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The UK's foreign policy approach to Afghanistan and Pakistan

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Additional written evidence

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The Foreign Affairs Committee

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Written evidence from The Henry Jackson Society

The enclosed document sets out the corporate view of the Henry Jackson Society on the keystone considerations of the UK’s foreign policy towards Afghanistan and Pakistan, addressing the first, second and fourth queries contained within the Committee’s earlier call for evidence, and with a specific focus on Afghanistan.

The Henry Jackson Society is a cross-partisan, British-based think-tank. Our founders and supporters are united by a common interest in fostering a strong British and European commitment towards freedom, liberty, constitutional democracy, human rights, governmental and institutional reform and a robust foreign, security and defence policy and transatlantic alliance.

As part of our programme of fostering debate on the key issues of our day, we regularly arrange meetings with top UK and foreign officials in the House of Commons to engage in discussion with Parliamentarians, most recently hosting General David Petraeus and General Sir David Richards to discuss issues of security and defence in the context of the war in Afghanistan.

I hope the Committee will consider our contribution of interest. If so desired, we would of course be happy to make senior staff available to answer any further questions Members may have.

Executive Summary

— The UK’s foreign policy approach towards Afghanistan is both appropriate and effective. In seeking to understand why, it is important to emphasise the costs of failure, which would extend far beyond Afghanistan if they are allowed to materialise. Failure in Afghanistan would greatly hinder British counter-terrorism efforts, and could be disastrous for regional security, not least in neighbouring, nuclear-armed Pakistan. Moreover, the message that would be sent out to both terrorist movements and hostile state actors worldwide—that the United Kingdom can be both taken on and overcome by violent means—is not one that anyone with a care for safeguarding British national security and British foreign interests should wish to send.

— In order to assess the appropriateness and effectiveness of Britain’s foreign policy approach within Afghanistan, it is necessary to define what success would look like. In its broadest sense, success in Afghanistan means leaving behind a state capable of denying the Taliban and al-Qaeda the ability to use that space to conduct operations effectively. Specifically, success requires an Afghan state that is capable of providing security for its people; that is capable of facilitating economic development; and that does itself reside within the rule of law.

— The efficacy of British foreign policy in Afghanistan is dependent upon the willingness of the British government and its international partners seeing the process through to a successful conclusion. Without this commitment, it will be impossible to persuade the Afghan people to withhold their support for the insurgency and to lend it to the government side. Likewise, it will be impossible to persuade the Karzai administration to cease operating through warlords and other powerful regional personalities and to commit to operating within the rule of law. Finally, without this commitment it will be impossible to persuade neighbouring Pakistan to withdraw its historic support for the Taliban and to lend it to the Afghan government, another important component for success.

— In terms of assessing British policy on the ground at present, it is clear that the current strategy is proving both appropriate and effective. Significant improvements in security, development and the rule of law are now taking place within its spheres of influence in central Helmand. The increased progress on the ground has been a direct consequence of the shift towards a properly resourced and properly coordinated strategy that began at the start of 2010 and which must now be allowed to continue.

— The most important metric by which success in Afghanistan can and should be measured is perception. Unless the Afghan people believe that it is the Afghan government, and not the insurgency, that offers the best hope of stability and progress in both the immediate and the long term, then persuading them to support this endeavour will be impossible.

— In terms of the conflict, the metrics of success must be population-centric, not enemy-centric. Progress cannot be measured in terms of battles won, territory taken or enemy killed, but in terms of levels of security for the population; access to clean water; and numbers of people in the markets.

— At the national and international level, the United Kingdom’s foreign policy performance and success must inevitably be measured by the extent to which it leaves behind a secure, stable and independent Afghanistan, at peace with its neighbours. Situated within one of the most hostile and volatile regions on earth, the independence of Afghanistan is particularly important, both from anti-British states such as Russia and Iran, but also from India and Pakistan, both of whom view an overly strong presence of the other in Afghanistan as contrary to their national strategic interests.
— Many lessons can be learned from Afghanistan with regards to the UK’s future foreign policy approach towards insecure states, the first of which being the necessity of pursuing a coordinated approach that does not separate traditional foreign policy from development policy and from security policy. In addition, it is vital that the FCO takes a firm lead in making clear the strategy and objectives for any foreign operation of this kind, to avoid lack of continuity and operational disconnect.

— Afghanistan has also reminded us that interventions into insecure states are highly resource intensive and take time. To conduct these kinds of operations with too few personnel only increases the level of conflict thus necessitating a still greater outlay of men and resources in the future. Far better to resource the operation properly at the outset, the result of which may be better progress and a swifter withdrawal than would otherwise be the case.

— An additional lesson is the importance for the United Kingdom of pursuing a multilateral approach when confronted with insecure states, given the resource-intensive requirements of such operations. Equally important is that the UK agrees a common position with its allies about what the objectives are, and what level of sacrifice is acceptable to achieve them, before deploying. This is not something that happened in Afghanistan and it has been greatly to the detriment of the international effort there.

— Linked to this is the vital importance of Britain’s retaining the capability to project its influence abroad and to operate effectively in insecure states where necessary. If Britain wishes to pursue a global foreign policy, it is imperative that it maintains the resources necessary to do so. Moreover, policy makers need to realise that once lost, these capabilities cannot simply be bought back in better financial times, not least because of the loss of institutional memory—which is vital if the same mistakes are not to be repeated—that such cuts would entail.

— Finally, Britain must greatly improve the effectiveness of its public messaging efforts, especially given the nature of modern warfare and foreign policy. Unless the United Kingdom’s work in insecure states is perceived and understood both by its own people and by those affected as a positive and constructive influence, then it cannot and will not succeed. It is a damning indictment of Britain’s failure in this regard that the Taliban are commonly perceived as winning the war of information in Afghanistan. The United Kingdom is, and remains to be, a force for positive good in the world, and it is imperative that its work in insecure states is not unnecessarily jeopardised by the fact of its being poor at communicating this reality to others.

ON THE APPROPRIATENESS AND EFFECTIVENESS OF THE UK’S CURRENT FOREIGN POLICY APPROACH TOWARDS AFGHANISTAN

1. Britain is at war in Afghanistan, and any assessment of the appropriateness and effectiveness of its foreign policy there must consequently be conducted within a framework that takes this into account. In such an environment, an assessment of “traditional” foreign policy objectives, which largely confine themselves to the political and diplomatic spheres, will be greatly wanting if not understood as just one part of a larger whole that also depends upon concomitant progress in the military campaign and the development effort. This reality has been explicitly acknowledged in the present government’s National Security Strategy and the lack of progress in Afghanistan until fairly recently can in part be blamed on a failure to coordinate these different components effectively.

2. Success in Afghanistan must be one of the United Kingdom’s over-riding objectives, and the effectiveness and appropriateness of its foreign policy approach must inevitably be measured against that objective. As to what success would look like, this can broadly be defined as leaving behind a stable, secure and independent Afghanistan that is capable of denying the Taliban and al-Qaeda the space to conduct operations effectively.

3. Success in Afghanistan also requires the fulfilment of the equally important, but perhaps less tangible objective, of ensuring that internationally the United Kingdom is not perceived to have failed, and particularly not by those minded to challenge British interests by violent means. The message the United Kingdom leaves behind in Afghanistan must above all else be that what the Taliban and al-Qaeda attempted against Britain and its allies failed, and that any similar attempts elsewhere in the future would likewise not succeed.

4. To fail in Afghanistan would be to seriously jeopardise British foreign policy interests and British national security on a number of levels. The message that failure would send out both to terrorist movements and hostile state actors worldwide—that the West can be taken on and overcome by violent means—is not one that anyone with a care for safeguarding British national security should wish to send. In seeking to understand this, the reasons for which al-Qaeda took the decision to attack the United States on 11th September must be recalled. What led Osama bin-Laden to believe that such an attack would not be to invite inevitable destruction, but could in fact yield genuine and desirable results, was his analysis of the Soviet withdrawal from Afghanistan in 1989, and the American humiliation in Somalia in 1994:

5. “Using very meagre resources and military means, the Afghan mujahedeen demolished one of the most important human myths in history and the greatest military apparatus. We no longer fear the so-called Great

For a more extensive analysis of operations in Afghanistan by The Henry Jackson Society, please see our most recent report on this issue, entitled Succeeding in Afghanistan.
Powers. We believe that America is much weaker than Russia; and our brothers who fought in Somalia told us that they were astonished to observe how weak, impotent, and cowardly the American soldier is. As soon as eighty [sic] American troops were killed, they fled in the dark as fast as they could, after making a great deal of noise about the new international order."

6. Moreover, the objective of this assault was not so much to strike a blow against the United States as an end in itself, but to demonstrate the weakness of America, and by extension the vulnerability of its supposedly client regimes across the Middle East and beyond. In so demonstrating this vulnerability, bin-Laden hoped to spark a series of revolutions across the Islamic world that would drive the West out of the region, and usher in a new Islamic Caliphate governed according to the Islamists’ strict and retrograde interpretation of Sharia law.

7. For the United Kingdom and its allies to fail in Afghanistan would be to send the message both to Islamists and others minded to challenge the West by violent means that bin-Laden’s essential premise was correct. The fact that al-Qaeda itself has been shattered as an entity with any geo-political capabilities of its own is largely immaterial; it is its ability to inspire copycat movements that do retain these capabilities that should be the primary cause for concern.

8. Moreover, should the Taliban be allowed to return to power in Afghanistan, there is no reason to believe that al-Qaeda would not benefit very significantly from the re-emergence of a safe haven from which to plan and conduct operations. In addition, both they and others minded to confront Britain and its national interests would be confident that retaliation on the scale of the international response to 9/11 would be nothing like as probable the second time around, so encouraging them further.

9. It is also necessary to appreciate the serious potential for regional conflict and instability should the Afghan government fail after Coalition withdrawal, not least in neighbouring, nuclear-armed Pakistan, or even India. Moreover, Afghanistan is situated at the heart of a zone of conflict stretching from the Middle East to Kashmir, and one that contained many regimes whose hostility to the United Kingdom and its interests is well documented. Failure in Afghanistan would very likely result in a violent power vacuum that not only the Taliban would seek to fill, but also other regional actors, including Iran, Russia and Pakistan. Not only would the resultant conflict be catastrophic for the peoples of that region, it would be highly likely to strengthen the position of regimes hostile to British interests.

10. It is also necessary to appreciate the additional danger of the conflict reaching British streets should the United Kingdom and its allies fail to leave behind a stable, secure and independent Afghanistan. The risk of providing a safe haven for extremists has already been touched upon, but there is the further dimension that the inevitable grievances and suffering of the peoples in Afghanistan and surrounding areas would translate into a still greater appeal of extremism, in a region where this is already a major problem. This would be compounded by the fact that Britain and its allies would be held directly responsible for the failure in Afghanistan and the resultant fallout.

11. It has been established what constitutes success in its broadest sense, and also why it is so important that Britain does not fail in Afghanistan. More expressly, success in Afghanistan must comprise the following three components:

12. First, that the Afghan state is capable of providing security for its people and enforcing the rule of law. Specifically, this means upholding the necessary security framework such that the Afghan people do not feel compelled to withhold their support from the government out of fear of the insurgency, whilst at the same time understanding that to take up arms against the government will not go unpunished.

13. Second, that within that secure environment, the requisite infrastructure development is able to take place such that members of the population do not feel compelled to take up arms against the state in order to earn a living. This second objective cannot be attained without the success of the first.

14. Third, that the government itself, and its regional authorities, act within the rule of law. There can be no question that a corrupt and predatory state is one of the most serious hindrances to stability and economic progress in any country, and Afghanistan is no different. A dictatorship in a stable country can operate outside the law and survive for a time, though history has proved that they will always fail in the long run. In a conflict environment such as Afghanistan, however, if the people cannot trust the government to represent their interests then they will look outside the law for redress of their grievances, which may very well mean to the insurgency.

15. It must be emphasised that what is necessary for success in Afghanistan is not the retention of foreign forces until such time as they have succeeded in building “Hampshire in Helmand”. Rather what is necessary is the retention of the international commitment to Afghanistan until such time as withdrawal does not precipitate collapse, but the slow and steady continuation of this progress under Afghan auspices.

16. It is also imperative to make clear that what matters above all else in Afghanistan is perception. Unless the Afghan people perceive that the Afghan government and its international partners are in the ascendancy; unless they perceive that to support the government now will not be to invite retribution at the hands of the Taliban later; and unless they perceive the state as capable of representing their interests and redressing their grievances, then all else will fail.

17. This, of course, is why public statements such as those by President Obama that the United States will start to withdraw its forces by 2011, or by Prime Minister David Cameron that “we can’t be there for another
five years, having been there for nine already", are so hugely dangerous. They may be intended to placate sceptical domestic publics and may well be borne of genuine conviction, but they have the added consequence of sending a message loud and clear to ordinary Afghans that we are not truly committed to seeing this mission through. Make no mistake that the Taliban are ruthless in conveying this message to Afghans, with the added threat that to support government efforts now will be to invite bloody retribution later.

18. Likewise, if President Karzai perceives that his international partners will withdraw from Afghanistan before such time as the requisite security and economic infrastructure have been put in place to enable Afghanistan to progress independently, persuading him to desist operating through warlords and other power brokers will be immeasurably harder than it otherwise might have been.

19. The same applies to Pakistan, without the support of which achieving success in Afghanistan will be very much more difficult. The example of Pakistan demonstrates well the very serious limitations imposed upon efforts to disrupt terrorist activity when denied the ability to operate effectively in the country where such activity is being carried out. The reluctance of the Pakistani authorities to collaborate in disrupting the activities of Afghan Taliban operating from within their country has been enormously damaging to the counter-insurgency effort in Afghanistan.

20. Whilst it is true that the strength and threat of Pakistan’s own Taliban insurgency has reached a level that not even the government in Islamabad can ignore, the fact is that Pakistan will not withdraw its historic support for the Taliban in Afghanistan unless they are certain that the Taliban will not succeed in resuming power in Kabul. In order to understand why this is so it is necessary to comprehend the rationale behind Pakistan’s historic support for the Taliban. The essential dynamic in this is India, and Islamabad’s belief in the necessity of supporting the Taliban in order to counter its great rival’s influence in Afghanistan. Indeed, from the time of the Taliban’s assumption of power in Kabul in 1994, India lent its support to non-Taliban elements, principally the Northern Alliance, and India has been instrumental in supporting the Karzai government and re-development efforts since 2001, much more so than Pakistan.

21. Only a clear belief that it is the Karzai administration, and not the Taliban, that will ultimately prevail in Afghanistan will persuade Islamabad to support the government in Kabul, and then only to be sure that they are not left on the wrong side of the negotiating table going forward. If, however, Islamabad perceives the Afghan government as unviable once its international partners leave, then persuading it to fully withdraw its historic support for the Taliban will likewise be that much harder. It must be emphasised, therefore, that the success or failure of British foreign policy with regards to Pakistan is at present very much dependent upon success or failure across the Durand line in Afghanistan, and no amount of politicking will change that fact.

22. Success in Afghanistan will ultimately depend upon the willingness of the United Kingdom, the United States and others currently engaged there to see this process through to a successful conclusion. Indeed, it is a refrain too often heard from those with first hand knowledge of the situation, both military and civilian, that this conflict will not be won or lost in Kabul or Kandahar, but in Washington and Whitehall.

23. Indeed, when judged against the three criteria for success hitherto outlined, the assessment is that—contrary to much popular opinion—British foreign policy in Afghanistan is both appropriate and effective at the present time.

24. The reason for this is that, as of the commencement of the US-led troop surge at the start of 2010, both the correct strategy and the resources necessary to support it have been put in place. The population-centric counterinsurgency strategy that ISAF and Afghan forces are currently pursuing is the correct one, and all the indications are that it is starting to yield results. It must be emphasised that the strategy being pursued in Afghanistan at present differs fundamentally from the course of operations between 2001–2009, in that for the first time, both the correct strategy, and the resources necessary to carry it through, are in place.

25. The painful but necessary lesson of the past nine years has been that any strategy that does not seek to combine governance, development and security will fail. Likewise, victory cannot be achieved through the mere elimination of insurgents; what is required is the elimination of the conditions that give rise to, and sustain them in the first place.

26. The case of Sangin, a region in Helmand province that has become almost synonymous with violence and failure in the minds of many, provides a good and tangible example of the appropriateness and effectiveness of the strategy currently being pursued. Though the new strategy is still at an early phase, making a firm assessment extremely difficult at this stage, all the signs are at present very positive. In terms of security, the number of violent incidents dropped by 80% in the month July-August, and this improvement has been sustained. This has been credited on all sides, by the military, by British officials, and by local Afghans—as the consequence of the newly reinforced counterinsurgency approach. With the increase in security, development has likewise improved, and senior sources in both the military and the tri-departmental Stabilisation Unit, as well as the media, report that key indicators such as the number of people in the market, the number of women on the streets, and access to basic amenities, are all much improved. A final and critical component of this improvement has been the success of the new governor, Mohammed Sharif, who is by all accounts uncorrupt and highly effective, both in terms of his understanding of the people and their grievances, and his relationship with Kabul.
27. Within the Afghan Development Zone (ADZ) to the south, the situation is also much improved. The ADZ is a roughly 400 square kilometre triangle running between the provincial capital of Lashkar Gah, the economic capital of Gureshk, and the Nad Ali district, comprising roughly 500,000 people, about a third of Helmand’s 1.4 million inhabitants. Military sources expect the situation within the ADZ to improve still more in the coming months thanks to the withdrawal of British forces from Sangin and their redeployment to the ADZ, which has, for the first time since the original deployment in 2006, provided the ADZ with the correct force density to make counterinsurgency operations maximally effective. The transformation of Lashkar Gah since 2006 is also something that has been picked up by the media. Again, security has greatly improved, credited to the work of Coalition forces and their Afghan partners, as has development in terms of market activity, the number of cars on the roads, and—in Lashkar Gah’s case—the use of the local airport, which now provides daily flights to and from Kabul. Residents have credited the work of British Provincial Reconstruction Teams (PRTs) and other civilian actors in facilitating this development in a secure environment generated by the military. Finally, the governance aspect appears also to be in place, and the provincial governor, Gulab Mangal, is also widely recognised as honest and effective. Perhaps the best evidence of the increased self-sufficiency of Lashkar Gah is the fact that British forces no longer operate inside the town itself, but confine themselves to surrounding areas, having deemed Afghan security forces sufficiently competent to operate independently.

28. Whilst the case has been made that the strategy on the ground within the United Kingdom’s zones of responsibility in central Helmand is effective, foreign policy must of course concern itself with strategy at the national and international level. One of the most serious and important challenges for the Foreign & Commonwealth Office (FCO) in Afghanistan will be to persuade President Karzai to move away from his preferred style of government as the projection of powerful tribal personalities as opposed to the building of accountable institutions. Central to this effort must be persuading Karzai and the Afghan government that Britain and its Coalition partners are committed to the development of Afghanistan to the point where withdrawal will not result in the descent of the country to a level of feuding and violence that would render these structures redundant, but where they are recognised as the best and most efficient mechanisms through which to govern the country.

29. In this context, one must first appreciate the extremely difficult environment in which President Karzai and his government operate. Confronted with a still formidable insurgency; dependent upon the international community for his survival; and operating in a country with no tradition of strong central government, Karzai knows that the position of himself and his government is weak. Karzai believes that only by operating through warlords and powerful tribal personalities can he hope to project any authority in the regions, whilst remaining in power in Kabul. Though Karzai recognises that this system does not serve the people well, since these power-brokers are always liable to abuse their positions of power, he nonetheless continues to use it to his advantage, believing it to best serve his interests at the present time.

