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AFGHANISTAN: GERMAN GOVERNMENT MUST INVESTIGATE DEADLY KUNDUZ AIRSTRIKES

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The German government should immediately launch a credible, transparent investigation into a 4 September airstrike in Kunduz, Afghanistan, that killed scores of people, many of them civilians, Amnesty International said on Thursday.

The German military said on Thursday that NATO's investigation suggested the airstrike, which targeted two fuel tanker trucks that had been hijacked by Taliban fighters five hours earlier, was appropriate even though it led to civilian casualties.

Amnesty international's investigation into the Kunduz incident suggests that the laws of war may have been violated during the airstrike.

"An urgent and transparent investigation needs to be launched by the German government into what happened in Kunduz. NATO, and the German government, must show accountability for the loss of civilian life and prove that it has the will and mechanism in place to investigate civilian casualties," said Sam Zarifi, director of mnesty International's Asia-Pacific programme.

According to the German military, NATO's investigation could not verify the exact number of casualties. Village elders from the area told Amnesty International in Kunduz that 142 people had been killed in the attack, of which at least 83 were civilians. The Taliban killed one of the tanker drivers during the hijacking, according to Afghan security officials.

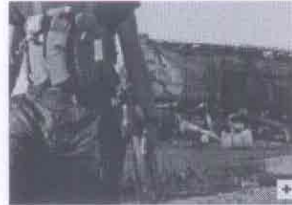
The German Ministry of Defence stated that it would analyze the NATO report and consider further action as necessary.

Amnesty International gathered eyewitness testimonies from survivors of the attack, as well as interviews with Mohammed Razaq Yaqoobi, the local chief of police, UN officials, and the Afghanistan Independent Human Rights Commission.

"The Taliban again disregarded the lives of Afghan civilians by putting them in the line of fire," Sam Zarifi said. "But that doesn't absolve NATO from taking the utmost feasible precautions to ensure that it minimizes harm to civilians."

The Taliban control many of the villages in the area surrounding the airstrike. Residents of nearby Taliban-controlled village, AmerKhiel, were invited to take away fuel from the tankers after the tankers were stuck while crossing the Kunduz river.

The organisation's research shows that NATO did not provide civilians in the area with effective warning that they were going to launch an attack, endangering the lives of people in the area.



Afghan soldier near one of two fuel tankers bombed by NATO airstrike in Kunduz, Afghanistan, 4 September 2009

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Afghan police look at fuel tanker destroyed by NATO jets after it was hijacked by Taliban, near Kunduz, 4 September 2009

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In some circumstances, NATO aircraft in Afghanistan fly close to targets or shoot warning rounds to get civilians away from a potential target. Eyewitnesses to the attack told Amnesty International that they did not see NATO aircraft engage in any warning action prior to the Kunduz airstrike.

A local villager Omera Khan told Amnesty International that "The Germans could have responded differently to the hijacking and prevented the civilian casualties. People were there to take the free fuel offered by the Taleban and at the time of the attack there was no warning."

"NATO has been trying to improve the protection of civilians with its recently issued Tactical Directive, and we welcome this, but it still has not provided a credible accountability mechanism for redress," said Sam Zarifi. "Immediately, NATO should publicize its report."

In 2009 Afghanistan has suffered the highest level of civilian casualties since the fall of the Taleban in 2002. "All sides to the conflict must take every possible precaution to spare civilian lives. Civilians must not be made to pay the price for unlawful conduct on either side. All violations of international human rights and humanitarian law must be promptly, thoroughly and independently investigated and those responsible for them must be brought to justice," said Sam Zarifi.

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[**Afghanistan: Background to the Kunduz airstrike of 4 September 2009**](#)

[**Afghanistan: List of suspected civilian casualties in Kunduz airstrike of September 4 2009**](#)

Attachment	Size
<u>OCHA map of the Kunduz area.pdf</u>	3.09 MB