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**FIGHTING AGAINST ALLIES:**

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**An Examination of “National Caveats”**

**Within the NATO-led International Security**

**Assistance Force (ISAF) Campaign in Afghanistan**

**& their Impact on ISAF Operational Effectiveness**

**2002-2012**

**VOLUME I: THESIS**

A Doctoral Thesis presented in partial fulfilment of the requirements for the degree of  
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**Regeena Kingsley**

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## **Dedication**

To all the unsung ISAF heroes,  
who have fought for freedom against tyranny  
in Afghanistan  
(2001-2014)



## Abstract

During the last twenty years, it has become an increasingly common practice for national governments to impose restrictive “national caveat” rules of engagement on the forces they contribute to multinational security operations. These national caveats have regularly led to security crises within these multinational missions, most notably in Rwanda, Bosnia and Kosovo. However, due to government sensitivity, combined with the highly-classified nature of these national caveat rules, no rigorous academic analysis has ever been conducted on this problematic issue and its effects within international security endeavours. The result has been a large ‘caveat gap’ within academic defence literature.

This thesis is the first in-depth, academic examination of the issue of national caveats and their effects within multinational security operations, and is focused on the multinational NATO-led ISAF campaign in Afghanistan. Drawing from new caveat information, including the revelations contained within the cache of diplomatic cables released by *Wikileaks* in 2010-2011, this research analyses the issue of national caveats within the ISAF operation in order to determine both the extent of the national caveat issue within the ISAF mission, and the impact these caveats have had on overall operational effectiveness within the campaign, over the period of a decade of warfare between 2002-2012.

The research utilises the fundamental military principle of “unity of effort”, essential for attaining operational effectiveness in any multinational operation involving disparate national forces, as an analytical lens to analyse the impact of national caveats on ISAF operational effectiveness. It analyses the impact of government-imposed, politico-military caveats on unity of effort among the ISAF’s security forces conducting security operations within the overarching counter-insurgency (COIN) campaign. ISAF security operations are critical for the success of the ISAF COIN campaign, because basic security is a prerequisite for all other ISAF stability operations to proceed along the other lines of operation. The study analyses: firstly, the *ability* of ISAF security forces to be unified in their tasking, given these caveat restraints; and secondly, the *reality* of unity of effort in practice among these forces, in the course of planning and executing on-the-ground security operations within Afghanistan. The findings are then discussed to assess the impact of national caveats on ISAF unity of effort as a whole over the decade, and subsequently, the overall impact of cavedited ISAF forces on operational effectiveness within the NATO-led Afghan mission.

This study found that national caveats continuously constrained approximately a quarter of the entire ISAF force between 2002-2012, regardless of fluctuations in total force numbers over the decade. An extensive range of more than 200 caveats were imposed by various NATO and Partner nation governments on ISAF forces over this time period, which hindered ISAF security operations throughout Afghanistan and led to a resultant loss of time and progress along the critical security line of operation within the campaign. Combat caveats, in particular, seriously compromised the ability of ISAF security forces, including large Lead Nation contingents in the northern and western ISAF sectors, to conduct the full range of operations necessary to protect the Afghan population from insurgents, and to achieve the mission of bringing security and stability to Afghanistan. In addition, these combat caveats have: disunified the ISAF coalition; fractured the NATO alliance; geographically and operationally divided the ISAF operation; and enabled the insurgent Enemy in Afghanistan.

Furthermore, the existence of cavedated national contingents within the total ISAF force has not only seriously and fundamentally compromised unity of effort within the mission, but has also had a detrimental impact on the operational effectiveness of the ISAF operation as a whole, characterised by the delayed attainment of mission objectives and an ineffective prosecution of the COIN campaign. Government-imposed national caveat rules of engagement have thereby compromised the multinational ISAF operation for over a decade within the Afghan theatre of war, and jeopardized the operational effectiveness and success of this important multinational security campaign. In conclusion, national caveats are potential guarantors of disunity of effort and operational ineffectiveness within every multinational operation in which they are present.

## Acknowledgements

It was in early 2008 that my interest in the issue of diverse and problematic rules of engagement within the NATO-led ISAF operation in Afghanistan first began, while working as a lecturer in International Relations at the International Pacific College (IPC) in Palmerston North, New Zealand. When MAJ Steve Challies of the New Zealand Defence Force (NZDF) visited the College as a guest speaker, and recounted his experiences with caveat-generated chaos within the NATO KFOR operation in Kosovo, I became even more intrigued and fascinated by this problematic and important issue within international security endeavours. Within months, my career path was quite dramatically altered as I embarked upon a Doctorate on the issue at the nearby Centre for Defence & Security Studies (CDSS) at Massey University. So began a six-year expedition into the unchartered academic territory of national caveats and their impact within the ISAF mission in Afghanistan. In the course of this journey, there have been many people who have provided valuable support and assistance to me along the way, and I would like to take the opportunity to thank them here.

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Name	Subject	Place	Date
<b>Personal Communications</b>			
<b>NZDF LTCOL Roger McElwaine,</b> Commander of NZDF Waiouru Military Camp (2009), and former Commander of the NZ-led ISAF PRT in Bamyan Province, Afghanistan (CRIB 10, 2007)	NZ's Experience with Caveated Forces within the ISAF Operation in Afghanistan	Wharerata, Massey University, Palmerston North, New Zealand.	26 Feb. 2009
<b>Member of New Zealand Security Intelligence Service (NZSIS)</b> <b>*Identity Protected*</b>	ISAF Caveats/Rules of Engagement (ROE)	Wellington, New Zealand.	12 Jun. 2009
<b>NZDF BRIG Roger Mortlock (Ret'd),</b> Senior Lecturer in Command Studies at CDSS (via NZDF Military Studies Institute), & the former UN Operational Commander of UNAVEM II in Angola (1992)	UN Angola Operation, Law of Armed Conflict (LOAC) & Consequences of ROE Non-compliance	Centre for Defence & Security Studies (CDSS), Palmerston North, New Zealand.	3 Nov. 2009
<b>NZDF MAJ Jane Derbyshire,</b> NZDF Teaching Fellow at CDSS in Military Law (via NZDF Military Studies Institute)	LOAC, Customary International Law (CIL), ROE & ROE Enforcement Mechanisms	Centre for Defence & Security Studies (CDSS), Palmerston North, New Zealand.	18 Nov. 2009
<b>NZDF MAJ Josh Wineera,</b> NZDF Teaching Fellow at CDSS in Tactics (via NZDF Military Studies Institute)	I: Command and Control (C <sup>2</sup> ) & C <sup>2</sup> Operational Environments	Centre for Defence & Security Studies (CDSS), Palmerston North, New Zealand.	27 May 2010

" "	II: C <sup>2</sup> within Coalitions & Alliances	Centre for Defence & Security Studies (CDSS), Palmerston North, New Zealand.	17 Jun. 2010
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## Interviews

<b>NZDF LTCOL Andrew Shaw,</b> <i>Commanding Officer of NZDF Command &amp; Staff College, Trentham Military Camp in Wellington, &amp; former Liaison Officer at U.S.-led RC-East Headquarters, OEF operation (2005)</i>	ISAF Operational Design, ROE Formulation & the Impact of Caveats/ROE in Afghanistan	NZDF Command & Staff College, Trentham Military Camp, Wellington, New Zealand.	23 Nov. 2009
<b>NZDF MAJ Steve Challies,</b> <i>Teaching Fellow at CDSS in Tactics (via NZDF Military Studies Institute)</i>	KFOR National Caveats & the 2004 Kosovo Crisis	Centre for Defence & Security Studies (CDSS), Palmerston North, New Zealand.	1 Dec. 2009
<b>Senior Italian Military Official</b> <b>*Identity Protected*</b>	ISAF National Caveats, Italian Caveats & German Caveats within the ISAF Operation.	Italian Embassy, Washington D.C., United States.	25 Aug. 2010
<b>U.S. Army LTGEN David W. Barno (Ret'd)</b> <i>Senior Advisor and Senior Fellow at the Center for a New American Security (CNAS) in Washington D.C., &amp; formerly the Operational Commander of Combined Forces Command-Afghanistan (CFC-A), Operation Enduring Freedom (OEF), between 2003-2005</i>	ISAF National Caveats, Caveat-related Difficulties posed to the COMISAF & other ISAF Planning & Field Commanders, ISAF Casualty Disparities, the ISAF Burden-Sharing Divide, Caveated Combat Forces, the Value of Caveated Military Forces in Afghanistan	Center for a New American Security (CNAS), Washington D.C., United States.	26 Aug. 2010

<p><b>NZDF LTCOL Nick Gillard,</b>  <i>Military Adviser at the NZ Embassy, London, and former Chief of Staff at the NZ-led PRT in Bamyan Province, Afghanistan (CRIB 14, 2009)</i></p>	<p>ISAF Command Design, the Roles of the various Security Units within the ISAF Mission's Security Line of Operation (LOO), ROE &amp; their Impact on Military Commanders, National Caveats within Multinational Operations (MNOs), ISAF National Caveats</p>	<p>New Zealand High Commission, London, United Kingdom.</p>	<p>1 Sept. 2010</p>
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## Personal Correspondence

<p><b>Cathy Downes,</b>  <i>Professor of Information Management at the iCollege of National Defense University (NDU), Washington D.C.</i></p>	<p>ISAF Caveats and Tangible Examples of Negative Effects (via a forwarded email of a caveat-related experience of a U.S. Department of State official in Northern Afghanistan - on condition of original sender's anonymity)</p>	<p>National Defense University (NDU), Washington D.C., United States.</p>	<p>3 Sept. 2009</p>
<p><b>NZDF LTCOL Justin S. Emerson,</b>  <i>Deputy Director of Defence Legal Services, Headquarters New Zealand Defence Force, Wellington</i></p>	<p>NZ involvement in the ISAF Mission in Afghanistan, ROE, International &amp; National Mandates, Mandate Formulation</p>	<p>HQF Wellington</p>	<p>8 Dec. 2009</p>
<p><b>NZDF MAJ Terrence M. Brown,</b>  <i>NZ Liaison Officer at USCENTCOM Headquarters, Florida, United States (2010)</i></p>	<p>ISAF Caveats</p>	<p>Correspondence via the New Zealand Embassy, Washington D.C., United States.</p>	<p>26 Aug. 2010</p>
<p><b>NZDF AIRCDRE Greg Elliott,</b>  <i>Senior National Representative NZ National Liaison Team at USCENTCOM (2010) &amp; former Commander of the NZ-led ISAF PRT in Bamyan Province, Afghanistan (CRIB 14, 2009)</i></p>	<p>ISAF National Caveats &amp; the Classified Nature of ROE/Caveats</p>	<p>Correspondence via the New Zealand Embassy, Washington D.C., United States.</p>	<p>27 Aug. 2010</p>

## Authorisation

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**From:** DERBYSHIRE JANE, MAJ  
**Sent:** Wednesday, 29 July 2009 11:52 a.m.  
**To:** GRIGGS CHRIS, CDR  
**Subject:** Permission to use Ops Law manual

Hi Sir,

As you may or may not be aware, I am part of a supervisory panel for a PhD student at Massey. She is doing her doctorate on NATO mandates.

I am writing to ask your permission for her to use the Ops Law Companion. The first page requires DLS approval for anyone outside the NZDF.

I will advise her that some is out of date and needs to be amended. It is just a starting block for her.

Regards  
Jane

The information contained in this Internet Email message is intended for the addressee only and may contain privileged information, but not necessarily the official views or opinions of the New Zealand Defence Force. If you are not the intended recipient you must not use, disclose, copy or distribute this message or the information in it. If you have received this message in error, please Email or telephone the sender immediately.

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**From:** GRIGGS CHRIS, CDR  
**Sent:** Wednesday, 29 July 2009 14:12  
**To:** DERBYSHIRE JANE, MAJ  
**Subject:** RE: Permission to use Ops Law manual

Hello Jane

You are delegated authority to decide which parts of the Ops Law Companion may be released to your student, noting that you are not to release any part which is (or should be) marked R\*STRICTED.

Regards

**C.J. GRIGGS**

Commander, RNZN

Deputy Director of Legal Services - Operations Law

Headquarters New Zealand Defence Force

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DTelN 349 7716

---

From: **DERBYSHIRE JANE, MAJ**

Date: Wed, Jul 29, 2009 at 2:14 PM

Subject: **FW: RE: Permission to use Ops Law manual unclassified**

To: Regeena Kingsley

Hi Regeena,

Here is the authority to use the Ops Law manual - unless it is marked with 'r\*stricted'. I don't believe any of it is.

Hopefully it is of some use - albeit probably limited.

Regards

Jane

## List of Acronyms

ANA	Afghan National Army
ANP	Afghan National Police
ANSF	Afghan National Security Force
AO	Area of Operations
AOR	Area of Responsibility
AUSCANNZUKUS	Australia, Canada, New Zealand, United Kingdom and United States Command, Control, Communications and Computers (C4) Alliance (also known as the 'Five Eyes' Alliance)
BASIC	British-American Security Information Council
BRIG	Brigadier
C <sup>2</sup>	Command and Control
CAPT	Captain
CDF	Chief of Defence Force
CDSS	Center for Defence & Security Studies, Massey University
CENTCOM	Central Command Headquarters (U.S.)
CFC-A	Combined Forces Command – Afghanistan (OEF HQ)
CHOD	Chiefs of Defence (NATO)
CIL	Customary International Law
CIMIC	Civil-Military Cooperation
CIVPOL	Civilian Police (UNMIK Operation)
CMU	Combat Manoeuvre Unit
CN	Counter-Narcotics
CO	Commanding Officer
COIN	Counter-Insurgency
COL	Colonel
COMISAF	Commander of the ISAF
COM-KFOR	Commander of the KFOR
CSTC-A	Combined Security Transition Command Afghanistan
DDR	Disarmament, Demobilization and Reintegration
DPKO	Department for Peacekeeping Operations (UN)
EU	European Union
FOB	Forward Operating Base
FSB	Forward Support Base

FYR Macedonia	The Former Yugoslav Republic of Macedonia
GIRoA	Government of the Islamic Republic of Afghanistan
HQ	Headquarters
HRW	Human Rights Watch
IFOR	Implementation Force (IFOR)
IJC	Intermediate Joint Command, Kabul (ISAF)
ISAF	International Security Assistance Force
ISAF HQ	ISAF Multinational Command Headquarters (Kabul)
JANIB	Joint Afghan-NATO Inteqal Board (ISAF Phase IV – Transition)
JFC	Joint Forces Command, Brunssum (NATO)
KFOR	Kosovo Force (NATO-led and operated)
KLA	Kosovo Liberation Army
KPC	Kosovo Protection Corps
KPS	Kosovo Police Service
LOAC	Law of Armed Conflict
LOO	Line of Operation
LT	Lieutenant
LTCOL	Lieutenant Colonel
LTGEN	Lieutenant General
MAJ	Major
MAJGEN	Major General
MAP	Membership Action Plan (NATO)
MEDEVAC	Medical Evacuation
MLOT	Mobile Liaison Observation Team
MNB	Multinational Brigade (Within the KFOR Operation in Kosovo)
MNF	Multinational Force
MNFC	Multinational Force Commander
MNO	Multinational Operation
MOU	Memorandum of Understanding
MTA	Military Technical Agreement
NAC	NATO's North Atlantic Council
NATO	North Atlantic Treaty Organization
NZDF	New Zealand Defence Force
OEF	Operation Enduring Freedom (Afghanistan)
OFOF	Orders for Opening Fire
OMLT	Operational Training and Mentor Teams

OPLAN	Operational Plan (NATO)
OPORD	Operations Order
PfP	Partnership for Peace (NATO Programme)
POMLT	Police Operational Training and Mentor Teams
PRT	Provisional Reconstruction Team
PSO	Peace Support Operation
QRF	Quick Reaction Force (a rapid-response unit located in each ISAF sector)
R&D	Reconstruction & Development (ISAF's third LOO post-2006)
RC-Capital	Regional Command Capital (Kabul Province)
RC-East	Regional Command East
RC-North	Regional Command North
RC-South	Regional Command South
RC-West	Regional Command West
R&D	Reconstruction & Development Programmes (ISAF)
RDZ	Regional Development Zone
ROE	Rules of Engagement
ROF	Rules for Opening Fire
RUSI	Royal United Services Institute (RUSI)
SACEUR	Supreme Allied Commander –Europe (NATO)
SAS	Special Air Service (New Zealand Special Forces)
SHAPE	Supreme Headquarters Allied Powers Europe, Mons (NATO)
SOFs	Special Operations Forces
SOFA	Status of Forces Agreement
TCN	Troop Contributing Nation (ISAF)
TF	Task Force
UAE	United Arab Emirates
UN	United Nations
UNAMA	United Nations Assistance Mission Afghanistan
UNAMIR	United Nations Assistance Mission for Rwanda
UNAVEM II	United Nations Angola Verification Mission II
UNMIK	United Nations Interim Administration Mission in Kosovo
UNPROFOR	United Nations Protection Force (Bosnia, Croatia and Herzegovina)
UNTAET	United Nations Transitional Administration in East Timor
UNSC	United Nations Security Council
U.K.	United Kingdom
U.S.	United States

## Guide to the Ranks of Commanding Officers within National Armed Forces

NAVY	AIR FORCE	ARMY			
<u>COMMISSIONED OFFICERS</u>				<i>Number of Personnel Under Command</i>	
<b>Admiral of Fleet</b>	<b>Marshal of Air Force</b>	<b>Field Marshal</b>	*****	100,000+	
<b>Admiral</b>	<b>Air Chief Marshal</b>	<b>General</b>	****	50,000	(Army)
<b>Vice Admiral (VADM)</b>	<b>Air Marshal (AIRMSHL)</b>	<b>Lieutenant General (LTGEN)</b>	***	20-40,000	(Corps)
<b>Rear Admiral (RADM)</b>	<b>Air Vice Marshal (AVM)</b>	<b>Major General (MAJGEN)</b>	**	10-18,000	(Division)
<b>Commodore (CDRE)</b>	<b>Air Commodore (AIRCDRE)</b>	<b>Brigadier (BRIG)</b>	*	5-10,000	
<b>Captain (CAPT)</b>	<b>Group Captain (GPCAPT)</b>	<b>Colonel (COL)</b>		3-5,000	(Brigade)
<b>Commander (CDR)</b>	<b>Wing Commander (WGCDR)</b>	<b>Lieutenant Colonel (LTCOL)</b>		500-900	(Battalion)
<b>Lieutenant Commander (LT CDR)</b>	<b>Squadron Leader (SQNLDR)</b>	<b>Major (MAJ)</b>		200-500	
<b>Lieutenant (LT)</b>	<b>Flight Lieutenant (FLTLT)</b>	<b>Captain (CAPT)</b>		100-200	(Company)
<b>Sub Lieutenant (SLT)</b>	<b>Flying Officer (FGOFF)</b>	<b>Lieutenant (LT)</b>		30-40	(Platoon)
<b>Ensign (ENS)</b>	<b>Pilot Officer (PLTOFF)</b>	<b>Second Lieutenant (2LT)</b>			
<b>Midshipman (MID)</b>	<b>Officer Cadet (OCDT)</b>	<b>Officer Cadet (OCDT)</b>			

<b><u>NON-COMMISSIONED OFFICERS</u></b>				
<b>Warrant Officer (WO)</b>	<b>Warrant Officer (WO)</b>	<b>Warrant Officer Class 1 (WO1)</b>		
		<b>Warrant Officer Class 2 (WO2)</b>		
<b>Chief Petty Officer (CPO)</b>	<b>Flight Sergeant (F/S)</b>	<b>Staff Sergeant (SSGT)</b>		
<b>Petty Officer (PO)</b>	<b>Sergeant (SGT)</b>	<b>Sergeant (SGT)</b>	36-40	(Platoon)
<b>Leading Rating (L--)</b>	<b>Corporal (CPL)</b>	<b>Corporal (CPL)</b>	10-12	(Section)
<b>Able Rating (A--)</b>	<b>Leading Aircraftsman (LAC)</b>	<b>Lance Corporal (LCPL)</b>	4-6	(Squad)
<b>Ordinary Rating (O--)</b>	<b>Aircraftsman (AC)</b>	<b>Private (PTE)</b>		

**VOLUME I**  
**THESIS**

## **Introduction**

The difficulty of fighting wars in concert with allies is not a new idea. Indeed, Winston Churchill once commented that there is only one thing worse than fighting with allies – and that is fighting alone without them.<sup>1</sup> In the modern era, however, the difficulty of allied multinational warfare has reached new and unprecedented proportions. This is especially the case given the maze of bureaucratic red-tape which is increasingly imposed by national governments on armed forces contributed to a military coalition, and which national forces are now frequently obliged to negotiate daily in the course of executing operational missions in the midst of an already friction-fraught war-zone. This red tape is comprised of restrictive politico-military rules of engagement, or more specifically, ‘national caveats’ or ‘national exemptions’.

### ***The Problem of ‘National Caveats’ within Multinational Operations***

National caveats are limitation and prohibition rules, contained within the rules of engagement of national armed force contingents, which restrict where forces may deploy and what tasks they may perform while participating in a multinational security mission. The negotiation of these national caveats constraints, by commanders and soldiers alike along the full chain of command, has rendered multinational military campaigns exceedingly complex and strenuous, to a much greater degree than would otherwise be necessary. Within highly-complex multinational campaigns that are asymmetrical in nature and involve counter-insurgency warfare, such as those conducted by coalitions in Afghanistan or Iraq over the past decade, the added layers of difficulty caused by caveat-imposition not only create unnecessary hurdles for military personnel, but can also hold very costly and grave consequences for the outcome of the campaign itself.

Restrictive rules of engagement can become such an impediment to effective warfare that they can fracture the coalition or alliance conducting the military operation, dividing allies and even turning nations against one another in the midst of the campaign. In this way, national caveats can be the catalyst for transforming a purpose-driven operation against an Enemy in concert with allies on a military mission, into a less focused fight *with* and *against* those same allies instead of the Enemy in the midst of the campaign, with an accompanying loss of cohesion, unity, effectiveness and time. In both political and military terms then, national caveats can be political and operational dynamite. Nevertheless, widespread and heavy imposition of these national caveats has become an increasingly common – if alarming – norm within multinational operations authorised by the international community.

However, despite this growing norm for governments to impose national caveats on their forces whenever national contributions are made to multinational operations, government secrecy and sensitivity surrounding the issue have remained firmly in place. ‘Classified’ has for many decades been the word most closely associated with the notion of national caveats. In fact, governments and government organisations such as the UN and NATO have remained tight-lipped about caveat-imposition even in spite of a rash of security disasters in which caveats have demonstrably played a major role, for instance within multinational operations conducted in Rwanda and Bosnia during the early 1990s.

This prevailing secrecy has prevented defence scholars from conducting any kind of rigorous examination of either rules of engagement generally and the problem of conflicting rules of engagement within multinational missions, or national caveats as a class of restrictive rules within the body of national rules of engagement imposed on military forces participating in international security campaigns. Likewise, scholars have been prevented from analysing the effects of these caveats within multinational missions where caveats have been imposed on participating national contingents, or from assessing the overall impact of these caveat restrictions on the operational effectiveness of multinational missions. The result has been a large ‘caveat gap’ within academic defence literature. Consequently, while caveat imposition has, since the early 1990s, increasingly become an established norm within multinational operations, the issue of national caveats has not ever been methodically addressed or analysed in an academic capacity.

Heavy caveat imposition within the International Security Assistance Force (ISAF) mission in Afghanistan, however, a multinational mission operated by the North Atlantic Treaty Organisation (NATO) and prosecuted from 2001 until the present day in 2014, has resulted in a lifting of this veil of secrecy. A series of negative security incidents and developments within the mission during 2006, arising directly from caveat restraints imposed by the mission’s Troop Contributing Nations (TCNs), led to unparalleled public condemnation of national caveat imposition within the Afghan mission by NATO, ISAF and even national government officials. As more and more revelations regarding ISAF caveat restraints leaked into the public sphere over the passing years – through both official and unofficial channels – public frustration and anger swelled within the international community to reach a boiling point in 2008.

This anger was especially prevalent within the governments of a small group of countries whose ISAF contingents – by reason of their freedom from the caveat restraints and bans – were being forced to conduct the lion’s share of the heavy fighting against the Afghan insurgency in the southern and eastern sectors of Afghanistan. Unequal and unfair burden-sharing within the ISAF mission became the catch-cry of the day, especially as casualties escalated among the forces of the non-caveated few.

Both the success of the ISAF mission to secure Afghanistan from Islamist extremism, and the credibility of NATO as a leading operator of multinational peace and security missions, seemed to have been placed in jeopardy by the caveat restrictions.

Consequently, while national caveats have certainly created security problems within other multinational operations in former years – most notably within UN operations in Angola, Rwanda and Bosnia, in addition to the NATO operation in Kosovo – it has been the caveat realities within the NATO-led ISAF mission in Afghanistan which has caused the issue of national caveats to be suddenly and unexpectedly cast into the international spotlight. This heated international controversy, combined with the unprecedented release of detailed caveat-related information by means of the worldwide media, has created a unique opportunity by which the issue of national caveats within multinational operations can, for the first time, be examined and analysed in an academic capacity.

### ***National Caveats within the NATO-led ISAF Operation***

This thesis comprises an in-depth investigation of the problem of national caveats within the multinational NATO-led ISAF mission in Afghanistan, and the effects these caveat restrictions have had on operational effectiveness over a period of a decade of warfare between 2002-2012.

The research is intended as the first contribution towards the neglected academic domain of national caveats within multinational operations. It makes an original and significant contribution to academic scholarship, because it is the first academic endeavour which has sought not only to examine the long-standing and problematic issue of government-imposed national caveats on forces contributed to multinational security operations, but also to analyse the effects of national caveat rules of engagement on the overall effectiveness of a multinational operation conducted in the interests of international security. In addition, the research is the first investigation of the concepts of national caveats themselves within the broader body of rules of engagement, defining what they are, what they consist of, and how they are formulated and enforced on national forces deployed to multinational operations.

This investigation takes place within the context and setting of the multinational NATO-led ISAF operation in Afghanistan. The operation is a UN-mandated international effort, which has sought to bring security and stability to Afghanistan in the wake of the 9/11 Al-Qaeda terrorist attacks on the United States in 2001, and the subsequent overthrow of the Afghan Taliban regime which had hosted and supported the terrorist group guilty of planning and executing these atrocities. Indeed, the mission is the principal international effort in the global campaign against international Islamist terrorism, committed by the Al-Qaeda terrorist network and its various global affiliates. The outcome

of the mission will, consequently, have important and serious ramifications for international security as a whole.

The ISAF operation is, simultaneously, one of the most difficult and complex international security operations ever to be conducted in a multinational capacity. The ISAF is chiefly comprised, firstly, of a voluntary ‘coalition of the willing’ which has since 2003 been led and commanded by the NATO alliance, in the latter’s important first ‘out-of-area’ operation in history. Secondly, it has involved a massive deployment of international forces, that at its peak comprised no less than 132,000 military personnel drawn from 50 different nations. Thirdly, these forces have since 2006 been engaged in a non-conventional, Counter-Insurgency (COIN) campaign, conducted within the setting of an asymmetric war. This COIN campaign has been waged by both military and civilian personnel along multiple lines of operation, in order to both win and shield the Afghan civilian population from the violence and extremism of the asymmetric Enemy, comprised of various Taliban and other anti-Government insurgent forces in addition to members of the Al Qaeda terrorist network. Indeed, the multinational ISAF operation in Afghanistan is the world’s most important, contemporary ‘war amongst the people’, and the stakes of its success or failure are high. Finally, owing to the COIN-orientation of the campaign, the ISAF operation is one of long duration, having been prosecuted over a period of 13 years from 2001-2014. As such, the mission is arguably the most important war of the current generation, the outcome of which will have important and serious ramifications for Afghanistan, the Central Asian region, and international security as a whole in the face of on-going Islamist terrorism.

This research is an analytical examination of the problem of national caveats within the context of this important international security campaign. As alluded to previously, national caveats have for over a decade been a significant and controversial ‘fly’ in the ISAF ‘ointment’. Indeed, the issue of national caveats has been one of the mission’s most important internal difficulties. These government-imposed restrictions, constraining what ISAF national contingents can legitimately do within the mission, have long been a source of friction, division and even anger within the multinational coalition. Caveats imposed on the forces of principal NATO nations, in particular, with leadership and security responsibilities within the ISAF’s large Regional Command sectors, have been an especial source of resentment and outrage. The restrictions have not only frustrated the planning of security operations by the Operational Commander of the ISAF (COMISAF) and other planning and field commanders down the chain of command, but also the actual execution of these security operations on-the-ground against Afghanistan’s extremist forces.

In many parts of Afghanistan, government-imposed caveats have created anaemic security forces, prohibited by national caveats from participating in robust security operations in pursuit of ISAF

security objectives. These forces have consequently been unable to provide real security or protection for the local Afghan population. The result has been a continuous loss of progress in the security sphere within the Afghan mission, the undermining of the population-centric COIN campaign, and a mission placed in serious danger of failing to attain its stated goal of securing and stabilising Afghanistan.

Quite apart from the national caveat issue in itself, this investigation is also an important examination of the disconnect between the political and military spheres *during* wartime. That is, because caveats are essentially political devices imposed on military forces, this research is to a certain degree simultaneously an exploration of the relationship between the realms of politics and security in the midst of war, and the real-life, on-the-ground impact of the one upon the other in a high-pressure environment. In particular, it is an exploration of the way in which political decisions, taken by nations in the political sphere, impact upon what can be achieved within the security sphere as a result of these decisions, and subsequently on prospects of mission success. In short, national caveats are the most tangible form of modern politics on the modern battlefield.

### ***Research Aim & Method***

The aim of this research is: *to determine whether ISAF national caveat restrictions have had a significant impact on the overall operational effectiveness of the ISAF mission in Afghanistan, and if so, how.* In pursuit of this aim, this study adopts the military principle of ‘unity of effort’ as an analytical means by which to measure the impact of national caveats on ISAF operational effectiveness. Unity of effort is a fundamental and prerequisite principle within military operations, and is critical for attaining operational effectiveness within multinational security campaigns involving forces from many nations. No multinational operation can function effectively if unity of effort is not present. Consequently, the level of unity in the effort expended within an international force, committed to a multinational operation, is a key measure of operational effectiveness at any point during the prosecution of the mission. It follows then, that by assessing the impact of ISAF national caveats on unity of effort within the ISAF multinational force over the research period 2002-2012, one can also determine the overall impact of the caveats on the effectiveness of the ISAF operation as a whole over the same period.

In particular, this study focuses on ISAF *security forces* conducting the security line of operation, including security and combat operations, within the overarching COIN campaign. It seeks to answer two principal questions pertaining to the scope and the impact of national caveats on these ISAF security forces. These questions are:

(1) *What is the extent of the ‘caveat problem’ within the NATO-led ISAF multinational mission in Afghanistan?*

(2) *How have ISAF national caveats tangibly impacted on the ISAF’s prosecution of security operations within the Counter-Insurgency (COIN) mission?*

By investigating these questions, the research seeks to determine: (1) the ability of ISAF security forces to be unified in their security operations, given a decade of caveat imposition on national contingents; and (2) the tangible, on-the-ground reality or practice of unity of effort amongst ISAF security forces, given heavy caveat imposition by TCN governments, in the course of conducting security operations over the research period.

This ISAF caveat study pertains to research conducted over a period of six years, from 2008-2014. It is based on national caveat data that has been extracted from both primary and secondary source materials. Primary sources of information have included: (1) official information released by NATO, ISAF and various ISAF-contributing national governments, in the form of reports, statements, press releases, conference transcripts, parliamentary debates, and summit declarations; (2) personal communications, correspondence and interviews conducted by the researcher with civilian and military personnel in New Zealand, the United States and the United Kingdom (in particular, those with knowledge or experience with the caveat issue and its effects within the ISAF operation in Afghanistan); and (3) most significant of all, the vast cache of formerly classified diplomatic cables between the United States Department of State and its various embassy posts around the world, which were released into the public domain by *Wikileaks* during 2010-2011. The latter, in particular, has proven to be an invaluable source of detailed caveat-related information for this examination of the ISAF mission’s caveat dilemma and its tangible effects within the Afghan campaign.

In addition, the research has drawn heavily from secondary sources. These sources have included: (1) academic journal articles on a range of subjects relating to Afghanistan, the ISAF mission, COIN, NATO, military principles, and national caveats; (2) news articles and commentary from print and online media from around the world; (3) articles, briefs, reports and commentary from political institutions such as the *Council of Foreign Relations* (CFR), the *Atlantic Council in the United States* (ACUS), the *Institute for the Study of War* (ISW) and the *Brookings Institute*; (4) articles published in political magazines, for instance in *TIME Magazine* and *Der Spiegel*; (5) and audio-visual material taken from journalistic television interviews and documentary DVDs, the latter focusing specifically on British, Danish and American ISAF force contingents between 2008-2012, and the problems these

forces have faced on the ground as they have attempted to fulfil ISAF mission objectives in the Afghan theatre of war.

The caveat data generated from this vast amount of empirical information was subsequently analysed using quantitative and qualitative discourse analysis. These mixed methods of analysis were used to identify both subject-specific and numerical patterns and themes within the data. A large number of tables and graphs have been created to demonstrate more clearly and concisely these caveat-related trends and patterns.

### ***Demarcating the Research***

It is important to note, however, that in the course of rigorously examining the issue of ISAF national caveats, it was necessary to impose certain boundaries with regard to the scope of the research.

Firstly, although the ISAF operation has from 2006 been classified as a COIN operation, this thesis does not address the caveat issue within the mission from the perspective of COIN theory or doctrine. As outlined above, the central theoretical lens employed by this study concerns the military principle of *unity of effort* leading to *operational effectiveness*, and the impact of the ISAF mission's caveats in undermining this unity of effort. Consequently, while there is some overlap within this thesis between military unity of effort theory and COIN doctrine, due to the COIN orientation of the ISAF campaign being examined, it is the former – rather than the latter – which takes precedence in this research.

Secondly, this research is not in any way intended as a study of the explanations or justifications employed by national governments to explain their imposition of national caveats on armed contingents deployed to the ISAF – reasons which may relate in varying degrees to domestic political pressures, civil-military institutions or pure national interests. The latter is a study that belongs to the domain of Political Science and International Relations, and indeed pioneering studies in this field have already been conducted in recent years (for instance, by Auerswald & Saideman in 2009). Rather, as a thesis contributing to the field of Defence & Security Studies, this research is primarily concerned with the tangible, on-the-ground *effects* of the national caveats within the ISAF mission, especially in relation to the effective prosecution of security operations by ISAF's military security forces within the overarching context of a COIN campaign. In short, the research addresses the question of *how* caveats have affected the ISAF multinational operation, as opposed to *why* the caveats have been imposed, investigating the way in which the presence of caveats on ISAF national contingents have impacted tangibly on security operations within the ISAF multinational operation.

Lastly, as a thesis conducted within the academic discipline of Defence & Security Studies, the research focuses primarily on the ISAF multinational operation within the Afghan theatre of war, and even more especially, the security line of operation conducted by military security forces within the COIN campaign. Consequently, while there is some suggestion that caveats can indirectly have subtle advantageous effects for national governments, in the sense that they help to prolong the longevity of power-holding governments in the domestic political sphere, these domestic effects are well outside the scope of this research. Principally, these advantages concern the role of caveats in reducing casualty rates among national forces deployed to the Afghan theatre of war, and thereby avoiding the risk of any casualty-related downturn in public opinion for participating governments. Such domestic advantages do not extend to the real-life prosecution of security operations within the Afghan mission itself, however, and are therefore beyond the purview of this study.

In short, this research is focused only on the cause-and-effect relationship between national caveat rules imposed on ISAF national contingents within the Afghan theatre of war, and the impact of these cavedated forces on the overall operational effectiveness of the mission.

### ***Thesis Structure***

The thesis is divided into five sections. In Section I, the conceptual framework of the research is presented in order to provide a foundation for the ISAF caveat study which follows. The section is comprised of four chapters. Chapters 1-3 examine, respectively, the fundamental concepts of Multinational Operations (MNOs), Rules of Engagement and National Caveats. Chapter 4 seeks to address the general impact of diverse sets of national Rules of Engagement within MNOs, with particular reference to previous international security campaigns from earlier years, most notably NATO's KFOR operation in Kosovo.

Section II is comprised of three chapters which seek to provide the research context of this ISAF caveat study. Chapter 5 presents comprehensive information with regard to the research methods adopted in the course of this investigation. In Chapter 6, important background information with regard to the history and nature of the ISAF campaign in Afghanistan is provided. Lastly, Chapter 7 consists of a detailed examination of the COIN strategy adopted by the ISAF and the way in which this strategy has been executed by ISAF security and stability forces.

Section III addresses the first research question of this study and seeks to determine the extent or scope of the ISAF's caveat problem over the research period 2002-2012. This section, comprised of three chapters, not only provides an overview of the way in which national caveat imposition has been a long-abiding and controversial issue within the mission over the decade (as presented in Chapter 8),

but also provides specific caveat-related information. For instance, Chapter 9 not only presents the total numbers of caveat-free and caveat-imposing TCNs within the NATO-led ISAF coalition over the research period, but also identifies precisely the NATO and Partner nation TCNs represented by these figures. Chapter 10 assesses the percentage of the total ISAF force affected by caveat restraints over the research period, explores the official total numbers of caveat restraints imposed on these forces, and lastly, identifies the very extensive range of caveat restrictions imposed by national governments on their ISAF contingents.

Section IV examines the second research question of this study, by seeking to determine the tangible, real-life effects of national caveat restrictions on ISAF security forces conducting security operations within the COIN campaign between 2002-2012. Chapter 11 provides on-the-ground illustrations of caveat interference in the planning and execution of ISAF security operations during each phase of the ISAF COIN strategy: ‘SHAPE, CLEAR, HOLD, BUILD’. Chapter 12 focuses specifically on the effect of national caveats on ISAF combat forces conducting combat operations against Enemy insurgents. Furthermore, Chapter 13 examines one of the most heated side-effects of caveat imposition within the ISAF: disproportionate burden-sharing among the ISAF’s caveat-free and caveat-fettered Lead Nations in command of the mission’s Regional Command sectors.

In Section V the research findings are discussed in order to assess: (1) the overall impact of ISAF caveat imposition on ‘unity of effort’ among security forces within the mission over the research period; and (2) the overall impact of national caveat imposition within the mission on the ISAF’s operational effectiveness over a decade of warfare between 2002-2012, including on the timely attainment of mission objectives and the effective prosecution of the COIN campaign.

Finally, the thesis concludes by summarising the key findings of the analysis and discussing the implications of this ISAF caveat research on: (1) the future prosecution of multinational security operations; (2) the Afghan mission and the global campaign against Islamist terror; (3) the NATO collective-security organisation in leadership of the ISAF mission; and (4) future caveat-related research in this neglected domain of academic scholarship.

### ***Significance of Research***

The present research holds important insights, first of all, in relation to the NATO-led ISAF mission itself, which has given rise to the most obvious and alarming display of caveat interference in a multinational security mission in military history. The caveat-generated stalemate between TCNs contributing forces to the ISAF mission in Afghanistan has resulted in a range of negative effects for the success of the mission over the past decade from 2002-2012. Effort has been wasted, time has

been lost, progress has been delayed, COIN has been compromised, and military and civilian casualties have increased as a result of this network of ISAF national caveats. Both unity of effort within the ISAF force, and the resultant operational effectiveness of the mission, have been seriously undermined by the presence of national forces fettered by government-imposed caveat restrictions, leading to the delayed attainment of mission objectives and the poor prosecution of COIN. In sum, the ISAF mission has become a casualty of poor political will and its expression on the battlefield in the form of national caveats imposed on military forces. Indeed, political will is the true bottom-line for military effectiveness within multinational military operations.

Secondly, the research holds significance for the conduct of multilateral warfare, especially in regard to low-intensity military campaigns. In particular, the research holds important implications for the conduct of future multinational security operations in terms of pre-deployment political and military arrangements, command designs, and the rules of engagement of participating nations in international military missions.

Thirdly, because this research is focused on the ISAF COIN operation in Afghanistan, it also holds important implications for the global campaign against international terrorism, especially with regard to both present and future counter-insurgency campaigns conducted in the interest of stemming the tide of Islamist terrorism and neutralising the threat of a ‘global insurgency’.

Fourthly, as an operation led by NATO, the research is indicative of the current state of solidarity between NATO allies, and holds significance for NATO’s future role in international security affairs, particularly in light of its own ambitions to become the world’s foremost global operator of international security missions.

Lastly, the research highlights the need for greater academic attention to, and rigorous research of, this important and neglected issue of national caveats within international security operations, especially with regard to the effects of these national caveats on the effective command, planning and execution of security operations within peace and security missions.

## *SECTION I*

### *Conceptual Framework of Research*

# **CHAPTER 1**

## **Fundamental Concepts:**

### **Multinational Security Operations & the Inviolate Importance of ‘Unity of Effort’**

In order to better understand the analysis of the national caveat issue within the NATO-led multinational operation in Afghanistan, one must first become acquainted with some of the most important concepts relating to this complex issue. These concepts concern: firstly, the challenge of conducting successful multinational operations generally; secondly, rules of engagement, including the way they are formed prior to operations and also enforced on national armed forces within operations post-deployment; thirdly, the specific content which these rules of engagement contain, especially in relation to self-defence and mission accomplishment, and the relationship of the latter to the widely used term in recent times of ‘national caveats’; and fourthly, the impact of diverse rules of engagement – especially national caveats – on the effectiveness of multinational security operations.

This chapter is the first of four chapters devoted to each of these important concepts respectively, and will address the subject matter of multinational peace support operations in the modern era. The aim of the chapter is to provide a broad overview of the difficulties inherent to conducting multinational warfare in the international system today. It will begin, firstly, by discussing multinational operations as a common form of warfare in the modern era, providing definitions of important terms within these operations, and expounding several features common and distinctive to all multinational operations. Secondly, it will assess some of the costs and benefits of waging multilateral warfare, in contrast with operations conducted by nations unilaterally. Thirdly, the importance of command and control to the smooth and efficient management of these complex multinational operations will be examined, with reference to both the various command systems that are regularly employed in these types of operations, and the difficulties that the operational environment can also pose to effective command and control. Finally, the chapter will address the most important and fundamental principle of ‘unity of effort’, and argue that adherence to this principle is critical for the success of any multinational operation. Two different but commonly used means of achieving unity of effort within multinational operations will also be presented.

(Note: Due to the heavy use of New Zealand Defence Force legal documentation in Section I, used as source material in examining rules of engagement and their role within multinational military operations, the legal convention of capitalising the words ‘Enemy’ and ‘State’ will be adhered to in this research.)

## **Multinational Operations (MNOs)**

Multinational operations (MNOs) have become an overriding feature of combat during the twentieth and twenty-first centuries. Operations conducted by an allied force drawn from several nations have taken place in multiple theatres around the world during this period. During the twentieth century, for instance, MNOs took place in France during World War I; in Northern Russia at the close of the war in 1918; in both the European and the Asia-Pacific theatres of war during World War II; in Palestine, Korea, the Dominican Republic and Lebanon during the Cold War era; in the Balkans, namely Croatia, Bosnia-Herzegovina and Kosovo, following the disintegration of the former Yugoslavia; in South America, in response to wars in Nicaragua, El Salvador, Guatemala, and on the Caribbean island of Haiti; and on the African continent in response to violent civil wars such as those in Somalia, Rwanda and Angola. In the early twenty-first century allied operations have continued in Africa, notably in Sierra Leone, Ethiopia, Eritrea, the Congo, Chad and the Sudan, and have likewise taken place in the South Pacific, particularly on East Timor and the Solomon Islands. Most famously, multinational operations have been in progress in the Middle East and Central Asian theatres, in the form of the international operations conducted by ‘coalitions of the willing’ in both Iraq and Afghanistan, respectively.

One may clearly see by this that operations conducted in concert with allies have been a regular and common feature of war within the international system in recent world history. Nevertheless, only today at the dawn of the 21<sup>st</sup> century has the study of MNOs taken on greater importance and urgency. This is for two reasons: firstly, MNOs have become the prevailing norm in global security affairs, with single nations increasingly less likely to conduct unilateral military operations and carry the economic and military burden on their own; and secondly, the problematic allied operations presently being conducted in Afghanistan and Iraq have highlighted the manifold difficulties of conducting coalition warfare in the modern era – with international forces conducting multifaceted, non-conventional counter-insurgency campaigns, in order to secure countries from an invisible, technologically-evolving and resourceful transnational insurgent Enemy (who additionally do not respect international Laws of War, employ asymmetric methods including terrorism, and operate chiefly within densely-populated urban and civilian areas) and all within the context of an ever-globalising, interconnected and media-pervasive world. As a consequence of these realities, it is today more important than ever before that MNOs conducted around the world be studied and lessons drawn to improve military efficacy in the resolution of global conflicts, both for the wars of today and those in future years.