30. The fact is, however, that in the long run this modus operandi is inherently flawed. It ensures that the central government remains beholden to a small clique of corrupt and abusive oligarchs as opposed to the people whose interests it must serve if it is ever to garner genuine legitimacy.

31. The only way Britain will be able to persuade Karzai to move away from this system is if he is persuaded that both the United Kingdom and its Coalition partners will stay the course in Afghanistan until such time as the security, economic and governance infrastructure has reached a sufficient level that international withdrawal will not precipitate collapse, but the slow and steady continuation of this development under Afghan auspices. In other words, Karzai must perceive that he will be left with a viable alternative to power politics if he is ever to move away from it.

32. It is also important to recognise that the efficacy of British foreign policy internationally is also very much dependent upon success in Afghanistan. It is imperative that Britain retains its reputation with the United States as an effective and dependable partner in challenging international situations, and one that does not buckle when things become difficult.

33. If Britain fails in Afghanistan it will likewise do serious damage to its reputation internationally, and will make it far harder for Britain to assert itself and defend its interests against regimes that will have been given good cause to believe that the United Kingdom is a country whose interests can be successfully challenged if it is confronted long and hard enough. The effectiveness of the foreign policy of any country depends in large part on the credibility and influence of the country carrying it out. British foreign policy, whether operating within international forums such as the United Nations or as an independent actor, depends upon its being recognised as a country with the capabilities to enforce its claims and objectives where necessary.

**How the United Kingdom’s Foreign Policy Performance and Success in Afghanistan Can and Should Be Measured**

34. Because Britain is not just fighting a war in Afghanistan, but a counterinsurgency, the metrics by which foreign policy performance and success can and should be measured are therefore different to what they would be in a non-conflict environment, or even in a conventional war.

35. The first and most important metric by which performance can and should be measured is that of perception. Unless the Afghan people believe that it is the Afghan government, and not the insurgency, that
offers the best hope of stability and progress in both the immediate and the long term, then persuading them to support this endeavour will be impossible. In this endeavour, above all else, the consent of the people is the prize.

36. In terms of how progress in the conflict can and should be measured, it is worth stating briefly the differences between conventional conflict and counterinsurgency in this regard. In conventional warfare the principal metrics by which performance and success can be measured are territory taken, battles won and enemy killed or captured. In counterinsurgency warfare, such as is being fought in Afghanistan at present, the principal metrics of success are quite different. Indeed, the pursuit of more conventional ends at the expense of what is actually necessary to succeed can in fact prove counterproductive to the overall success of the campaign. Tactical successes in the wrong areas can often lead to strategic failures.

37. Above all else, what matters is the security of the population. Consequently, measures of the number of violent incidents in an area—taking into account the increase in such incidents that will inevitably occur in the early stages—are more reliable than numbers of enemy killed.

38. Within this secure environment, measures of success should include things such as access to clean water; availability of food; availability of basic amenities; availability of jobs; and levels of school enrolment.

39. Another indicator by which success can and should be measured is the level of trust that the population have in the authorities. This is harder to measure, but should include regular surveys asking the people what their perceptions of the authorities are; whether they have experienced maltreatment at the hands of the authorities, particularly the police; and whether they believe the insurgency has the capacity to regain control of their area. Other indicators might include monitoring the number of people on the streets after dark; the number of people in the markets; and the number of women walking outdoors.

40. However, though the indicators hitherto outlined are certainly the right ones by which to measure the success and appropriateness of British policy on the ground, it must also be borne in mind that in such an environment it is very rare to find a straight trajectory between cause and effect. Moreover, what would to British eyes seem like an obvious step in the right direction may not always be what is required to convince Afghans to support the government side. It is also the case that there will usually be a time lag between the implementation of a certain measure and its translating into tangible progress.

41. One very positive initiative to try and identify where these discrepancies exist, and to identify measures that genuinely lead to improvements, is the Department for International Development (DFID)’s Monitoring & Evaluation (M&E) programme in Helmand, established in the Spring of 2010. The programme exists not only to monitor key outputs such as access to clean water and the provision of basic amenities, but also to try and get a sense of what local people are thinking and why. The objective is to identify what the common factors are that lead to improvement or deterioration of conditions in a given district, and then to react accordingly. The programme has yet to report back with any data, but this is an excellent example of exactly how Britain’s foreign policy performance in Afghanistan can and should be measured.

42. At the national and international level, the most important measure of the efficacy of British foreign policy will be the extent to which it leaves behind a secure, stable and independent Afghanistan. Above all else, it is clearly imperative that Britain leaves behind an Afghanistan at peace with itself.

43. More broadly, however, the success of British foreign policy should also be measured by the extent to which Britain leaves behind an Afghanistan at peace with its neighbours. Regional stability matters first and foremost to Britain’s security interests, not least because of the increased risk extremism that such instability generates. However, regional stability is also important to British economic interests, not least because of the increased importance of the developing world to British trade and other financial relationships.

44. The extent to which the new Afghanistan is acceptable to both Pakistan and India is also an important factor to be considered. These two regional rivals arguably have the greatest potential to influence events in Kabul and to generate new conflict, and both view Afghanistan as a fundamental component of their national strategic interests. Clearly, Afghanistan cannot be left in the pocket of Islamabad, but nor should it become too dependent on Delhi at the expense of its extremely insecure, nuclear-armed neighbour.

45. Finally, it is also important that the Afghanistan which Britain leaves behind is one that is capable of acting independently of regional powers such as Iran and Russia, whose objectives very often contravene British interests. Though it would be naïve to hope to leave behind a fully functional liberal democracy in Afghanistan, it is nonetheless important that Afghanistan is not a country which supports dictatorships, or colludes in the suppression of freedom and human rights on the world stage and in international forums such as the United Nations.

LESSONS THAT CAN BE LEARNED FROM AFGHANISTAN WITH REGARDS TO THE UNITED KINGDOM’S FUTURE FOREIGN POLICY APPROACH TOWARDS INSECURE STATES

46. Moving forward, there are a number of lessons that can be learned for the UK’s future foreign policy approach to insecure states. The first and most important is the lesson that is embodied in the UK’s new National Security Strategy, namely that a world with insecure states requires an approach that does not separate traditional foreign policy from development policy and from security policy.
47. An additional and related lesson has been that it is an absolute imperative that the FCO takes a firm lead in setting the strategy and the objectives for any foreign operation of this kind, and what is expected across departments and the armed forces in order to attain them. The National Security Council is a necessary recognition of this requirement, and it is important that it is used to better plan operations of this nature in the future. One of the most important components of success in an operation such as Afghanistan is continuity of effort and coordination between all those charged with carrying the operation out. The Government’s failure to set out clearly its objectives and methodology has been greatly detrimental to progress in Afghanistan, not least because this is an unconventional operation that takes considerable time. The predicament of Britain’s armed forces in Afghanistan is instructive in this regard. The British Army works on six-month rotations in Afghanistan, in an environment where progress toward an objective may take several years. In lieu of a clear strategy and clear objectives, senior officers deployed to Afghanistan have frequently used their tour as an opportunity to “make their mark”, which very often has meant the setting of differing objectives from their predecessor, in turn revised again by their successor. This is absolutely the wrong way to conduct operations of this nature. Likewise, the tendency of different government departments to pursue their own often contradictory objectives in lieu of an overall and coordinated plan has been a major problem that has only recently started to be addressed.

48. Another lesson that must be learned from Afghanistan is that in conflict-prone and insecure states, militancy is merely the symptom and not the cause of unrest. Consequently, any strategy that seeks merely to eliminate these militants, without seeking to eliminate the conditions which give rise to and sustain them in the first place, will surely fail.

49. Afghanistan has also reminded us that without security, development and governance efforts are impossible and that, moreover, providing this security is often militarily resource intensive. This is because in an environment where an active insurgency exists, the key to success is securing population centres, which requires large numbers of military personnel to achieve. The lesson of Afghanistan has been that to conduct this kind of operation with too few personnel only increases the level of conflict thus necessitating a still greater outlay of men and resources in the future. Far better to resource the operation properly at the outset, the result of which may be better progress and a swifter withdrawal than would otherwise be the case. Though the proportion will vary relative to the environment, current counterinsurgency doctrine calls for a population to force ratio of approximately 50:1. For the first time since 2006, that is almost precisely the ratio present in Helmand right now.

50. In light of this, another lesson that should be learned from Afghanistan is the necessity of the United Kingdom’s adopting a coherent multilateral approach at the international level when dealing with insecure states. Particularly where military deployments are called for, the lesson of Afghanistan is that the United Kingdom simply does not have the capacity to conduct operations of this nature without international assistance.

51. However, Afghanistan has also taught us the lesson of the importance of the United Kingdom’s agreeing a common position with its allies about what the objectives of a given operation should be, and what level of sacrifice is acceptable to achieve it. The widely differing strategic objectives of various NATO countries deployed to Afghanistan, combined with the imposition of numerous caveats by several states about what their armed forces can and cannot do has proved to be enormously damaging to the efficacy of the NATO effort over the past four years.

52. Another important lesson from Afghanistan must be that because interventions into insecure states are resource intensive, and because this is not a problem that will go away in the near future, it is imperative that the United Kingdom retains the capability to project influence abroad and conduct operations overseas if necessary. The possibility that Britain’s defence capabilities might be reduced to the point where it is not even able to defend its overseas territories as a consequence of the Comprehensive Spending Review (CSR) and the Strategic Defence and Security Review (SDSR) would be disastrous. In order for Britain to remain a global influence in the world, and to pursue a foreign policy that reflects this, it must ensure that it properly resources the capabilities necessary to that end. Policymakers must be under no illusions that it is possible to somehow cut back on these capabilities now and simply buy them back again in better financial times. These capabilities take decades to acquire and extend far beyond mere military hardware. Perhaps the greatest cost of such a decision will be the invaluable loss of institutional memory that is so necessary to avoid making precisely the same costly mistakes in the future, the price of which will far outweigh any financial benefit that may be accrued by the Treasury now.

53. Finally, the United Kingdom needs to greatly improve the quality and coherence of its public messaging efforts, especially given the nature of modern warfare and foreign policy. Unless the United Kingdom’s work in insecure states is perceived and understood both by its own people and by those affected as a positive and constructive influence, then it cannot and will not succeed. It is one of the most serious failures of Afghanistan that in many respects the United Kingdom and its allies are losing the war of information with the Taliban. In spite of the fact that the Taliban are responsible for more than three-quarters of civilian casualties; in spite of the fact that their interpretation of Sharia law allows for the stoning of women, the murder of homosexuals and the slicing off of limbs for even the most minor offence; and in spite of the fact that genuine improvements in security and development are taking place across central Helmand, nonetheless the UK and its allies are too easily painted as the aggressors and the culprits, who are failing to bring anything positive to Afghanistan.
In order to counter the Islamist narrative, the UK must improve the efficient and intelligent recording of data documenting progress, and get it into the public domain in a speedy and believable manner. Gun battles, airstrikes and casualty figures cannot and should not be the only metrics by which these engagements are measured in the public consciousness. The United Kingdom is, and remains to be, a force for positive good in the world, and it is imperative that its work in insecure states is not unnecessarily jeopardised by the fact of its being poor at communicating this reality to others.

6 October 2010

Written evidence from Christian Aid

Summary

— The UK Government should support more actively the search for a political settlement to the conflict in Afghanistan.
— The peace process should be an inclusive one and any agreement that emerges should not lead to the undermining of the rights of the most marginalised groups in Afghan society, especially women.
— Security and development in Afghanistan is linked to the wider stabilisation and development of neighbouring countries.
— In addition to working for a political settlement, the UK should continue its efforts to build up Afghan institutions but should increase its focus on supporting Afghan actors that can hold the executive to account.
— Aid should not be used to achieve military objectives.

1. The UK Government should support more actively the search for a Political Settlement to the conflict in Afghanistan

1.1. The conflict—defined as the fighting between the Afghan Government and NATO forces and the insurgency—is currently the biggest block on development in the country. It has engulfed most of the South and East of the country and is now spreading to formerly peaceful areas in the North and the West. The Taliban have de facto control of many districts in the South and the East and have a strong presence in all the Southern provinces. By contrast, the Government’s authority there is weak if non-existent. In these areas the insurgency is significant and receives relevant support beyond the Afghan borders. The conflict is interrupting development; it is leading to significant human casualties and human rights violations; it disrupts economic growth and damages the credibility of the Afghan Government; it contributes to the instability of the wider region.

1.2. We do not believe there can only be a military solution to the current crisis. There is an important challenge of ensuring the rule of law and stability in the country—a prerequisite for development. The international community is supporting these efforts in different ways. However, it is crucial not to lose sight of the fact that this process will only succeed if the state institutions fulfilling these tasks enjoy broad legitimacy in Afghan society and are accountable, and if human rights are respected. It is imperative that all efforts to reduce and end violent conflict in Afghanistan must be framed within the context of a political strategy which places primacy on supporting efforts to reduce and end violent conflict in Afghanistan in a sustainable and legitimate manner.

This is clear when one considers what Afghans who live in the South and feel marginalised under the current system identify as the main causes of the conflict: the weak legitimacy of the Government coupled with the presence of international forces. Any strategy which does not address both these conflict drivers is unlikely to succeed.

1.3. In light of the picture presented above, Christian Aid believes that the UK must play a more active role in bringing an end to the conflict promoting a political strategy that is inclusive of all ethnic and social groups. The UK Government should further encourage peace talks amongst all the main parties to the conflict. As an International Security Assistance Force (ISAF) contributing nation and a party to the conflict, the UK is not a neutral player. Therefore, the process requires an impartial mediator to be engaged for this task: the United Nations, regional multilateral bodies, or countries within the Arab League are possible options which ought to be explored. In order to be successful, the talks must address the question of the length of the presence of international forces. They should also consider different ways in which insurgents can be encouraged to re-join the political mainstream.

1.4. The UK Government’s current position on the question of a political settlement is inadequate because, firstly, it is only supporting a limited process of dialogue between the Afghan Government and insurgency, where the latter must agree to lay down their arms (the Afghanistan Peace and Reconciliation Programme) but without addressing the root causes of the conflict or any major concessions in return; and secondly, it is ignoring the question of its own role and that of other NATO countries in the conflict.

See the independent Report commissioned by DFID on this question in 2009. Interviews were held in two Southern provinces (Wardak and Kandahar) and the wider Kabul area. The interviewees were government officials, tribal elders, religious leaders, youth groups, women’s groups, traders and businessmen, as well as Taliban combatants and Hizb-i Islami commanders.
1.5. Donors are planning to allocate significant sums of money to support the implementation of the new Afghanistan Peace and Reconciliation Programme (APRP). Some elements of the APRP do have value, such as the setting up of Peace Councils to manage peace talks with the Taliban and other armed groups. However, we think that in the absence of a national peace agreement it is going to be very difficult to meet the objectives relating to the local level re-integration of former Taliban fighters, whatever the incentive may be not only economic but also in terms of power sharing. This problem is even acknowledged in the APRP document itself! These issues should be addressed before large sums are spent on the new programme.

2. The Peace Process should be an inclusive one and any Agreement that emerges should not lead to the Undermining of the Rights of the most Marginalised groups in Afghan Society, especially Women.

2.1. Afghan civil society can play an important role in a future peace process. There are a number of international examples where civil society initiatives have helped to increase trust and cement peace in conflict-affected countries:

— In Guatemala Asemblea de la Sociedad Civil paralleled the two-year official peace negotiations. Eventually two thirds of their proposals made their way into the peace agreement.

— In Northern Ireland a survey was commissioned where 3,000 people submitted testimonies to a Norwegian academic. A number of the recommendations on human rights were adopted into the 1998 Good Friday Agreement and the commission proved influential in creating an atmosphere of inclusiveness.

2.2. There is clearly a risk that a settlement which involves a stake for the Taliban in the country’s government will lead to an undermining of the progress made since 2001 in the area of women’s rights (for example, better access to education and healthcare, greater livelihoods opportunities and increased participation in politics). There is also the real possibility of smaller ethnic and religious groups being unrepresented in any power-sharing deal. If the UK moves towards a policy of full support for a political settlement, it should make its support contingent on any deal being both inclusive—in terms of a meaningful role for civil society and the aforementioned marginalised groups—and protective of human rights. Each of these twin pillars serves to strengthen the other.

3. The need for a Regional Approach

3.1. The success of international efforts to promote security and development in Afghanistan is linked to the wider stabilisation and development of its neighbouring countries. In this framework, both the United Nations and the United States have adopted a regional approach to promoting stability in Afghanistan. The issue of regional cooperation is included in the Security Council’s Resolution 1806 (20 March 2008) and entails both launching a political dialogue among regional capitals on the Afghanistan issue and fostering regional cooperation on urgent issues in order to make progress towards regional security.

3.2. Achieving progress in this area will take time. It will require trust and dialogue among the states, as well as a greater recognition of what are the shared vulnerabilities and interests of the countries concerned. Questions about neutrality and sovereignty are at the heart of much of the distrust: the failure to resolve a number of ongoing conflicts, such as the Kashmir question and the dispute over the Durand Line between Pakistan and Afghanistan, the nuclear affair between Iran and the international community, competition over resources that involves a more assertive engagement by China, concerns about the scope of Russian influence in Central Asia, and the presence of NATO and American troops in the region, are all unsettled issues that have direct impact on trust between states in the region.

3.3. We believe that to achieve long-term peace in Afghanistan a regional strategy is required that creates platforms for dialogue and encourages trust-building measures among the countries in the region. The UK Government could play an important role in such efforts. Finally, countries should refrain from using Afghanistan as a ground upon which to settle their unresolved geographical disputes and political grievances.

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3 The APRP document estimates that it will cost $129 million to implement just the first year of the Programme. Afghanistan Peace and Reconciliation Programme, National Security Council, Islamic Republic of Afghanistan, July 2010, p. 33.


7 The UN has established a Regional Center for Preventive Diplomacy for Central Asia based in Ashgabat, Turkmenistan, with the mandate of initiating regional dialogue and projects around common threats.
Ev w10 Foreign Affairs Committee: Evidence

4. IN ADDITION TO WORKING FOR A POLITICAL SETTLEMENT, THE UK SHOULD CONTINUE ITS EFFORTS TO BUILD UP AFGHAN INSTITUTIONS—BUT SHOULD INCREASE ITS FOCUS ON SUPPORTING AFGHAN ACTORS THAT CAN HOLD THE EXECUTIVE TO ACCOUNT

4.1. The UK should continue its work of strengthening the efficiency and legitimacy of the Afghan State through institution-building. DFID has committed over £700 million over the next four years to Afghanistan, at least 50% of which will to be channelled through Afghan government systems via the Afghan Reconstruction Trust Fund (ARTF). We support the UK’s policy of channeling over half of its aid through the Afghan Government and its lobbying of other donors to increase the proportion of their aid spent in this way. This is essential if state capacity is to be developed.

4.2. However, the serious problems of corruption, poor performance and lack of transparency mean that it is important that institutions also exist and grow that can hold the executive accountable for its actions. Both the Afghan Parliament (especially the Lower House, or Wolesi Jirga) and civil society organisations have a critical role to play in this respect. Our long experience in the area of civil society development—capacity-building of grassroots NGOs, rural development and support for the delivery of essential services—convinces us that more Official Development Assistance should be allocated to this task. Christian Aid would welcome the extension to Afghanistan of such civil society programmes that DFID runs in India and Bangladesh to improve the capacity of national civil society (including development NGOs) to deliver services—where government provision is lacking—and engage better in local decision-making processes.

