

## Proposed MEDIA Response

Inquiry Number	<del>CT-002959</del> <del>CT-002959</del>
Subject	<i>Airstrike briefing</i>
Contact Name	[REDACTED]
Phone / Mobile / Email	
Organisation	<del>NewsCorp</del> <del>NewsCorp</del>
Due to Defence Media	<del>18/10/2017</del> <del>18/10/2017</del>  <i>Media queries need to be prioritised as urgent. Please contact Defence Media at least 24 hours prior to the deadline if it is not achievable.</i>  <i>Extensions will only be granted in exceptional circumstances.</i>
Questions / Query	<p>There was a Defence briefing in Canberra on September 29 for media about two airstrikes on West Mosul in March and June that resulted in civilian casualties, including children, that ADF personnel were involved in. This is a report on the two airstrikes: <a href="http://www.theaustralian.com.au/national-affairs/adf-links-to-iraqi-civilian-deaths/news-story/3dcfcc81961e07968e45551a99f460c2">www.theaustralian.com.au/national-affairs/adf-links-to-iraqi-civilian-deaths/news-story/3dcfcc81961e07968e45551a99f460c2</a></p> <p>Journalists from a number of major Australian newspapers, including the The Daily Telegraph, The Herald Sun, The Adelaide Advertiser and The Courier Mail, were not informed about the briefing. As I understand it, the information about the two airstrikes was also embargoed until midnight on Sept 29.</p> <p>Could you provide a response to the following questions by close of business Wednesday?</p> <ul style="list-style-type: none"> <li>- What date and time (AEST) did the ADF first learn that the a) March airstrike and b) June airstrike possibly resulted in civilian casualties?</li> <li>- If the ADF have since had it confirmed, what date and time was it confirmed that the a) March airstrike and b) June airstrike resulted in civilian casualties?</li> <li>- What date was Defence Minister Marise Payne informed that the a) March airstrike and b) June airstrike likely resulted in civilian casualties?</li> <li>- Why did the ADF select September 29 to inform journalists of the two airstrikes and their possible civilian casualties and why was the information then embargoed until midnight September 29?</li> <li>- Which media publications were informed of the Defence briefing on September 29 in Canberra where journalists were informed of the two airstrikes?</li> <li>- What was the ADF's reasoning behind why journalists from The Daily</li> </ul>

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	Telegraph, The Herald Sun, The Adelaide Advertiser and The Courier Mail were not informed about the Defence briefing on the airstrikes?
Background / Summary	<p>Please provide a brief background into the media topic/issue using the below questions as a guide.</p> <p><b>Focussing questions</b> (delete upon entry)</p> <ul style="list-style-type: none"> <li>➤ Is this information already in the public domain? If so, where?</li> <li>➤ Has the media previously asked questions on this topic? If so, what was the response?</li> <li>➤ Was this mentioned in Parliament or at senate estimates recently?</li> <li>➤ Was this as a result of a policy decision or legislative change?</li> <li>➤ Is this in relation to a recent incident that occurred in Australia or overseas?</li> <li>➤ Have any of the groups or services seen this request? If so, what was their instruction?</li> </ul>