## **What is a Multinational Operation?**

A military operation may generally be defined as ‘a military action’, ‘the carrying out of a strategic, tactical, Service, training or administrative military mission’ or ‘the process of carrying on combat, including movement, supply, attack, defence and manoeuvres needed to gain the objectives of any battle or campaign’.<sup>1</sup> A *multinational* military operation, by comparison, is defined as ‘a collective term to describe military actions conducted by forces of two or more nations, usually undertaken within the structure of a coalition or alliance’.<sup>2</sup> This international force is commonly referred to as a multinational force (MNF), that is ‘a force composed of military elements of nations who have formed an alliance or coalition for some specific purpose’.<sup>3</sup>

In fact, there is a broad range of military terminology in use for MNOs worldwide. This terminology includes – but is not limited to – multinational operations, allied operations, combined operations or international operations, undertaken by either a multinational force, international force, polyglot force, alliance, or a coalition. The latter two, alliances and coalitions, differ from each other however in one crucial respect. Whereas alliances have been forged through formal agreements or treaties, in order to ensure long-term cooperation and military operability between members to the treaty in pursuit of shared security objectives, a coalition is a short-term *ad hoc* arrangement in which States join together militarily for a common – though finite – cause.<sup>4</sup>

Whatever the arrangement, MNOs are characterised by a number of key features, all ever-present within a multinational force regardless of the size, structure, shape, location or even the specific purpose of the operation. While sometimes overlooked, these features are intrinsic to every MNO and together they have ‘strong emotional dynamics that may have an impact on multinational efforts’ [original emphasis].<sup>5</sup>

1. Firstly, it must be recognised that all member nations participating in a multinational security operation are sovereign entities with vested national interests, and often too, their own political agendas behind involvement in the operation. These interests and agendas may change over time as the operation progresses through its various operational phases and will remain of pivotal concern to multinational command.<sup>6</sup>

2. Secondly, national contingents deployed to a MNO are ultimately controlled by their respective national governments, rather than any single multinational command, and receive and respond to government instructions through a separate national chain of command. Since this national command authority ‘is never relinquished’ by the governments of participating nations, there are inevitably both multinational *and* a range of national ‘command channels’ issuing command

directions to deployed force units at all times.<sup>7</sup> National directions may frequently be incompatible with commands issued from multinational command.

3. Thirdly, each contributing nation to a MNO will have its own unique constitutional, linguistic and cultural boundaries, involving political, economic, social and religious values and outlooks, that may vary widely from other participating nations.<sup>8</sup> This means that national idiosyncrasies are likely to be pervasive within the MNF.

4. Fourthly, logistical requirements will vary between national contingents involved in the MNO. For example, contingents may differ greatly in: the size of their units; the age and range of equipment in use; operational methodologies and doctrines (including rules of engagement and force employment caveats); standard and pre-deployment training; overall professional skill levels; and even their staff procedures.<sup>9</sup> Multinational command will consequently need to give great attention to these differing logistical requirements, in order that the international operation functions smoothly across multiple resource and capability divides.

## **Assessing the Benefits and Costs of Multilateral Warfare**

Upon perusing such a list of features involving several drawbacks to multinational command, one may well ask why multinational military campaigns are sought by nations on the world stage at all. Winston Churchill perhaps best expressed the answer to this question during the Second World War when he stated: ‘There is only one thing worse than having allies – that is not having allies’.<sup>10</sup> Indeed, there are a number of important advantages to waging multinational war that make the venture worthwhile in the eyes of many – especially those of nations within the international community at large.

### ***Multinational Operations: Key Advantages***

Firstly, a MNO – especially one undertaken under the banner of the United Nations (UN) or North Atlantic Treaty Organisation (NATO) – is considered more legitimate and politically acceptable within the international community, than the politically risky enterprise of conducting a military operation unilaterally. This is especially true with regard to the greater powers on the world stage, particularly the United States, but also the United Kingdom, France, Russia and China, where smaller nations are uncomfortable with such unilateral expressions of national power and distrustful of national motives and intentions. Secondly, the multinational character of the military operation is often more palatable and acceptable to the entities at war either within, or indeed between, the target

State or States.<sup>11</sup> This is particularly the case among countries of the developing world, many of which have had unhappy historical experience of single-State colonialism.

Thirdly, from a military perspective, MNOs importantly prevent overburdening and overstretch of a single military force, since the operational burden is shared among the military contingents of many contributing nations.<sup>12</sup> In fact, regardless of the orientation of any MNO along the war spectrum (towards non-kinetic peace-keeping operations, on the one hand, or overtly kinetic warfare on the other) the chief purpose and advantage of waging multinational campaigns is this: that common objectives may be achieved as rapidly as possible and, by means of operational burden-sharing between its members, at a minimum cost to national blood and treasure. Fourthly, combined operations can not only minimise the cost, but ‘decisively increase combat power’, thereby further promoting ‘a more rapid and favourable outcome to the conflict’ than otherwise would be the case.<sup>13</sup>

From a socio-political perspective, fifthly, such operations – involving close cooperation and interoperability among the militaries of various States in times of conflict – forge or strengthen bonds between nations through the development of trust and understanding. In fact, operating in concert provides insights not only into other national cultures and approaches to war, but also into their professional capabilities and operational methods.<sup>14</sup> One need only think of the ANZAC legacy created between the Australian and New Zealand armed forces to illustrate this point, a rapport established and reinforced through multiple combined military operations conducted together extending from Gallipoli during the Great War, to East Timor and the Solomon Islands today.

Sixth, besides close ties, these periods of inter-State learning can reap invaluable rewards later on in the building of other military alliances in future years. Experience operating with other national militaries can help to guide allies in future negotiations, enabling them to take into account, or avoid altogether, many of the hazardous politico-military pitfalls present where areas of national sensitivity lie.<sup>15</sup> Finally, through the on-the-ground execution of such MNOs involving many partners, wisdom is gleaned for future alliance or coalition-based multinational campaigns in the way they are built, structured and managed.<sup>16</sup>

### ***Multinational Operations: Key Disadvantages***

Nevertheless, there are also simultaneously a number of disadvantages to conducting multilateral military endeavours that military operations conducted by a single State entity are unlikely to encounter. Firstly, because MNOs typically encompass a broad spectrum of operational methodologies between participating nations, command and control systems as well as coordination are typically rendered much more thorny and complex in multilateral campaigns than in unilateral

operations.<sup>17</sup> Secondly, nations participating to MNOs may donate more political weight, clout or influence to the operation than ‘a truly effective military capability’.<sup>18</sup> This is especially the case in multinational campaigns involving high numbers of nations. In these cases, perceived international ‘legitimacy’ is greatly enhanced but comes at the expense of diminished military efficacy, which actually impedes the timely and successfully completion of the mission.

Thirdly, as a result of the latter, the Operational Commanders of MNOs are frequently under enormous international pressure to perform well and are expected to attain important strategic objectives – sometimes even to gain political victories, rather than purely military ones. This is despite having, in Colonel (COL) Jean Paul de B. Taillon’s words, ‘less than optimal tactical organizations’ and ones often further restricted by separate rules of engagement and force employment caveats by the various nations involved.<sup>19</sup> As Lieutenant General (LTGEN) David Richards, a former COMISAF in Afghanistan during 2006, once asserted: ‘Few Multinational Commanders will have all the resources they need to perform their missions, and yet the mission cannot be seen to fail’.<sup>20</sup>

Finally within the MNF itself, the goodwill and cooperation needed for effective military coordination between national contingents is frequently eroded by tensions and disputes between the contributing nations themselves. These disputes range in gravity from petty squabbles to perilous disagreements. To illustrate, these disputes may concern (but are not restricted to): historical or cultural prejudices between former rivals; bickering regarding tour lengths, conditions of service, the frequency and duration of leave passes, or financial compensation in case of injury or death; fall-outs between commanders and their staffs (sometimes involving personality clashes); quarrels over operational restrictions and capability; and arguments over intelligence sharing.<sup>21</sup>

From this overview it is clear that the conduct of multinational warfare is a very complex business. This complexity is inherent in every multinational security operation, being as it is, the activity of war (whether small- or full-scale), conducted by a temporarily-unified body, that comprises a variety of different national actors via disparate military forces. The more complex MNOs are, the more difficult they are to manage, and the less likely they are to be successful. However, managing highly complex MNOs has become an unfortunate yet inevitable reality within the international community today.

## Managing Multinational Complexity – Command & Control (C<sup>2</sup>)

‘Command and Control’ (C<sup>2</sup>) systems are crucial to successful management of this inherent complexity within MNOs. Indeed, according to Lieutenant Colonel (LTCOL) Lou Marich from the U.S. Army War College: ‘Command and control (C<sup>2</sup>) is the critical primary tool needed for success in multinational operations’.<sup>22</sup> It is important to recognise here, however, that though used together, the two terms within C<sup>2</sup> are not synonymous. They both encompass separate – though related – functions in the management of military forces. In general terms, command has been described as an art which, much like architecture, concerns the creation or building of a battle design for a military operation. Control, by contrast, has been described as more of a science: it is measurable and concerns adherence to an original design or plan.<sup>23</sup>

The New Zealand Defence Force (NZDF) defines *command* as:

The authority that a commander in a military Service lawfully exercises over subordinates by virtue of their rank or assignment. Command includes the authority and responsibility for effectively using available resources and for planning the employment of, organising, directing, coordinating and controlling military forces for the accomplishment of assigned missions. It also includes responsibility for health, welfare, morale and discipline of assigned personnel.<sup>24</sup>

Within established national military forces, command is regarded as legal authority, by virtue of rank, assignment or appointment, to direct, coordinate and control armed forces.<sup>25</sup> Without legal command authority, there can be no command. It is the role of appointed military commanders to assume this authority and responsibility for deploying and assigning forces to fulfil missions, and thereby to impose their will and intentions on subordinates to achieve designated objectives.<sup>26</sup> This means that, as one NZDF publication neatly states: ‘Decision-making is a prime manifestation of command, for it is the making of major decisions that is a commander’s key duty’.<sup>27</sup> It falls to the commander to assign missions, deploy units, and reassign forces, though the commander may often, where appropriate, delegate the control of such action – whether operational or tactical control – to subordinates including members of his or her staff.<sup>28</sup> Commanders will often assume responsibility for administration and logistics as well. To be sure, it is internationally recognised that the notion of command encompasses three key components – command authority, leadership and management – which each serve as both a *duty* and *ideal* of effective command.

By contrast, *control* concerns the oversight, direction and coordination of forces towards the implementation of orders or directives issued from higher command.<sup>29</sup> Control has been described as: ‘The authority a commander exercises in the implementation of command and pertains to the monitoring of progress and results’.<sup>30</sup> Once a command has been given, the following action must be ‘controlled’ and the command followed-through, in the sense that it is monitored, supervised and

given oversight. Control thereby seeks to prevent activity pursuant to commands from spiralling out of control to the point that chaos ensues. One may see by this that control is even more important in times of war than in times of peace, when commanders are inherently operating within an operational environment which is already chaotic and fraught with friction – in the midst of the so-called ‘fog of war’. Control is thus pivotal to the effective management of military forces. It is best defined as: ‘The authority delegated to a commander to direct forces assigned so that the commander may accomplish specific missions or tasks which are usually limited by function, time or location; to deploy units concerned and to retain or assign tactical control of those units’.<sup>31</sup>

While commanders may sometimes perform this function themselves, it is often delegated downwards to become the responsibility of military personnel serving under him or her, in which case control is ‘the authority exercised...over part of the activities of subordinate organisations, or other organisations not normally under his command’.<sup>32</sup> In assuming control functions, assigned personnel do not, however, wield command authority to allocate assets or order movement, which remains solely the domain of the commander.<sup>33</sup> They do not, as a matter of course, have to assume responsibility for administrative or logistic control either.<sup>34</sup> Indeed, the main role of controllers is to provide oversight of activity stemming from command directives and to provide constant feedback to the commander, so that the commander is given accurate and up-to-date information and thereby ‘an opportunity to make timely and effective decisions’.<sup>35</sup>

### ***Imposing Command & Control (C<sup>2</sup>)***

In terms of MNOs, imposing an effective C<sup>2</sup> system within an international operation is a difficult enterprise. It is generally considered that MNOs undertaken by a pre-existing alliance, with previous experience of military interoperability and established structures for C<sup>2</sup>, are generally less problematic than those undertaken by an *ad hoc* coalition. Current politico-military alliances include: land forces’ American, British, Canadian, Australian Armies’ Standardisation Programme (ABCA) alliance; the strategic maritime Australia, Canada, New Zealand, United Kingdom and United States (AUSCANNZUKUS), or ‘Five Eyes’, Command, Control, Communications and Computers (C4) alliance; the corresponding five-nation Air and Space Interoperability Council (ASIC) alliance in the realm of aviation; the Australia, New Zealand, United States Security Treaty (ANZUS) alliance; and the North Atlantic Treaty Organisation (NATO) alliance.<sup>36</sup> Working and operating together annually as they do to enhance intermilitary cooperation as well as doctrinal and organisational interoperability, such alliances form a good foundation for MNOs, having not only established standardisation agreements, but also having C<sup>2</sup> procedures already in place.<sup>37</sup>

By comparison, a coalition is a spontaneous, short-term, unformalised *ad hoc* arrangement, ‘formed in rapid response to unforeseen crises which usually occur outside the area of scope of an alliance or when the response requires more than an alliance to handle it’.<sup>38</sup> A coalition consequently involves actors with varying degrees of commitment, international engagement, and disparate experiences of MNOs and even warfare itself. These actors are also more likely to have dissimilar languages, terms of reference, doctrines, capabilities, organisation, and ‘tactics, techniques and procedures’ (TTPs) – all of which impede multinational interoperability.<sup>39</sup> Coalition warfare is thus rendered the more difficult of the two, and relies heavily on cooperation and coordination between its participant nations. Coalition operations consequently also necessitate a greater level of effort from its Operational Commander, requiring more of the commander’s time, thought, energy and resources than would be the case for an alliance-based MNO.<sup>40</sup> As Marich summarises:

‘Coalition military operations are more complex and military coalition leaders face a much more daunting task in commanding and controlling multinational forces that, at best, may agree to a common purpose and like objectives, and at worst, can be a loose conglomerate of forces with divergent agendas’.<sup>41</sup>

Indeed, it is generally well-known that nations taking part in a coalition, as opposed to an alliance-based operation, work to retain more control over their own national forces than would otherwise be the case.<sup>42</sup>

As a consequence, coalition operations tend towards one of three command arrangements, each designed to impose a cohesive C<sup>2</sup> system on the assorted parties to a MNO. Coalitions may be organised under: (1) an *integrated command structure*, with all forces subordinate to one designated Lead Nation, thereby enhancing unity of command; (2) a *parallel command structure*, with all forces divided into two camps each headed by a Lead Nation, which, having no overarching commander, can be problematic and is heavily reliant on coordination centres; or (3) a *hybrid, multi-parallel Lead Nation command structure*, with all forces divided into smaller units, each commanded by a designated Lead Nation, and a main headquarters comprised of staff drawn from each of these Lead Nations in addition to staff appointed by coalition command.<sup>43</sup> Of these, the latter multi-parallel command system is the most difficult to coordinate well within a MNO towards the achievement of the collective objective. According to the United States (U.S.) Department of Defense publication, *Joint Doctrine for Multinational Operations*, this is because ‘nations are generally reluctant to grant extensive control over their forces to one lead nation’ and ‘are also sensitive to actions that might be construed as preferential to the lead nation’s interest’.<sup>44</sup>

Nevertheless, it is important to note, that no one command system is a panacea that will fit all multinational military campaigns. Inevitably the precise command system to be employed within each MNO will be selected based on the nature and metrics of the military mission at hand, and the number, types and interests of the nations contributing forces to it. As the U.S. Defense MNO

publication has also emphasized: ‘No single command structure best fits the needs of all alliances and coalitions. Each coalition or alliance will create the structure that will best meet the needs, political realities, constraints, and objectives of the participating nations’.<sup>45</sup>

### ***C<sup>2</sup> & the Operational Environment***

In selecting the appropriate command system, the operational environment for the MNO under consideration also has a bearing on the C<sup>2</sup> systems put in place. This is owing to the disparate nature and operational traditions of each of the military Services of sea, air or land. Indeed, different procedures and perspectives have developed within each of the three traditional military branches of national armed forces over long periods of time, which continue to influence C<sup>2</sup> systems within MNOs today.<sup>46</sup> In a maritime context, for instance, in which the MNF is comprised of individual semi-autonomous ships operating within a vast, open environment, C<sup>2</sup> procedures rely on high technology automation systems and modern communications, while also adhering to the historically entrenched maritime codes of conduct, including the UN Convention on the Law of the Sea (UNCLOS).<sup>47</sup> Characterised by self-sustainability, flexibility, mobility and readiness as they are, naval MNOs are executed to influence, support, assist, deter or respond to an international security situation and are considered ‘the best equipped to facilitate complex multinational operations’.<sup>48</sup>

Similarly, in the sphere of aviation, air forces operate in an open international environment and follow entrenched international aerial rules. Like national navies, national fighting forces of the sky are comprised of semi-autonomous air weapons platforms that are usually operated by a single pilot, and have consequently developed C<sup>2</sup> systems that depend – for obvious reasons – almost exclusively on modern technology.<sup>49</sup> There are several advantages to conducting MNOs waged by national air forces: firstly, air forces tend to be flexible, versatile and capable of multi-tasking to perform simultaneous operations; secondly, air forces operate in an environment free from traditional obstacles and restraints; and thirdly, national air forces frequently operate in the international language of English.<sup>50</sup> Small wonder, then, that aerial MNOs are considered to be manageable and adaptable enterprises – far more so than their counterparts on land.<sup>51</sup>

Indeed, MNOs conducted by ground forces on land are widely considered to be the most difficult and complex of all multinational military campaigns. This is, firstly, owing to the fact that unlike sea or air forces which primarily involve the manoeuvre of machine units, ground troops are a ‘highly personalised’ force with units being comprised of hundreds of individual human beings, each with their own will and perspective. This makes each national army land force a unique entity, and one far more difficult to control within a multinational context. As Major (MAJ) Josh Wineera of the New Zealand Army asserts, unlike in the navy or air force where during machine-based manoeuvres ‘both

the cowards and the brave go right', in the army it is up to each individual within the unit to obey command orders and to get him or herself into position.<sup>52</sup> Moreover, on a naval vessel or air craft, the threat is shared equally by the personnel aboard giving a higher incentive for personnel to obey.<sup>53</sup> Within the army, however, the human factor weighs far more heavily on the actions taken where the threat is far more heightened for the brave and daring who obey their commands, but significantly less so for those who shy away from their orders.<sup>54</sup>

In addition to the human element, C<sup>2</sup> systems within a multinational ground force are complicated by an array of countervailing factors. This is because while land forces in themselves are mobile and manoeuvrable, versatile, sustainable, and capable of interoperability, C<sup>2</sup> within a multinational ground force is frustrated among allied contingents by divergent languages of communication, force structures, operational procedures, equipment, information technology, and professional capabilities – all in addition to the traditional land warfare problems of manoeuvring large units within a 'closed geography', in which communication is impeded by a 'ground clutter environment', and in which commanders are afforded poor visibility.<sup>55</sup> The result of all these interacting variables is that, as Marich states, 'ground operations continue to be the most complex and difficult to execute' in a multilateral context with C<sup>2</sup> being 'as much art as it is science'.<sup>56</sup>

In light of this discussion, it is interesting to note here that the ISAF operation currently operating in Afghanistan presents many challenges to NATO in terms of C<sup>2</sup>. This is for a number of reasons. Firstly, it is a hybrid-creature that operates according to the most difficult multi-parallel Lead Nation command system design for MNOs. Secondly, it is also fundamentally an *ad hoc* coalition of the willing, with leadership over this coalition subsequently assumed by an alliance (NATO), meaning that it is comprised of both coalition and alliance member-nations, with the latter having a more influential voice in the leadership of the mission. Thirdly, the ISAF mission predominantly involves large numbers of infantry ground forces, who are involved in a prolonged COIN-oriented land campaign (discussed further in Chapter 7). As a result of all these factors, the ISAF operation in Afghanistan is one of the most difficult MNOs currently being conducted anywhere in the world.

## **The Fundamental Principle of '*Unity of Effort*'**

No-matter which command arrangement a MNO assumes or what C<sup>2</sup> system is imposed, the true effectiveness of the multinational enterprise will ultimately hinge on one factor: the unity of the actors in the effort towards achieving the common purpose of the operation. In military terminology this is known as *unity of effort*. According to the U.S. Department of Defense *Dictionary of Military Terms*, unity of effort is 'the product of successful unified action' and consists of 'coordination and

cooperation toward common objectives, even if the participants are not necessarily part of the same command or organization'.<sup>57</sup> Indeed, following the designation of a clear mission and a set of mission objectives for an operation, thereby establishing *unity of purpose*, unity of effort is the single most important priority for all MNOs and essential to mission accomplishment.<sup>58</sup> It is the glue that, through holding together the disparate actors of the operation, enables progress towards the collective goal. It is this important function within a multinational military operation which causes unity of effort to play such a crucial role in determining a successful or unsuccessful outcome to a MNO overall.

This concept of unity of effort is not at all a modern one. It has historically long been regarded as one of a series of fundamental tenets or principles considered to be not only intricately involved in the business of warfare, but also critical to the effective conduct of military campaigns.<sup>59</sup> While unity of effort is not an established ‘principle of war’ *per se* (although it is traditionally encompassed within the principle of ‘unity of command’), it is nevertheless a fundamental principle with regard to all military operations, and critical for attaining mission success.<sup>60</sup> In fact unity of effort is considered the fundamental ‘first principle’ of effectiveness within military operations because it is the key manifestation of effective C<sup>2</sup>.<sup>61</sup> Indeed, unity of effort may universally be regarded as a conceptual ‘plumb-line’ in the full spectrum of military operations, adherence to which will weigh the balance towards a successful outcome of any military operation.

### ***Unity of Effort via ‘Unity of Command’***

The function of unity of effort is vital then for any multinational military operation, including the current ISAF operation in Afghanistan. However, how is it to be attained? Historically, and also within contemporary unilateral operations that involve a single Joint Task Force, unity of effort has conventionally been attained through unity of command – the existence of a sole overarching source of authority to direct, control and coordinate all military forces participating in an operation. As the U.S. Joint Chiefs of Staff publication on Joint Operations states:

The purpose of unity of command is to ensure unity of effort under one responsible commander for every objective. Unity of command means all forces operate under a single commander with the requisite authority to direct all forces employed in pursuit of a common purpose.<sup>62</sup>

Unity of command is far and wide the preferred means of achieving unity of effort. Glenn argues, in fact, that it is ‘the preferred form of coordination and control’ and the form through which one should seek to attain unity of effort in military operations.<sup>63</sup> It is thought, moreover, that unity of command promotes a more efficient, timely and low-casualty operation.<sup>64</sup>

Within the context of MNOs, however, such unity of command is far more difficult – arguably even impossible – to achieve. It equates to one person of one nationality being vested with command

authority over all international forces ‘to whom coalition partners owe unswerving obedience, but within the constraints established for their employment’.<sup>65</sup> Some argue, in fact, that this kind of unity of command has historically never truly been accomplished in a multilateral endeavour, either in the early years of World War II, in Vietnam or even the First Gulf War (Operation Desert Storm), causing the concept to be more honoured in theory than actually observed in practice.<sup>66</sup>

Indeed, establishing unity of command within a MNO is a contentious issue and one that leads, more often than not, to a power struggle between operational high command and the individual governments of nations contributing forces to the Peace Support Operation (PSO). This is largely because countries participating in a multinational security operation are typically extremely unwilling to cede command authority over their own national forces to another country. Their concerns at both the political and military level regarding who will command their forces, what authority he or she will have, and how much day-to-day control they themselves will retain over force employment, are real and ever-present.<sup>67</sup> As Riscassi states: ‘Because of the severity and consequences of war, relinquishing national command and control of forces is an act of trust and confidence that is unequalled in relations between nations. It is a passing of human and material resources to another nation’s citizens’.<sup>68</sup>

Not surprisingly, most nations are hesitant to make that leap. This hesitancy is heightened further if the participant nations involved in a PSO do not in fact consider themselves or their vital interests to be directly threatened, making the ‘perceived surrender of sovereignty associated with unity of command...an unpalatable option for some political leaders’.<sup>69</sup> Furthermore, unity of command is additionally frustrated within MNOs by the range of competing national agendas among the parties involved, and subsequently, the lack of common and ‘clearly-articulated’ national and international objectives.<sup>70</sup>

This being the case, how then can unity of effort – and therefore true operational effectiveness – be attained within a MNO, especially when it is so critical to mission failure or success? The answer lies in the following maxim: ‘Unity of Command is “desired”; Unity of Effort is “required”’.<sup>71</sup> The effect – unity of effort – is more important than the means employed to create it. Consequently, where unity of effort can not be achieved through unity of command, it can alternatively be created by cooperation and coordination between force contributors to a PSO – what Nuzum refers to as ‘the soft tools of combined warfare’.<sup>72</sup>

## **Unity of Effort via ‘Cooperation, Coordination & Consensus’**

‘Unity of command’ and ‘cooperation and coordination’ are *both* considered to be supporting constructs to the overall effect of unity of effort in international military operations.<sup>73</sup> This is demonstrated, perhaps, by the way in which both appear as alternate means of achieving unity of effort in the military doctrine of several powerful nations (see *Figure 1.1*). Consequently, the answer to fostering unity of effort within MNOs, where no true unity of command can be achieved, lies in the latter option: cooperation and coordination. As Pudas has stated:

*Unity of effort* is necessary to achieve success in combined and coalition operations. If unity of command is not possible, then cooperation and coordination are the keys to unity of effort. Coordinated planning staffs and assignment of liaison officers significantly enhance the process.<sup>74</sup>

The chart is titled "Figure 1-1 PRINCIPLES OF WAR". It consists of a grid with five columns representing different countries: UNITED STATES, GREAT BRITAIN AUSTRALIA, FORMER SOVIET UNION ("Principles of Military Art"), FRANCE, and PEOPLE'S REPUBLIC OF CHINA. The rows represent various principles of war. Red arrows point from the left and right towards the center row.

Figure 1-1 PRINCIPLES OF WAR				
UNITED STATES	GREAT BRITAIN AUSTRALIA	FORMER SOVIET UNION "Principles of Military Art"	FRANCE	PEOPLE'S REPUBLIC OF CHINA
Objective	Selection & Maintenance of Aim			Selection & Maintenance of Aim
Offensive	Offensive Action			Offensive Action
Mass	Concentration of Force	Massing & Correlation of Force	Concentration of Effort	Concentration of Force
Economy of Force	Economy of Force	Economy, Sufficiency of Force		
Maneuver	Flexibility	Initiative		Initiative & Flexibility
Unity of Command	Cooperation			Coordination

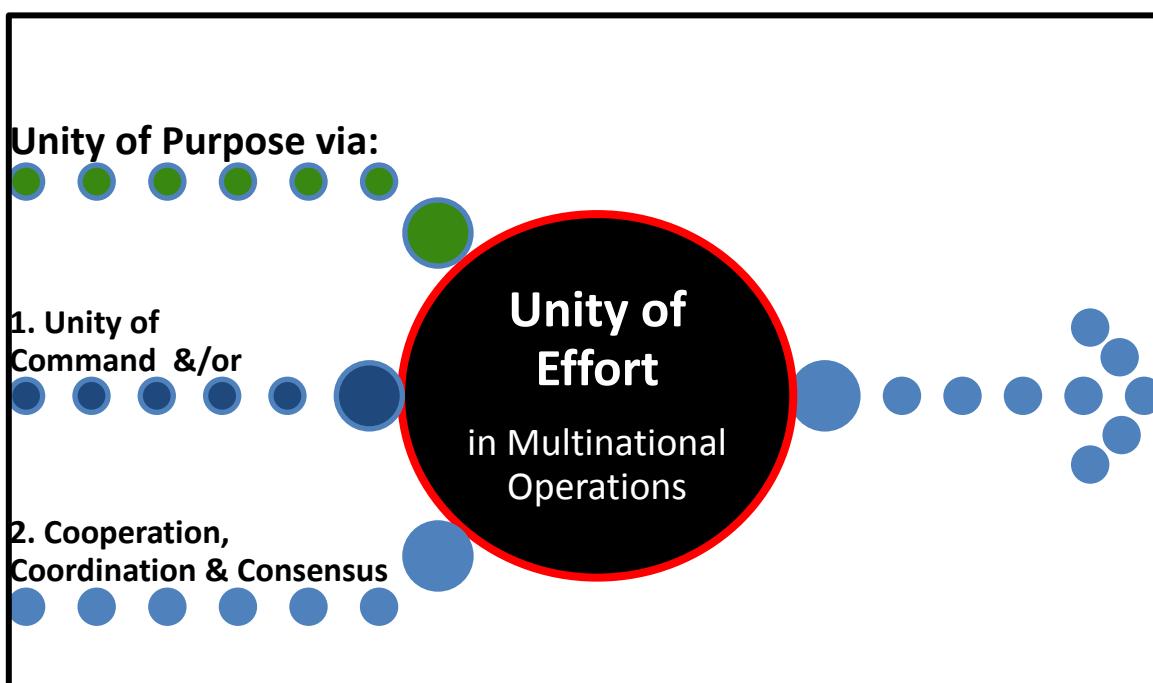
*Figure 1.1 – Unity of Effort and Principles of War: A chart entitled ‘Principles of War, US and others, compared’ showing the divergent Principles of War embraced by five powerful States on the world stage, as presented by the Australian Air University’s Command & Staff College. It demonstrates the alternation of ‘unity of command’, ‘cooperation’ and ‘coordination’ among nations in the row that represents ‘unity of effort’ in military campaigns.<sup>75</sup>*

In point of fact, while unity of command is desirable and should be sought to the greatest extent possible, it is in fact through coordination and consensus-building among the contributing nations that unity of effort is most often achieved within a MNO. According to Nuzum, ‘these mechanisms are the strongest available to manage an unwieldy coalition of sovereign State entities’.<sup>76</sup> Indeed, Pudas describes this approach to unity of effort within multinational campaigns the following way:

When unity of command is not achievable, then unity of effort and an agreed upon strategy must be achieved through the coordination and cooperative efforts of allied commanders. Operational commanders can prepare for this eventuality by understanding the various factors which influence a coalition’s ability to coordinate forces and achieve unity of effort. ...Dealing with allies must be

accomplished with patience and respect. Commanders must establish and maintain trust among coalition forces. Both coordination and cooperation are key ingredients to successful coalition command. Harnessing the personalities of allied military leaders and coping with problems associated with interpersonal relations can be among the greatest challenges.<sup>77</sup>

In other words, it is through on-going cooperation and coordination in pursuit of a shared and clear view of the mission and a corresponding set of mission objectives between the multiple parties to a MNO (i.e. ‘unity of purpose’), that unity of effort can alternatively be achieved (see *Figure 1.2*). This is because the process of cooperation and consensus between PSO contributors can help to mitigate the negative effects of competing national agendas and disparate national and international objectives that often hinder unity of command within MNOs. In fact multinational command has even been described elsewhere as command by consensus – so-called ‘consensus-based command’ – in which relationships between contributing nations and the attainment of a common political consensus is thought to take precedence over the system of command itself.<sup>78</sup> To illustrate, according to Rice, the renowned success of Allied unity of effort during the campaigns of the Second World War owes more to the ‘mutual confidence’ built up over time between the Allies, than to any other single factor.<sup>79</sup>



*Figure 1.2 – Attaining Unity of Effort in Multinational Operations (MNOs): ‘Unity of Command’ and/or ‘Cooperation, Coordination & Consensus’ as two separate means of attaining ‘Unity of Purpose’ and ‘Unity of Effort’ within a multinational security campaign.*

Without a doubt, collective cooperation and consensus is of critical import in MNOs since, being coalitions of *choice* whereby nations participate on a voluntary basis, all member nations contributing to a MNO have the sovereign authority to disagree with the MNF commander, to refuse undesirable

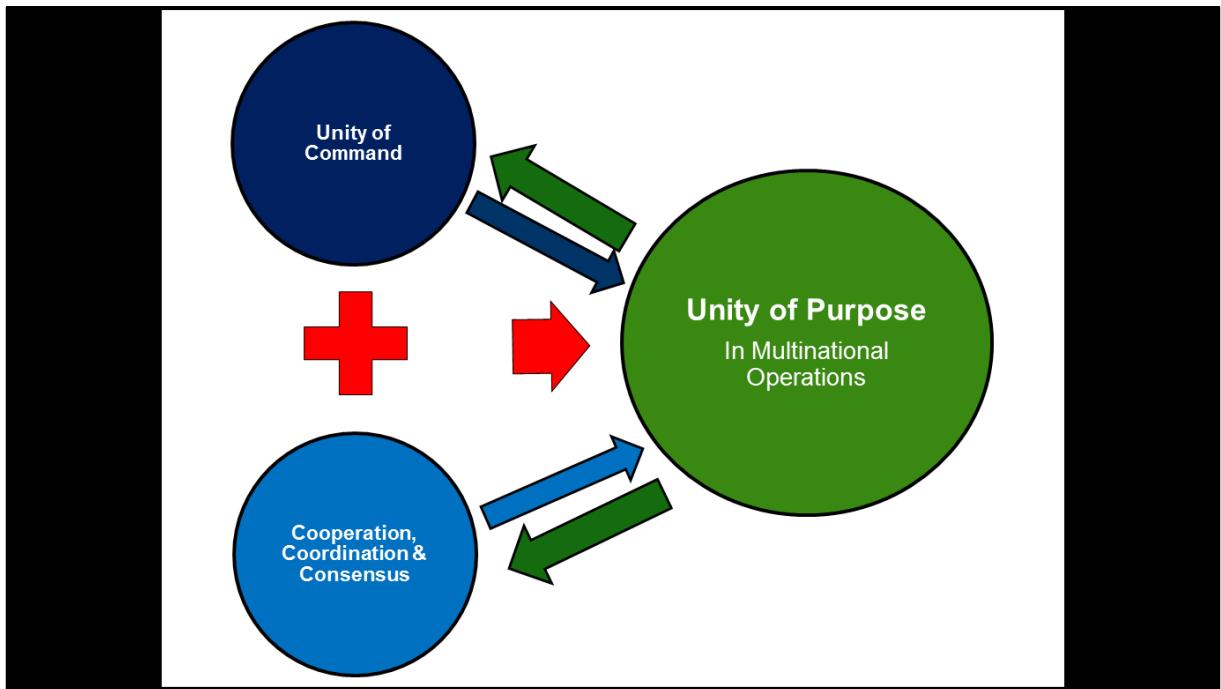
missions, and indeed, to leave the coalition entirely.<sup>80</sup> Consensus-based unity of effort is thus a crucial aspect in the smooth, effective and efficient running of any MNO. As a working paper on the subject, produced by the *Artificial Intelligence Applications Institute* at the University of Edinburgh, states on the matter, ‘an atmosphere of teamwork and partnership must permeate all aspects’ of the MNF and ‘must be consciously sustained’.<sup>81</sup> Collective cooperation, coordination and consensus within military operations is characterised by: cooperation and consensus within the political sphere; and interoperable, coordinated and flexible multinational forces in the military sphere, the latter working together in a unified, concerted fashion towards the same political goal.

Nevertheless, how is such consensus to be developed within a MNF? According to the University of Edinburgh study, consensus is thought to develop within an MNF through adherence to several principles or ‘tenets’ of multinational cooperation: (1) genuine mutual *respect* and common courtesy; (2) the founding of a personal and direct *rappoport* between contingent counterparts within a MNO, through which mutual trust and confidence may be forged and maintained; (3) *knowledge* and a common understanding of the doctrine, capabilities, strategic goals, interests, culture and values of the armed forces of each partner, to be incorporated into mission planning and execution; (4) *patience* that MNOs take more time and effort than unilateral military operations, involving as they do forces with a range of diverse languages, cultures and sovereignty issues that make disagreements inevitable; and finally (5) the *flexibility* of National Commanders at all levels in their planning and decision-making processes.<sup>82</sup> In relation to the now ever-present reality of diverse rules of engagement and national caveats within multinational security operations, one could also add to this list a sixth tenet of (6) *flexibility of national forces* deployed to the MNO, most demonstrably shown by minimal imposition of national caveats. Adherence to these tenets, together with a clear overall aim, a method for achieving it, simplicity of plan and organisation, and plain and objective communication, is considered essential for creating consensus within a multinational campaign.<sup>83</sup>

### ***The Central Role of ‘Unity of Purpose’ for Attaining Unity of Effort***

From these descriptions it is evident that ‘unity of purpose’ is central to both the unity of command and cooperation/coordination approaches to achieving unity of effort within MNOs.

Unity of purpose is said to exist when the actors contributing to a military operation are politically united in the operational goal. It is best symbolised in the development of a clear mission statement, objectives, campaign plan and well-defined rules of engagement that have been ‘commonly developed’ to provide guidance on the use of force and ‘judged against the overriding principle of simplicity’.<sup>84</sup>

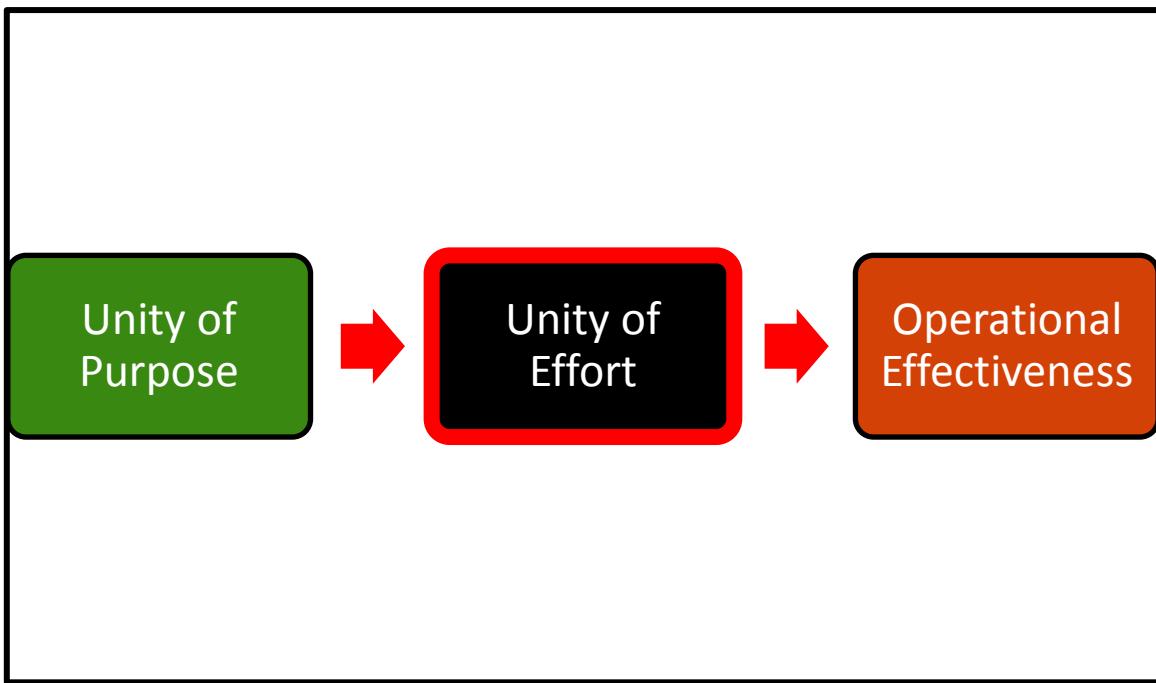


*Figure 1.3 – Attaining Unity of Purpose in Multinational Operations (MNOs): Unity of Command and Cooperation, Coordination & Consensus produce Unity of Purpose, while at the same time Unity of Purpose conversely enhances both unity of command and the cooperation and coordination process.*

Unity of purpose is not only important in enhancing unity of command within any multinational security endeavour, but it is also a necessary prerequisite for on-going cooperation and consensus, while also contributing to the overall unity and cohesiveness between multinational partners. In fact, all three factors – unity of command, cooperation and coordination, and unity of purpose – are present when unity of effort has been achieved (see *Figure 1.3* above). Glenn also emphasizes this point, stating that unity of command, coordination and consensus, and ‘common purpose and direction’ are all beneficial symptoms of unity of effort.<sup>85</sup>

This being the case, it becomes clear that unity of purpose also has an important role to play in fostering unity of effort within MNOs. As Pudas has expressed: ‘Unity of effort cannot be realized unless commanders understand allied political and military objectives and reach agreement on their common interests and objectives’.<sup>86</sup> Or as LTCOL Michael Canna has argued: ‘Without unity of purpose a coalition will necessarily lack unity of effort and unity of action, and individual actions by coalition members may be in competition and conflict with one another’.<sup>87</sup>

In brief, unity of purpose – expressed operationally by unity of effort – is in fact key to operational effectiveness and coherence. Consequently, the existence of unity of purpose within multinational military operations generally points to the parallel presence of unity of effort within the campaign, and is thereby a good indicator of overall mission effectiveness (see *Figure 1.4*).

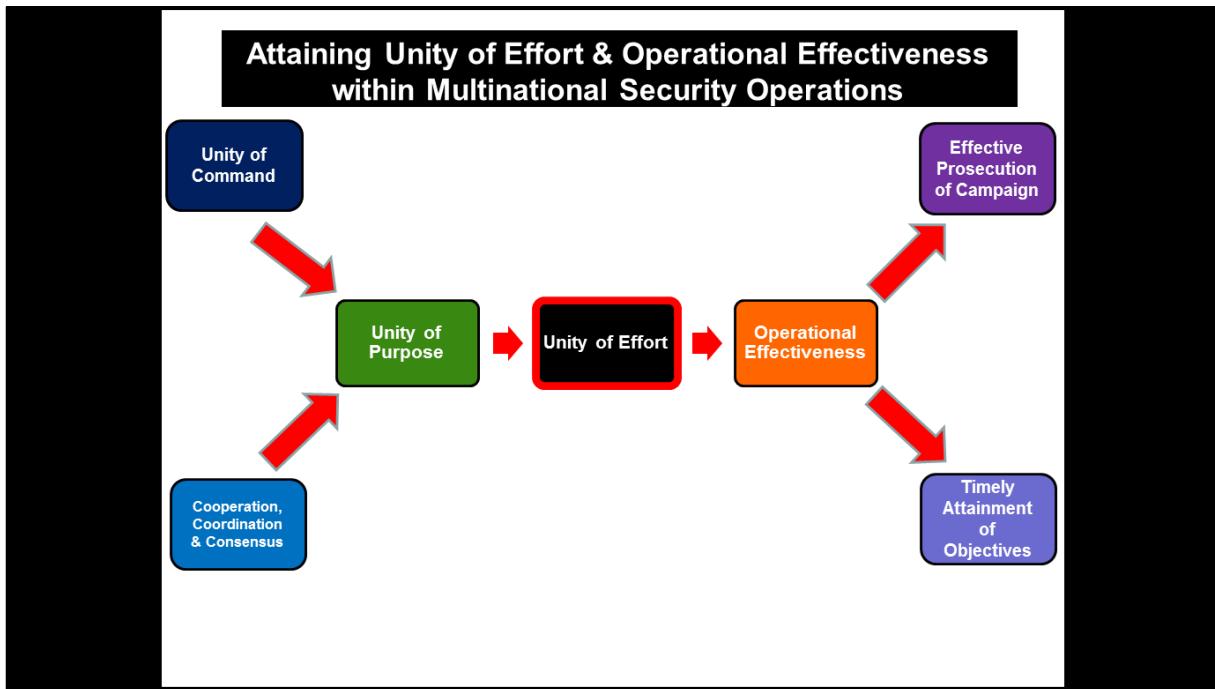


*Figure 1.4 – Attaining Operational Effectiveness in Multinational Operations (MNOs): Unity of Purpose, leading to Unity of Effort, results in Operational Effectiveness within multinational campaigns.*

## **Unity of Effort – Vital for Success in MNOs**

Regardless of the means employed to achieve unity of effort within any MNO, the actual attainment of unity of effort is crucial for the effective and successful prosecution of multinational campaigns. It is the prerequisite for success in all forms of multinational military operations without which ‘any organization’s work can negate the advances made by others’.<sup>88</sup> As Glenn states: ‘The operational principle is unity of effort...unity of effort is the function we require for success in any operation’.<sup>89</sup> In short, true unity of effort – signifying the attainment of a ‘common purpose and direction through unity of command, coordination, and cooperation’ – is regarded as a critical precondition for operational effectiveness and mission accomplishment within MNOs.<sup>90</sup> Operational effectiveness, in turn, is characterised by two principal factors: (1) the effective prosecution of the military campaign; and (2) the timely attainment of objectives.

When all of these important concepts for achieving operational effectiveness within MNOs are put together, a comprehensive picture emerges. This resulting ‘unity of effort’ model can be seen in *Figure 1.5*. Unity of purpose, achieved either through unity of command or cooperation, coordination and consensus (or indeed both), leads to the crucially important factor of unity of effort. Unity of effort in turn leads to operational effectiveness, characterised by the effective prosecution of the military campaign and the timely attainment of objectives.