5. UK SUPPORT FOR SUB-NATIONAL GOVERNMENT—INCREASING ITS ACCOUNTABILITY AND CAPACITY FOR SERVICE DELIVERY

5.1. As one of the major donors to Afghanistan, the UK should support a country-wide strategy to strengthen the accountability of the Government at sub-national level through governance and justice reforms. Whereas we recognise the importance of the UK’s efforts in supporting the central Government in strengthening governance sectors, particularly in the justice and public administration reforms, we believe there should be a focus too on improving sub-national governance, which includes support to NGOs for service delivery.

The UK should work closely with the Afghan Government as duty-bearers, to enable state institutions to fulfil their responsibilities in a way that is accountable to poor men and women in Afghanistan. Civil society plays a vital role in this respect: both working with poor Afghan men and women to increase their understanding of their rights and the duties which the state bears to them (and they to the state), and empowering them to claim these rights and enact these responsibilities.

6. CIVIL-MILITARY POLICY

6.1. Christian Aid firmly opposes the use of aid to achieve military objectives. We believe that using scarce resources for development and poverty eradication programmes will produce greater benefits and increased stability in the long term. We therefore remain concerned by the proportion of the UK’s aid that has been spent in Helmand province, and by the fusing of the aid and military strategy in the form of Provincial Reconstruction Teams (PRTs). PRT Quick Impact Projects are of limited development value and we are sceptical of their ability to “win hearts and minds” in a conflict zone. We call on the Government to undertake a thorough review of its policy in relation to aid projects managed by PRTs. The findings of such a review could be used to inform planning around the proposed Stability and Reconstruction Force.

6.2. Furthermore, the UK should follow more closely the existing UN guidelines on the involvement of military forces in the provision of humanitarian assistance in complex emergencies, as well as the civil-military guidelines drawn up specifically for Afghanistan in 2007–08 and agreed by UNAMA, NATO and NGOs.

6 October 2010

Written evidence from Oxfam GB

EXECUTIVE SUMMARY

1. In Afghanistan and Pakistan, the UK has provided development support that has contributed to gains in spheres such as healthcare, education and livelihoods. In Afghanistan, the UK has improved its performance since the DFID review of 2008. It has provided long term support for the Afghan National Development Strategy, particularly on governance, rule of law, human rights and poverty reduction. In Pakistan, the UK

8 http://www.dfid.gov.uk/Where-we-work/Asia-South/Afghanistan/
supports programmes to improve access to better health and education, encourage growth and jobs for poor people, and make government more effective, among other activities. It has also moved relatively quickly to provide substantial support for relief efforts as Pakistan struggles with enormous conflict-related and flood-related humanitarian emergencies.

2. Nonetheless, it is clear that the challenges remain huge and the stated aims of the UK and its allies remain largely unmet. Security in both countries has deteriorated in recent years with a high cost to civilians. Social, economic and political development has been slow, fragile and limited. Humanitarian crises have hindered development in both countries, and in Afghanistan there have been repeated failures to meet the needs of crisis-affected communities. Endemic corruption and weaknesses in the rule of law have slowed progress and raised risks for vulnerable Afghans and Pakistanis.

3. Meanwhile, failures in international coordination and political will, as well as some negative influences of stabilisation and counter-insurgency doctrines, have compromised the effectiveness and appropriateness of aid and development work in Afghanistan, amid concerns that Pakistan is now suffering a similar fate.

4. There is more the UK can do to make sure its approach is as effective and appropriate as possible. It can do this by:

   4.1 Ensuring that its efforts to promote humanitarian relief and development are driven by the needs of Afghan and Pakistani women and men, and not the UK’s political or security-related aims—while recognising that relief and development work that meets people’s needs can contribute to longer-term peace and stability both at local and international levels;

   4.2 Adhering to and promoting international guidelines on humanitarian action and the use of military and civil defence assets, which stipulate that the participation of military actors and use of their assets in humanitarian and development activities should only be considered a last resort and for a transitional period;

   4.3 Responding to crises in Afghanistan with dedicated humanitarian staff and resources, while employing a well-balanced diversity of funding mechanisms to ensure resources reach frontline aid agencies quickly in both Afghanistan and Pakistan;

   4.4 Working with international and national partners to ensure that institutional transparency and accountability is enhanced and anti-corruption measures are enforced in both countries;

   4.5 Placing coordinated international pressure on the Afghan and Pakistani governments to ensure they fully meet their obligations to end legal discrimination against women and minorities, with transparent and accountable judicial systems supported by effective civilian law enforcement agencies;

   4.6 Working with and influencing international partners, especially the US, to ensure a coordinated and needs-based international approach to Afghanistan’s development with effective monitoring, evaluation and adherence to agreed benchmarks;

   4.7 Ensuring the UK and international partners appropriately balance support for strengthening transparent, democratic, civilian state institutions with greater support for civil society, including strong and independent media and women’s rights groups, and non-governmental actors capable of holding authorities to account and responding to the needs of crisis-affected communities;

   4.8 Working with international allies and Afghan security forces to ensure respect for International Humanitarian Law and non-combatants’ rights to protection and assistance by UK and other forces, including relevant training for Afghan forces, and working with allies to ensure Pakistani military authorities minimise harm to civilians;

   4.9 Ensuring that transparent and effective mechanisms for accountability and recompense are implemented by UK, international and national militaries for civilians who have been harmed or suffered losses in Afghanistan;

   4.10 Supporting the development of accountable Afghan military and civilian law enforcement agencies, rather than promoting militias or community defence forces, whose lack of accountability and potential for violating human rights can worsen fragile local security situations;

   4.11 Actively supporting the search for a lasting political settlement in Afghanistan between all main parties to the conflict. The peace process must involve ordinary men and women and guarantee their rights if peace is to be sustainable and just, with special attention to the rights of women and girls;

   4.12 Working with the international community to ensure that all relevant regional actors are involved in negotiations and that their concerns are addressed in order to achieve a sustainable Afghan peace settlement.

5. Oxfam has been in Afghanistan since 1982 and is currently working in 20 of the 34 provinces. Oxfam’s partners are strong strategic organisations that, with contributions from other donors, cover all 34 provinces. Oxfam works directly with communities as well as with local partners to help Afghan people pull themselves up and make government more effective, among other activities.

   The task of assessing the effectiveness and appropriateness of UK policies is made difficult by a lack of comprehensive, accessible information about how the various elements of the UK state have conducted themselves and allocated resources. This appears at least partly a result of complexities (and perhaps institutional territorial behaviour) arising from the tri-departmental approach.

INTRODUCTION TO OXFAM

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out of poverty and improve life in their communities. Thematically, we work in the following areas: humanitarian assistance, disaster response and preparedness, rural development and livelihoods (including specific programmes for women), health and education, peace building, social and political participation, and policy and advocacy.

6. Oxfam has been working in Pakistan since 1973 focusing on education, health, violence against women, livelihoods, and disaster responses. Oxfam and its local partners work across the country. Our programme focuses on land rights and economic opportunities; humanitarian response, disaster risk reduction and climate change; girls education and ending violence against women/gender. Oxfam and its partners also provide support to strengthen civil society voices and roles. An Internally Displaced Persons emergency team has focused on the plight of more than three million civilians affected by conflict since 2008. Oxfam is also one of the leading aid agencies responding to the current floods disaster, providing humanitarian and recovery assistance to more than 1.2 million people since July.

SECURITY AND CIVILIANS IN CONFLICT

7. With more areas in Afghanistan and Pakistan experiencing increasing insecurity in recent years, the UK’s aims of reducing the threat posed by armed insurgents and militant groups to stability and progress and supporting the two respective governments to tackle violent extremism have not been achieved.

8. According to the UN, the number of security incidents in Afghanistan has increased by 69% on 2009. There were 386 deaths caused by pro-government forces in the first six months of 2010, a welcome decrease of 30%. The number of targeted killings of civilians by anti-government forces has increased to an average of three people per day, up from one per day this time last year. Overall, civilian casualties have increased by 259% since 2006.

9. In Pakistan, more than three million adults and children have been displaced by conflict between Pakistani security forces and armed militant groups since mid-2008. Reliable data on civilian fatalities are hard to come by but it is believed that during 2009, military operations in the Federally Administered Tribal Areas (FATA), and the formerly named Northwest Frontier Province killed approximately 1,150 civilians, while militant attacks in those regions killed a further 825 civilians. The civilian death tolls reported in 2008 and 2009 are significantly higher than in previous years.11

10. It is essential that all military actors, whether in Afghanistan or Pakistan, meet their legal obligations to minimise harm to non-combatants while conducting combat operations.

11. With combat operations in both countries widely perceived to be tied to western political and security aims, the negative impact on civilian lives and livelihoods has inflamed much public opinion both in Afghanistan and in Pakistan against Western actors including the UK. This occurs even when harm or abuses affecting civilians are committed by national security forces.

12. Civilian casualties in both countries have fostered negative attitudes towards the UK, often deemed guilty by association if not by direct involvement. This is one reason why other actors regarded as western in terms of character or influence, including humanitarian and development agencies such as Oxfam, face increased risks. Workers for international aid agencies have been targeted in both countries, leading aid organisations to lower their visibility, restricting their ability to counter rising negative perceptions. This, alongside other factors, has had a negative impact on aid actors’ ability to ensure that crisis-affected people receive assistance and to support much needed development in both countries.

13. The situation is exacerbated by the failure of the UK, the international community and the two national governments to ensure that transparent and effective mechanisms for accountability and recompense have been implemented to ensure civilians caught in conflict are appropriately protected and, if necessary, can achieve equitable redress.

14. In Afghanistan, ISAF has recently taken significant steps to correct this by issuing a directive in June with guidelines for uniform investigation and compensation procedures for all troop-contributing countries. The UK should formally adopt these procedures and comply with them in all instances of allegations of civilian harm. The Afghan government has its own funds and procedures but these have proved ineffective.

15. Moreover, the UK and the international community must pursue a transition process in Afghanistan that ensures that national security forces have effective mechanisms for accountability and redress for harm done to civilians; Afghan commanders and security forces must receive effective training and supervision from ISAF to safeguard non-combatants’ rights.

16. Supporting the development of professional, accountable militaries and civilian law enforcement agencies is far preferable to promoting militias or community defence forces. Experience from around the world and from Afghanistan since the Soviet occupation indicates that any short-term political gains from community defence initiatives are likely to be outweighed by their potential for violating human rights. There is a risk of infiltration, exploitation or co-option by militants, warlords or criminal groups while steps to empower certain tribes, communities or power-holders could easily exacerbate already fragile security situations.

11 According to the Pakistan Institute for Peace Studies, there was a total of 12,600 violent deaths across the country in 2009, 14 times more than in 2006.
THE STATE OF SOCIO-ECONOMIC AND POLITICAL DEVELOPMENT

17. Although development gains have occurred in recent years in Afghanistan and Pakistan in areas such as healthcare, education and economic growth, insufficient progress has been made in addressing the underlying causes of chronic crises, or in alleviating severe poverty in rural areas in both countries.

18. Many Afghans continue to live in dire poverty: up to 30% are unemployed and a third of Afghans are food insecure and extremely vulnerable to crises. Just 27% of Afghans have access to safe drinking water and only 5% have access to improved sanitation. In the largely insecure south, an estimated half a million Afghans lack access to even basic healthcare services.

19. In areas where Afghans have seen progress, such as healthcare and education, these gains are being rapidly eroded due to insecurity, corruption and lack of long-term donor commitment. An estimated 70% of schools in Helmand are closed, not only because of security-related factors but also owing to a lack of qualified teachers. This last point hints at a typical problem seen in Afghanistan: the emphasis on short-term visible results, often linked to a “heart and minds” approach that neglects the longer-term work that is needed to make development sustainable.

20. Attacks on Afghan schools and other challenges are beginning to erode progress made in the education sector. Although the Afghan Ministry of Education reports that three million girls are enrolled in schools, experts estimate the figure is rapidly decreasing and may be as low as 1.5 million.

21. The weakness of Afghan state institutions—characterised by a lack of qualified human resources, a dominant patron-client tradition, the continued power exerted by warlords, political bargaining, and corruption—has been a brake on development progress.

22. The situation has been compounded by the approach of the international community in Afghanistan, which has lacked coordination and coherence and generally failed—despite a series of international conferences—to address the concerns of ordinary Afghans on the basis of a shared needs-based analysis and strategy.

23. The Kabul conference and the 23 national priority programmes presented by the government there represented a renewed attempt to form a cohesive national development strategy and to reorganize the government ministries into clusters. However, the programmes seemingly failed to acknowledge the mistakes of the past, and less than three months later, that attempt is already faltering.

24. State-building objectives have tended to result in highly centralised, top down government that lacks responsiveness and accountability to Afghans across the country. At the same time, the role of Provincial Reconstruction Teams in conducting development activities (which should properly be carried out by national or local state institutions and their civil society partners) has, in general, contributed to the undermining of the state’s role and perceptions of its legitimacy.

25. In both countries, sustainable progress both in making state institutions more capable and responsive and in pursuing development more generally must involve a strong civil society (including an effective, independent media)—one that is capable of monitoring and evaluating the performance of the state and other service providers, and able to hold authorities to account. Unfortunately, the international community has long neglected this obvious truth.

26. In Pakistan, approximately 23% of people remain below the official poverty line,12 and 55% of Pakistani women are illiterate—for women the illiteracy rate is 65%. In the FATAs region, female literacy is a shameful 3%. Pakistan has the fifth highest number of deaths of children under five years, and the sixth highest number of maternal deaths in the world. Land issues—relating to inequitable access and control of land and resources—have trapped millions of rural Pakistanis in poverty.13 Modest development gains made with respect to economic growth, poverty, health, education, food security and other areas have been dealt severe blows by the major recent humanitarian crises caused by conflict and floods.

27. Additionally, development progress in Pakistan has long been compromised by the historic lack of international support for democratic, civilian institutions and civil society (as distinct from the often substantial support for the Pakistani military). This has contributed to Pakistan’s civilian institutions having insufficient capacity to respond effectively to the needs of its citizens. Hence, although the increase in the education budget in recent years is a welcome move, the state has struggled to spend the extra money, while problems such as the lack of trained teachers, inequitable school access, and curriculum issues persist.

28. Development progress in Pakistan in recent years has also been hampered by the recent global economic crisis, militant violence, political instability, and humanitarian disasters. Budgetary priorities have shifted from social sector interventions to security to address growing instability. Pakistan’s complex and insecure political landscape has also meant its leaders have spent considerable energy in domestic political battles that might otherwise have been directed towards tackling the country’s development needs.

12 Poverty estimates vary. The poverty line is the minimum level of income deemed necessary to achieve an adequate standard of living. In Pakistan, this was calculated at US$16 approx per adult per month in 2009 (Source: UNDP).

13 The Sindh government’s land distribution programme, prioritising women peasants, is the kind of approach that should be more systematically applied across Pakistan to begin reducing poverty and bringing about wider social changes in rural areas.
HUMANITARIAN NEEDS AND RESPONSES

29. Humanitarian needs in Afghanistan, whether arising from conflict-related displacement or natural hazards, have been largely unmet—particularly in the south and east. An estimated nine million Afghans now live in conflict areas, often in desperate conditions with little support while donors and many aid organizations have failed to adjust their programming or establish access to insecure areas to ensure that these individuals receive humanitarian aid.

30. DFID does not have anyone in Afghanistan solely dedicated to humanitarian issues and does not have a specific budget line for humanitarian activities. This gap has prevented the UK from fully using its influence, for example, to encourage UN agencies to perform more effectively. DFID did commission a humanitarian assessment in 2008, recognising the crises affecting Afghans, but no visible action was taken to act upon the findings of this assessment or adjust programming to address some of its concerns, despite a subsequent budget increase. Although DFID should be commended for its recently renewed commitment to meeting humanitarian needs, it is still unclear what this will entail.

31. In Pakistan, conflict caused more than three million people to flee their homes in the north and west in 2008–09 before unprecedented floods swept much of the country this year, affecting over 20 million people. The UK’s support for humanitarian responses has been relatively substantial and timely. DFID and other UK departments have also played a positive advocacy role among the international donor community.

32. However, DFID’s preference for supporting Pakistani government capacity and its reliance on cumbersome UN-managed processes for disbursing funds have often led to frontline aid agencies struggling for resources that would enable them to respond with the speed and agility, which is normally their comparative advantage.

UK POLICY AND INSTRUMENTALISED AID

33. International aid and security objectives have often been intertwined, notably during the Cold War. However, particularly after the 9/11 attacks, the belief has grown in western political circles that weak and fragile states, characterised by poor governance, poverty and conflict, pose a serious security threat. This has led to an increasing trend of using aid to secure political and security aims.

34. This trend is based on certain assumptions, notably that poverty and illiteracy are major drivers of conflict and extremism, and that western aid can not only “win hearts and minds” but also promote stability and thus reduce security threat levels. Such beliefs have heavily influenced stabilisation, counterterrorism and counter-insurgency polices of western states under US leadership, as well as the flow and allocation of overseas aid.

35. However, although evidence suggests that tackling fundamental issues such as poverty and injustice can contribute to improved security and stability in the long-term, there is scant evidence to support the notion that using aid for short-term counter-insurgency objectives, force protection, or to win hearts and minds is actually effective.

36. In Afghanistan, politics, rather than the needs and aspirations of Afghans, have too often dictated UK policies. DFID can be commended for having a longer-term focus and devoting approximately 80% of their funds to much-needed projects outside Helmand. However, Oxfam is concerned that the FCO and others are increasingly prioritising funding for short-term security activities in Helmand. Oxfam is also concerned that funds such as the Conflict Pool—for which DFID provides the majority of funding—are increasingly being used for activities that do not qualify as Overseas Development Assistance, such as equipment for the Afghan national police force, or for short-term stabilisation objectives rather than longer-term conflict prevention.

37. The UK government’s approach to Afghanistan is increasingly focused on state-building and counterinsurgency. However, the effectiveness and appropriateness of using aid mainly to achieve short-term stability and win hearts and minds as part of a counter-insurgency approach is highly questionable; indeed, a growing body of research indicates that aid does not contribute to these short-term security objectives. Aid used this way tends to be spent inefficiently and fails to bring real benefits to recipient communities. This short-term, politised focus also means that less UK aid money is being spent on programmes that meet Afghan needs and in ways that can sustainably alleviate poverty and address the underlying causes of chronic crises.

38. In Pakistan, Oxfam is concerned that the UK is increasingly considering and advocating similar stabilisation approaches. Much of Pakistan, not only the long neglected FATA and Balochistan regions, is in urgent need of greater and more equitable social, economic and political development (as well as substantial humanitarian relief and reconstruction assistance in relation to its overlapping conflict and flood-related crises). However, the focus on stabilisation objectives risks fostering a blinkered view that ignores numerous factors driving poverty, injustice, militancy, and instability.

14 Afghanistan and Pakistan are projected to be the first and second largest recipients of US foreign aid in the world according to the US FY2011 Budget Request.
16 House of Lords, Written Ministerial Statements, 25 March 2010. Of the £178.5 million allocated to the Conflict Pool in 2010–11, £82 million was for activities in Afghanistan and Pakistan; by far the largest regional allocation.
AID EFFECTIVENESS

39. The planned 40% increase in UK aid for Afghanistan is a welcome move that can help meet Afghan people’s humanitarian and development needs—provided that it is used appropriately and effectively. UK aid should be directed towards not only national but sub-national levels, and prioritise the strengthening of Afghan civil society roles, livelihoods in the neglected rural sector, as well as promoting the rights of women. Building the capacity of Afghan institutions is essential.

