

The search for common ground: civil–military relations in Afghanistan, 2002–13

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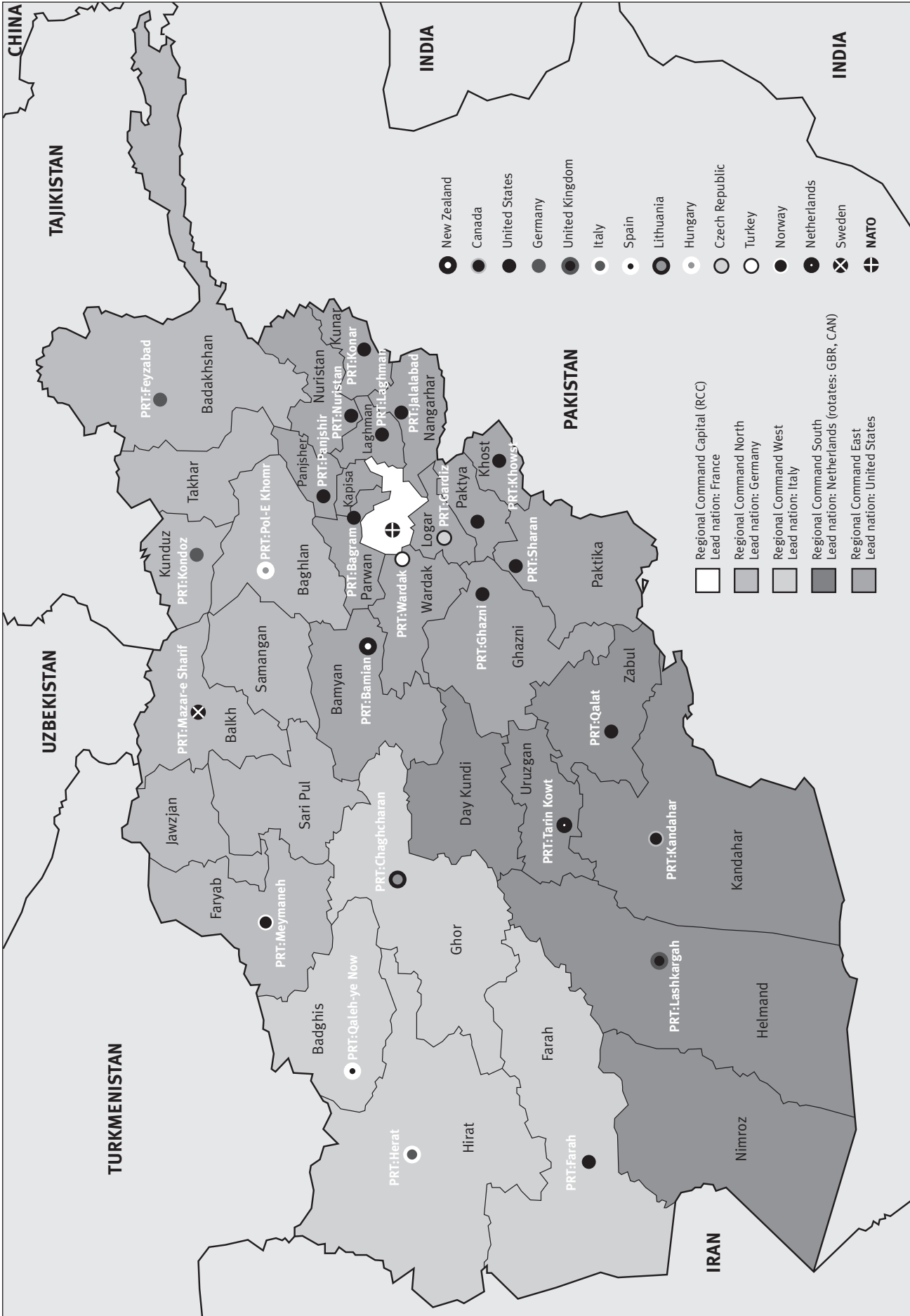
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Map: Afghanistan ISAF RC and PRT locations as of April 2009



Executive summary

The belief that development and reconstruction activities are central to stability and security is by no means novel. It is also highly contentious, perhaps nowhere more so than in Afghanistan. Experiences in Afghanistan have irrevocably shaped how aid agencies regard and relate to military forces during conflict and, arguably, vice-versa. Through an examination of the Afghanistan case, this study seeks to better understand the challenges of civil–military dialogue in the context of stabilisation. In particular, it looks at the challenges posed by military forces that actively seek to pursue development and reconstruction – traditionally the domain of aid agencies – as a central component of military strategy.

The study spans the past decade of civil–military interaction, beginning with the creation of the International Security Assistance Force (ISAF) and Provincial Reconstruction Teams (PRTs). PRTs were seen by many in troop-contributing country (TCN) militaries and governments as an innovative instrument to further stabilisation. Initially envisioned as interim structures, they would provide security as well as basic reconstruction and infrastructure outside of Kabul, ostensibly in support of the Afghan government. PRTs aimed to neutralise potential threats to security and enabled a ‘light’ approach to nation-building, removing the need to commit higher levels of troops and financial resources. PRTs were established at a heady pace: by 2008, there were 26 PRTs in Afghanistan, led by 13 different nations.

Many aid actors strongly objected to the presence of PRTs on the grounds that they, and the broader stabilisation approaches of which they were a part, militarised and politicised assistance. They often lacked the skills and tools required to ensure that their work was appropriate, effective and sustainable, and that it supported (rather than undermined) Afghan institutions. There were also significant problems with coordination, both among PRTs and in their interactions with aid agencies. While ISAF assumed command of all the PRTs in Afghanistan in 2006, in practice they were controlled by lead nations with seemingly little uniformity or coordination with ISAF HQ or the Afghan government. The structure and activities of individual PRTs varied widely, as did the financial resources each PRT lead nation spent.

Efforts to coordinate with PRTs at the local level have had mixed results. Attempts by aid actors to limit the role of PRTs were largely unsuccessful, and some agencies accepted funding directly from PRTs and from PRT lead nations. Disunity among aid agencies was exacerbated by the absence of UN

humanitarian leadership and capacity. Aid agencies tried to engage with the military to clarify roles and ensure adherence to International Humanitarian Law (IHL), and a PRT Executive Steering Committee was established to provide policy guidance on PRT operations. The UN Assistance Mission in Afghanistan (UNAMA) and ISAF agreed a set of guidelines for civil–military relations, facilitated by a Civil–Military Working Group (CMWG). However, the guidelines were not sufficiently disseminated within ISAF and uptake appears to have been limited.

In 2009, the US and other ISAF TCNs authorised a troop ‘surge’ that nearly doubled the number of troops in Afghanistan. In addition to major ‘clearing operations’ and ISAF-led offensives against Taliban strongholds, the new military strategy focused on counterinsurgency (COIN), with greater numbers of civilians deployed to support these efforts, as well as increased funding for stabilisation. The surge represented a turning-point for aid agencies. As insecurity spread and intensified, access in large parts of the country became virtually non-existent for many international agencies. At the same time, pressure increased on aid agencies to support development and governance work in areas ‘cleared’ of insurgents. Although there was some productive interaction during this period, notably with respect to civilian protection, many aid agencies sought to avoid direct contact with the military, either to limit the perception of association with ISAF – and increasingly the UN – or simply because they felt that any discussion would be pointless. By 2011, the national-level CMWG had essentially disbanded.

The troop surge has failed in its aim of defeating the Taliban, and large swathes of the country face significant insurgent presence and activity. With the 2014 deadline for the drawdown of ISAF combat troops approaching and the ongoing handover of responsibility to Afghan forces for security, significant questions remain as to what will happen to PRT assets and interventions, as well as civil–military dialogue with Afghan security forces. Given the lack of Afghan government involvement in PRT project planning and implementation, along with the lack of monitoring and recordkeeping, handing over projects, structures and assets to the government has proved to be a complex task. The Afghan government and military have until recently been all but absent from dialogue with aid agencies on civil–military issues. Aid agencies must begin civil–military dialogue anew with Afghan security forces. During and after the transition, aid agencies will have to identify new strategies and new means of engaging to ensure that they are able to operate safely, and to improve protection for the populations they aim to assist.

List of acronyms and abbreviations

ACBAR	Agency Coordinating Body for Afghan Relief
ADT	Agri-Business Development Team
AIA	Afghan Interim Authority
AIHRC	Afghan Independent Human Rights Commission
ALP	Afghan Local Police
ANA	Afghan National Army
ANCOP	Afghan Civil Order Police
ANP	Afghan National Police
ANSO	Afghanistan NGO Safety Office
ANSF	Afghan National Security Forces
ARD	Associates in Rural Development
AusAID	Australian Agency for International Development
BAAG	British Agencies in Afghanistan Group
CERP	Commander’s Emergency Response Fund
CHLC	Coalition Humanitarian Liaison Cell
CIMIC	civil–military coordination
CMWG	Civil–Military Working Group
COIN	counterinsurgency
DAI	Development Alternatives, Inc.
DFID	Department for International Development
DSRSG	Deputy Special Representative to the Secretary-General
DST	District Support Team
ENNA	European Network of NGOs in Afghanistan
ERC	Emergency Relief Coordinator
ESC	Executive Steering Committee
HC	Humanitarian Coordinator
IASC	Inter-Agency Standing Committee
IDC	International Development Committee
IDLG	Independent Directorate of Local Governance
IHL	International Humanitarian Law
IMF	International Military Forces
ISAF	International Security Assistance Force
LGCD	Local Government and Community Development
MRRD	Ministry of Rural Reconstruction and Development
NATO	North Atlantic Treaty Organisation
NDS	National Directorate of Security
NGO	non-governmental organisation

OCHA	UN Office for the Coordination of Humanitarian Affairs
OEF	Operation Enduring Freedom
OHCHR	Office of the High Commissioner for Human Rights
PRT	Provincial Reconstruction Team
QIP	quick impact project
RC	Regional Coordinator
SIGAR	Special Inspector General for Afghan Reconstruction
TA	Transitional Authority
TCN	troop-contributing nation
UNAMA	UN Assistance Mission in Afghanistan
USAID US	Agency for International Development
USFOR-A	US Forces Afghanistan

Chapter 1

Introduction

The belief that development and reconstruction activities are central to stability and security is by no means novel. The need for ‘integrated’ approaches or ‘coherence’ in post-conflict environments had been largely acknowledged by humanitarian and military actors alike, particularly in the aftermath of Rwanda and other humanitarian crises of the 1990s (Collinson and Elhawary, 2012). However, ‘stabilisation’ in foreign policy, military strategy and development aid assumed significantly greater prominence after the events of 9/11. Such approaches were highly contentious, perhaps nowhere more so than in Afghanistan, where troop contributing nations (TCNs) to the International Security Assistance Force (ISAF) sought to utilise development and reconstruction activities to undermine the Taliban and enhance the legitimacy of the Afghan government.

The stabilisation approaches employed by international forces and their governments in Afghanistan have become a model for many Western countries and for NATO. Aid agencies’ experiences with international military forces have however often been deeply negative, affecting the way they operate and interact with military forces globally. As the drawdown of international combat forces from Afghanistan approaches, there is an urgent need to understand why the interaction between aid agencies and military actors was so often unproductive and effective dialogue so hard to achieve.

Through the Afghanistan case, this study seeks to better understand the challenges of civil–military dialogue – dialogue between military forces and independent humanitarian actors – in the context of combined international and national military forces pursuing stabilisation. In particular, it looks at the challenges posed by military forces that actively seek to pursue development and reconstruction – traditionally the domain of aid agencies – as a central component of a military strategy. This analysis, based on a review of literature as well as extensive interviews with actors from all sides, aims to yield lessons about what can be achieved through structured engagement, at various levels, on civil–military issues.

The study begins with an overview of stabilisation approaches in Afghanistan, with a particular focus on the central military mechanism responsible for such activities: Provincial Reconstruction Teams (PRTs). It examines civil–military dialogue as security conditions and military approaches have changed over the years, and looks at the ongoing process of security transition, assessing what challenges remain and the prospects for future coordination with Afghan security forces. Finally, the report reflects on the implications of the humanitarian community’s experiences of civil–military dialogue in Afghanistan for the wider humanitarian sector in future engagements.

1.1 Overview of the project

Effective civil–military coordination is essential to the humanitarian objective of saving lives and alleviating suffering. In recent years civil–military coordination has faced a number of major and often interconnected challenges, including expanded international intervention in fragile and conflict-affected states, the increased frequency and scale of natural disasters related to climate change and the rapid proliferation of humanitarian actors. In the face of these multiple challenges, increased interaction and dialogue between military and humanitarian actors is essential. However, the two sides often fail to reach a common understanding of the role that each plays, the challenges they face and, critically, the priority needs of affected populations and how these can or should be addressed.

This Working Paper is part of a larger research project entitled ‘Civil–Military Coordination: The Search for Common Ground’. Through a series of case studies and other exchanges, the project aims to provide contextual analysis of how civil–military coordination mechanisms have functioned in disaster and conflict contexts. Of key concern is what impact civil–military coordination mechanisms have had on the efficiency or effectiveness of humanitarian response, and on outcomes for affected populations.

1.2 Methodology

To explore these issues, an extensive desk review of literature on Afghanistan was conducted focused on military strategy and humanitarian operations. Initial consultations were also conducted with experts and past and current staff engaging with civil–military coordination structures to refine the focus of the study. This was supplemented by research in Afghanistan and telephone interviews with aid workers, military actors and others with direct knowledge or experience of civil–military interaction in Afghanistan. In total, 58 individuals were interviewed. Informants included current and former military and civilian officials from a wide range of ISAF troop-contributing countries, donors, diplomats, UN officials, aid workers, Afghan government officials and analysts. These conversations were guided by a semi-structured questionnaire, but often the content of discussions was driven by informants’ key areas of expertise and personal experiences. Discussions varied widely based on the informant’s background.

Areas of inquiry were informed by both the requirement to conform to the parameters of a global thematic research agenda on civil–military relations, and the need to tailor the research to the unique context and myriad complexities associated with civil–military relations in Afghanistan. This paper focuses

primarily on civil–military dialogue related to conflict, and does not cover dialogue on natural disaster prevention or response. While several studies have looked at specific provinces or issues, this research aims to provide an overview of civil–military relations during the course of a decade. This consequently limits the level of detail that can be covered.

While interviews informed the narrative of the report, a conscious effort was made to rely not on interviews alone but also on independently published research where possible, including academic publications, military manuals or directives and government audits. This was not always feasible given poor recordkeeping, the lack of evaluations and the confidential nature of many military policies and assessments.

1.3 Terminology and definitions

‘Aid agencies’ refers to both humanitarian and multi-mandate (humanitarian and development) not-for-profit organisations. These agencies, including the UN, the Red Cross/Red Crescent and international and national NGOs, espouse recognised humanitarian principles in that they aim to save lives, alleviate suffering and maintain human dignity. They should be guided by the principles of humanity (saving human lives and alleviating suffering wherever it is found), impartiality (taking action solely on the basis of need, without discrimination between or among affected populations) and independence (autonomy from the political, economic, military or other objectives that any actor or party to a conflict may harbour with regard to the areas where humanitarian actors are working). Some, though not all, will be guided by neutrality (not favouring any side in a conflict or other dispute).

‘Afghan National Security Forces’ (ANSF) refers to the Afghan National Army (ANA), Afghan National Police (ANP), Afghan National Civil Order Police (ANCOP), Afghan Local Police (ALP) and the National Directorate of Security (NDS).

In line with OCHA/IASC guidance, ‘civil–military coordination’ is defined as the essential dialogue and interaction between civilian and military actors in humanitarian emergencies that is necessary to protect and promote humanitarian principles, avoid competition, minimise inconsistency and, when appropriate, pursue common goals.

‘International military forces’ refers to all international government forces operational in Afghanistan, including ISAF and US forces (including Operation Enduring Freedom (OEF) and US Forces Afghanistan (USFOR-A)) under the command of ISAF. It also includes other groupings, such as special forces, which do not fall under the ISAF chain of command or authority.

