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A Dubious History of Targeted Killings in Afghanistan Obama's Lists

By SPIEGEL Staff

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Combat operations in Afghanistan may be coming to an end, but a look at secret NATO documents reveals that the US and the UK were far less scrupulous in choosing targets for killing than previously believed. Drug dealers were also on the lists.

Death is circling above Helmand Province on the morning of Feb. 7, 2011, in the form of a British Apache combat helicopter named "Ugly 50." Its crew is searching for an Afghan named Mullah Niaz Mohammed. The pilot has orders to kill him.

The Afghan, who has been given the code name "Doody," is a "mid-level commander" in the Taliban, according to a secret NATO list. The document lists enemy combatants the alliance has approved for targeted killings. "Doody" is number 3,673 on the list and NATO has assigned him a priority level of three on a scale of one to four. In other words, he isn't particularly important within the Taliban leadership structure.

The operations center identified "Doody" at 10:17 a.m. But visibility is poor and the helicopter is forced to circle another time. Then the gunner fires a "Hellfire" missile. But he has lost sight of the mullah during the maneuver, and the missile strikes a man and his child instead. The boy is killed instantly and the father is severely wounded. When the pilot realizes that the wrong man

has been targeted, he fires 100 rounds at "Doody" with his 30-mm gun, critically injuring the mullah.

The child and his father are two of the many victims of the dirty secret operations that NATO conducted for years in Afghanistan. Their fate is described in secret documents to which SPIEGEL was given access. Some of the documents concerning the International Security Assistance Force (ISAF) and the NSA and GCHQ intelligence services are from the archive of whistleblower Edward Snowden. Included is the first known complete list of the Western alliance's "targeted killings" in Afghanistan. The documents show that the deadly missions were not just viewed as a last resort to prevent attacks, but were in fact part of everyday life in the guerilla war in Afghanistan.

The list, which included up to 750 people at times, proves for the first time that NATO didn't just target the Taliban leadership, but also eliminated mid- and lower-level members of the group on a large scale. Some Afghans were only on the list because, as drug dealers, they were allegedly supporting the insurgents.

Rules of War

The 13-year combat mission in Afghanistan comes to an official end this week, but the kill lists raise legal and moral questions that extend far beyond Afghanistan. Can a democracy be allowed to kill its enemies in a targeted manner when the objective is not to prevent an imminent attack? And does the goal of eliminating as many Taliban as possible justify killing innocent bystanders?

Different rules apply in war than in fighting crime in times of peace. But for years the West tied its campaign in Afghanistan to the promise that it was fighting for different values there. A democracy that kills its enemies on the basis of nothing but suspicion squanders its claim to moral superiority, making itself complicit instead. This lesson from Afghanistan also applies to the conflicts in Syria, Iraq, Pakistan and Yemen.

The material SPIEGEL was able to review is from 2009 to 2011, and falls within the term of US President Barack Obama, who was inaugurated in January 2009. For Obama, Afghanistan was the "good" war and therefore legitimate -- in contrast to the Iraq war. The president wanted to end the engagement in Iraq as quickly as possible, but in Afghanistan his aim was to win.

After Obama assumed office, the US government opted for a new strategy. In June 2009, then Defense Secretary Robert Gates installed Stanley McChrystal, a four-star general who had served in Iraq, as commander of US forces in Afghanistan. McChrystal promoted the aggressive pursuit of the Taliban.

Obama sent 33,000 additional troops to Afghanistan, but their deployment was tied to a demand that military officials provide a binding date for the withdrawal of US forces. At the same time, the president distanced himself from the grand objectives the West had proclaimed when it first marched into Kabul. The United States would not try to make Afghanistan "a perfect place," said Obama. Its new main objective was to fight the insurgency.

'Escalate and Exit'

This marked the beginning of one of the bloodiest phases of the war. Some 2,412 civilians died in Afghanistan in 2009. Two-thirds of them were killed by insurgents and 25 percent by NATO troops and Afghan security forces. The number of operations against the Taliban rose sharply, to between 10 and 15 a night. The operations were based on the lists maintained by the CIA and NATO -- Obama's lists. The White House dubbed the strategy "escalate and exit."

McChrystal's successor, General David Petraeus, documented the strategy in "Field Manual 3-24" on fighting insurgencies, which remains a standard work today. Petraeus outlined three stages in fighting guerilla organizations like the Taliban. The first was a cleansing phase, in which the enemy leadership is weakened. After that, local forces were to regain control of the captured areas. The third phase was focused on reconstruction. Behind closed doors, Petraeus and his staff explained exactly what was meant by "cleansing." German politicians recall something that Michael T. Flynn, the head of ISAF intelligence in Afghanistan, once said during a briefing: "The only good Talib is a dead Talib."