40. Although the DFID strategy focuses on support to the Afghan National Development Strategy (ANDS), this support has been characterised by insufficient monitoring and evaluation. The UK strategy emphasises a “hard hitting” approach with “clear and realistic objectives with clear metrics of success,” but this has rarely been the case in practice. Donors, including the UK, have all but abandoned meeting the benchmarks set out in the ANDS and the Afghan Ministry of Finance cannot even measure progress against them owing to a lack of data from donors.17

41. Recent decisions by the UK to provide more support for civil society development in Afghanistan are very late but welcome. A strong civil society (including an effective, independent media) has a critical role to play monitoring the state’s performance of the state and holding authorities to account. However, such investments will take time to yield results and must be implemented as soon as possible, in coordination with other major donors.

42. DFID should be commended for recent moves to improve its consultative engagement with aid and development organisations working in Afghanistan.

43. Provincial Reconstruction Team aid projects (including those involving British PRTs) delivered to meet short-term security objectives in Afghanistan have in many cases been poorly-targeted, expensive and unsustainable.

44. The role and presence of pro-government military actors in PRT projects also inadvertently labels communities and aid workers who are associated with such activities as targets for attack by anti-government forces. Further transfers of development and relief activities to PRTs, the Military Stabilisation Support Group, or new PRT-type civil-military units will exacerbate these problems.

45. Existing international guidelines, as well as those specifically agreed by ISAF, must continue to apply to UK aid, ensuring that military actors and assets should only deliver humanitarian aid as a last resort, in the absence of any civilian alternative. When military actors are required to perform relief work, such activities must be transferred to civilian hands as soon as possible. Development activities should remain civilian-led and civilian-delivered whenever possible; military contributions should be limited to providing a secure environment for communities and aid workers.

46. In Pakistan, DFID’s strategies have been reasonably well-aligned to national poverty strategies. However, the welcome emphasis on budget support, accounting for just over half of its Pakistan spending in recent years, should be balanced and complemented by stronger support for non-governmental organisations and civil society actors, which have an important role to play in areas such as budget monitoring. Civil society organisations are better placed to address urgent needs more quickly but have been left under-resourced at the critical, early phase of emergencies. Such organisations also have a crucial role to play with respect to Pakistan’s flood reconstruction programmes, as well as monitoring the implementation of existing social protection schemes.18 The UK needs to find the right balance of support for governmental and non-governmental actors.

CORRUPTION AND RULE OF LAW

47. Corruption in Afghanistan is getting worse: Afghanistan ranked 117 of 159 countries on Transparency International’s Corruption Index in 2008 but had fallen to second to last place by 2009. Current efforts at improving governance have largely failed to deliver and weak or corrupt governance has fuelled public distrust and anger. Yet not a single high level official has been investigated and successfully tried for corruption and a law that would enable the prosecution of government ministers exists in draft form only.

48. Rule of law in Afghanistan remains weak and progress on building the capacity of the informal justice system has been slow. The formal justice system remains weak and inaccessible, and many traditional dispute resolution mechanisms, upon which the majority of Afghans rely, have been overlooked. Although the government, in wide consultation with human rights groups, the international community and civil society, successfully agreed upon a policy on informal justice in November 2009, it was never implemented and efforts were abandoned soon after the arrival of a new Minister of Justice.

49. Corruption in Pakistan also appears to be worsening. Transparency International ranked Pakistan 139th among 180 countries in its 2009 Corruption Perception Index. Corruption has had a detrimental effect on economic growth, according to the World Bank, and threatens political stability, with most Pakistanis seeing

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17 The UK has performed well in submitting expenditure data to the Afghan Ministry of Finance but somewhat less so on reporting against agreed benchmarks.

18 The Benazir Bhutto Income Support Programme can be a key social security scheme to alleviate poverty but effective monitoring by civil society organisations is required to ensure its success.
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the previous military-led regime as less corrupt than today's civilian counterpart. Nonetheless, the UK and its international partners have put insufficient effort into making sure that institutional transparency is enhanced and anti-corruption measures are enforced.

50. In Pakistan, the clarity and predictability of the rule of law is undermined by the tensions between secular law and courts, religious law and judicial mechanisms, and tribal traditions. Additionally, the Pakistani constitution still does not apply to people in FATA. The region has been subject to rules derived from the Frontier Crimes Regulation: a highly repressive set of laws drawn up by the British Raj in 1848 (with minor modifications since then). The federal government has moved to repeal the FCR but the process remains incomplete. Across Pakistan, police forces are widely seen as corrupt and prone to committing abuses.

51. In both countries, laws that discriminate against women in particular remain a serious concern. In Afghanistan, moves to pass highly discriminatory laws that violate women’s human rights have raised concerns that the rights of women will be ignored in future peace negotiations. This risk increases the importance for the UK and others to ensure that ordinary Afghan men and women’s voices are effectively represented in such negotiations—and that any future political settlement guarantees their rights.

52. In Pakistan, legal discrimination against women and religious minorities both reflects historic and cultural prejudices and continues to sustain them. Violence against women—including incidents such as abduction, murder rape, “honour” killings, sexual assault, stove burning, and acid throwing—is rife. Sectarian strife has increased in recent years with different religious minorities suffering numerous attacks on places of worship and gatherings. In the first week of September 2010, at least 110 people were reported killed and over 440 injured in five attacks. Four attacks were against Shia Muslims; the fifth targeted the Ahmediya sect.

PEACE AND REINTEGRATION IN AFGHANISTAN

53. It is now widely accepted that there can be no military solution to the conflict in Afghanistan. The UK government should therefore more actively support the search for a political settlement involving all the main parties to the conflict and relevant regional actors. Additionally, any framework for peace must guarantee the rights of women, men and children, and the freedoms Afghans regained after the fall of the Taliban. Ordinary Afghan men and women must have an effective voice in peace processes, e.g. through meaningful consultation with representative members of civil society.

54. At the London Conference earlier this year, over $100 million was pledged to a reintegration trust fund targeting insurgents and a reintegration program has been approved (the Afghanistan Peace and Reintegration Program, APRP). However, without a political process that involves and is accepted by all parties to the conflict, such initiatives are likely to have little impact and may even exacerbate the violence.

55. Current plans for a reintegration of insurgents and reconciliation ignore the need for a broader peace deal tackling the underlying causes of the conflict, and are unlikely to be successful. Oxfam has serious concerns about the protection and human rights implications of the plans. Not all insurgents are hard-line ideologues, and many are motivated by genuine grievances, such as corruption, lack of access to justice and civilian casualties. Yet, current reintegration plans make little mention of how these grievances, or grievances within communities, will be addressed—a flaw that has undermined many previous reintegration schemes. Previous schemes have failed, in part, because they were not part of a broader political process to engage the leadership of anti-government factions and regional actors. No such political process currently exists.

56. In addition, the proposal to use the National Solidarity Programme as the main mechanism for local ex-insurgent reintegration risks politicising what is one of the most successful development efforts in Afghanistan and making it a target for insurgent attacks. A number of NGOs, who are implementing agencies in the NSP, may feel obliged to withdraw from the programme.

57. Dialogue is critical to bringing about peace, but current “reconciliation” initiatives are far from the genuine peace process many Afghans long for. If ordinary Afghans are not involved in the process and do not have confidence in it, it is unlikely to be sustainable because they must ultimately live with the outcome. If it does not have their backing or reflect their aspirations, the process will not only be illegitimate but could lead to greater conflict.

LESSONS FOR THE UK’S FUTURE FOREIGN POLICY APPROACH TO INSECURE STATES

58. Although inter-departmental coordination can improve UK action to remove obstacles to development, cross-Whitehall integration of MOD/FCO/DFID activities and the oversight of the National Security Council may increase the risk of aid in fragile states being allocated according to security priorities, rather than where it can tackle severe poverty and humanitarian need. Allocating aid according to national security objectives risks undermining the overall poverty-reduction results of UK aid. It may also limit the extent to which UK aid may help reduce future instability “upstream”, concentrating aid instead on current strategic priority countries, which tend to be where states and societies are already weak, and violence is already endemic.

59. After international pressure, President Hamid Karzai amended a draft Shia Personal Status Law in 2009 that would have legalised marital rape. However, the amended version retained many repressive and inhumane articles, such as giving a husband the right to withdraw basic maintenance from his wife, including food, if she refused to obey his sexual demands.
59. PRT aid projects delivered for short-term security objectives in Afghanistan, have in many cases been poorly targeted, expensive and unsustainable, while also putting communities and aid workers associated with such activities at risk of attack by anti-government forces. This reinforces the point that, whenever possible and in accordance with international guidelines, relief and development activities should be carried out by civilian aid actors, who have relevant experience and expertise.

60. Experience in Afghanistan and Pakistan shows that support to the police and judiciary alone cannot deliver security and justice to women while their rights, security from violence and access to justice are blocked by discrimination reflected in illiteracy, lack of income, legal discrimination, lack of legal representation, and long-standing social and cultural attitudes. Tackling these complex issues should involve supporting civil society, and reforming security and justice institutions, at the local as well as the national level. Results indicators for this work must reflect not just the institutional performance of formal state institutions, but their accountability and responsiveness to citizens’ needs, their relationship to civil society, and the experience and capability of citizens in holding them to account.

61. Working in fragile states can take time to deliver results. Therefore, the UK should be prepared to commit to programmes that may show slower results for a given spend than in other settings. Value-for-money should not mean that capacity-building, governance and civil society support lose out against the faster or more easily measurable results that infrastructure and basic services projects can show.

7 October 2010

Written evidence from the British and Irish Agencies Afghanistan Group (BAAG)

The British and Irish Agencies Afghanistan Group (BAAG) is an information and advocacy network of 27 British and Irish Non Governmental Organisations that support relief and development programmes in Afghanistan. See: http://www.baag.org.uk This written submission has been prepared by BAAG’s Secretariat.

Its content of this submission may not represent the views of all BAAG member agencies.

SUMMARY

1. The United Kingdom has made an important contribution to security and development assistance since the fall of the Taliban and in many respects its policies are generally regarded as effective in terms of good practice and taking a long term view of the country’s needs. However, certain parts of UK policy should be revised in order to enhance the focus on meeting the immediate security and humanitarian challenges as well as creating the conditions for sustainable and equitable development.

2. The UK government must work with its international partners to ensure that commitments made at the London Conference to increase the transparency and effectiveness of international aid are honoured. Civil society’s role in ensuring accountability also needs to be strengthened. The Government of Afghanistan, the UK and its international partners must support and encourage consultation with a broad spectrum of civil society: local communities, NGOs, civil society organisations and activists and the private sector in the design and implementation of policy and programmes. Existing aid co-ordination and consultation mechanisms must be broadened to ensure regular dialogue and input from civil society.

3. The application of the comprehensive approach in Afghanistan has resulted in an instrumentalisation of aid. Too often the international community has looked for “quick fixes” to problems relating to development needs. The UK Government must ensure that it works with its international partners to ensure that aid is delivered according to needs and in line with national development plans and not on the basis of strategic military priorities. The role and responsibilities of the international Provincial Reconstruction Teams in providing relief and development should be transferred to civilians as soon as practicable. A conflict-sensitive approach to development is critical. Local ownership and broad participation and representation, are key to successful and sustainable development.

4. In the current period in which efforts to secure the rights and safety of women are increasingly fragile, the UK and its international partners must work actively to ensure that the experience, knowledge and interests of women are listened to and brought to bear in security, development and peace and reconciliation agenda.

5. Civilian protection requires legitimate, accountable and capable national security and justice institutions. The British Government must work with its partners in the coalition to end programmes, such as community defence initiatives or the use of irregular armed militia, that establish parallel, competing systems to those of the state and that divert resources (financial and human) away from the development of an accountable Afghan National Security Force. It must make every effort to strengthen the protection of the civilian population and to investigate and bring to justice perpetrators of violations of human rights. The UK Government must also focus on ensuring that Afghan National Security Forces are supported to understand and respect human rights and their obligations under international humanitarian law and to institute mechanisms to ensure accountability in security operations.
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INTRODUCTION

6. The United Kingdom has made an important contribution to security and development assistance since the fall of the Taliban and in many respects its policies are generally regarded as effective in terms of good practice and taking a long term view of the country’s needs. However, certain parts of UK policy should be revised in order to enhance the focus on meeting the immediate security and humanitarian challenges as well as creating the conditions for sustainable and equitable development. It is also clear that given the scale of the international interventions, particularly the number of actors involved, good policy and practice on the part of the UK alone are unlikely to bring about the much needed change for which all, but particularly the Afghan population, long.

7. In 2010 at the London and Kabul Conferences, the International Community and the Government of Afghanistan have made important commitments to address the security, development and economic needs of the Afghan people. Yet there is a growing scepticism among many people in Afghanistan of the value of such conferences, which seem to make little difference to their lives, or adequately recognise the challenges that they face. In addition, the International Community and the Afghan Government have repeatedly missed important opportunities at these conferences by failing to adequately engage with civil society in important discussions on critical issues of peace, development and good governance.

8. The UK Government must therefore work with its international partners and the Government of Afghanistan to ensure that concrete action is taken to honour these commitments; particularly as they relate to increasing the transparency and effectiveness of international aid, enhancing sub-national governance and the rule of law, ensuring more effective and properly resourced civilian engagement to improve the impact of international civilian assistance and strengthening the role of civil society. Despite growing scepticism not all opportunities to turn the situation in Afghanistan around have been lost, but there is an urgent need for a rethink of how future policies should be framed.

TRANSPARENCY AND ACCOUNTABILITY

9. According to Integrity Watch, Afghan citizens paid almost £658 million in bribes last year to access government services, with corruption in the police and the justice sector having the highest impact on households.21 It is no doubt that allegedly few of the cases that do get reported to authorities lead to proper investigation and even less to conviction. A ministry official observed in a recent interview that none of the 200 plus cases that their ministry had reported to the relevant department had been investigated.

10. The ways in which contracts are awarded both by the Afghan government ministries and international agencies is no less problematic. It would appear that few contracts are given on the basis of capacity, professionalism or value for money. Contractors are often former warlords or their associates or other power brokers with interpreters who work for the PRTs sometimes playing an important role in the process. Use of political patronage is allegedly a deciding factor in decisions over who wins a bid.

11. Transparency International lists Afghanistan as the second most corrupt country in the world. Given that every year billions of dollars are directly spent by donor and troop contributing countries through contracts with private (international and national) security and construction companies totally bypassing the Afghan government systems, the international community is also to blame for the rampant corruption that exists in the country.

12. The lack of transparency and accountability has exacerbated negative perceptions with many Afghans regarding the international community complicit in not playing their part in tackling corruption. In Helmand, for example, the widespread rumours about the involvement of a substantial bribe in the improved wheat seed distribution project under the Food Zone programme which allegedly resulted in farmers receiving low-quality wheat unsuitable for cultivation remain unaddressed. The absence of open and accountable bidding processes has led to accusations that contracts are only awarded to those who have links to senior government officials or other contracting bodies and who is willing to pay the highest bribe often as a percentage of the overall project budget.

13. Furthermore, low quality standards inherent in projects undertaken by unprofessional and unaccountable private firms exacerbated by a lack of effective management and oversight have led to accusations of fraud involving material and labour costs. Some roads, including highways that cost close to half a billion dollars to re-build have reached a near-total state of disrepair within just a few years.

14. Projects should be evaluated more rigorously and the results should be communicated to communities. The British Government could assist the Government of Afghanistan to develop a set of standards to assess the qualification and suitability of contractors and to ensure that contract management and procurement policies are effectively implemented.

15. The planned establishment of the Major Crimes Task Force and Anti-Corruption Tribunals and a set of measures aimed at enhancing government capacity for audit are important steps to tackle corruption. However, the Government of Afghanistan will need much support from its key international partners to implement these programmes.

16. Civil society’s role in ensuring accountability also needs to be strengthened. It is incumbent on the provincial and national government with support from the UK and its international partners not only to allow this to happen, but also to support and encourage it. The Afghan government with the support of the international community must implement procedures to ensure that those involved in non-government civil action that calls for change of policy or greater accountability do not face retribution and have the necessary protection against threats by anti-government forces and others.

**THE ROLE OF CIVIL SOCIETY**

17. Problems of accountability have been compounded by an apparent lack of political will on the part of the Afghan Government and donors to ensure that the views of civil society organisations are integrated into policy formation processes. Consultation with a broad spectrum of actors; local communities, NGOs, civil society organisations and activists and the private sector is needed to design and implement good public policy that responds effectively to the needs of the Afghan people. At the London Conference calls were made for strengthening the role of civil society. Yet on many occasions it has taken civil society organisations weeks of intense negotiations to secure representation in discussions and consultations on national and international policy on Afghanistan; sometimes with unsatisfactory results. For example, after weeks of lobbying only one civil society representative was allowed to participate in the Kabul Conference of 20 July—an event in which the Afghan Government was supposed to affirm its commitment towards the Afghan people.

18. Similarly, women’s rights groups have had to work extremely hard to get a place at discussion tables. Only as a result of determined and persistent advocacy by women’s rights groups, the number of female delegates invited to participate in the Consultative Peace Jirga of June 2010 was raised from 20 to 310. Whilst this was welcomed by many women’s groups, they argue that the government’s approach to inclusion has been far from consistent.

**WOMEN’S RIGHTS**

19. Despite the progress that has been achieved in women’s rights, significant challenges remain; Afghanistan is currently the lowest ranking country on the Gender Development Index in South Asia. Women face serious and indeed growing insecurity in the public sphere. Female candidates for both the Presidential and parliamentary elections faced a campaign of intimidation and death threats with the campaign staff of some candidates murdered or abducted. Attacks targeting schools, teachers and students have increased over recent years. Girls’ schools have been particularly targeted.

20. As insecurity grows, women’s rights and access to basic services are diminishing in rural communities affected by conflict. Research also indicates that gender based violence is widespread in the country; especially at the community level where there is a serious, and in some areas a total vacuum of functional state judicial institutions. Efforts should be made to ensure the strengthening of the formal justice system at the national and local levels.

21. As the Afghan Government takes further practical steps towards peace and reconciliation, ensuring women’s involvement in consultations leading to possible negotiations, and in such negotiations themselves, should be an integral part of the policy. With only six seats in the 70-member High Peace Council—the body set up by the Afghan Government to seek peace with armed anti-government groups—it is likely that the voices of the female delegates in the Council will be drowned out in the decision making processes that have the potential to result in worrying change in their status. Furthermore, it is critical that the rights of women and girls are not compromised in the reconciliation process. Only an inclusive, just and fair process that has the rights and interests of Afghans, particularly of women, at its hearth can lead to a lasting peace.

22. We welcome the Secretary of State for the Foreign and Commonwealth Affair’s recent statement of commitment to promote human rights painstakingly and consistently. In this period of growing fragility in securing the rights and safety of women, the UK and its international partners must work actively to ensure that the experience, knowledge and interests of women are listened to and brought to bear in security, development and peace and reconciliation agenda.

**HUMANITARIAN AND DEVELOPMENT NEEDS**

23. A more joined-up approach to the overlapping challenges of conflict, reconstruction, humanitarian assistance and development in Afghanistan will help enhance the effectiveness of UK policy in Afghanistan. However, in practice the application of such a comprehensive approach has too often resulted in an instrumentalisation of aid. Politicians and military officers from NATO countries place significant emphasis on “winning hearts and minds” through aid and reconstruction. Too often the international community has looked for “quick fixes” to problems relating to development need. Recent research has shown that many Afghans perceive the creation of a political economy of aid in Afghanistan as extremely dangerous. They contend that inadequate oversight mechanisms of development aid delivered through the military or PRTs means that it is easily manipulated to fit particular patronage, ethnic or tribal agendas to the exclusion of the most vulnerable
and marginalised. This lucrative aid economy, in turn, has resulted in the consolidation of noxious elite that have an interest in subverting or retarding the state building process.  