*Figure 1.5 – The Overall Picture: The process for attaining Unity of Effort, and thereby Operational Effectiveness, within Multinational Operations.*

As multinational coalitions embark on increasingly complex campaigns in the security climate of the modern era, this emphasis on unity of effort will become more and more important with the passing years. As Corn has concluded:

In the complex contemporary operational environment confronted by military commanders, this principle has never been more important. Today's military operations are defined by rapidly advancing military capabilities, complex weapon systems, unprecedented access to information, and inevitable intermingling of combatant and civilian personnel in the battle-space. Because of these and other operational realities, the principle of unity of effort ensures the synchronization of numerous and complex operational capabilities. Unity of effort is accordingly an essential component of effective national and coalition/multi-national operations.<sup>91</sup>

This fact is true even as the principle becomes conversely more difficult to attain as the number of coalition partners expand in size to up to fifty different participating nations (the total number of nations currently contributing forces to the multinational ISAF operation today). What this means, as Pudas argues, is that each MNO will be unique to itself with regard to how its commanders achieve unity of effort within the international force. ‘Ad hoc coalitions will continue to be unique in terms of their membership and the obstacles encountered in attempting to achieve unity of effort’, he states.<sup>92</sup> Nevertheless, regardless of the disparity between modern MNOs, the attainment of unity of effort will always remain a paramount consideration.

### ***Desired Characteristics of Operational Commanders of MNOs***

Upon perusing such an exacting list of features required to generate unity of effort and thereby execute an effective multinational campaign, it becomes clear that a rather masterful MNF

Operational Commander is needed to direct each MNO and productively manage and countervail the mosaic of oppositional forces within a MNF. According to the definition provided by the U.S. Department of Defense, a Multinational Force Commander (MNFC) is: ‘A commander who exercises command authority over a military force composed of elements from two or more nations. The extent of the multinational force commander’s command authority is determined by the participating nations’.<sup>93</sup> However, in reality, a successful MNFC must be much more than simply an officer exercising command authority over an international force, but an experienced, learned and multitalented ‘military diplomat’ and economist – a master in command, management, leadership, negotiation and persuasion.<sup>94</sup>

The MNFC must be the chief visionary, instigator, promoter and enforcer of unity of effort within the multinational force, and personally create a consensus-based cooperative ‘command climate’ through being: (1) objective, visible and fair to all; (2) mindful and respectful of the role each nation plays within the operation; (3) trustworthy and capable of building up trust between various MNF actors through personal contact and liaison; (4) inclusive and diplomatic with regard to sensitive issues like intelligence-sharing; (5) fully aware of the limitations within which the various national forces under him or her must operate; and (6) continually develop compensatory solutions to enhance and maximise unity of effort within the MNF.<sup>95</sup>

Furthermore, especially in parallel and multi-parallel Lead Nation command arrangements, the MNFC must further assure effective C<sup>2</sup> and enhance unity of effort by commanding through an ‘integrated multinational staff’, comprised of members drawn from all national parties participating in the operation. According to Marich, these staff perform a critical role in ‘integrating the effort of all parties into unity of effort if not unity of command’, and when combined with Liaison Officers, ‘can provide a multinational force commander with a variety of options normally not available to a national HQ’.<sup>96</sup> However leadership of such a staff is in itself often a very complicated enterprise: the intrinsic differences between staff members must be at once acknowledged, coordinated, and smoothed down through the promotion of respect, rapport, knowledge, and communication.<sup>97</sup>

In sum, the MNFC must be a trail-blazer and skilful manager, creating a clear path through a sea of ambiguity, confusion and discord. Moreover, he or she must accomplish all this while on foreign soil, confronting foreign Enemy forces in an unstable and conflictive environment (which sometimes also fight asymmetrically by means of un-uniformed insurgency fighters hiding within the civilian population), and while serving at the head of a largely foreign – and therefore somewhat discordant – international military force, operating under various legal frameworks and even in pursuit of disparate national interests and agendas. It is a tall order by any standard. Indeed, if being a commander in

wartime is one of the hardest jobs in the world, being the commander of a MNF embarked on an *international* military operation must be one of the most difficult endeavours known to humankind.

## **Conclusion**

This chapter has provided an introduction to the complexities of multinational warfare in the contemporary security environment today. It has, firstly, outlined some of the abiding characteristics of MNOs, and assessed both the benefits and costs to conducting multilateral campaigns in concert with allies. It has, secondly, examined C<sup>2</sup> systems within these international operations, highlighting the importance of C<sup>2</sup> to the smooth, efficient and effective management of these complex MNOs, whatever the operational environment. The chapter has, thirdly, addressed the most fundamental – even critical – principle of ‘unity of effort’ within MNOs for attaining operational effectiveness, and thereby, success in terms of mission accomplishment. Fourthly, it has explained how unity of effort can be achieved within multinational security campaigns either through unity of command and/or cooperation, coordination and consensus within these operations – both vehicles by which overall unity of purpose can also be secured. This principle of unity of effort will be revisited at the end of this caveat-related study, in order to assess the impact of national caveat imposition within the ISAF multinational campaign on the mission’s operational effectiveness and success.

The following chapter will continue this exploration of the most important concepts for understanding the ISAF caveat research analysis to follow, by defining and investigating the concept of ‘Rules of Engagement’.

## **CHAPTER 2**

### **What are Rules of Engagement?**

The preceding chapter presented an overview of some of the common features and difficulties of multinational warfare. This chapter will outline another fundamental concept for the purposes of this research – and one of the most difficult and controversial issues within MNOs today – namely, Rules of Engagement (ROE). The aim of this chapter is to provide a broad overview of ROE by defining what they are as well as the role they play within military operations, while also describing both the process by which they are formed, and the means by which they are imposed and enforced amongst military armed forces. The chapter will begin by providing a definition of ROE and describing where they are found within the national mandate. It will subsequently outline the politico-military formulation process by which these rules are selected for each specific military operation in which national armed forces will take part, highlighting three of the most dominant influences in this process. Finally, the chapter will examine the binding power of ROE on national forces deployed to operations, by examining the two mechanisms that both enforce these rules and punish military personnel who do not adhere to them.

#### **Rules of Engagement (ROE): A Definition**

The imposition of restrictive rules on armed forces during wartime operations is not a new practice. Indeed, evidence of their use has been traced back as far as the Middle Ages, enshrined in the royal ‘Letters of Marque and Reprisal’ commissions issued to medieval knights in the fourteenth century, and found within similar commissions and charters given to privateers plundering foreign trade ships in the Elizabethan era of the sixteenth century.<sup>1</sup> The concept of ROE as understood today, however, is said to have originated in the aftermath of the First World War as a reaction to the excess of violence unleashed at certain times on the battlefield during that conflict. Some have traced their origin to French Prime Minister Georges Clemenceau’s famous proclamation that ‘war is much too serious a matter to be left to military men’, and also to the emphasis placed on ‘the minimum force necessary’ by then Secretary of State for British India, Edwin Montagu, following the Amritsar Massacre in the Punjab during the Indian uprising of 1919.<sup>2</sup> It was during this post-war era that a general consensus came into being on the part of governments, that the use and degree of force employed by armed forces should no-longer ‘be decided solely by the commanders’.<sup>3</sup>

Military rules constraining the way in which armed forces employ force during armed conflicts could consequently be said to have developed in conjunction with the growing international consensus in

the early-to-mid twentieth century, that war ought to be governed by laws in order to prevent excesses of violence in wartime. In this sense, ROE have developed as both an operational manifestation and practical interpretation of the Laws of War, most notably the Geneva Conventions of 1929 and 1949.<sup>4</sup> The term ‘Rules of Engagement’ was not officially used until after the Second World War, however, during the conflicts sparked by the Cold War.<sup>5</sup>

Nowadays it is common practice for a list of ROE to be issued to the senior national military commander prior to deployment on operations, appearing either as an annex within the mandate proper or alongside the mandate as a separate document.<sup>6</sup> Whereas the mandate primarily contains clear instructions regarding the objectives and main tasks of the national contingent, ROE contain precise and classified prescriptions on exactly *when* (use of force) and *how* (degree of force) military armed forces may employ force against the Enemy while performing tasks towards stated mission objectives. One standard definition, collectively agreed upon and adhered to by NATO since 1973, defines ROE as: ‘Directives issued by competent military authority which specify the circumstances and limitations under which forces will initiate and/or continue combat engagement with other forces encountered’ (see endnote).<sup>7</sup> In other words, ROE are the operational expression of the mandate.

It is precisely for this reason, along with that of force protection, that ROE are regarded everywhere as classified or ‘top secret’. They are guarded jealously by both the military and political institutions of government, and all those with knowledge or access to ROE for a set deployment – current or historic – are often legally prohibited to speak of them in the interest of national security.<sup>8</sup> Nevertheless, ROE are critical to security operations and can have far-reaching and dramatic consequences, especially within MNOs.

### ***Within the Mandate***

ROE are located within the national mandate governing the deployment of national armed forces to a MNO. A mandate is broadly defined as ‘an instruction or command from a higher body that demands compliance’.<sup>9</sup> A mandate is tantamount to a legal order, often involving a moral obligation too, so that parties in question may only act within the mandate it has received.<sup>10</sup> In the realm of military operations, mandates can be conceived of as politico-legal instructions that authorise, and conversely constrain, what armed forces may legitimately do when deployed on operations overseas. As legally-binding documents, deployed armed forces will be held accountable to their mandate under military, domestic and even international law. Mandates thus form a strong and unbreakable link between the political and military security spheres, whereby armed forces are clearly controlled and restrained in their activities by decisions made by policymakers at the highest political levels.

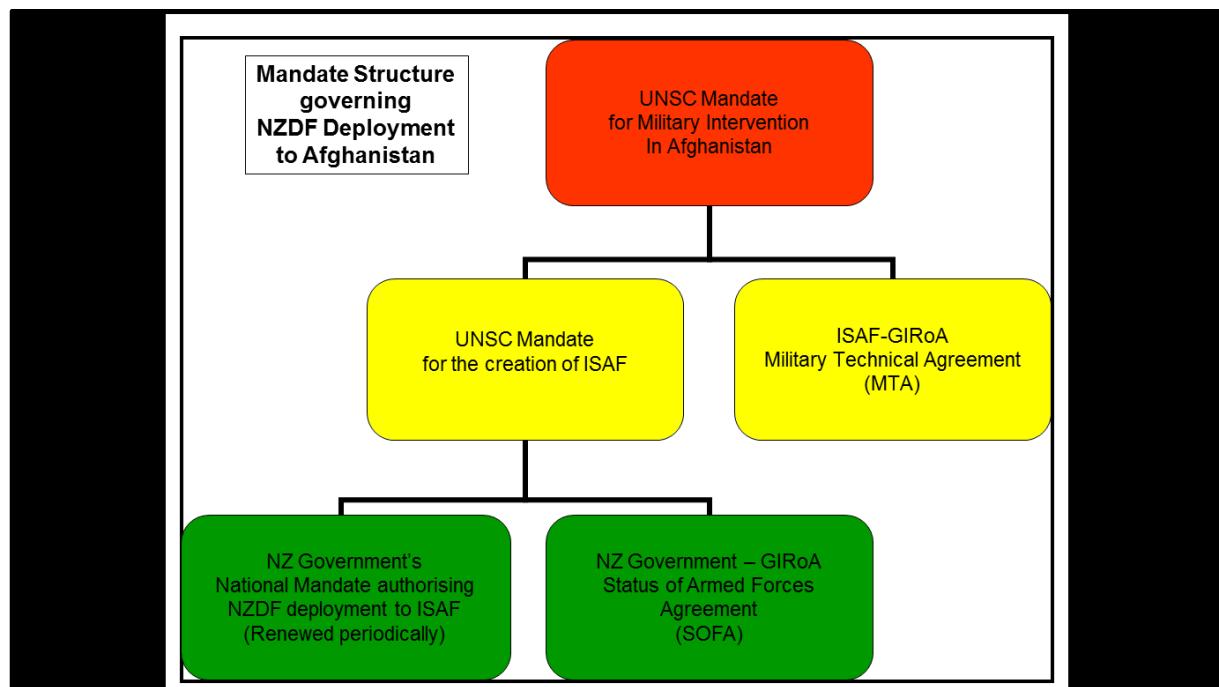
Mandates are formulated on the basis of political consensus and are issued from the highest legitimate political body within the State at the national level, or within the international community at the international level. So it is that nationally-elected parliaments and government cabinets issue mandates for national deployments, while the supranational UN organisation issues mandates for multinational deployments in the form of United Nations Security Council (UNSC) Resolutions that are binding on all 192 United Nations (UN) Member-States (see endnote).<sup>11</sup> NATO and other international organisations, that exist as supranational legal entities and reach decisions on the basis of consensus, may also create and enforce mandates for security operations. NATO's campaign against Serbia in 1999 is a good example of this, where military action proceeded without reference to, or sanction from, the UNSC.<sup>12</sup> In order to attain maximum political legitimacy however – where legitimacy refers to the moral authority to exercise power, based on a general belief in the moral rightness or lawfulness of the action – most MNOs involve sanction from both the international organisation in command of the operation and the UNSC, meaning that a multinational campaign may frequently operate under more than one international mandate.<sup>13</sup> Furthermore, national mandates will also govern the armed forces of all nations making force contributions to the MNO.

Hence, each multinational PSO will be conducted within a complex and multi-tiered design of moral-politico-legal arrangements, unique to itself, which represent both international and national authority. For instance, most MNOs operate under mandates issued from: the UNSC at the highest level; the international organisation commanding the operation such as NATO or the African Union at the mid-level; and a range of national mandates issued by the participant nations contributing armed forces to the MNO at the lower levels. In addition, the MNO will also operate under an overarching politico-military treaty, known as a Memorandum of Understanding (MOU) or Military Technical Agreement (MTA), between the Operation Force (e.g. KFOR, ISAF) and the government of the host country where the operation is being conducted, as well as a variety of politico-legal Status of Forces Agreements (SOFAs) between the troop contributing nations themselves and the host government (refer to endnote for more information on the function and content of SOFAs).<sup>14</sup>

To illustrate this point, consider the range of mandates in place to confer moral, political and legal authority on the current deployment of members of the NZDF to the ISAF operation in Afghanistan, as set forth by the Directorate of Legal Services based at the NZDF's Headquarters Joint Forces (HQJF) in Wellington. At the highest level, a mandate for military intervention in Afghanistan to conduct an international security assistance and stabilisation operation in the wake of Operation Enduring Freedom (OEF) was issued from the UNSC in the form of Resolution 1368 (passed on 12 and 28 September 2001), based on 'the inherent right of countries to individual and collective self-defence, as recognised by the UN Charter'.<sup>15</sup> A second mandate specifically authorising the creation

of the ISAF under Chapter VII of the UN Charter, was also passed and then reaffirmed in UNSC Resolutions 1386 (2001), 1510 (2003) and 1833 (2008).<sup>16</sup>

At the mid-level, there exists a MTA between the ISAF multinational entity and the Government of the Islamic Republic of Afghanistan (GIRoA), under which ‘the Government of Afghanistan has agreed to the presence of ISAF forces on its territory and their status while there’.<sup>17</sup> Finally, at the lower national level, there are a range of national mandates authorising the deployment of national armed forces to Afghanistan. To illustrate using New Zealand as an example, the NZDF ISAF contingent operates under: firstly, a national mandate, issued yearly by successive New Zealand governments; and secondly, a separate SOFA between the New Zealand government and the GIRoA regarding the status of all NZDF personnel deployed to Afghanistan.<sup>18</sup> These three tiers of politico-legal mandates governing NZDF forces in Afghanistan are shown in *Figure 2.1* below.



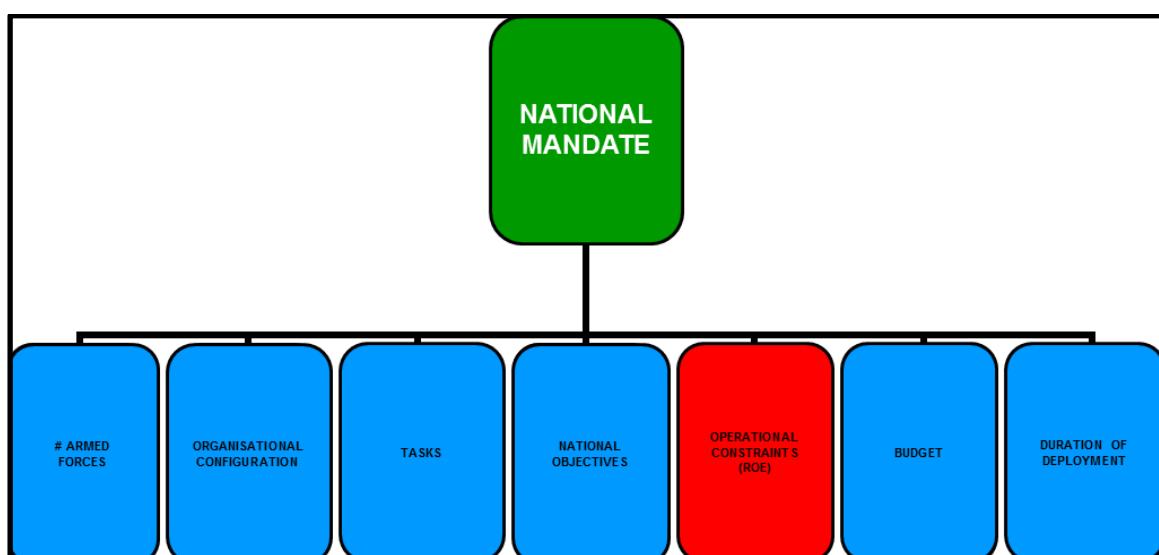
*Figure 2.1 – Mandates & Multinational Operations (MNOs): The mandate structure governing the NZDF deployment to the ISAF mission in Afghanistan.*

It is the national mandates, at the lower level, which are of greatest interest and concern to this research on the impact of diverse national mandates – and specifically ROE – on a united and effective ISAF campaign in Afghanistan. Since all armed forces and assets operating within a MNO are contributed by national governments, and the conduct of each national contingent is governed and restrained in its own way by mandates issued from each of the respective governments, it is these national mandates which will most dramatically impact on the effectiveness of the MNO since they

contain the potential to empower or impair each national contingent's contribution to the multinational endeavour.

The instructions within these mandates are the politico-legal puppet strings by which the 'boots on the ground' are ultimately controlled by national governments, regardless of higher organisational authorities. Indeed, in many ways instructions within national mandates take precedence over those issued by operational command headquarters at higher levels within the MNO's command structure. This is because the first responsibility of national armed forces deployed to an overseas theatre is to obey the politico-legal instructions issued from political masters within the national government at home – regardless of whether these instructions bypass the official PSO command structure or even contradict strategic and tactical plans and policies issued by multinational command in theatre.

This situation therefore raises the question, what kind of instructions exactly are contained within national mandates that render the latter so powerful for the effective prosecution of MNOs? According to LTCOL Andrew Shaw, Commanding Officer of the NZDF Command & Staff College at Trentham Military Camp, national mandates are very specific. They authorise the deployment of a set number of people, in a particular organisational configuration, to do specified tasks towards a selected objective, for a precise period of time, operating within a defined budget, and with a list of specific operational constraints (see *Figure 2.2*).<sup>19</sup>



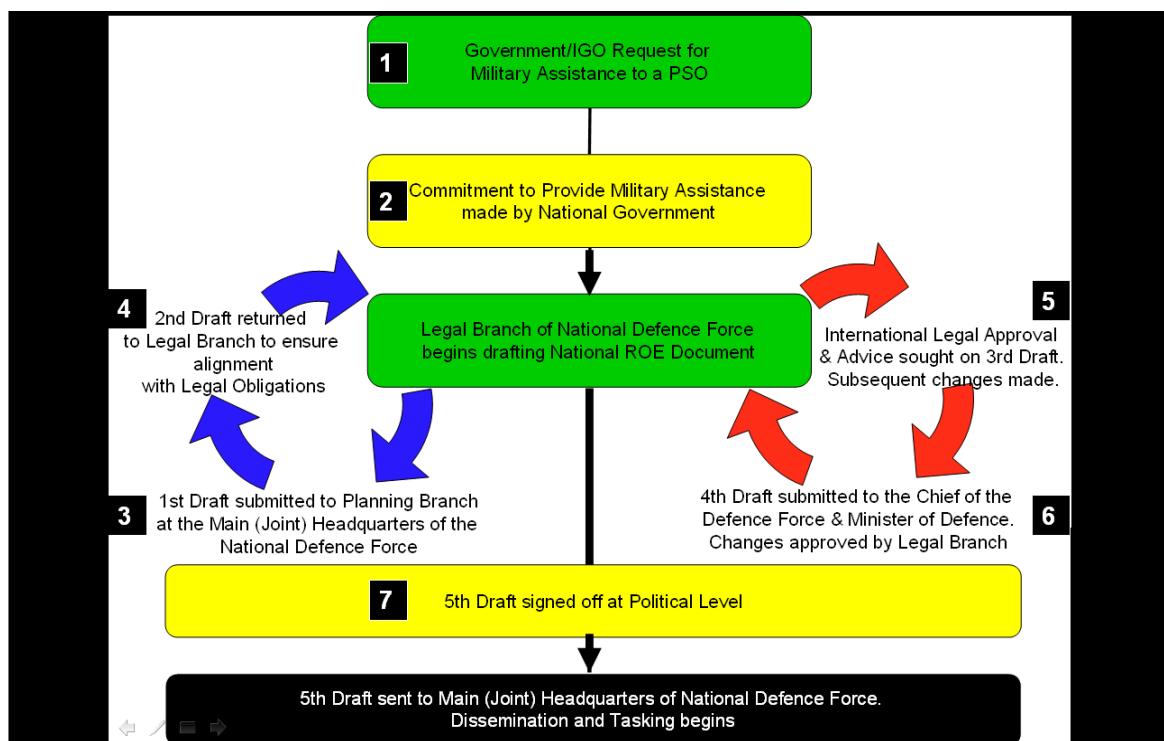
*Figure 2.2 – National Mandates: The various components of a national mandate.*

Of these various sets of instructions, it is the latter list of specific operational constraints within which the specified tasks must be accomplished – namely, ROE – which is of greatest interest and importance to this research. This is because ROE are the central mechanism within the national mandate by which political masters may exercise political and operational control over security

forces, and thereby guide and constrain the actions of the deployed military force, regardless of its size, strength or configuration. Indeed, it seems to be these ROE that ultimately determine the true effectiveness of the contingent, both in the accomplishment of its tasks and as a contributing unit within the wider mission.

## How are ROE Formed for Military Operations?

Given the importance of the content of ROE for any military forces deployed on security or peace support operations, *how* exactly are these ROE formulated, and *who* within the national government apparatus is responsible for drafting ROE for any MNO during the pre-deployment phase? The following are seven steps that are typically involved in the ROE formulation process from the initial request for military aid or intervention in a specific locality, to the actual deployment of national armed forces to that theatre of conflict. A chart depicting all seven of these steps is shown below in *Figure 2.3*.



*Figure 2.3 – The ROE Formulation Process: A chart depicting the seven steps involved in designing ROE for national contingents deployed to multinational operations.*

1. The catalyst for ROE formulation comes in the form of a formal request to a national government to provide military assistance to a MNO in a particular theatre of conflict. This request is made by either the government of a nation participating within a coalition of the willing (usually the

Lead Nation), or alternately the highest body of an international organisation, such as the UN secretariat or NATO's North Atlantic Council (NAC).<sup>20</sup> The request will be considered by both the political and military branches of the invited national government in order to assess the type of operation entailed, its objectives, tasks, means and authorities, and consequently, the type of military force required from the State in both manpower and machinery (i.e. small arms, tanks, artillery, aircraft, ships, or even riot-control assets).<sup>21</sup>

2. Once these considerations have been made, involving research and consultations between the political and military branches of government, the highest political body within the government – the executive branch – will make a strategic commitment. If the resulting decision constitutes a commitment to contribute military assistance to the MNO, the legal branch of the military will immediately begin to formulate ROE for the armed forces to be committed. There are three different ways in which this ROE formulation process can begin: (1) ROE may initially be adopted from another State, or coalition of States, with whom national armed forces will be serving; (2) ‘standard’ or ‘universal’ ROE from an international or regional PSO organisation may be used as a starting template; (3) ROE may be drafted wholly by the national defence force using national ‘standard ROE’, without reference to outside aids.<sup>22</sup> While the U.S. military tends to take the third option and use its own standardised ROE policies and procedures for all military operations carried out by American forces outside U.S. territory and territorial waters, it is more common for nations within the international community to employ one of the first two ROE options.<sup>23</sup>

Whether adopted from another State or coalition of States, or taken from the PSO organisation or a national list of standardised ROE, the ROE template is next examined in reference to the national armed forces ROE ‘supplemental measures’ list, and any necessary modifications made.<sup>24</sup> In particular, the template ROE are examined to determine whether: (1) the standing rules of engagement and rules for the use of force are sufficient to accomplish the mission; and (2) if not, which national supplemental measures are needed, why they are needed, and under what circumstances they may be requested or authorised.<sup>25</sup> As a result of this analysis, certain individual template rules may be vetted and replaced with a national rule, and additional national supplemental ROE may also be added to the template.<sup>26</sup> Modifications might also be made due to the specific features of the MNO, or in consideration of recommendations made by the inviting party.<sup>27</sup> Lastly, consideration will be given to national obligations under the body of international law concerned with war known as the Law of Armed Conflict (LOAC), in addition to contemporary Customary International Law (CIL), and obligatory changes made to the list of national operational ROE (see endnote for more information on LOAC and CIL).<sup>28</sup>

This detailed ROE design is usually the task of Legal Officers within each national defence force, who play a key role in developing legally sufficient plans and orders that support the achievement of operational objectives.<sup>29</sup> Their primary responsibility is to identify important national legal considerations, such as legal authorities, constraints and obligations, and provide legal advice and recommendations that will shape the initial planning guidance of the operation.<sup>30</sup> Namely, they are charged with advising higher command of purely *legal* constraints and providing a risk assessment of the legal consequences of a diverse range of particular courses of action.<sup>31</sup> Their legal examination and assessment will result in a first draft of ROE, which while not a legal document in itself, will reflect all relevant national legal obligations.<sup>32</sup>

3. ROE are above all an *operational* rather than a *legal* matter however. For this reason, while Legal Officers are involved in the drafting process, the substance of ROE is in fact the domain of operational command and, as the NZDF legal manual points out, ‘their content should be resolved at the highest level of command’ (see endnote).<sup>33</sup> Consequently, the first ROE draft is typically submitted to the main headquarters of each national defence force (often a joint headquarters), in particular the department responsible for the planning of the operation (e.g. in New Zealand, the Strategic Commitments & Intelligence Branch of HQ NZDF).<sup>34</sup>

As the interconnect between the political and military spheres, it is the task of the planning department to assess the strategic commitment in light of the available means and budget, and then translate this information into high-level policy intent, as seen in their drafts of the operational mandate and ROE (potentially including caveats on security forces).<sup>35</sup> For this reason, the planning department may consider several different courses of action – which may or may not include wargame analysis in order to identify the strengths and weaknesses of each course of action – and will subsequently select the optimal operational plan for national forces.<sup>36</sup> Following this evaluation and selection process, the planning department will read through the first ROE draft and adjust the ROE where changes are considered essential to achieving specific objectives within the operation, with the ultimate goal of promoting effectiveness and unity of effort.<sup>37</sup> The planning staff will then complete an overview of this second draft of ROE and ensure that, in their totality, they conform with the overall strategic and operational direction for the deployment provided by high command.<sup>38</sup>

4. This second draft will subsequently be submitted back to the legal branch of the national defence force, to ensure the operational modifications comply with domestic law and national obligations under international law. In most cases, the compatibility of the second draft of national ROE to the ROE template formerly adopted from the MNO Lead Nation or the PSO organisation will then be assessed.<sup>39</sup> It is to be noted here that in instances where national ROE modifications and additions clash with ROE issued by the Lead Nation or the PSO organisation involved, national

considerations always prevail – regardless of the complications which may arise between disparate sets of ROE for allied forces operating on the ground.<sup>40</sup>

The NZDF law manual offers an explanation for this prioritisation of national interests over broader MNO concerns, stating:

In the event that NZDF contributes to a combined force it is usually the ROE of the major contributor which are proposed for use...In every case, however, it is the lawfulness, political acceptability and military acceptability of the use of force to New Zealand which is the deciding factor in the authorisation of ROE. ROE proposed for adoption from other sources are subject to the same clearance processes as those drafted by NZDF and may be altered, accepted or rejected accordingly [original emphasis].<sup>41</sup>

If any changes are made to national ROE at this stage, in order to promote better interoperability between the national contingent and other allied forces contributing to the MNO, the document will then constitute the third draft.

5. International legal approval will next be sought for the third draft of proposed ROE. This is an important step, since the ROE will be crucial in determining the actions taken – or indeed not taken – by the national contingent while posted to the PSO, and therefore the impact of the nation's contribution to the outcome of the MNO. In particular, approval will be sought from the inviting party, whether this is the leading nation within the coalition or the international organisation involved.<sup>42</sup> It is possible that advice given internationally at this stage of the formulation process may result in further adjustments, leading to a fourth draft of operational ROE (see endnote).<sup>43</sup>

6. Once this fourth draft has been read and approved by the highest-ranking chief of national military forces (e.g. in New Zealand, the Chief of the Defence Force), he or she will submit the ROE for government approval by the relevant government Ministers within the administration. These government Ministers usually include the Minister/Secretary of Defence, but possibly also the Minister/Secretary of Foreign Affairs and potentially even the highest-ranking executive official of government, the Prime Minister or President. In the latter case, the Prime Minister or President may be given additional security policy advice from a government committee (for instance, in the case of New Zealand, 'The Officials Committee for Domestic and External Security Coordination Committee'). Government sanction of the ROE can take two forms, depending on the importance of the operation to the survival of the government: (1) either broad approval will be granted in accordance with the general principles behind the ROE; or (2) specific approval will be given following close ministerial perusal of the complete draft.<sup>44</sup> Ministers, in keeping with their political posts, usually provide feedback on the draft during this stage, which may involve remarks, corrections, disagreements, and proposals for additional changes – often for strictly political reasons.<sup>45</sup>

In these cases the new modifications, once approved by legal branch, will comprise a fifth draft of national ROE.<sup>46</sup>

7. In the final step in the ROE formulation process, these Ministers will be asked to give final political approval and the document will be signed off conclusively at the political level. At this point the government-approved ROE will be issued or disseminated downwards along the military chain of command, especially to the appointed senior national Commanding Officer (CO) in command of the national deployment to the PSO (also known as the ‘National Commander’). This process is generally known as ‘tasking’.

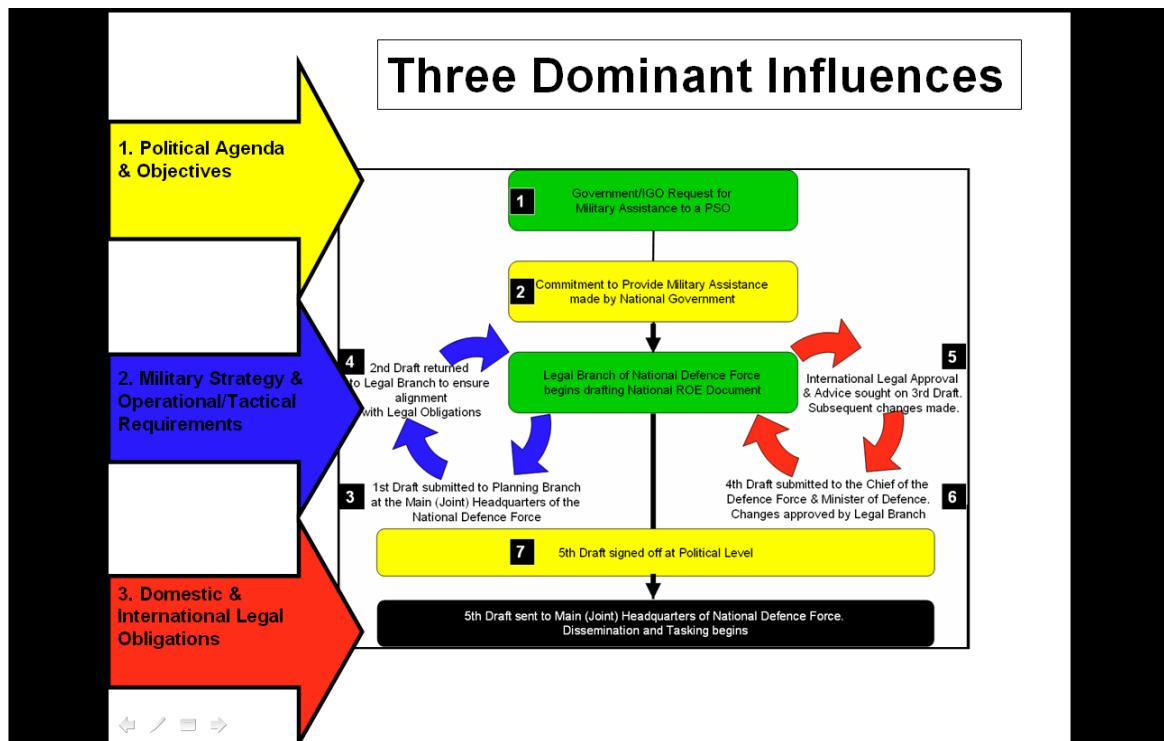
At the upper echelons, the planning department will send the approved ROE to the main headquarters of the national defence force, which serves as the pivotal interconnect between high-level security policy and low-level tactical operations, translating the one into the other.<sup>47</sup> Here the approved ROE will be incorporated into an official deployment document, the Operation Directive (OD), prepared specifically for the forthcoming operation. In addition, main headquarters will extract the most operationally relevant points from the mandate and other official documentation, and reformulate this information into an Operations Order (OPORD) to be given to the appointed National Commander.<sup>48</sup> It is customary for a full copy of the approved ROE to be included in the OPORD, often attached as an annex or appendix and appearing alongside other appendices containing instructions relating to logistics, intelligence, the treatment of prisoners of war and detainees, and force protection.<sup>49</sup> It may be that the official CO will be shown the original documentation to read through once in preparation for the operation. However, it is more usual for the National Commander to work from his or her own specific OPORD.<sup>50</sup>

At the lower echelons, meanwhile, the relevant operational points of the mandate, including ROE and any caveats will be incorporated into the training routine of military units preparing to deploy to the MNO.<sup>51</sup> This is so that, having been drilled in the correct operating procedure, national forces will be better equipped physically and psychologically to perform their duties correctly, in accordance with their own national guidelines and constraints. This is a matter of great consequence, both politically and legally, as any aberrations could lead to a dire situation with grave operational and international ramifications for the nation concerned. For this reason, it is crucial in the pre-deployment stage that soldiers are drilled to perform within the constraints of ROE well in advance of embarkation. As the NZDF legal manual states specifically on this matter: ‘Commanders are to ensure that the use of force restrictions are trained and drilled by those service members required to comply with them to the greatest extent that the operational environment will allow’.<sup>52</sup> Operational mistakes in theatre could lead to a legal firestorm, from which both the national government and its defence force will not escape unscathed (refer to endnote).<sup>53</sup>

Finally, all the original authorising documentation is usually stored at the main national defence headquarters for the duration of the operation, including all future revisions of the mandate documents that, due to their limited duration, must be renewed and re-approved by government periodically. It is very important that this original documentation is kept safe for the duration of national participation in the MNO since, as Shaw explains, it is these documents alone, signed off at the highest political levels, that give the national defence force the authority to put the lives of its military personnel in danger.<sup>54</sup>

### ***Three Dominant Influences in ROE Formulation***

As can be seen from this seven-step process, there are three main influences on the formulation of ROE for security operations: 1) the political objectives of national governments at the political level; 2) strategic and operational considerations at the military level; and lastly 3) government-wide domestic and international legal obligations (see *Figure 2.4* below).<sup>55</sup>



*Figure 2.4 – Three Dominant Influences on the ROE Formulation Process.*

At the national level, firstly, ROE are shaped by the political objectives sought by government through the operation. The depth and extent of these political objectives, and perhaps also the political will in government for the effectiveness of national forces within the MNO, may be seen from the broad National Policy Indicator (NATPOL) given to the operation, as contained within the ROE. There are commonly three NATPOLES: (1) ‘Take the Initiative’ whereby Commanders are

authorised to take the initiative within the ROE to resolve the military situation in favour of national interests; (2) ‘Maintain the Military Balance’ by the controlled application of force on the basis of reciprocity to keep military activity at status quo levels; and (3) ‘Reduce Tension’ by avoiding the use of force and any provocative activity.<sup>56</sup> For operations that can not be categorised in this way, a specific-to-operation NATPOL may be designed for the operation to encapsulate political will at the national level and guide military action on the ground.<sup>57</sup> These NATPOLs serve as an important reminder that, as the NZDF law manual states, ‘at all times military objectives remain subordinate to political objectives’ and that ‘it remains the sole prerogative of the Government to escalate, de-escalate, maintain or cease military action’.<sup>58</sup>

At the military level, secondly, ROE are influenced by high command who use them to constrain military activity in order that all tactical operations, in which national armed forces take part, conform to the overall military strategy and are carried out only to secure the designated objectives.<sup>59</sup> Thirdly, ROE formation is influenced by national obligations under domestic and international law, including LOAC and bilateral SOFAs between national forces and the government of the host State, as well as to world opinion embodied by CIL.<sup>60</sup> ROE may never authorise a use of force which is unlawful, and therefore will always be subject to intense legal scrutiny.<sup>61</sup>

In sum, ROE are binding instructions or ‘orders’ issued to national armed forces deploying to a PSO, the substance of which have been determined by operational command in accordance with the direction and constraints outlined by political powers. They reflect primarily political, then operational and legal requirements. It is the responsibility of military commanders to communicate these politico-legal constraints to all service personnel under their command, as well as to enforce strict obedience to the rules that have been sanctioned by the military’s political masters (via the invocation of military legal processes including military trials where necessary).<sup>62</sup>

## **The Binding Power of ROE: Enforcement & Punishment**

Once ROE have been designed and disseminated to the national contingent deploying to participate in a MNO, these politico-legal operational instructions are held firmly in place from this time onwards by two constructs which demand strict adherence: (1) political oversight from government; and (2) domestic military law in addition to LOAC.

The first of these is political oversight. Only the political authority over military forces – that is, the national government – has the power to approve changes to existing ROE issued to commanders. As the NZDF law manual states on the matter: ‘ROE are determined at the highest level, and changes to

the ROE will invariably require the approval of that highest level'.<sup>63</sup> This means that while commanders have a small amount of freedom to initiate more restrictive ROE when deployed in the field, this innovation occurs only *within* the initial framework of government-issued ROE. Commanders as a rule do not have the authority to take away or diminish pre-existing government-approved ROE, except on extreme and rare occasions when authority is specifically granted to him or her to do so.<sup>64</sup> This makes commanders both reliant on the government for direction, as to the constraints placed on their forces, and answerable to the government for all actions taken outside of the ROE framework, since any departure will inevitably subject that individual to disciplinary action and may even result in the termination of the commander's career in the armed forces. Thus commanders have a strong politico-legal incentive to remain obedient and comply with the ROE formulated by their political masters for the duration of any conflict in which national armed forces take part.

The body of domestic and international law relating to the military and armed conflict acts as a second construct to secure adherence to ROE. There are two legal imperatives for obedience to ROE by military personnel on operations: the first involving domestic military law and the oath of allegiance to obey superior orders; and the second concerning international law by means of LOAC. With regard to the former, while ROE are considered more of an *operational* rather than a legal device, meaning that they are not legally binding *per se* in the way that national mandates are, they are nevertheless tantamount to military orders or commands which, through their oaths of allegiance, all members of the armed forces have a sworn duty to uphold under national military law. As the NZDF *Operational Law Companion* states: 'ROE...are orders which reflect the law, as well as political requirements' [original emphasis].<sup>65</sup> It is therefore the duty of Commanders to clearly and concisely communicate these orders to their subordinates, and the duty of those subordinates to obey the orders to the letter.<sup>66</sup>

The second legal imperative for adherence to ROE relates to the way in which ROE are drafted with very careful attention to ensure they abide within the legal restraints of LOAC – the body of international law for the conduct of war that is also enshrined in domestic national legislation. Indeed, as mentioned previously, ROE are formulated to honour all of the nation's legal obligations to international conventions within the body of LOAC ratified by the nation in question. As the NZDF Operational Law manual also reiterates: 'ROE may permit military activity up to and including but not beyond what is permitted by the law of armed conflict (LOAC)' [original emphasis].<sup>67</sup> Consequently, in addition to a duty to obey superior orders, national defence personnel have a duty to comply with ROE out of deference to the nation's obligations to LOAC. In fact, as the highest law governing armed conflict and the ultimate legal standard for the lawful conduct of war, the duty of military personnel to uphold LOAC actually takes pre-eminence over the duty to obey superior orders.

All service men and women on operations have a personal duty and obligation to act lawfully during an armed conflict – even to the extent of disobeying superior orders that are perceived to be manifestly unlawful.

Consequences for non-compliance to ROE are grave. Any member of the armed forces who breaches either of these legal forces within ROE will be put on trial and prosecuted, with evident ramifications for the individual's career in the armed forces. The exact charges and whether or not the prosecution will take place within a civilian or military court will depend on the gravity of the crime and the preference of the State. The severity of the repercussions for disobedience will also depend on the extent of the breach. For instance, if a service member commits a minor breach of ROE, such as disobeying Orders for Opening Fire (OOF) or warning shots, the individual will be charged with having disobeyed superior orders, and thereby breaking the oath of allegiance (see endnote).<sup>68</sup> This is because, unless they are clearly unlawful, orders *must* be complied with in the armed forces. However, since the breach is a minor one, he or she will answer a domestic criminal charge only and be prosecuted within the ordinary criminal justice system of the State at a civil court.<sup>69</sup> If the individual is found guilty, the individual can be sent to serve time in a military prison, or in some cases, a normal State penitentiary.<sup>70</sup>

In contrast, serious breaches resulting in the highest offences are prosecuted by the military and may include: *genocide* (the intent to destroy a part or whole of a national, ethnic, racial or religious group); *crimes against humanity* (widespread crimes against the civilian population, such as extermination, enslavement, deportation, torture, rape, sexual slavery, enforced disappearance); and most applicable here with regard to ROE, *war crimes* (crimes against LOAC, with regard to the rules, means, methods, or protection of persons and objects, intended or likely to cause great damage or suffering).<sup>71</sup> If a service member commits a grave breach against ROE, and LOAC is broken resulting in a war crime, then he or she will usually be prosecuted under domestic military law and appear before a military tribunal (or in other words undergo a 'court martial'). The accused may be prosecuted not only under the disobedience sections of domestic military legislation, but also under LOAC, specifically the national legislation incorporating LOAC into domestic law (e.g. in New Zealand, the Armed Forces Discipline Act 1971 and the International Crimes and International Criminal Court Act 2000 respectively).<sup>72</sup> Under New Zealand Law, a person found guilty of committing a war crime must face the same penalty as for murder, namely a mandatory sentence of life imprisonment if the offence involves wilful killing, or imprisonment for life or of a lesser term in any other case (see endnote).<sup>73</sup> In other countries, however, punishment for breaches of LOAC could involve the death penalty.<sup>74</sup>

Usually the State will wish to prosecute and imprison a member of its own armed forces using its own institutions, without reference to international bodies.<sup>75</sup> However, if the State is *unable* or *unwilling* to prosecute the individual domestically, then the accused may instead be handed over to be tried at either an *ad hoc* conflict-specific international criminal tribunal founded by the UNSC for the purpose (for example, the International Criminal Tribunal for the Former Yugoslavia), or more commonly, the International Criminal Court (ICC) in the Hague, provided the State has legally ratified the 1998 Rome Statute of the International Criminal Court (refer to endnote) and thereafter implemented the statute into national legislation (in New Zealand, for instance, ‘the International Crimes and International Court Act 2000').<sup>76</sup>

Founded in 1998 by the UN, and empowered by the Rome Statute, the ICC is a permanent war crimes tribunal that has international jurisdiction in respect of: (1) the crime of genocide; (2) crimes against humanity; (3) crimes against the peace (that is, aggression, pending a precise international definition); and (4) war crimes.<sup>77</sup> It may exercise jurisdiction over the war crime once consent has been given by either the State of which the person accused is a national, or the State with sovereign control over the territory in which the crime occurred.<sup>78</sup> Instead of charges relating to domestic military law, the accused will be tried under the full body of international law relating to LOAC. If found guilty of committing a war crime, the accused will be subject to the following punishments, depending on the severity of the crime: a monetary fine; forfeiture of property derived from the commission of the crime; imprisonment in the ICC prison for a maximum of thirty years; or imprisonment for life where the offence is of an extremely serious nature.<sup>79</sup>

From this overview, it can be seen that both political and legal incentives exist to enforce adherence by national military personnel to ROE during deployments to MNOs, by National Commanders as much as by individual personnel serving under their command (see endnote).<sup>80</sup> In addition, knowledge or experience of the serious ramifications that inevitably follow any breaches of ROE – whether taught in theory or experienced by others in reality – also acts to encourage very strict obedience to ROE by military personnel deployed in the field.

## Conclusion

This chapter has provided an overview of ROE. It has defined exactly what ROE are, where they are found within the national mandate, and the role they play for national armed forces deploying to MNOs. In addition, the chapter has also explained the national politico-military process by which ROE are usually formed to govern national force contingents prior to each multinational campaign,

and subsequently, highlighted three of the most dominant influences in this process. Finally, it has investigated the powerful legal mechanisms by which ROE are imposed and enforced among national military forces deployed on operations on behalf of the nation, and the various punishments likely to be imposed on national military personnel following any non-adherence to these operational rules during deployments.

