

Statement by the Commissioner for Civil Rights Protection
in the matter of the suspected war crime committed by Polish soldiers
in Nangar Khel on 16 August 2007

Last week, we became aware of the fact that the events in the village of Nangar Khel in August 2007 had a completely different character from that which had previously appeared in the communiqués of the leadership of the Polish Military Contingent in Afghanistan and of the Ministry for National Defence.

The accusation that Polish soldiers serving in the mission in Afghanistan had committed a war crime shook me deeply. We would prefer not to believe the accusation concerning this crime laid by the Military Public Prosecutor. Although we would rather wish to believe that this was an unfortunate coincidence, we have to face the fact, if the charges presented by the Prosecutor are confirmed, that this war crime not only weighs on the conscience of the arrested soldiers but also covers us all with shame.

Deep moral shock is caused by the very word “crime”, which denotes the taking of the lives of defenceless and innocent people, in this case civilians. This crime not only stains the tradition of the Polish Army but also forces us to rethink Polish history, in which Poles were frequently the innocent victims of foreign aggression and rarely killers themselves.

It also casts a shadow on everything of which, as Poles, we were so proud: on the struggle for “your freedom and ours”, which our forebears conducted in the times of annexations and bondage, on the heroism of our soldiers on the battlefields of World War II, on the role which our country played at the turn of the 20th and 21st centuries in overthrowing the Soviet Empire, in beginning the changes which led to the democratisation of our part of Europe and in raising the standards of the protection of human and civil rights.

Polish soldiers went to Afghanistan to protect human rights and to bring peace, not death and suffering. The mission of the Polish soldiers is a stabilisation and peace mission, not a war mission, since Poland has not declared a state of war with Afghanistan. The enemies of our soldiers are not the Afghans but the terrorists hiding among them.

The sub-unit of the 18th Air Assault Battalion from Bielsko-Biała was operating in the name of the Republic of Poland. Without a calling into account for this crime, Poland is losing the moral right to fight for freedom, democracy and human rights in all those places in which the country could and should be engaged, from Kosovo and Bosnia and Herzegovina to Lebanon, Syria, Iraq and Afghanistan.

That is why, as the Commissioner for Civil Rights Protection, I would like to express my deep regret for the death of innocent civilians and, as I fear, for the crime which the Polish soldiers committed.

As a defender of human rights, which I am bound to protect under the Constitution of the Republic of Poland, I would like to ask the Afghan nation, the inhabitants of the village of Nangar Khel and the relatives of the victims for forgiveness for the deaths caused by the Polish unit.

I also declare that I will monitor the proceedings which are under way to ensure that they do not diverge from the democratic standards of protection for the rights of the accused and for those of the victims.

I also call on the representatives of the authorities of the Republic of Poland not only to pay compensation to the families of the victims, which I understand has already been done, but above all to examine this tragic event comprehensively, not only from the legal point of view but also from the political and military one, and also to apologise to the Afghans for this crime once the judgement has been finally confirmed.

As Poland, we should pass the international test and our own internal one of a serious and responsible assessment of the massacre committed by Polish soldiers and we should, as a state and a nation, take full responsibility for it.

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