‘International Security Assistance Force in Afghanistan’ (ISAF) refers to NATO-led international forces deployed to Afghanistan under the authority of the UN Security Council. In August 2003, at the request of the UN and the government of Afghanistan, NATO assumed command of ISAF; as of 2008, the commander of ISAF also serves as the commander of USFOR-A, although the chains of command remain separate.

‘US Forces Afghanistan’ (USFOR-A) refers to the command of US forces operating in Afghanistan, including forces under Operation Enduring Freedom (OEF). OEF is a joint US and Afghan operation distinct from ISAF.

Chapter 2

Stabilisation and reconstruction (2002–2008)

On 7 October 2001, coalition troops were deployed to Afghanistan under the US-led Operation Enduring Freedom (OEF).¹ The following December, following the rapid collapse of the Taliban government, a number of prominent Afghans² met under UN auspices in Bonn to form an interim government, the Afghan Interim Authority (AIA), to be followed after its six-month mandate expired by a two-year Transitional Authority (TA). The Bonn Agreement recommended the deployment of a UN-mandated international force to maintain security. On 22 December 2001, UN Security Council Resolution 1386 authorised the creation and deployment of the International Security Assistance Force (ISAF) under Chapter VII of the UN Charter to ‘assist the Afghan Interim Authority in the maintenance of security in Kabul and its surrounding areas’; the first ISAF troops were deployed in June 2002. While initially commanded by a rotation of coalition members, ISAF was transferred to NATO control in August 2003.³

After the fall of the Taliban regime, diplomatic and aid agency presence, which was limited under the Taliban government, dramatically increased. On 28 March 2002, UN Security Council Resolution 1401 established the UN Assistance Mission in Afghanistan (UNAMA) to support ‘focused recovery and reconstruction’. UNAMA pursued a ‘light footprint’ approach with an initially limited presence outside of Kabul, while Afghan and international aid agencies expanded operations throughout the country. By 2006, there were over 800 aid agencies operating in Afghanistan (Olson, 2006). Even so, aid expenditure was comparatively low – less than 10% of what it had been in post-war Bosnia and less than a quarter of what was devoted to post-conflict East Timor (Waldman, 2008). The military presence too was limited, with 9,700 troops deployed at the end of 2002 in a country with an estimated population of 28 million.

2.1 The origins of stabilisation in Afghanistan

The concept of stabilisation is neither well defined nor consistently understood; it has assumed a number of forms and names over time (pacification, stabilisation, peace-support

¹ Prior to NATO’s assumption of command in 2006, OEF partners comprised 16 nations and a contribution of 4,000 troops.

² Five groups were officially invited by the UN to participate in the Bonn conference. In the end four attended: the United Front (otherwise known as the Northern Alliance); the Cyprus Group, sponsored by Iran; the Peshawar Group, sponsored by Pakistan, which both put forward political figures; and a delegation composed of followers of the former king of Afghanistan. Pro-democracy underground and exile groups were initially invited but later excluded (see Ruttig, 2012).

³ When NATO assumed command of ISAF, 5,300 troops were deployed from 30 nations.

Box 1: ISAF’s mission, mandate and presence

ISAF was officially mandated by UN Security Council Resolution 1386 (2001), which called on member states to contribute personnel, equipment and ‘other resources’ to ISAF, and individual member states to provide leadership. ISAF’s primary objective was to assist the Afghan Transitional Authority by creating a secure environment and supporting reconstruction efforts, including through coordination with the UN Assistance Mission in Afghanistan (UNAMA).

ISAF was initially led by OEF coalition nations in six-month rotations, and was confined to Kabul. In 2003, UN Security Council Resolution 1510 expanded ISAF’s mandate to cover the whole country, and NATO assumed leadership of ISAF. ISAF expanded its presence over the next three years, largely through assuming responsibility for PRTs set up by the US or through establishing new PRT structures. By December 2006, ISAF was present in all five regions of Afghanistan. The US troop surge in 2009 radically increased ISAF’s size, though some US troops, such as US Special Forces, remain under OEF and outside of ISAF command. Currently, there are 50 TCNs in the ISAF alliance, contributing approximately 100,330 personnel. The US and UK are contributors to ISAF; as of February 2013, they have 68,000 and 9,000 troops, respectively, under ISAF command.

ISAF’s mission is defined, in relation to an overarching responsibility to support the Afghan government, as being to conduct ‘operations in Afghanistan to reduce the capability and will of the insurgency, support the growth in capacity and capability of the Afghan National Security Forces (ANSF), and facilitate improvements in governance and socio-economic development in order to provide a secure environment for sustainable stability that is observable to the population’ (NATO website, 2013).

operations or reconstruction). Nonetheless, its broad objectives and approaches have remained largely the same.⁴ At the core of stabilisation theory is the assumption that weak governance and conflict pose a threat to international peace and stability. A related assumption is that such conflicts are fuelled by underlying grievances towards the state, driven by state neglect and poverty – the corollary being that development projects, particularly those that improve service delivery and offer economic opportunities, and improved governance, can ‘stabilise’ conflict situations. These components are both

⁴ For a comparative history of stabilisation approaches, see Barakat et al., 2010.

short-term, with the immediacy required to stabilise the situation, and long-term, to address the root causes of a conflict. Development assistance is meant to enhance public approval of the government, thus ‘buying time that serves to reduce the chances of the state slipping back into violence’, while longer-term goals comprise ‘a potentially transformative, comprehensive and long-term project, possibly entailing substantial social, political and economic change’ (Gordon, 2010: S369; Collinson et al., 2010: S277).

After 9/11, stabilisation assumed greater prominence – and, at times, near-fanatical support – among and across Western governments, transforming the approach and structure of both military and civilian agencies. Stabilisation discourses influenced military doctrine and foreign aid, and fundamentally changed the relationship between the military and civilian components of these governments. Many governments created integrated civilian–military or ‘whole of government’ approaches to dealing with so-called ‘fragile states’, supported by stabilisation units within the military or civilian foreign assistance departments. The result in conflict-affected states, not least Afghanistan, was that civilian assistance became inextricably linked with – and often guided by – political and military objectives.

2.2 PRT establishment and expansion

In the early years of the international intervention in Afghanistan, the primary instruments of stabilisation were the PRTs. Proposed by the US as a solution to the power vacuum and insecurity that persisted in many parts of Afghanistan, PRTs initially aimed to help extend the reach of the Afghan government. In essence, PRTs were intended to fill an interim role until the nascent Afghan government was able to provide services and security itself. All US-led, the first PRTs were set up in Paktia, Kunduz, Bamiyan and Balkh by 2003, and in Parwan, Herat, Nangarhar and Kandahar by early 2004. The Kunduz PRT was later transferred to Germany and a German-led PRT was subsequently established in Badakshan. By the end of 2004, there were a total of 19 PRTs in Afghanistan.

The origins of the PRT model can be traced to US-led Coalition Humanitarian Liaison Cells (CHLCs) (Borders, 2004). These entities, comprising 10–12 troops, were tasked with something between intelligence gathering and the implementation of quick impact projects (QIPs). The initial experiences of CHLCs fed into the creation of Joint Regional Teams, then Provisional Regional Teams and finally PRTs around 2003–04. Defined by ISAF as ‘a civil–military institution’, PRTs generally comprised 50–100 predominantly military personnel (with many PRTs solely military in composition at the outset). An ‘ink-spot strategy’ was envisioned whereby PRTs would support the extension of security and government authority by establishing small zones of stability that would then spread, eventually joining up with other stabilised areas until the entire region was secured. In addition to providing security, PRTs were initially tasked with coordinating reconstruction, including conducting

assessments, identifying potential projects and coordinating NGOs, UN actors, the Afghan Transitional Authority and others (Stapleton, 2003).⁵ PRTs were intended as a cost-effective alternative to fully fledged nation-building, which would have required much larger numbers of troops and much greater financial resources.

While many felt that a minimum of 30,000 troops would be required to maintain security during the initial years after the fall of the Taliban, troop levels only increased marginally to 13,100 at the end of 2003 and 16,700 at the end of 2004. Despite their concerns about PRTs, many aid actors saw ISAF’s presence as a necessity: 80 aid agencies publicly petitioned the NATO and UN secretary-generals to expand ISAF’s presence throughout the country in 2003 (IRIN, 2003). Instead the US and its allies pursued what has been referred to as ‘nation-building lite’ through committing the minimum number of troops in what was hoped would be an inexpensive and short-term intervention (Ignatieff, 2002).

2.3 PRT models and approaches

ISAF assumed command of all PRTs in Afghanistan in 2006. However, in practice PRTs were controlled by lead nations with seemingly little uniformity or coordination from ISAF HQ. An information office was established in ISAF HQ and PRTs were supposed to provide weekly reports on their activities, but only a handful routinely did so, and it is not clear how this information was used. The result was what a 2008 US government evaluation described as ‘a wide variety of entities with the same name’ with ‘no clear definition of the PRT mission, no concept of operations or doctrine, no standard operating procedures’ (US House of Representatives, 2008: 18).

The structure and activities of individual PRTs were shaped most directly by the local operating environment. In the north, German-controlled PRTs had little insecurity to contend with during this period. The UK by contrast encountered significant challenges when it moved from the north and assumed command of the PRT in Helmand province, forcing the British to adopt a dramatically different approach to deal with much greater levels of insecurity (Gordon, 2010). Lead nations were also inhibited by their own bureaucratic restrictions and legal constraints, including ‘national caveats’ that restricted particular forces from specific security-related functions without explicit approval from their government. German involvement in the PRTs was justified to the German public as ‘peacekeeping’, and German military involvement in

⁵ There are conflicting reports regarding the coordination role of PRTs, although it appears that their initial coordination role was envisioned to be much broader than ultimately was the case. Gauster (2008:19) reports that ‘plans to use PRTs as coordinators for the entire reconstruction effort were shelved in spring 2003 following protests by international NGOs’. Nevertheless, this coordination role, ostensibly duplicative of UNAMA’s mandated reconstruction coordination role, appears to have been significantly scaled back over time, reflecting a shift from taking a lead on coordination to a duty to coordinate with others.

combat operations was limited by the country's longstanding reluctance to engage in foreign wars. German troops were prohibited from staying outside of their camps overnight, and so could not carry out long-range patrols. All patrols had to be accompanied by an armoured ambulance and German aircraft had to return to their base before nightfall (Merz, 2007). Despite pressure from NATO, the German government refused to lift these restrictions.

The size and structure of PRTs varied widely, although most had a relatively small civilian component – estimated to be on average around 5–10% of the total complement of a typical PRT in 2004 (Save the Children, 2004). German PRTs ranged up to 300 troops with a limited number of civilians, while early US PRTs averaged 100 military staff and around five civilians. In theory, all US PRTs were supposed to include State Department and US Agency for International Development (USAID) representatives, yet in many PRTs these posts were unfilled. There were only around 40 USAID staff in Afghanistan in 2003, most of them located at the embassy in Kabul (Gall, 2003). The UK PRT in Helmand had a military component of around 150 troops and 20–30 civilians. Leadership structures also differed: military commanders served as the official lead of all US PRTs, whereas the leadership for the UK PRT rested with a civilian. Leadership of German PRTs was split between a civilian and military head, leading respective components which were operationally and spatially separate.

To some extent, these staffing structures reflected the models of stabilisation each lead nation employed. Overwhelmingly military PRTs, like those of the US, were highly militarised and short-termist in their approach. US PRTs initially focused on QIPs designed to 'win hearts and minds'. Civil Affairs teams hired private contractors to execute the work, which included the construction of schools, clinics, wells and other small projects intended to establish good relations with Afghans and collect intelligence. Support to governance translated into promoting the authority of local powerholders perceived to favour the government, frequently old warlords or militia commanders of questionable loyalty. The UK PRT in Helmand also focused on QIPs, though there was fierce debate within the PRT about whether such projects ultimately contributed to the objective of increasing popular support for the Afghan government (Gordon, 2010). The German approach reportedly emphasised accountability, incorporating local labour contributions and getting communities to work together. A civilian working for the Badakshan PRT in this period described how reconstruction projects were selected and implemented by a committee including civilians, the military and Afghan officials. Funds were disbursed from a joint bank account held with the director of the Ministry of Rural Reconstruction and Development (MRRD).

Where PRTs were multinational – as in the case of the Uruzgan PRT, led by the Netherlands between 2006 and 2011 with significant Australian support – differences in ideology

and approach could become acutely problematic. The Dutch approach, seen by many of those interviewed for this study as one of the more effective PRT models,⁶ focused on addressing local grievances and conflicts. Researchers and cultural advisors were employed to map the origins and dynamics of local conflicts and pursue peacebuilding approaches, with force used based on concrete intelligence and in moderation. In many instances aid was discreetly given to individuals or initiatives seen as critical to security, including tribal elders disgruntled with the government, with little oversight and minimal visibility. The thinking was that such aid was useful in providing security, but only if it could not be traced back to the Dutch, for fear that this would undermine the legitimacy of the local actors they were seeking to bolster.

By contrast, the Australians implemented much more visible stabilisation projects, often in the wake of or in the same location as Australian combat action. Australian stabilisation projects during this period, implemented jointly by the military and the Australian Agency for International Development (AusAID), were low-budget (around \$10,000), short-term QIPs aimed at securing goodwill for Australian forces. Many Australian military staff reportedly felt that the Dutch approach was too 'soft' and 'politically naïve', and believed that they were only able to pursue such an approach thanks to the combat operations conducted by US and Australian special forces (Fishstein, 2010: 8).

PRT budgets varied significantly. The US had the largest: in 2004, combined QIP and Commander's Emergency Response Program (CERP) funds totalled \$96m, rising to \$238m by 2008 (SIGAR, 2008; Katzman, 2008).⁷ Between 2001 and 2008, the US spent \$465.11m on QIPs and over \$1 billion in CERP funds on PRT or other military-led projects (SIGAR, 2008). Others had smaller budgets or budgets for reconstruction activities were controlled by civilian government agencies. In 2006, the Lithuanian PRT in Ghor province spent approximately \$462,000 on development projects, while the Italian PRT in neighbouring Herat spent \$4.5m (Abbaszadeh et al., 2008). German PRTs worked closely with the German development agency GIZ, which controlled the majority of funding for reconstruction and development. Reconstruction activities involved some support to local authorities in planning, but most funding went to NGOs independent of the PRT, on medium- and long-term development programmes in economic development, education, water and energy. Directing reconstruction assistance to NGOs was in line with an approach that in practice kept civilian and military activities separate.

Within many PRTs, core military staff had a mixture of backgrounds and abilities. According to one US former PRT

⁶ While identifying many positive outcomes including positive impacts on healthcare, agriculture and education, a 2010 independent evaluation of the Dutch approach also found a failure to effectively improve local governance. See The Liaison Office, 2010.

⁷ CERP was established in Afghanistan in 2004 to enable the expansion of funding for PRT activities.

official, this resulted in inter-service tensions and meant that key military personnel often lacked the skills necessary to undertake the work or the necessary pre-deployment training on what working in a PRT involved. For most PRT lead nations, there was no specific pre-deployment training or systematic debriefing for PRT commanders. Limited training hindered effective leadership within the PRT and coordination with external actors, including aid agencies. According to one US former PRT employee: ‘Some [PRT staff] had zero knowledge of PRT roles, and it’s up to the commander to teach, train and define the mission. There was almost no support for the commander. They were asking really basic questions about how to do the mission, and nobody’s got the playbook’ (HPG interviews, 2012). Without strong guidance and centralised control, PRT activities were often driven by individual personalities; high turnover meant there was little continuity and there were few opportunities to correct bad practices. The handover between rotations, or when PRTs transitioned from one lead nation to another, was frequently poorly handled or non-existent. There were attempts to rectify this: in 2008, for example, the US introduced a more rigorous 72-day training programme (including some content on humanitarian principles) for military and civilian personnel.