The following chapter will examine ROE even more closely, identifying the *content* of the rules and – most important of all for this research – pinpointing where national caveats can be found within ROE and to what they pertain.

## **CHAPTER 3**

### **“National Caveats”**

The previous chapter provided an overview of the body of politico-legal instructions known as ROE, which both govern and bind the national armed force contingents deployed by countries to operate as part of a multinational military force. This chapter will examine the concept of *national caveats* – the limitation and prohibition restrictions within these ROE, which have frequently posed a thorny impediment to the effective prosecution of multinational security operations around the world.

This chapter aims to introduce these national caveat restrictions. It will do this by: firstly, providing a definition of national caveats; secondly, outlining the increasing commonality of their imposition in international PSOs in the modern era; thirdly, describing the secret and sensitive nature of these operational fetters; fourthly, presenting the general content of ROE in relation to self-defence and mission accomplishment, and then identifying where national caveats may be found within this content; fifthly, explaining the two different types of caveat that exist within the rules; and finally, discussing the importance of National Commanders in relation to managing and enforcing caveat restrictions on national armed forces.

### **National Caveats**

National caveats can be defined as national restrictions or constraints imposed by political decision-makers on national armed forces to constrict the actions of armed forces deployed on operations. In other words, they are instructions delegated on military forces by civilian government officials which clearly limit or restrict what the military can do on behalf of the nation during a conflict. One recent definition, collectively agreed upon by NATO in June 2006 and published in NATO’s official glossary of terms, defines a caveat as:

Any limitation, restriction or constraint by a nation on its military forces or civilian elements under NATO command and control or otherwise available to NATO, that does not permit NATO commanders to deploy and employ these assets fully in line with the approved operation plan (Note: A caveat may apply *inter alia* to freedom of movement within the joint operations area and/or to compliance with the approved rules of engagement).<sup>1</sup>

Caveats are primarily political, rather than military, constructs. They mark the cut-off point of political will and sanction in the highest places, beyond which no service member has the legitimate authority to go. As such, caveats form a kind of insurance policy to aid the survival of political

masters, particularly those in democracies where survival is dictated by the shifting opinions of the civilian populace in response to government actions. In other words, caveats are the political bottom-line in military terms.

National caveats can be applied to any kind of operation, whether a humanitarian operation ('civilian caveats') or security operation ('military caveats').<sup>2</sup> Such humanitarian operations might involve purely civilian reconstruction deployments, or alternately joint Civil-Military Cooperation (CIMIC) missions in the form of Provincial Reconstruction Team (PRT) deployments (e.g. military engineering assistance to reconstruct important infrastructure, like roads and bridges, and essential buildings such as hospitals) or the insertion of medical emergency or evacuation teams to a conflict zone.<sup>3</sup> More commonly however – and of greater concern here in this research – are caveats imposed on military security forces deployed to a MNO to constrain their functions and operational role. Most significantly, these military caveats are often imposed on *combat* troops to restrict a national contingent's *combat* role. In these instances, caveats restrict the operational or tactical capacity of a nation's combat forces according to factors such as geography, logistics, time, weaponry, or command status.<sup>4</sup> To exemplify, combat troops may be prohibited from undertaking security operations after nightfall, or participating in offensive operations, or even from leaving the military base at all.

### **Caveats: A New Norm in Multinational Warfare**

Government imposition of prohibitive caveats have become a new – if somewhat alarming – norm in the conduct of multinational security operations. During most of the twentieth century, a century which gave rise to multiple wars and conflicts, the existence or presence of 'national caveats' on national forces committed to an international war campaign seems to have been an unheard-of phenomenon. Only since the early 1990s, and the eruption of multiple civil wars on the African continent and the former Yugoslavia, has caveat-imposition become an increasingly common feature of multinational military deployments, especially where national contingents form part of a multinational PSO under the auspices of an international organisation.

In this way, the trend seems to correspond with the increasing 'visibility' of war by means of the worldwide media, particularly television networks which have played a significant role in bringing into public view scenes of warfare that would once have been solely the purview of armed forces. The highly televised 1990-1991 Gulf War, during which journalists were 'embedded' within national force units and able to conduct live television broadcasts to an international audience as the war unfolded, is a case in point. In this sense, increased caveat-imposition within MNOs may be due in part to a heightened awareness within national governments that any action taken by deployed national forces operating as part of a security campaign, may potentially be seen by both national and

international audiences with consequent ramifications. In other words, increasing restraints on armed forces deployed to MNOs in the modern era of warfare may reflect the desire of national governments to protect the nation's image, despite the costs and ramifications of the restraints themselves on the effectiveness or success of the operation itself.

Whatever the motivations for this new caveat tendency among nations on the world stage, according to Auerswald & Saideman, caveat-imposition on national forces deployed to operate within modern multilateral security endeavours, stems from, and is intricately linked to, the issue of State sovereignty. As they state: 'For security organizations, the surrender of sovereignty by members is particularly difficult...countries almost never contribute forces to an alliance effort without a final say on how they are used'.<sup>5</sup> Indeed, since regional and international security organisations are formed on the basis that Member-States retain sovereignty, they must inevitably deal with the ramifications of this sovereignty whenever coordinating military forces for peace operations in support of international security.

Because of this State sovereignty, caveat constraints have regularly been placed by national governments on national military contingents over the past two decades, ostensibly for various political, military, historical and social reasons combined with disparate national interests and experiences with warfare (see endnote).<sup>6</sup> National caveats are imposed unilaterally by Member-States, which are under no obligation to refer to, or consult with, either the overarching security organisation itself or the appointed Operational Commander in command of the security operation in question (though some nations may voluntarily elect to undertake such consultations). Consequently, while the security organisation and its officials may employ their powers of persuasion with Member-States, in order to limit or reduce these unilaterally-imposed constraints on participating national forces, in reality neither the organisation or its officials have any real control over the ROE imposed on the forces of any Member-State contributing to an international security operation.

## **Caveats – Highly Classified**

Apart from the complexity of working around national caveat restrictions imposed on deployed international forces, another difficulty for security organisations running MNOs is the fact that – like all ROE – national caveats are considered by contributing nations to be top secret and are kept classified.

In fact, even the very term 'caveat' is itself a loaded word, with strong connotations of secrecy. This is because the term is often used by itself as an additional designating marker on classified

government material, to signal either that: (1) there is an additional restriction on the secret information, for instance, that it is not under any circumstances to be released or disseminated in any manner to citizens of foreign nations (e.g. the use of the classification marking ‘NOFORN’ meaning ‘No Foreign Nationals’ on classified documents in the U.S.); or (2) there is a binding condition on the classified material, for instance, that the information must be kept secret and confidential, but is nevertheless ‘releasable’ and may be shared with certain other allied or partner nations (for example, it may be shared with members of NATO or the members of the AUSCANNZUKUS ‘Five Eyes’ alliance). It is for this reason that the term ‘caveat’ (as opposed to ‘national caveat’) is defined in the U.S. Department of Defense *Dictionary of Military Terms* as: ‘A designator used with a classification to further limit the dissemination of restricted information’.<sup>7</sup> Likewise, the Australian Defence Force defines a single ‘caveat’ as: ‘An appendage to the security classification of a document warning that special handling is required for security purposes’.<sup>8</sup>

Government-imposed, politico-military *national caveats* imposed on deployed national armed forces participating to a MNO are kept secret for two principal reasons. Firstly, as a subset of restrictive rules contained within the body of a nation’s operational ROE, national caveats are kept classified along with all other ROE for reasons of national security. Namely, the restrictions are kept secret by governments in the interest of operational security, especially the protection of deployed national armed forces, in order to keep critical information about procedural seams, limitations or other disadvantages within the national contingent or wider MNF from Enemy forces. In this sense, governments keep their caveat restrictions secret in order to deny the Enemy actionable information which, if known, could give the Enemy an advantage to exploit, by alerting them to potential ‘attack openings’ or ‘exploitable gaps’ within the national contingent, or between the national contingent and other participating allied forces.

Secondly, national caveat rules of engagement are often kept classified to provide ‘political cover’ for national governments, especially in cases where the caveat restrictions imposed on deployed forces are particularly severe or numerous. In these situations, governments have an additional incentive to keep their national caveats secret, quite apart from the main reason of force protection – that being to avoid their force limitations being exposed to the security organisation in charge of the MNO or to other participating allies, and thereby to evade criticism, censure or ridicule from either party. As this research will reveal in relation to the ISAF operation in Afghanistan, the political cover afforded by caveat secrecy seems to be particularly sought by contributing nations to a MNO that are not generally seen to be carrying their ‘fair share’ of the burden in relation to conducting the more difficult security tasks within the operation.

Regardless of the inherent secrecy surrounding national caveats within a national contingent's ROE during multinational security operations, it is in fact national governments themselves which determine the extent to which their caveats will remain secret within an MNO. National caveats can exist in two forms within an international operation, depending on the degree of openness adopted by the national government towards the Lead Nation or leading organisation of an international operation, and the Operational Commander in charge of the mission. They may, on the one hand, be written and declared caveats – referred to as ‘official’ caveats – in which case a caveat document listing national restrictions will appear within either the national contingent’s mandate or the OPORD (and may potentially also be shared with the leading organisation of the MNO as well as the Operational Commander).<sup>9</sup> On the other hand, they may be unwritten and undeclared caveats – known as ‘unofficial’ caveats – in which case a nation’s ROE restrictions are communicated only orally to the appointed National Commander of the contingent, and are otherwise unknown either to the body leading the MNO or the overall Operational Commander.<sup>10</sup>

### **Official Caveats**

According to Auerswald & Saideman, ever since the 1992 MNO in Bosnia, it has become ‘standard procedure’ for nations contributing to a MNO to inform the lead security organisation of official operational caveats.<sup>11</sup> If an international operation is commanded by a leading nation rather than an organisation, for example the United States, it is also usual practice for force contributing nations to declare their official caveats to this commanding nation.<sup>12</sup> This disclosure of official caveats allows a ‘caveat spreadsheet’ to be created and given to the Operation Commander tasked with coordinating the MNO.<sup>13</sup> The spreadsheet assists the Operational Commander in the positioning of cavaleted forces within the operation, in terms of both location and tasking.<sup>14</sup>

However, due to the sensitivity of participating governments with regard to their caveat constraints together with their emphasis on secrecy, the multinational headquarters does not usually communicate these caveat restrictions to allied nations with national force contingents operating alongside the cavaleted forces, except when necessity requires it. Air Commodore (AIRCDRE) Greg Elliott of the NZDF, a former National Commander of the New Zealand-led ISAF PRT in Afghanistan and the senior national representative at U.S. CENTCOM in 2010, has alluded to this reality with reference to both the OEF and ISAF missions in Afghanistan. As Elliott explains:

Under the earlier OEF era of ‘bilateral multilateralism’ whereby partners entered bilateral agreements with the US, the US would have known the terms of such arrangements, but they never shared these with others. Now that AFG has become a NATO (ISAF) endeavour, national ROE and caveats would be known to HQISAF, but still not shared amongst other nations, except on a ‘need to know’ basis.<sup>15</sup>

There is one exception to this general rule, however, which concerns force contributing nations with lead command responsibilities within the framework of an MNO. According to LTCOL Nick Gillard, a former Chief of Staff at the NZ-led PRT in Bamyan Province, Afghanistan (CRIB 14, 2009) and the NZDF Military Advisor at the New Zealand High Commission in London in 2010, Lead Nations in command of operational sectors often receive a brief from multinational headquarters of the official caveats in force among the subordinate national contingents under the Lead Nation's command.<sup>16</sup> More rarely, nations with command responsibilities over smaller areas or compounds within a mission sector, such as PRTs within a MNO, may also be briefed by operational headquarters of the caveats imposed on force contingents under that nation's command responsibility.<sup>17</sup>

In addition, the supporting nations themselves may also choose to voluntarily disclose their declared national caveats to the commanding nation of their sector, via either the official operational chain of command within the mission or bilateral MOUs with the specific commanding nation, in the interest of aiding understanding, inter-operability and C<sup>2</sup> in the mission sector.<sup>18</sup> However, they are not duty-bound to do so and these caveat disclosures, if they occur, are made only to the commanding nation – not to other allied contingents operating in the same sector. According to Gillard, this is because ‘caveats are usually done nationally on a ‘need-to-know’ basis’ and consequently ‘there may be a reticence to share caveats with partners beyond those who command you’.<sup>19</sup> As Gillard further explains:

If I'm working for the Americans or the British I'm going to give them a copy of those caveats, because that's fair enough in RC-East so they understand – if I had them. But am I going to tell the Hungarians what my caveats are as I go into Baghlan? Probably not. Because it's 'need-to-know'...I might not tell the Turks...why would I? Am I going to tell the Turks what my caveats are? Probably not, [although] a necessity might lead me to, I might have to.<sup>20</sup>

In short, nations not holding command responsibility within a MNO will not usually be informed of the official caveat restrictions in place on the force contingents of their allies operating alongside their own national forces. Elliott has commented on this common practice among supporting nations within MNOs, stating:

National caveats are a sensitive issue with the nations involved. They don't share such information with other Coalition partners. It's not like we all know the various ROE or other constraints that each nation is operating under...It's largely a case of 'don't ask, don't tell'.<sup>21</sup>

Nevertheless, if necessity demands that caveated contingents communicate the content of certain restrictions to neighbouring forces, such as during the planning or execution of specific operations on the ground within the mission or in emergency security situations, the caveated contingent may opt to disclose this information to particular allied national forces on a case-by-case basis.

This practice of caveat non-disclosure to allied national contingents creates not only a caveat ‘knowledge gap’ between coalition forces on the ground within a MNO, but also a pervasive sense of uncertainty among national contingents with respect to their allies, which is difficult to rectify. Indeed, according to Gillard, even if one national contingent wanted or needed to find out the caveats restrictions of neighbouring contingents: ‘It’s a difficult process to do, to actually seek caveats and also for people to have the willingness to divulge them’ (see endnote).<sup>22</sup> In fact, it appears that in real practice the issue of national caveat restrictions is a subject that is hardly ever discussed between allied force contingents participating within an MNO. As MAJ Terrence Brown, a New Zealand Liaison Officer stationed at U.S. CENTCOM in 2010, has remarked on the issue: ‘It is not a matter I have ever discussed with other nations, nor do I need to. It is...a sensitive issue.’<sup>23</sup>

### ***Unofficial Caveats***

Caveat secrecy is greater, the knowledge gap wider, and the caveat situation made more problematic within MNOs with regard to unofficial caveats however. Because these government-imposed caveat constraints are neither written nor declared to the security organisation or nation in command of the MNO, but are nevertheless secretly in force to restrain the actions of participating national contingents, the effects of unofficial caveats are even more severe within a MNO than officially declared caveats. Indeed, it is difficult for the security organisation or nation in command of an operation, as well as other allied force contributing nations, even to ascertain what unofficial *ad hoc* caveats are in force on certain national contingents, except by observation and experience as other national contingents inter-operate with the contingent in question.

As a result, even more so than official caveat restrictions, unofficial *ad hoc* caveats have gained a notorious reputation within international security operations. In fact, during NATO’s operation in Kosovo unofficial caveats rendered the C<sup>2</sup> situation so difficult, that one senior Canadian commander serving with the NATO Kosovo Force (KFOR) described the underhand deception involved in allies’ use of unstated caveats as ‘insidious’.<sup>24</sup>

## **Rising Criticism of Caveats**

Secrecy has not prevented nations from coming under criticism for their caveats, however, as security operations on the ground have revealed the existence of caveats in practice. In Kosovo, for instance, where unofficial caveats are believed to have greatly contributed to the peacekeepers’ failure to repress violence during the Kosovo Riots in early 2004, many nations participating as members of the KFOR coalition were subsequently the recipients of much criticism and embarrassment.<sup>25</sup> Internationally, like the French and Belgians after the Rwandan war or the Dutch after the Srebrenica

safe-haven massacre in Bosnia, many nations could not shrug off the stigma of their security failures in such a volatile area, now the focus of so much international attention. In many of the KFOR Lead Nation countries this international criticism led to political scandals, as international criticism of poor performance by national troops infiltrated into national media outlets to become publicised nationwide, resulting in controversy within national parliaments.<sup>26</sup> Such negative reviews also led to a general decline in public support and political will for continued national participation in the KFOR operation at all (national caveat imposition and its effects within the KFOR operation will be discussed further in Chapter 4).

International criticism on the part of some coalition partners against others, regarding supposedly classified caveats, have oftentimes also created a good deal of tension, distrust and acrimony amongst allies participating in a particular PSO. So much so, in fact, that during the past decades national caveats have been regarded as highly politically sensitive. The issue of national caveat imposition within MNOs is so very sensitive in fact, that even long after the cessation of operations, military personnel are hesitant to speak of them or to provide specifics about their content, many refusing also to name the countries that have imposed caveats in the past.<sup>27</sup> Until recently, this ‘sensitivity’ had caused the very subject of national caveats to be ‘shrouded in mystery’, to the point that their very existence within MNOs was deliberately kept from becoming public knowledge.<sup>28</sup>

Nevertheless, as in former times following the Bosnian and Kosovo operations, national caveats imposed on forces deployed to operate as part of the ISAF in Afghanistan has caused the subject to be repeatedly and publicly revisited over the past several years. As during earlier MNOs, national caveats have once again risen to prominence as a major sore point and source of bitterness within the ISAF multinational campaign, especially amongst members of the NATO alliance in command of the operation in Afghanistan. As a result – and quite against the volition of the caveats’ political creators in many nations – the subject of national caveats has once again been thrown into the international spotlight and exposed to intense public scrutiny and debate. In this way the layers of secrecy over this issue have been stripped away, allowing in-depth analysis to occur for the first time on the role national caveats play within a PSO. This is an important event in defence scholarship, because it allows defence practitioners and academics to better understand ‘the limits and effects of international cooperation at the pointy end of the spear’.<sup>29</sup> As Auerswald & Saideman have rightly asserted, understanding national caveats – their variations and their causes – is key to understanding just how multilateralism works (or does not work) in wartime.<sup>30</sup>

In order to better grasp the challenges posed by national caveats within MNOs, one must first understand what kinds of restrictive instructions national caveats contain, and where they fit within the body of the ROE governing a national contingent’s operations. This is an area that, due to the lack

of research on national caveats, has generated much confusion among both civilian academics and military personnel to the present day (discussed further in Chapter 5). To understand the relationship between ROE and national caveats, one must first appreciate the connection between ROE and the use of force generally, and also come to terms with the two categories of rules contained within these politico-legal instructions. Correspondingly, the following is an overview of the usual content of national ROE imposed on armed forces deploying overseas, including a discussion of the rules within the two ROE categories pertaining to ‘self-defence’ and ‘mission accomplishment’ instructions.

## **Instructions for the Use of Force: The Link between ROE & Caveats**

ROE contain specific instructions relating to the use of force, and specifically, the means and methods by which lethal force may be legitimately and lawfully employed on the battlefield by military armed forces. According to the NZDF legal manual, ROE are issued in all circumstances where it may be necessary for members of the armed forces to use force and can cover a variety of force-related matters, namely: (a) the use of all weapons and weapons systems employed by members of the defence force; (b) the use of methods and means such as electronic warfare, illumination and harassment; (c) the use of non-lethal weapons; (d) the use of manoeuvres such as interposition or riding-off; (e) the exercise of powers in assistance to the civil power; and lastly (f) the search and detention of vessels, vehicles or persons (the latter including prisoners of war, detainees and those rendered *hors de combat* through illness, injury or shipwreck).<sup>31</sup>

Usually these rules will also include a list of definitions of key terms used within the instructions, for instance outlining what constitutes a hostile act, hostile intent, deadly force, non-deadly force, and who constitutes the Enemy. Principally, however, all ROE contain instructions in regard to two issues of critical import to military personnel in the field: self-defence and mission accomplishment.

### ***Self-Defence Instructions***

The first major issue concerns self-defence. When individuals, groups of individuals, or an armed force are declared Enemy, it is permissible for force to be used as a matter of course and *offensive* action to take place. The Enemy force may be attacked, at the discretion and judgment of the military commander, provided all offensive action is carried out with due regard for LOAC, prescribed ROE, and the orders and operational plan from higher command (see endnote).<sup>32</sup> Special rules govern the use of force in *defensive* action against an Enemy assault, however, where such action takes place in self-defence. These rules form part of ROE and apply to the use of force in both *unit self-defence* and *individual self-defence* in response to a hostile act or hostile intent.<sup>33</sup>

In discussing these concepts, it is first necessary to understand what a hostile act or hostile intent entails. Every State has its own definition of what exactly constitutes a hostile act or hostile intent in the context of operations, and they differ in length and scope (refer to endnote).<sup>34</sup> Generally, however, a *hostile act* may be regarded as an attack, or other use of force, by any person or foreign force: (a) directed against national armed forces, or those forces aligned with or under the protection of said national forces, including civilians; (b) or used directly to prevent or impede the mission or duties of national forces, including against any property or equipment which if lost will significantly impede the safe conduct of operations.<sup>35</sup> *Hostile intent*, by contrast, may be regarded as: (a) the threat or imminent use of force against national forces; (b) the threat of force to prevent or impede the mission or duties of national forces; or (c) conduct on the part of any person or foreign force which causes a commander to conclude that a hostile act is imminent.<sup>36</sup> In determining the latter, the commander must have ‘reasonable grounds’ to arrive at this conclusion, which usually involves consideration of the following factors: (1) the capabilities and physical actions of the person or unit presenting the threat; (2) available intelligence information; (3) the political situation at the time; and (4) specific guidance from higher authority.<sup>37</sup>

In terms of *unit self-defence*, firstly, Article 51 of the UN Charter preserves the inherent right of all Member-States to use force in self-defence, either by itself or collectively with other States, if an armed attack occurs against a nation’s sovereign territory, its interests, or another Member-State of the United Nations.<sup>38</sup> By extension, this means that any unit of the armed forces of a sovereign State deployed on operations overseas in the interests of that State, also has the legitimate right to use force in self-defence in the event, or threat of, an armed attack (see endnote).<sup>39</sup>

This right of unit self-defence is written into the ROE for any deployed force. To illustrate, the NZDF legal manual states on the matter:

It is the duty of every New Zealand commander to maintain the combat effectiveness of his or her unit and the safety of those personnel under his or her command. If subject to a hostile act or in response to a hostile intent, Unit Commanders may use such force as is necessary in the circumstances and is proportionate to that hostile act or deter that hostile intent.<sup>40</sup>

Likewise, within the ‘standing ROE’ of the U.S. armed forces it states that a U.S. unit commander has ‘the inherent authority and obligation to use all necessary means available and to take all appropriate action to defend the unit, including elements and personnel, or other U.S. forces in the vicinity, against a hostile act or demonstrated hostile intent’, which may also include the defence of Partner and host nation forces, in addition to civilians.<sup>41</sup>

In terms of *individual self-defence*, secondly, members of national armed forces are by extension entitled to take all appropriate action, using all necessary means available, for their own individual

self-defence or in defence of fellow compatriots-in-arms or allied personnel, and this right is similarly recorded in an armed force's ROE.<sup>42</sup> As the NZDF legal manual emphasizes: 'Each individual service member may use such force as is, in the circumstance as he or she believes them to be, it is reasonable to use to defend himself or herself or any person whom it is his or her duty to defend'.<sup>43</sup> This entitlement comes with the proviso, however, that self-defence is necessary and that the force used is proportional, meaning that the nature, duration and scope of the engagement does not exceed that required to counter the hostile act or hostile intent.<sup>44</sup> Military personnel acting in self-defence may not under any circumstances breach LOAC, nor disobey superior orders, including orders relating to fire discipline such as orders for opening fire.<sup>45</sup> This international right of personnel to individual self-defence may be limited, however, when such individuals are acting as part of a unit, whereby the degree of force used is decided at the discretion of the ranking military officer in command.<sup>46</sup>

The main role that ROE plays with respect to these rights of self-defence is to outline guidelines regarding whether and in what way military commanders may carry out defensive action to preserve combat effectiveness and the safety of personnel.<sup>47</sup> In situations in which national forces become subject to a hostile attack or hostile intent, for instance, ROE may lay out specific guidelines for action oriented around disparate courses of defensive action, usually a range of options involving low-, medium- and high-level force. To illustrate, the NZDF *Operational Law Companion* outlines three means of self-defence: (1) attempt to control without the use of force, if time and circumstances permit, by providing the opposing person or force with warnings and an opportunity to withdraw or cease threatening action (low-level force); (2) use force to control the situation if necessary, providing the force used is proportionate with the nature, duration and scope of the engagement not exceeding that required to decisively counter the hostile act or threat (medium-level force); (3) attack to disable or destroy the hostile force, authorised only when such action is the only prudent means by which a hostile act or hostile intent can be prevented or terminated, and only until the opposing force no-longer poses an imminent threat (high-level force).<sup>48</sup> Guidelines involving a graduating scale of responses, such as these outlined above, are standard in most ROE (see endnote).<sup>49</sup>

As can be seen by these examples, intrinsically all ROE guidelines issued to armed forces on operations in regard to the use of force in self-defence relate to the firm principles of *military necessity* and *proportionality*. These two principles, along with that of humanity, form the basis of all LOAC. Wherever conduct is not absolutely prohibited under LOAC, military action always proceeds according to the judgment of the ranking military officer. In reaching decisions, however, it is that officer's duty to consider the military necessity and proportionality of any action before giving the order to proceed.

A situation of *military necessity* is said to exist when either a hostile act occurs, or when a force or person exhibits hostile intent.<sup>50</sup> LOAC recognises and accepts the realities of war and does not require a State to allow itself to be destroyed (refer to endnote for more information on this point).<sup>51</sup> Consequently, armed forces of a State involved in an armed conflict are lawfully justified in using whatever force is necessary, within the boundaries of LOAC, to bring about the complete submission of the Enemy force at the earliest possible moment and with the least possible cost to itself in lives and resources.<sup>52</sup> However, in acting against legitimate targets, whether in offensive or defensive actions, States must not violate LOAC by using unlawful force, or commit acts of destruction that are not necessary to achieve the military objective. Unnecessary acts of violence, motivated by spite, revenge or personal profit, are similarly not justified and do not enjoy protection under LOAC.<sup>53</sup> As is often the case in the legal sphere, however, there is room for interpretation between various States on these points. To illustrate, some nations like the U.S. and New Zealand contend that military necessity exists when *either* a hostile attack or hostile intent situation takes place, while others hold the position that necessity exists in times of hostile attack only.<sup>54</sup> Nevertheless, the principle of military necessity remains firmly at the core of all LOAC governing hostilities.

The principle of *proportionality* is not at all precise, allowing some room for interpretation. It is calculated as the balance struck when the two concepts of humanity and military necessity are mentally weighed on a scale. While military necessity may automatically give armed forces the right to act in self-defence, the subsequent use of force – if not elsewhere prohibited under LOAC – must be proportional to be lawful. That is, it must be carried out with due regard for humanity – a level of basic respect for human life and that which sustains it, including due regard for cultural heritage and the natural environment in which human kind lives and draws its livelihood.<sup>55</sup> The infliction of suffering or destruction not necessary for the accomplishment of legitimate military objectives is completely forbidden under LOAC.<sup>56</sup>

Proportionality during self-defence is thus the use of only that amount of force necessary to decisively counter the hostile act or demonstrated hostile intent and to ensure the continued protection of the armed force.<sup>57</sup> When a situation of military necessity arises therefore, whereby an armed force must act in self-defence against a lawful target, it is the commander's duty when planning an attack to ‘balance the overall benefit of the military action proposed’ against the often inevitable ‘collateral or incidental damage which may occur as a result’.<sup>58</sup> Sufficient military benefit must be derived for the amount of harm done to ‘civilian objects’, including both persons and property. This means that while more force may legitimately be used in self-defence than that applied in the initial inbound hostile act or demonstrated hostile intent, and the Enemy force pursued and engaged for as long as it commits hostile acts or hostile intent, the attack can not lawfully proceed if the destruction likely to be inflicted on civilian objects during the attack is disproportionate to the overall military benefit

anticipated.<sup>59</sup> The exercise of the judgement required to achieve proportional military action, in the face of hostile action and intent on the battlefield, is palpably no simple matter – even for highly trained military personnel.

### ***Mission Accomplishment Instructions***

The second major issue of critical import covered within ROE, and one which is both more important and complicated than the former, concerns mission accomplishment. In fact, mission accomplishment has been described as ‘the driving force behind all ROE’.<sup>60</sup>

Mission accomplishment relates to the attainment of strategic and operational objectives through the defeat of Enemy centres of gravity, while at the same time providing sufficient force protection to minimise casualties.<sup>61</sup> According to LTCOL Womack of the U.S. Marines, ‘meaningful ROE must strike a balance’ between the two.<sup>62</sup> Correspondingly, mission accomplishment ROE typically contain guidance as to the means and methods of force permitted for use by armed forces while attaining these objectives. These means and methods refer to restrictions on weaponry and tactics, respectively, to be used on missions. Mission accomplishment rules may also contain operational criteria too, which commanders must meet to gain approval from higher command when planning new missions.<sup>63</sup> Generally there are three types or categories of ROE in relation to mission accomplishment: permission, limitation and prohibition rules. Each type governs the use of certain weapons and tactics, either to authorise or to constrain the force used.

### ***Authorisations***

The first category comprises authorisations permitting the immediate use of weapons and tactics, provided they are used lawfully in compliance with LOAC obligations.<sup>64</sup> The vast majority of ROE measures belong to this category, and can be described as largely ‘permissive’ rules.<sup>65</sup> Indeed, permissive measures are straight-forward rules for mission accomplishment, which generally lead to greater freedom of action on the part of military commanders on the ground. Nevertheless, despite the permissive nature of this first category, provided the tactic or weapon is employed lawfully, these ROE have not always proved satisfactory for the needs of counter-terrorist activities in the modern age of international terrorism.

A good example of this concerns the bombing of the *USS Cole* in 2000 when the ship was docked in the Yemeni port of Aden, refuelling at a floating platform 2000 feet from shore.<sup>66</sup> When terrorists driving a speedboat rigged with 700 pounds of explosives approached the vessel, the servicemen aboard could only comply within the constraints of the U.S. Navy’s ROE, a permissive rule which instructed a warning shot to be fired across the bow before any other action could be taken.<sup>67</sup>

Although this was the correct and lawful course of action under these ROE, the reality was that the crew had barely time to fire one such warning shot before the speedboat impacted the vessel, blowing a hole 32-by-36 feet wide in the hull and killing 17 sailors.<sup>68</sup> As LTGEN Michael DeLong (Ret'd), the Deputy Commander of U.S. Central Command (CENTCOM) at that time, concluded after the incident: ‘It was the worst attack on an American ship since World War II, and the worst terrorist attack on an American ship in history...They did what they were trained to do, but their rules were not appropriate for terrorism in the Gulf’.<sup>69</sup> As an immediate result of the attack, all craft entering CENTCOM’s area of responsibility had subsequently to adhere to CENTCOM’s ROE, which was better suited for the demands of counter-terrorism.<sup>70</sup>

### *Limitations*

The second category of rules available for mission accomplishment within military operations – and much more restrictive than the first – concerns ‘limitation’ rules. Usually only a small, minority group of ROE measures belong to this category, which allows national forces to use certain weaponry and tactics only after official approval has been sought and given by either the national Secretary or Minister of Defence, or the Combatant Commander of the operation.<sup>71</sup> Within a MNO, the combatant commander would consist of the nationally-designated National Commander of the contingent deployed to the international operation. In military terminology, limitation ROE – otherwise known as ‘*limitation caveats*’ – are often referred to as ‘yellow cards’. This is because a simplified but accurate version of limitation rules is often printed onto a yellow colour-coded card and issued to the senior national officer deployed to a MNO, who is then responsible for vetoing participation of the national contingent in individual operations.<sup>72</sup> It is this National Commander’s job to deny requests from operational command that exceed the national mandate provided by his or her government, by producing the ‘yellow card’ of national prohibitions.<sup>73</sup> Less commonly, yellow colour-coded cards containing the contingent’s limitation ROE are issued to all individual service members to avoid confusion about ROE amongst the ranks. In this case the yellow cards may also be known as ‘ROE cards’, ‘Orders for Opening Fire (OOF)’, ‘Rules for Opening Fire (ROF)’ and ‘fire cards’.<sup>74</sup>

An example of this second category of measures – a restrictive rule allowing an action only after official authorisation – concerns another speedboat hastening out of a Pakistani port in the wake of the 2001 OEF coalition campaign in Afghanistan. Intelligence indicated the speedboat contained fleeing Al-Qaeda operatives, however the boat had already crossed the 12-mile mark into international waters where the Law of the Sea held sway.<sup>75</sup> Although a number of Coalition ships were in the vicinity, the French and Canadian Coalition ships had elected not to take any action, leaving the remaining American ship to intercept the speedboat.<sup>76</sup> In this situation, in international waters, American ROE for the region allowed only two actions: (1) a warning by radio (an ‘authorisation’ rule); and then (2)

a warning shot over the bow following official approval (a ‘limitation’ rule).<sup>77</sup> The first measure, a radio warning, was issued by U.S. marines from the American ship without response. Higher authorisation was subsequently needed for the U.S. marines to take any other action, for which reason approval was sought from the Secretary of Defence, Donald Rumsfeld, by the ranking senior national naval officer, First Lieutenant (LT) Zinni, through the chain of command.<sup>78</sup> Permission given, the U.S. ship under Zinni’s command fired on the speedboat and shot out its engines.<sup>79</sup> Correct limitation ROE procedures had been followed.

### *Prohibitions*

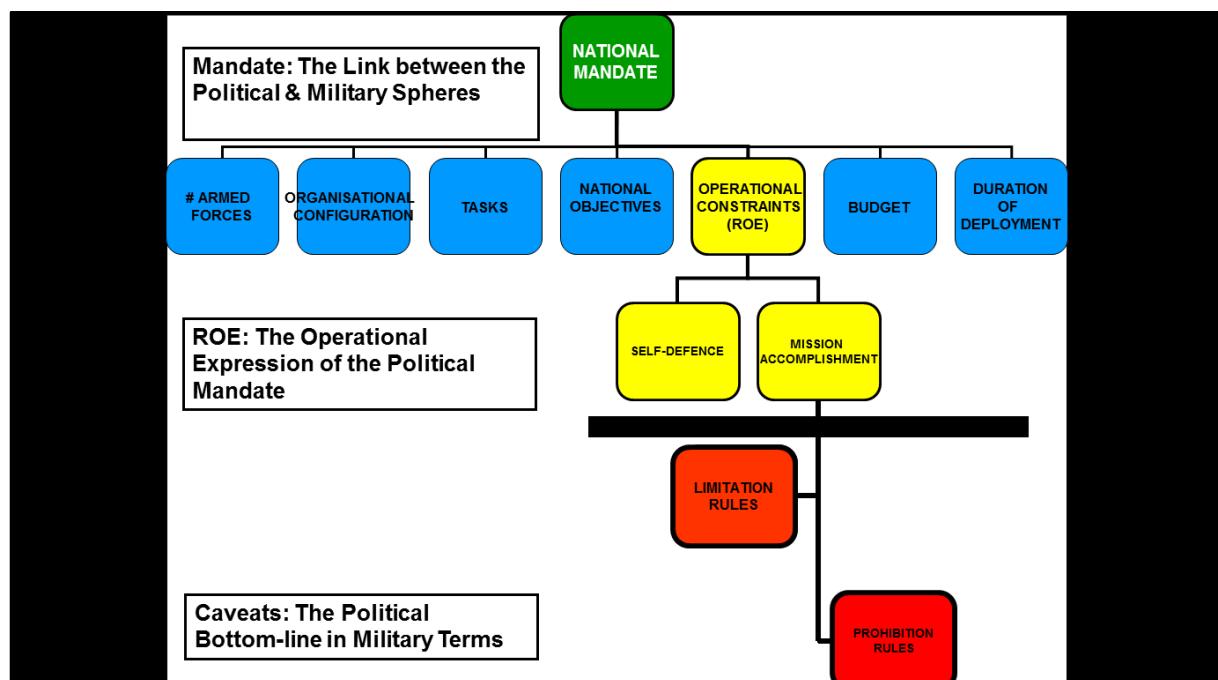
The third and final category of measures concerns prohibition rules, otherwise referred to as ‘*prohibition caveats*’. Usually only a very small number of these measures exist within the mission accomplishment ROE of deployed national armed forces, in comparison with the other two categories described above. These rules are outright prohibitions, forbidding absolutely the use of certain weapons and tactics in the conduct of security missions.<sup>80</sup> Very rarely, a prohibition measure of this type may, for clarity’s sake, also overtly authorise the use of a specific associated tactic or weapon (in order to make clear that while one rule is banned, another particular tactic or weapon is lawful and permitted for use by comparison).<sup>81</sup> While limitations on the use of certain weapons and tactics can be problematic, it is these prohibitions which can often prove to be detrimental to mission achievement, and indeed, severely impede the overall success of a particular security operation. In military terminology prohibitive caveats are often referred to as ‘red cards’. This refers to the red colour-coded card, containing a simplified but accurate version of the contingent’s prohibitive ROE, issued to the deployed senior national officer made responsible for vetoing participation of national armed forces in individual operations.<sup>82</sup> It is this senior commander’s job to categorically deny requests from operational command that exceed the national mandate, by producing the ‘red card’ of national prohibitions.<sup>83</sup>

To illustrate, during the NATO-led KFOR operation in Kosovo, the German contingent was prohibited by its national government from: (1) being deployed to high-risk areas; (2) from participating in high-risk tasks; (3) from using force in defence of civilian property; or (4) from participating in riot-control operations.<sup>84</sup> German KFOR soldiers could therefore only perform a ‘stand-aside’ role within the operation, and were incapable of mounting an adequate or robust response in the advent of any security crisis.<sup>85</sup> As a result of these government-imposed ROE prohibitions, during the subsequent Kosovo Riots crisis of 2004 German combat forces were legally unable to respond adequately to protect the minority Serb population in its Area of Operations (AO) against Albanian militia. Their caveats constrained what they could lawfully do. In this scenario, the ultimate consequence of the caveat prohibitions was that the peace-keeping contingent could not

feasibly achieve either of its mission objectives during the crisis, of either protecting the area around Prizren or guarding civilian property in the interests of ‘keeping the peace’.

#### *National Caveats: Limitation & Prohibition ROE*

It is these last two categories described above which both come under the politically-loaded rubric of ‘*national caveats*’ – elsewhere known as national ‘exceptions’, ‘restrictions’, and ‘limitations’ (see *Figure 3.1* below). This is because measures within these categories either significantly constrain the means (weaponry) and methods (tactics) armed forces may use to accomplish their missions during operations, or else completely ban the use of certain weapons and tactics altogether. In short, these two categories of ROE are restrictive in nature, limiting the way in which armed forces may prosecute their activities and operations in pursuit of their mission objectives.



*Figure 3.1 – Mandates, Rules of Engagement (ROE) & National Caveats: The relationship between the national mandate, ROE and national caveats.*

#### **National Commanders: Caveat Mediators**

From this description of limitation and prohibition caveats, in contrast with the permissive rules outlined previously, it is clear that the senior National Commander has an important role to perform with regard to national caveats. He is, essentially, ‘the middle man’ – the connecting link – between the national political sphere and national military forces operating on the ground in MNOs. With regard to limitation ROE, it is the role of this officer to apply for consent and authorisation to his or

her Minister or Secretary of Defence within the national government in the commander's home country. With regard to prohibition rules, moreover, it is the National Commander's job to 'say no' to the Operational Commander of the MNO when requests over-step the contingent's political authorisation, in the interests of the national government. In this way the appointed National Commander is the government's back-stop.

In addition, whenever national caveats are reduced or increased, the senior commander will be inevitably and intricately involved in this process. For instance, standing rules can be lifted in exceptional circumstances upon specific request by the Operational Commander (e.g. a limitation rule temporarily rendered a permissive rule, or alternatively, a prohibition rule altered to become a limitation rule). In these cases, it will fall to the senior National Commander to liaise between the national government at home and the Operational Command Headquarters in theatre.<sup>86</sup>

Since all decisions regarding the temporary lifting of a caveat must come from the highest political authority, that is to say, the relevant national government at home, it is also this commander's unenviable task not only to 'call home for permission', but also to wait for unknown periods of time for the reply, and then to communicate back to Operational Command Headquarters whether the national contingent can or can not participate in the operation. This can be a slow, frustrating and sometimes embarrassing process. To exemplify, the Canadian contingents deployed to both Bosnia and Afghanistan have been so heavily constrained in their movements and the ways in which they could be used by allies or Operational Commanders, that National Commanders have had to frequently 'call home to ask permission' whenever the Operational Commanders wanted to use the Canadian contingents.<sup>87</sup> Such delay can not only be frustrating or embarrassing, moreover, but it can additionally 'take time and create controversy both in theatre and at home', especially in an emergency situation.<sup>88</sup>

The practical on-the-ground impact of such delay on an Operational Commander's choices within a MNO is exemplified by an incident within the United Nations Transitional Administration in East Timor (UNTAET) operation deployed to East Timor. During 2000 an incident occurred whereby a number of civilians working for the UN High Commissioner for Refugees (UNHCR) became stranded in West Timor near the border with East Timor, where two companies of soldiers – one Australian and the other New Zealand – were stationed.<sup>89</sup> Needing rescue, their plight was brought to the attention of the Commander of UNTAET, who contacted both the Australian and New Zealand companies deployed closest to the forces needing assistance. The two contingents were prohibited by their operational ROE from crossing into West Timor and exiting their Area of Responsibility (AOR). As is always the case with regard to the temporary lifting of caveats, the two senior national officers of both contingents were not empowered to make their own judgment calls regarding contingent

participation, and had to obtain permission from their respective Ministers of Defence to undertake the rescue mission.<sup>90</sup> As is also usual in these instances, the necessity of obtaining official permission from their own national governments significantly delayed the rescue operation's reaction time.

However, the New Zealand chain of command for this official approval process was shorter (senior officer – HQJF Trentham – Chief of the Defence Force – Minister of Defence – Prime Minister), involving fewer people than the Australian chain of command for granting such a request (senior officer – Headquarters Joint Operations Command (HQJOC) – Chief of Defence Force – Minister of Defence – Government Ministers of Cabinet – Prime Minister – authorising documentation) thereby taking less time.<sup>91</sup> Gillard, who was stationed in East Timor at this time and witnessed this event has emphasised exactly this point. As he states:

I was there then and I know exactly what happened. We moved so much faster than the Australians. They probably had a whole bunch of fish-hooks along the way. We didn't have as many. We had a slicker chain of command, a shorter one, which is always a good thing – the less links in the chain the better.<sup>92</sup>

As a result, the Commander of UNTAET took the New Zealand route in which approval could be secured with the least delay. A request was made to the New Zealand contingent and, after thirty minutes of phone calls, NZDF helicopters were in the air to rescue the stranded UN personnel.<sup>93</sup> This was an end-result that, according to Gillard, ‘gave the NZDF huge amounts of kudos because the NZDF moved quickly and efficiently and safely’.<sup>94</sup> Although this emergency had a happy outcome, one can see by this example that in dire circumstances when prohibitions need to be lifted temporarily, long approval processes can have a tangible and unfavourable impact on real events in the security realm.

National Commanders may also, furthermore, be vested with authority to add to the rules, using his or her own discretion. To illustrate, when operational and tactical commanders of the United States armed forces deploy overseas on military operations, their issued ROE routinely contain a menu list of numbered ‘supplemental measures’, from which commanders may select suitable ROE for accomplishing each mission on which they embark.<sup>95</sup> U.S. commanders at all levels are authorised to add their own supplemental measures to the list of ROE – whether a further limitation or prohibition – on the proviso that: (1) they are *more* restrictive than those approved by the Secretary of Defense; (2) they are consistent with the directions of higher authority and relevant law; and (3) that due notification is given to the Secretary of Defense as soon as possible.<sup>96</sup> In other cases, National Commanders may be given the freedom, by his government, to alone determine the appropriate ROE for any given operation.

One may see by this that the amount of discretion given to a National Commander with regard to national caveats is consequently a very important factor in relation to a nation's military caveats during operations. Apart from official government removal or reduction of caveats, the National Commander and the degree of discretion given to this commander by the national government, is the sole mediating factor that can help to modify the impact or severity of national caveats imposed on national armed forces within a security operation.

## **Conclusion**

In conclusion, 'national caveats' are a highly classified and sensitive, yet increasingly important issue within multinational security operations today. They consist of restriction and prohibition rules, found within the body of ROE governing force deployments, and relate specifically to mission accomplishment. As the military operational expression of political will and commitment within government, national caveats are the most tangible form of politics on the modern battlefield. Only the governments that create them, and the National Commander 'middle-men' who enforce them, have the power to impose or modify national caveats in force on national contingents deployed to international military missions.

National caveats are becoming an increasingly problematic area in the business of multilateral warfare conducted in concert with allies. The following chapter will examine further this new area of concern, by examining the positive and negative impact of divergent ROE – especially national caveats – between national contingents deployed to a multinational campaign.