Under Petraeus, a merciless campaign began to hunt down the so-called shadow governors and local supporters aligned with the Islamists. For the Americans, the fact that the operations often ended in killings was seen as a success. In August 2010, Petraeus proudly told diplomats in Kabul that he had noticed a shifting trend. The figures he presented as evidence made some of the ambassadors feel uneasy. At least 365 insurgent commanders, Petraeus explained, had been neutralized in the last three months, for an average of about four killings a day.

The existence of documents relating to the so-called Joint Prioritized Effects List (JPEL) has only been described in vague terms until now. The missions by US special units are mentioned but not discussed in detail in the US Army Afghanistan war logs published by WikiLeaks in 2010, together with the New York Times, the Guardian and SPIEGEL. The documents that have now become accessible provide, for the first time, a systematic view of the targeted killings. They outline the criteria used to determine who was placed on the list and why.

The case of an Afghan soldier named Hussein, number 3,341 on the list, shows how coldly NATO sometimes treated the lives of suspects. According to the documents, Hussein was suspected of involvement in an attack on ISAF forces in Helmand. A corporal in the Afghan army, he had allegedly deserted and was now on the run, presumably to join the Taliban.

NATO officials placed him on the list in the summer of 2010, as one of 669 individuals at the time. He was given the code name "Rumble" and assigned to priority level 2.

Adding a Name

The NATO soldiers discussed the pros and cons of his killing. "The removal of Hussein will eradicate a rogue ANA SNCO from the ranks and prevent his recruitment into the (insurgency)," the assessment reads. "It will also send a clear message to any other potential 'sleepers'." The killing of Hussein was intended primarily as a symbol of deterrence.

But, the internal assessment continues, a disadvantage of killing the deserter was that any information Hussein might have would be lost.

Adding a name to the list was preceded by a month's-long process, in which evidence was gathered, including bugged phone conversations, reports by informants and photos. In the end, the respective ISAF regional commander decided whether a suspect should be added to the list.

Some of the JPEL candidates were only listed as being under observation or to be taken into custody. According to the current documents, in 2010 NATO even added Atta Mohammed Noor, a governor in northern Afghanistan, to the list. Noor, an ethnic Tajik and former warlord, had become wealthy through smuggling in the turmoil of war, and he was seen as someone who ruthlessly eliminated his enemies. He was listed as number 1,722 on the NATO list and given a priority level of three, but NATO merely collected information about Noor, rather than placing him on the kill list.

When an operation could potentially result in civilian casualties, ISAF headquarters in Kabul had to be involved. "The rule of thumb was that when there was estimated collateral damage of up to 10 civilians, the ISAF commander in Kabul was to decide whether the risk was justifiable," says an ISAF officer who worked with the lists for years. If more potential civilian casualties were anticipated, the decision was left up to the relevant NATO headquarters office. Bodyguards, drivers and male attendants were viewed as enemy combatants, whether or not they actually were. Only women, children and the elderly were treated as civilians.

Even officers who were involved in the program admit that these guidelines were cynical. If a Taliban fighter was repeatedly involved in deadly attacks, a "weighing of interests" was performed. The military officials would then calculate how many human lives could be saved by the "kill," and how many civilians would potentially be killed in an airstrike.

Switching on the Phones

The documents suggest that sometimes locating a mobile phone was all it took to set the military machinery in motion. The search for the Taliban phone signals was "central to the success of operations," states a secret British report from October 2010.

As one document states, Predator drones and Eurofighter jets equipped with sensors were constantly searching for the radio signals from known telephone numbers tied to the Taliban. The hunt began as soon as the mobile phones were switched on.

Britain's GCHQ and the US National Security Agency (NSA) maintained long lists of Afghan and Pakistani mobile phone numbers belonging to Taliban officials. A sophisticated mechanism was activated whenever a number was detected. If there was already a recording of the enemy combatant's voice in the archives, it was used for identification purposes. If the pattern matched, preparations for an operation could begin. The attacks were so devastating for the Taliban that they instructed their fighters to stop using mobile phones.

The document also reveals how vague the basis for deadly operations apparently was. In the voice recognition procedure, it was sufficient if a suspect identified himself by name once during the monitored conversation. Within the next 24 hours, this voice recognition was treated as "positive target identification" and, therefore, as legitimate grounds for an airstrike. This greatly increased the risk of civilian casualties.