The lack of adequate training and support, combined with high turnover, made dialogue between PRTs and aid agencies difficult. Effective coordination was rare and often strained, with the role and objectives of PRTs unclear to many aid workers. At a meeting in Herat in 2004, the PRT commander told assembled NGO staff, ‘You don’t need to love us, you just need to work with us’. One frustrated aid worker responded: ‘You only have another eight months here and yet you want to tackle long-term development issues such as unemployment ... you will only work where other NGOs cannot and yet you are working where we are all working. What do you actually see as your added advantage here – in relation to what the NGO community is already providing?’ (Save the Children, 2004: 24–25).

While some PRTs were initially appreciated by Afghans, they were ultimately an inadequate solution to the insecurity that spread throughout the country during this period. Between 2002 and 2006, insurgent attacks increased by 400% and casualties by 800% (Jones, 2008). Security deteriorated significantly from 2006 onwards; in that year alone, bomb attacks nearly doubled on the previous year, suicide attacks increased six-fold and over 1,000 civilians were killed or injured (Human Rights Watch, 2008). The dual role of PRTs became increasingly schizophrenic, as did their attempts to ‘win hearts and minds’. In one incident in Ghazni province in 2004, PRT officials attempted to offer condolences to villagers and offered to dig a well weeks after they had fired rockets into the village, killing nine children. Villagers reportedly responded with anger and confusion, later telling researchers ‘we want them to leave – we don’t want their help ... let them keep their well’ (Save the Children, 2004: 24).

2.4 Criticism and opposition to the PRTs and stabilisation

The PRT concept was controversial within the humanitarian and development community in Afghanistan, as well as with the Afghan government, from its inception. A primary objection was that PRTs, and the broader stabilisation approaches of which they were a part, aimed to militarise and politicise assistance by aligning aid with stabilisation objectives, rather than the needs of affected people (Stapleton, 2003). As a result aid was grossly skewed towards insecure provinces or provinces where troops were present. In terms of overall donor and Afghan government spending for 2007–2008, insecure southern provinces such as Nimroz, Helmand, Zabul and Uruzgan received more than \$200 per capita, while more stable provinces such as Sari Pul and Takhar received less than a third of this amount (Waldman, 2009).

Another concern was that tasking the military with delivering aid would create confusion among insurgents and civilians between aid actors and the military. These arguments centred on the principle of distinction: many were concerned that an inability to differentiate between military and civilian aid actors would have dangerous consequences for aid workers on the ground.⁸ The Geneva Conventions stipulate the responsibilities of occupying powers (a category that would have arguably applied to international forces in Afghanistan, at least early on)⁹ and their obligations to civilian populations, including ensuring access to food and medical supplies as well as sufficient health and hygiene conditions. But many worried that delivering aid with the expectation of intelligence or loyalty to pro-government forces would force civilians to make an impossible choice between badly needed assistance and their own safety.

More pragmatic arguments – shared beyond the humanitarian community in many cases – focused on the efficiency and effectiveness of PRTs. A US government evaluation from 2008 stated:

Decision makers must be able to judge the relative merit of actions taken. They must be able to judge effectiveness against a strategy in order to adapt plans to changing conditions on the ground ... Instead, the departments and agencies are left with a variety of unofficial, anecdotal measures – from the ability of local and provincial governments to obtain and

⁸ For a detailed analysis of the principle of distinction, see Henckaerts and Doswald-Beck, 2005.

⁹ While the conflict in Afghanistan is generally categorised as an international armed conflict, there is no consensus on when the occupation phase ended. There are five possible dates: the establishment of the Interim Authority by the Bonn Agreement in December 2001; the appointment of Hamid Karzai as president of the Transitional Authority in June 2002; the adoption of the constitution in January 2004; the conclusion of the first presidential election in October 2004; and the parliamentary election in 2005 (see Bellal et al., 2011).

Box 2: Humanitarian space

The term ‘humanitarian space’ first entered the lexicon during the Cold War, and grew in prominence in the 1990s. In the last decade or so there has been a widely held perception in the humanitarian system that humanitarian space is shrinking. This is largely attributed to developments since 9/11 and the use of humanitarian assistance – by Western governments in particular – in their security strategies and to further political objectives. The consequences of this perceived contraction of humanitarian space are seen as manifesting themselves in attacks on aid workers and a lack of access to populations in need of assistance.

There is no common definition of ‘humanitarian space’, and there are no agreed benchmarks of what acceptable levels of humanitarian space should be. Collinson et al. (2012) has described how definitions tend to differ on the emphasis they place on the ability of agencies to operate, the ability of affected communities to achieve their rights and the responsibilities that parties to the conflict have to international humanitarian law. The independence of humanitarian action from politics is also often central to the definition. However, these definitions are not always congruent and the multiplicity of meanings of ‘humanitarian space’ makes it difficult to achieve consensus within the humanitarian system and advocate for humanitarian space with external actors.

obligate funds, to the number of projects completed in an area, to levels of violence, to whether or not local nationals wave at US personnel when they drive through a neighborhood (US House of Representatives, 2008: 19).

There were also concerns that the PRTs were duplicating the efforts of aid agencies, and that military assistance ultimately bypassed the Afghan government rather than supporting it, undermining both its capacity and its legitimacy. Aid agencies also felt that the military lacked the requisite skills to undertake high-quality development work, or the capacity to provide oversight and ensure sustainability. Short-term QIPs were criticised as poorly planned, short-term, expensive and ineffective (see Waldman, 2009). Such concerns were often shared by lead nations and, privately, by some PRT personnel. A report released by the US government found that ‘the lack of planning led PRTs to pursue short-term “feel good” projects (with success measured by money spent or satisfaction of the local governor) without consideration of larger strategic and capacity-building implications’ (US House of Representatives Committee on Armed Services, 2008).

For their part military officials argued that duplication would not be a problem as the military operated in areas where no aid agencies were present because of high levels of insecurity. Proponents of PRTs argued that needs in these

areas were too great, and too closely linked to insecurity, to be left unaddressed. While it is not clear to what extent this was true in the early years when there was relative security, international aid agency presence did scale back markedly in the southern provinces as insecurity and attacks on aid workers rose. However, even as some international agencies pulled out, many international and Afghan NGOs remained. The concept of a perceived ‘development vacuum’ – despite the lack of evidence to support such an assertion – was nonetheless used to justify PRT activity.

Although many aid agencies objected to PRTs doing ‘development’, there was no consensus on precisely what was acceptable and what was not. Some agencies felt that it would be impractical to demand that PRTs abandoned reconstruction work altogether, and so argued instead that they should focus on basic infrastructure, such as roads and the rehabilitation of water sources, rather building schools or providing healthcare services. Other agencies felt that any PRT involvement in reconstruction or development was unacceptable, and lodged ultimately futile arguments for them to be phased out altogether.

Aid actors are rarely a unified or homogeneous grouping, and Afghanistan was no exception. However, even in the early years following the fall of the Taliban regime few agencies maintained what could be loosely characterised as a ‘purely’ humanitarian approach, guided by independence, neutrality and impartiality. Many did not regard Afghanistan as a conflict environment – the Taliban had essentially disappeared, and few at the time would have predicted their re-emergence as a serious threat to stability. Additionally, the long-term drivers of humanitarian needs in Afghanistan (widespread poverty and chronic underdevelopment exacerbated by decades of conflict) led many agencies to adopt a multi-mandate approach, addressing urgent needs and strengthening national systems through extensive support to, and collaboration with, the nascent government. Many agencies also accepted funding from the development agencies of PRT lead nations or directly from PRTs, often in sectors seen by these donor governments as integral to consolidating military gains and supporting stability, such as healthcare, education and economic development.

Agencies appear to have reconciled the apparent tension with the principles of independence and impartiality in different ways. Some felt that pursuing such work was acceptable in ‘peaceful’ provinces, where PRTs could be seen as having a peacekeeping function, but not necessarily in insecure ones, where international forces were engaged in active combat. Other agencies felt that some donors offered more flexibility than others, and funding from such donors was acceptable if it allowed agencies to act independently and impartially, i.e. to identify needs in consultation with local people. Less flexible donors such as USAID insisted that agencies work closely with military forces or share information. In some cases, aid

agencies were contracted to work in ‘target’ districts identified by the military or on the basis of security concerns, rather than in response to needs as defined by the aid agency in consultation with local people. Still other agencies accepted funding from donor governments involved in the conflict, but refused to utilise it in provinces where their troops were present.

2.5 Civil–military dialogue

The lack of unity and agreement among aid agencies was exacerbated by a lack of UN humanitarian leadership and capacity. The office of the UN Office for the Coordination of Humanitarian Affairs (OCHA), present in Afghanistan since 1988, was closed in 2003, and humanitarian affairs were subsumed under UNAMA. Within the UNAMA Humanitarian Affairs Unit there was reportedly no more than a single international staff member responsible for civil–military affairs for the majority of this period – in contrast to at least 35 CIMIC officers at ISAF headquarters in Kabul (HPG interviews, 2012). UNAMA nonetheless tried to resolve issues of poor coordination and duplication of activities between PRTs and aid agencies and more clearly define where PRT interventions would be appropriate.

These efforts led to the creation of the ‘Principles Guiding PRT Working Relations with UNAMA, NGOs and Local Governments’ in 2003. The principles outlined key areas for PRTs, including extending the authority of the Afghan central government, improving security and promoting reconstruction. While many hoped that the principles indicated a shift away from QIPs and set out a clear mandate for PRTs, they do not seem to have had much effect. The UN created a working group in September 2004 which convened aid agencies and international forces at bi-monthly meetings at the Ministry of Interior, but NGO participation was poor and there was little continuity in the military actors attending meetings (Karp, 2006).

Another initiative, the PRT Executive Steering Committee (ESC), established in 2004, met only a handful of times before lapsing altogether around 2007 (HPG interviews, 2012). The ESC did not produce a detailed concept of operations or mandate for PRTs, nor did it seek to track or actively coordinate their efforts (Perito, 2009). It did, however, issue several policy notes meant to guide PRT policy and interaction with external actors focused on disarmament, development activities and coordination with humanitarian actors. PRT Policy Note 3 of 2009, for example, states that use of ‘foreign military and civil defence assets in disaster relief activities must be in extremis circumstances only, to be utilised as a last resort requested by either the Government of Afghanistan or the United Nations Humanitarian Coordinator (HC) and in accordance with the Afghan specific Civil–Military Guidelines’. However, the almost non-existent coordination of PRTs by ISAF made effecting uniform policy change a formidable challenge, and it is unclear how or to what extent ESC policy notes

reached PRT commanders. Without effective dissemination to commanders on the ground, these notes would have been largely irrelevant.

The last major initiative during this period was the Civil–Military Working Group (CMWG). Comprising NGO, UN and military representatives, the CMWG’s terms of reference describe its objective as to ‘facilitate communication, and coordination between humanitarian actors, international military forces and other stakeholders in Afghanistan in order to identify and address issues of concern [and] protect and promote principles’. In addition to a CMWG in Kabul, regional CMWGs were established locally. While many of those interviewed were negative about the forum, its early initiatives illustrate both the opportunities for effective dialogue and the formidable obstacles encountered by both sides.

One key step was the creation of Afghanistan-specific Civil Military Guidelines (for the full content, see Annex 1). Drafting started in a CMWG subcommittee comprising aid and military actors during the summer of 2007. The guidelines reiterated internationally recognised principles and practices, including many contained within the global Inter-Agency Standing Group (IASC) Civil–Military Guidelines, but adapted to the unique operating environment in Afghanistan, in particular the presence of PRTs. They also sought to curb military practices that could lead to confusion between civilian and military actors. They explicitly note, for example, that ‘maintaining a clear distinction between the role and function of humanitarian actors from that of the military is a determining factor in creating an operating environment in which humanitarian organisations can discharge their responsibilities both effectively and safely’. According to many involved, the process of adapting the guidelines to the Afghanistan context and securing agreement from ISAF was a key outcome in itself. By May 2008, the guidelines had been endorsed by the UNAMA Humanitarian Coordinator, the UN Humanitarian Country Team, the Agency Coordinating Body for Afghan Relief (ACBAR) and ISAF.¹⁰ The guidelines were subsequently issued to ISAF forces and were widely circulated within the aid community.

Unfortunately, there was little follow-up. While the guidelines and the process of consensus-building around them were important, one interviewee involved reflected that ‘they were not sufficient alone and may have created a false sense of security; guidelines have to be the beginning of the process, not the end’. The guidelines stipulated that the UN would develop and implement training for all relevant actors. A training package was developed by OCHA in 2009, two

¹⁰ For a comprehensive timeline and further details, see OCHA (undated). Whether or not the guidelines have been officially endorsed by NATO/ISAF has been widely disputed within the aid community, despite the fact that OCHA documentation from the time states that they were, as did individuals interviewed who were involved in the process. NATO officials confirmed that they endorsed the guidelines but could not provide documentation to substantiate this due to concerns about confidentiality.

years after the guidelines were agreed, but it is unclear to what extent it was used. Some interviewees felt that efforts to encourage adherence to the guidelines were undercut by competing initiatives and disagreement within the humanitarian community. One example cited is the Interaction ‘Guidelines for Relations between US Armed Forces and NGOs in Hostile or Potentially Hostile Environments’, released in 2007. These placed considerably fewer obligations on US forces than the CMWG guidelines, and some informants working on the ground in Afghanistan at the time felt that this created confusion within the US military on which rules to apply.

The CMWG guidelines have also faced criticism. OCHA has objected to references in the document to its predecessor, UNAMA Humanitarian Affairs. However, the document refers to UNAMA because at the time OCHA had not been re-established in Afghanistan (it was only re-established in 2009, after the guidelines were finalised). There have also been objections to the definitions contained in the guidelines, which include humanitarian actors as well as development actors undertaking humanitarian activities, with some arguing that the guidelines should only apply to ‘purely’ humanitarian actors – of which there are exceedingly few in Afghanistan, with many aid actors pursuing both development programming and humanitarian response. There has also been criticism of the failure to involve the Afghan government in the process, although it was consulted once the guidelines were finalised and formally acknowledged them. Finally, some feel that the creation of country-specific guidelines detracts from efforts to ensure that IASC global guidelines are adequately disseminated and reflected in military policy.

Many interviewees saw the perceived lack of substantive involvement by Afghan aid agencies in the CMWG, and in subsequent mechanisms for dialogue, as problematic. Engagement varied across aid actors and over time: Schirch (2010: 4) describes it as a ‘perfunctory “ticking of the box” with a few NGO leaders’ while research and interviews yielded several examples of international and Afghan aid agencies effectively collaborating on civil–military issues. Reasons for this appear to vary: some Afghan NGOs could not spare staff time to attend such meetings (particularly in light of the heavy burden of meetings in Kabul), meetings were conducted in English and no translation was systematically offered and it is unclear if the guidelines were ever translated into either Dari or Pashto. The majority of NGO operations in Afghanistan are led, or at least implemented at field level, by Afghan organisations, making their awareness of civil–military guidelines and willingness to report violations critical. Their presence in volatile areas with high troop concentrations and active conflict is much greater than that of international aid agencies, increasing the likelihood of direct interaction with military forces in the course of programme implementation. As Afghan citizens working for an Afghan entity, rather than an international one, they may also feel more vulnerable when

Box 3: The white vehicle issue

Following the approval of the guidelines the CMWG appeared to turn its focus to issues of minimal consequence to affected populations. One example was the use of unmarked white ‘civilian’ vehicles by military personnel. Aid actors contended that white vehicles in particular were associated with NGOs and the UN, and that their use by the military had led to a number of cases where civilian convoys had been mistakenly attacked by insurgents (Cornish and Glad, 2008). Although rarely invoked in arguments or public statements on the issue, IHL states that combatants must distinguish their vehicles as military, not civilian. Interviews with military actors confirmed that white vehicles were essentially used as force protection, allowing troops to travel in lower-profile vehicles that were believed to be at less risk of attack. Aid agencies succeeded in obtaining a concession from ISAF in 2009 dictating that TCNs distinguish their vehicles, but the order did not specify precisely how this should be done, or indeed whether they should be distinguished as specifically military vehicles at all. Shortly after the directive was issued, one interviewee reported seeing Afghan support personnel applying a single brown stripe to the sides of white vehicles at an ISAF base in Kabul.

interacting with international or Afghan forces and perhaps more reticent to raise objections to violations of the rules or actions that endanger their staff or those they work with.

