



INDEPENDENT INQUIRY
RELATING TO
AFGHANISTAN

Press release: **for immediate release**

Inquiry statement on the Laws of Armed Conflict

The Independent Inquiry relating to Afghanistan has today published details of how it will consider the Laws of Armed Conflict.

The Terms of Reference for the Inquiry state:

*To investigate into and report on **alleged unlawful activity** by United Kingdom Special Forces ('UK Special Forces') in their conduct of deliberate detention operations ('DDO') in Afghanistan during the period mid-2010 to mid-2013*

In order to properly consider this issue, the Inquiry has instructed leading international law expert Professor Tim McCormack to assist the Chair in understanding the principles of the Law of Armed Conflict and International Criminal Law.

Tim McCormack is [Professor of International Law at the University of Tasmania](#) and a Fellow of the Australian Academy of Law. He is the former Special Adviser on War Crimes to the Prosecutor of the International Criminal Court in The Hague (2010-2024)

Professor McCormack has been engaged to consider and provide written OPEN submissions on a list of topics, including the Legal Classification of the Armed Conflict, the Legal Status of Person and Applicable Principles of the Law of Armed Conflict, Detention, Application of International Criminal Law and Defences. A full list of topics has been published today.

The Chair will also be assisted by Counsel to the Inquiry with submissions on the domestic incorporation of international law and the applicability of international or domestic law.

The Chair will then determine the relevant international and domestic legal framework in the light of all the evidence and submissions.

All submissions will be published on the Inquiry website in due course.

Ends