24. In multi-national missions, such as Afghanistan where individual countries have lead responsibility for specific provinces, policy coherence across all participating actors is extremely important. Security and development in Helmand are influenced by, and in turn impact, events not only in the neighbouring provinces, but further afield. The way insecurity has spread leaves doubt that a proper analysis of conflict dynamics and vulnerabilities has underpinned the strategies of the Afghan Government and the coalition. In the past three years many provinces previously regarded relatively secure have seen a significant rise in armed violence.

25. Similarly, the potential of appropriately designed and delivered development programmes in tackling some of the causes of the conflict in regions that until recently had not been affected by the insurgency in the same degree as the southern and eastern provinces was significantly underused. Notably among these are Badakhshan in the north, Ghor in the centre and Nimroz in the south-west which have experienced a significant rise in security incidents in the last couple of years.

26. A conflict-sensitive approach to development is critical. Local ownership and participation are key to successful and sustainable development. DFID, through the multi-donor monitoring and evaluation of implementation of the DAC Fragile States Principles and through the Conflict Sensitivity Consortium, is widely respected for its innovative approach to conflict sensitivity. These efforts should be encouraged and built on in Afghanistan. Development interventions are most effective and sustainable when led by civilian actors who have experience and knowledge of local contexts. The role and responsibilities of the international Provincial Reconstruction Teams in providing relief and development should be transferred to civilians as soon as practicable.

27. A large proportion of the Conflict Pool—approximately £40-50 million per year—is spent in Helmand through the PRT. Much of the US’ Commanders Emergency Response Programme (CERP) (to which the funding allocation for 2010 is over US$1 Billion—more than the Afghan national annual budgets for agriculture, health and education combined) was reported to have been earmarked for Helmand province. More secure provinces in the north, centre and west in which the security and development environment has been more permissive have received just a fraction of this assistance. As the attention of the UK Government turns to stabilising 80 “key” districts, in working together with other major donors it must ensure that a) critical humanitarian and development needs across the country are not ignored in favour of the immediate stabilisation concerns; b) a sound analysis of potential adverse impact of inappropriately delivered aid funds on conflict supports policy and practice and c) valuable resources are not spent on “consent winning” projects the outcome of which in both terms of acceptance and life-changing results has all too often been proved inconclusive.

28. As insecurity is increasing and living conditions have remained difficult and in some places worsened, Afghans have grown increasingly sceptical and distrustful of the motives of the international community. Their trust is crucial, but as long as tactical consent winning replaces genuine effort at improving their lives through poverty reduction, these negative perceptions are likely to be exacerbated. Effective and lasting development results are dependent on proper leadership of the process, which in any context, but more importantly in fragile environments, such as Afghanistan, only DFID can provide.

29. Furthermore, in line with good development practice and the commitments that donors, including the British Government, made at the London Conference of January 2010, practical steps must be taken to improve openness and transparency in all spending. Although the amount of information that the British Government has submitted to the Afghan ministry of finance on its disbursements has been more than that of most other donors, comprehensive data on where and how funds are spent, are yet to be published. Given rising concerns about corruption, timely and accessible information will go a long way towards reassuring the public in the UK and Afghanistan that British funds are spent appropriately.

30. Crucially, a radically different approach to gathering and applying knowledge is required. The first major attempt in understanding the context appears not to have been made until late 2008 when the Department for International Development initiated the “Understanding Afghanistan” programme. In terms of critical data collection the report of this programme made two important recommendations: a) given that the “currently fragmented nature of data collection makes data-based analysis and policy making burdensome if not impossible”, there was a need to improve, widen and centralise the collection of data concerning governance, corruption, social exclusion, conflict vulnerability and economic growth; and b) given, Afghanistan’s rapidly changing context evidence based research, such as the “Understanding Afghanistan”, must be refreshed from time to time. It is important that both of these recommendations are taken forward. Moreover, whilst some country donors have commissioned studies looking at provinces under their auspices, it appears that a
comprehensive country-wide analysis of the issues outlined above, particularly conflict vulnerability, has not been tried.

31. Donors must urgently increase funding and support for independent humanitarian action. Since the reestablishment of OCHA in 2008, it has made some notable achievements while operating under the constraints of limited resources, including the facilitation of the production of two humanitarian action plans and regional contingency plans, the establishment of five field offices, and the set up of information management tools and the Emergency Response Fund.\textsuperscript{28} The establishment of the Emergency Response Fund, in particular, has enabled organizations, particularly Afghan NGOs, to quickly access funding to respond to crises, but continued financial support for the fund is needed.

32. As the humanitarian needs in Afghanistan reach a critical stage, the UK Government must support OCHA in an urgent redoubling of their recruitment efforts and consider secondment options which will strengthen OCHA Afghanistan’s effectiveness in facilitating independent and principled humanitarian coordination, outreach and response.\textsuperscript{29}

33. Programmes emerging as a result of national policies must sequence initiatives carefully to ensure effectiveness and sustainability. This requires effective co-ordination between donors and line ministries, but also within and between the Afghan ministries themselves. There is a real need to bridge the current gap between provincial/district and central level administration and donors in the planning and budget making processes. In provinces across Afghanistan, fractious relationships between provincial governors and the central state, or ineffective communication channels between central and provincial level administrations, continue to hamper the implementation of new laws and procedures meant to protect vulnerable groups.

**Civilian Protection**

34. Care needs to be taken to ensure detailed, objective examination of how security policy may affect the daily lives of communities across Afghanistan. Superficial assumptions appear to underlie the increasing use of so called “tribal militias”. Aside from perhaps some short term tactical military gains, militias are known to have been a detriment to long term stability. The Afghanistan NGO Safety Office recently reported that “The use of Local Defense Initiatives (LDI) & Arbaki ... continues to fracture the security landscape ... reminiscent of the 1963 South Vietnamese Self Defence Corps and LDIs are failing prey to all the same vices with active ones being murdered en-masse (Kandahar); smart ones partnering with AOG to exploit the population and Government supplies (Kunduz/Takhar); bold ones just being the AOG (armed opposition group) (Parwan) and timid ones keeping the status quo (Wardak). Some Arbaki have joined AOG when Government failed to give them weapons while others still have scared neighboring villagers to turn to the AOG for protection. The “Village Stability Program” (VSP, the US catchall moniker for such activities) is perhaps the most disturbing development of the year not least because it is so opaque with no single institution having an overview, let alone control, of all activities under this rubric.”\textsuperscript{30} BAAG has grave concerns that initiatives to set up community defence mechanisms that run in parallel with the Afghan security sector have wide-spread negative implications for security, development and human rights. We believe that the British Government must work with its partners in the coalition to ensure this practice stops.

35. The continued escalation of armed conflict in Afghanistan has had significant consequences for civilian protection. In the first half of 2010, there was a dramatic increase in civilian casualties. In the period January to June 2010, UNAMA reports “a 31% increase in the number of civilians who were killed or injured in fighting in Afghanistan compared to the same period in 2009”.\textsuperscript{31} In the South, during the same period “there was a 136% increase in civilian deaths”. Women and children have been adversely affected not only in terms of a greater exposure to danger, but also in terms of violations of their basic human rights and increasing barriers in access to services. “Community elders, provincial officials, and others, who have supported or are believed to support the Afghan Government and International Forces are being systematically targeted through assassinations, abductions and executions”.\textsuperscript{32}

36. In the main, UNAMA attributes this increase in civilian casualties to the activities of anti-government forces and the Government and International Forces inability to protect civilians in many parts of the country. However, Afghan civil society activists are also deeply concerned by the increase in the damaging influence of local warlords and former militia commanders (nominally aligned with the international military forces) on civilian protection, security and rule of law at a local and provincial level.

37. Protection requires legitimate, accountable and capable national security and justice institutions. These alliances have offered militia groups a veil of legitimacy without adequate mechanisms to ensure transparency, lines of authority, sufficient monitoring of activity and accountability or capability. This, in turn, undermines processes to enhance civilian protection and foster the trust of local populations in the security architecture in Afghanistan. The UK has legal responsibility concerning the protection of civilians in situations where it is involved in military action. It must make every effort to strengthen the protection of the civilian population

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\textsuperscript{28} See Humanitarian Reform Project letter to John Holmes, June 2010.

\textsuperscript{29} Ibid.

\textsuperscript{30} ANSO

\textsuperscript{31} Ibid.

\textsuperscript{32} Ibid.
and to investigate and bring to justice perpetrators of violations of human rights. The UK Government must also focus on ensuring that Afghan National Security Forces are supported to understand and respect human rights and their obligations under international humanitarian law and to institute mechanisms to ensure accountability in security operations.

NGO OPERATING ENVIRONMENT

38. British non-governmental organisations continue to deliver humanitarian, reconstruction and development assistance across Afghanistan despite the significant security risks and challenges involved. Due to the deterioration in security, security management costs are rising and NGOs are finding it increasingly difficult to fund security needs from project or central budgets. For example, these may range from increased expenditure on communication equipment and security training to the costs associated with robberies and attacks on offices as well as to those associated with delays in project implementation resulting from specific security incidents. NGOs would encourage a serious discussion within Whitehall about funding for NGOs and support for them to put in place effective measures to minimise risks to their staff.

11 October 2010

Written evidence from Professor Sultan Barakat & Mr Steven A. Zyck, Post-war Reconstruction and Development Unit, University of York

Recommendations for a Diplomatic Strategy in Afghanistan

SUMMARY

The current UK and international strategy towards Afghanistan is ineffective and is unlikely to yield stability. While increased troop numbers will be beneficial in preventing substantial increases in insurgent operations, no viable strategy for improved governance or development exists (or would be likely to yield results in the face of an uncooperative and decreasingly credible government in Kabul).

A political settlement appears to be the only viable strategy for achieving stability. Yet a negotiated solution will require the realisation of a number of challenging and somewhat unlikely achievements, which are outlined below (see Figure 1 for a snapshot). These should include the Foreign and Commonwealth Office (FCO), particularly in the design of strategy and control of communications, but will require the greatest contribution, particularly in the short and mid terms, from the armed forces.

ABOUT THE AUTHORS

Sultan Barakat is Professor of Politics and Director of the Post-war Reconstruction and Development Unit (PRDU) at the University of York. He has been closely involved in Afghanistan since the late 1990s. In addition to undertaking capacity development programmes for senior Afghan officials, he also led the mid-term evaluation of the National Solidarity Programme (NSP) in 2005 and 2006 and the British Government’s “Strategic Conflict Assessment” of Afghanistan in 2008. Professor Barakat is editor of Reconstructing War-Torn Societies: Afghanistan (Palgrave Macmillan, 2004) and After the Conflict: Reconstruction and Development in the Aftermath of War (IB Tauris, 2005).

Steven A. Zyck is a current Associate of and former Research Fellow at the PRDU at the University of York. Mr Zyck, who formerly worked in Afghanistan and neighbouring countries for international organisations, is the author of “Former Combatant Reintegration and Fragmentation in Afghanistan” (Conflict, Security & Development, 2008) and, with Sultan Barakat, “Afghanistan’s Insurgency and the Viability of a Political Settlement” (Studies in Conflict and Terrorism, 2010).

1. After nearly a decade of fighting the war in Afghanistan, the situation continues to decline. This descent is all the more troubling given that, in the past three years, it has continued unabated despite the re-focusing of international attention and financial, material, military and human resources upon the country. Meanwhile, Pakistan has continued to be rocked by internal conflict in the western border provinces and terrorism throughout the country; Pakistan’s mounting instability has, however, been subject to sporadic and half-hearted attention despite the threat it poses to broader regional and global security. HMG’s April 2009 strategy for “Af/Pak” primarily addresses Pakistan insofar as it relates to Afghanistan. We strongly believe that HMG must increase its focus upon Pakistan as a crisis and as a context of fragility in its own right. Yet, while we feel that Pakistan must be treated as a separate conflict (as well as a partner in Afghanistan’s stabilisation), humility impels us to focus upon that context, Afghanistan, with which we are far more personally and professionally familiar.

2. Progress in Afghanistan had previously been hindered by insufficient levels of resources and the channelling of resources outside of or around rather than through the Afghan Government. Crucial capabilities failed to develop early and public institutions which should deliver basic services are unable to meet their mandates or the expectations of the Afghan citizenry. It is increasingly apparent that the absence of a credible Afghan partner and senior Afghan leadership poses the greatest threat. From the start, there should have been a focus on building the capacity of strategically selected individuals throughout the Afghan administration as
a means of fostering local ownership and effective governance. Capacity-building measures, including FCO-funded Chevening scholarships and fellowships, have been a beneficial but exceptionally costly and scattergun approach of enhancing skills.

3. As a result of limited attention to individual capacity building, cultures of impunity and ineffectiveness have been permitted to develop. Key elements of the Afghan administration feel that preventing the discovery of corruption, criticising Afghanistan’s foreign partners, and perpetrating electoral fraud are the most effective means of clinging to power. In such a context, the Taliban increasingly appears to the Afghan people to be a better or equally bad option. Indeed, the Taliban demonstrated greater capacity to provide local security (despite also being a source of violence), managed corruption, belatedly reigned in the poppy industry and resulting levels of addiction, exuded a sense of moral authority, and forbade (rather than pillaged) private banks.

4. As such, there is an opportunity for the international legitimacy and resources of the Government of the Islamic Republic of Afghanistan (GIRA) and the moral legitimacy of the Taliban to be combined: a negotiated settlement between the two and the institution of a power-sharing arrangement. Despite the frequency with which such a statement has been made in the course of the past one to two years, few policymakers, diplomats, or scholars have articulated how such a settlement may best be pursued and implemented. This evidence builds upon our past research and strategies into this issue and is rooted in our evolving understanding of the situation.33

5. The Afghan population has increasing cause for grievance with the international intervention and with the GIRA. Its support will not be thrown behind NATO’s International Security Assistance Force (ISAF) or the GIRA—even if the performance of either merited such allegiance—given the threat posed by an insurgency which has essentially established itself as a powerful shadow government. Even those segments of the population pleased with reconstruction assistance, impressed by the hitherto mediocre performance of the Afghan public administration, or ideologically opposed to the insurgents’ aims will not passively or actively oppose the Taliban for fear of violent reprisal. Reconstruction and development funding will not—and cannot—purchase stability in such a security context and in light of the genuine opposition which has grown throughout the Afghan population as the result of years of misplaced poppy eradication efforts as well as OEF and ISAF-inflicted civilian casualties. While reintegrating “reconcilable” insurgents may appear attractive and have a certain rhetorical charm, few such insurgents will take up such an offer due to pride or fear of retributive attacks. Additionally, the levels of assistance intended to entice opposition fighters into the Government’s fold are insufficient (though many imposters may benefit).34

6. The Taliban and its numerous affiliates must be brought to the negotiating table. However, they will only do so if they feel that their only other option is military defeat; even then, some will certainly resist any political settlement. As such, a diplomatic solution to the conflict in Afghanistan will only be possible following the continuation and expansion of international military operations; the Afghan National Security Forces (ANSF) certainly have a role to play, but, as experience has demonstrated time and time again, it ultimately lacks the skills and willingness to confront the insurgency directly without massive international assistance and support. While celebrating the growth of the Afghan National Army (ANA) to 134,000 members, others reported that approximately a quarter of these were “phantom” soldiers who either did not exist or who were absent without leave (AWOL). As such, this war will continue to be fought and won or lost primarily based on the performance of the international troops in the country. Even then, maintained or increased numbers of troops on the ground still may not have the geographical coverage, operational mandate, or contextual familiarity to win the war.

7. If the troops do prevail in making insurgency membership too dangerous for most Afghans to consider—and if significant proportions of its leadership are eliminated—then the Taliban may consider entering into negotiations if, indeed, it is able, at the very least, to convince its insurgency partners in the Haqqani network and Hizb-e Islami to do so. Even then, a credible offer of negotiation must be (a) extended, (b) accepted within a specific timeframe and according to mutually acceptable conditions, and (c) recognized fully and unconditionally by the international community. Such an offer must be genuine and not a political manoeuvre intended to appeal to the anti-war populace in troop-supplying nations or to make the Afghan Government appear conciliatory in the eyes of its international financiers. At that point, negotiations must ultimately be

Sultan Barakat & Steven A. Zyck, “Afghanistan’s Insurgency and the Viability of a Political Settlement”, Studies in Conflict and Terrorism 33:3 (February 2010). The authors have also contributed to an earlier strategy-formulation process for HMIS; see Sultan Barakat et al., A Strategic Conflict Assessment of Afghanistan, a report of HMIS’s “Understanding Afghanistan” initiative (November 2008).

Indeed, as with the earlier disarmament, demobilization, and reintegration (DDR) process targeting the Northern Alliance, the levels of assistance being proposed by UN agencies and others equal less than US$5,000 per combatant. If the previous DDR programme—which received similar levels of funding—is any indication, only US$700 of this assistance will ultimately reach reintegrated insurgents. Also, as with the previous DDR process, anywhere from one-third to two-thirds of all “reconciled” fighters will be fraudulent or non-existent. See Steven A. Zyck, “Former Combatant Reintegration and Fragmentation in Contemporary Afghanistan”, Conflict, Security & Development 9:1 (April 2009).
implemented successfully—carefully shepherded and not thrown off track by security or political incidents—and be backed up by a credible offer of enforcement by a neutral-as-possible third party. The individuals involved must be carefully chosen and genuinely committed to an effective resolution of the conflict rather than to scoring points with their constituencies, as has happened so commonly in other protracted conflicts around the world.

8. This process, outlined in Figure 1, essentially requires that at least eight achievements be reached in a timely manner without being thrown off course by spoiler violence or opposition from key Afghan and international stakeholders, including HMG, the US Government, Afghan political parties, international terrorist networks (including their financiers) and the Pakistani Government (and, specifically, the Inter-Services Intelligence agency). The plausibility that these will be achieved is already slim and is further undercut by the dissipating engagement of ISAF’s troop supplying members.

Figure 1.
Eight Achievements Necessary for Afghanistan’s Stabilisation

<table>
<thead>
<tr>
<th>Achievement 1</th>
<th>Significant International Military Engagement Maintained or Expanded</th>
</tr>
</thead>
<tbody>
<tr>
<td>Achievement 2</td>
<td>Insurgent Groups and Afghan Population Believe International Engagement Will Be Maintained</td>
</tr>
<tr>
<td>Achievement 3</td>
<td>International and Afghan Security Forces “Turn the Tide” on the Insurgency</td>
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<tr>
<td>Achievement 4</td>
<td>Credible Offer for Negotiation with the Insurgency Extended</td>
</tr>
<tr>
<td>Achievement 5</td>
<td>Offer for Negotiation with the Insurgency Accepted by Insurgent Leadership</td>
</tr>
<tr>
<td>Achievement 6</td>
<td>Negotiations between GIRA and Insurgent Leaders Yield Political Settlement</td>
</tr>
<tr>
<td>Achievement 7</td>
<td>Political Settlement Recognised and Honoured By International Community</td>
</tr>
<tr>
<td>Achievement 8</td>
<td>Adequate Implementation and Neutral/Trusted Monitoring and Enforcement of the Settlement</td>
</tr>
</tbody>
</table>

9. If these achievements are not achieved, or if it becomes apparent that one has not been achieved or is unfeasible, HMG and its international supporters may need to come to the conclusion, prematurely reached by some, that the intervention in Afghanistan will never result in stability. At such time, HMG may have no choice but to limit its ambitions and strive for a next-best solution, namely the achievement of a perpetual state of neither war nor peace in which insurgents engage in continued attacks while being pursued by the ANSF as well as by drones and small cadres of special operations forces from the United States and other willing countries.

