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DIRTY AND DEADLY SECRET: NATO Troops Disguise Themselves as Civilians in Afghanistan

This practice invites Taliban attacks on Afghans and NGOs

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A dirty and deadly secret of the war in Afghanistan is that some of the so-called Taliban attacks on civilians have really been attacks aimed at NATO forces who drive unmarked civilian vehicles and wear “nonstandard uniforms,” which is Pentagon-speak for civilian clothes.

This NATO practice violates the rules of war, which mandate that military forces clearly distinguish their personnel from the civilian population. The consequences of this and other NATO policies are evident every day as NGOs and civilians are increasingly being considered legitimate targets. The blurring of the distinction between belligerents and civilians has tainted the statistics of the United Nations, which has been attempting to distinguish between military and civilian casualties.

On January 19, 2012, this issue was once again highlighted after a Taliban suicide car bomber attacked and killed seven “civilians” at the outskirts to Kandahar Air Field (KAF). Two witnesses told Mirwais Khan of the Associated Press that the Taliban driver was attempting to kill U.S. special forces personnel who had exited the base in two civilian pickup trucks, which the witnesses said was a common practice for troops at the base.

NATO has employed several disturbing tactics in Afghanistan. The first tactic is that special operations, civil affairs and military members operating in Provincial Reconstruction Teams have been observed in civilian vehicles and dressed as civilians. When questioned about this, the

NATO response has been (1) that it is a necessary “force protection” measure and (2) that it aids in intelligence gathering. These arguments (while probably true) were rejected over one hundred years ago when the rules of war were first drafted. The logic behind the rule is that military forces cannot hide among the civilian population because it then invites attacks on that civilian population. Under international law it is called the Principle or Custom of Distinction. Military forces must be clearly distinct from the civilian population.

In December 1944, the Allied Command in Europe arrested 18 members of Otto Skorzeny’s Panzer Brigade 150 commando unit that had operated behind U.S. lines gathering intelligence during the Ardennes Offensive. Because they were arrested wearing American uniforms (even though they did not engage in combat in those uniforms), all 18 were summarily tried and executed. The official Allied position was that there are no exceptions to the rule that military combatants must wear their own distinctive uniforms, and the punishment must be death for anyone who violates this rule.

The second NATO tactic being employed in Afghanistan and Pakistan is a steady shift towards targeting Taliban civilians. With limited success against Taliban troops, the focus seems to have shifted to capturing or killing Taliban supporters and sympathizers, even if those persons have never carried a weapon. The problem is that the term “sympathizer” is vague and ambiguous, therefore it opens up the target list to include anyone who opposes the NATO presence in Afghanistan.

On March 16, 2011, two CIA Predator drones fired an unknown number of missiles at a jirga or meeting of elders in the village of Datta Khel in North Waziristan, Pakistan. The strike killed at least 40 elders and wounded dozens more, including children. One of the targets was reportedly an elder affiliated with local warlord Hafiz Gul Bahadur. A senior U.S. military official, speaking off the record to the Associated Press, dismissed the casualties with the comment that those killed and wounded (apparently including the children) were either enemy officials or “sympathizers.” The official apparently declined to define what a sympathizer is. Another official speaking to Greg Miller of the Washington Post on March 18, 2011, brushed off the casualties by summarily stating, “This was a gang of terrorists.” Pakistan General Ashfaq Parvez Keyani responded to the killing by stating: “A jirga of elders, including seniors were carelessly and callously targeted with complete disregard for human life.”

In 2008, the U.S. Department of Justice filed a brief with the Washington D.C. Court of Appeals in the case of Huzaiifa Parhart v. Gates. Mr. Parhart is a Uighur who fled repressive conditions in China. He apparently had some contact with people who may belong to ETIM (the East Turkistan Islamic Movement). Parhart was arrested in Afghanistan and illegally flown to the extra-judicial prison in Guantanamo, Cuba. The “evidence” against Parhart, according to the government’s brief, was:

“Parhart is properly designated as an enemy combatant because he is affiliated with forces associated with al-Qaeda.”

What does it mean to be “affiliated” with “forces” and when are those forces considered to be

“associated” with al-Qaeda?

The above terminology gives NATO and others the authority to kill or detain virtually anyone that disagrees with them, based merely on the belief that they are sympathetic to or indirectly affiliated with persons who are associated with a growing list of NATO enemies. This could also permit the targeting of peace activists. The situation is even more confused because the Pentagon has authorized the killing of “suspected” sympathizers. What that means is that a foreigner or even an American may be killed based on suspicion that they may be sympathetic to either the Taliban or al-Qaeda.

A still additional problem is the apparent inability or unwillingness of NATO officials to distinguish between pro-Taliban sympathizers and Afghans who are simply anti-West. On April 5, 2011, The New York Times published an article by Rod Norland entitled: “Taliban Exploit Tensions Seething in Afghan Society.” The report detailed how there is an “undercurrent of unease and discontent caused by the foreign presence” and described how the Taliban are able to manipulate that discontent. Afghans who are opposed to the NATO presence are not necessary pro-Taliban, but they are all broadly treated as such.

An issue not raised by Mr. Norland, and one which Western officials have consistently refused to discuss is: How many of the armed militants fighting NATO and U.S. forces today in Afghanistan are both anti-West and anti-Taliban? Pentagon officials prefer to portray this conflict in simplistic terms of the (good) West against the (bad) al-Qaeda and Taliban. They have refused to acknowledge the presence of true rebel forces in Afghanistan, who may be motivated by nationalism and patriotism to oppose the foreign forces. The existence of such rebel units would be inconsistent with NATO talking points that this is a just war between two sides.

Despite the concerns raised in this story, it may very well be that NATO forces employ a high standard before they target Taliban logistics personnel, supporters and sympathizers with air strikes and night raids, but we do not know that. There are no credible checks and balances to ensure that unlawful arrests and killings are not occurring. NATO has only itself to blame for its lack of credibility.

Regarding the NATO policy of allowing military forces to dress and operate as civilians; that policy may well have saved some Western military lives, but potentially at the cost of more Afghan civilians and foreign aid workers being killed, which is not acceptable. While some may not consider it fair to hold NATO to the rules of war while the Taliban ignore them, the West has to hold the moral high ground. If there is no moral high ground, then what is this war all about?