A central problem with the CMWG was the divergent – and, at times, diametrically opposed – objectives pursued by aid actors and the military. The military often saw the CMWG as a means of gaining information and cooperation from aid agencies or presenting their narrative of the conflict. But the more the military pursued them, the more aid agencies pulled away. Despite the fact that agencies did not have a unified stance on this in practice, outspoken advocacy by several agencies portrayed this as a cynical attempt to coopt them into a military strategy and as an assault on humanitarian principles – much to the military’s frustration.

Aid agencies sought to use the CMWG to argue against the core tenets of the military strategy – for example, military actors engaging in development-like activities – that they were unlikely to be able to change in any fundamental way, rather than as a means for discussing and communicating issues around violations of IHL or principles of civil–military coordination. An additional challenge was the lack of understanding of such principles among aid agency staff. Likewise, ISAF often sent personnel to the CMWG who had little influence or decision-making power; attendance was reportedly limited to civil–military coordination (CIMIC) staff (CJ9) rather than staff from ISAF’s strategy and planning unit (CJ5) (BAAG/ENNA, 2008). Over time, the CMWG deteriorated to such an extent that both aid agencies and military officials stopped attending. According to one NGO worker involved,

‘There was actual screaming at times – it was acrimonious toward the end and unprofessional, just a waste of time’ (HPG interviews).

As dialogue was breaking down, concerns around the protection of civilians were growing. Security sharply deteriorated in 2006 and civilian casualties rose, with Human Rights Watch (2008) reporting that 929 civilians died as a result of the conflict that year, a quarter of them attributed to international forces. In 2007, the UNAMA Human Rights Unit, operating under the auspices of the Office of the High Commissioner for Human Rights (OHCHR), began to comprehensively investigate and record incidents of harm to civilians, in cooperation with the

Afghan Independent Human Rights Commission (AIHRC). In the same year, Human Rights Watch recorded a 60% increase in civilian deaths over 2006, and that deaths caused by airstrikes had nearly tripled, from 116 in 2006 to 321. In 2008, civilian casualties increased a further 28% on 2007, and deaths from airstrikes increased by 58%, from 321 in 2007 to 552 (for a detailed summary of civilian casualties, see Annex 2). As the Taliban extended their control throughout the south and east, and subsequently into some western, northern and central provinces, attacks on aid agencies increased; by the end of 2007 the UN considered nearly half of the country’s districts too dangerous for UN personnel to access directly (Meo, 2007).

Chapter 3

The ‘surge’ years (2009–2011)

In 2009, the US and other ISAF TCNs authorised a troop ‘surge’ that nearly doubled the number of forces in Afghanistan. The strategic focus shifted from ‘comprehensive’ or ‘integrated’ approaches to a robust counterinsurgency (COIN) strategy. More than ever before, military doctrine focused on ‘winning the hearts and minds’ of the Afghan people and, in doing so, solidified the very approach most humanitarian actors so strongly objected to. With heightened violence, PRTs and other military actors – and, arguably, the projects they initiated – quickly became targets.¹¹ Aid agencies consequently sought to further distance themselves from military forces and continued to advocate against what they saw as the ‘blurring of the lines’ between humanitarian and military activities. Perhaps unsurprisingly, civil–military dialogue became increasingly difficult.

3.1 The troop ‘surge’

In February 2009, just ahead of Presidential and Provincial Council elections in Afghanistan, the US announced a troop increase of 17,000. This was followed by the announcement in November 2009 of a further increase of 30,000, primarily to be deployed in the south and east. Several ISAF TCNs followed suit with additional (if less substantial) increases, bringing the total number of troops in Afghanistan from approximately 56,000 in February 2009 to 132,000 by June 2011.

In August 2009, ISAF Commander General Stanley McChrystal issued new COIN guidance. The core assumption of this new approach was that military victory could only be achieved ‘by persuading the population, not by destroying the enemy’ (ISAF, 2009: 1): in other words, effective governance and services are more important in winning the allegiance of the population than military engagement with an insurgency. Military forces are seen as integral to creating conditions for good governance and economic development, which will in turn result in improved security and the defeat of the insurgents. The new COIN guidance dictated that troops should ‘embrace the people’ and ‘leverage economic incentives and routine *jirgas* with community leaders to employ young men and develop peaceful means to resolve outstanding issues’ (ISAF, 2009: 4).

Other manuals and directives further elaborated this strategy. The US Army’s ‘Commanders’ Guide to Money as a Weapons System’ defined aid as ‘a nonlethal weapon’ to be utilised to ‘win the hearts and minds of the indigenous population to facilitate defeating the insurgents’ (US Army Combined Arms Center, 2009a). Aid devoted to these objectives rapidly

¹¹ Interviews with Taliban in Faryab and Kandahar indicate that they targeted PRTs and those associated with them (Jackson and Guistoizzi, 2012).

increased: annual CERP funding rose from \$200m in 2007 to \$1bn in 2010 (SIGAR, 2012a). So did the structures comprising US PRTs, including District Support Teams (DSTs), civilian-led joint civil–military teams comprising State Department, US Department of Agriculture and USAID officials, and US National Guard Agri-Business Development Teams (ADTs)¹² (USAID, 2010).

The number of civilian officials deployed to support military-led governance and development efforts also increased. Following an interagency review, the US unveiled a new integrated military and civilian approach in March 2009, and a civilian ‘surge’ or ‘uplift’ that nearly tripled the presence of US civilian officials. Deployed across eight US government agencies in Afghanistan, the number of US civilian officials increased from 261 in January 2009 to 989 by February 2011 and 1,040 by June 2011 – at a cost of \$2bn between 2009 and 2011 (SIGAR, 2011; 2012b). Other countries, to lesser degrees, followed suit. The UK, for example, announced a 40% increase in development aid to Afghanistan in 2010, and the number of Department for International Development (DFID) staff in the country increased from 41 in 2007 to 75 in 2012.

As part of a ‘clear-hold-build’ approach, derived in part from British strategy against communist insurgents in Malaya in the 1950s and adapted by the US in Iraq, civilian officials were meant to assist in the ‘build’ phase through supporting governance and service provision once areas had been ‘cleared’ of insurgents by the military. Other TCNs similarly revised their strategies. In 2009, the UK shifted strategy to focus on a governance-led approach, with the intention of ‘stabilising’ Helmand ‘through containment of the military threat posed by the Taliban while convincing the Helmand population that there would be an enduring Afghan government presence that was increasingly responsive to its needs and concerns’ (Gordon, 2010: S375). Other countries followed suit with more comprehensive and integrated military, diplomatic and assistance strategies, and many allocated greater proportions of their aid budgets to areas where their troops were stationed.

Beyond supporting the military effort, the goals of such strategies, particularly the civilian surge, were never comprehensively, consistently or clearly articulated. However, the primary focus can be characterised as a highly ambitious – if politically naïve and ultimately unrealistic – endeavour to improve local governance and transform Afghan institutions into accountable, demand-driven entities, based on the premise that this would alleviate at least some of the underlying drivers

¹² ADTs are often, though not exclusively, located within PRTs (see US Army Combined Arms Center, 2009b).

of the conflict (namely lack of government presence and lack of civilian support for, or trust in, what government did exist at local level) (Brown, 2012).

The substantial increase in funding for military-led development and stabilisation efforts compounded problems of sustainability, appropriateness and ineffectiveness. PRTs and other military actors were implementing large and more sophisticated projects than ever before – and many more of them. Unfortunately, there remained insufficient guidance and support to ensure effectiveness and appropriateness. By 2008, CERP had established standard procedures for project selection, but these failed to define what would constitute a ‘successful’ project. The two main requirements were that projects be sustained by the population or government (although it is unclear how this was determined) and should cost less than \$500,000.

No centralised, comprehensive records appear to have been kept within ISAF or the Afghan government of PRT interventions, and such record-keeping rarely existed among TCNs or within the PRTs themselves. In 2009, CERP project managers told US auditors that their focus ‘was on obligating funds for projects rather than monitoring their implementation’; auditors in turn found that project files were either ‘incomplete or non-existent’ (SIGAR, 2009). One civilian official interviewed recounted how military officials in one PRT destroyed any documentation prior to the end of their rotation for security or legal reasons, leaving their successors with no record of contracts, agreements or project documents. Incoming officials at one PRT resorted to approaching elders and local contractors to ask what activities had been pursued by the previous rotation (HPG interviews).

There has been no comprehensive monitoring and evaluation of CERP-funded programmes. The most thorough examination is provided by a 2011 US government audit, conducted by the Special Inspector General for Afghan Reconstruction (SIGAR), of CERP programming in the insecure eastern province of Laghman. Of the \$53m in CERP funds allocated to the PRT between 2008 and 2011, 92% (or \$49.2m) was obligated to projects found by SIGAR to be ‘at risk or have questionable outcomes’ (SIGAR, 2011a: ii). Many of these projects were far more sophisticated and lengthy than the short-term, small-scale schemes originally envisioned for CERP funds.

Funds were not managed in accordance with standard operating procedures for financial oversight; none of the 69 projects had sufficient documentation; there were no centralised record-keeping systems, limiting monitoring and reporting; and there were no formal mechanisms to track or assess project outcomes. Some 84% of funds were allocated to road projects, all of which were found to be ‘at risk’ because some were poorly constructed and none had maintenance plans. Again and again, the audit found the Afghan government unable to take over the institutions or infrastructure built

by the PRT – from a training school built but never opened because the government could not afford to procure fuel to run waste management systems to an agriculture storage facility built but never opened because the government would not assume responsibility for it (SIGAR, 2011a).

In theory, increased civilian presence, particularly engineers, agricultural specialists and governance advisors, should have helped alleviate these problems. Yet civilian personnel were slow to deploy and at least initially remained concentrated in Kabul, rather than in the provinces and rural districts where the military was present. They were also subject to stringent security restrictions and often unable to travel to communities in insecure areas without armed escorts or military accompaniment. Military and civilian officials interviewed also conceded that civilians within PRTs had limited ability to influence military strategy; rather, they were more or less expected simply to implement it. According to one military official who served in Kandahar, ‘They weren’t taken seriously. Even [military] civmil staff are reservist, they aren’t taken that seriously by other military staff’. The military was often frustrated by the slow progress of civilian efforts: while areas could be ‘cleared’ in days or weeks, creating effective and accountable formal government structures, particularly where none existed before, takes considerably longer and is unlikely to be a straightforward or linear process (Brown, 2012).

ISAF forces and donors increasingly relied on for-profit contractors, both Afghan and international, to implement development work in volatile areas. But this dependence on contractors to do what aid agencies would not, or civilian officials deployed with TCN governments could not, suffered from persistent problems; in communities where aid agencies were also present, they were often expected to ‘fix’ the mistakes of poorly implemented contractor projects (BAAG, 2008). Contractors were under enormous pressure from donors to spend allocated money quickly, and this often took priority over the effectiveness of interventions. Donor government officials were often unable to visit projects for monitoring due to insecurity, severely limiting oversight.

Although many donors used contractors, none did so more than USAID, which obligated \$1.1bn in 20 stabilisation contracts between 2003 and 2012 (SIGAR, 2012c). One example, symbolic of many of the deeper problems and flawed assumptions at the core of this approach, is USAID’s ‘flagship counterinsurgency program’, the Local Government and Community Development Programme (LGCD) (SIGAR, 2012c: 3). Implemented by two for-profit contractors (Associates in Rural Development, or ARD, and Development Alternatives, Inc., or DAI), it was initially conceived as a \$150m, three-year project but mushroomed – despite mixed, if not questionable, early evaluation findings – into a \$400m, five-year project. Although a SIGAR audit found some pockets of success it concluded that the project had not ‘met its overarching goal of extending the legitimacy

of the Afghan government and had not brought the government closer to the people or fostered stability' (SIGAR, 2012c: i). More than half of LGCD's expenditures went on staff costs and security, rather than substantive project work. Contractor monitoring of outcomes largely focused on outputs (meetings conducted, infrastructure constructed) and perception surveys rather than indicators more directly related to stability, such as levels of violence. USAID was unable to visit many of the target provinces because it was too dangerous to do so. What monitoring and reporting occurred appeared to have little impact. The project continued despite USAID's growing realisation that its activities were unlikely to produce the desired stabilisation outcome, and even after the USAID Inspector-General had reported that 'the project's overall success seemed highly questionable' (SIGAR, 2012c: 9).

Judging the extent to which the objectives of both the military and civilian surges were achieved in general is beyond the scope of this study. However, a detailed study of stabilisation interventions in five provinces found that, while there may have been some tactical advantages in the short term, in terms of intelligence gathering and force protection, there was little evidence of a long-term positive impact on security. Instead, researchers found more evidence of destabilising effects, in the form of corruption, local conflict over resources and 'perverse incentives' to maintain insecurity (Fishstein and Wilder, 2011: 3).

3.2 A return to neutrality?

In many ways, the surge represented a turning-point for aid agencies. Insecurity spread through previously stable areas of the country and intensified in areas already deemed insecure. In 2006, insurgents were estimated to have a significant presence in just four of Afghanistan's 34 provinces; by 2009, they were estimated to control or exert effective influence over half the country, with a substantial presence in 80% of Afghanistan (Nordland, 2010a; ANSO, 2009). Humanitarian space had severely eroded: access in large parts of the south and east, and portions of the west, was all but non-existent for many international agencies. While attacks on aid agencies appear to have declined during the period (see Annex 2), several high-profile, fatal incidents, including attacks on a guesthouse used by UN workers in Kabul in 2009 and on a UN office in Mazar-e-Sharif in 2011, raised significant concerns. In response, many agencies adopted a lower profile, reverted to remote programming managed from Kabul and restricted the movements of international staff to programme locations. As humanitarian space diminished, humanitarian needs became more pressing with increasing internal displacement from 2010 and rising civilian casualties.

Many agencies sought to distance themselves from ISAF and, increasingly, the UN. UNAMA was seen as prioritising the political and stabilisation aspects of its mandate over its humanitarian obligations. Its humanitarian affairs staff

Box 4: UNAMA and the debate over UN integration

UNAMA was established as the first integrated UN mission in 2001. The Integrated Mission Task Forces concept was developed in order to integrate the various military, political, humanitarian and development capacities within the UN to plan and support peace operations, thus maximising 'the individual and collective impact of the UN's response, concentrating on those activities required to consolidate peace' (UN, 2008). UNAMA is structured around two pillars, one focusing on political affairs and the other on 'relief, recovery and reconstruction', though they are intended to work in collaboration.

Integrated missions have been controversial since their inception. Many aid agencies feel that combining ('triple-hatting') the roles of Humanitarian Coordinator (HC), Resident Coordinator (RC) and Deputy Special Representative to the Secretary-General (DSRSG) compromises the HC's ability to advocate on behalf of the humanitarian community and detracts from the ability of humanitarian actors to maintain their neutrality and their independence from the mission's political agenda. Humanitarians have similar concerns about the inclusion of OCHA offices under integrated missions, arguing that 'their participation in UN humanitarian coordination mechanisms in these instances can then be connected to and affected by UN development or political processes and decision-making, something which would not occur with a separate OCHA office' (Metcalfe et al., 2012: 10).

This was a particularly sore point for the humanitarian community as security deteriorated. UNAMA's mandate was subsequently expanded to include political outreach and a greater focus on protection of civilians. Since 2003 ISAF has also been mandated to work closely with the UN (UN, 2003) and UNAMA is now taking a role in political negotiations with the Taliban. While OCHA was given a separate office in 2009, humanitarian actors continue to object to what they see as a partisan political role on the part of UNAMA, the 'black UN', which threatens the perception of neutrality of the 'blue UN' – UN agencies with a humanitarian mandate or function

were often expected to contribute to political and security objectives, with political affairs officials expecting their humanitarian counterparts to work in recently 'cleared' or unstable areas with the aim of helping to stabilise them (HPG interviews).

