardian](#)).

Senior military and political figures have often expressed outrage that soldiers are being investigated rather than celebrated for their war records. Director of the Centre for Military Justice, Emma Norton, for example, told AAN that the extreme defensiveness whenever the British military is accused of wrongdoing comes in part from the fact that “these investigations have gone on repeatedly, more than would be allowed in criminal justice.” However, she also observed that were the military to conduct more effective investigations in the first place, there would be no need to re-examine incidents of concern.



Sir Charles Haddon-Cave, the judge leading the Independent Inquiry relating to Afghanistan.
Photo: Joshua Rozenberg, via Substack, 25 June 2025

There is currently no clear guidance on how much longer the inquiry will continue. It began in 2023, with a commitment to “use its best endeavours to report, at least on an interim basis, within 12-18 months.” That timeline has already passed, with no further guidance on when the report is anticipated. The inquiry does not have a mandate to determine civil or criminal liability of named individuals or organisations. Instead, it is designed to assess the lawfulness of particular operations, as well as recommend further action, including further investigations.

This could mean that, after more than a decade since the killings and several thwarted RMP efforts to investigate, the military police are once more tasked with looking into criminal responsibility. Many of the individual members of special

forces have already been investigated for the crimes mentioned in this report, although there are plenty others, particularly those unearthed by the BBC, that are yet to be investigated.

The number and patterns seen in these killings, combined with evidence of high-level cover-ups, including that the very top of the military establishment had clear evidence of what was happening, mean that meaningful accountability should be at the leadership level. This is, after all, what command responsibility is meant to mean. Unfortunately, the fact that the inquiry is focused on individual incidents may preclude it looking at where the real responsibility for the unlawful killings lies. The history of the British – like most other militaries – makes clear that command responsibility tends to be reserved for rewarding generals rather than holding them accountable.

These were not isolated incidents by British special forces, nor do those forces stand alone among their allies. These allegations of extrajudicial killings fit into a wider pattern by elite units belonging to other countries operating in Afghanistan, as well as in similar contexts. Special forces are often celebrated as rule-breaking 'warriors' with a daredevil ethos. One would hope that the mounting allegations, seen in the UK and elsewhere, would cause those in charge to look honestly at the stained records of their special forces and consider how to prevent a rule-breaking ethos sliding into war crimes.

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Cover: Afghan women and children gather in a corner during a night raid by US and Afghan soldiers in Razbeg village in Ghazni Province.
Photo: Nicolas Asfour/AFP, 14 June 2007