Proposed Response	<p>Strike operations to destroy Daesh's combat capability and to enhance Iraqi ground force manoeuvre are crucial to the success of the campaign, but the despicable tactic of deliberately putting civilians in harm's way is designed to complicate and impede Coalition support to the Iraqi Security Forces on the front line.</p> <p>The ADF is acutely aware of the brutal tactics used by Daesh and does its utmost to ensure civilians are clear of targeted locations before and during airstrikes.</p> <p>The ADF takes all allegations of civilian casualties seriously.</p> <p>The Australian Air Task Group undertakes a detailed and robust sovereign approval process prior to conducting any strikes, which ensures that Australia's legal obligations are applied.</p> <p>The ADF thoroughly reviews every ATG strike following the return of the aircraft to ensure the strike accorded with pre-strike approvals.</p> <p>In addition, all ADF personnel are required to report any evidence of possible civilian casualties or human rights violations by any nation, through their chain of command.</p> <p>In accordance with these requirements, Australian personnel self-reported the strike on 07 June to Joint Task Force Operation Inherent Resolve (JTF-OIR0 for assessment. The strike on 30 Mar 17 was self-reported by JTF-OIR personnel and subsequently reported by ADF personnel through their chain of command.</p> <p>The following table outlines some key dates:</p>
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Date	Action	Notes
30 Mar 2017	Air strike occurs	No Australian aircraft involved. ADF member involved in the target approval process.
30 Mar	JTF-OIR personnel identify possible civilian casualty	JTFOIR personnel self-report the incident to JTF-OIR for further assessment
31 Mar	Government advised	Formal advice
24 May	JTF-OIR credibility assessment report received	Based on the assessment referred for further concurrent ADF and JTF-OIR review
31 May	Advice to Government	Formal advice – update on status of reviews
31 Jul	ADF review complete	Advice provided to CDF
10 Aug	JTF-OIR assessment complete	JTF-OIR advice received
25 Aug	JTF-OIR requests public announcement not occur before 06 Oct	Request is made to align Australian release with OIR monthly civilian casualty report
15 Sep	Advice to Government	Formal advice
26 Sep	JTF-OIR advises monthly civilian casualty report will be realigned to occur 29 Sep	OIR intends to adjust civilian casualty reporting cycle from start of the month to the end of the month

  

Date	Action	Notes
07 June 2017	Air strike occurs	Australian aircraft release single, precision guided weapon
08 June	Post-strike analysis identifies people leaving the strike location	People, possibly civilians observed leaving the building. ADF personnel self-report the incident to JTF-OIR for further assessment
23 Aug	Completed JTF-OIR credibility assessment report received by ADF. ADF review commenced.	Based on the information available for this strike, it was assessed that it was more likely than not that a civilian – one person – was either seriously injured or killed as a result of that strike, but that all feasible precautions were taken to

		prevent civilian casualties
12 Sep	ADF review completed	Verbal advice provided to Government
15 Sep	Advice to Government	Formal advice

Like Australia, JTF-OIR takes all reports of civilian casualties seriously and assesses all reports as thoroughly as possible, including those relating to Coalition partners like Australia. JTF-OIR investigations include interviewing witnesses and examining the site where possible, interviewing pilots and other personnel involved in the targeting process, reviewing strike and surveillance video, and analysing information provided by government agencies, non-governmental reports, partner forces, and traditional and social media. New information is considered when it becomes available to ensure a thorough and continuous review process.

As a member of the Coalition, the Australian release of public information is coordinated with JTF-OIR in consultation with other affected nations. On 25 August, JTF-OIR requested that Defence align the public release of information with the JTF-OIR monthly civilian casualty report on 6 October. On 26 September, JTF-OIR advised Defence of its intent to adjust the civilian casualty reporting cycle from start of the month to the end of the month, commencing on 29 September.

Representatives from News Corporation, Fairfax Media, Australian Associated Press and the ABC attended a background situation briefing in Canberra on Friday 29 September.

As the Chief of Joint Operations explained during the briefing;

*"...we're adjusting because the OIR reporting – which you'd be aware occurs on a monthly basis – they've shifted their approach from reporting at the start of the month to the end of the month, so we had expected the next report to come out on 6 October.*

*That's what we were prepared for. They're actually going to release the report tonight, and we will consequently also make a public release of Australian involvement in two civilian casualty incidents."*

The OIR report was released at midnight Saturday 30 September. The Chief of Joint Operations' briefing occurred under embargo to allow reporters to publish in a timely manner following the public release of information.

Defence acknowledges that the complex nature of civilian casualty reports means it can take significant time to assess and make public announcements on these matters. However, the priority is always to ensure a thorough and accurate assessment is conducted in consultation and coordination with our Coalition partners while maintaining the commitment to transparency with the Australian people.

Clearances

Clearance officers please ensure both date and time are detailed.

Drafted	Name	Appointment	Date and Time
Response Drafted by:	<i>A. Reis</i>	<i>SCA CDF</i>	<i>19 Oct 17</i>

Clearance	Name	Appointment	Date and Time
Group/Service 1 Star or above	<i>ACM M. Binskin</i>	<i>CDF</i>	<i>19 Oct 17</i>
Strategic Communications Adviser			

Minister	Name	Appointment	Date and Time
Ministerial Consultation:: (To be completed by Defence Media)			