10. Such an eventuality would require continued support for Pakistan in the form of development assistance and military aid to ensure that it does not allow insurgents the opportunity to use Afghanistan as a staging point for the destabilisation of Pakistan. Drone patrols and airstrikes along the border between the two countries would need to be stepped up, as the administration of US President Barack Obama has already done, and would need to be accompanied by intensive narcotics and financial interdiction efforts. Governments in countries through which Afghan poppies are smuggled would need to be provided with unprecedented incentives to disallow and strongly counter the transport of poppies, opiates, and precursor chemicals (which allow for processing of raw poppies into opiates). To counter the effects of such activities, development assistance—or, more likely, basic relief aid—would need to continue flowing to Afghanistan, Pakistan and other parts of Central and South Asia.

THE ROLE OF HMG AND THE FOREIGN & COMMONWEALTH OFFICE

11. Despite the limited chance that the eight achievements above will be attained, the Foreign and Commonwealth Office (FCO) and the entirety of HMG’s intervention in Afghanistan, including the Ministry of Defence (MoD), the Department for International Development (DFID), and the Stabilisation Unit, must be orientated around just such an outcome. The FCO, in particular, will need to ensure that the UK’s unequivocal military commitment to Afghanistan is fully communicated to the Afghan people and the insurgency, which
are both increasingly aware of the opposition to the conflict in the United States, United Kingdom, and elsewhere (and which hence predict that foreign forces will depart quickly). Second, while emphasising the military campaign, the FCO will also be required to coordinate a message—also communicated by top British military commanders—that the international community is committed to supporting and honouring any negotiations and political settlements pursued by the GIRA. Such a message will be received more fully and will be viewed credible if Western Governments do not sacrifice their trust in the Islamic world through provocative acts from highly-publicised Quran burnings to rabid and mean-spirited opposition to mosque-building and burqa-wearing. This non-coercive, diplomatic strategy should be delivered, not at press conferences and in the international press, but by local spokespersons or British-Afghans or British Muslims.

12. Furthermore, the FCO must begin to develop, with input from its diplomatic corps and range of experts throughout Britain, a strategy by which the GIRA can propose and shepherd negotiations leading to a political settlement. Such inputs can help to ensure that negotiations are not presented as a form of “take it or leave it” or as a “with us or against us” ultimatum, but as a means of dialogue through which the most ubnefficial forms of confrontation may be avoided. Disposed elements must be identified and discrete talks utilising diplomatic channels should be pursued. While such negotiations must be led by the Afghan Government, the FCO should play a key role, based on its experience in Northern Ireland and elsewhere, in supporting Afghan leaders in designing their strategy, conducting negotiations, establishing neutral-as-possible implementation, and monitoring and enforcing arrangements. One lesson which the UK can bring to negotiations in Afghanistan—and which both of GIRA and the Taliban-led insurgency realise—is that the integral role to be played by regional powers and other Islamic countries. While much attention has been paid thus far to the potentially negative role played by Pakistani elements in Afghanistan, there has been inadequate consideration given to the promising role which Iran can play in Afghanistan. Indeed, Iran may be the one country with the most to lose from a destabilised Afghanistan and it should be viewed as a partner in peace, rather than an inherently hostile source of insecurity. The same message applies to many Arab countries, from Saudi Arabia to Qatar and Kuwait, which have recent historical ties to all factions within Afghanistan and which could be viewed both as a neutral facilitator of a political settlement and as significant providers of development financing.

13. The UK may also make other contributions beyond the scope of the eight integral achievements. These may help to support the pursuit of an effective political settlement, but are more orientated around reconstruction and development. Potential contributions, for example, should focus on the need to foster increased professionalism and capacity within the Afghan Government at all levels. Such an outcome must be understood as a generational process not necessarily achievable to any meaningful degree within the coming few years, though groundwork may be laid. For instance, the plethora of capacity-building programmes implemented within Afghanistan has not been adequately studied; we do not, essentially, know what does and does not work. The UK should finance a major evaluation of such initiatives and then fully support a multi-donor programme to establish a series of capacity-development academies throughout the country. These must be run by capable service providers and should move beyond the costly, limited-output, and low-impact approaches previously developed by some UN agencies, NGOs, consulting firms and others within Afghanistan.

14. Furthermore, DFID may wish to take the lead in designing a more comprehensive and meaningful package of assistance for “reconciled” insurgents than is currently being discussed. The UN agencies previously involved in demobilisation and reintegration (D&R) in Afghanistan have shown themselves to have little technical expertise in this area and to dedicate more than half of all donor-provided funds to overhead costs. DFID must ensure that the mediocrity which was allowed to flourish under the 2003–2006 Afghanistan’s New Beginnings Programme (ANBP) is not repeated. Indeed, DFID may wish—taking D&R as a starting point—to put forward a far broader reintegration package which targets all boys and men between the ages of 12 and 35 in the country. This group, in particular, must become awash in development assistance, educational opportunities, micro-finance programmes, agricultural development schemes and other livelihoods-orientated interventions. If not, the current generation of young men may grow up devoid of options and serve as fodder for the insurgency, not only in the course of the next three to five years, but also far into the future. Such assistance must be given in a relief mentality that is orientated more around consumption than sustainability. Large sums will be lost because of waste and corruption, though the alternative—is using development approaches which emphasise beneficiary contributions and the provision of technical, rather than material, assistance—will take too long to implement with too high overhead costs (while still not likely achieving anything approximating sustainability). Development, it should be said, is far better at preventing conflicts than at ending them.

LESSONS FOR UK FOREIGN POLICY IN FRAGILE SITUATIONS

15. There are a range of lessons which may be learned from Afghanistan (as well as from Pakistan). First and most important, however, is that elite bargains rarely, if ever, work. Afghanistan was a victor’s peace which excluded the toppled regime. In doing so—and in not providing sufficient numbers of troops to guarantee security on the ground—the intervening powers ensured that spoiler violence would ensue. Such a mistake should not be repeated and the international community would be wise to recognise that they must work with those actors on the ground that are deemed to be legitimate by the local population. Attempting to impose officials who “we” believe are legitimate is bound to fail.
16. Furthermore, the UK would be wise to put less faith in the political centre when intervening into future post-conflict contexts. For operational ease and visibility, the international community so commonly stresses approaches which focus upon capitals and elites. It is easier, after all, to craft a healthcare policy and appoint a minister of health than to deploy a nationwide system of medicine. Elections are held and central ministries are erected years before the state is actually able to deliver services on the ground. Such an approach is frustrating for local populations, which are more concerned with local improvements than with national political developments. Furthermore, a focus upon a narrow handful of elites at the national level means that, should these individuals fail, the entire intervention is unlikely to succeed. In Afghanistan, the UK and others recognise that they put all of their faith in a single individual who is growing increasingly unwilling to pursue even the appearance of integrity and managerial competence.

17. Finally, the UK—in its development policy, in particular—would be wise to develop intervention strategies which tackle the priorities of the local population. One can understand how the Afghan population might negatively view an international intervention primarily concerned with governance, elections, political parties, gender relations, and counter-insurgency strategies while rural communities and urban centres lack safe water, reliable electricity supplies, irrigation canals, sufficient jobs, good schools or basic safety. HMG institutions may wish to consider the assumption that what “they” want is so different from what “we” would want in the aftermath of a decades-long war. Indeed, priorities are commonly one and the same, and HMG may find its post-conflict assistance far more applicable if it begins with the same sorts of aid which the British public most urgently required in the aftermath of the Second World War.

6 October 2010

Written evidence from Professor Philip M. Taylor, University of Leeds

THE UK’S FOREIGN POLICY TOWARDS AFGHANISTAN AND PAKISTAN INQUIRY: A MATTER OF INFLUENCE

[The author is Professor of International Communications at the University of Leeds. The author of 14 books relating to the history and impact of propaganda, military-media relations and military information operations, he has lectured all over the world, especially to military educational establishments, on aspects of his thirty-five years of research in these fields.]

Summary: The conduct of Strategic Communications (SC) has become an indispensable requirement of democratic foreign policy in the 21st century Information Age. Different nations organise their overseas information activities in different ways but most identify the three essential components as being Public Diplomacy (usually conducted by Foreign Offices or State Departments, sometimes through proxy organisations like the British Council or BBC World Service), Information Operations (usually conducted by Defence Departments or Ministries, mostly through specialised military in support of military operations) and Public Affairs (cross-governmental cultivation of relationship with the media). This memorandum will concentrate on military information or “influence” activities, although the successful conduct of SC requires all three components to be fully co-ordinated—an aspiration that is harder to achieve in practice than in theory.

Military Information Operations: Regardless of specific successes or failures of “influence activities” in support of tactical and operational military campaigns in the AfPak conflict (which can be discussed in detail later if required), this memorandum will focus on more general institutional, organisational, doctrinal, cultural and even strategic shortcomings when democratic nations like the UK—either singly or in coalition—undertake military operations in the 21st century information age. These can be summarised as follows:

1. AN ALMOST PHILOSOPHICAL AVersion TO THE CONDUCT OF “INFLUENCE” ACTIVITIES—ESPECIALLY AMONGST POTENTIALLY ALLIED AND EVEN NEUTRAL AUDIENCES.

Historically, since the Boer War, most democracies have understood the necessity of conducting propaganda and counter propaganda against hostile combatants in times of conflict (“psychological warfare”). The British, through the experience of Crewe House in World War One and of the Political Warfare Executive in World War Two, have a reputation for deploying “munitions of the mind” to considerable effect, especially on battlefields, utilising ever more sophisticated media for the dissemination of messages designed to undermine adversary morale. This became more complex with the extension of battlefields into “battle spaces” in the post-1945 period, especially when civilian target audiences also became significant in colonial low intensity conflicts, counter-insurgencies and, more recently, counter-terrorism campaigns. The obliteration of dividing lines between soldier and civilian, first through Total War and now through the “War on Terror”, has been encapsulated by the phrase “struggle for hearts and minds”. But it is no longer so clear cut who friends and potential enemies are, or even where they are located. This, combined with the obliteration in the age of the internet of traditional lines between domestic and foreign audiences, and even between friend and foe, has created significant problems for the focussing of any official targeted messaging operations. Seepage across the traditional boundaries is inevitable and, with it, increased nervousness about what can and cannot be said at any given time.
2. Internal Agonising about the Meaning and Definition of “Influence Activities”.

Because of the historical acquisition of pejorative meaning surrounding the word “propaganda”, democracies have done everything they can to distance themselves from this otherwise useful word. Instead, propaganda has become something which only the enemy does whereas democracies engage in something else, such as “information operations” or “strategic communications”. This is most vividly illustrated by the Pentagon’s decision earlier in 2010 to change the well established military phrase “psychological operations” with MISO or “Military Information Support Operations”. The British tried a similar exercise in euphemism when in 1998 the 15 UK PSYOPS Group briefly changed its name to the 15th Information Support Group. The fear of being accused of conducting propaganda may be due to an understandable fear of being accused of telling lies (the popular association with the word) but it does reflect as astonishing failure on the part of professional military persuaders to explain what precisely it is that they do in this field, which has a time-honoured democratic tradition of “truth telling” and “credible truths” (although for various reasons it rarely tells “the whole truth”). The most effective form of targeted information activities, military or otherwise, was recognised by Edward R. Murrow when, back in the 1960s within the context of the Cold War, he argued that “truth is the best propaganda”. However, far too much time is wasted upon internal disputes about the relationship of influence activities to other communications strategies, especially “Media Operations” or Public Affairs.

3. Military Culture of Secrecy vs. Proactive Information Activities.

This nervousness and the resultant euphemism business is evident both at home and abroad within the democratic system. But it is exacerbated by the military traditions which have done so much to protect that system, particularly a culture of operational security and a fear that information released by military and other sources (including to and via the media) may prove of value to adversaries. The resultant default psychological position is to err on the side of caution and withhold information whereas the realities of our globalised information age (an age of Google Earth, Twitter, social network sites and citizen journalists that include soldier bloggers) require organisations to compete in terms of information and message output. It is not so much an issue of telling “our truth” to counter “their lies” but more a battle of competing credibilities in which silence or reticence is no longer appropriate. This is an age in which it is near impossible to keep secrets, or at least not for long (witness the recent Wikileaks controversy), and in which information vacuums will be filled by misinformation, disinformation and conspiracy theories that can take root amongst a global audience as credible “facts”—unless they are countered or discredited quickly and authoritatively.

4. Information is no longer merely a “Support” tool.

There is an additional disadvantage epitomised by the euphemism “Information Support”. The problem is not with the first word but with the second. Western democratic militaries are, for obvious historical and strategic reasons, steeped in the business, training and culture of war-fighting. The main focus is on kinetic operations. But in a war of ideas—for that is surely what the “struggle against violent extremism” really is—the key weapon is information. Terrorists understand this because they know they cannot achieve their political objectives by military means. For them, information is the central tool with violence serving as a militaristic means to an informational end. The generation of fear amongst vulnerable publics in open societies, together with messages designed to foster recruitment amongst those resentful of perceived Western “hypocrisies”, is the dual purpose of terrorist “strategic communication”. Terrorist acts and propaganda are thus symbiotic in their relationship; if anything, the kinetic act of violence is designed to support the two-prong messaging in an asymmetric conflict. For western militaries, it is the other way around. For them, information is a support tool. For terrorists, it is the primary weapon.

5. Bureaucratic Infighting.

A legacy of the previous ideological struggle that was the Cold War, too often are informational responsibilities locked into historical bureaucratic silos within governmental departments that are anachronistic for the internet age. Decision-making is reactive, slow, hierarchical and is subject to political sensitivities. A problem that is perhaps more acute in Washington than in London, the solution has been sought through coordination and inter-departmental co-operation rather than by the creation of a high level central information agency which takes charge of the “information war” in its own right.


All the above are compounded within the context of coalition military operations. Different nations within NATO bring different interpretations of what can and cannot be done in the informational realm for legal, cultural, historical and doctrinal reasons (despite the existence of agreed NATO documents relating to Information Operations, cyber operations and other aspects of this activity). Rotation of commands within ISAF and its areas of responsibility create further difficulties and often the emphasis which any given deployment places upon the informational realm can even be traced back to the personalities of different Commanders. This has been a structural problem throughout the campaign in Afghanistan where different members of ISAF, for example, have had different rules of engagement imposed upon them (usually for domestic political reasons) but which have hardly been conducive to some of the essential requirements of any sustained “hearts and minds” campaign, namely consistency and continuity.
7. The Limits of Military Information Operations.

A simple fact remains. Regardless of the strategic objective in any given military campaign (including peacekeeping, humanitarian intervention and even counter-insurgency) the information and influence strategies employed by the military cannot, by themselves succeed. They tend to be too short-term, too tied to the military objective and its rules of engagement, and too narrow in their tactical and operational objectives. What is really required is strategic thinking beyond the area of operation—and this requires a fully integrated use of the other tools of Strategic Communication, especially Public Diplomacy (a long-term influence activity based upon principles of trust-building, mutual understanding and co-operation) and Public Affairs (where relations with the domestic and foreign media are treated holistically as if no such boundaries existed). Without these other tools, any military influence campaign can only have short-term objectives and can only have tactical and operational effects. In reality, the need is for a long-term informational and influence strategy that attempts to ensure that any future military deployments are unnecessary.

5 October 2010

Written evidence from Andrew Watt

Executive Summary

1. This evidence focuses on the question of the appropriateness, specifically the legality, or otherwise, of the military aspect of UK foreign policy in Afghanistan.

2. The position expressed in this document is that the UK foreign policy in Afghanistan is highly inappropriate since it involves multiple offences contrary to various sections of the Terrorism Act 2000.

3. UK foreign policy in Afghanistan since October 2001 has included military action as an essential aspect of that foreign policy.

4. UK military action in Afghanistan since October 2001 meets the criteria for “terrorism” in UK Law as specified in Section 1 of the Terrorism Act 2000 (specifically those criteria set out in Subsections 1(1) to 1(4)).

5. Current and recent UK foreign policy in Afghanistan therefore involves the commission of multiple offences contrary inter alia to sections 15, 16, 56 and 57 of the Terrorism Act 2000.

6. Such offences have been committed and continue to be committed by UK politicians, military officers, other military personnel and UK civil servants.

7. UK military action in Afghanistan is unlawful under UK Law (since it inevitably involves the commission of multiple criminal offences contrary to various sections of the Terrorism Act 2000) and has been unlawful on those grounds since military action started in October 2001.

8. Information about such offences contrary to the Terrorism Act 2000 has been concealed from Parliament and the UK public by UK civil servants and senior military personnel as well as by a number of well-known UK politicians.

9. UK military personnel have not been informed that, when fighting in Afghanistan, they risk dying as “terrorists”, as defined in Section 40 of the Terrorism Act 2000. Nor have they been informed that, in fighting a so-called “War on Terrorism”, they themselves are “terrorists” who are carrying out “terrorism” as defined in Section 40 and Section 1 of the Terrorism Act 2000.

10. Some £5 billion of public funds is currently being spent annually on unlawful terrorist activity in Afghanistan.

11. The Ministry of Defence has not disclosed to Parliament that much of their budget is being spent on “terrorism”. Nor did they disclose that during earlier phases of MoD terrorism in Iraq or Afghanistan.

12. Fund-raising for and funding of “terrorism” are offences contrary to Sections 15 and 16 of the Terrorism Act 2000.

13. UK politicians, current and recent, and civil servants have concealed from the UK Parliament and public that tax monies are being used to fund “terrorism” (as defined in Section 1 of the Terrorism Act 2000) in Afghanistan.

14. UK politicians, civil servants and military personnel have used funds for the purposes of “terrorism” (as defined in the 2000 Act) contrary to Section 16 of the Act.

15. The expenditure of public funds on terrorism in Afghanistan (and previously in Iraq) may constitute the largest misuse of public funds in UK history.

16. UK politicians and others have committed offences contrary to Section 1 of the Terrorism Act 2006 (note not the 2000 Act) by praising “terrorists” who have carried out acts of terrorism on behalf of the United Kingdom in Afghanistan.
17. The primary recommendation for action by the UK Government is that all unlawful terrorist activity by individuals acting on behalf of the United Kingdom in Afghanistan cease forthwith and that associated misuse of public funds to fund terrorism also cease forthwith.

18. A secondary recommendation is that the UK Government promptly institute a comprehensive set of inquiries including Police and Judicial Inquiries to investigate all aspects of the offences committed since October 2001 contrary to the Terrorism Act 2000 and Terrorism Act 2006.

**Brief Personal Bio**

Andrew Watt is the author of the blog “Chilcot’s Cheating Us” which examines some of the evidence that UK military action in Iraq from July 2000 involved offences contrary to the Terrorism Act 2000. In addition, he is the author of the blog “Westminster’s Cheating Us” which explores some of the issues underlying the loss of public confidence in the integrity of Westminster politicians, including some of the offences mentioned in this document.

Andrew Watt was formerly an academic and a civil servant in the UK.

**Substantive Evidence**

1. This evidence focuses on legal questions relating to the military aspects of UK foreign policy in Afghanistan.

2. It is a matter of public record that UK foreign policy in Afghanistan since October 2001 has included an element of military action, variously labeled as Operation Enduring Freedom and Operation Herrick.