In 2008, 27 NGOs petitioned the Emergency Relief Coordinator (ERC) for the establishment of an independent OCHA office, outside of UNAMA and reporting directly to the ERC, to lead humanitarian coordination efforts. There was reportedly resistance within other parts of the UN for fear that such a move would be perceived as confirmation of the worsening security environment and the growing fragility of the situation in Afghanistan. Three humanitarian affairs staff subsequently resigned from UNAMA (HPG interviews). The ERC did

eventually accede to the NGOs' request, at least in part: OCHA was re-established in Afghanistan in early 2009, but in addition to reporting to the ERC it also reported to UNAMA through the Deputy Special Representative to the Secretary General/Humanitarian Coordinator/Resident Representative. In its early years OCHA suffered from limited staffing and high turnover and found it difficult to fulfil its basic coordination, civil–military and information management functions. In 2010, the OCHA southern region office had just a single international staff member in charge of civil–military relations, information management and coordination (Letter to ERC Holmes from 31 NGOs, 2010).

The major clearing operations undertaken during the surge erased whatever impression was left of ISAF as a peacekeeping force. Yet the humanitarian components of the UN were often publicly silent. Privately, they were reportedly under intense pressure from TCNs to support military efforts (HPG interviews). During a visit to Kabul by a senior UN humanitarian official in 2010, a group of NGOs were told that they should tone down their public criticism of ISAF (HPG interviews). One notable exception was Operation Moshtarak in Marja district of Helmand province in 2010, arguably the largest military operation launched since the fall of the Taliban regime. The operation aimed to clear out insurgents and deliver what the military referred to as a 'government in a box' (including a mayor, formerly from Helmand but imported from Germany, where he had been living for more than a decade). Uncharacteristically, the UN spoke out about the pressure on humanitarian actors to support the military effort. The UNAMA DSRSG/RC/HC stated that 'we are not part of that process, we do not want to be part of it, we will not be part of that military strategy', and warned that 'the distribution of aid by the military gives a very difficult impression to the communities and puts the lives of humanitarian workers at risk' (Nordland, 2010b).

These statements illustrate a shift in UNAMA's position, driven by a growing acknowledgement among many in the international community that the military's engagement with Afghan civilians – the centre of its military strategy – now more than ever put civilians at risk from the insurgency. Targeting of Afghan civilians suspected of being associated with these efforts increased. In 2010, assassinations of civilians, including government officials or those working for military forces, more than doubled on the previous year; attacks on schools doubled in 2009 and increased again, by 200%, in 2010 (UNAMA Human Rights, 2010; UNESCO, 2010; UNAMA Country Task Force, 2010).¹³ According to a 2009 study, Afghan civilians believed that schools built by PRTs were more likely to be targeted than schools not associated with military forces (Glad, 2009). Interviews with the Taliban in Kandahar and Faryab province in 2012 also demonstrated a shift in insurgent perceptions of development projects as the military

¹³ However, some of the increase in attacks may be attributed to the use of schools as polling stations in the 2009 elections.

and its civilian counterparts pursued 'clear-hold-build'. One Taliban commander interviewed commented: 'The PRT in our province is trying to make people happy by funding projects and trying to turn villagers against us – this is the reason we don't let any foreign departments whether they are UN or PRT NGOs' (Jackson and Giustozzi, 2012: 17).

3.2 Civil–military dialogue

While there is no inherent contradiction between the COIN doctrine espoused by ISAF and IHL or other principles underpinning civil–military coordination, the ways in which the military strategy was implemented – and the consequences for civilians – were roundly criticised by aid agencies. Meanwhile, in contrast to a somewhat welcoming attitude towards PRTs in the early years, they are becoming increasingly unpopular with the Afghan public. There are also strong indications that the military strategy further undermined in practice what respect was left for IHL or civil–military guidelines. According to one military official serving in Kandahar at the time, 'humanitarian and civmil guidance weren't of use, it was overridden by COIN'. The appetite for dialogue rapidly diminished as many aid agencies sought to avoid direct interaction with the military, either to limit the perception of association or simply because many felt that any discussion would ultimately be futile. In 2010, the Afghanistan NGO Safety Office (ANSO) advised NGOs against engaging in civil–military coordination, warning that they had 'nothing to gain and much to lose from interacting with IMF [International Military Forces] who are only interested in leveraging advantage from your activities' (ANSO, 2010). By 2011, the national CMWG had essentially disbanded.

Outside Kabul, the increased troop presence made dialogue between the military and aid actors more complicated and less effective. PRTs were now part of an increasingly complex array of official, military and civilian organisations contracted to carry out development activities. Poor coordination amongst ISAF TCNs and the varying approaches and philosophies pursued by PRT lead nations became acutely problematic. For civilians or aid workers attempting to establish dialogue or resolve problems (for example, trying to ascertain the status of staff members detained by military forces), identifying the appropriate interlocutor was increasingly difficult. There were some efforts to ensure a basic level of co-existence between military and civilian actors. ACBAR, a consortium of Afghan and international NGOs, organised a small NGO–ISAF contact group with the primary goal of keeping lines of communication open between aid agency directors and senior ISAF commanders, as well as providing a forum to resolve instances of violations of civil–military guidelines. The group, which comprised a handful of directors from international (primarily US-based) aid agencies, met on a monthly basis. However, it had 'no election of members, no agenda, no minutes and scaled down expectations' (Schirch, 2010: 3), and it disbanded after the directorship of

ACBAR changed hands. When the individual responsible for organising the meetings left the organisation, their successor felt that dialogue and close relations with ISAF were no longer desirable.

Another initiative focused on concerns around military interaction with health facilities and healthcare activities. ISAF TCNs, particularly the US in the south, had sought to provide support to health clinics and even, in one documented instance, ran mobile health clinics. Several health-focused aid agencies strongly objected fearing that the clinics would be targeted by insurgents, or that such activities were being used to extract intelligence. There were also several documented incidents of ISAF raiding or occupying health facilities, as well as incidents of troops entering health facilities to detain suspected insurgents. With support from the Global Health Cluster and OCHA in Kabul, a small group of agencies initiated negotiations with ISAF HQ in Brussels, but were repeatedly asked for ‘proof’ of the risks and documentation of the raids or clinic occupations. The agencies prepared a Memorandum of Understanding on health facilities, with the hope that ISAF would agree to specific limits and rules, but when they presented it they were told that ISAF had developed its own more comprehensive internal guidance on these issues in 2010, reportedly following negative publicity of ISAF clinic occupations in eastern Afghanistan. The ISAF guidance remains classified, making it unclear precisely what the rules are. However, ISAF allowed agency representatives to see the guidance at ISAF HQ and ‘take notes’, so the agencies involved are at least able to make reference to the guidelines when incidents arise.

The most successful dialogue during this period focused on protection of civilians, and specifically reducing civilian casualties attributed to ISAF. While there had been significant dialogue on these issues in response to growing civilian casualties and increasing anger about the issue among Afghans, the adoption of COIN and its rhetoric of ‘protecting the population’ allowed a new opening for aid actors and human rights advocates to engage on these issues, while the linking of ISAF and OEF under one chain of command,

COM-ISAF,¹⁴ helped to streamline dialogue. In contrast to other civil–military dialogue tracks during this period, UNAMA Human Rights/OHCHR showed significant leadership and action on these issues. Many of the actors involved, including UNAMA Human Rights/OHCHR but also human rights NGOs such as Human Rights Watch and the Center for Civilians in Conflict, adopted an approach that can best be described as ‘strategic argumentation’ – appealing to key tenets of COIN and shared concerns over civilian harm, alongside international law. Evidence and data was critical in persuading military officials to adopt tighter controls on the use of force, as was cultivating relationships with key military officials at various levels. This private engagement was complemented by growing international and national media attention on the issue. Investigations of civilian harm routinely conducted by UNAMA Human Rights/OHCHR and AIHRC, as well as publicly available bi-annual UNAMA Human Rights/OHCHR reports from 2008 onwards, helped exert pressure on military forces and increased accountability and transparency.

From 2008 onwards, and particularly after 2009, ISAF tightened its rules of engagement, introduced new Tactical Directives and reinforced COIN guidance restricting the use of force and underscoring the importance of avoiding civilian harm (often referred to as ‘courageous restraint’). How much of this was due to advocacy or dialogue and how much may have occurred anyway given the adoption of COIN is unclear. Nonetheless, ISAF was responsible for 316 civilians deaths in 2012 – down from 828 in 2008.¹⁵ Airstrikes accounted for nearly two-thirds of all civilian deaths in Afghanistan in 2008. Following a Tactical Directive issued by the ISAF Commander in 2009, in large part the result of sustained lobbying and advocacy, airstrikes dropped dramatically, and by 2012 accounted for 4% of all civilian deaths. ISAF also introduced systems to improve accountability and oversight, including an internal civilian casualty tracking cell.

¹⁴ One notable exception are US special forces, although the majority of these were reportedly brought under ISAF command in March 2010.

¹⁵ While ISAF reduced both the absolute number and the proportion of civilian casualties attributed to it, casualties caused by insurgents rose dramatically, resulting in overall higher civilian casualty counts throughout this period.

Chapter 4

Drawdown and transition (2012–present)

The troop surge in Afghanistan ended in September 2012, and troop numbers returned to 2009 levels. By then, the focus of ISAF's public discourse had shifted to transition. In March 2011, the phased transition of security responsibility from international to Afghan forces began with the announcement of the first of five tranches of provinces and urban areas. Each tranche enters a process of gradual handover, with ISAF forces reducing support and the ANSF progressively taking the lead for security. Although there is no clearly articulated vision of a transition 'end-state', the core objective is highly ambitious: only one of the ANA's 23 brigades was assessed as being able to operate independently at the end of 2012 (US Department of Defense, 2012).

Transition is not a conditions-based process, dependent on security indicators or Afghan capability. Instead it is time-bound. The majority of ISAF TCNs have publicly stated that they will withdraw combat troops by the end of 2014, though some will retain soldiers in Afghanistan to mentor and advise Afghan forces. NATO has committed to support Afghan security forces through 2014, with 'a new mission to train, advise and assist the Afghan National Security Forces' thereafter (ISAF, 2012). Yet it is unclear what mandate any such potential NATO-led post-ISAF mission may have, or the number of troops that will remain in Afghanistan (see Gordon, 2013). Significant questions also remain about what will happen to PRT assets and interventions, and to dialogue between civilian actors and the Afghan military.

4.1 PRT transition

A PRT end-state is described in the PRT Handbook (US Army Combined Arms Center, 2011: 14) as occurring 'when the host-nation's provisions for security and public safety are sufficient to support traditional means of development, and political stability is sustainable after the withdrawal of international forces'. However, nearly all PRTs for which transition information was available stated that they would close down by the end of 2014, irrespective of Afghan capacity, in line with the drawdown of combat troops. The UK has stated that it will close the Helmand PRT by the end of 2014 and transfer remaining civilian staff to the UK embassy in Kabul. While transition plans as such are not publicly available, PRT staff in Helmand are reportedly currently 'focused on ensuring that local and national government bodies, NGOs and the private sector are capable of taking forward essential development activities once the PRT closes' and 'engaging with other development partners, including UN agencies,

to encourage them to increase their work in Helmand' (IDC, 2013). Similarly, the US will hand over all of the functions of its 12 PRTs 'to the Afghan government, development agencies and non-governmental organisations, or to the private sector' (SIGAR, 2012a). All remaining civilian officials will be moved to the US embassy in Kabul or one of four US consulates. Likewise, UNAMA has scaled back its presence, reducing the number of field offices from 23 to 14 in 2012.

Given the lack of Afghan government involvement in PRT project planning and implementation, handing over projects, structures or assets to the government has proved a complex task. The assumption that the Afghan government, in Kabul and at the local level, would be both willing and able to assume control of security as well as responsibility for service delivery and governance functions established by PRTs and other military actors has not been borne out in practice. A confidential UK government report leaked to *The Guardian* newspaper found a 'mismatch between the value of the assets and the Afghan government's ability to maintain them' and expressed concerns that the Afghan government would not be able to maintain the structures and facilities constructed by the UK PRT in Helmand (Hopkins, 2012). The UK PRT was working to identify 'critical facilities', including schools and health clinics, that should be maintained and those that should be 'phased out' by 2014. Several UN officials interviewed confirmed that, while the UN had been approached by the UK to assume some of its PRT work in Helmand, it was reluctant to do so.

Donor funding (and thus the resources available to the Afghan government) is likely to decrease once troops withdraw. Some 71% of Afghan GDP is funded by external assistance (one of the highest dependency ratios in the world), and this support is likely to significantly decrease after the transition (World Bank, 2012). Troop withdrawal is also likely to result in significant changes in local power relations and renewed competition for resources and influence among the local strongmen and government officials who have benefited from international military largesse (Stapleton, 2012: 28). The withdrawal will also have negative consequences for the many Afghans employed by international military forces, such as interpreters, construction workers and local companies hired to implement PRT projects. Construction work funded by PRTs is already dropping off and unemployment, particularly in more insecure provinces that benefited from high military expenditure, is likely to rise, resulting in substantial hardship. Many Afghans also worry that their association with the

international military will make it unsafe for them after the troops leave, with some already seeking asylum in troop-contributing countries (Wyatt, 2012).

There appears to be very little coordination and planning between international military forces and civilian actors with regard to security transition and the phase-out of PRTs. There is no overarching ISAF-coordinated PRT transition plan. UNAMA facilitates a transition working group attended by ISAF and UN representatives. Many NGOs, however, claimed to know little of ISAF transition plans and were hesitant, if not overtly opposed, to participating in any coordination with regard to the closure of PRTs. Meanwhile, ISAF officials claim that a complete database of all PRT projects was handed over to the Afghan government Independent Directorate of Local Governance (IDLG) in late 2012. When interviewed IDLG officials confirmed this, but stated that the information it contained, including vital details on locations and project activities, was incomplete.

4.2 Dialogue with Afghan forces

The troop surge failed in its aim of defeating the Taliban, and a scaled-down ANSF¹⁶ will ultimately have to contend with significant insurgent presence and activity in large swathes of the country. In the absence of a negotiated political settlement with the Taliban conflict will continue.

In contrast to ISAF, arguably one of the strongest and most sophisticated fighting forces in the world, the Afghan security forces are nascent. Although they have made progress in recent years they continue to struggle with basic issues around command and control, resources and retention. The ANSF did not independently lead any significant operations prior to 2011, and aid actors felt that there was little point in establishing dialogue directly with them (one notable exception where there has been previous dialogue is on detention issues). However, the failure to involve the ANSF

¹⁶ At the NATO Summit in Chicago in 2012, a conceptual model for the post-2014 Afghan security forces was endorsed, with a target of 228,500 police and army personnel by the end of 2017 – a reduction of 123,500 – and an annual estimated budget of \$4.1bn.

in civil–military coordination and dialogue early on may limit the humanitarian community’s ability to engage with them now. At this point it is unclear precisely what dialogue will entail, though the ANSF are unlikely to engage in the kinds of militarised aid activities that ISAF pursued.

Quarterly joint ISAF–ANSF meetings on protection of civilians, held with humanitarian and human rights actors primarily for information-sharing purposes, began in 2012. However, ensuring that viable mechanisms for civil–military coordination are in place appears to be low on the list of ISAF priorities. Establishing relations with key individuals and Afghan institutions grappling with a wide range of pressing issues is another challenge for humanitarian actors. While policies and procedures have been put in place, for example to reduce civilian harm and improve accountability, these remain largely on paper or often inadequately implemented (Center for Civilians in Conflict, 2013). Advocacy around protection issues is unlikely to gain as much traction with the Afghan government as it did with ISAF. The Afghan government sees protection narrowly in terms of civilian casualties, but even in those terms it is unclear how much incentive the Afghan government has to engage on these issues. Civilian casualties and abuses by the ANSF generally receive much less reporting in the Afghan media than those caused by ISAF.