## **CHAPTER 4**

### **The Impact of Diverse National Rules Of Engagement on Operational Effectiveness within MNOs**

The preceding two chapters examined the important concepts of ROE within military missions, in addition to the ‘national caveat’ limitation and prohibition rules which frequently exist within ROE when national forces are deployed on international military operations. This chapter aims to assess the general impact of disparate sets of ROE, between all the parties contributing forces to a multinational mission, on the prosecution of international campaigns.

The chapter will do this by examining four aspects of the issue. Firstly, the positive and negative effects of ROE generally within military operations will be presented, especially with regard to C<sup>2</sup> systems. Secondly, the effects of diverse and often conflicting rules on the prosecution of MNOs will be assessed (with particular regard to national caveats), including their impact on the Operational Commander of the MNF. Thirdly, the practical on-the-ground effects of caveat imposition within MNOs will be exemplified with reference to several multinational campaigns over the past two decades between 1992-2012, led by both the UN and NATO. Lastly, the chapter will examine two different means frequently resorted to, by both international bodies and Operational Commanders, in order to limit the negative effects of these divergent rules and national caveats – namely, ROE ‘standardisation’ and mere ‘good management’.

### **The Practical Value of ROE: An Assessment**

ROE have, as previously stated, been defined by NATO as: ‘Directives issued by a competent military authority which specify the circumstances and limitations under which forces will initiate and/or continue combat engagement with other forces encountered.’<sup>1</sup> The NZDF goes somewhat further with its definition, stating in the *NZDF Operational Law Companion* issued to Legal Officers that:

ROE are directives to military authorities that delineate the circumstances and limitations within which the armed forces may use force. ROE are issued by higher command after consultation with the Government and they are used to ensure that so far as is possible, military activity aligns with political aims.. The essence of ROE is that they are orders of Government which tell our Forces when they may, or may not, use force, kill persons, or destroy property. This is a matter of no small importance, it is not a peripheral “legal matter” to be decided by disinterested experts. The question of when force is to be used, and how much, should be the subject of unambiguous, concise and precise directive.<sup>2</sup>

This definition expresses a dual purpose for ROE. Firstly, drafted as they are to ensure ‘military activity aligns with political aims’, it may be seen that ROE are quintessentially devices used by political masters to control the amount and type of violence inflicted in their name on the battlefield. Indeed, they are the most tangible form of political control within military operations. They may consequently be said to comprise the crucial lynchpin between the political and security domains during security operations.<sup>3</sup> The second more subordinate, yet equally important, purpose for ROE is a military one – providing commanders with the political limitations within which they may legitimately operate, and thereby providing a framework whereby ROE may guide and inform orders given to lower levels with respect to operations at the operational or tactical level of conflict. As the NZDF legal manual itself states: ‘The purpose of ROE is twofold: a. To impose necessary limitations and restrictions on the use of force in furtherance of New Zealand Governmental Policy; b. To give Service members the confidence to use force appropriately, lawfully and without hesitation when force is required’.<sup>4</sup>

### ***Advantages: The Positive Impact of ROE on Military Operations***

In light of this dual purpose then, it may be said that ROE serve as an advantageous tool for governments to effectively exercise *both* political and military C<sup>2</sup> over their national security forces.<sup>5</sup>

#### *Political C<sup>2</sup>*

With regard to the political sphere, ROE can serve as a device for imposing and enforcing political C<sup>2</sup>, thereby serving multiple functions on the part of civilian governments. Firstly, ROE may be used by a government to delegate authority, specifying exactly who in the chain of command may decide what force is to be used and when.<sup>6</sup>

Secondly, political leaders may use ROE as instructions to their military contingent on how to proceed with the mission, clearly defining ‘when, where, in what amount, and against whom force may be used by those units to achieve the national policy goals underlying that mission’.<sup>7</sup> It should be noted however, that these instructions may in reality be more oriented towards lowering casualties to protect the political survival of the government, rather than operational effectiveness, force protection, or adherence to the traditional principle of preventing escalations of violence. This is especially the case within democracies where the government’s hold on power is of limited duration and dependent on elections and the vote of the people, and even more so within those democracies of the West still living under the shadow of the Vietnam Syndrome, in which war casualties carry an expensive political price-tag.

Thirdly, ROE may be used by governments to control or mitigate the violence of operations and thereby better coordinate the use of force with other instruments of government in pursuit of a stated aim. To explain, all military deployments take place to advance national policy in pursuit of a specific political aim. Politics thus not only forms an operation's genesis, but also governs its execution and signals its termination via political agreements or treaties, thereby proving the veracity of the assertion made by Clausewitz that war is in reality: 'Not just a political act, but a true political instrument, the continuation of political interaction, and the carrying out of the same by other means...the political object is the goal, war is the means, and this means can never even be thought of without a goal' (see endnote).<sup>8</sup> As the NZDF legal manual likewise explicitly states in reference to New Zealand's armed forces: 'Operations by the NZDF are conducted in furtherance of NZ national policy, and are related to the political aims to be achieved. Within the framework of national objectives, direction is provided by the Government to CDF [Chief of the Defence Force] as to the military objectives to be achieved'.<sup>9</sup>

Nevertheless, force is only one weapon in the arsenal of the powerful. Other instruments are also at a government's disposal by which a pre-eminent political outcome may be sought, for instance diplomatic or economic measures. ROE may consequently be designed to restrict or alter the use of military force 'in manner, degree or circumstance', so that this instrument might more easily be coordinated with the other less coercive instruments of government and thereby ensure a '*flexible national response* is available for any contingency' [original emphasis].<sup>10</sup> In short, ROE may be used as political brakes on the use of force that work to assist the machinery of government, and thereby provide presiding power-holders with a wider range of options.

The fourth and final function of ROE as a means of political C<sup>2</sup> is to act as a safeguard on this instrument of force, or more expressly, to mitigate the risk of dramatic escalations of force that might lead to out-of-control situations with potential for dramatic national and international ramifications. As one NATO *Partnership for Peace* (PfP) document on ROE for MNOs states: 'National civilian leaders use ROE to ensure that military forces responding in self-defense do not use disproportionate force and thereby preclude the leadership from preventing the incident from leading to a wider conflict'.<sup>11</sup> ROE are thus a political backstop, whereby having made the decision to go to war and to unleash brute force as a tool towards a political end, governments can still maintain some degree of control over the force used, with the power to intervene should the violence escalate beyond what is deemed acceptable.<sup>12</sup> The rules ensure that military activity does not escalate out of control to the point that the government that authorises it can no longer control or govern its use.

## *Military C<sup>2</sup>*

As with civilian politicians, ROE can also be useful to national military commanders embarking on multinational military operations. Indeed, they have been described as a ‘critical command and control tool’ for commanders, consisting as they do of ‘a set of rules governing the firing of weapons and use of force by soldiers’.<sup>13</sup> ROE offer a number of advantages to commanders in the field.

Firstly, ROE can assist commanders by providing clear instructions regarding who in the chain of command wields actionable authority to issue orders, and direction as to when force is to be used and to what degree.<sup>14</sup> In this way ROE may not only provide clear guidance to commanders, but may also serve to reinforce the hierarchical command structure, which in itself constitutes one of seven important principles for effective military command.<sup>15</sup>

Secondly, ROE are useful to military commanders at both the operational and tactical levels of conflict. The operational level concerns the implementation of military strategy in a theatre of war through the planning and conduct of campaigns and the selection of tactical objectives, including the assignment of missions, tasks and resources to tactical missions.<sup>16</sup> By contrast the tactical level involves ‘the application of force in battle’ and refers to the actual planning and conduct of the battles to gain the assigned objectives, involving a combination of firepower and the movement (manoeuvre) of military units, all invariably operating within a climate of chaos and prevailing uncertainty – the hallmark of all war.<sup>17</sup> At both levels ROE offer critical guidance in the planning, assignment and execution stages to define: ‘When, where, in what amount, and against whom force may be used by those units to achieve the national policy goals underlying that mission’.<sup>18</sup> As one U.S. General and the former Deputy Commander of CENTCOM, LTGEN DeLong (Ret’d), has summarised in reference to ROE and armed forces: ‘The rules govern when they can fire, when they cannot; what type of force they can use, what type they cannot; what they can do in particular situations, and what they cannot’.<sup>19</sup>

Thirdly, military commanders may use ROE as a means of enhancing operational control, which involves the commander’s direction and deployment of assigned forces to accomplish specific delegated missions or tasks.<sup>20</sup> While ROE issued by high command must always be complied with, commanders from General to Lieutenant level may use ROE to further restrain the actions of their subordinates, since commanders at all command levels are permitted to issue their own ROE – provided of course that they are *more*, not less, restrictive in the use of force than those issued by higher command and approved by government.<sup>21</sup> Commanders might add additional, extra-restrictive ROE, for instance, if in their judgment these additional rules assist them in commanding and controlling their armed forces and/or in attaining the objective in a way that minimises casualties (whether friendly, civilian or Enemy – depending on the goal of the mission). As the NZDF

*Operational Law Companion* sets forth: ‘A Commander may choose to inhibit the potential for a localised conflict to escalate beyond the resource of his command to deal with’.<sup>22</sup>

Finally, when issued as directives to armed forces from the brigade (3-5,000) to platoon (30-40) level, ROE can give service personnel ‘the confidence to use force appropriately, lawfully and without hesitation when force is required’.<sup>23</sup> According to the NZDF law manual, ROE perform this function by providing the individual soldier with clear guidelines and procedures for the use of force in combat.<sup>24</sup> As DeLong also concurs on this point: ‘Battles can become very confusing very quickly, and a common soldier needs simple rules to guide him, to know when he is or is not allowed to kill – and who is and is not the enemy’.<sup>25</sup>

### ***Disadvantages: The Negative Impact of ROE on Military Effectiveness***

Despite these advantages, however, it is important to recognise that ROE restraints do not necessarily always serve to act in the best interest of national forces deployed on the ground in conflict zones. Indeed, to the contrary, these politically-based instructions can in fact be heavily disadvantageous to effective security operations. This is because with ROE being primarily *political* devices and ‘not used for purely military purposes’, they can often prove detrimental to military missions, acting as fetters to the robustness and flexibility necessary in the art of conducting war to attain outright victory in military engagements.<sup>26</sup>

In terms of national contingents deployed to MNOs, for instance, acting in accordance to prescribed ROE can result in a number of negative consequences for a national contingent’s ability to achieve assigned tasks towards set objectives, as well as for the contingent itself. First, in terms of military C<sup>2</sup>, ROE can frustrate the national contingent commander’s planning by limiting the available options and hindering his or her ability to effectively carry out assigned mission tasks towards selected objectives. Second, at the level of the unit, ROE can retard a unit’s ability to spontaneously seize chances and make use of rare opportunities, while also inhibiting the unit’s ability to attain the element of surprise against the Enemy force. Third, through a combination of the above, ROE can ultimately cause casualties and even cost the lives of personnel serving the nation’s interests under military command, which is always a very serious matter. The NZDF’s own legal manual attests to these negative ramifications, freely acknowledging that:

For national policy reasons ROE may put tight constraints on the conduct of military operations. A commander may also be precluded from conducting military operations purely and simply in terms of what is best from a military perspective. ROE are primarily politically and not military driven. The political situation may require de-escalation at a time when militarily this seems undesirable. National policy considerations drive ROE, with the result that often “ideal military opportunities” are wasted, possibly resulting in the loss of lives of Service members [original emphasis].<sup>27</sup>

One can see by this just how ROE can become a dire headache for any National Commander operating within a theatre of war. They can interfere with a commander's ability to make the best out of every tactical opportunity – forbidding actions that are desirable or even necessary militarily to prevent negative escalations in the conflict.

National caveats are especially harmful in this regard, impinging drastically on the flexibility and freedom of action of national armed forces. In setting forth how the National Commander can actually use the force assigned to him or her – that is to say, making clear the methods and weaponry the commander can *not* utilise – caveats change the way that a commander can both *act* towards the objectives and *react* to events in the field. They can therefore be very costly, not in monetary terms, but more importantly in terms of ceding military advantage to the Enemy, delaying the seizure of objectives, and losing rare and priceless opportunities to swing the balance of power towards the allied force (whether at the micro or macro level), thereby causing irreversible harm to the war effort. Inappropriate ROE can also accelerate exhaustion among military commanders, since caveat restrictions force them to become very creative in their problem-solving, wasting time and energy that could best be put to use elsewhere.

Explained in another way, caveats often serve to guarantee a poor outcome for the amount of treasure, effort and lifeblood invested by any particular nation. In handicapping national contingents, they have the potential to diminish – even negate – the military contribution the nation has made to a peace support endeavour. One must conclude, therefore, that ROE are the ‘teeth’ of government control over security operations, and the area in which soldiers in the field will most keenly feel the bite of their political masters.

### ***The ‘Great Divide’ Between Politicians & Military Commanders***

From this overview it is clear that there exists a significant gap in thinking between military leaders and their political masters, exposed most starkly by this device known as ROE. Civilian leaders do not always understand the nature of war or the business of conducting warfare, thereby imposing constraints that, militarily-speaking, do not allow for the best course of action. Indeed, the constraints embodied within ROE can cede opportunities, surprise and the overall advantage to Enemy forces, much to the chagrin of military commanders on the ground who have been asked to do what may often seem impossible: to achieve specific military objectives with a very limited range of means and methods. Through ROE, politicians might quite plausibly be sending military personnel into harm’s way with their hands tied behind their backs.

Nevertheless, since war is an expression of politics – and merely an instrument of the political realm – it is evident that political factors must always prevail over the security domain. As Clausewitz argued on the matter, if in reality war is innately an extension or tool of policy, military leaders *must* be subordinate to political leaders, and military strategy to political policy.<sup>28</sup> Indeed, according to Clausewitz: ‘He who maintains, as is so often the case, that politics should not interfere with the conduct of a war has not grasped the ABCs of grand strategy.’<sup>29</sup> For Clausewitz, who spent much time reflecting on the conflicting realities in war, the only solution to this struggle of opposing forces – politicians advocating restraint in view of policy aims, on the one hand, and military commanders requiring freedom of action to achieve these aims through military means, on the other hand – lies in ‘dualism’. As he concluded on the matter:

The military instrument must be subordinated to the political leadership, but political leaders must understand its nature and limitations. Politicians must not attempt to use the instrument of war to achieve purposes for which it is unsuited. It is the responsibility of military leaders to ensure that the political leadership understands the character and limitations of the military instrument. There is thus a gray area between soldiers’ subordination to political leaders and their professional responsibility to educate those leaders in military realities.<sup>30</sup>

This ‘grey area’ remains a challenge of our time, especially in the context of modern warfare, and even more so, modern counter-insurgency campaigns in which the political and military spheres are inextricably intertwined. When this political-military gap is considered in relation to multinational command within international security operations involving scores of national contingents under international command, moreover, this area can look very grey indeed.

It is this grey area and the dynamics of these interactions between the political and military spheres that will be explored in greater depth and detail in the following chapters, as applied to the study of the national caveats imposed on national contingents within the multinational ISAF operation, and their impact on the effective prosecution of security operations in the theatre of Afghanistan. Before commencing this study, however, one must consider not only the positive and negative impact of ROE on national governments and contingents, but also the positive and negative impact of diverse and sometimes clashing sets of national ROE between the various national contingents deployed to MNOs. What effect do multiple sets of competing instructions with regard to the use of force have on the successful and effective prosecution of multinational security campaigns?

## **The Complexity of Disparate ROE within MNOs**

In Chapter 1 the vital concept of unity of effort for effective multinational security campaigns was explored, in addition to the underlying structures of unity of command and cooperation, coordination

and consensus. Dwight D. Eisenhower, the supreme commander over more than one million allied forces in both the European and North African theatre of operations during World War II, once concluded that true unity of effort within an allied operation ultimately depended on the cooperation between individual senior officers and soldiers involved in the military enterprise. As he wrote in his memoirs:

Since cooperation, in turn, implies such things as selflessness, devotion to a common cause, generosity in attitude, and mutual confidence, it is easy to see that actual unity in an allied command depends directly upon the individuals in the field...It will therefore never be possible to say the problem of establishing unity in any allied command is ever completely solved. This problem involves the human equation and must be met day by day. Patience, tolerance, frankness, absolute honesty in all dealings, particularly with all persons of the opposite nationality, and firmness, are absolutely essential.<sup>31</sup>

Nevertheless, in MNOs today individual servicemen in the field – deployed to act on behalf and in the interest of their own particular nation – can in fact only cooperate with allies *within* the boundaries or limitations prescribed for them by their political masters. That is to say, the degree of cooperation exhibited by national military officers depends almost entirely upon their own nation's commitment to the cause and to the national goal for which the operation was authorised. In short, the degree of cooperation exhibited by a nation's armed forces with other international armed forces within a MNO depends entirely on that nation's political will. This is a commitment most clearly indicated by the nation's mandate governing its deployed armed forces and the ROE instructions contained therein. Specifically, the extent of a nation's political will and commitment to a MNO is best measured and expressed by the number and scope of the caveat limitations and prohibitions contained within the force contingent's ROE. This is because caveat imposition is indicative of a national government's position on force protection in contrast to attaining the security objectives of the mission in hand, and in particular, which of the two is the higher priority in national terms.

Indeed, national ROE within national contingents deployed to a MNO play a very important role in the multinational C<sup>2</sup> process. They are capable of both helping or hindering unity of effort within international, combined operations. One the one hand, when ROE are standardised amongst the contributing nations to a MNO, thereby reducing the operational and procedural differences and obstacles between partners to a multinational campaign, unity of effort is 'greatly enhanced'.<sup>32</sup> As the American Department of Defense *Joint Doctrine for Multinational Operations* publication outlines, such standardisation measures are important for achieving the closest practical cooperation possible between allies and enable the most efficient and effective multinational warfighting capability.<sup>33</sup>

However, on the other hand, when operational ROE are not standardised, the diversity of national instructions in existence between allied contingents can in fact serve to erode operational C<sup>2</sup>. Diverse

sets of rules overseen from national capitals within national chains of command can interfere with the command of the Operational Commander of the MNO. For instance, ROE may prevent national contingents from obeying direct orders or responding positively to requests by the Operational Commander. In this way, disparate sets of national ROE can seriously undermine unity of command.

Moreover, diverse rules – especially very restrictive national caveats – can also hamstring large portions of the overall force, limiting or forbidding their combat capability, and thereby the extent to which they can actually be used by the Operational Commander in security operations. This is a serious impediment since, as one University of Edinburgh paper on MNOs explains:

In the end, a military's basic function is to have the ability to use force to impose its will on an adversary. As such, MNF forces working within the ranges of MOOTW/SSC [Military Operations Other Than War/Small Scale Contingencies] must be able to rapidly shift to the “use of force or threat of force” to ensure mission accomplishment...The MNF “must be ready to fight” (or transit to fight) at all times. MNF planning and execution actions must acknowledge this.<sup>34</sup>

Constraining the combat ability of security forces within a multinational security operation has, at a minimum, three negative effects: first, it harms the most crucial aspect of control, compatibility and interoperability; second, it leads to unequal burden-sharing between the contingents, whereby some contingents take part in the fighting, while others do not and thereby hold a so-called ‘stand aside’ role within the MNO (disproportionate burden-sharing as a result of this ROE division between ‘fighting’ and ‘non-fighting’ groups is in fact one of the clearest symptoms of the existence of disunity of effort caused by contradictory ROE between national contingents in a MNO); and third, as a result of these disparate rules and the resulting division of the forces, tangibly negative consequences can result on the ground in terms of the successful prosecution of tactical security operations. In this way, diverse and contrasting sets of ROE can also severely hinder the degree of cooperation, coordination and consensus within the MNF.

This adverse mixture of a lack of unity of command combined with a lack of cooperation, coordination and consensus – both caused by disparate ROE instructions within various contingents to a MNO – erodes unity of effort across the mission, the most important command element for successful multinational security operations. Indeed, one could go so far as to argue that diverse sets of national ROE within multinational campaigns – especially with regard to caveat limitations and prohibitions – can act as guarantors of *disunity* of effort, and thereby, operational *ineffectiveness*. Diversity of national ROE within a MNO not only erodes unity of effort, furthermore, but is also indicative of a lack of unity of purpose – one of the central constructs underpinning multinational unity of effort. As Canna states: ‘Without unity of purpose a coalition will necessarily lack unity of

effort and unity of action, and individual actions by coalition members may be in competition and conflict with one another'.<sup>35</sup>

Despite these sobering realities, it has been argued in some quarters that the imposition of national caveats is a ‘natural’ and ‘inevitable’ practice, given the sovereign status of parties to voluntary military coalitions, in addition to the desire by governments to ensure the protection of their forces deployed on mission overseas and to prevent or reduce casualties among military personnel.<sup>36</sup> However, while in the short term it may be true that caveats do indeed safeguard national interests by keeping national forces out of harm’s way and thereby securing low casualties amongst national personnel serving as part of the mission, in the long term the imposition of such caveats may actually serve to endanger both national and international interests by jeopardizing the successful execution of the mission, often with manifold negative consequences.

In some cases, national caveats, which are oftentimes essentially inappropriate ROE for the operation at hand, may even cause the failure of the entire military mission. In other cases, insufficient mission progress engendered by such inappropriate rules, may cause the conflict to be prolonged, thereby necessitating a longer period for the successful completion of the mission, accompanied by more and longer national deployments, and ultimately even higher casualties as military personnel are put in harm’s way for longer, extended periods of time.

## **Examples: Negative Caveat Effects within MNOs**

Indeed, the record shows that the imposition of national caveats by multiple parties to a coalition have time and time again proved detrimental – even disastrous – to the effective conduct and successful completion of the mission, for which purpose the coalition was originally formed and forces deployed abroad. The past two decades alone have seen plentiful examples of this grim reality – in MNOs operated by both the UN and NATO.

### ***UN-led Operations***

To illustrate, during the UN multinational peacekeeping operation in Angola in 1992, restrictive and inappropriate national caveats were imposed on several Scandinavian UN force contingents deployed to United Nations Angola Verification Mission II (UNAVEM II).<sup>37</sup> When the security situation suddenly and dramatically deteriorated in the country, these caveats frustrated and thwarted attempts by the UN commander, New Zealand Army Brigadier (BRIG) Roger Mortlock (Ret’d), to safely evacuate UN personnel from the UN compound in Huambo in the face of oncoming armed and hostile militia.<sup>38</sup>

More infamously, during the civil war in Rwanda in 1994, Belgian UN peacekeepers deployed to United Nations Assistance Mission for Rwanda (UNAMIR) were prevented by national caveats from fulfilling their mission. The Belgians were tasked with guarding a school compound in a suburb of the capital Kigali, where 2,000 Tutsi had gathered seeking UN protection from the rampaging Hutu. However, the Belgians were only authorised by national ROE to use lethal force to shoot dogs surrounding the compound, and were simultaneously prohibited by national caveats from using the same lethal force against an armed Hutu militia seeking entrance to the compound. These starkly inappropriate caveats consequently prohibited them from being able to afford any real security or protection whatsoever to the Tutsi civilians they were deployed to protect. The Hutu subsequently entered the compound and massacred all the civilians sheltering there (see endnote for more details).<sup>39</sup>

Likewise in Bosnia in 1995, a Dutch contingent of UN Protection Force (UNPROFOR) peacekeepers tasked with guarding from attack a UN ‘safe haven’ located in Srebrenica in eastern Bosnia, where thousands of Bosnian civilians were sheltering from Bosnian Serb aggression, were prohibited by national caveats from using lethal force against Serb forces when they invaded the safe-zone. The Dutch personnel were compelled to helplessly stand aside and watch over a period of five days, as the Bosnian Serbs methodically killed 7,000 Bosnian males (both men and boys) all of whom had sought UN protection there under Dutch command. The slaughter became known as the worst atrocity in Europe since the Second World War and – along with Rwanda – one of the UN’s greatest shames (refer to endnote for more details).<sup>40</sup>

### **NATO-led Operations**

Such scenarios are not limited to MNOs lead by the UN however. National caveats have also wreaked havoc in multinational security operations commanded by NATO in the former Yugoslavia (see *Figure 4.1*).

Between 1992-1995, NATO led two enforcement operations in Bosnia following NATO’s successful air campaign against Serbian President Slobodan Milosevic and his military forces. These were the naval ‘Maritime Guard’ and aerial ‘Deny Flight’ operations (also providing close air support to the UNPROFOR mission simultaneously operating within Bosnia, Herzegovina and Croatia), subsequently followed by the 1995 ‘Deliberate Force’ bombing campaign against Bosnian Serb belligerents.<sup>41</sup> After the July 1995 Srebrenica massacre, under the purview of UNPROFOR, the ground peace-keeping mission was replaced by a NATO-led ground operation – the NATO Implementation Force (IFOR) – comprising 60,000 troops drawn from NATO countries (the mission would subsequently be transitioned into the NATO Stabilisation Force (SFOR) and ceased in 2004).<sup>42</sup>



Figure 4.1 – Map of Yugoslavia prior to and following its Fragmentation.<sup>43</sup>

However, a large majority of the national force contingents deployed to this IFOR mission were heavily constrained in their enforcement activities by national caveats which forbade them from ‘operating in specific ways’.<sup>44</sup> The effect of such an array of constrictive government-imposed caveats on the operation was that many NATO national force contingents were prohibited, like the Canadian contingent, from moving out of their sectors or even from being used at all by the Operational Commander without first ‘calling home’ and receiving specific permission from their governments in their own national capitals.<sup>45</sup> This was a process that was time-consuming and operationally costly to effectiveness – especially when permission was often refused.<sup>46</sup>

During NATO’s subsequent security operation in Kosovo (1999-present), an array of national force contingents participating in the KFOR operation were again deployed severely bound by national caveats in their ROE, especially with regard to participating in KFOR riot-control operations or any action to protect civilian property. When a violent Albanian riot broke out against the minority Serb population there in March 2004, these national caveats prevented many NATO contingents deployed across Kosovo from intervening to protect the Serb population from 51,000 Albanian rioters, who subsequently carried out a campaign of ethnic cleansing over a period of three full days. The result was death, injury, the destruction of approximately 700 homes and multiple Serb villages across Kosovo, and the displacement of 41,000 of the targeted Serbs (see *Figure 4.2*).<sup>47</sup>

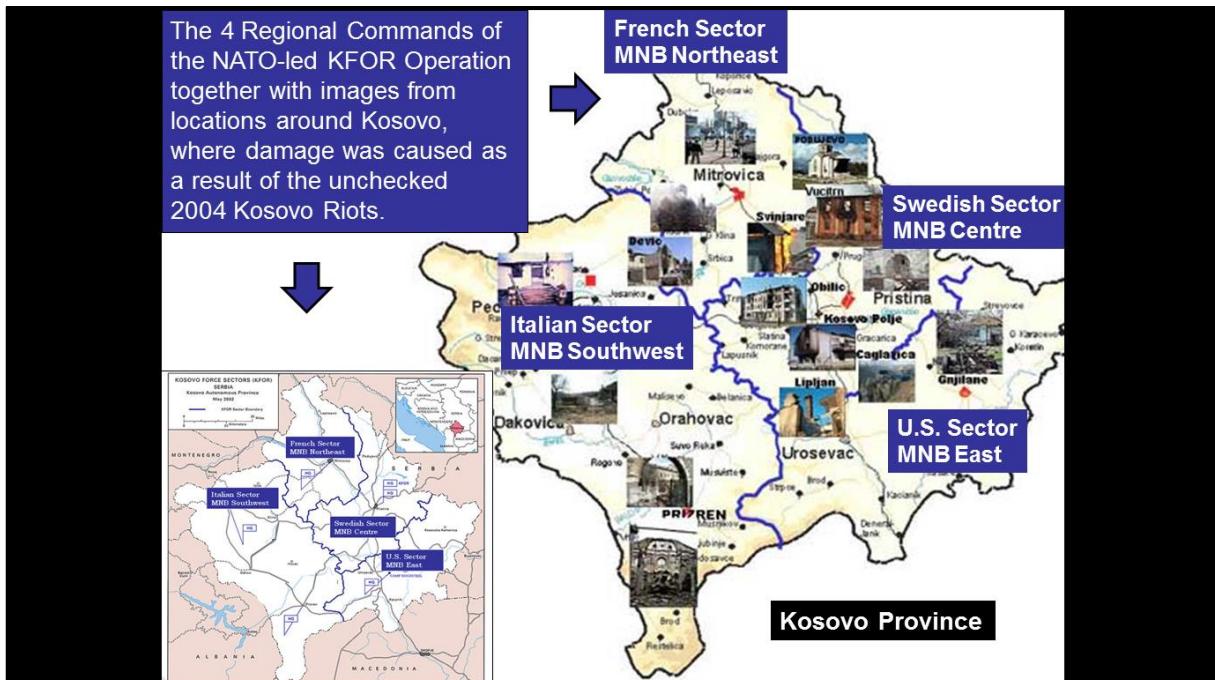


Figure 4.2 – Destruction caused by the Kosovo Riots within the KFOR Operation.<sup>48</sup>

This particular example of caveat-generated chaos in an operation under NATO command is more fully explored and examined in APPENDIX 1 ‘*A Case Study: Disparate ROE within the NATO-led Kosovo Force (KFOR) & the 2004 Kosovo Crisis*’, located in *Volume II* of this research. The incident may be seen as a telling precursor to the serious caveat situation that has emerged within the NATO-led ISAF mission in Afghanistan. Indeed, since the issue of problematic national caveats within multinational security operations was not at all properly addressed or resolved by NATO following the two MNOs described above (discussed further in Chapter 8), it seems almost self-evident that the issue of heavy national caveat imposition would yet again resurface within NATO’s next, third and largest multinational security operation in Afghanistan.

### **Caveats: Counterproductive to Multinational Unity**

As may be seen by these examples, caveats are often impediments within multinational campaigns to both unity and unified actions – especially during security crises. Indeed, with regard to the UN, restrictive and counterproductive caveats ultimately caused the complete failure and cessation of the UNAMIR mission in Rwanda. As for the NATO KFOR mission, the disunified response by contingents to the riots were a key failure for the mission and also a serious setback to stability in this volatile province of the former Yugoslavia. In addition to the civilian price-tag of this unchecked rampage, KFOR’s inadequate response to the riots – caused principally by widespread imposition of national caveats – eroded the trust of Serb population for their so-called NATO ‘protectors’, resulting in an overall loss of progress within the mission in addition to harm to the reputation of NATO itself.

These examples tangibly demonstrate that while, politically, the imposition of national caveats may succeed in protecting the interests and personnel of participating parties to a military mission (though not the nation's reputation), operationally they have, to the contrary, proved counterproductive to the conduct and success of the multinational mission itself. This is especially true where caveats have been imposed in high numbers and by a wide array of force contributing nations to international missions. In operational terms then, it is reasonable to conclude that national caveat restrictions are undesirable and harmful political constructs in any military security operation.

Further, the examples illustrate that it is in fact the nations participating in an operation, rather than the flag-waving supranational organisation officially running the operation, that hold a monopoly of power over armed forces deployed in an operation. Moreover, this national power may not be working in the best interests of the security operation and its objectives at all, but rather to benefit or enhance political leverage on the domestic political stage. In this case, MNOs may gain little in reality from its broad spectrum of participants. Where caveat imposition is endemic within a coalition, enhanced international legitimacy may come at a cost – and a high one at that. It seems particularly ironic that a device invented to control the military violence of war and prevent needless casualties, can oftentimes be the very device which, through imposing too much constraint, may inadvertently cause the deaths of many people – both military and civilian (directly or indirectly) – and even prolong the conflict beyond its natural course.

In cases such as this, where National Commanders have been given ROE from their governments that are somehow inappropriate for the mission they have been authorised to prosecute on behalf of the nation, it is the responsibility of National Commanders to inform their national civilian leadership and request changes be made. This is an important and necessary duty, especially if the prescribed ROE for the operation are unrealistic or unfeasible to achieve mission accomplishment. As a NATO PfP publication states: ‘A military commander who believes he or she will be unable to accomplish the mission with the given ROE must inform the national civilian leadership of this and seek a revision’.<sup>49</sup>

Disparate ROE among contributing nations within multinational PSOs consequently present an increasingly important – if controversial – political and operational problem today, in terms of both multinational unity and unified action within the campaign. No-matter whether an operation is led by the UN, NATO, the African Union (AU), the Commonwealth of Independent States (CIS) or an *ad hoc* ‘Coalition of the Willing’, differing ROE among participant members have the potential to entirely scuttle and render ineffective a security mission. In fact, in terms of caveat constraints in particular, one could well argue that the imposition of such force employment prohibitions causes a situation that defeats the purpose of coalition warfare – that is, it ensures unfair burden-sharing within

a coalition built specifically to share out the military burden between its members. They are thus particularly harmful to multinational warfare.

## Mitigating the Negative Effects: The Push for ROE Standardisation

Due to these manifold negative effects resulting from disparate ROE between national contingents deployed to a MNO, some leading security bodies in the international system habitually seek to establish a ‘standard’ set of ROE among force contributing nations in the pre-deployment stage, in the belief that uniform ROE will improve efficient cooperation within a Multinational Force (MNF). As the PfP states: ‘Reaching agreement on ROE among the states involved in a multinational force operation is critical to success’.<sup>50</sup> For instance, the UN Department for Peacekeeping Operations (DPKO) has developed ROE guidelines, approved by the Under-Secretary General, as an often obligatory basis for national ROE formulation for any nation participating in a UN-led PSO.<sup>51</sup>

In reality, however, the usual practice among troop contributing nations to a MNO is for ROE to be unstandardised, and therefore, to differ widely. Up until the mid-2000s, for instance, NATO had no approved universal ROE guidelines among its members for use in its operations, and indeed, a push for standardisation of ROE among members, prior to its assumption of command of the Afghan ISAF operation, was not at all welcomed by its members.<sup>52</sup> As the Department of Defense *Joint Doctrine for Multinational Operations* states: ‘Complete consensus or standardization of ROE should be sought, but may not be achievable’.<sup>53</sup> This occurs for the following reasons.

1        Each State will have different national policy objectives, depending on each government’s political ideology, priorities, threat perception, goals within the international community, domestic support, and even years in government (affecting the government’s level of experience and impacting on the importance of upcoming elections). The nation’s historical experiences of conflict and conflict-resolution will also have a bearing, as will the political climate within the State, including not only the extent of the government’s own interest in that contribution, but also wider public perception toward the particular PSO.

2        Due to the disparate size, strength, training, equipment, funding and development of each nation’s military with respect to others, impacting on what the armed forces of the State can feasibly do, each State will also have different views on the operational situation and varying operational requirements.

3        Each State will have dissimilar legal obligations under domestic and international law, including LOAC, depending on the international agreements the State has ratified. This is particularly true in relation to counter-terrorism operations.<sup>54</sup> Moreover, even where certain States have all signed on to the same international LOAC conventions, their respective legal departments may interpret their obligations under that convention quite differently. This is also the case for obligations under CIL as it relates to armed conflict. As the PfP underscores: ‘There are sometimes disagreements over the interpretation of the obligations involved’.<sup>55</sup>

4        As with legal obligations, States comprising part of a MNF often have disparate understandings of the concept of self-defence as it relates to both the unit and individual soldier in the field, and interpret their rights differently.<sup>56</sup> This stands for the concept of mission accomplishment too, in which case States will have a list of limitations and prohibitions (caveats) that are strikingly diverse.

5        The legal department of the State may have used a different ROE template than other States when beginning the ROE formulation process, causing dissimilar patterns to emerge between nations within a MNF. For example, nations that adopt the UN ROE template from the outset will inevitably develop ROE that are different from those of the U.S., developed from the U.S. military’s own list of standardised ROE for all American operations abroad.

6        Finally, ROE may differ widely among troop contributing nations to a PSO simply because of disparate military or legal terminology – the conceptualization of certain terms – which can create confusion and misunderstandings within a MNF. For instance, in the Australian Defence Force OFOF (the order to open fire) is considered a separate concept distinct from ROE, whereas in the armed forces of the United States, United Kingdom and New Zealand, as well as at the UN, there is no distinction made between the two at all – OFOF being part of ROE.<sup>57</sup>

All of these factors together can work to form ROE that differ markedly between nations of a MNF. These differences will show themselves in a variety of ways. In terms of weaponry, national contingents may have disparate rules concerning which weapons are legitimate, resulting in differing attitudes to, and use of, weapons such as anti-personnel mines, napalm, white phosphorus and riot-control agents.<sup>58</sup> National contingents may also differ with regard to criteria for lawful targeting. For example, some national contingents may be under instructions to target only terrorists or those carrying out armed attacks, while other contingents will also target those supporting the combatants through fundraising, recruitment or incitement, and even protected sites like schools and hospitals if they are being used by the Enemy force.<sup>59</sup> Furthermore, national components of an international force may diverge in their treatment of noncombatants, adhering to different rules concerning the

conditions required for detention and internment, or the criteria for entitlement to Prisoner of War status.<sup>60</sup>

It is in the area of low-level tactical operations that these differences within a MNF are most visible and their impact most keenly experienced – and usually by low-level ranks such as Sergeants, Corporals and Lance Corporals, among the ranks of Non-Commissioned Officers (NCOs), and even Privates. This is because it is at the level of tactical operations that ‘the rubber hits the road’, in that armed forces must action ROE to conduct operations involving the minimum use of force, determine who is ‘Enemy’ with all the difficulty of identification that that entails, apply military terminology or ‘war language’ to actual situations, and interact with civilians – all while dealing with the presence of the media and submitting to constant observation and scrutiny by the Red Cross or UN observers.<sup>61</sup> In essence, this means that it is the lower ranks at the basic and lowest level of operations (and often the least experience) who have to grapple with the realities of divergent ROE in the field when operating in concert with allies – a somewhat inevitable state of affairs that does not bode well for the avoidance of future ROE-related security disasters within multinational campaigns.

## **Mitigating the Negative Effects: ‘Good Management’**

In the absence of one set of standardised ROE between parties to a MNO, what then can be done to improve unity of effort in the light of disparate and conflicting operational rules, especially caveat restrictions? The existence of dual or shadow ROE chains of command within a MNO means, quite simply, that the Operational Commander must be a good manager in order to accomplish his mission. In fact, one could say that good management is vital for operational effectiveness within a MNO. Indeed, according to MAJ Steve Challies, a NZDF Liaison Officer stationed at UNMIK Headquarters at the time of the 2004 security crisis in Kosovo, ‘if the coalition is managed well, there will be no conflict between the two’, since operational instructions will adapt to fit the national mandates of the actors involved. However, if the coalition is not managed well, or if the domestic restraints faced by the operation are numerous or unanticipated, the differences between the two sets of national and multinational coalition instructions ‘will cause major issues and hassles’.<sup>62</sup>

Good management therefore pertains to the following: (1) differences in ROE between operation participants must be considered and brought to bear on operational planning and design in the earliest possible stages of a MNO as well as for the duration of the operation; (2) legal dialogue must be undertaken between the national military staffs of the armed forces to be contributed, so that the diverse obligations and interpretations of LOAC between the nations involved may be well aired and understood by all the participants, and their impact assessed; (3) the Commander of the Operation,

upon receiving the Operational Directive from higher command, should issue an Operational Order to all the sectors within the operation, in which all declared caveats of the various nations involved are detailed, so that sector commanders are fully aware of the standing restrictions in the other sectors thus aiding coordination; and (4) the Operational Commander must personally and continuously monitor and keep abreast of developments or changes with regard to national ROE and actively compensate for such changes, in the knowledge that even small changes with regard to mission accomplishment or force protection, such as the tightening of caveats, can have the potential to severely hinder – if not sabotage – the effectiveness of the entire security operation.<sup>63</sup> To successfully negotiate the cluttered bureaucratic command path caused by divergent ROE, the Operational Commander must, in short, do everything he or she can to plan, mitigate and compensate for the negative effects caused by diverse ROE within a multinational mission.

Above all, the Operational Commander must expend as much energy as possible in both shoring up unity of command within the operation and encouraging cooperation, coordination and consensus within the coalition – the two most crucial and widely acknowledged constructs for achieving unity of effort within a MNO. In terms of the latter especially, it may be helpful for the Operational Commander to encourage national governments to issue ‘Special Instructions’ (SPINS) to its national contingent, as is often the case within U.S. contingents deployed to multinational security operations.<sup>64</sup> SPINS not only outline the differences in ROE between the national contingent and other international forces with whom the contingent must interoperate, but ‘interpret or clarify’ what these differences will mean and their possible impact.<sup>65</sup> For instance, SPINS can ‘provide more detail as to what types of weapon systems may be used in different circumstances, approval levels for certain types of operations, and procedures for estimating collateral damage’, all of which will help to improve coordination, interoperability, and ultimately, mission effectiveness.<sup>66</sup> As the Pfp workshop on the matter concluded: ‘If a common ROE proves to be impossible, the success of the operation will depend on all members at least understanding the differences between the various national ROE and factoring such differences into the mission planning process’.<sup>67</sup>

Ultimately, whether or not the matter of diverse national ROE within a MNO has been successfully or unsuccessfully managed will be determined by the overall success or failure of the operation, and how the MNF has responded to crises that arise along the way. Because each MNO is unique and complex in itself, with ranging numbers of participants, diverse operational environments and objectives, and varying problems relating to national caveat imposition, there really exists no one set code of conduct that will fit or remedy the problem of diverse and clashing ROE within each mission. Figuratively-speaking, one size – or management approach - does not fit all operations. As Marich argues:

Because multinational operations are so complex, there are no simple solutions and each operation is unique because of the actors involved and their divergent interests, capabilities, and the degree

of familiarity of [and] with all the other participants. The complexity of multinational operations requires extra effort to prepare our leaders and forces.<sup>68</sup>

One can only conclude then, that the complex problem of diverse ROE within multinational security operations will remain one of the most significant challenges of our time with regard to multinational ventures – the inevitable result when sovereign States work together militarily in a multilateral security endeavour.

## Conclusion

This chapter has assessed the practical advantages and disadvantages of ROE on national contingents deployed on military operations for both politicians and military commanders, emphasizing the operational disconnect or ‘great divide’ that exists between the key agents of the two political and security spheres. The chapter has also outlined the frequently detrimental impact of disparate sets of ROE within multinational campaigns on some of the key principles promoting operational success – namely, unity of command, cooperation, coordination and consensus, unity of effort and unity of purpose. Several examples of negative developments stemming from caveat imposition on multinational campaigns have also been provided, with reference to MNOs operated by both the UN and NATO organisations (including an in-depth exploration of the caveat-generated KFOR security crisis in APPENDIX 1). Finally, the chapter has outlined two of the primary methods by which international security entities have attempted to mitigate the negative effects of disparate ROE among national contingents – via the promotion of ROE ‘standardisation’ between nations participating to a mission, or alternatively, through the mere ‘good management’ of these complex situations by MNO Operational Commanders.

From this overview one may see that differences between national sets of ROE during multinational campaigns not only present serious difficulties, but are sources of friction and division between participating nations to a multinational PSO. As the examples provided have shown, the exact problems faced within each MNO, when compared to others, will vary strikingly depending on the specific nature and requirements of the operation, the participants involved, and the precise ROE imposed on national armed forces by their governments. Generally, however, the problems caused by divergent ROE relate to: (1) the MNO Commander; (2) C<sup>2</sup> systems; (3) the execution of tactical security operations; (4) the overall success and effectiveness of the PSO; and (5) the political ramifications for the nations participating in the PSO, as well as the leading international organisation itself.

This chapter concludes Section I of this research, comprising an overview of the fundamental concepts that are the building-blocks which are key for understanding the subsequent analysis on national caveats and the ISAF operation in Afghanistan. The following section will provide the academic and contextual framework of this research. Specifically, Chapter 5 will present the rationale and methodology adopted for this study, while Chapters 6-7 will provide important background information on the ISAF operation itself and the COIN strategy being prosecuted in Afghanistan.

## ***SECTION II***

### ***Methodology & Research Context***

## **CHAPTER 5**

### **Research Rationale & Methodology:**

#### **National Caveats & their Impact on the NATO-led ISAF Operation in Afghanistan, 2002-2012**

This thesis is a study of the relationship between national caveats and operational effectiveness within multinational security operations. More specifically, it is an investigation into the *impact* of national caveats on operational effectiveness, within the context and setting of the multilateral ISAF operation in Afghanistan.

The preceding chapters have presented the conceptual framework for this research. Chapter 1 introduced the complexity of waging multinational security operations in the modern era. Chapter 2 explained the purpose of ROE within national military contingents participating to MNOs, and the politico-military process by which these rules are formulated. In Chapters 3-4, particular emphasis was paid, firstly, to the existence and function of national caveats within ROE, and subsequently, to the way in which these caveats have frequently tended to impact negatively on the effective prosecution of multinational security campaigns. This chapter seeks to outline both the rationale behind this ISAF caveat study, and the method by which the research has been conducted.

In order to describe the reasons motivating this research, this chapter will describe why the subject of national caveat effects within multilateral security campaigns has been chosen as an important field for further academic research. Subsequently, it will outline the significant ‘caveat gap’ in existing academic literature with regard to MNOs and the lack of thorough academic research into either national caveats or conflicting ROE within such campaigns generally. The chapter will also define how this study into the caveat issue within the NATO-led ISAF campaign in Afghanistan is original. Lastly, it will explain why the NATO-led ISAF mission in Afghanistan is an important contextual setting for this caveat research.