Probably one of the most controversial decisions by NATO in Afghanistan is the expansion of these operations to include drug dealers. According to an NSA document, the United Nations estimated that the Taliban was earning \$300 million a year through the drug trade. The insurgents, the document continues, "could not be defeated without disrupting the drug trade."

According to the NSA document, in October 2008 the NATO defense ministers made the momentous decision that drug networks would now be "legitimate targets" for ISAF troops. "Narcotics traffickers were added to the Joint Prioritized Effects List (JPEL) list for the first time," the report reads.

In the opinion of American commanders like Bantz John Craddock, there was no need to prove that drug money was being funneled to the Taliban to declare farmers, couriers and dealers as legitimate targets of NATO strikes.

Targeting the Drug Trade

In early 2009, Craddock, NATO's Supreme Allied Commander for Europe at the time, issued an order to expand the targeted killings of Taliban officials to drug producers. This led to heated discussions within NATO. German NATO General Egon Ramms declared the order "illegal" and a violation of international law. The power struggle within NATO finally led to a modification of Craddock's directive: Targets related to the drug production at least had to be investigated as individual cases.

The top-secret dossier could be highly damaging to the German government. For years, German authorities have turned over the mobile phone numbers of German extremists in Afghanistan to the United States. At the same time, the German officials claimed that homing in on mobile phone signals was far too imprecise for targeted killings.

This is apparently an untenable argument. According to the 2010 document, both Eurofighters and drones had "the ability to geolocate a known GSM handset." In other words, active mobile phones could serve as tracking devices for the special units.

In Afghanistan, Germany is a member of the "14 Eyes" intelligence-sharing group. In addition to the Anglo-Saxon countries, the group includes Italy, Spain, Belgium, the Netherlands, Denmark, France, Sweden and Norway.

These countries operate their own technical platform in Afghanistan code-named "Center Ice," which is used to monitor and exchange data. According to a 2009 NSA presentation, Center Ice was not just used to share intelligence about mobile phone conversations, but also information about targets.

When contacted, the BND, Germany's foreign intelligence agency, admitted that Center Ice had been used to share mobile phone numbers, but it denied that they were suitable for use in drone target acquisition. Moreover, data was not shared if a given "individual's interests worthy of protection outweighed the general interest in sharing intelligence." In addition, the Germans say they have not supplied any information that could be used to develop profiles for targeted killings since 2005.

Legal Repercussions

This restrictive approach has led to numerous disagreements with the Americans. When Regional Command North, which was run by the German military, wanted to nominate a suspect for the JPEL, a detailed file containing evidence first had to be sent to the Joint Operations Command in Potsdam, outside Berlin, and then to the German Defense Ministry. For the Germans, a target could only be added to the list if the individual had ordered, prepared or participated in attacks. The Germans repeatedly urged their allies to remove suspects from the list. In September 2010, only 11 of the 744 targets were associated with northern Afghanistan, which the Germans controlled. "We Germans ran a stabilization mission, while the Americans conducted a war," says retired General Ramms.

The classified documents could now have legal repercussions. The human rights organization Reprieve is weighing legal action against the British government. Reprieve believes it is especially relevant that the lists include Pakistanis who were located in Pakistan. "The British government has repeatedly stated that it is not pursuing targets in Pakistan and not doing air strikes on Pakistani territory," says Reprieve attorney Jennifer Gibson. The documents, she notes, also show that the "war on terror" was virtually conflated with the "war on drugs." "This is both new and extremely legally troubling," says Gibson.

ISAF, which SPIEGEL presented with a list of the classified documents and asked for comment, does not wish to answer any questions on the subject, for "operational security considerations," says a spokesman, who notes that ISAF missions are conducted in accordance with international law. The US Defense Department defers to ISAF when questioned.

A new chapter begins in Afghanistan next week. A new government has been elected, and the majority of NATO troops have been withdrawn. It is now up to the Afghans to decide what their future will look like. The West has achieved some of its goals. Al-Qaida has been defeated, at least in Afghanistan, and its former leader, Osama bin Laden, is dead. But the Taliban remains undefeated, as it demonstrated with the recent attack on a Pakistani school. It will be impossible to bring peace to Afghanistan without involving the Taliban.

A 2009 CIA study that addresses targeted killings of senior enemy officials worldwide reaches a bitter conclusion. Because of the Taliban's centralized but flexible leadership, as well as its egalitarian tribal structures, the targeted killings were only moderately successful in Afghanistan. "Moreover, the Taliban has a high overall ability to replace lost leaders," the study finds.