There is increasing resentment and hostility within the Afghan government towards the international community and its negative assessments of Afghan capacity and capability, as exemplified by threats in late 2012 to expel the International Crisis Group after it released a report critical of the ANSF (Rubin, 2012). In line with this, there is a growing demand by the Afghan government to ‘Afghanise’ aid, and criticisms over the effectiveness of foreign NGOs have damaged their credibility with the Afghan government and public. Many Afghan and international aid workers felt that interacting with the Afghan government would call for different tactics and a different tone than they utilised in dialogue with ISAF. Public criticism of the government by Western actors may backfire, and many interviewees felt that Afghan actors may achieve more productive outcomes than internationals in dialogue with the government.

Chapter 5

Conclusion and recommendations

Some (see Collinson, et al., 2010) argue that large-scale stabilisation initiatives or COIN operations like those seen in Afghanistan are unlikely to be repeated due to their cost and lack of evident success in creating or substantially contributing to security. Nonetheless, experiences in Afghanistan have irrevocably shaped the ways in which aid agencies have come to regard and relate to military forces during conflict and, arguably, vice-versa. Whether in the guise of ‘stabilisation’ or COIN, powerful governments will continue to pursue political, economic and security objectives through attempts to control or influence power structures and security situations within the realm of weaker governments.

In situations of conflict where international militaries pursue stabilisation and COIN, there is often a conflict – if not in theory then in practice – between these objectives and guidelines and principles of civil–military interaction that aim to safeguard humanitarian principles and humanitarian space. There may also be significant tension with key tenets of IHL. In situations where the military aggressively seeks to implement COIN and ‘win the hearts and minds’ of civilians in the pursuit of military objectives, lack of adherence to these principles is likely to be more extreme.

Humanitarian actors have an obligation to adhere to these principles, and ensure that their actions do not actively undermine them. In Afghanistan, some aid agencies prioritised presence and funding over principles, or appeared to assume that Afghanistan’s post-Taliban recovery from conflict would be relatively straightforward. According to Soren Jessen-Petersen (2012: 4), former Assistant Commissioner of UNHCR, ‘some humanitarian organisations worry more about being present and visible in a major operation than the reasons why they should be there – in other words, to provide impartial and independent protection and assistance to the victims of conflict’.

Seeking to meet the needs of affected populations in a highly politicised funding environment, many rationalised their choices or sought to mitigate any damage by limiting their direct contact with the military and refusing to brand their projects to ensure that there was no perceived association with parties to the conflict. It is unclear whether this was sufficient. Working in particular geographic areas determined by donors led to the association of these aid agencies with one side of the conflict. Even where agencies insist that such programmes were based on need, this does not change the fact that the geographic parameters were set by donors. While many programmes may have genuinely benefited local populations, aid agencies knowingly furthered the political and military objectives of belligerents. This undermined their ability and credibility to effectively advocate for truly neutral,

impartial assistance with donors and to press for adherence to the guiding principles of civil–military interaction. While advocacy around humanitarian principles is important, consistently behaving according to these principles is essential if aid agencies want to see them respected by others. Actions speak louder than words: perceptions among civilians and belligerents are most profoundly shaped by behaviour, not rhetoric.

The lack of a clear unified humanitarian voice further undermined efforts at effective dialogue. Part of this, predictably, arose from competition for resources and competing agendas, and from the diverse mandates and objectives of aid actors. While difficult to achieve, a unified, sustained NGO or aid agency voice would have undoubtedly been more effective in engaging the military than the ad hoc, contradictory initiatives that often emerged. There were also significant tensions or differences in approach between some international and Afghan aid agencies. Aid agencies generally have more that unites than divides them in civil–military issues and the sum of a unified aid agency voice is greater than that of a cacophony of individual agencies. Agencies should redouble their efforts to find ways to communicate consistent messages and work in a more coordinated manner on such initiatives. It will be critical that aid agencies have an effective advocacy voice through transition to ensure that funding for effective humanitarian and development programmes, as well as attention to protection concerns, continues through transition and beyond.

Important lessons can also be drawn about the role of UN actors. UNAMA Human Rights/OHCHR cultivated relationships with key stakeholders and developed a neutral and impartial position focused on the impact of the conflict on civilians, established coordination with NGOs and marshalled support from senior UN officials (including various Special Rapporteurs). Substantial evidence was used to bring about policy change. In the case of OCHA (and its predecessor, the UNAMA Humanitarian Coordination Unit), lack of support from senior UN officials, lack of capacity in terms of staffing and systems (particularly data collection and information management) and an unclear role made it impossible to strategically engage on civil–military issues, particularly around protection of civilians. The effect that the integration of OCHA and the HC role under UNAMA had is debatable; even if the HC, and OCHA under its management, had reported directly to the ERC, it is unclear how much humanitarian leadership would have been possible at the country level without greater or more consistent support by senior officials across the UN and a genuine, complementary prioritisation of humanitarian concerns within the mandate of UNAMA. One

of main reasons why humanitarian concerns appear to have been deprioritised was the perception that they conflicted with the political aims of the mission and the need to portray Afghanistan as successfully transitioning out of conflict, regardless of the reality on the ground.

Humanitarian actors were most effectively able to pursue their objectives in civil–military dialogue where that dialogue was grounded firmly in IHL and/or used arguments based on military efficiency. Advocating against PRTs, stabilisation or COIN was ineffective. Didactic arguments based on the perceived rights and special status of aid agencies were also largely ineffective, and often resulted in military actors becoming frustrated. By contrast, where dialogue was rooted in strategic argumentation, as with advocacy focused on civilian harm, which appealed to a shared interest to reduce that harm, it was markedly more persuasive. Such engagement is complex and time-consuming, and requires a significant level of experience and capacity which many aid agency staff simply did not have. A clear recommendation emerging from the Afghanistan experience is the urgent need to ensure that aid agency staff receive better training and preparation, particularly around IHL and the political and military context, prior to deployment to volatile contexts with complex civil–military interactions.

NATO and TCNs also have much to learn from experiences in Afghanistan. Some of this is already happening. NATO, for example, has created a Civil Military Branch and a Civilian Advisor (CIVAD) position within headquarters, and its influence can be seen in the most recent iteration of NATO stabilisation guidance, which emphasises the need for early engagement with aid actors and the value of comprehensive pre-deployment training (see NATO, 2011). There were important achievements in Afghanistan in improving protection of civilians and accountability for harm, but the learning from this experience has not been applied to subsequent NATO interventions, including in Libya. NATO would benefit from a lessons-learned exercise with regard to civilian casualty investigation and compensation measures, and should develop a strategy to institutionalise these lessons in standard operating procedures, guidance, training and other relevant policies.

Looking to transition, the long-running problems of technical capacity, institutional memory, monitoring and oversight associated with PRTs and other militarised structures engaged in assistance have made it very difficult to assess what impact they have actually had, complicating the handover process to Afghan institutions. Given the poor quality of many of these projects, it is questionable how much will be handed over at all. Issues of sustainability, maintenance and upkeep of PRT or other militarised aid interventions are substantial, but so too are the potential negative repercussions of the decline in economic support and activity, particularly in more volatile provinces where such aid was heavily concentrated. While these issues are not necessarily the responsibility of

aid agencies, they will affect their work and the lives and livelihoods of the populations agencies aim to assist.

The short-term gains of militarised assistance are debatable given continued insecurity in many areas of the country. Pursuing long-term development programmes, even if done with the best intentions of impartiality and ‘doing no harm’, in areas of active conflict is a risky endeavour: it risks fuelling conflict by benefiting one side over another, is difficult if not impossible to monitor and oversee and ascertaining sustainability and exit strategies is challenging given the weak institutions and fractured social relations typical in such situations. Implementing development interventions in areas of conflict in a partial manner, explicitly to further the chances of one side’s military victory and with the involvement of armed forces, is not only dangerous for everyone involved but also often self-defeating. Civilians can rarely be bought for the price of a well or a poorly constructed school, and attempting to do so only draws them further into the conflict.

The lack of oversight resulting from insecurity quickly gave rise to corruption, fraud and waste, creating perverse incentives leading to further destabilisation and conflict. The scale and speed of aid expenditure during the ‘surge’ years created a war economy centred around individuals and firms, from Washington to Kandahar, with little more than a stated expertise in ‘stabilisation’, high disbursement rates and a willingness to work in extremely volatile areas. There is little or no evidence that NATO, TCNs or their donor agencies have sought to examine issues of effectiveness and the dangers posed to the civilian population by such negligent approaches, or have learned from the pervasively negative experience of stabilisation experiments in Afghanistan.

While it would be tempting to recommend that TCN donor agencies, together with ministries of defence and other relevant parts of government, conduct lessons learned exercises with regard to stabilisation and PRT experiences, such activities are unlikely to have much impact. Seeking to generate a better evidence base on the effectiveness and risks of these approaches to inform future practice, and involving aid agencies in this process, would be useful insofar as such policy decisions are based on evidence of effectiveness. In Afghanistan and other stabilisation contexts, the role of evidence in policymaking and programme design appears to have been minimal. Nonetheless, more objective evidence on the impact of stabilisation approaches is required to gather a fuller understanding of the risks and limitations involved – even if such evidence is unlikely to be generated by donor governments themselves.

The difficulties encountered in civil–military dialogue were exacerbated by a more fundamental problem. There was, by all actors, a fundamental failure rooted in misperceptions and faulty, even unrealistic, assumptions underpinning their positions and interventions. After the fall of the Taliban regime, ISAF and international forces were largely popular among

aid agencies and Afghans – albeit with the misguided hope that they would displace, rather than empower, warlords and *mujahedeen* commanders. But there was a widespread inability to see beyond the short term and address, or perhaps even understand, the political and social drivers of the conflict.

For aid agencies that remain in Afghanistan, military strategies have severely eroded the distinction between combatants and civilian aid actors in the eyes of both insurgents and ordinary Afghans. This has contributed to negative perceptions of aid agencies and arguably presented greater security risks for aid workers,¹⁷ compounding the challenges of operating in

¹⁷ Among other sources, such perceptions were evident in field research with insurgents and Afghan civilians in Faryab and Kandahar provinces (Jackson and Giustozzi, 2012).

an already extremely dangerous, high-risk environment. As international combat troops leave, the need for dialogue with Afghan forces will become all the more pressing. The failure to consistently involve the Afghan government and security forces in civil-military dialogue from the very beginning is regrettable; earlier engagement would undoubtedly have had a greater impact on Afghan policies and practice. This essentially means that aid agencies must now begin civil-military dialogue anew with Afghan security forces. The capacity and willingness of the ANSF to engage in this dialogue remain unclear, and aid agencies will have to identify new strategies and new means of engaging to ensure that they are able to operate safely, and to improve protection for the populations they aim to assist

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Annex 1

Afghanistan Civil–Military Guidelines

Guidelines for the interaction and coordination of humanitarian actors and military actors in Afghanistan

Version 1.0 (20 MAY 2008)

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1 Definitions of key terms

In order to facilitate a clear understanding of these Guidelines the following key terms are defined for the purposes of this paper, based on internationally-agreed definitions:

- 1) **Civil-military coordination:** The essential dialogue and interaction between civilian and military actors in humanitarian emergencies that is necessary to protect and promote humanitarian principles, avoid competition, minimize inconsistency, and when appropriate pursue common goals. Basic strategies range from coexistence to cooperation. Coordination is a shared responsibility facilitated by liaison and common training.
- 2) **CIMIC:** ‘civil-military cooperation’: this is a military term for the relationship of interaction, co-operation and coordination, mutual support, joint planning and constant exchange of information at all levels between military forces, civilian organisations, agencies and in-theatre civil influences, which are necessary to achieve an effective response in the full range of military operations.
- 3) **Humanitarian actors:** non-profit civilian organisations, whether national or international, UN or non-UN, which have a commitment to humanitarian principles and are engaged in humanitarian or development activities. Humanitarian actors share a commitment to working in accordance with the Red Cross Code of Conduct, the Sphere Humanitarian Charter and Minimum Standards in Disaster Response, and other recognised humanitarian guidelines. Some humanitarian actors maintain strict neutrality whilst others have taken positions in support of the Government of Afghanistan (GoA).
- 4) **Military actors:** official military actors that are subject to a hierarchical chain of command, be they armed or unarmed, governmental or inter-governmental. This includes the Afghan National Army, all members of the International Security Assistance Force (ISAF), whose authority is established by the UN Security Council, and forces serving in Operation Enduring Freedom.
- 5) **Other security actors:** any lawful security actors other than the military, including both public entities, such as the Afghan National Police and other national and international security agencies, as well as private entities, such as commercial security contractors and guards. This definition does not include illegal armed groups which are not covered by this paper which is limited to coordination between civilian and military actors. Other security actors are currently not signatories to these Guidelines but are urged to have reference to and act in accordance with them; as such, in future they may be requested to give formal commitment to this effect.
- 6) **Humanitarian assistance:** aid to an affected population that seeks, as its primary purpose, to save lives and alleviate suffering. Humanitarian assistance must be provided in accordance with the basic humanitarian principles of humanity, impartiality and neutrality. Assistance can be (1) direct: the face-to-face distribution of goods and services; (2) indirect: at least one step removed from the population and involves such activities as transporting relief goods or relief personnel; and (3) infrastructure support, involving the provision of general services, such as road repair, airspace management and power generation that facilitate relief, but are not necessarily visible to or solely for the benefit of the affected population.
- 7) **Military assets:** relief personnel, equipment, supplies and services provided by foreign militaries and civil defence organizations.

2 Background and introduction

Traditionally there has been a distinction between the military and civilian domains but military actors have become increasingly involved in operations other than war, including the provision of relief and reconstruction work. At the same time, it has become apparent that security and humanitarian activities and their outcomes are often interconnected, which necessitates increased communication, coordination and understanding between humanitarian actors and the military, including mutual awareness of mandates, capacities and limitations.

These Guidelines have been developed by the Afghanistan Civil Military Working Group which is co-chaired by the Office of the Deputy Special Representative of the Secretary-General of the United Nations Assistance Mission for Afghanistan (UNAMA) Resident / Humanitarian Coordinator and the Agency Coordinating Body for Afghan Relief (ACBAR). The Group has the participation of senior military officials serving with the International Security Assistance Force, including the ISAF HQ Chief of C19, OEF and a range of humanitarian actors working in humanitarian and development spheres in Afghanistan.

The Guidelines are based on policy guidance issued by the UN Office for the Coordination of Humanitarian Affairs (OCHA), particularly on the use of military assets in complex emergencies (March 2003) and in disaster relief, (the ‘Oslo Guidelines’ May 1994, updated November 2006) and the Inter-Agency Standing Committee (IASC) Reference Paper ‘Civil-Military Relationship in Complex Emergencies (June 2004).

The purpose of the Guidelines is to establish principles and practices for constructive civilian-military relations, and for effective

coordination, which is critical for achieving security and stability in Afghanistan. The Guidelines are intended to address civil-military coordination, and not CIMIC activities, which are substantially broader in scope. The Guidelines are intended to support the development of a relationship between military and humanitarian actors in which differences are recognized and respected.

3 Key actors

International Security Assistance Force (ISAF)

As provided by United Nations Security Council Resolutions (UNSCR) 1386 (2001) and 1510 (2003), ISAF is a multi-national force acting under Chapter VII of the UN Charter. Under the first resolution ISAF was mandated 'to assist the Afghan Interim Authority in the maintenance of security of Kabul and its surrounding areas', as provided for under Annex I of the Bonn Agreement, 5 December 2001.

UNSCR 1510 (2003) authorises the expansion of the ISAF mandate 'to support the Afghan Transitional Authority and its successors in the maintenance of security in areas of Afghanistan outside of Kabul and its environs, so that the Afghan Authorities as well as the personnel of the United Nations and other international civilian personnel engaged, in particular, in reconstruction and humanitarian efforts' and to provide security assistance for the implementation of the Bonn Agreement. ISAF's mandate has since been extended by UNSCRs 1563 (2004), 1623 (2005) and 1707 (2006).

Provincial Reconstruction Teams

ISAF has facilitated the establishment of 25 Provincial Reconstruction Teams (PRTs), endorsed in UNSCR 1563 (2004) and subsequent UNSCRs. As agreed by the PRT Executive Steering Committee in January 2005, the mission of PRTs is to "assist The Islamic Republic of Afghanistan to extend its authority, in order to facilitate the development of a stable and secure environment in the identified area of operations, and enable Security Sector Reform (SSR) and reconstruction efforts."