In terms of the research methodology, furthermore, this chapter will also outline: firstly, the hypothesis and aim of this research; secondly, the analytical lens to be adopted by which to assess the impact of national caveat imposition within the ISAF on overall operational effectiveness; thirdly, the key research questions of this study; fourthly, the method of research by which the researcher conducted this analysis towards answering the key questions and towards the stated research aim; fifthly, the succession of phases undertaken in the course of this research between 2008-2014, over

which period caveat data was collected, generated, organised and analysed; and finally, the way in which this analysis has been written and structured within the body of this doctoral thesis.

## Rationale for Research: Caring about Caveats

In the past few decades it has become an increasingly common norm for national governments to impose caveat restrictions on the armed forces they are contributing to multinational military operations. However, despite this evolving international pattern in the conduct of multinational security endeavours, there has been a remarkable dearth of academic scholarship on the issue, either on the matter of national caveats themselves, or the impact such caveats have on the prosecution and effectiveness of the operations where they are present. In fact, when preparations for this research began in 2008, not one academic article could be found on the matter at all within the international academic sphere by means of academic database searches. In broader internet searches, moreover, the word ‘caveat’ seemed to belong solely to the domain of politics and law – in the sense of a ‘proviso’ or caution – with no apparent relationship or connection with military affairs or security discourse at all.

This academic neglect of national caveats and their role in multinational warfare within the domain of Defence & Security Studies is surprising for four main reasons. Firstly, due to the frequency and number of MNOs that have taken place in past two decades following the collapse of the Soviet Union, and which continue to be prosecuted today most infamously in Iraq and Afghanistan. Indeed, despite the supremacy of the United States as the single so-called ‘hyper-power’ in the international system, a fact that has given rise to a unipolar balance of power ever since the end of the Cold War, multinational military operations – rather than unilateral or even bi-lateral arrangements – have become the preferred form of waging war in the modern globalized era. One only needs to think back over the conflicts that have taken place over the past two decades for evidence of this prevailing norm within the international system. From the first Gulf War to the multiple UN peacekeeping missions on the African continent, from the conflicts in the Balkans to the 2001 invasion of Afghanistan and beyond to the ISAF operation, even extending to the 2003 Iraq War which was waged by a multinational ‘coalition of the willing’ – multinational military campaigns have been the instrument of choice when conducting war campaigns or peace and stability operations.

Secondly, within these multinational security operations, there has been a simultaneous increase in restrictive national caveats within the ROE of the various national force contingents deployed to these missions – so much so that caveat-imposition has become a more and more common occurrence. Indeed, according to Auerswald & Saideman, ever since the multinational security operation in

Bosnia in 1992, it has become ‘customary’ for nations contributing to a MNO to deploy their forces bound by such limitations.<sup>1</sup> This prevailing habit has become so ‘normal’, in fact, that it has become standard procedure for a so-called ‘caveat spreadsheet’ to be created for Operational Commanders at the start of every multinational mission, in order to assist commanders in keeping track of all the limitation and prohibition ROE imposed within the multinational force.<sup>2</sup>

Thirdly, the regular imposition of a plethora of national restrictions within a multinational force deployed to prosecute a multinational security operation seem to have frequently created negative effects for the operation as a whole. Broadly-speaking, caveats have been known to create disunity and division among national contingents participating in MNOs, thereby impeding unity and cohesion within the international force. This division has often been sharpest wherever inequitable burden-sharing with regard to the execution of the most difficult security operations has become apparent between contingents within the force. This has meant that the fundamental military principles of unity of command and unity of effort have frequently become compromised by caveat-imposition. Furthermore, time and again the reality of clashing ROE and national agendas – symptomized by the caveats – have frustrated and hindered the ability of a multinational force to effectively prosecute the security campaign towards its security objectives. Most disconcerting of all, on several occasions widespread caveat imposition within multinational security operations has led to a deterioration of security within these security assistance missions – to the point of worsening, or even creating, security crises within the mission. The examples of caveat-induced security degenerations provided in Chapter 4 – occurring in MNOs ranging from UN operations in Angola, Rwanda and the Congo to NATO operations in Bosnia and Kosovo – are evidence of this reality.

### **Why is Caveat Research Important?**

Such a range of caveat-generated negative effects in the security sphere within operations designed to foster security, stability and peace is deeply concerning, especially given the fact that creating and maintaining security is the very *raison d'être* of most of these multinational security operations. Indeed, it is these tangible realities, stemming from caveat imposition within these multinational operations, which underscore the importance and necessity of conducting academic analysis of the reoccurring phenomenon within modern security ventures. However, while the effects of caveat imposition have from time to time resulted in security scandals and embarrassment at both the national and international level, rigorous academic study of the caveat catalyst behind these occurrences has not followed. Consequently, despite the growing evidence of the detrimental effects of national caveats within multinational security operations over the past two decades, there has in fact been scant research undertaken on this subject-area at all.

A thorough study into the effects of diverse and restrictive ROE amongst multinational allies participating in international security operations, with particular emphasis on national caveat limitation and prohibition rules, is therefore important, necessary and long overdue. If commanders are to manage this new norm properly, or take measures to mitigate these negative caveat effects, there must be a better understanding with regard to what caveats are, what form they take, and the various ways in which they impact on operational effectiveness and mission success.

The need for an academic study on the caveat issue is even more urgent, moreover, given the debilitating way in which caveats have been interfering with the prosecution of one of the world's most important enterprises on the world stage today – the war in Afghanistan waged to secure the country, the region, and indeed the wider world from the threat of Islamic extremism in the form of Al-Qaeda and other terrorist networks. In fact, in light of the threat of an Islamist 'global insurgency' in future decades, a prognosis asserted by insurgency expert David Kilcullen, it is likely that multinational counter-insurgency missions will be necessary in future years within one or more of eight different theatres around the world, potentially to be prosecuted under very high stakes in the global war against terrorism.<sup>3</sup> In short, military interventions to prevent genocide may be a thing of the past, and COIN campaigns against insurgencies the wars of the future. Analysis of the effects of national caveats within COIN campaigns, such as that in Afghanistan, will consequently be important in the design and effective prosecution of future low-intensity security campaigns in the interests of world security.

### ***The 'Caveat Gap' in Existing Academic Literature***

However, there is a 'caveat gap' in existing academic literature with regard to national caveats, in addition to ROE more generally, and their effects within multinational security operations. As shown in the preceding chapters, most academic discourse with relation to MNOs pertains to: the advantages and disadvantages of multilateral warfare; the characteristics of MNOs; the varying nature of alliance-versus coalition-led operations; the centrality of C<sup>2</sup> for managing complexity within MNOs, whatever the operational environment; the various command structures that exist within MNOs in order to implement this C<sup>2</sup>; and the importance of unity of effort within MNOs, achieved usually through a process of cooperation and consensus between parties to the MNO.<sup>4</sup>

Within this academic discourse, the subject of diverse ROE within national contingents participating in a MNO has appeared, more often than not, as a side note rather than a theme of robust analysis and discussion. In truth, some of the fullest examinations and assessments of the role of ROE in multinational military campaigns are contained not in academic discourse, but within official reports written by national governments or security organisations, for example manuals written by the U.S.

Department of Defense or papers resulting from NATO's *Partnership for Peace* workshops in Geneva.<sup>5</sup> Even within these reports, however, what does exist pertains to the few advantages and multiple disadvantages of ROE within military operations generally, with emphasis placed on the importance of developing one set of 'standardised rules of engagement' between the various parties to a MNO, at best prior to deployment. Very little of this material actually examines or analyses the issue of divergent or clashing rules of engagement within multinational forces on operations, nor the tangibly negative consequences of this divergence on effective multinational security operations, including through security disasters.

The subject of national caveats – the limitation and prohibitive classes of rules within national ROE – has featured even less than ROE, and has predominantly received no attention or mention in the MNO literature at all. It is due to this fact that the examination of a great deal of information used to discuss the concepts of ROE and national caveats, as presented in the preceding Chapters 2-4, had to be drawn chiefly from non-academic sources, for instance government reports, combined with the researcher's own research via official enquiries, and personal communications with defence academics, civilians and practitioners. Indeed, much of the information appearing in these chapters was gleaned from personal interviews with members of the NZDF, who have acquired knowledge of national caveats, and/or first-hand experience with their effects, while serving abroad on deployments to MNOs in Angola, Kosovo and Afghanistan (this is discussed in more detail below under the heading 'Research Phases'). This research necessity is a further illustration of the large gap in existing academic literature with regard to both ROE and national caveats, and their role within multinational security endeavours.

### *Secrecy as a Primary Obstacle to Research*

There is, however, one key reason for this research gap, which lies with national caveats themselves. Firstly, contained as they are within the official ROE of deployed military force contingents, national caveat restrictions are highly classified information. They are fiercely guarded by nations deploying to MNOs, and kept secret from the forces of other participating nations and often even from the Operational Commander of the mission. The content and number of national caveats within any MNO is, consequently, extremely difficult information for any researcher to obtain.

Secondly, as alluded to previously, national governments are hyper-sensitive about the issue, and reluctant to disclose any information relating to their national caveat restrictions even after security crises have arisen as a result of them. In fact, most national governments are hostile to any investigation on the effects of national caveat imposition within multinational missions, for fear of what such enquiries might disclose about their own contingent or commitments (for example, revelations about the lack of military training, equipment, preparedness, commitment or political will

on the part of nations contributing forces to an international security operation – any of which would be the cause of much national embarrassment). According to *Human Rights Watch*, it was due to this overriding sensitivity among national governments that a comprehensive enquiry into the caveats that had led to the embarrassing failure of NATO forces during the Kosovo Riots in 2004 was never undertaken.<sup>6</sup>

In short, academic research into the issue of caveat imposition has not been undertaken because caveat information has until recently been too classified to obtain, and even if obtained, too sensitive to analyse and publish with impunity. As a result, it has been extremely difficult for researchers to ascertain precisely and accurately the full picture and extent of the caveat problem within multinational PSOs. Accordingly, references to the existence or role of national caveats within multinational military campaigns have been few and far between within academic discourse. Only brief glimpses of the caveat iceberg lying beneath many MNOs have been afforded to the scholar in the occasional reference to problematic caveats made within news articles, or in interviews with military commanders returning from tours of duty in multinational missions overseas – especially where security crises and humanitarian tragedies have emerged as a result of the restraints such as in the Bosnian UNPROFOR or Kosovo KFOR operation.

However, the NATO-led mission in Afghanistan has thrown a large spotlight on this area for the first time in the history of modern warfare. Beginning in 2006 and escalating throughout 2008-2009, national caveats and their negative influences on the ISAF mission to secure and stabilise Afghanistan began to make news headlines in written and audio-visual news media around the world. The shroud of secrecy surrounding classified caveats began to lift, as more and more details of the various ISAF caveats enforced by ISAF contributing nations on their armed forces were leaked to the media – especially by way of frustrated ISAF commanders (often on the basis of anonymity). The publicity heightened further, moreover, as governments began to blame national caveats for Afghan security disasters which – in some cases – had led to loss of life amongst national military personnel operating within the mission.

A political uproar quickly followed the public revelations, with NATO and several ISAF participating nations loudly and vociferously condemning those nations that were keeping their forces constrained within the mission by the political caveat fetters. This stream of caveat-related information has continued to flow into the public arena until the present day, by means of unofficial ‘leaks’ by ISAF personnel to news journalists, and even via official channels too by way of NATO, ISAF and national government reports. As a result general public awareness of the caveat issue within the ISAF multinational mission has grown with the passage of time. Indeed, today the existence of caveats within the ISAF is a well-known and discussed issue in relation to the war in Afghanistan.

The flow of information with regard to ISAF caveats has meant that the contours of the caveat problem within the Afghan mission have become increasingly clear, and the issue much more visible for academic examination. For example, whereas in early 2008 any search of the key words ‘national caveats Afghanistan’ generated only a handful of articles on the matter, any general internet search of the same words today on the worldwide web will generate approximately 160,000 articles in which caveats are mentioned. Consequently, there is a very large amount of available information on the issue of the ISAF mission’s caveats and their consequences within the mission. This information has stripped away the layers of secrecy that have traditionally surrounded the issue of national caveats, allowing in-depth analysis to occur for the first time on the role national caveats play within a multinational security operation.

Nevertheless, in spite of the new availability of this formerly classified information, the political and public outrage over the ISAF caveat issue has been slow to gain attention in the domain of academic research.

#### *Caveat Research in the Domain of Political Science*

In 2007 the only rigorous academic examination of the issue was a collaborative pilot study conducted by three political scientists – David P. Auerswald from the National War College in Washington D.C. (U.S.A.), Stephen M. Saideman from McGill University in Montreal (Canada) and Michael J. Tierney from the College of William and Mary in Williamsburg, Virginia (U.S.A.). In September 2007 Auerswald, Saideman and Tierney presented a paper at the ‘Annual Meeting of the American Political Science Association’ in Chicago, which focused exclusively on ISAF caveats as an impediment to coordination within multinational military interventions.

The paper was entitled ‘Caveat Emptor! National Oversight and Military Operations in Afghanistan’ and specifically assessed the degree to which Canadian civilian oversight, by means of civilian-military institutions, had impacted on the discretion of Canadian commanders on the ground within the Afghan theatre of war.<sup>7</sup> The paper was a self-declared ‘first cut’ at exploring the issues stemming from caveat imposition within the ISAF mission, and was chiefly based on information gained through interviews with senior Canadian officers who had served within either the ISAF or OEF operations and/or had liaised with U.S. Central Command (CENTCOM) on the issue in some capacity.<sup>8</sup>

Two years later in February and September 2009 – while the present doctoral research was already underway – Auerswald & Saideman presented two more conference papers on the caveat issue at the annual meetings of the American Political Science Association in New York and Toronto. Using the same primary sources of interviews with Canadian commanders, these political scientists had

collaborated on two further studies to identify the sources of the caveats imposed on the Canadian, French and German contingents in Afghanistan. The first conference paper that year was oriented towards ‘understanding the variations in caveats among and between contributing countries’, by examining the political process through which the caveats have been formulated and enforced, and in particular, the role of civil-military institutions and political and military individuals in this process.<sup>9</sup> The second paper, examined the process by which change was brought about in the levying and lifting of caveats within the ISAF, by focusing solely on the Canadian contingent to assess ‘how individual expertise, attitudes toward risk, and organizational culture affects the likelihood of decision-makers to impose caveats’.<sup>10</sup>

Together these three presentations were pioneer studies on the role of national caveats in MNOs, through which Auerswald and Saideman sought to address the ‘large gap in the literature on alliances’ with regard to caveat-imposition and the ISAF operation in Afghanistan.<sup>11</sup> Indeed, according to Auerswald and Saideman, despite the ‘very high profile of caveats’ within the international arena and the fears regarding them in relation to the NATO organisation, ‘caveats, their sources, and efforts to mitigate them are poorly understood’.<sup>12</sup> As they explained further:

Scholars have focused on other challenges raised by coalition warfare...Perhaps as a result, the variation in national caveats both over time and across contingents presents something of a mystery...Understanding these restrictions is important if we want to comprehend the limits and effects of international cooperation at the pointy end of the spear, to use the military’s phrase. In sum, we seek to understand how multilateralism works in wartime...Very little scholarship has actually examined how alliances function or dys-function during wartime.<sup>13</sup>

Saideman subsequently followed up these presentations with a policy brief for the Centre for International Policy Studies (CIPS) at the University of Ottawa in October, entitled ‘Caveats, Values and the Future of NATO Peace Operations’.<sup>14</sup> In this brief, Saideman described the extent of the caveat problem within the ISAF mission and argued that caveats had split NATO into three factions based on nations’ attitudes towards the use of force in the modern era. As he argued: ‘National caveats that restrict the activities of different NATO contingents in Afghanistan are more than just operationally problematic; they represent profound differences among NATO countries on the use of force’.<sup>15</sup> Saideman concluded the brief arguing not only that the ISAF mission’s caveat problem would deter any future NATO MNOs, but also that the ISAF caveats were diminishing the commitment of principal nations to the NATO organisation itself. As Saideman stated: ‘The ISAF mission has made it obvious to all that the political risks, which are always high when putting troops in harm’s way, are quite steep when NATO cannot get its act together (caveats) and those that we are supporting seem unworthy of our effort (the values gap)’.<sup>16</sup>

However, none of these studies have thoroughly analysed the extent or scope of the caveat problem within the ISAF mission, or identified the ways in which widespread caveat imposition amongst ISAF national contingents have impacted on either operational effectiveness or prospects of mission success. Furthermore, the studies were conducted from the perspective of the Political Science school of academic thought, which focuses chiefly on domestic political processes. Consequently, they did not address the issue of ISAF caveats in a defence-oriented manner.

### *Caveat Research in Defence & Security Studies*

A short study conducted in 2007 by John Brophy and Miloslav Fisera was the first defence-oriented academic study in this respect, which used news articles and political speeches on the ISAF caveat dilemma as their primary sources. In their article, “National Caveats” and its impact on the Army of the Czech Republic’, Brophy & Fisera sought to define further the prevalent device of caveats within MNOs and to explain the source of the caveats imposed on the Czech ISAF contingent operating in Afghanistan.<sup>17</sup> The article also sought to identify the impact of caveats on military C<sup>2</sup> in MNOs, by briefly outlining the problems caveats had posed to command within three recent multinational security operations – in the Balkans, Kosovo and Afghanistan. While this article was oriented chiefly towards the Czech army and its commanders, the study concluded by recommending that a more detailed analysis of national caveats be undertaken in order to better prepare military commanders for future NATO missions.<sup>18</sup>

The only other academic treatment of caveats from a military perspective has been a French-language article written by naval commander, Captain (CAPT) Romuald Bomont, at the French *École de Guerre* (the government-operated Command & Staff College – or ‘School of War’ – for French military officers), which was published on the official French Ministry of Defence website in June 2010.<sup>19</sup> Given renewed emphasis on the engagement of French armed forces in multinational security operations, Bomont argued that caveats had become the ‘common lot’ to varying degrees of all military operations conducted by NATO, the European Union (EU) and the UN, in addition to coalitions of the willing. ‘Caveats no longer represent only an embarrassment at the tactical or operational level,’ he argued, ‘but are well and truly a problem at the politico-strategic level. They have therefore not failed to generate numerous debates, questions and controversies’.<sup>20</sup>

Bomont argued further that these caveats were not only ‘sources of weakness’ within multinational coalitions, dating as far back as the EUFOR Congo mission, but that they were also ‘veritable brakes on operational effectiveness’ within international security missions.<sup>21</sup> This was also the official conclusion reached by the French military, he claimed, citing an internal military publication which stated: ‘The diversity in behaviours, objectives and means put into effect by contingents can constitute just as many sources of weakness. It is necessary to take these differences into account, which can

represent a vulnerability for the entire force'.<sup>22</sup> Bomont concluded the article by arguing that caveats within multinational military operations represented a cruel dilemma, with no apparent answer, which centred on the way in which the caveats caused an unequal distribution of 'the war effort'.<sup>23</sup> As the well-known French military strategist, writer and commentator, Pierre Servent, once stated: 'There is a time to make peace, there is a time to make war. It is even necessary, sometimes, to do both at the same time, but never by halves'.<sup>24</sup>

In fact the most comprehensive treatment of the problems posed by caveats to the Afghan ISAF mission has appeared in official organisational or government reports. For example, one of the earliest reports to discuss the problems posed by caveats to the ISAF mission appeared in a report by the *Danish Institute for International Affairs* (DIIA), written by Peter Dahl Thruelsen.<sup>25</sup> The report, entitled 'NATO in Afghanistan – What Lessons Are We Learning, and Are We Willing to Adjust?', devoted three-and-a-half pages to the ISAF's caveat problem under the heading of 'operational-level: unity of command'.<sup>26</sup> One or two page sections on caveats have also appeared in government reports, such as those released quarterly or annually by the British House of Commons and the American Department of Defense, where the problems relating to their imposition are frequently raised. In the case of the U.S. Pentagon reports, detailed information relating to caveats has from time to time been provided, for instance regarding the numbers of officially declared caveat restrictions existing within the ISAF mission, and increases or decreases in the overall number of cavaeted contingents within the mission. On the whole, however, the issue of national caveats has remained a highly sensitive and classified area. Moreover, due to the collective, consensus-based nature of the NATO organisation, official NATO and ISAF reports have remained heavily censored and consequently provide only vague indications of the scale of the caveat problem within its mission in Afghanistan.

In sum, a large and significant gap continues to exist within academic discourse concerning national caveats in multinational security operations. Academic examination of the ISAF mission has focused on three main areas: (1) the prosecution of COIN within the Afghan mission; (2) civil-military cooperation (or lack of) within the PRTs conducting stability and reconstruction operations; (3) the various Afghan insurgency movements and their ties to external supporters Pakistan and Iran, in addition to the Al-Qaeda organisation; and more recently, (4) the lack of unity of command and unity of effort within the ISAF mission.<sup>27</sup> Thorough academic examination of the numbers and types of caveats that have existed within the mission, the particular nations that have imposed them (and removed them), and the overall effects of all of these caveats on operational effectiveness – especially as regards the security line of operation within the COIN campaign – have never been properly addressed in an academic capacity. This research is consequently intended as a contribution towards filling this large and important gap in defence academic literature.

## **How is this Research Original?**

This doctoral thesis is an in-depth study of the problem of restrictive national caveats within the multinational NATO-led ISAF operation in Afghanistan, and the impact these caveats have had on ISAF operational effectiveness over the past decade from 2002-2012. This research is original for a number of reasons.

Firstly, the research is the first of its kind to conduct a thorough investigation of the caveat impediment within the ISAF mission, over a decade of operations between 2002-2012. It is an original research endeavour – never before undertaken in the academic sphere – which seeks to determine both the full extent or scope of the caveat problem within the ISAF mission, and also the tangible effects of this caveat impediment on overall ISAF operational effectiveness. Thus it is the first systematic academic analysis of the ways in which all of the ISAF caveats combined have impacted on international efforts to bring security and stability to Afghanistan, especially in terms of the caveat impact on effective security operations conducted by ISAF security forces within the overriding context of the COIN-oriented campaign.

Secondly, it is original in that it is one of the first research undertakings to examine the ISAF mission's caveat dilemma using – as a primary source – official government diplomatic correspondence between the U.S. Department of Defense and its various embassies and posts around the globe. This cache of diplomatic cables was released online in installments by *Wikileaks* in 2010-2011, when this research was already well underway, to become part of the openly-accessible public record. The cache included thousands of articles relating to the wars in Iraq and Afghanistan. Never before have researchers and scholars been given such unprecedented access to classified material. With regard to caveats, in particular, the cache has been a veritable treasure-trove of detailed ISAF- and caveat-related information, which has also provided the positions taken and explanations given by national governments on caveat-imposition within the ISAF mission. This research has consequently become buttressed by specific, official information from official American government and NATO sources.

Thirdly, this research is original in that it identifies and provides important and detailed information with regard to a range of caveat-related ISAF factors within the mission, much of which has been quantified in this thesis in the form of tables, graphs and diagrams. In other words, raw data has been analysed into quantitative representations which facilitate analysis and discussion of the ISAF mission's caveat quandary. This newly analysed information pertains to: (1) the identities of the ISAF Troop Contribution Nations (TCNs) that have imposed caveats over the past decade; (2) the nations within this group that have eliminated and/or re-imposed caveats over the past ten years; (3) the total numbers of officially declared caveat numbers within the mission over this time period; (4)

the specific content of these caveats, formulated into numbered lists arranged by country and force unit type; (5) the range of the ISAF caveats, including a complete compiled list categorized by subject-area into 21 different categories; (6) the proportion of the entire ISAF force that has been constrained by government-imposed caveat in the conduct of their duties; and (7) numerous tangible on-the-ground examples of caveat-induced chaos, to illustrate the way in which national caveats have impeded effective security operations (including combat operations and emergency rescue operations) within the NATO-led mission.

Fourthly, this caveat research is not only the first thorough treatment of the issue of national caveats within a multinational security operation, but also the first of its kind to take place within the context of a modern COIN multinational campaign, rather than simply a traditional peace-keeping operation like those conducted in Africa and Eastern Europe during the 1990s. For although counter-insurgency is not the main focus or central theoretical approach of this particular research, the impact of ISAF national caveats on the prosecution of the ISAF COIN strategy has nevertheless been examined, making this research the first treatment of the connection between caveats and their corresponding effects within the context of a people-centric COIN campaign (also known as a ‘low-intensity war’). In particular, it outlines: (1) the ways in which national caveat imposition on ISAF security forces has debilitated the security arm of the campaign within the ISAF COIN strategy; and (2) how the reality of constrained and anaemic security forces has in turn both directly and indirectly led to a loss of crucial support for the mission among the indigenous population of Afghanistan, in this contemporary ‘war amongst the people’. In short, this research examines the way in which caveats have the potential to counter true COIN. Accordingly, it may also hold important insights for the prosecution of future multinational COIN operations, which according to Kilcullen, may become increasingly necessary in future years (potentially in theatres such as Somalia, Kenya and Chechnya).<sup>28</sup>

Finally, from a broader perspective, this research is an important illustration of the way in which the sphere of national politics can impinge on the prosecution of effective on-the-ground security operations in the military sphere, within the overarching context of multilateral warfare. Or in other words, it is an investigation of the relationship between political masters and the security forces doing their bidding during wartime. In his theoretical writings, Clausewitz spoke of politics as the source of all wars and conflicts, the purpose for which they are waged, and also the means of their resolution. The role of politics during wars is not, however, limited only to their commencement, objectives and termination. Politics in fact plays an important and highly influential role during the process of warfare itself – the violent means being employed towards a political goal. Indeed, political considerations infuse the security sphere of warfare at many levels, and in a way that can have a decisive impact on the success or failure of the war campaign itself.

The political devices of national caveats are a lens through which this interplay can be investigated. This is because they consist of operational limitations and prohibitions within force contingents' ROE, which are imposed by national governments on their national forces to control what they may legitimately do, in their respective government's name, within the conflict they are participating in. In fact, caveats seem to be the interconnecting point at which the spheres of politics and security most demonstrably meet and intersect within any particular military theatre of war. As discussed in preceding chapters, these caveats are consequently the lynchpin between the two political and security domains, and the most tangible expression of politics on the modern battlefield. An in-depth study of ISAF caveats, within the overriding context of an asymmetric COIN war (see Chapter 7 for further explanations of COIN as a form of war), can consequently shed light on the role of politics in and during military operations.

Overall, the present research is original in that it is an attempt to address the academic neglect of what is a fundamental, if controversial, issue for the prosecution of effective and successful multinational security campaigns in the modern era.

## **Research Context: Afghanistan**

The NATO-led multilateral mission in Afghanistan is the setting in which the following caveat research takes place. It is an important context in which to place this caveat analysis for a number of reasons.

Firstly, as outlined above, the problem of national caveats has become a major internationally-recognised and controversial issue within this Afghan operation. As a result of this controversy – and quite against the volition of the caveat-imposing countries in Afghanistan – the subject of national caveats has been thrust into the international spotlight in an unprecedented fashion, which has exposed the issue to intense public scrutiny and debate. In fact the issue of caveats has grown to become a major recurring theme in both official government discourse and unofficial news articles and commentary on the ISAF mission, especially as increasing numbers of negative caveat-related security incidents have unfolded on the ground within the mission. Indeed, given the wide range of caveats imposed by a majority of the governments contributing forces to the ISAF mission, it is reasonable to argue that the mission represents the most illuminating case of national caveat imposition within a multinational security mission in the history of modern multilateral warfare (1990s - present). The Afghan mission is consequently an ideal setting in which to examine and analyse the effects of caveats on overall operational effectiveness.

Secondly, as alluded to previously, this controversy has meant that there has been a vast amount of informative material written on the matter, especially within the international news media and in official government documentation, that can be analysed in an academic capacity. This material is publicly available and easily accessible to this research – to an extent never before experienced with other ‘caveated’ MNOs. Indeed, in contrast to former decades in which the issue of caveats within a multinational mission has remained highly sensitive and ‘shrouded in mystery’, this veil of secrecy has been lifted with regard to the ISAF operation, thereby presenting an ideal opportunity to conduct in-depth caveat analysis within the Afghan multinational mission.<sup>29</sup>

Thirdly, the ISAF mission in Afghanistan represents one of the largest and most complex multinational security missions to occur on the world stage to date. By 2012 the mission involved 50 TCNs, and military forces commanded by the mission have grown over the past decade from a total ISAF force of 4,000 in 2002 to a massive 132,000 personnel in 2012. In addition to the size of the operation in terms of personnel, the mission is furthermore complex in its design and command arrangements. For instance, it is not only a mission containing multinational force contingents, but it is in essence an *ad hoc* voluntary coalition of the willing under the command of a separate military alliance – NATO. In addition, the mission employs the most complex multi-parallel Lead Nation C<sup>2</sup> command arrangement between ISAF Headquarters and its various Regional Command sectors (previously outlined in Chapter 1). The mission is also primarily a land operation which, as also discussed in Chapter 1, is the most difficult operational environment of all. In short, this study of caveats within the context of the ISAF mission will have important implications for future MNOs, especially in relation to coalition arrangements, command design

Furthermore, the ISAF mission is not a traditional military operation, neither in the sense of conventional ‘total’ war nor that of peace-keeping. It is an asymmetric, low-intensity, COIN operation – the most complex form of war in which national-building and combat must occur side-by-side. It is an operation, moreover, that is waged against an Enemy which: (1) is not easily identifiable; (2) does not operate by codified military and international rules; (3) fights asymmetrically, including through the targeting of Afghan and international civilians by means of force, threats and terror-tactics; and (4) hides within the Afghan civilian population thereby exploiting the populace as human shields. The research will consequently also hold implications for the prosecution of low-intensity COIN campaigns.

Fourth, the campaign in Afghanistan is the most important military campaign being prosecuted by the international community at this time. The stakes are high. As the base from which the 9/11 terrorist attacks on New York and Washington D.C. were launched, Afghanistan is intrinsically linked to the global war on terrorism, which began in 2001. The entity responsible for the attacks – the Al-Qaeda

terrorist organisation – remains a key player within the Afghan insurgency. There are hundreds, if not thousands, of Al-Qaeda terrorist fighters with radical beliefs and terror agendas located in sanctuaries on the Pakistan side of the Afghanistan-Pakistan ‘Durand Line’ border, among them many international jihadists who have joined the cause from around the world. This army of terror, with global designs of establishing a Muslim empire (or ‘Caliphate’) in the modern world, stand poised on the Afghan-Pakistan border to recapture Afghanistan as a terrorist sanctuary and training base, should the ISAF mission fail. The ramifications of mission success or failure could not be higher for the international community in the global struggle against Islamist terrorism.

Fifth, the war in Afghanistan is an important, historical endeavour in the history of Afghanistan itself as a country. Located at the crossroads between Europe, Asia, and the Middle East, the country has for centuries been continually invaded by foreign forces seeking to control this strategically important piece of territory. From at least the 6th century B.C., Afghanistan has been repeatedly invaded by some of the world’s most powerful civilizations, including among them the Persians, Greeks, Mauryans, White Huns, Arabs, Mongols, Indian Moghuls, the British, the Soviets and, lastly, the ISI-backed Pashtun militia created in and by Pakistan, known as ‘the Taliban’.<sup>30</sup> Afghan history has consequently been a long, brutal and bloody affair. To varying degrees, each of these invading powers has turned the land into a site of terror and unimaginable slaughter, while also leaving behind them in their wake a permanent mark on the area’s native peoples, beliefs and landscape. Bucking this trend, the deployment of ISAF forces to Afghanistan is the first time in Afghan history that a foreign force has come to the country not to conquer, to steal, to dominate and to destroy – but to help, to re-build, to invest, to assist and to secure the inhabitants of that country. Namely, international forces drawn from around the world seek to establish a better, fully-represented, democratic and stable Afghan government which – after decades of brutal warfare and oppression at the hands of the Soviets, warlords and the Taliban – aims to deliver essential political, economic and social services to its people and security to the central Asian region. In short, the ISAF is an historic enterprise.

Finally, the ISAF multinational mission is important with regard to NATO and its future role as a global ‘peace operator’ in world security affairs. Formed as a collective security military alliance of only 12 members in 1949, NATO is today the largest and most powerful military organisation in the world, boasting a membership of 28 nations that together represent some of the most powerful militaries in the world. NATO was initially created, in the words of the first NATO Secretary General Lord Hastings Ismay, ‘to keep the Russians out, the Americans in, and the Germans down’ within the overall geo-political landscape of the Cold War.<sup>31</sup> Since the collapse of the Soviet Union in 1990-1991 and the reformulation of the geo-political landscape into a unipolar balance of power centring on the United States, the most powerful nation within the international system today, NATO has sought

to transform itself and its purpose to that of an operator of military peace and security missions on behalf of the international community. In the wake of the 2003 Iraq War, over which confidence in the UN was seriously undermined as a peace and security forum, especially within the United States and Britain, NATO's ability to transform itself into a more robust security mission operator has gained even more impetus and significance.

The ISAF mission in Afghanistan, over which NATO has leadership, is the most important military operation in this regard. It represents the largest NATO commitment to a peace and security endeavour in alliance history: not only have national military contingents been deployed from each of the 28 NATO allies in very high force numbers (in some cases numbering into the thousands), but NATO has also been in command of a multinational ISAF coalition, the entire force strength of which has steadily increased over the decade to stand at over 100,000 personnel from early 2010 onwards. The ISAF mission is simultaneously one of the most complex NATO-led MNOs to date, involving as it does a COIN campaign involving elements of R&D in addition to combat operations against a thriving Al-Qaeda-backed insurgency. Furthermore, the operation is the very first NATO-led mission to take place outside of NATO's traditional AO – the Americas and Europe – thereby testing NATO's future ambitions as a global PSO operator.

The success of the Afghan mission is consequently of utmost importance for the purpose and future of this collective security alliance, with significant ramifications for the international community at large in terms of future multinational security endeavours. At the same time, the Afghan mission is also a critical test of the degree of solidarity and 'collectivity' within the alliance today, over 60 years since NATO was first established, and of the foundational principle 'all for one and one for all'. Caveats are a crucial issue in this respect, given that many of the heaviest caveat-imposing nations within the ISAF are in fact principal NATO allies with strong and capable militaries. Indeed, the ISAF's caveat dilemma is a very telling indication of the health and strength of the military alliance overall and holds important implications for the future of NATO. As Brophy & Fisera have similarly concluded:

Caveats are an increasingly contentious issue which is threatening not only the combat capability of NATO, but is actually threatening to "drive a wedge" between NATO nations. Some observers contend that caveats are preventing military success in Afghanistan, and, by extension, are endangering the alliance itself.<sup>32</sup>

In short, under the watchful eyes of the international community, NATO is testing itself, its purpose, and its future in Afghanistan.

## **Research Methodology**

As outlined above, the core subject matter of this research is national caveat imposition within the NATO-led ISAF multinational security operation in Afghanistan. This thesis seeks to assess the impact of a wide array of national caveats, imposed by the national governments of TCNs on their respective ISAF military contingents, on the ISAF mission's overall operational effectiveness. The following is an overview of the research methods employed in the prosecution of this caveat research.

### ***Hypothesis & Aim***

In Chapters 1-4, fundamental concepts for this analysis were explored in relation to diverse ROE, including national caveats, and their impact on the effectiveness of MNOs. From this overview, three main contentions can be made with regard to multinational military operations and national caveats: firstly, that national caveats generate negative effects amongst military forces deployed to a MNO; secondly, that caveats particularly limit the effectiveness of security forces within security endeavours; and thirdly, that as a consequence of the latter, the effectiveness of an entire multinational military operation can be jeopardized by the imposition of national caveats on contingents within the MNF.

In beginning an in-depth investigation into the caveat dilemma within the ISAF operation in Afghanistan, the researcher likewise contends that, as within the NATO-led KFOR operation, the imposition of national caveats on national contingents deployed to the ISAF will have had negative effects within the ISAF mission, especially as regards to security forces conducting security operations within the Afghan COIN campaign. Indeed, this thesis advances the hypothesis that national caveats within the ISAF will have impacted negatively on the effectiveness of ISAF security forces within the mission, and thereby, will have also had a detrimental impact on the effectiveness of the ISAF operation overall.

The following analysis consequently adopts a deductive approach, assessing this hypothesis by analysing the practical realities of national caveat imposition and their effects within the ISAF operation in Afghanistan over the period of ten years from 2002-2012, which represents a crucial decade in the course of the operation.

The aim of this study is to determine whether ISAF national caveat restrictions have had a significant impact on the overall operational effectiveness of the ISAF mission in Afghanistan, and if so, how.

### ***'Unity of Effort' as an Analytical Lens***

In pursuit of this aim, this study has adopted the analytical lens of ‘unity of effort’ as a means by which to measure the impact of national caveats on ISAF operational effectiveness. As discussed in Chapter 1, unity of effort is a fundamental military principle for attaining operational effectiveness within MNOs. The latter can not exist without the presence of the former. Unity of effort is consequently the crucial lynchpin between deployed multinational forces, on the one hand, and operational success and mission accomplishment, on the other. In this way, the level of unity in the effort expended within an international force is a key measure of operational effectiveness at any point during the prosecution of a MNO.

This analysis will adopt this lens of unity of effort as an analytical device by which to assess the impact of national caveat imposition on the effectiveness of the ISAF counter-insurgency campaign in Afghanistan, between 2002-2012. That is, by determining the impact of ISAF national caveats on unity of effort among the *security* forces of the ISAF mission, one can also determine the overall impact of the caveats on the effectiveness of the ISAF operation as a whole over the period in question (2002-2012), while simultaneously also testing the hypothesis of this study.

### ***Key Research Questions***

There are many different avenues of enquiry which could be pursued in relation to the ISAF’s large and disconcerting caveat dilemma within the ISAF mission in Afghanistan. There is not enough scope in this doctoral thesis, however, to explore all of these. Consequently, in relation to the ISAF’s caveat problem, this thesis focuses analysis on the questions of ‘What?’ and ‘How?’, rather than the more politically-oriented questions of ‘Why?’, the latter to be left to scholars from the fields of Political Science and International Relations. More specifically, in pursuit of the aim, this research will concentrate almost exclusively on identifying the full extent or scope of the caveat problem within the ISAF mission (*what?*), and determining the impact of ISAF national caveats on security forces conducting the security line of operation within the strategy (*how?*).

Consequently, the researcher has formulated two key research questions to guide the following investigation and analysis of the ISAF caveat issue.

The first question is: ‘*What is the extent of the ‘caveat problem’ within the NATO-led ISAF multinational mission in Afghanistan?*’ In determining the extent of national caveat imposition within the ISAF, this question also seeks to assess the *ability* of ISAF security forces to act in a unified manner in their activities within Afghanistan.

The second question is: '*How have ISAF national caveats tangibly impacted on the ISAF's prosecution of security operations within the Counter-Insurgency (COIN) mission?*' In investigating the practice of ISAF security forces over the research period, this latter research question seeks to determine the on-the-ground *realities* pertaining to unity of effort amongst ISAF security forces in the course of their operations.

Finally, corresponding to the aim of this research, the findings of this study will be used to assess the overall impact of ISAF national caveats on the operational effectiveness of the ISAF multinational mission over the research period. This assessment will be made using the key analytical lens of unity of effort which, as outlined above, is an essential prerequisite principal for achieving operational effectiveness within all MNOs. In short, the study will conclude with an assessment of: firstly, the overall impact of ISAF national caveat imposition on *unity of effort* among security forces within the ISAF operation; and secondly, the overall impact of ISAF national caveats on *operational effectiveness* within the mission between 2002-2012.

### ***Method of Research***

In seeking to answer these questions a number of steps were taken to gather and analyse relevant data. Mixed methods of research, involving both quantitative and qualitative analysis, were adopted in this ISAF caveat analysis.

Firstly, empirical information relating to the national caveat issue within the NATO-led ISAF mission in Afghanistan was collected from the full range of primary and secondary sources at the researcher's disposal. The materials collected related to the research period under examination, namely the decade between 2002-2012.

Secondly, caveat data were generated from this empirical information. These data were extracted from the source materials and organised qualitatively using discourse analysis, with caveat-related information grouped into caveat-related themes within large Word documents. That is, caveat data were grouped together by content based on similarity of subject-themes, for instance relating to: the numbers or names of nations imposing caveats within the ISAF; the numbers of caveat rules reported as being imposed within the ISAF over the decade in question; or indeed the content of ISAF nations' caveat rules in themselves, in cases where valid information has been made available.

Thirdly, the caveat data were quantitatively and qualitatively analysed. With regard to the former, numerical information within this multi-themed caveat data was quantified in the form of tables, graphs and charts, wherever possible, in order to represent more clearly the numerical patterns and

trends occurring within each caveat-related theme under examination. As for the latter, the data were analysed qualitatively, chiefly through identifying content patterns and trends within the data themes, in order to demonstrate the causality between national caveats and unity of effort within the ISAF over the research period, while also drawing broad insights into the scope and effects of the mission's caveat predicament.

The analysis outlined above took place in two phases in order to answer the two key research questions outlined above regarding, firstly, the extent of the caveat problem within the ISAF multinational campaign, and secondly, the impact of the caveats on ISAF security forces in the course of their activities in Afghanistan.

### ***Research Phases (2008-2014)***

The quantitative and qualitative caveat research outlined above was prosecuted over a period of six years from 2008-2014. The research method employed in the quest to answer these two key questions involved a number of phases over the course of this time period. Each of these research phases has been described below.

#### *Information Collection*

The first phase of this project was the collection of caveat-related information relating to the NATO-led ISAF mission in Afghanistan. Intensive collection of information took place between mid-2008 and 2010, but also continued over the course of the research until the final writing stages in early 2014. The result of this continuous collection was a vast body of caveat-related ISAF information, drawn from written and oral primary and secondary source materials.

#### **Primary Source Materials**

The primary source data consisted mostly of official information released by means of: documents, reports, articles and press releases published by NATO; documents, press releases, transcripts and audio-visual files of press conferences with COMISAFs released by the ISAF mission itself via ISAF Headquarters; and reports, transcripts, press releases and other documentation published by national governments on their official websites (for instance, the official websites of the Ministries of Foreign Affairs and/or Defence run by the governments of the United States, the United Kingdom, Canada, Germany, France, Italy, and the Netherlands, among others). Because the researcher understands and speaks French and German as foreign languages, official government documentation was also gathered in these two languages. With respect to German, for example, information was collected from the official websites of the German Army (*Bundeswehr*) and the German Ministry of Defence (*Bundesministerium der Verteidigung*).

In addition to this empirical information, this study was greatly aided in the course of the research by the stunning international leak of the *Wikileaks* cache of diplomatic cables, comprising hundreds of thousands of official written communiqués between the U.S. Department of State and its various missions in national capitals around the world, including in Kabul itself and at NATO Headquarters in Brussels. The cache of documents was posted online by *Wikileaks* in several instalments between 2010-2011 and instantly became part of the public record – much to the embarrassment of many nations around the world, as frank and sometimes brutal American assessments of secret political and military government dealings became exposed to public view. This leak of formerly classified documents – considered the largest confidential disclosure in world history – has been called a ‘goldmine’ and ‘a historian’s dream’ (while also ‘a diplomat’s nightmare’), providing scholars with access to previously classified official government information ranging in date from December 1966 to February 2010.<sup>33</sup>

Due to the fact that national caveats within the ISAF mission are frequently cited and referred to within this cache of U.S. diplomatic cables, the *Wikileaks* treasure-trove of data was a great help and of considerable value to this in-depth caveat investigation. For the purposes of this research, cables were selected for analysis based on a keyword search using the word ‘Afghanistan’ and ‘ISAF’ in conjunction with the codewords ‘caveat’, ‘rules of engagement’, ‘restriction’, ‘limitation’, ‘mandate’ and ‘COIN’. Through this search hundreds of diplomatic cables were found to contain caveat-related information, in addition to details with regard to national governments’ contributions to the ISAF mission generally. This group of cables dated back to 2006, with caveats continuing to be written about and referred to over the next four years into 2010. Several military reports from the ‘Afghan War Logs’ cache of documents, comprising 92,000 field reports from American commanders on the ground in Afghanistan, were also drawn upon during the course of the research, in relation to cavaeted forces and resulting negative security incidents.<sup>34</sup>

In addition to the vast quantities of official written and audio-visual primary source materials collected for this analysis, the researcher also conducted informal and formal interviews, or alternately corresponded by letter or email, with both defence civilians and military personnel with either expertise in ISAF and caveat-related issues, and/or experience operating in Afghanistan as part of the ISAF. A schedule of the names of interviewees and people with whom the researcher communicated or corresponded – in cases where confidentiality has not been invoked – along with the dates and locations of these communications, can be seen on p. xx-xxii of this volume (see endnote for additional comments on ethical approval).<sup>35</sup>

Interviewees were under no obligation to speak to the researcher, and were each given the option of anonymity. Consent was verbally given to the researcher in each case for the use of orally-related

information in this thesis. Many of the interviews were also recorded by means of dictophone with the permission of the interviewee. Of all the interviewees consulted, one individual requested anonymity and therefore the identity of this person has been protected in this research. One contact, with whom the researcher communicated, also requested this protection. In addition, one interviewee requested to see a list of direct quotes upon completion of this thesis, and this request has been complied with.