3. The author of this evidence holds the view that such UK military action is (and has been since its inception) “terrorism” as defined in Section 1 of the Terrorism Act 2000.

4. The basis for that assertion is examined in more detail later in this document. In particular, the wording and meaning of Section 1 of the Terrorism Act 2000 are examined in some detail later in this document.

5. This evidence does not attempt to address all possible lines of legal argument relating to the multiple criminal offences committed contrary to the Terrorism Act 2000. Nor does it attempt to be exhaustive in identifying all offences contrary to the various sections of the Terrorism Act 2000, nor the categories of people nor individuals who have committed such criminal offences contrary to the Terrorism Act 2000.

6. My conclusion that UK foreign policy in Afghanistan since October 2001 is unlawful rests on the interpretation of Section 1 of the Terrorism Act 2000.

7. For convenience, the full text of Section 1 of the Terrorism Act 2000 is reproduced here:

   1.—(1) In this Act “terrorism” means the use or threat of action where—
      (a) the action falls within subsection (2),
      (b) the use or threat is designed to influence the government or to intimidate the public or a section of the public, and
      (c) the use or threat is made for the purpose of advancing a political, religious or ideological cause.
   (2) Action falls within this subsection if it—
      (a) involves serious violence against a person,
      (b) involves serious damage to property,
      (c) endangers a person’s life, other than that of the person committing the action,
      (d) creates a serious risk to the health or safety of the public or a section of the public, or
      (e) is designed seriously to interfere with or seriously to disrupt an electronic system.
   (3) The use or threat of action falling within subsection (2) which involves the use of firearms or explosives is terrorism whether or not subsection (1)(b) is satisfied.
   (4) In this section—
      (a) “action” includes action outside the United Kingdom,
      (b) a reference to any person or to property is a reference to any person, or to property, wherever situated,
      (c) a reference to the public includes a reference to the public of a country other than the United Kingdom, and
      (d) “the government” means the government of the United Kingdom, of a Part of the United Kingdom or of a country other than the United Kingdom.
   (5) In this Act a reference to action taken for the purposes of terrorism includes a reference to action taken for the benefit of a proscribed organisation.

8. Section 1 in effect contains two definitions of “terrorism” which I will term the “General Definition” and the “Proscribed Organisation Definition”. The latter is defined in section 1(5), is the one on which the media
UK military action in Afghanistan is “terrorism” in the meaning of the General Definition of “terrorism” set out in Subsections 1(1) to 1(4) of the Terrorism Act 2000.

10. According to the “General Definition” of terrorism in Section 1 of the Act satisfying the following three criteria is sufficient to constitute “terrorism” in the general case.

(a) a threat (or action) against person(s) and property—see 1(1)(a) and 1(2).
(b) the threat or action is designed to influence a government or a section of the public of any locality.
(c) the threat or action is for a political or ideological purpose.

11. It is a matter of public record that UK military forces have used firearms and explosives in Afghanistan on many occasions. Therefore, strictly speaking, it is not necessary to satisfy criterion (b) in the preceding paragraph 10 (see subsection 1(3) of the Terrorism Act 2000 as to why that is so).

12. However, for completeness, I will briefly show that each of the three criteria specified in paragraph 10 of the current document are satisfied and that, therefore, UK military action in Afghanistan is “terrorism” as defined in Section 1 of the Terrorism Act 2000.

13. Criterion (a) is satisfied since it is on public record that the UK military have carried out multiple actions in Afghanistan which have caused (or threatened to cause) serious violence or death to persons and/or serious damage to property.

14. Criterion (b) is satisfied since the military action was initially targeted to “influence” the then Taliban Government of Afghanistan and has continued to target the subset of the Afghan public who are members of the Taliban or sympathetic to the Taliban.

15. Criterion (c) is satisfied since the armed violence by UK military personnel has been for the purpose of carrying forward the political cause constituted by UK Government policy, as amended from time to time.

16. I conclude, therefore, that since all three tests are satisfied that UK military action in Afghanistan is “terrorism” as defined in the “General Definition” of “terrorism” laid out in Section 1 of the Terrorism Act 2000.

17. In passing, the Select Committee will wish to note the import of Section 1(4) which shows that actions anywhere in the world against the Government or section of the public of any country is encompassed within the definition of “terrorism”. Therefore Afghanistan is within the geographic scope of the definition of “terrorism” in Section 1 of the 2000 Act.

18. Section 40 of the Terrorism Act 2000 defines who is a “terrorist”. For convenience I reproduce the text of Section 40 here:

40.—(1) In this Part “terrorist” means a person who—

(a) has committed an offence under any of sections 11, 12, 15 to 18, 54 and 56 to 63, or
(b) is or has been concerned in the commission, preparation or instigation of acts of terrorism.

(2) The reference in subsection (1)(b) to a person who has been concerned in the commission, preparation or instigation of acts of terrorism includes a reference to a person who has been, whether before or after the passing of this Act, concerned in the commission, preparation or instigation of acts of terrorism within the meaning given by section 1.

19. If UK military action in Afghanistan is “terrorism” as defined in Section 1 of the Terrorism Act 2000 then Subsection 40(b) indicates that those who have “been concerned in the commission, preparation or instigation” of such acts of terrorism are themselves “terrorists”.

20. Consequently, not only are UK military personnel in Afghanistan “terrorists” as defined in Section 40 since they were concerned in the “commission” of acts of terrorism but so are their supporting civil servants and the politicians who “instigated” the acts of terrorism.

21. It would therefore be correct to view individuals such as the following as being “terrorists” in the meaning of the Terrorism Act 2000:

(a) Former Prime Minister Tony Blair since he was concerned in the “instigation” of UK military action in Afghanistan in October 2001.
(b) A large number of UK military personnel who served in Afghanistan since they have been concerned in the “commission” of acts of terrorism in Afghanistan in the period since October 2001.
(c) A number of UK civil servants, not least in the Ministry of Defence, and others since they were concerned with “preparation” for acts of terrorism in Afghanistan.

22. The number of individuals who are “terrorists”, as defined in Section 40, is huge and detailed characterisation and identification of those “terrorists” is beyond the scope of this evidence.

23. Section 56 of the Terrorism Act 2000 defines an important type of offence that a number of well-known public figures have committed.
24. For convenience, I reproduce the text of Section 56 of the Terrorism Act 2000 here:

56.—(1) A person commits an offence if he directs, at any level, the activities of an organisation which is concerned in the commission of acts of terrorism.

(2) A person guilty of an offence under this section is liable on conviction on indictment to imprisonment for life.

25. Anyone who directs an organisation which commits acts of terrorism is guilty of an offence, and is liable on conviction to imprisonment for life.

26. It is taken as demonstrated, by virtue of earlier examination of the matter in this document, that “acts of terrorism” (in the meaning of Section 56) have taken place in Afghanistan.

27. Among the individuals who have committed such Section 56 offences, as discussed above, are the following:

(a) The former Prime Minister Tony Blair who directed, at a political level, UK terrorism in Afghanistan from 2001 to 2007.

(b) The former Prime Minister Gordon Brown who directed, at a political level, UK terrorism in Afghanistan from 2007 to 2010.

(c) The current Prime Minister David Cameron who is continuing to direct, at a political level, UK terrorism in Afghanistan (from May 2010).

28. In passing, I would mention that I wrote some months ago to Gordon Brown (when Prime Minister) and David Cameron (when Leader of the Opposition) drawing their respective attention to UK military action in Afghanistan being terrorism and asking them to take steps to cause such terrorism to cease.

29. Gordon Brown “noted” my request that the United Kingdom “cease and desist” from acts of terrorism in Afghanistan. David Cameron’s reply seemed to indicate that he supported such acts of terrorism, an interpretation confirmed by the Section 56 offences committed by David Cameron since he assumed the office of Prime Minister.

30. Fund-raising for terrorism and the use of money to fund terrorism are offences as specified in Sections 15 and 16 of the Terrorism Act 2000.

31. Various UK civil servants and politicians have committed offences contrary to Section 15 and/or 16 of the Terrorism Act 2000.

32. According to answers given by Gordon Brown to the Chilcot Inquiry some £5 billion per annum is being spent by the UK in Afghanistan to support military action. Given that such action is “terrorism” then some £5 billion per annum of public funds are being spent on terrorism by the UK.

33. The UK taxpayer has not been informed by the UK Government that tax monies are being used to fund terrorism in Afghanistan.

34. The Ministry of Defence did not disclose to Parliament that funding used in Afghanistan for military purposes was to be used for the purposes of terrorism as defined in the Terrorism Act 2000. The Ministry of Defence officials and others concerned may be guilty of contempt of Parliament.

35. The use of public funds for the purposes of terrorism, totaling some £20 billion in Iraq and Afghanistan is likely to be the greatest financial crime in UK history.

36. On numerous occasions UK politicians have praised British Army terrorists who have died in Afghanistan.

37. Such statements are contrary to Section 1 of the Terrorism Act 2006 which specifies that “encouragement” of terrorism is an offence.

38. Some such offences have been committed under cover of parliamentary privilege. Others render the offender liable to prosecution and potentially to imprisonment for up to 7 years.

Recommendations for Action

1. The author recommends that the Select Committee asks that the UK Government cease forthwith all activity in Afghanistan that will cause individuals to commit further offences contrary to the Terrorism Act 2000 and that expenditure of public funds for the purposes of terrorism also cease forthwith.

2. The author recommends that the Select Committee asks that the UK Government institute a comprehensive series of truly independent and thorough inquiries to include Police and Judicial inquiries to investigate all aspects of the criminal offences carried out by UK politicians, military personnel and civil servants in connection with unlawful terrorist activity by the UK in, and related to, Afghanistan.

3. The author recommends that the Select Committee asks the UK Parliament and its select committees to institute one or more inquiries into how relevant information was withheld from Parliament in its consideration
of UK foreign policy in Afghanistan and the parliamentary approval of funding for “terrorism” in Afghanistan by the British Army and other military entities.

4 October 2010

Written evidence from Chris Coverdale, Campaign to Make Wars History

WAR OR PEACE—THE CHOICE IS YOURS

EXECUTIVE SUMMARY

This submission sets out new evidence relating to Britain’s foreign policy in Afghanistan and concludes that it is unlawful, illegal, immoral and must be reconsidered.

We came to this conclusion after checking the extent to which Britain’s foreign policy meets, exceeds or falls short of our treaty commitments and legal obligations to the Afghan people. We found that:

— War is always illegal and the UN Security Council can never authorise the use of armed force.
— Britain has broken every one of our binding promises never to wage war, never to threaten or attack another state, never to harm or kill a person because of their nationality, to act peacefully, respect human rights, promote social progress, uphold and enforce the law and work together in a spirit of brotherhood and co-operation.
— By taking part in the illegal armed invasion and occupation of Afghanistan and causing or contributing to the deaths of 650,000 civilians, including 200,000 children, Britain’s armed forces broke the laws of war and committed genocide, crimes against humanity, war crimes, murder and a crime against peace.
— By commanding HM forces to take part in illegal armed attacks on targets in Afghanistan, Britain’s political, civil, judicial and military leaders broke the laws of war and are answerable for all the crimes committed by ISAF forces and are criminally liable to arrest prosecution and punishment under the Rome Statute and the International Criminal Court Act 2001.
— Parliament and HM Armed Forces were deceived into believing that the wars with Iraq and Afghanistan were lawful and had been authorised by the UN Security Council.

Our recommendations are that the Foreign Affairs Committee:

— Carefully considers the validity of this new legal evidence.
— Contacts the Foreign Secretary and Prime Minister and “asks” them to halt the fighting.
— Informs Parliament of the new evidence and tables an emergency debate to end the war.
— Sets up an independent inquiry (i) to investigate the causes and sources of the problem and (ii) to recommend new ways of ensuring that Britain upholds and enforces its treaty obligations.

“The charges in the indictment that the defendants planned and waged aggressive wars are charges of the utmost gravity. War is essentially an evil thing. Its consequences are not confined to the belligerent states alone, but affect the whole world. To initiate a war of aggression therefore, is not only an international crime, it is the supreme international crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole.”—Nuremburg War Crimes Trials 1946

AUTHOR

Chris Coverdale is a behavioural scientist, governance consultant, peace campaigner and memetic engineer. After 30 years working as an organisation development consultant he changed course in 1999 and focused on exposing the corrupt practice that causes Britain to violate international law and wage unlawful war. In 2008 he helped to found Make Wars History. His primary skills and interests are in cognitive science, memetics and the development of innovative governance systems and structures.

AIM AND OBJECTIVES

1. The aim of this report is to persuade the Foreign Affairs Committee and Parliament to stop the war and the killing in Afghanistan whilst it reconsider its legality and purposes of the conflict.

2. We are also aiming to increase readers’ understanding of the laws of war and the illegality of the conflict in Afghanistan, expose the false nature of the legal advice provided by the FCO and Government lawyers, provide a simple way of checking the quality of foreign affairs and persuade MPs to reverse their decision to continue the war in Afghanistan. Our longer term intentions are to reform the UK’s systems structures and safeguards concerning war and peace.
Is Britain’s foreign policy towards Afghanistan appropriate?

3. To establish whether the UK’s foreign policy approach is appropriate we identified the principal treaties governing warfare and relationships between nations, picked out the main terms of each treaty and developed a check list to establish whether Britain has met, exceeded or fallen short of its commitments and obligations to other nations. We then listed the main components and achievements of Britain’s foreign policy in Afghanistan over the past nine years and compared them with the legally binding promises given to the Afghan people.

What are the principal treaties governing warfare?

4. The main treaties which govern warfare and the relationships between states are:
   (i) The General Treaty for the Renunciation of War [the Kellogg Briand Pact] 1928;
   (ii) The United Nations Charter 1945;
   (iii) The Genocide Convention 1948;
   (iv) The Universal Declaration of Human Rights 1948;
   (vi) The Nuremburg Principles 1950;

What commitments and obligations do these treaties contain?

“War between nations was renounced by the signatories of the Kellogg Briand Treaty. This means that it has become throughout practically the entire world an illegal thing. Hereafter, when nations engage in armed conflict, either one or both of them must be termed violators of this general treaty law. We denounce them as law breakers.”—Henry Stimson, USA Secretary of State 1932

5. We collated the terms of these treaties into 15 main pledges relating to war and peace. Each pledge is a legally binding promise. Breaches of any of the first nine pledges are crimes in international law and render all those involved criminally liable for arrest, prosecution and punishment.

Nine pledges relating to War
   (i) never to plan, initiate or take part in aggressive war;
   (ii) never to support condone or fund aggressive war;
   (iii) never to threaten, attack or occupy another State;
   (iv) never to use armed force except in self-defence;
   (v) never to take a human life or wilfully kill a person;
   (vi) never to harm or kill a person because of their race, nationality, ethnicity or religion;
   (vii) never to torture or inflict mental or physical harm on a person;
   (viii) never to steal or destroy property;
   (ix) never to manufacture, possess, trade or use (prohibited) weapons;

Six pledges relating to Peace
   (x) to settle all disputes peacefully whatever their nature or origin;
   (xi) to uphold and abide by the law;
   (xii) to enforce the laws of war (arrest and prosecute war criminals);
   (xiii) to respect human rights;
   (xiv) to promote social progress and better standards of life for all;
   (xv) to work together in a spirit of brotherhood and co-operation for peace and justice.

What are the main components of Britain’s Afghanistan policy?

6. The current phase of Britain’s foreign policy towards Afghanistan began on 7 October 2001 when the British Government switched from peace to war and Tony Blair announced that at the request of George Bush British forces were using submarine launched missiles to attack targets in Afghanistan. Since then the main components and achievements of the policy have been:
   (i) The illegal use of disproportionate overwhelming armed force;
   (ii) The illegal invasion and occupation of an independent nation state;
   (iii) The illegal use of indiscriminate weapons of mass destruction [missiles, rockets, drones, cluster bombs, mortars, white phosphorous and depleted uranium] against civilian targets;
   (iv) The murder of approximately 650,000 civilians, including 200,000 children;
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(v) Serious injuries to approximately 1.5 million men, women and children;
(vi) Driving 4m people into exile and destitution internally and in neighbouring states;
(vii) The removal of the legitimate Taliban Government;
(viii) Installing the US friendly Karzai [puppet] Government;
(ix) Huge cash payments to gain warlord support for the Karzai Government;
(x) An eight fold increase in opium production;
(xi) Expensive corruption-plagued attempts to elect a nominal Parliament;
(xii) Recruiting, training, equipping army and police forces to support the Karzai Government;
(xiii) Widespread increases in bribery and corruption;
(xiv) A ninety fold increase in expenditure over the previous decade;
(xv) FCO propaganda to justify the illegal and unlawful actions of the UK Government;
(xvi) Manipulation of UNSC resolutions to justify the illegal occupation by NATO forces;
(xvii) 335 UK service personnel killed, 5000 seriously injured / maimed, 20,000 mentally injured.

How does our performance in Afghanistan accord with our treaty obligations?

7. By comparing Britain’s performance in Afghanistan with the terms of each treaty we were able to make a broad brush assessment of the degree to which we had upheld our promises to the Afghan people.

Have we fulfilled our obligation never to wage war?

8. No. War was outlawed in 1928 by the General Treaty for the Renunciation of War [Kellogg-Briand Pact]. Sixty three nations, including Britain, America and Afghanistan, ratified the Pact condemning recourse to war and agreeing to settle all disputes peacefully whatever their nature or origin.

ARTICLE I The High Contracting Parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it, as an instrument of national policy in their relations with one another.

ARTICLE II The High Contracting Parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means.—Kellogg-Briand Pact 1928

9. This treaty, which is still in force, formed the legal basis for the Nuremberg War Crimes Trials in 1946. When the judges convicted and hanged Germany’s political, civil and military leaders for breaching the terms of this binding treaty, they set an important precedent. In future, any person in a position of authority, such as a Head of State, Member of Parliament, military commander or Government official, who breaches this treaty and plans, supports or takes part in a war of aggression commits an offence and is criminally liable for punishment for crimes against peace and humanity.

“After the signing of the Pact, any nation resorting to war as an instrument of national policy breaks the Pact. In the opinion of the Tribunal, the solemn renunciation of war as an instrument of national policy necessarily involves the proposition that such war is illegal in international law; and that those who plan and wage such a war with its inevitable and terrible consequences are committing a crime in so doing.”

10. Britain’s forces have been waging war in Afghanistan since 2001, have contributed to the deaths of at least 650,000 Afghan civilians of whom 200,000 were children, have injured or maimed 1m people and have driven 4m into exile and destitution. As none of our victims had done anything to attack Britain or British interests, this atrocity violates the Kellogg-Briand Pact and constitutes a war of aggression.

Have we fulfilled our obligation never to threaten or attack Afghanistan?

11. No. The UN Charter is widely recognised as the world’s premier war law. When Britain signed and ratified the UN Charter in 1945 we made a binding agreement on behalf of the British people never to threaten or attack another member state and to settle all disputes peacefully.

2.3 All members shall settle their international disputes by peaceful means in such a manner that international peace, security and justice are not endangered.