Operation Enduring Freedom (OEF)

The presence of actors operating under US-led OEF is defined in a bi-lateral agreement between participating actors and the GoA of May 2005. The Coalition is referred to in UNSCR 1510 (2003) and subsequent Resolutions, which call for ISAF to work with OEF in the implementation of both forces' mandates.

United Nations (UN)

United Nations Assistance Mission in Afghanistan (UNAMA)

UNAMA was established by UNSCR 1401 (2002) with a mandate set out in the UN Secretary-General's Report of 18 March 2002, which includes, (a) fulfilling responsibilities related to human rights, rule of law and gender issues entrusted to it under the Bonn Agreement; (b) promoting national reconciliation and (c) managing UN relief, recovery and reconstruction activities. UNAMA's mandate has been subsequently extended and elaborated by UNSCRs 1471 (2003), 1536 (2004), 1589 (2005), 1662 (2006) and 1746 (2007).

UNSCR 1746 (2007) stresses the role of UNAMA 'to promote a more coherent international engagement in support of Afghanistan, to extend its good offices through outreach in Afghanistan, to support regional cooperation in the context of the Afghanistan Compact, to promote humanitarian coordination and to continue to contribute to human rights protection and promotion, including monitoring of the situation of civilians in armed conflict'

United Nations Agencies

There are 17 UN agency funds and programmes as a part of the integrated mission in Afghanistan, under the coordination umbrella of UNAMA. The Agencies include WFP, UNICEF, UNDP, UNHCR, UNIFEM, FAO, UNFPA, UNOPS, IRIN and others. UN Agencies have separate mandates, but all adhere to UN values; they are providers of humanitarian assistance and long term development programmes.

Non-Governmental Organisations (NGOs)

NGOs are civil society actors which may be national or international, are non-profit, civilian organizations dedicated to providing humanitarian assistance and development support in Afghanistan. NGOs are independent and diverse in their objectives, operations and the degree to which they operate within the principles of neutrality, humanity, impartiality and independence. NGOs also vary greatly in terms of the level of interaction or collaboration with military actors. As civil society actors some NGOs may not directly engage in the provision of assistance or service delivery but seek to achieve policy change.

All NGOs in Afghanistan are regulated by Law on Non-Governmental Organisations, June 2005, which regulates permissible activities

and sets criteria for the establishment and internal governance of NGOs. Members of ACBAR and other NGOs have committed to abide by the NGO Code of Conduct, September 2006, which almost 100 Afghan and international organisations have signed.

4 Principles

Principles regarding international military actors and Afghan National Security Forces

- 1) **Observance of international law and human rights:** military actors will comply with their obligations under international law, including international humanitarian law, human rights and UN Security Council Resolutions to which they are subject.
- 2) **Respect for the neutrality and independence of humanitarian actors:** military actors should seek to avoid operations, activities or any conduct which could compromise the independence or safety of humanitarian actors. To the greatest extent possible military operations should be conducted with a view to respecting the humanitarian operating environment. The operational effectiveness of humanitarian actors depends upon the actual and perceived adherence to the principles of neutrality and impartiality. Maintaining a clear distinction between the role and function of humanitarian actors from that of the military is a determining factor in creating an operating environment in which humanitarian organizations can discharge their responsibilities both effectively and safely. Sustained humanitarian access to the affected population may be ensured when it is independent of military and political action.
- 3) **Security role:** In line with recognised principles of humanitarian assistance and existing guidelines on civil-military relations, the overall humanitarian assistance effort in Afghanistan is best served through a division of responsibilities: government and humanitarian actors have the primary role of providing humanitarian assistance, and the military is primarily responsible for providing security, and if necessary, basic infrastructure and urgent reconstruction assistance limited to gap-filling measures until civilian organisations are able to takeover.
- 4) **Reporting of violations of human rights or international humanitarian law:** such violations or crimes witnessed by military actors, whoever the perpetrator, must be reported to the appropriate authorities.
- 5) **Women in peace and security:** military actors must respect fully international law applicable to the rights and protection of women and girls, especially as civilians, and to take special measures to protect them from gender-based violence including rape and other forms of sexualised violence. The differential impact of armed conflict on women, girls, boys and men should inform activities; and women, as well as men, should be recognised as important actors in the promotion of peace and security as recognised by UNSCR 1325.

Principles regarding humanitarian actors

- 1) **Humanity:** the principle of humanity requires that human suffering must be addressed wherever it is found, with particular attention to the most vulnerable in the population, such as children, women and the elderly. The dignity and rights of all victims must be respected and protected. Humanitarian actors must seek to ensure sustainable access to all vulnerable populations in all parts of the country and the freedom to negotiate access across divides to such people.
- 2) **Operational independence of humanitarian action:** humanitarian actors must retain their operational independence, including the freedom of movement, recruitment of national and international staff, non-integration into military planning and action, and access to communications.
- 3) **Impartial aid distribution:** humanitarian actors and donor governments must ensure that assistance is provided in an equitable and impartial manner without political conditions; it must be provided without discrimination as to ethnic origin, gender, nationality, political opinions, social status, race or religion and solely on the basis of needs.
- 4) **Neutrality:** all humanitarian assistance must be provided without engaging in hostilities or taking sides in controversies of a political, religious or ideological nature.

All humanitarian actors, military actors and other security actors should at all times be respectful of international law and Afghan laws, culture and customs.

5 Liaison arrangements

For any interaction and coordination between humanitarian and military and/or other security actors, liaison arrangements and clear lines of communication should be established at all relevant levels.

UNAMA headquarters, regional and provincial offices must ensure permanent means of communication with all relevant commands of ISAF and other military actors, including all PRTs.

The head of each regional office of UNAMA should establish contacts with all Afghan Government and international military actors in the area, in order to maintain channels of communication, to enable rapid contact/coordination where necessary, and to provide information on humanitarian and development activities in the area.

Given military hierarchy, humanitarian actors should ensure that all communication and humanitarian advocacy is directed to the appropriate authorities within the chain of command. Where regular direct liaison is necessary, it should be conducted through UNAMA field offices or headquarters, ACBAR, or Afghanistan NGO Safety Office (ANSO).

It is preferable for there to be designated persons within both military and humanitarian actors to conduct regular liaison. If possible, liaison meetings should be held at 'neutral' venues, as locally agreed, and other interaction should be discreet, preferably through e-mail or telephone.

Liaison staff of humanitarian and military actors should not be physically permanently co-located. However, the security situation might require temporary co-location of dedicated UN security and/or military liaison personnel.

Wherever possible and appropriate, transparency should be maintained on the participants and purpose of civil-military liaison. Liaison meetings should where possible involve representatives of human rights and women's rights organisations.

In Afghanistan, civil-military coordination takes place at a number of levels. The following are existing mechanisms for coordination:

- The Afghanistan Civil Military Working Group, responsible for this paper, co-chaired by UNAMA and ACBAR, with the participation of ISAF and a range of humanitarian actors, which was established, in its Terms of Reference, to 'facilitate timely and sufficient communication between NGOs, international military actors and other stakeholders over military activities, security of operations and aid coordination with the objective of identifying and addressing issues of concern.'
- The PRT Executive Steering Committee (ESC) is an ambassadorial/ ministerial-level body co-chaired by the Minister of Interior and COMISAF, which provides guidance for and oversight of all existing and proposed PRTs in Afghanistan. Its membership includes the ambassadors of all the PRT troop-contributing states and potential contributing nations, and key Afghan ministry officials. The ESC considers action on issues developed by the PRT Working Group, its subordinate body. Action by the ESC includes enacting Policy Notes which set out operating guidance for PRTs on key issues.
- The PRT Working Group is a subordinate body of the ESC co-chaired by the Ministry of Interior, UNAMA and ISAF. Its role is to resolve PRT operational issues, prepare the ESC agenda, and prepare issues for ESC decision; it includes Afghan ministerial officials, UNAMA, ISAF, EU and Embassies of PRT troop-contributing states. The Group also includes members of NGO representative bodies.
- Regional / Provincial / District Coordination meetings, under the government supported by UN/UNAMA/NGO Field offices.
- UN/UNAMA Field Office bilateral meetings with civilian and military organizations.
- UN/UNAMA/NGO Field office weekly security meetings.
- Bilateral engagement between local CIMIC/Civil Affairs teams and NGOs.
- The Comprehensive Approach Team which meets on a weekly basis at ISAF HQ and includes representatives of government, military and humanitarian actors.
- The National Emergency Response Commission (NERC) is the highest emergency coordination body in the country. It is chaired by the Afghan Vice-President and comprises 22 key government ministries, UNAMA, Kabul Municipality and ISAF. Meeting every two weeks, and more frequently as required this body approves policy, coordinates response and makes requests for assistance from the international community. The Afghanistan National Disaster Management Authority (ANDMA) is the secretariat of this group.

To contact or access these mechanisms of coordination, the following post-holders, units or organisations should be contacted: UNAMA Civil-Military Coordination Officers, UNAMA Military Advisory Unit (MAU), ISAF Cj9 Branch (CIMIC), UNAMA Humanitarian Affairs Officers, ACBAR and ANSO.

6 Security and neutrality of humanitarian personnel

Humanitarian actors in Afghanistan have adopted a security protocol which relies primarily on *acceptance*, combined with *protection* and *deterrence* strategies. Given that in some areas of Afghanistan humanitarian actors may be targets of armed elements, this may involve adopting a ‘low profile’ approach, paired with protective strategies for travel.

As all actors who have taken a proactive stance in support of the GoA (including the UN, EU, ISAF and other security actors) are currently targets of armed opposition groups in Afghanistan, a distinction must be retained between the identities, functions and roles of these entities and those actors who seek to preserve their neutrality.

The independence and civilian nature of humanitarian assistance should be clear at all times. Failure to observe this distinction could compromise the perception of neutrality and impartiality of humanitarian activities and thereby endanger humanitarian personnel and intended beneficiaries.

Given the importance of how humanitarian actors are perceived by the population, they should ensure that at all times their outward appearance could not be perceived as military. Humanitarian actors should not therefore wear uniforms or use military vehicles. Military actors should liaise with humanitarian actors in order to identify means of distinguishing between their respective vehicles.

Since current assistance work in Afghanistan largely entails rehabilitation and reconstruction rather than urgent life-saving activities, humanitarian actors should give careful consideration to the security risks and political implications of working with military actors or other security actors. Humanitarian actors should be aware that strategies adopted by one might have implications for others: at a local level if one agency is perceived as cooperating closely with the military the population may assume the same of other local actors.

7 Use of military or armed protection for humanitarian agencies

The use of military or armed protection for humanitarian agencies or for specific humanitarian activities is a measure that should be taken only in exceptional circumstances in order to meet critical humanitarian needs. Similarly, only in extreme circumstances should staff of humanitarian actors travel in vehicles belonging to military actors. The majority of humanitarian actors have internal regulations which prevent armed personnel of military actors from travelling in their vehicles.

Any decision to request or accept military or armed protection must be made by humanitarian organisations, not political or military authorities. It should be based on the principles endorsed in the non-binding guidelines issued by the IASC in September 2001 on ‘Use of Military or Armed Escorts for Humanitarian Convoys’.

8 Use of military assets in natural disaster or humanitarian relief operations

In accordance with UNSCR 1510 (2003) and subsequent resolutions the mandate of military actors in Afghanistan is to provide security. In the case of a natural disaster or other civil emergency, the primary responsibility for managing the response is with the, led and coordinated by the ANDMA, supported by the Humanitarian Coordinator in UNAMA.

In exceptional circumstances and as a last resort, military assets, which includes personnel, equipment, supplies and services, may be deployed for the purpose of providing humanitarian assistance.

The use of such assets in Afghanistan must adhere to the principles set out in the IASC ‘Guidelines on the Use of Military and Civil Defence Assets to Support UN Humanitarian Activities in Complex Emergencies’, (MCDA Guidelines) issued in March 2003, and ‘Guidelines on the Use Of Military and Civil Defence Assets in Disaster Relief’ (‘Oslo Guidelines’) updated November 2006.

In accordance with these guidelines, military assets may only be used at the request or with the consent of the GoA, at national or local level, as appropriate. In exceptional circumstances, the military may respond to or support humanitarian disaster relief operations prior to receiving a formal request / approval from the GoA if the local commander deems it necessary to save lives.

As set out in the MCDA Guidelines, military assets should only be used in the following circumstances: (1) there is no comparable civilian alternative; (2) the assets are needed to meet urgent humanitarian needs; (3) to the extent possible there is civilian control

over the operation involving the assets, meaning civilian direction and coordination, as defined in the Oslo Guidelines; (4) to the extent possible the assets are used only for indirect assistance or infrastructure support; (5) military assets are clearly distinguished from those used for military purposes; (6) the use is limited in time and scale; and (7) there is an exit strategy defining how to achieve a civilian response in the future.

Policy Note Number 3 of the PRT ESC, 'PRT Coordination and Intervention in Humanitarian Assistance' reaffirms this approach and provides that humanitarian assistance "must not be used for the purpose of political gain, relationship-building, or 'winning hearts and minds. It must be distributed on the basis of need and must uphold the humanitarian principles of humanity, impartiality and neutrality."

No asset of any kind belonging to a humanitarian actor may be used by military actors without explicit, prior permission of the actor concerned.

9 Provincial reconstruction teams

The PRT Mission Statement, as agreed by the PRT ESC in January 2005, states that: 'PRTs will assist the Islamic Republic of Afghanistan to extend its authority, in order to facilitate the development of a stable and secure environment in the identified area of operations, and enable Security Sector Reform (SSR) and reconstruction efforts.'

Although the mandate of PRTs does not refer to humanitarian activities, given the significant involvement of PRTs in civilian affairs, and in civil-military liaison, this section outlines the principles which govern their operations.

Where activities are undertaken by the military to enable SSR or reconstruction efforts, whether or not through a PRT, they should accord to the following principles:

Coordination: in accordance with PRT ESC Policy Note 1 endorsed on 7 December 2006:

- PRT activities are to support local priorities within the national development framework, such as the Afghan National Development Strategy.
- PRTs should coordinate their activities with the GoA/UNDP/UNAMA sub-national governance programme and other stakeholders in provinces where the programme is being implemented.
- PRTs are strongly encouraged to coordinate all projects with the Provincial Development Committee, link with provincial requirements and involve relevant line ministries in all phases of the relevant project.
- Provincial Councils are also an important facet of provincial development and PRTs should consult them regularly about their activities.

Local resources: in accordance with Annex II of the Afghanistan Compact, reconstruction projects should make maximum use of local human and material resources, and should be according to local standards.

Ownership: to the extent possible intended beneficiaries in the affected population should be involved in the design, management and implementation of the assistance.

Respect for culture and custom: PRT activities must be respectful of local culture and customs.

Gender: in accordance with UNSCR 1325, and as stated below, activities should reflect the particular rights and needs of women and girls.

Identification: outside of designated military facilities military personnel should at all times wear military uniforms.

10 Gender

Military and humanitarian actors should have an understanding of how conflict and disaster affect women, girls, boys and men differently, that they have different coping strategies, roles, capacities and constraints. Their differing needs and capabilities must be identified to make sure all have access to services and information, and can participate in the planning and implementation of relief programmes. (See IASC Gender Handbook in Humanitarian Action: Women, Girls, Boys and Men – Different Needs, Equal Opportunities.)

Under UNSCR 1325 all peacekeeping operations are required to mainstream gender issues. The resolution specifically requires special consideration by all military actors, humanitarian actors and all other entities, of the needs and capabilities of women and girls. In particular, all actors should ensure that:

- Efforts are made to involve greater numbers of women at all levels of decision-making and in field based operations;
- Institutional arrangements are made to identify the needs and capabilities of women and girls in conflict through participatory methods and incorporate them in conflict into humanitarian, development, reconstruction, security and peace-building activities;
- The human rights of women and girls are protected in accordance with international and national law;
- Special measures are taken to protect women and girls from violence in situations of armed conflict with specific steps taken to prevent gender-based violence, particularly rape and other forms of sexual abuse; and
- Training, guidelines and materials are developed which incorporate the need to protect and ensure the rights of women and girls.