The researcher conducted two formal interviews in New Zealand during 2009. The first interview took place with LTCOL Andrew Shaw, at the NZDF Command and Staff College located at Trentham Military Camp, during November. Shaw was then Commander of the Command and Staff College and had been formerly deployed to Afghanistan during 2005, as a NZDF Liaison Officer in Afghanistan stationed at the U.S. OEF Headquarters in RC-East. The second interview was conducted in December with MAJ Steve Challies at Massey's University's *Center for Defence & Security Studies* (CDSS), where Challies was posted as the NZDF Teaching Fellow in Tactics. Challies is a veteran of the NATO-led KFOR operation in Kosovo, who witnessed and experienced first-hand the disastrous effects of caveat imposition on NATO KFOR troops during the 2004 Kosovo Riots (the latter outlined in Chapter 4 and in greater detail in the KFOR Case-study provided in APPENDIX 1 of *Volume II*).

An overseas research trip was furthermore undertaken in August-September 2010, funded in part by the CDSS, to visit Washington D.C. in the United States, and London in the United Kingdom. In Washington, an in-depth formal interview was conducted with LTGEN David W. Barno (Ret'd) at the *Center for a New American Security* (CNAS). Barno was the U.S. Army Operational Commander of the OEF operation in Afghanistan between the years 2003-2005, with command over the U.S.-led Combined Forces Command-Afghanistan (CFC-A) Headquarters and over 20,000 multinational OEF forces. Another formal interview also took place in the American capital with a high-ranking military source at the Italian Embassy (conducted on the basis of confidentiality). During this visit, the researcher was in addition greatly assisted in Washington D.C. by the Defence Staff at the New Zealand Embassy in Georgetown, who via email passed on written caveat-related queries and elicited responses from senior NZDF personnel working at U.S. Central Command (CENTCOM) Headquarters in Florida and other U.S. Command Headquarters within the United States.

During the researcher's subsequent visit to the United Kingdom, an in-depth formal interview was undertaken with the NZDF Military Adviser at the New Zealand London High Commission, LTCOL Nick Gillard, who was formerly deployed to the ISAF as the Chief of Staff at the New Zealand-led PRT in Bamyan Province. Gillard was stationed in Afghanistan between April-October 2009 (CRIB 14), during which time he held command responsibility for day-to-day operations at the PRT,

including tactical planning and coordination of all NZDF security operations within Bamyan Province.

While a second research trip was planned in subsequent years (2011-2012), for the purpose of conducting further ISAF caveat-related interviews at NATO Headquarters in Brussels and the European continent, the unexpected phased-release in late 2010 and mid-2011 of the large thousand-document *Wikileaks* cache of detailed diplomatic cables – freely available and accessible online world-wide and containing a great deal of rich caveat-related information (especially with regard to NATO nations operating in Afghanistan) – rendered this trip unnecessary.

In addition to interviews, multiple informal discussions in response to research queries also took place between 2008-2012 with academic colleagues, NZDF military teaching personnel and visiting NZDF officers with deployment experience in Afghanistan at the *Centre for Defence and Security Studies*. The Centre is the principal education institution for Defence and Security Studies in New Zealand and is located at the Manawatū Turitea Campus of Massey University in Palmerston North. It is partially-funded by the NZDF and provides educational services to the Command and Staff College at the Trentham Military Camp, located near the capital city of Wellington. Many of the comments, insights and observations conveyed during these discussions and relating to this research have been presented in this thesis, particularly in the preceding chapters relating to the conceptual framework for this caveat analysis. As with the interviewees, consent was verbally given to the researcher in each case for the use of orally-related information in this thesis. Of all of these contacts, only one person requested identity protection, and this request has been complied with.

Finally, written personal correspondence took place during the course of the present research, via email and letter respectively, between: firstly, the researcher and New Zealand Defence Headquarters in Wellington; and secondly, the researcher and a New Zealand civilian defence expert based at the National Defence University (NDU) in Washington D.C., the United States.

### Secondary Source Materials

This research has also drawn heavily from secondary sources. These sources have included: (1) academic journal articles on a range of subjects related to Afghanistan, the ISAF mission, COIN, NATO, military principles, and national caveats; (2) news articles and commentary from print and online media from around the world; (3) articles, briefs, reports and commentary from political institutions such as the *Council of Foreign Relations* (CFR), *Atlantic Council in the United States* (ACUS), the *Institute for the Study of War* (ISW) and the *Brookings Institute*; (4) articles published in political magazines, for instance in *TIME Magazine* and *Der Spiegel*; (5) and audio-visual material taken from journalistic television interviews and documentary DVDs, the latter focusing specifically

on British, Danish and American ISAF force contingents between 2008-2012, and the problems these forces have faced on the ground as they have attempted to fulfil ISAF mission objectives in the Afghan theatre of war.

The vast majority of this secondary source material was freely available and accessible online, by means of the internet, in many respects the result of an ever-globalising information age. The ability to undertake online data collection has been a critical advantage to this research, enabling access to news articles and commentary written around the world, and even in languages other than English (German, French and Italian). Secondary source collection began in mid-2008 and has continued into early 2014 at the time of writing, as new reports and articles on the caveat situation within the ISAF have become available.

#### *Data Generation & Organisation*

The second phase of the research involved extracting and organising all the caveat-related information obtained via primary and secondary sources. The approach adopted to undertake this classification of information was discourse analysis, by which information is examined based on its surrounding context and then organised into themes. Quantitative and qualitative discourse analysis was applied to the full body of caveat-related data within the primary and secondary source materials. The caveat information was extracted from the source material and placed into large Microsoft Word documents, based on the relativity of the information to several subject-areas.

These subjects-areas included: (1) the numbers of ISAF TCN nations imposing and not imposing caveats; (2) the identities of the nations imposing and not imposing caveats between 2002-2012; (3) the total number of national caveat rules imposed at any one time on the ISAF force over this period within the ISAF mission; (4) the content of the national caveat restrictions with regard to both limitations and prohibition rules imposed by each TCN, as available, including specific details; (5) the total numbers, percentages or proportion of the ISAF force affected by caveat constraints; (6) tangible on-the-ground examples of security incidents reported as influenced in some way by the imposition of national caveats on ISAF forces, arranged according to national forces involved and the location of the incident within the Regional Command sectors; (7) the impact of ISAF caveat-imposition on operational effectiveness, including the impact on each of the fundamental military principles of unity of effort, unity of command and cooperation, coordination and consensus; (8) political reasons and explanations provided by TCNs for the imposition of caveats on national contingents (also including accusations of and arguments for the invalidity of these reasons by NATO and national government officials in addition to academics and observers); (9) general politico-military information relating to each TCN's contribution to the ISAF mission, including the size, nature and task-orientation of their ISAF contingents; and finally, (10) general statements made by national government and defence

officials with regard to national caveats generally, the issue of widespread caveat imposition within the ISAF mission, and national commitment to the success of the ISAF mission and (where applicable) to NATO.

### *Data Analysis*

From this thematic categorization, quantitative and qualitative analysis commenced in earnest – the third phase of the research.

In terms of quantitative analysis, a large number of tables and graphs were created to demonstrate more clearly and concisely the numerical and percentage data gathered in the above thematic documents, and also to draw attention to numerical patterns in the data. In terms of caveats and TCN nations, for instance, the analysis sought to establish a timeline tracking the rise and fall of caveat-imposing TCN numbers within the ISAF mission, and to identify precisely the nations represented by these numbers. The resulting data was subsequently presented in a series of tables, each focusing on a different aspect of the data (for instance, total caveat-imposing and caveat-free TCN numbers with regard to the ISAF coalition as a whole, and total numbers in relation to the two sets of NATO nation and Partner nation TCNs over the period). ISAF force numbers and percentages affected by caveat restraints were similarly translated into numerical tables and pie graphs, in order to better reflect the overall caveat picture in relation to ISAF forces within the mission.

A comprehensive list of all of the graphs and tables designed as part of this research, in order to reflect and convey the various streams of new caveat data unearthed by this study, can be seen on p. xvii-xix of *Volume I*. Most of these tables and graphs are presented within the body of this thesis. However, the largest data tables, in addition to tables relating directly to the extensive caveat lists outlined above, are located in the Appendices within *Volume II*.

In terms of qualitative analysis, furthermore, the researcher sought to identify caveat-related patterns within each of the themed documents in order to answer both of the key research questions. In terms of the first research question, for instance, the extent of the ‘caveat problem’ within the ISAF, from the fourth themed document outlined above, the researcher sought to compile extensive lists of known caveats arranged by nation, caveat ‘type’ or ‘category’ (for example, geographical caveat, regional caveat, command caveat etc.) and security force units. These comprehensive lists have been provided in the appendices contained in *Volume II* of this research. In terms of the second research question, regarding the effects of caveats on security operations, reports of security incidents stemming from or related to caveat imposition on ISAF forces were placed together based on the location of the incidents within each Regional Command, and the nationality of the forces involved.

### *Writing: Research Findings*

The final phase of this research has been that of describing and presenting the research findings within the structural framework of a doctoral thesis. Having undertaken this thematic and subject-related analysis, it quickly became apparent that the scope of this research needed to be much more narrowly-defined, given the vast quantities of caveat-related information collected (aided greatly by the *Wikileaks* caveat disclosures). In truth, what had once seemed only a small field of caveat study in 2008 had by 2012 augmented into a caveat ‘mountain’ with ramifications for many different disciplines within political and security studies. Consequently, because of the limitations in scope and length imposed by the framework of a doctoral thesis, many observed themes or patterns related to ISAF caveat-imposition had by necessity to be excluded from the present study.

For instance, originally planned case-studies on the Lead Nations within each Regional Command, and the effects of their caveat status on their ability to lead security operations within their respective sectors over the past decade, had to be abandoned. An initial plan to discuss the political, military, historical and social reasons or factors influencing caveat-imposition by these Lead Nations within the mission also had to be discarded, since such a discussion fell outside the scope of this effectiveness-centred research. Similarly, planned case-studies on the caveat disparities between Lead Nations and subordinate supporting nations between 2003-2010, and the potential knock-on effects of these disparities on the prosecution of the security line of operation within each of the ISAF’s Regional Command sectors, also had to be excluded from this research. Lastly, planned in-depth analysis of the relationship between caveat imposition and the ability of ISAF forces to properly conduct COIN – a very important area with regard to COIN theory and also in light of the high likelihood of future COIN campaigns – likewise had to be laid aside in the main.

In sum, only findings relating to the two key research questions outlined previously, and to the overall aim of the study relating to the impact of caveats on operational effectiveness, were included in this thesis.

### ***Thesis Structure***

These research findings were written within this thesis in three distinct stages, corresponding with the analysis conducted in answer to each of these two key research questions, subsequently followed by a comprehensive discussion of the research findings with regard to this study’s overall aim. As a result the research has been structured in the following way.

Section II (including this chapter) contains the framework of this research. This chapter has outlined the rationale and method of research adopted for this investigation. The following two chapters will

provide detailed background with regard to the context in which this research takes place – namely, the ISAF COIN operation in Afghanistan. Chapter 6 will provide an overview of the history of the ISAF operation, including the way in which NATO assumed leadership over the mission in 2003, and the consequences of this on the composition of the ISAF coalition participating nations. Subsequently, Chapter 7 will describe the developments which led to a COIN orientation of the ISAF campaign in Afghanistan, and outline NATO’s overarching COIN strategy, including its principal Lines of Operation. Since this study is chiefly concerned with the impact of national caveats on ISAF security forces within the campaign, particular emphasis will be paid to the security LOO within the COIN strategy and the composition and tasking of ISAF security forces.

Section III addresses the first research question of this caveat analysis relating to the extent or scope of the caveat issue within the multinational ISAF operation in Afghanistan. Chapter 8 will provide an overview of the ISAF mission’s caveat difficulties from the outset in 2001 until the present day. In Chapter 9, the total numbers of caveat-imposing and caveat-free participating nations within the ISAF coalition will be presented. Furthermore, the nations represented by these numbers will be identified to clearly distinguish the ISAF nations imposing, not-imposing and re-imposing caveats on their ISAF forces over the period 2002-2012. Lastly, Chapter 10 will demonstrate the proportion of the ISAF force which has been continually affected by government-imposed caveat restrictions over the decade under review. Furthermore, in order to reveal the severity of the mission’s caveat plight, the chapter will present the total numbers of official caveat restrictions in existence within the mission over the decade, and discuss the very wide range of caveats that have been imposed on ISAF forces over this ten-year time period.

Section IV consists of Chapters 11-13, which together seek to answer the second key research question relating to the on-the-ground realities or effects of caveat imposition on ISAF security forces conducting security operations along the security LOO. Chapter 11 will focus specifically on the tangible effects of ISAF caveat-imposition on the planning and execution of security operations conducted by security forces within the ISAF COIN campaign. Chapter 12 narrows this analysis further, by focusing solely on the impact of national caveats on combat operations conducted by combat manoeuvre forces within the campaign, outlining the ways in which caveats have served to simultaneously hinder ISAF combat forces and help the insurgent Enemy within Afghanistan. The issue of ‘unequal burden-sharing’, a phenomenon which has emerged within the mission as a direct result of widespread caveat imposition within the ISAF coalition - especially among its Lead Nations - is lastly examined in Chapter 13 (with further analysis provided in APPENDIX 11 and APPENDIX 12 with regard to three specific factors which have exacerbated this divide with regard to combat operations).

In Section V the findings of this research will be discussed with regard to the overall aim of this research – to assess the impact of national caveats within the ISAF on the overall operational effectiveness of the Afghan mission over the period 2002-2012. In Chapter 14 the extent of the caveat issue combined with the effects of ten years of caveat-imposition within the ISAF will be measured against the fundamental military principle of unity of effort – the essential principle for the attainment of operational effectiveness within multinational security operations. In addition to the overall impact of the ISAF’s caveats on unity of effort, moreover, this analysis will also consider their impact on the underlying supporting structures of unity of effort within multinational missions – unity of command and cooperation, coordination and consensus. Finally, Chapter 15 will directly address the aim of this research, by considering the weight of the caveat data discovered in the course of this research in relation to the overall impact of national caveat imposition within the ISAF on the mission’s operational effectiveness in Afghanistan. This final assessment will lead to the final conclusions of this research.

## **Conclusion**

This chapter has provided an overview of the importance of this caveat research and indicated where the research fits within academic scholarship in terms of the subjects of both multinational security operations and national caveats. As this chapter has shown, there is a very large ‘caveat gap’ within defence literature as a whole towards the matter of national caveats within multinational military operations. This thesis seeks to make a significant contribution towards filling this gap. This research is original in that it is the first to examine in detail the full extent of the caveat issue within the NATO-led ISAF mission, aided substantially by government primary sources, especially the *Wikileaks* U.S. Department of State cache of diplomatic cables. It is also the first in-depth caveat analysis on the real-life effects of caveat-imposition within the ISAF operation, and the overall impact of these effects on the mission’s operational effectiveness, rather than merely the source of the caveats within the domain of domestic politics. In this sense, the research may offer significant and poignant lessons for the command design and conduct of future multinational security operations in relation to national caveats, especially those conducted by NATO or which involve COIN.

In the following chapters, this original research will be presented as outlined above. The next chapter will begin this presentation by providing an introduction to the unique and complex MNO which is the setting for this caveat research – namely the UN-mandated, NATO-led International Assistance Security Force (ISAF) mission in Afghanistan.

## **CHAPTER 6**

### **The Multinational NATO-led International Security Assistance Force (ISAF) Operation in Afghanistan**

The following two chapters seek to provide an introduction to the contextual setting within which this caveat research takes place – the NATO-led ISAF operation in Afghanistan and its orientation as a COIN campaign. Together these chapters seek to provide a political and operational overview of the multinational mission, in order to provide essential background information for the caveat analysis which is to follow.

This chapter aims to provide a comprehensive introduction to the ISAF operation currently operating in Afghanistan. To begin, the chapter will introduce the mission, outlining the overall political and historical background behind the operation and the purpose for which the ISAF mission was created. Several of the distinguishing characteristics of the mission will next be highlighted, each of which has added to the operation's complexity as a modern MNO. An historical overview of the political and legal arrangements that have created the ISAF mission in Afghanistan will subsequently be provided. The mission's early problems with leadership will also be discussed, including the way in which this difficult issue was resolved when NATO accepted a request by the UN and the new democratically-elected government of Afghanistan to take command of the mission. The chapter will also discuss NATO 'ownership' of the mission in subsequent years, and the way in which NATO member nations have been principal force contributors to the mission and formed a majority group within the ISAF for the duration. Finally, NATO's Operational Plan for achieving the mission's objectives in Afghanistan will be presented, followed by an overview of the mission's progress through these planned phases to date.

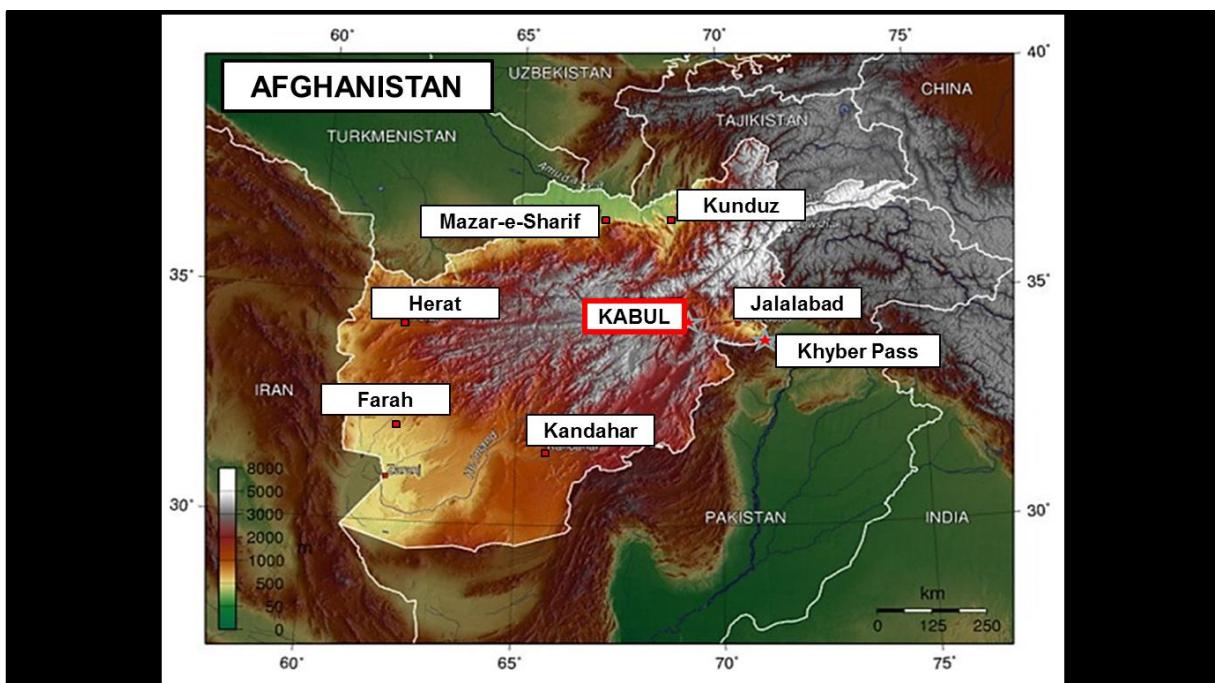
### **The International Security Assistance Force (ISAF)**

The ISAF is a multinational military force working on behalf of the international community to assist the government of Afghanistan in maintaining its physical, political and economic security, in the face of armed opposition in the form of extremist and insurgent entities operating within and without Afghan sovereign territory. The ISAF is the physical, tangible embodiment of collective international will in regard to that country, in the wake of the 9/11 Al-Qaeda terrorist attacks of September 2001 on the United States, and the subsequent Operation Enduring Freedom (OEF) campaign which ousted the totalitarian Taliban regime from power in Afghanistan. The Taliban government had been supporters

and hosts of the central Al-Qaeda terrorist cell, which had planned these attacks, causing Afghanistan to become a critical sanctuary of Al-Qaeda and other terrorist groups.

### **The Mission of the ISAF**

The central purpose of the ISAF is, as its name suggests, to ‘assist security’ in the country, primarily by conducting a campaign to restore security and stability to Afghanistan. This security assistance is conducted with the permission of, and on behalf of, the newly-created democratically-elected Afghan government, and in the broader global interest of international stability and security in an era of global Islamist terrorism. It is hoped, moreover, that a secure and stable Afghanistan will, by extension, also promote greater security and stability within the surrounding region of Central Asia and thereby deter any new terrorist sanctuaries in the region. A map showing the location of Afghanistan within the Central Asian region may be seen below in *Figure 6.1*.



*Figure 6.1 – Afghanistan: Topographical view of Afghanistan showing Kabul City to the east of the Hindu Kush mountains and the Khyber Pass along the Afghan-Pakistan border<sup>1</sup>*

The aim or mission of the ISAF operation in Afghanistan may be found in the ISAF’s own mission statement, as published in successive ISAF official publications. It states that the mission of the ISAF is to:

Conduct military operations in the assigned AO to assist the Government of Afghanistan (GoA) in the establishment and maintenance of a safe and secure environment with full engagement of Afghan National Security Forces, in order to extend government authority and influence, thereby facilitating Afghanistan’s reconstruction and enabling the GoA to exercise its sovereignty throughout the country.<sup>2</sup>

From this statement it is clear that the ISAF's overarching aim in Afghanistan is 'to extend government authority and influence' within Afghan sovereign territory, a product of which will be better administration of central governance and the completion of reconstruction work throughout the country. Towards this aim, ISAF's primary mission is to 'conduct military operations' within the boundaries of Afghan territory and in partnership with Afghan National Security Forces (ANSF), for the specific purpose of *establishing and maintaining a safe and secure environment* within Afghanistan. As the NATO's factsheet on the ISAF operation neatly summarises: 'ISAF's primary role is to support and assist the GoA *in providing and maintaining a secure environment* in order to facilitate the rebuilding of Afghanistan, the establishment of democratic structures and deepen the influence of the central government' [emphasis added].<sup>3</sup>

### **A Complex Mission**

While the purpose of the ISAF mission in Afghanistan is clear, in military terms the ISAF coalition is in fact a complex and multi-faceted creation, and one that could rightly be argued to be conducting one of the most difficult and controversial campaigns in modern history. Indeed, there are twelve different characteristics of the ISAF multinational mission, each of which adds its own layer of complexity to the ISAF undertaking in progress. These traits are as follows:

1. The ISAF is a multinational force drawn from scores of contributing nations, each with its own set of political interests and peculiarities in language, military culture, force structure, skills, training and equipment.
2. The ISAF is essentially an *ad hoc* coalition, rather than a structured, more permanent, formally-organised alliance grouping. It is consequently comprised of forces drawn from volunteer nations to the international effort, which are organised along temporary command lines for a specific, finite purpose.
3. This so-called 'coalition of the willing' has, nevertheless, been administered, commanded and controlled for over a decade (2003-2014) by the NATO organisation. NATO is a powerful, permanent military alliance created following the Second World War as a means of providing collective security for all of its members. This arrangement has created two tiers of force contributing nations within the ISAF mission – those in the voluntary coalition which are also members of NATO, and those which are not members – a distinction which has created additional divisions and frictions within the international force.
4. This complex multinational ISAF force is primarily conducting a land campaign, with small contingents of air forces providing transport, close-air support and medical evacuation functions. As

explained in Chapter 1, ground warfare is the most difficult of operational environments and a drain on both men and treasure. This difficulty is amplified, moreover, by the fact that this land campaign involves very large numbers of international army infantry. To illustrate, the ISAF force augmented from 35,460 personnel in January 2007 to 130,386 personnel in January 2012, the largest proportion of these figures comprising infantry ground forces of diverse nationalities.<sup>4</sup>

5. This vast ISAF force is operating within the construct of the most complex multi-parallel Lead Nation C<sup>2</sup> command arrangement in existence for MNOs. Furthermore, there has never been one set of agreed upon ‘standardised’ ROE to govern the activities of the 51 international contingents which have participated in the mission between 2001-2012.

6. The ISAF is operating within the context of a population-centric, non-conventional, asymmetric COIN war campaign. COIN campaigns, conducted to counter an insurgency, are one of the most difficult forms of warfare. COIN warfare is primarily psycho-political in nature rather than purely military, as would be the case in a conventional Enemy-centric campaign. This has also meant that, as in all COIN campaigns, the ISAF mission is required to be conducted over protracted periods of time (COIN warfare is discussed in greater depth in Chapter 7).

7. ISAF’s campaign consequently involves the parallel and simultaneous tasks of militarily eliminating hostile insurgent elements, on the one hand, while simultaneously performing the reconstruction, development and governance work of nation-building, on the other. These are both tasks that require a great deal of extra effort expenditure from military armed forces, including heavy dependence on the use of non-traditional military skills such as local relationship-building and the amassing of local consent and support.

8. This local relationship-building is in addition to the effort that must already be invested in building and maintaining good working relationships between the numerous and diverse international contingents within the ISAF multinational force, a difficult undertaking in itself within any MNO.

9. This COIN work performed by the ISAF is conducted in full view of an undefeated and resilient insurgent force, comprised of multiple groupings around Afghanistan, including Afghan Taliban and Al-Qaeda groups among several others. These insurgents comprise a non-uniformed, elusive Enemy, who frequently conceal themselves within the civilian population, and even use population centres as key sites from which to mount attacks against ISAF and Afghan forces. Adding to this difficulty, the mission’s anti-GIRoA adversaries are non-LOAC abiding, and consequently not only employ asymmetric methods, but also unlawful methods of war. The latter includes the heavy

use of psychological warfare, through large numbers of IED and terrorist suicide-bomber attacks that specifically target Afghan civilians as well as ISAF and Afghan security and stability forces.

10. This modern insurgent Enemy has – with help from the terrorist Al-Qaeda network – evolved over time to become technologically-savvy, adept at exploiting global mass media communications (giving rise to the term ‘Neo-Taliban’). Internet sources are used by these insurgents as much for acquiring intelligence on ISAF and Afghan government counter-insurgency forces, as for propaganda and recruitment purposes. This has also meant that insurgents are now able to globalise their extremist movement in Afghanistan by communicating and inter-connecting with supporters and other insurgent groups around the world.

11. The Afghan insurgent Enemy force is fragmented into multiple groups that, more often than not, lack any formal structure, hierarchy or organisation, and operate more like independent, sporadically-cooperating cells in a fluid geographical environment. This fact has made the work of countering-the-insurgency even more difficult for the ISAF force, than might otherwise be expected in COIN.

12. Finally, these splintered insurgent groups are supported by a powerful and lethal combination of internal and external sources. Internally within Afghanistan, the insurgents are supported by locals hostile to the new Afghan government, in addition to the profitable proceeds of the poppy-flower opium trade. Externally, moreover, they are supported by terrorist groups like Al-Qaeda in addition to the governments of ISAF-hostile countries, notably Pakistan and Iran.

From this overview it is evident that the ISAF is one of the most complex multinational security missions being conducted anywhere in the world. Moreover, it is simultaneously facing one of the greatest challenges of the twenty-first century – that of bringing security and stability to a country menaced by insurgent and terrorist foes, the outcome of which will have important consequences in multiple political and military spheres, and for the international community at large. The following discussion will: explore the creation of the ISAF, outline its leadership issues; discuss NATO’s overall ‘ownership’ of the mission from 2003 onwards; and finally, explain NATO’s Operational Plan for the ISAF campaign.

## **Ushering In a New Era in Afghanistan: The Genesis of the ISAF**

The difficult international security enterprise, outlined here, began in 2001 following the September 11 attacks on New York and Washington D.C. and the resultant OEF campaign in Afghanistan which, by ousting the Taliban, had created a power-vacuum within this war-torn and under-developed country. The ISAF entity was created on 5 December 2001 at the international conference held in Bonn, Germany. The Bonn Conference was convened to initiate the process of rebuilding Afghanistan into a stable, democratic, pluralist Islamic state, at peace with both the international community and its own regional neighbours, and of implementing reconstruction and development within the country. At Bonn, a temporary governmental Afghan Interim Authority (AIA) was established to conduct the affairs of state and act as the repository of Afghan sovereignty on 22 December.<sup>5</sup> It was to be replaced within eighteen months by an Afghan Transitional Authority (ATA) elected at an Emergency Loya Jirga convened by exiled Afghan King Mohammed Zaher.<sup>6</sup> Both the Interim and Transitional Authorities were initially led by Hamid Karzai, a former Afghan warlord and Pashtun ally of the anti-Taliban ‘Northern Alliance’, which in earlier months had helped to capture Kandahar during the OEF campaign.

The ISAF was initially created to be a multinational peace and stabilisation force in Kabul, and was sanctioned under a UN Security Council peace-enforcement mandate under Chapter VII of the UN Charter (UNSC Resolution 1386).<sup>7</sup> From the outset it was a coalition of the willing, acting with a UN mandate, rather than a UN deployment *per se*. It was consequently also dependent on the contributions of personnel, equipment and other resources by UN Member-States, as well as other necessary assistance as requested, such as overflight and transit clearances.<sup>8</sup> Its mandate was to support the AIA by providing a secure and stable environment in Kabul and its immediate environs, thereby allowing political and economic transition as well as reconstruction to proceed.<sup>9</sup> During this period other Member-States were called upon to assist in establishing a new Afghan security infrastructure involving, among other things, the training of indigenous security forces.<sup>10</sup>

A detailed Military Technical Agreement (MTA) was subsequently signed between the Commander of ISAF (COMISAF) and the AIA, which formalised the earlier Bonn Agreement and established the ISAF’s role, mission, size and ROE.<sup>11</sup> Though permitted to move around at will and to defend themselves, as well as to ‘take all necessary measures to fulfil the mandate’, ISAF forces were to be seen as a distinctly separate force from the OEF Coalition Forces under U.S. command that were continuing to engage in hostilities with the remnants of Taliban and Al-Qaeda fighters along the Afghanistan-Pakistan border regions.<sup>12</sup>



Figure 6.2 – ISAF Headquarters: The ISAF Headquarters (ISAF HQ) complex in Kabul<sup>13</sup>

The ISAF force itself became a real entity on 20 December 2001 when Britain's offer to contribute 1,500 armed forces and to assume overall command for the first three months of the mission was accepted by the UN Security Council and enshrined in law under UNSC Resolution 1386.<sup>14</sup> Sixteen other countries also contributed a further 2,500 armed forces at the same time making the first ISAF force deployment 4,000-strong.<sup>15</sup> Outside of the ISAF mission, nine Provincial Reconstruction Teams (PRTs) were established throughout the country by OEF, all led by various OEF participant nations.<sup>16</sup> During these early years of the UN-mandated ISAF mission, when its AO was confined to Kabul Province encompassing the Afghan capital city of Kabul, the coalition was comprised of an *ad hoc* assortment of TCNs, foremost among them the United Kingdom, Canada, France, Germany, Italy, the Netherlands, and Turkey. Immediately following the Bonn Conference in December 2001, command of the mission was assumed from the outset by the United Kingdom, referred to as the 'Lead Nation' of the mission.<sup>17</sup> As decided at Bonn, Lead Nation command was originally intended to rotate periodically, every six months, between all of the ISAF force contributors to the mission.<sup>18</sup> Consequently in July 2002 Lead Nation command was taken up by Turkey, the latter commanding the mission over a period of a further seven months until January 2003, and subsequently by Germany for the first half of 2003.<sup>19</sup>

## The Question of Leadership within the ISAF Mission

It was during Turkey's tenure as Lead Nation of the mission in 2002 that problems first began to arise amongst the TCNs of the ISAF mission. With regard to mission command, firstly, the coalition was suffering from a dearth in leadership with most of the ISAF's TCNs unwilling to assume Lead Nation command responsibility in their turn. This was in spite of the fact that the ISAF's mandate at that time was limited only to reconstruction and stabilisation activities, and also the reality that the mission's AO was actually very small, being confined to only one of Afghanistan's 32 total

provinces.<sup>20</sup> This unwillingness to assume command responsibility for the mission was so great amongst the ISAF TCNs, that Germany was compelled to serve a second consecutive term as ISAF Lead Nation, though this time sharing the role jointly with the Netherlands.<sup>21</sup> Secondly, the ISAF had become burdened with the difficulty of having to establish new mission command headquarters each time ISAF command responsibility changed hands and nationalities, an endeavour that was time-consuming and problematic given Kabul's already challenging security environment.<sup>22</sup>

It was at this unpromising juncture in the course of the ISAF mission that the UN, supported by Lead Nations Germany and the Netherlands together with the newly-elected GIRoA, were compelled in April 2003 to ask the NATO collective security organisation to take command of the ISAF mission in Afghanistan.<sup>23</sup> For the UN, on the one hand, NATO represented the ideal military institution for a challenging military mission and, with its broad membership and vast resources, seemed a competent and credible vehicle for successfully implementing the ISAF stabilisation mission, which included UN plans for expansion across the whole of Afghanistan. After all, NATO alliance members' collective military spending equated to 70 percent of all defence expenditure in the world.<sup>24</sup> Having invoked Article V of the NATO Charter for the first time in its history after the September 11 terrorist attacks, moreover, a collective-defence clause in which an attack against one member is considered an attack against all, the organisation was committed to fighting international terrorism and was already active in anti-terrorism aerial patrols in the skies over the United States and naval patrols on the waters of the Mediterranean Sea.<sup>25</sup> The prospect of a constant multinational NATO Headquarters, furthermore, offered on-going command stability as well as the opportunity for smaller nations to play a larger role in the new international headquarters.<sup>26</sup>

For NATO, on the other hand, the ISAF mission presented a unique opportunity for the organisation to transform and recast itself from an 'outdated' Cold War collective-security institution into a strong, democratic, flexible and modern security entity, able to address modern security challenges in the post 9/11 era.<sup>27</sup> In fact, taking responsibility for leading the ISAF was considered by NATO to be 'a vital step in its struggle for relevance' in the context of twenty-first century military missions.<sup>28</sup> As for the ISAF mission itself, with NATO boasting a membership of 19 alliance nations at this time, in addition to 22 formal and 15 informal partners worldwide, it was generally thought that NATO command of the mission to stabilise Afghanistan would encourage NATO stakeholders – member and non-member alike – to commit to the mission through national forces and financial resources. NATO leadership of the ISAF Afghan campaign would thereby have two positive effects: (1) it would secure the success of the ground-breaking NATO-led Afghan mission; and simultaneously (2) transform NATO itself into a modern collective security alliance, capable of taking part in the full scale of high- and low-intensity wars of the modern era in theatres around the globe.<sup>29</sup>

On 16 April 2003 the NATO organisation acquiesced to this UN request by a unanimous vote at NATO Headquarters in Brussels, the alliance agreeing to assume responsibility for the ISAF mission in August the same year. By consenting to lead the ISAF operation in Afghanistan, NATO had made a landmark decision: the Afghan mission would become the organisation's first 'out-of-area' operation, taking place in a geographical locality far outside NATO's traditional North Atlantic and European AO. The ISAF's problem of leadership was consequently finally resolved on 11 August 2003 when NATO assumed full command of the ISAF coalition of the willing. NATO immediately abolished six-monthly ISAF leadership rotations between TCNs, established a permanent multinational ISAF Headquarters in Kabul city, and assumed all responsibility for the command, coordination and planning of the ISAF force, including the selection of the COMISAF, thereby resolving once and for all the ISAF's problem of leadership.<sup>30</sup>

As expected, when NATO assumed responsibility for the command of the multinational mission in Afghanistan, the ISAF was comprised of forces contributed by the full list of 19 NATO member-nations, specifically: Belgium; Canada; the Czech Republic; Denmark; France; Germany; Greece; Hungary; Iceland; Italy; Luxembourg; the Netherlands; Norway; Poland; Portugal; Spain; Turkey; the United Kingdom; and the United States.<sup>31</sup> In addition, seven other nations that were at that time in the process of gaining NATO membership (a process to be completed by March 2004, bringing total NATO membership to 26 nations) also contributed forces to the ISAF mission, namely: Bulgaria; Estonia; Latvia; Lithuania; Romania; Slovakia; and Slovenia.<sup>32</sup> In subsequent years these ISAF TCNs would be referred to as the 'Allies' or 'NATO nations' to the ISAF coalition. International forces were also contributed to the NATO-led ISAF by a range of other non-NATO nations, namely Azerbaijan, Finland, Ireland, New Zealand, Sweden, Switzerland and The Former Yugoslav Republic of Macedonia (FYR Macedonia).<sup>33</sup> Albania and Croatia, both countries seeking to obtain NATO membership in future years, likewise contributed forces to the Afghan mission.<sup>34</sup> In subsequent years these non-NATO nations would be referred to as 'Partners' to the ISAF Coalition. Outside of the ISAF mission itself, many of these Partner nations also enjoyed formal or informal ties with the NATO organisation.

With NATO in command of the organisation, several principal NATO members also agreed to become ISAF Lead Nations with lead nation command responsibility over one or more of the five mission sectors as the ISAF expanded, namely Regional Commands Capital (RC-Capital), North (RC-North), West (RC-West), South (RC-South) and East (RC-East). The designation of NATO-member Lead Nations in each Regional Command had significance for NATO leadership of the coalition overall. It meant that, following the four expansionary stages, NATO would be able to provide leadership not only over the mission as a whole, at a strategic and operational level from Joint Force Command Brunssum and ISAF Headquarters respectively, but also at the operational and tactical

level with its own NATO Lead Nations holding lead command within each Regional Command in the country.

In designating Lead Nations for each of these Afghan sectors, NATO not only provided leadership at every major command level, moreover, but also simultaneously resolved successfully the Lead Nation ‘unwillingness’ issue which had formerly troubled the ISAF mission in earlier years. The NATO nations who were given this leadership command role over the five Regional Commands included the following countries: France, Turkey and Italy in RC-Capital, each to hold Lead Nation status on the basis of periodic rotations; Germany in RC-North; Italy in RC-West (also simultaneously a rotating Lead Nation in RC-Capital); Canada, the Netherlands and the United Kingdom in RC-South, each nation also to assume leadership periodically on the basis of rotation; and the United States in RC-East (see *Figure 6.3* below).



*Figure 6.3 – The ISAF Operation: ISAF map showing the five ISAF Regional Commands (2004-2010) and the Lead Nations in command of these sectors, as well as subordinate nations contributing forces to PRTs.<sup>35</sup>*

## NATO ‘Ownership’ of the Afghan Mission

From this historical account it is evident that from the moment NATO assumed command responsibility for the ISAF, the Afghan operation became a NATO-oriented mission with NATO member-nations – and many countries with interests or strong ties with the NATO organisation – representing the vast majority of force contributing nations. In fact, among all of the TCNs that have

contributed forces to the mission over the past decade between 2003-2012, NATO nations have continually outnumbered non-NATO Partner nations.

In August 2003, for instance, when the NATO organisation officially took lead command responsibility for the mission in Afghanistan, the ISAF was comprised of 35 TCNs, 19 of which were NATO nations and the remaining 16 non-NATO Partner nations. In percentages this meant that NATO nations comprised over half – 54 percent – of the ISAF coalition’s TCNs, with Partner nations comprising the remaining 46 percent. NATO nations thus comprised the largest share of TCNs from the outset of the NATO-led mission (depicted in *Graph 6.4* below).

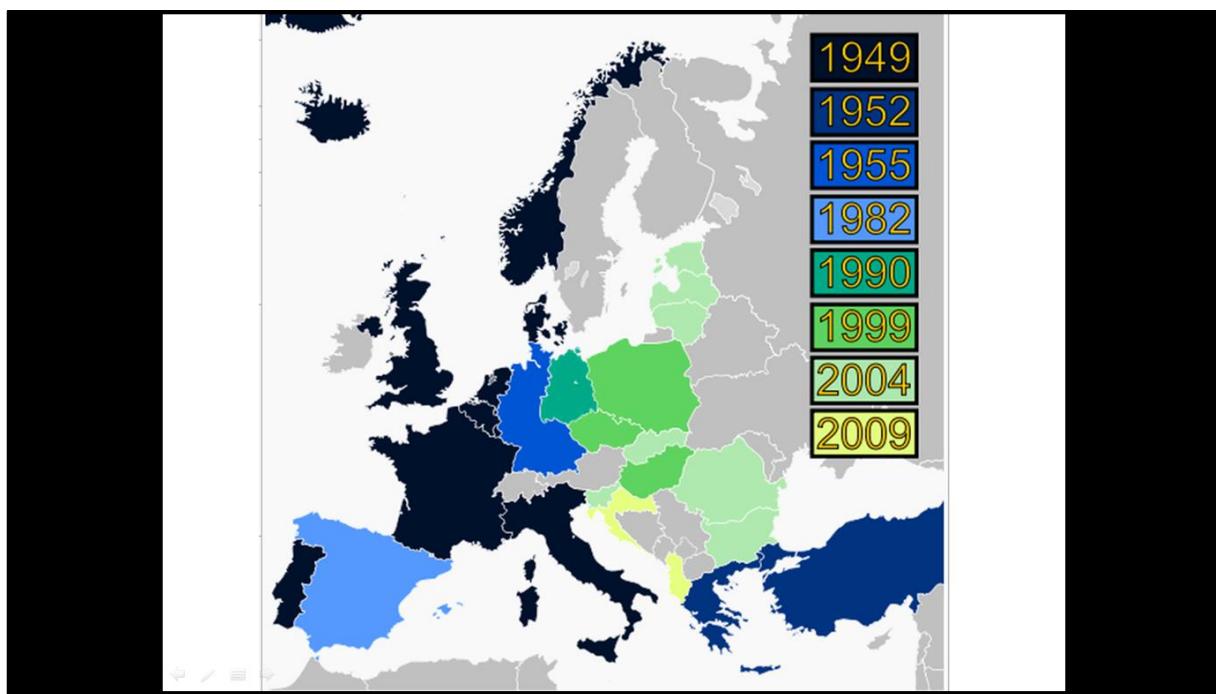


*Graphs 6.4 & 6.5 – NATO Nations & Partners (2003-2004): Pie graph showing the composition of the ISAF Coalition in Afghanistan between the years 2003-2004, in terms of the percentage of TCNs that were NATO nations, as well as the corresponding percentage of TCNs that were non-NATO Partner nations.*

This NATO ‘ownership’ of the ISAF mission has only increased over time as other former Partner nations to the ISAF have gained membership at the NATO organisation to officially become NATO nations within the coalition. This preponderance of NATO nations has occurred in spite of the fact that various other non-NATO nations have also become force contributing nations to the mission over the same period. To illustrate, on 29 March 2004, a group of seven nations – already Partner TCNs to the mission – officially gained membership within the NATO alliance, thereby changing their designation within the ISAF from Partner nation to NATO nation. This group was comprised of the following nations – Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia, bringing total NATO membership from 19 to 26 nations.<sup>36</sup> This meant that NATO nations within the ISAF coalition also increased from 19 to 26, so that NATO then supplied nearly three-quarters – or 74

percent – of all the TCNs participating in the Afghan mission. By contrast non-NATO nations decreased from 16 to a figure of only 9, Partner nations thereby comprising around a quarter – 26 percent – of all the TCNs contributing forces to the ISAF (see *Graph 6.5*).

These percentages would continue to fluctuate slightly over the next decade, as other non-NATO countries contributed forces to the ISAF or indeed as further Partner nations obtained membership within the NATO alliance (illustrated in *Figure 6.6*). Nevertheless, NATO nations would continue to represent the largest share of all the nations contributing forces to the ISAF. By July 2006, as the ISAF expanded southwards, for instance, Austria and Australia had joined the ISAF raising the total number of ISAF TCNs to 37.<sup>37</sup> However, the addition of these two countries to the coalition did not significantly alter NATO ownership of the mission, with NATO nations continuing to represent 70 percent (just over two-thirds) of ISAF TCNs, and Partner nations comprising the remaining 30 percent (just under one-third). In fact, with NATO nations numbering 26, and Partner nations only 11, in mid-2006 NATO nations amounted to more than double the number of non-NATO nations.



*Figure 6.6 – NATO Expansion: The expansion of NATO membership over a period of fifty years between 1949-2009.*<sup>38</sup>

Two years later, in July 2008, these numbers had altered again, owing firstly to the complete withdrawal of Switzerland and its national contingent from the ISAF coalition by March 2008, and secondly to the addition of national forces from five other Partner nations to the ISAF – namely, Jordan, Singapore, Ukraine, the United Arab Emirates (UAE), and lastly Georgia (previously a member of the ISAF as of 7 September 2004, but not a TCN contributing forces to the mission until

February 2008).<sup>39</sup> Yet still, standing at 26 NATO nations compared with 15 Partners out of a total of 41 TCNs, NATO nations continued to comprise the largest share of TCNs to the mission. Indeed, NATO nations then comprised 63 percent of all coalition TCNs, while Partner nations comprised 37 percent (depicted in *Graph 6.7*).

One year on, in July 2009, these numbers had changed again, first due to the accession of Albania and Croatia into NATO as new members of the organisation on 1 April 2009, and second, due to the addition of Bosnia Herzegovina as a TCN to the ISAF.<sup>40</sup> Consequently, out of a total of 42 TCNs contributing forces to the mission at this point of time, NATO nations had risen from 26 to 28, while Partner nations stood at only 14 – the latter comprising exactly one half of the total number of NATO TCNs. Comprising 67 percent of all TCNs, NATO nations continued to form the majority among ISAF force contributing nations, with Partner nations continuing to form the minority, comprising 33 percent of coalition TCNs (see *Graph 6.8* below).