2.4 All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.—Article 2 United Nations Charter 1945

12. On 7 October 2001 Tony Blair announced that we were using missiles to attack targets in Afghanistan.

“As you will know from the announcement by President Bush military action against targets inside Afghanistan has begun. I can confirm that UK forces are engaged in this action… it is more than two weeks since an ultimatum was delivered to the Taliban to yield up the terrorists or face the consequences… The military action we are taking will be targeted against places we know to be involved in the operation
of terror or against the military apparatus of the Taliban. This military plan has been put together mindful of our determination to do all we humanly can to avoid civilian casualties…

We have set the objectives to eradicate Osama bin Laden’s network of terror and to take action against the Taliban regime that is sponsoring it. As to the precise British involvement I can confirm that last Wednesday the US Government made a specific request that a number of UK military assets be used in the operation which has now begun. And I gave authority for these assets to be deployed… Missile firing submarines are in use tonight.

13. When Tony Blair said “it is more than two weeks since an ultimatum was delivered to the Taliban to yield up the terrorists or face the consequences” he confirmed that the UK and the US had violated the UN Charter by threatening the Taliban. By announcing that “Missile firing submarines are in use tonight” he also confirmed that British forces were attacking Afghanistan and, by using high-explosive indiscriminate weapons of mass destruction such as missiles, were setting out to cause thousands of casualties and widespread destruction. This was a deliberate policy to terrify the Afghan population into submission.

Have we fulfilled our obligation not to use armed force except in self-defence?

14. No. Claims by the UK and US Governments that the armed attacks on Afghanistan were taken in self-defence, and thus were authorised under Article 51 of the UN Charter, are bogus. The only time when a limited and proportionate use of armed force is lawful occurs when a nation is forced to defend itself from an armed attack by the forces of another state. Under Article 51 nations suffering an armed attack may use armed force to defend themselves, but only until the Security Council implements measures to resolve the conflict.

51. Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary to maintain or restore international peace and security.

15. As there is no evidence whatsoever that the Taliban Government of Afghanistan launched or supported the attacks on the World Trade Centre there is no lawful justification for the invasion or occupation of Afghanistan. As the Government and people of Afghanistan made no attempt whatsoever to attack Britain, there is not now and never has been a lawful justification for Britain’s participation in this war.

16. Under the UN Charter the only people authorised to use armed force in the Afghan conflict are the people of Afghanistan [the Taliban]. Under Article 51 they have the right to defend themselves from the unlawful invasion and occupation of their country by British, American and ISAF forces. If they notify the UN Security Council of the unlawful attacks they can lawfully continue to use armed force [rockets and IED’s] to repel ISAF forces until the UN Security Council implements peacekeeping measures.

How effective is the Foreign and Commonwealth Office’s contribution?

17. We believe that the main reason why so many British citizens hold the false belief that the UK’s use of armed force in Iraq and Afghanistan is lawful stems from the fact that for decades they have been given false and misleading legal advice on the use of armed force by Government and FCO lawyers.

18. To illustrate this serious deception consider the following statements taken from a letter written on 17 June 2009 on behalf of Bill Rammell, the FCO Minister, and Daniel Bethlehem, the FCO legal advisor, in which they again attempt to justify the legality of the wars with Afghanistan and Iraq.

“It should also like to add that under Article 24 of the United Nations Charter “its Members confer on the Security Council primary responsibility for the maintenance of international peace and security”. Under Chapter VII of the Charter, the Council may decide what measures shall be taken … to maintain or restore international peace and security”. Under Article 25 “the members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter…

19. In the sentence the Council may decide what measures shall be taken … to maintain or restore international peace and security note the 3 small dots signifying that parts of Chapter VII have been left out. This is extremely important because the phrase that has been left out is not involving the use of armed force. Articles 41 and 42 from Chapter VII of the UN Charter state:

41 The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio and other means of communication, and the severance of diplomatic relations.

42 Should the Security Council consider that measures provided for in Article 41 prove to be inadequate, it may take such action by air, sea or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade and other operations by air, sea, or land forces.
20. By deliberately omitting one of the most important clauses in the UN Charter the FCO reversed the meaning of the Article and successfully deceived Parliament and the public into believing that the armed attacks on Afghanistan and Iraq were authorised by the UN Security Council under Chapter VII of the UN Charter. Nothing could be further from the truth. The use of armed force is always prohibited and violates the terms of the UN Charter. All actions by the Security Council must be non-violent.

21. The same letter includes the following statement:

“While I appreciate your comments about the current situation in Afghanistan I can only reiterate here that the UK is in Afghanistan at the invitation of the democratically elected government of that country, operating along with the other partner nations under United Nations Security Council Resolution Nos 1386 (2001) and 1510 (2003).”

22. This is another blatant attempt by the FCO to falsify the facts. As Tony Blair’s announcement of 7 October 2001 made clear, Britain is fighting in Afghanistan at the invitation of George Bush NOT at the invitation of the democratically elected government of that country. The meeting of the UN Security Council, at which Resolution 1386 was passed, took place on December 20th, 10 weeks after Britain and America had attacked Afghanistan and after they had driven the legitimate Taliban Government out of Kabul. This was another attempt by Britain and America to justify this unlawful armed invasion and prepare the world to accept the installation of the illegitimate Karzai puppet government.

23. The FCO has had a central role in the planning and conduct of the illegal invasion and occupation of both Afghanistan and Iraq, and a central role in the multiple long term deceptions that have taken place to ensure that Parliament and the public support and endorse two of the worst atrocities in British history. Members of the FCO must be held to account for their repeated abuses of international law.

“As a citizen I regard it not only as a right but as a moral duty to help shape the destiny of my country, to uncover and oppose manifest evils. What I aimed to do was to rouse my students to an ethical understanding of the grave evils of our present political life; a return to definite ethical principles, to the rule of law, to mutual trust between man and man. This is not illegal rather it is the re-establishment of legality.”—Professor Kurt Huber Munich University 1943 shortly before he was condemned to death for sedition.

What conclusions can we draw about Britain’s policy towards Afghanistan?

24. It is 100% American: We attacked Afghanistan in 2001 and have been at war ever since because George Bush asked Tony Blair for Britain’s help ostensibly to join the war on terror but in reality to remove the legitimate Taliban government and replace it with the US-friendly Karzai [puppet] government. Nothing about this action originated in UK foreign policy and nothing about it benefits Britain.

25. It is unlawful: This armed invasion and occupation of an independent nation state violates international law and all the treaties governing the use of armed force; in particular the Treaty for the Renunciation of War, the UN Charter, the Genocide Convention, the Universal Declaration of Human Rights, the Geneva Conventions, the Nuremburg Principles and the Rome Statute of the International Criminal Court.

26. It is criminal: The use of modern indiscriminate weapons of mass destruction in 40,000 attacks on densely populated undefended towns and cities causing the deaths of 650,000 civilians, including 200,000 children, injuring 1.5m and driving 4m into exile and destitution is the worst crime known to mankind. Under the laws of war it renders those responsible criminally liable to arrest and prosecution for crimes of genocide, crimes against humanity, war crimes, murder and a crime against peace.

27. It is costly: Supplying and maintaining our armed forces to assist the illegitimate Karzai Government to maintain control of Afghanistan by brute force and corruption is 90 times more expensive than the previous peaceful lawful foreign policy, and is unsustainable. UK taxpayers have paid an average of £11,000 each since 2000 towards waging illegal wars and killing innocent people. They will rebel soon.

28. It is unpopular: Recent polls indicate that at least 76% of the UK electorate oppose the continuation of the armed conflict in Afghanistan. The only people we can find who believe that killing and injuring unarmed men, women and children is an appropriate lawful course of action are Government Ministers, MPs, Peers, military commanders, judges or civil servants who have little or nothing to lose.

29. It is disreputable: By breaching all the international treaties and laws governing relationships between States, Parliament has dealt a fatal blow to Britain’s international reputation for fair play, honesty and justice. We will soon have one of the least trustworthy and least trusted Governments on the planet.

30. It is immoral: Having promised the Afghan people that we would never wage war, never attack them, never harm or kill them, settle disputes peacefully, act lawfully and work together to mutual benefit, we broke our word and used missiles, cluster bombs, white phosphorous and depleted uranium to attack and kill thousands of men, women and children. This is one of the most immoral acts in British history.

31. It is evil: Not one of our victims had attacked or harmed us, was given the chance to defend themselves in court or was shown any mercy before they were intentionally shot, blown up, decapitated, disembowelled,
dismembered or burnt to death by order of Parliament and the British Government. This atrocity will rank alongside those committed by Hitler, Stalin and Pol Pot as an act of pure evil.

Recommendations

32. Carefully consider the validity of this new legal evidence. The legality or illegality of the conflict and the actions and omissions of the British Government can be confirmed by referring to the wording of treaties and checking the meaning carefully. To establish whether a person has committed a war crime refer to the offences listed in (i) the Nuremburg Principles, (ii) Article 25 of the Rome Statute of the International Criminal Court or (iii) Sections 51 and 52 of the International Criminal Court Act 2001. It is inadvisable to take the word of the Attorney General, Government lawyers or FCO staff as they have deceived everyone over the legality of warfare and the use of armed force for years. If you speak to a lawyer be sure to get them to explain the grounds on which they base their advice.

33. Contact the Foreign Secretary and Prime Minister and ask them to halt the fighting. It is imperative that the needless unlawful killing is stopped immediately. It takes only a few minutes to give the orders to start a war and it takes even less time to command it to stop. The Prime Minister, the Deputy Prime Minister, the Foreign Secretary and the Defence Secretary all have the power to end or call a temporary halt to the killing within minutes, so remind them that every hour’s delay means further innocent lives lost and that no-one has the right to condemn an innocent person on either side of the conflict to death.

34. Inform Parliament of the new evidence and table an emergency debate to end the war. When Parliament voted recently to continue the conflict and fighting in Afghanistan it did so on the grounds that it was lawful. I hope that this document has shown that war is never lawful, that the only time when the use of armed force is condoned is when it is used in self-defence to counter an armed attack, that the legal advice from the FCO and Government lawyers was false and that nothing about the conflict in Afghanistan is or has ever been lawful. Providing that every MP is carefully briefed on the laws of war, together with its prohibitions and implications, prior to a new debate, it should be a formality to table, debate and vote on a motion to end the conflict.

35. Set up an independent inquiry (i) to investigate the causes and sources of the problem and (ii) to recommend new ways of ensuring that Britain upholds and enforces its treaty obligations. None of Blair’s wars would have been fought and no one would have been killed if the parliamentary and government systems for upholding treaties and enforcing the law had been working correctly. These atrocities could have been avoided if any member of the Government, any Member of Parliament or any law enforcement officer had at any time in the last nine years understood the laws of war and been prepared to enforce them. I suggest that Parliament [or the FAC] sets up an independent inquiry team of five to seven members to carry out five main tasks:

(1) To conduct an immediate investigation into the laws of war and their prohibitions. Ask the inquiry to report to Parliament within two weeks confirming the laws that govern warfare and the use of armed force together with their main requirements and prohibitions;

(2) Within six weeks to investigate and report on the false legal advice provided by government lawyers to Parliament, FAC, the armed forces and the public over the past 10 years;

(3) Within twelve weeks identify whether British citizens committed war crimes and offences against the laws of war in the past ten years, and if so, to identify which criminal offences were committed and who is liable for arrest and prosecution;

(4) Within four months to recommend to Parliament how best to organise and conduct criminal proceedings against all those British citizens responsible for criminal offences against the people of Afghanistan and Iraq;

(5) Within five months (i) identify the main systemic and structural faults in Government, Parliament and law enforcement authorities that cause Britain to renege on treaties and break international and domestic law; (ii) suggest systemic and structural changes to Britain’s system of Government to ensure that in future we meet all our commitments and obligations to the people and governments of other nations.

Are you willing to stop the killing—the choice is yours

For nine years Britain has been waging unlawful wars killing and injuring several million innocent Afghan and Iraqi civilians, including one million children. These are the two worst atrocities in British history and yet no-one with the power to stop them has done so. This is a plea to every member of both Houses of Parliament to take action now and force the Government to uphold the law and end the killing.

5 October 2010

“and thus you are to act as though the destiny of human life hung solely from your deeds and you and you alone were accountable.”—Adapted from J.G.Fichte

“If an injustice is of such a nature that it requires you to be the agent of injustice to another, then I say break the law. Let your life be a counter friction to stop the machine. What I have to do is to see that I do not lend myself to the wrong which I condemn.”—Henry D. Thoreau 1854
The Foreign Affairs Index

A check list to help MPs and the public establish the extent to which a nation has met, exceeded or fallen short of its legally binding treaty commitments and obligations to other nations.

Consider each statement in the Black List and award the points in brackets if the Government has broken that promise in the past twelve months. Only if you have awarded no Black List points move to the White list and award the points for each promise kept.

**The Black List**

- Never to plan, initiate or take part in aggressive war (40) ______
- Never to support, condone or fund aggressive war (20) ______
- Never to threaten, attack or occupy another State (5) ______
- Never to use armed force except in self-defence (5) ______
- Never to take a human life or wilfully kill a person (5) ______
- Never to harm a person because of their race, nationality or religion (10) ______
- Never to torture or harm a person (5) ______
- Never to steal or destroy property (5) ______
- Never to manufacture, possess, trade or use (prohibited) weapons (5) ______

Total ______/100

**The White List**

- To settle all disputes peacefully whatever their nature or origin (30) ______
- To uphold and abide by the law (30) ______
- To enforce the laws of war (arrest and prosecute war criminals) (10) ______
- To respect human rights (10) ______
- To promote social progress and better standards of life (10) ______
- To work together in a spirit of co-operation and brotherhood (10) ______

Total ______/100

Written evidence from Roman Solodchenko

William Hague has stated that the country’s reputation is “directly linked to the belief of others that we will do what we say and we will not apply double standards”.

**Summary**

- In assessing the performance and success of UK foreign policy in Afghanistan and Pakistan, it is important to also examine the impact these policies have had on surrounding countries;
- There is a concern that democratisation and human rights commitments are being traded off against more compelling interests driven by the war in Afghanistan, energy politics, and other geostrategic calculations;
- The UK’s policy towards Kazakhstan is a clear example of the potential risks;
- Kazakhstan has taken the support of the international community, for example collaboration with the UK, as an endorsement of its internationally criticised governance practices;
- It is crucial that the UK’s foreign policy ensures that neighbouring countries support our objectives, and military presence in Afghanistan, but that this does not compromise the UK’s broader foreign policy principles, particularly in relation to human rights and the rule of law.

**Evidence submitted by Roman Solodchenko**

Roman Solodchenko has experience in both Government and businesses in Kazakhstan and been part of the economic transformation of this country. His experiences provide a unique insight into the way Kazakhstan has interpreted UK foreign policy in the region.

**Assessment of UK Foreign Policy**

In assessing the performance and success of UK foreign policy in Afghanistan and Pakistan, it is important to also examine the impact that the UK’s foreign policy has had on surrounding countries.

The UK has collaborated with a number of neighbouring countries in order to maintain their support for the coalition forces’ military presence in the region. Many of these countries have provided direct assistance in a variety of ways. The challenge for the UK Government however, is to ensure that other foreign policy objectives are not unduly compromised as a result of such partnerships.

The Foreign Secretary has called for more emphasis within foreign policy on protecting human rights, saying the UK must always “have a conscience”.
Hague outlined this in his speech in September—the last in a series of three about the UK’s foreign policy goals—saying the country’s reputation was “directly linked to the belief of others that we will do what we say and we will not apply double standards”.

Of particular significance to this inquiry are the countries that are part of the Northern Distribution Network (NDN) and other key supply routes. The NDN has significantly impacted on the geopolitics of Central Asia and means that transit states have acquired new leverage over Washington and Westminster especially since NATO also began using the network.35

Only last week, the US was accused of adopting a far different approach toward local leaders, turning a blind eye to Kazakhstan’s backsliding on what it believed was the country’s commitment to release imprisoned political opponents and human rights activists.36

There is a concern that democratisation and human rights are being traded off against more compelling interests driven by the war in Afghanistan, energy politics, and other geostrategic calculations.

In other words, the collaboration has a serious downside as history has taught us. Nothing encourages radicalism more than unfairness. Such actions mean that the UK risks losing its reputation as an advocate of political and economic independence and committed supporter for human rights improvement.

KAZAKHSTAN

The UK’s policy towards Kazakhstan is a clear example of the potential risks. The country’s geographical location means that it is vital as a coalition supporter and Kazakhstan will be integral to the long-term development of the region. Kazakhstan has already contributed to maintaining security in the region, particularly in its role as chair of the OSCE. During its time as chair of the OSCE, Kazakhstan has ensured Afghanistan stayed high on the agenda and it is set to form a key part of the OSCE summit in December. Kazakhstan has stated that Afghanistan remains a priority in its foreign policy and as such its support is helpful to the UK and coalition forces.

Kazakhstan has made excellent economic progress since its independence from the Soviet Union. Furthermore, it has increasingly integrated with the international community to the advantage of the country and its people. Unfortunately, democratic principles, human rights, media freedom and the rule of law have been trapped in the time warp of the old Soviet Union.

Over the past decade, following engagement and comment from the international community, Kazakhstan has responded with a number of commitments regarding these issues, for example in November 2007 at the Madrid OSCE summit, as part of its bid to chair the organisation. Many commentators believed that these commitments and the chairmanship would move Kazakhstan forward.

The reality in Kazakhstan has been quite different and the situation has deteriorated since the Madrid summit. Over the last year there has been criticism over the human rights situation in Kazakhstan. Commentators including Amnesty International, CPJ, Freedom House, the Open Society Institute and Human Rights Watch have publicly criticised the decline in human rights in Kazakhstan and suggested that Kazakhstan is failing to keep promises made when it was awarded the chairmanship. These included commitments to progress in line with OSCE recommendations to liberalise laws on the media, improve human rights, and democratise with new laws on elections and political parties. Indeed, evidence suggests that the situation is worsening rather than improving.

The regime has taken the support of the international community, for example collaboration with the UK, as an endorsement of its Government. One example of this is a speech made by Kanat Saudabayev, Foreign Minister of Kazakhstan, during a visit to the United States: “The unanimous decision of the 56 member nations of the OSCE, made in Madrid on 30 November 2007, to award the chairmanship to Kazakhstan in 2010, is an objective recognition of Kazakhstan’s impressive successes in social, economic and political developments under the prudent leadership of President Nursultan Nazarbayev over the years of independence.”37

LESSONS FOR FUTURE POLICYMAKERS

The UK has adopted a somewhat equivocal position with regards to Kazakhstan and other countries bordering Afghanistan. There are inevitable compromises that must be reached, however the UK must be mindful of the misinterpretations that result from its partnership or open support.

In the case of Kazakhstan it has used this position as a means of endorsement of its current governance practices. Contrary to the UK’s expectations and wishes, Kazakhstan has made insufficient progress in human rights. Current UK policy indirectly supports the status quo in Kazakhstan. This is contrary to the principles articulated by William Hague in his speech on 15 September 2010.

35 The Northern Distribution Network and Afghanistan Geopolitical Challenges and Opportunities, a Report of the CSIS Transnational Threats Project and the Russia and Eurasia Program project co-directors by Andrew C. Kuchins and Thomas M. Sanderson
36 Steve LeVine, (author of The Oil and the Glory) The New Republic, 6 October 2010: ‘The End of the Great Game’
37 Kanat Saudabayev, Foreign Minister of Kazakhstan, during a visit to the UN General Assembly meeting in New York, 25 September 2009
“Indeed I intend to improve and strengthen our human rights work. It is not in our character as a nation to have a foreign policy without a conscience, and neither is it in our interests.”

The world faces serious challenges both in Afghanistan and increasingly with Pakistan. It is crucial that the UK’s foreign policy ensures the neighbouring countries both support our policy and the military presence, but that this does not compromise the UK’s broader foreign policy principles and objectives, particularly in relation to human rights and the rule of law.

20 October 2010