11 Information sharing

As a matter of principle, any information gathered by humanitarian actors which might endanger lives if used for non-humanitarian purposes, jeopardise humanitarian operations, compromise the impartiality and neutrality of humanitarian actors, or be used for military purposes, shall not be shared with military or other security actors.

However, to ensure the provision of protection, humanitarian assistance or the safety of civilians and/or humanitarian staff, information sharing with the ISAF and other military actors may be necessary.

Specific information which may be appropriate to share includes:

- **Security information:** information relevant to the security of civilians and humanitarian staff including the coordinates of humanitarian staff and facilities in the military operating theatre;
- **Relief needs:** identified by the military or other security actors;
- **Humanitarian activities:** humanitarian plans and intentions of humanitarian actors, including routes and timing of humanitarian convoys and airlifts;
- **Mine-action activities:** information relevant to mine-action activities;
- **Population movements:** information on major movements of civilians;
- **Movement of good or personnel:** information on the movement of humanitarian personnel or goods within the country or across borders.

So far as possible, military actors should provide accurate and timely information to humanitarian actors on:

- **Relief activities:** information on relief efforts undertaken by the military and/or other security actors;
- **Post-strike information:** information on strike locations and explosive munitions used during military campaigns to assist the prioritization and planning of humanitarian relief and mine-action/UXO activities;
- **Pending military operations:** at the strategic, operational and tactical level concerning military operations which could affect the safety of civilians or humanitarian personnel, or have an impact on population displacement and the provision of humanitarian assistance, to the extent feasible within operational security requirements.

12 Human rights reporting

Military and humanitarian actors should report as soon as possible any alleged violations of human rights, women and children's rights, international humanitarian law or Afghan criminal law by any of the parties to the conflict to the appropriate staff within their organisations or chains of command. Humanitarian actors may refrain from reporting violations where this could create an unacceptable security risk. Military actors shall report in accordance with their respective national law.

Such alleged violations should then be reported, as appropriate, to the relevant Afghan authorities, Afghan Independent Human Rights Commission, the International Committee of the Red Cross, UNAMA or, where appropriate, UNHCR. Where appropriate, rights violations should also be reported to relevant members of the National Assembly or local Provincial Council.

Military and humanitarian actors will cooperate with any investigation conducted by these authorities, particularly with respect to civilian casualties whether caused by military actors, other security actors or armed groups.

13 Assessment of humanitarian needs

While humanitarian actors may be able to benefit from the findings of assessments conducted by military actors, they should conduct independent humanitarian assessments, using their own evaluation and monitoring capacities.

Humanitarian actors may evaluate and consider as appropriate findings of military assessment missions; they may also, when appropriate, share the results of their own needs assessments with military actors so long as these will not endanger lives or be used for military purposes.

14 Training

Training in civilian-military coordination should be conducted for responsible staff at all levels within humanitarian, development, military and other security actors, including national police and private security actors, both prior to and during the mission. This may take the form of lectures, briefings and/or joint workshops, both in-country and outside.

The UN shall ensure that there is regular training on the application of the Sphere Humanitarian Charter and Minimum Standards in Disaster Response. This training should be undertaken every six months, particularly at PRT level, so that humanitarian and military actors have an understanding of the Sphere Code of Conduct and are familiar with terminology relevant to humanitarian coordination.

The UN shall also ensure that there is specialised training on the protection, rights and particular needs of women and girls in conflict situations, the importance of a gender perspective in humanitarian, development and reconstruction activities, and the essential roles of women in peace-building and peace-keeping.

15 Monitoring and resolution of disputes

Incidents involving military or other security actors in which these Guidelines appear to have been breached should be documented and reported as soon as possible to UNAMA, either the regional office or headquarters, or alternatively, to ACBAR or ANSO.

Where such incidents cannot be resolved, or if a party to these Guidelines fails to act in accordance with them, the issue shall be referred to the Afghanistan Civil-Military Working Group. Any actor involved may raise the issue for consideration by the Group. Such incidents should be reviewed by the Working Group on a periodic basis. The Guidelines are non-binding but the Working Group may make recommendations on their application.

16 Approval

These Guidelines have been prepared and adopted by the Afghanistan Civil-Military Working Group.

The Group has representation of the following organisations and missions who have agreed to the Guidelines and shall seek to ensure that they act in accordance with them:

United Nations Assistance Mission for Afghanistan and UN Agencies

The Agency Coordinating Body for Afghan Relief

The International Security Assistance Force

Forces serving in Operating Enduring Freedom

National Security Forces of the Government of the Islamic Republic of Afghanistan

Appendix 1 – Acronyms

ACBAR – Agency Coordinating Body for Afghan Relief
ANDMA – Afghanistan National Disaster Management Authority
ANSO – Afghanistan NGO Safety Office
CIMIC – Civil-Military Coordination
COMISAF – Commander ISAF
FAO – Food and Agriculture Organisation of the United Nations
EU – European Union
GoA – Government of the Islamic Republic of Afghanistan
ISAF – International Security Assistance Force
IASC – Inter-Agency Standing Committee
MAU – Military Advisory Unit (UNAMA)
NERC – National Emergency Response Commission
NGO – Non-Governmental Organisation
OCHA – Office for the Coordination of Humanitarian Affairs
OEF – Operation Enduring Freedom
PRT – Provincial Reconstruction Team
PRT ESC – PRT Executive Steering Committee
SSR – Security Sector Reform
UNAMA – United Nations Assistance Mission for Afghanistan
UNDP – United Nations Development Programme
UNFPA – United Nations Population Fund
UNHCR – United Nations High Commission for Refugees
UNICEF – United Nations Children’s Fund
UNIFEM – United Nations Development Fund for Women
UNOPS – United Nations Office for Project Services
UNSC – United Nations Security Council
WFP – United Nations World Food Programme

Annex 2

Civilian and aid worker casualties

Civilian casualties, 2006–2012

Figures for 2006 are taken from Human Rights Watch (2008) and those from 2007 onwards from UNAMA Human Rights Unit/OHCHR annual reports. Casualty figures include both civilian deaths as well as civilians physically injured. These are believed to be the most reliable estimates available, with

estimates prior to 2006 seen as incomplete or unreliable and as such not reproduced here. The discrepancy between casualties and fatalities attributed to anti-government elements (AGE) and pro-government forces (PGF) and total casualties and fatalities represents those that could not definitively be attributed to either party.

	AGE-attributed fatalities	AGE-attributed casualties	PGF-attributed fatalities	PGF-attributed casualties	Total fatalities	Total casualties
2006	699	N/A	230	N/A	929	N/A
2007	700	N/A	629	N/A	1,523	N/A
2008	1,160	N/A	828	N/A	2,118	N/A
2009	1,630	N/A	596	N/A	2,412	5,968
2010	2,037	5446	427	840	2,790	7,158
2011	2,332	5636	517	1088	3,131	7,837
2012	2,179	6131	316	587	2,754	7,559

NGO deaths and security incidents, 2006–2012

This table draws on data compiled by the Afghanistan NGO Safety Office (ANSO), available at <http://www.ngosafety.org>. Data does not include UN aid worker security incidents or deaths, information on which is not publicly available.

	Security incidents	Fatalities
2006	N/A	24
2007	136	15
2008	170	31
2009	172	19
2010	126	28
2011	163	31
2012	164	11

Annex 3

Summary of selected guidelines and policies pertaining to civil–military relations in Afghanistan

In the last decade a number of guidelines, devised by the UN or in association with the UN, have been issued or update on civil–military coordination. These are intended to be global – to guide humanitarian conduct in all contexts – and include:

- The IASC Reference Paper: Civil–Military Relationship in Complex Emergencies, 28 June 2004.
- The Guidelines on the Use of Military and Civil Defense Assets to Support United Nations Humanitarian Activities in Complex Emergencies (MCDA Guidelines), 2003, Revision 1 – January 2006.
- The OSLO Guidelines: on the use of Foreign Military and Civil Defense Assets in Disaster Response (original 1992; updated 2006).
- The guidelines on the Use of Military or Armed Escorts for Humanitarian Convoys (2001).

Although not exhaustive, this appendix looks at a selection of the national-level guidance¹⁸ specifically relevant to aid actors and international forces in Afghanistan.

Principles Guiding PRT Working Relations with UNAMA, NGOs and Local Governments

- **Process of development:** Drafted by the US embassy, UNAMA and aid agencies. Issued in 2003 and endorsed by the US embassy; the objectives set out in the guidelines were later endorsed by the PRT Executive Steering Committee (ESC).
- **Actors covered:** Unclear; this document is not publicly available.
- **Issues addressed:** Mainly focused on elaborating the purpose of PRTs. It outlined three objectives for PRTs, extending the authority of the Afghan central government, improving security and promoting reconstruction (Perito, 2005).
- **Uptake and dissemination:** Uptake was reportedly limited (*ibid.*).

PRT Executive Steering Committee (ESC) Policy Note number 3: PRT Coordination and Intervention in Humanitarian Assistance¹⁹

- **Process of development:** Drafted by the PRT ESC, finalised and endorsed by the ESC in 2007; updated in 2009.
- **Actions covered:** Humanitarian assistance is defined as ‘that which is life saving and addresses urgent and life-threatening humanitarian needs. It must not be used for the purpose of political gain, relationship building, or “winning hearts and minds”. Humanitarian assistance must be distributed on the basis of need and must uphold the humanitarian principles of humanity, impartiality and neutrality’.
- **Issues covered:** The aim was ‘to give formal direction as to how PRTs are to engage in humanitarian relief efforts at the provincial level and how to support provincial Disaster Management Teams (DMTs)’ with the aim of promoting ‘effectiveness and efficiency as well as preserving humanitarian space’. It is mainly focused on crisis and disaster response. It designates leadership of the humanitarian response and stipulates the use of military assets in *in extremis* circumstances only. It also calls for joint planning and coordination between PRTs, the Afghan government and UNAMA. It states that PRTs can play a crucial role in monitoring the distribution of non-PRT relief aid.
- **Uptake and dissemination:** This policy note is referenced in subsequent guidelines. As with the ‘Principles Guiding PRT Working Relations’, impact on the ground was limited by poor central coordination of the PRTs.

The Guidelines for Relations Between US Armed Forces and Non-Governmental Humanitarian Organizations in Hostile or Potentially Hostile Environments

- **Process of development:** Negotiations between InterAction (an umbrella organisation for US NGOs) and the US Department of Defense beginning in 2005; dialogue was facilitated by the United States Institute of Peace, an independent, non-partisan federal institution. Issued in 2007 and endorsed by both InterAction and the US Department of Defense.

¹⁸ One exception is the Interaction Guidelines, which are not specific to Afghanistan but were intended to suit conditions there.

¹⁹ While Policy Note 3 is the most directly relevant to aid actors covered in this research, the ESC issued four policy notes in total: Policy Note 1, PRT Support to the Election Process; Policy Note 2, PRT Engagement in DIAG; and Policy Note 4, PRT Support to the Election Process.

- **Actors covered:** Non-governmental humanitarian organisations, defined as ‘organizations belonging to InterAction that are engaged in humanitarian relief efforts in hostile or potentially hostile environments’, and the US military.
- **Issues covered:** The guidelines were developed to guide conduct globally, though they were initiated out of experiences in Iraq and Afghanistan. Their primary audience is the US military and US NGOs and their partners. They put forward behavioral guidelines for the military and humanitarian NGOs separately, and processes for interaction. They also put forward recommendations for minimising confusion between military and NGO roles. They cover two key issues: that US military personnel do not wear civilian clothing but rather military uniforms when conducting relief activities, and that US armed forces refrain from describing NGOs as ‘force multipliers’ or ‘partners’ (McAvoy and Charny, 2013).
- **Dissemination and uptake:** NGOs published the guidelines through their newsletters and literature, and the military disseminated them throughout the DOD through action memorandums signed by the Undersecretary of Defense for Policy and the Director of the Joint Staff. The Guidelines are not specifically referenced but the approach they embody – recognition of NGO efforts, sensitivities to the dangers they face in interacting with militaries, respect for their issues and work, understanding of basic humanitarian principles, working with non-governmental organisations, civil–military interaction – is reflected in a number of important guidance publications. It was hoped that they would be substantially included in pre-deployment training but NGOs have been disappointed by the degree to which this has happened; likewise, there has been inconsistent adherence by NGOs and military in the field (McAvoy and Charny, 2013).
- **Issues addressed:** The guidelines covered a comprehensive number of issues affecting civil–military interaction. These were the principles according to which both military/security actors operate, and humanitarian actors; mechanisms and procedures for liaising between military/security and humanitarian actors; the security and neutrality of humanitarian personnel; the use of military or armed protection for humanitarian agencies; the use of military assets in natural disaster or humanitarian relief operations; provincial reconstruction teams; gender issues; information sharing; human rights reporting; training; monitoring and resolution of disputes’. See Annex 1 for the complete guidelines.
- **Uptake and dissemination:** These were issued in an ISAF Fragmentary Order and disseminated by OCHA, ACBAR and across the international humanitarian community.

Guidance on coordination between armed actors and humanitarian clusters in Afghanistan

- **Process of development:** Drafted by Afghanistan Humanitarian Country Team. Issued and endorsed by the Humanitarian Country Team on 15 June 2008.
- **Scope of actors covered:** Military forces; those listed include PRTs, International Military Forces (IMF), Afghan National Army (ANA) and Afghan National Police (ANP). This document relates to humanitarian clusters only, operating as part of the architecture for humanitarian coordination at Kabul and regional level.
- **Issues covered:** Principles guiding humanitarian action; membership of humanitarian clusters; *ad hoc* and observer status at cluster meetings; planning and preparation; information exchange (refers to Guidelines on Interaction and Coordination); use of military assets in disasters response by clusters (refers to Guidelines on Interaction and Coordination, ESC Policy Note 3 and Oslo and MCDA guidance); complaints regarding non-compliance with the guidance.
- **Uptake and dissemination:** Disseminated to cluster leads and members.

Guidelines for the Interaction and Coordination of Humanitarian Actors and Military Actors in Afghanistan

- **Process of development:** Developed through the Civil–Military Working Group, which included representatives of humanitarian and multi-mandate NGOs, UN agencies and military officials. Approved 20 May 2008 and endorsed by ISAF, UNAMA and ACBAR.
- **Scope of actors covered:** Humanitarian actors, defined as ‘non-profit civilian organisations, whether national or international, UN or non-UN, which have a commitment to humanitarian principles and are engaged in humanitarian or development activities. Humanitarian actors share a commitment to working in accordance with the Red Cross Code of Conduct, the Sphere Humanitarian Charter and Minimum Standards in Disaster Response, and other recognised humanitarian guidelines. Some humanitarian actors maintain strict neutrality whilst others have taken positions in support of the Government of Afghanistan (GoA)’. Military actors and other legal security actors (public and private), but not illegal armed groups.

ISAF Standard Operation Procedure (SOP), Humanitarian Assistance/Disaster Relief Response

- **Process of development:** Developed in consultation with OCHA. Issued 12 June 2011.
- **Actors covered:** ISAF forces. The guidelines also identify the ANA as one of the Afghan government’s primary responders in a crisis.
- **Issues covered:** Guidelines are for interaction in the aftermath of crisis events: ‘a disaster event which exceeds the capacity of the [government of Afghanistan] or IHC to respond’. They list the conditions under which ISAF assets should be used in disaster response. They specify that PRTs will be treated like the military, as a last resort option for humanitarian response. They also describe the

process to initiate ISAF involvement in crisis response, and command and control responsibilities.

- **Uptake and dissemination:** Non-classified, available to the public. Further operationalised in the Intermediate Joint

Command (IJC) Fragmentary Order Contingency Plan for Major Incident Response and HQ ISAF Fragmentary Order Guidelines on support to the Afghan government in case of drought and food insecurity, Autumn/Winter 2011–2012.



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