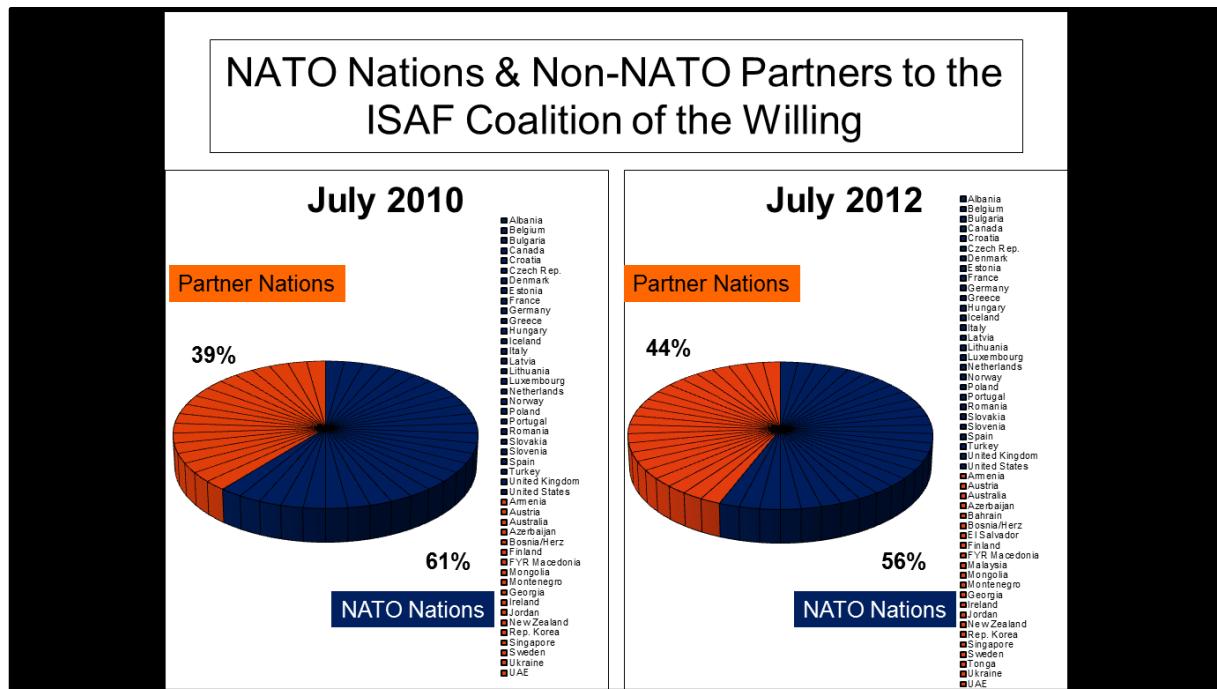


*Graph 6.7 & 6.8 – NATO Nations & Partners (2008-2009): Pie graph showing the composition of the ISAF Coalition in Afghanistan between the years 2008-2009, in terms of the percentage of TCNs that were NATO nations, as well as the corresponding percentage of TCNs that were non-NATO Partner nations.*

In July 2010, the Partner nation share of the coalition TCN increased slightly, and conversely NATO's share moderately decreased, with the addition of four new non-NATO TCNs to the coalition: Armenia, Mongolia, Montenegro and the Republic of Korea (South Korea).<sup>41</sup> This meant that of the 46 TCNs contributing forces at this time, 28 TCNs were members of NATO, while the remaining 18 were non-NATO nations. Yet, as in previous years, NATO nations continued to hold sway over Partner TCNs, comprising 61 percent of all TCNs. Finally in July 2012, after the passage of a further

two years (during which time two NATO nations – the Netherlands and Canada – had publicly terminated their combat roles in the mission and withdrawn the majority of their combat forces from the Afghan theatre of war), the total number of ISAF TCNs had risen to a total of 50 nations.

From this point of time, the ISAF coalition represented one-quarter of the total membership of the United Nations organisation, which NATO argued was indicative of the mission's broad international support on the world stage.<sup>42</sup> Still, however, the 28 NATO nations within the ISAF continued to comprise the largest share of all ISAF TCNs, comprising a majority share of 56 percent. This was in spite of the addition of forces from three new Partner TCNs to the ISAF – Tonga, El Salvador and Bahrain, as well as from Malaysia (a country which did not contribute forces until February 2011, despite having been a member of the ISAF since July 2003), which increased Partner TCNs from 18 to 22, comprising 44 percent of coalition TCNs (see *Graphs 6.9 and 6.10* below).<sup>43</sup>



*Graph 6.9 & 6.10 – NATO Nations & Partners (2010-2011): Pie graph showing the composition of the ISAF Coalition in Afghanistan between the years 2010-2012, in terms of the percentage of TCNs that were NATO nations, as well as the corresponding percentage of TCNs that were non-NATO Partner nations.*

As may be seen by this short numerical history, it is clear that since the very beginning of NATO's leadership over the mission in August 2003 until July 2012, NATO nations have represented the majority of the ISAF TCNs contributing forces to the mission, comprising between 54 percent to 74 percent of all ISAF TCNs. Interestingly, during the period under review, NATO's share of the TCNs was smallest at the very beginning and at the end of this period, but largest during the intermediate years. Conversely, Partner nations within the ISAF represented the smallest share of ISAF TCNs during these same intermediate years, about one-quarter of all TCNs, but had strong representation –

comprising nearly half of all TCNs – at the very beginning and end of the period. With NATO holding lead command position over the ISAF coalition and NATO members forming the constant majority of all TCNs contributing forces to the mission – especially during the important intermediate years of the mission between 2004-2010, one may conclude that NATO has also held the largest stake and responsibility in the successful execution of the ISAF mission in Afghanistan.

## **NATO's Operational Plan (OPLAN) for the ISAF Mission**

As foreseen at the Bonn Conference, within a short time of commencing operations pressure mounted for the ISAF to be enlarged and expanded into other major cities and provinces. It was hoped the new NATO-led ISAF might take on this responsibility and thereby fully implement the Bonn Agreement by: (1) extending central government authority through other parts of Afghanistan through the enforcement of government legislature; (2) undertaking comprehensive Disarmament, Demobilization and Reintegration (DDR) of all armed factions; (3) assisting in security sector reform through the reconstitution of the new Afghan National Army and Afghan National Police; (4) providing security environments for reconstruction and development; and (5) denying anti-Government forces space in which to act.<sup>44</sup>

Nevertheless, while President Karzai, his ministers, and many security analysts strongly supported the move, both the European nations and the U.S. demonstrated reluctance due to separate fears. The European allies feared becoming too involved in the Afghan operation, while the U.S. was reluctant to be drawn into an expensive nation-building operation and feared the operation would be exploited by the Europeans to constrain America's role and its goals in Afghanistan.<sup>45</sup> In early 2003, however, international attitudes began to change as a result of: (1) slow progress in the realms of security, reconstruction and national unity; (2) the prospect of impending presidential elections; and (3) a deteriorating security situation with regard to residual Taliban and AQ forces outside of Kabul.<sup>46</sup> The U.S., now heavily engaged in the war in Iraq, needed help from its European allies to deal with Afghanistan, while Germany, France and other major NATO countries wished to commit and invest more to the Afghan mission so as to avoid military involvement to Iraq, a gesture which would simultaneously also emphasise their commitment to the war against terrorism.<sup>47</sup>

On 13 October 2003, three months after NATO officially assumed command over the ISAF mission, the UN Security Council passed Resolution 1510 extending ISAF's mandate to encompass the entire country of Afghanistan under NATO command.<sup>48</sup> This was a decision motivated by an official request by the Afghan Foreign Minister for greater ISAF assistance outside Kabul, in addition to an

earlier offer by the NATO Secretary General to oversee such an expansion. As a consequence, NATO's Supreme Headquarters Allied Powers Europe (SHAPE) based in the Belgian city of Mons (one of two strategic command headquarters responsible for all Allied NATO operations), together with Joint Forces Command (JFC) in Brunssum in the Netherlands (NATO's Operational Headquarters for the Afghan mission), designed an Operational Plan (OPLAN) to implement this expansion – and indeed to oversee the various planned stages of the entire ISAF mission within the Afghan AO (see endnote for more details on this NATO command structure in relation to the ISAF operation).<sup>49</sup>

According to this OPLAN, the mission would be prosecuted in five distinct transitional phases.<sup>50</sup> *Phase I – Assessment and Preparation* involved providing support to the Afghan interim administration, establishing and maintaining security in Kabul Province, and preparing for ISAF expansion beyond its initial AOR of Kabul Province including through the design of a command structure and reconstruction model for subsequent operations.

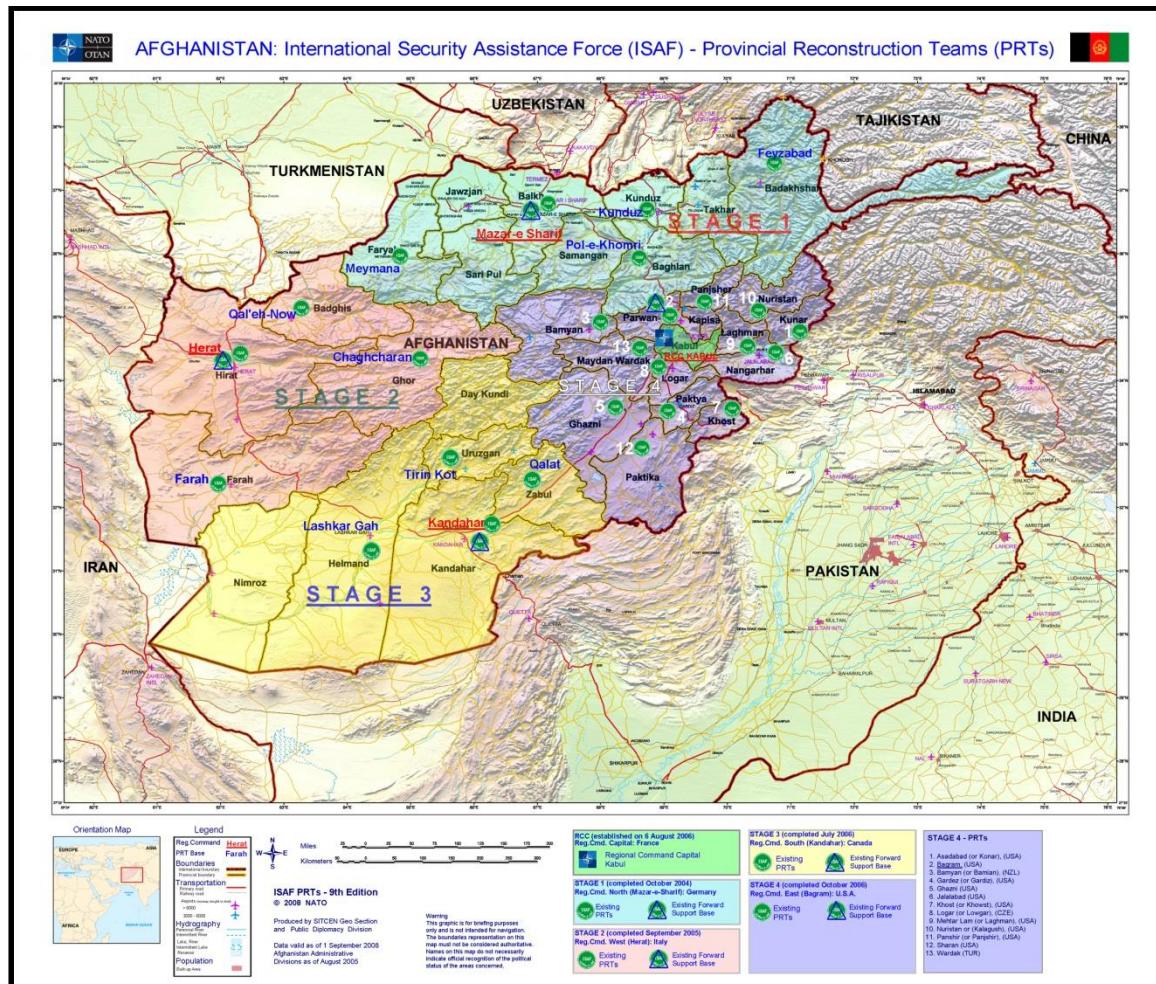


Figure 6.11 – The OPLAN for the Geographic Expansion of the ISAF throughout Afghanistan.<sup>51</sup>

*Phase II – Geographic Expansion* concerned the expansion of the ISAF AO in four stages – corresponding to geographic thrusts to the north, west, south and east respectively – to encompass all of Afghanistan’s sovereign territory (see *Figure 6.11*). ISAF expansion would involve assuming command of the Regional Commands in each of these geographical regions, areas formerly commanded by the OEF mission, to be led by the ISAF’s volunteer NATO Lead Nations. The latter were not only to take responsibility for establishing and maintaining security within the command, but were also responsible for overseeing the civil-military PRT teams undertaking reconstruction and development work within the Regional Commands. All of these steps within the expansion process would be overseen by the then NATO Supreme Allied Commander– Europe (SACEUR), General James Jones.<sup>52</sup>

*Phase III – Stabilisation* related to the stabilisation of the whole Afghan AO through not only the continued establishment and maintenance of a secure environment throughout the five Regional Commands under the command of the Lead Nations, but also through building the capacity – that is, the quantity and quality – of Afghanistan’s own native security forces under the direct control of the Afghan central government. These forces, collectively referred to as Afghan National Security Forces (ANSF), included: the Afghan National Army (ANA); the Afghan National Police (ANP); Afghan Special Operations Forces (SOFs); and Afghan Border Police to patrol the Afghan borders. ISAF forces were to build ANSF capacity by means of various ISAF Operational Training and Mentor Teams (OMLTs, pronounced ‘omelets’) in each of the Regional Commands.<sup>53</sup>

*Phase IV – Transition* involved the transition of lead security responsibility from ISAF security forces to the newly trained body of the ANSF. Following transition, these Afghan security forces would take leadership command over all ISAF activities across the security, reconstruction and governance spheres. This meant that the ANSF would take responsibility for the decision-making, planning and execution of all operations, while ISAF forces took on a more subordinate, supportive and advisory role in the country.<sup>54</sup>

Lastly, the final phase of the NATO OPLAN, *Phase V – Redeployment* concerned the withdrawal of ISAF forces from Afghanistan. As the ANSF took full and independent control over all security matters within Afghan sovereign territory, ISAF forces would begin to redeploy out of the Afghan theatre of operations. This would mark the end of the international community’s security assistance mission to Afghanistan. From this point onwards Afghanistan’s own civilian government would assume sole responsibility for its own domestic, security and foreign affairs, with additional support provided by the international community only as requested by the Afghan government.

The ultimate goal of these five NATO OPLAN phases, as discussed above, was of course mission success. Nevertheless, for many years after NATO's assumption of command over the coalition in 2003, the ISAF neglected to define just what this 'success' would entail. Indeed, the matter of clear mission success criteria, and metrics by which to measure progress towards that end, was to become a political and military conundrum between 2003-2006, especially given the way in which the original security assistance and nation-building mission had increasingly morphed into a fully-fledged COIN campaign as the years passed and the Neo-Taliban insurgency amplified its influence throughout the country. It was only five years after NATO took command of the ISAF at the NATO summit of April 2008 in Bucharest that the Heads of State and Heads of Government of all the nations contributing to the NATO-led ISAF in Afghanistan agreed upon a collective definition and announced it to the world. As the official post-summit communiqué set forth:

Our vision of success is clear: extremism and terrorism will no longer pose a threat to stability; Afghan National Security Forces will be in the lead and self-sufficient; and the Afghan Government will be able to extend the reach of good governance, reconstruction, and development throughout the country to the benefit of all its citizens.<sup>55</sup>

## **Following the OPLAN**

Beginning in August 2003, when NATO officially took command leadership of the ISAF mission, NATO began to prosecute each phase of the OPLAN towards the mission objectives.

### ***Phase I – Assessment and Preparation***

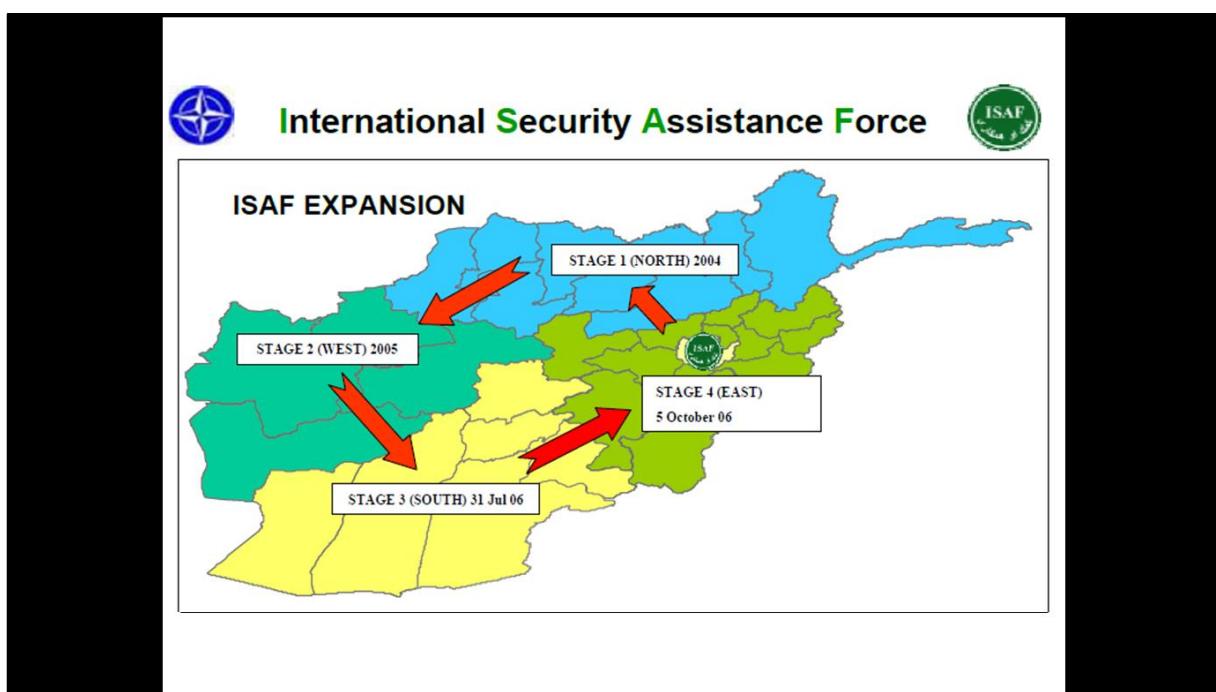
*Phase I – Assessment and Preparation*, the first phase of the OPLAN which included preparations for the next expansionary phase, commenced immediately and was completed in Kabul Province within four months of NATO's assumption of command in November 2003 (all the prior activities conducted by ISAF forces between December 2001-August 2003 were also subsumed under this heading, being activities geared towards providing support for the GIRoA by providing security within Kabul Province).

### ***Phase II – Geographic Expansion***

The end of Phase I signalled the beginning of NATO's *Phase II – Geographic Expansion* in which, at the behest of the Afghan government, the ISAF security mission expanded its AO in four stages to assume command responsibility for security and stability within the entirety of sovereign Afghan territory (see Figure 6.12).

The first stage of this expansion northwards into RC-North, under the command of Lead Nation Germany, occurred over the period of one year between October 2003 and October 2004.<sup>56</sup> On 31 December 2003 French and German forces expanded northwards, placing the German-run PRT in Kunduz to the north of Kabul under ISAF command and establishing four additional ISAF PRTs in Mazar-e-Sharif, Maimana, Feyzabad and Baghlan.<sup>57</sup> By 1 October 2004 ISAF had assumed responsibility for security in nine northern Afghan provinces.

The second stage of expansion to the west followed shortly afterwards under the command of Lead Nation Italy, and also took place over a one-year period with the expansion completed by September 2005.<sup>58</sup> Italian and Spanish forces expanded westwards into RC-West, taking over command from OEF of two other PRTs in western Afghanistan in Herat and Farah, in addition to a logistical Forward Support Base (FSB) in Herat.<sup>59</sup> Two new PRTs were founded in Chaghcharan and Qala-e-Naw, the capitals of Ghor and Badghis Province respectively, making ISAF responsible for providing security assistance to one-half of the entire country.<sup>60</sup>



*Figure 6.12 – ‘Geographic Expansion’: The four expansionary stages of NATO’s OPLAN Phase II.<sup>61</sup>*

The pace of ISAF’s expansion accelerated markedly during the following third and fourth stages, of the expansion, with the final two stages completed within a single year. ISAF expansion to the south, and the establishment of RC-South under Lead Nations Canada, the United Kingdom and the Netherlands (on the basis of rotation), began in January and was completed by 31 July 2006.<sup>62</sup> During Stage Three, forces drawn from the United States, the United Kingdom, Canada and the Netherlands relieved U.S. OEF forces of command over six southern provinces – Day Kundi,

Helmand, Kandahar, Nimroz, Uruzgan and Zabul, areas in which four PRTs had already been established.<sup>63</sup> At the same time the original ISAF deployment in Kabul, formerly named Kabul Multi-National Brigade, was renamed Regional Command Capital (RC-Capital) bringing the capital area into the new, larger ISAF command structure.<sup>64</sup> By this time ISAF troop numbers had swelled from 10,000 armed forces prior to the expansion to around 20,000 at the end of stage three.<sup>65</sup> The operation was now responsible for security in three-quarters of the total area of Afghanistan.

Following hard on the heels of this southern expansion, the ISAF expanded its AO eastward toward the Afghan-Pakistan border, with American ISAF forces (some formerly deployed under OEF) assuming control of all remaining Afghan provinces. The final sector, RC-East, was to be commanded by Lead Nation the United States. The eastern expansion was completed in only three months between the 5 October 2006 and December 2006, finalising just as a strong resurgence of Taliban insurgents took hold of the country.<sup>66</sup> This final expansion thereby marked not only the end of stage four, but the close of Phase II of the NATO OPLAN.

### ***Phase III – Stabilisation***

*Phase III – Stabilisation* subsequently commenced in January of 2007.<sup>67</sup> However, unlike the earlier phases of NATO's OPLAN, achieving stabilisation across all of ISAF's Regional Commands proved far more difficult than originally anticipated. In fact, this phase was not officially completed until very recently, in June 2013, when the final tranche of Afghan provinces and districts was officially transferred to Afghan lead security command. This means that the ISAF has been engaged to a greater or lesser extent in Phase III over a very prolonged period of time – a period that amounts to six-and-a-half years. Indeed, stabilisation has been hampered by many problems, including not only disparate ROE which have constrained the operations many ISAF forces could legitimately perform within their respective Regional Commands, but also – largely as a direct result of this – a lack of tangible progress on the ground as the ISAF struggled to secure and stabilise the country. Three years into *Stabilisation*, most of Afghanistan fell short of the stability envisioned by NATO in Phase III to achieve the ISAF's overall mission.

This poor progress in the early years of Phase III led to an important decision within NATO. At the NATO Defence Ministers meeting in Bratislava in October 2009, it was decided that changeover from *Phase III – Stabilisation* to *Phase IV – Transition* within Afghanistan could not take place all at once, but instead had to take place incrementally district by district and province by province, only as Afghan areas attained the conditions for transition set by NATO in partnership with the GIRoA. What this meant, on the ground, was that in many of the ISAF Regional Commands, Phase III and Phase IV would take place concurrently and in parallel within many Afghan provinces. It signified

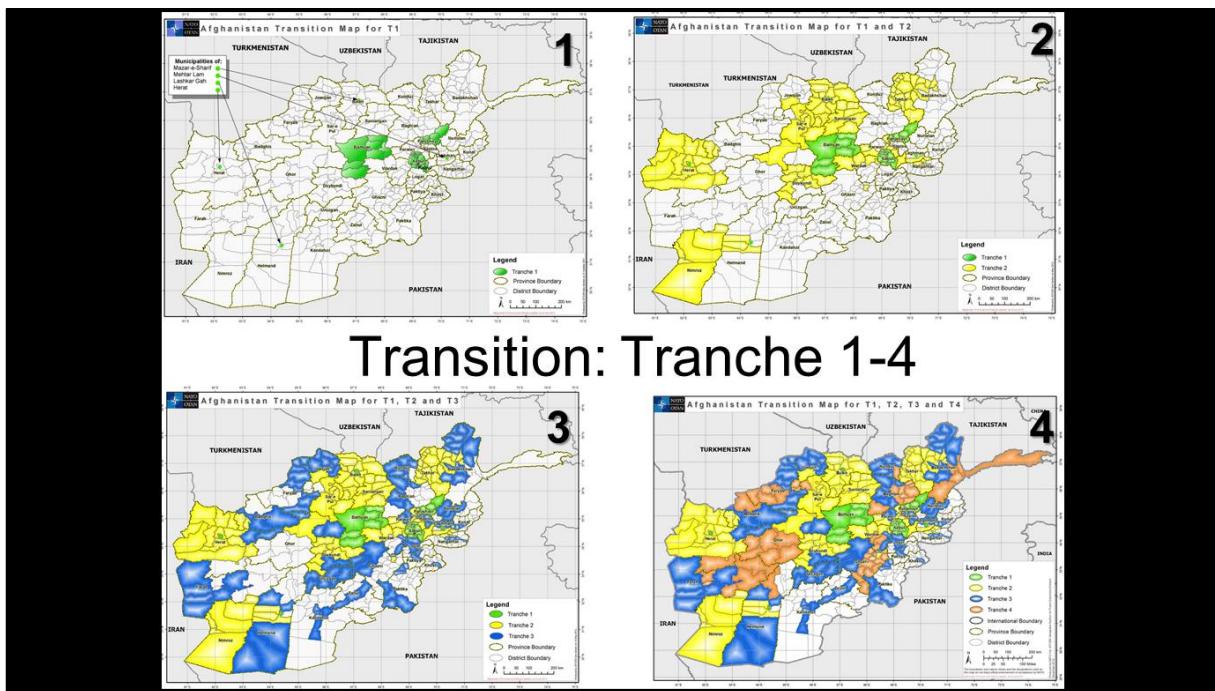
too that, unlike the preceding phases of the ISAF mission, there would be no clear-cut divide delineating the cessation of Phase III and the onset of Phase IV across the Afghan theatre.

Instead, there would be a gradual, piece-meal transition resulting in much overlap and variance across the ISAF AOR as many areas remained in Phase III while others advanced into Phase IV of transition, in which the ANSF would assume leadership of ISAF security operations.<sup>68</sup> In many cases the progress of any one district or province between Phase III and Phase IV of NATO's OPLAN would depend heavily on the abilities of the local ANSF units in the proximity first to execute, then to lead security operations.<sup>69</sup> As ANSF capability increased, so would advancement into NATO's transitional phase, and even then, as one U.S. congressional report concluded, commencement of Phase IV in the locality might not begin from a clear single point in time, but rather in a series of 'fits and starts'.<sup>70</sup>

### ***Phase IV – Transition***

*Phase IV – Transition* (or *Inteqal* in the Pashto and Dari language) involved the process by which lead responsibility for security was transitioned from ISAF combat forces to ANSF combat forces, a process established by NATO members at the NATO Lisbon Summit of 2010.<sup>71</sup> As outlined above, *Transition* within the ISAF mission took place on the whole in gradual, incremental stages between March 2011 and June 2013.<sup>72</sup> As individual districts and provinces attained specific transition requirements, they would proceed from Phase III into the Phase IV, grouped together as a 'tranche' of disparate areas (refer to *Figure 6.13*).

Authorisation to proceed from *Stabilisation* into *Transition* was decided by the Joint Afghan-NATO Inteqal Board (JANIB) based on the following operational, political and economic factors: (1) the capability of the ANSF to shoulder additional security tasks with less assistance from ISAF; (2) the level of security in the area and the degree to which the local populace was able to pursue 'routine daily activities' as a result; (3) the development of local governance structures, so that security would not be undermined as ISAF assistance diminished; and (4) whether the force level and 'posture' of ISAF forces could be readjusted as the ANSF expanded its capabilities and as threats to security were reduced.<sup>73</sup>



*Figure 6.13 – ‘Transition’: The slow changeover between Phase III – Stabilisation and Phase IV – Transition within the Afghan AO.<sup>74</sup>*

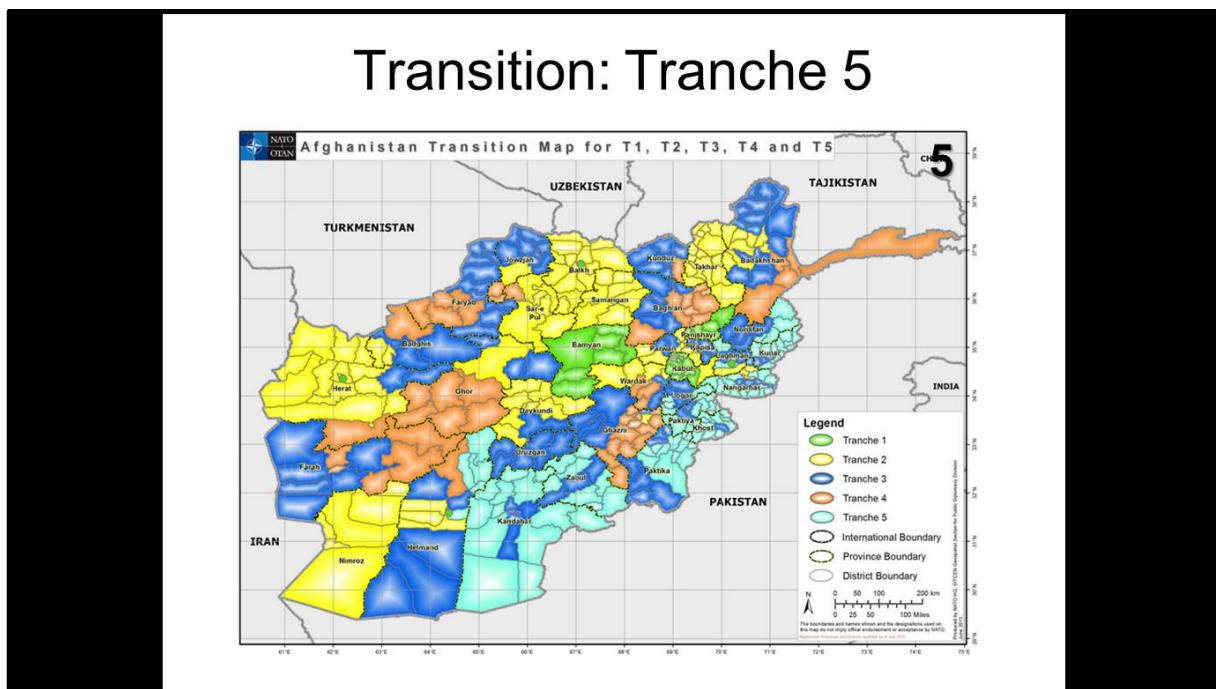
Once areas met these requirements and was authorised by the JANIB to proceed into Phase IV, transition would begin to occur in a four-stage sequential process in the areas of security, governance, development and rule of law.<sup>75</sup> Ultimately, however, the speed by which this process occurred, and the on-the-ground progress that resulted from it, was dependent upon the actual abilities and conduct of the ANSF together with Afghan civil institutions within each area, as they assumed these new leadership responsibilities.<sup>76</sup> For this reason, full transition between ISAF and ANSF security leadership within each area could take up to 18 months to be complete.<sup>77</sup>

Ultimately transition took place in five separate tranches. The first tranche, consisting of three of Afghanistan’s 32 provinces and four solitary districts, began the transition from ISAF to ANSF leadership on 22 March 2011.<sup>78</sup> These very first areas were: 14 districts in Kabul Province within RC-Capital; Mazar-e-Sharif District in Balkh Province within RC-North; Herat City District in Herat Province within RC-West; Lashkar Gah District in Helmand Province within the new RC-South West sector (created in July 2010 following NATO’s change in command structure under COMISAF General David H. Petraeus, and consisting of the two western provinces formerly encompassed within RC-South); and finally in RC-East, all five districts in Bamyan Province, all seven districts in Panjshir Province, and Mehtar Lam District in Laghman Province (near Kabul).<sup>79</sup>

The second tranche of areas across the north, west and south of Afghanistan began *Transition* on 27 November 2011.<sup>80</sup> The third tranche followed closely behind it, commencing phase IV on 13 May

2012, at which time every provincial capital had entered transition and ANSF forces held lead security responsibility for over 75 percent of the Afghan population.<sup>81</sup> The fourth transitional tranche, involving the transition of 12 full provinces in the northern and central regions of Afghanistan, occurred over six months later on 31 December 2012.<sup>82</sup> As a result, by the end of 2012 only 11 provinces still remained in the *Stabilisation* phase with Afghan forces in a passive security role, encompassing among them, however, many of Afghanistan's most troubled provinces – including Helmand Province.<sup>83</sup>

Finally, on 18 June 2013, President Karzai announced that the fifth and final transitional tranche of remaining areas, including Helmand Province, would commence the OPLAN's fourth transitional phase (see *Figure 6.14*). This announcement thereby signalled the complete end of *Phase III – Stabilisation* within the Afghan AO.



*Figure 6.14 – In Progress: The final tranche of areas currently progressing into the transitional phase, the end of which will mark the end of Phase IV – Transition within the Afghan AO.*<sup>84</sup>

The entrance of this last group of areas into Phase IV has marked an important point in the progress of the ISAF mission: ANSF combat forces are now all involved in the *Transition* phase and currently hold lead security responsibility across the entirety of Afghan sovereign territory. In this phase not only do ANSF forces take the lead for all the planning, decision-making and execution of combat operations, but the ANSF entities themselves are slowly to be transformed. The ANA, for instance, is to be transformed, by means of additional ISAF training, from ‘infantry-centric forces’ to a ‘fully-fledged army’ comprised of both fighting elements and enabling capabilities (i.e. with its own military

police, intelligence, route clearance, combat support, medical, aviation, and logistics capabilities).<sup>85</sup> Simultaneously, the ANP is to transition from its present role of ‘countering the insurgency’ into a more traditional ‘civilian policing’ role, conducting the normal range of policing activities ranging from criminal investigations to traffic control.<sup>86</sup> The Afghan Air Force too, is to be developed and expanded in terms of both personnel and aircraft, in command of the full range of gunships, attack and transport helicopters and light aircraft.<sup>87</sup>

By contrast, the role of ISAF combat forces is comparatively diminishing to that of mentoring, advising and supporting ANSF operations within the ISAF Regional Command sectors.<sup>88</sup> At the same time, ISAF stability forces – that is, its many PRT civil-military teams – are shifting their focus from ‘direct delivery’ to providing ‘technical assistance’ only, and conducting intense capacity building of provincial and district governments, so that Afghans might themselves meet the needs of their own respective local populations.<sup>89</sup> This is being done with a view to the eventual dissolution of the PRT, when the responsibility for all the functions provided by PRTs in the past is fully handed over to local Afghan government.<sup>90</sup>

While full transition to Afghan leadership within several tranches – especially the last tranche – is still in progress at the time of writing, it is expected that full *Transition* in all provinces within Afghanistan will be complete by the end of 2014, as formerly agreed upon at both the 2010 NATO Lisbon Summit and the 2012 Chicago NATO Conference.<sup>91</sup> At this point of time the ANSF will be fully responsible for security nationwide in Afghanistan. The end of *Phase IV – Transition* by 2014 is the express wish of the Afghan government, which desires to see Afghans taking the lead in all security, governance, development and rule of law spheres throughout the country from 2015 on.<sup>92</sup>

As NATO Secretary General, Anders Fogh Rasmussen, stated in March 2013:

In less than two years from now, Afghan forces will be fully responsible for Afghanistan’s security. Every province. Every district. Every village. And every valley. This is a great responsibility, but Afghanistan’s forces have shown they can do the job, and they can know they will continue to have our support.<sup>93</sup>

### ***Phase V – Redeployment***

Evidently then, the final months of 2014 will also mark the beginning of the NATO OPLAN’s *Phase V – Redeployment* in which all ISAF combat forces will be withdrawn from the Afghan theatre of war. During this final stage of the OPLAN, ISAF forces will take part in ‘the long withdrawal’ from Afghanistan, as the country these forces have assisted returns to self-sufficiency and takes its place on the world stage.<sup>94</sup>

Several years ago, there was a very real fear among many NATO officials that the commencement of Phase IV would cause a stampede for troop withdrawals and an exit deadline, as ISAF nations eagerly anticipated Phase V and prematurely envisioned the end of the NATO-led ISAF campaign. However, following NATO appeals in 2010, there seems to now exist a consensus that NATO nations, having deployed into Afghanistan together, must also deploy out of Afghanistan together – an approach encapsulated by the catch-phrase of ‘in together, out together’.<sup>95</sup>

Indeed, aware of certain countries’ eagerness to begin drafting exit strategies and deadlines, Rasmussen issued a warning to ISAF countries in 2011 on this very point, as the first tranche began Phase IV:

I understand that as this transition gets underway, political leaders are facing pressure to bring their troops home for good. No one wants our forces to be in combat a day longer than necessary. But it is vital that we maintain solidarity and continuity in order to ensure that transition is irreversible...Within the ISAF mission our approach remains “in together, our together”. We are committed not to leave any security vacuum that could breed extremism<sup>96</sup>

As a result of such warnings, most ISAF NATO and Partner nations – with the exception of the Netherlands and Canada (which have both already withdrawn their contingents at the present time) in addition to France (which was resolute in withdrawing all its forces one year earlier than the others in 2013) – have committed to keeping their forces in Afghanistan until the end of 2014.<sup>97</sup>

The image shows a placemat from the International Security Assistance Force (ISAF) featuring the NATO OTAN logo and the ISAF logo. The placemat is titled "International Security Assistance Force" and "Troop Contributing Nations". It contains a table with data from December 2012.

Troop Contributing Nation	Number of Forces Deployed
Albania	199
Armenia	126
Australia	1,094
Austria	3
Azerbaijan	94
Bahrain	95
Belgium	265
Bosnia & Herzegovina	53
Bulgaria	581
Canada	950
Croatia	242
Czech Republic	416
Denmark	567
El Salvador	12
Estonia	150
Finland	112
France	543
Georgia	1,561
Germany	4,318
Greece	10
Hungary	582
Iceland	2
Ireland	7
Italy	4,000
Jordan	0
Republic of Korea	350
Latvia	27
Lithuania	240
Luxembourg	10
Malaysia	4
Mongolia	46
Montenegro	40
Netherlands	500
New Zealand	156
Norway	97
Poland	1,770
Portugal	141
Romania	1,549
Singapore	39
Slovakia	234
Slovenia	38
Spain	1,606
Sweden	413
The former Yugoslav Republic of Macedonia *	157
Tonga	55
Turkey	998
Ukraine	24
United Arab Emirates	35
United Kingdom	9,500
United States	68,000
Total	102,011

Table 6.15 – ISAF Troop Contributing Nations (TCNs): ISAF Placemat showing the number of forces deployed to the mission by each of the TCNs as of December 2012.<sup>98</sup>

Nevertheless, a slow withdrawal did begin to occur as early as March 2012, with Hungary, Albania, New Zealand, Norway, and Slovakia redeploying some of their national force units from the Afghan theatre (an ISAF table displaying the force strength of each ISAF TCN in Afghanistan, as of December 2012, may be seen in *Table 6.15*).<sup>99</sup> The redeployment of other units has also taken place during 2013, for example the withdrawal by Bulgaria of its force protection company from Kabul International Airport in January.<sup>100</sup> However, as planned, the bulk of the remaining ISAF force is not expected to be ‘significantly downsized’ until the early months of 2015.<sup>101</sup>

Consequently, the year 2014 will be an important milestone for the ISAF mission, as it will signify that the NATO-led International Security Assistance mission will be drawing to a close and, post-2014, will ultimately cease to exist. At this significant juncture of time when the ISAF ‘combat mission’ is terminated, a supportive ‘training and advisory’ assistance mission will succeed the ISAF mission in 2015.<sup>102</sup> As NATO’s Senior Civilian Representative in Afghanistan expressed in December 2012: ‘ISAF will continue to support the Afghan National Security Forces until the end of 2014 and after that NATO and its partners remain committed to Afghanistan’s future stability through a new mission to train, advise and assist the Afghan National Security Forces’.<sup>103</sup> On 4 March 2014, Rasmussen announced that the new name of the NATO mission post-2014 – will be called ‘Resolute Support’.<sup>104</sup>

## Conclusion

In conclusion, the NATO-led ISAF mission in Afghanistan has been one of the most complex and challenging military undertakings by the international community to date. Although the mission has slowly evolved over the years, from an initial security assistance operation to a fully-fledged COIN war, the mission goal of the operation has nevertheless remained the same – to bring security and stability to Afghanistan in support of the democratically-elected governments of Afghanistan, and in partnership with indigenous ANSF. Bringing security and stability to Afghanistan, and by extension the region of Central Asia, is in the interests of the wider international community in an age of Al-Qaeda-generated global terrorism, to prevent Afghanistan and its environs from being used to launch terror attacks against freedom-loving democratic countries around the world. The ISAF mission is consequently the tangible, physical expression of collective international will and the world’s best answer to the modern scourge of Islamist international terrorism. It is with this knowledge of the overall historical and political context of the ISAF mission, and its importance to global security, that this research on national caveats is to be understood.

The Chapter has also outlined the role of NATO in the ISAF mission. It has described NATO's assumption of leadership over the mission in 2003, the way in which NATO Member-States have formed a continual majority in the coalition amongst the ISAF TCNs, and the OPLAN designed and implemented by NATO to prosecute the ISAF security and stabilisation mission. From this overview it is clear that: firstly, NATO holds both ownership of and key responsibility for the ISAF mission; and secondly, the outcome of the ISAF operation will have a significant bearing on NATO, in terms of its own transformation and its future aspirations as a global PSO operator.

In order to further aid understanding of the contextual setting of this research, the following chapter will next outline the practical military realities of the ISAF mission on the ground in Afghanistan, with particular reference to NATO's COIN strategy for the mission and its corresponding Lines of Operation.

## **CHAPTER 7**

### **The ISAF Counter-Insurgency (COIN) Strategy & Lines of Operation (LOOs)**

The previous chapter provided a political and historical introduction to the NATO-led ISAF mission in Afghanistan. This chapter will examine the ISAF operation in greater detail, in relation to the mission's military strategy and Lines of Operation (LOOs), in order to provide a broad outline of the way in which the mission actually operates on the ground in the Afghan theatre of war.

First of all, the chapter will examine the transition of the ISAF in late 2006 from a predominately 'nation-building' stabilisation operation to an overt COIN campaign also involving active combat operations. This examination will include a discussion of a proposed merger of the two Afghan ISAF-OEF missions, in addition to a brief overview of COIN warfare. The chapter will subsequently outline the ISAF's primary areas of activity, both prior to and following NATO's adoption of a COIN strategic approach, outlining the mission's four main LOOs from 2006-2014. Lastly, the chapter will focus specifically on the Security LOO of this COIN strategy, the LOO that is of most importance for understanding the caveat analysis which is to follow. The security responsibilities of the ISAF Lead Nations in each Regional Command sector will first be outlined, followed by an investigation of the four primary ISAF security units within each sector and their separate functions within the mission.

#### **From Post-War 'Nation-Building' to a COIN Campaign**

As alluded to in the previous chapter, the ISAF mission changed in the form of its campaign to secure and stabilise Afghanistan during the course of the mission, altering in 2006 from a largely 'nation-building' mission to an overt COIN campaign.

#### ***The Taliban Resurgence & the Necessity of Combat Operations***

The notion that ISAF would have to change in the way it conducted its campaign had developed within ISAF Headquarters during 2006. This was for two reasons. Firstly, as the ISAF operation completed its final expansions to command the entire geographical territory of Afghanistan, the need quickly arose for ISAF security forces to assume heavier security tasks by combating any insurgent units still operating within each of the five Regional Commands (including overt counter-insurgent and counter-terror operations). Secondly, Neo-Taliban and other insurgent groups had mounted a startling and unexpectedly bloody come-back in the Afghan theatre during the summer months of

2006, an event which presented a grave challenge to the ISAF. Faced with an insurgency determined to destabilise the new order advocated and supported by the international community, on whose behalf the ISAF was working, the ISAF operation had by 2006 already shown itself to be badly lacking in both force numbers and force combat capability, and was hence ill-prepared to meet the challenges confronting it. Consequently, as Morelli & Belkin state: ‘By late 2006 as ISAF extended its responsibilities to cover all of Afghanistan, the allies began to realize that ISAF would require a greater combat capability than originally believed, and the mission would have to change’.<sup>1</sup>

Indeed, it became increasingly obvious within the mission that stabilisation operations in any part of the country could not proceed or be effective without security operations first establishing and maintaining safe zones. ISAF stabilisation operations, chiefly by means of the PRTs, were in fact contingent and dependent on effective ISAF security operations, conducted by a combat-capable force. This necessity of *kinetic* and *lethal* security operations became more and more accepted as an operational reality as the year progressed and the number of attacks on ISAF forces and the local population escalated. As the 2006 NATO parliamentary report made the case:

Part of the mission is to assist in the creation of a safe environment, and a large part of that is eliminating the remnants of the Taliban and Al Qaida that continue to harass the efforts to stabilize the country...Far from breeding resentment, those military operations often instil confidence in the local population that the international community is serious about stabilizing the country.<sup>2</sup>

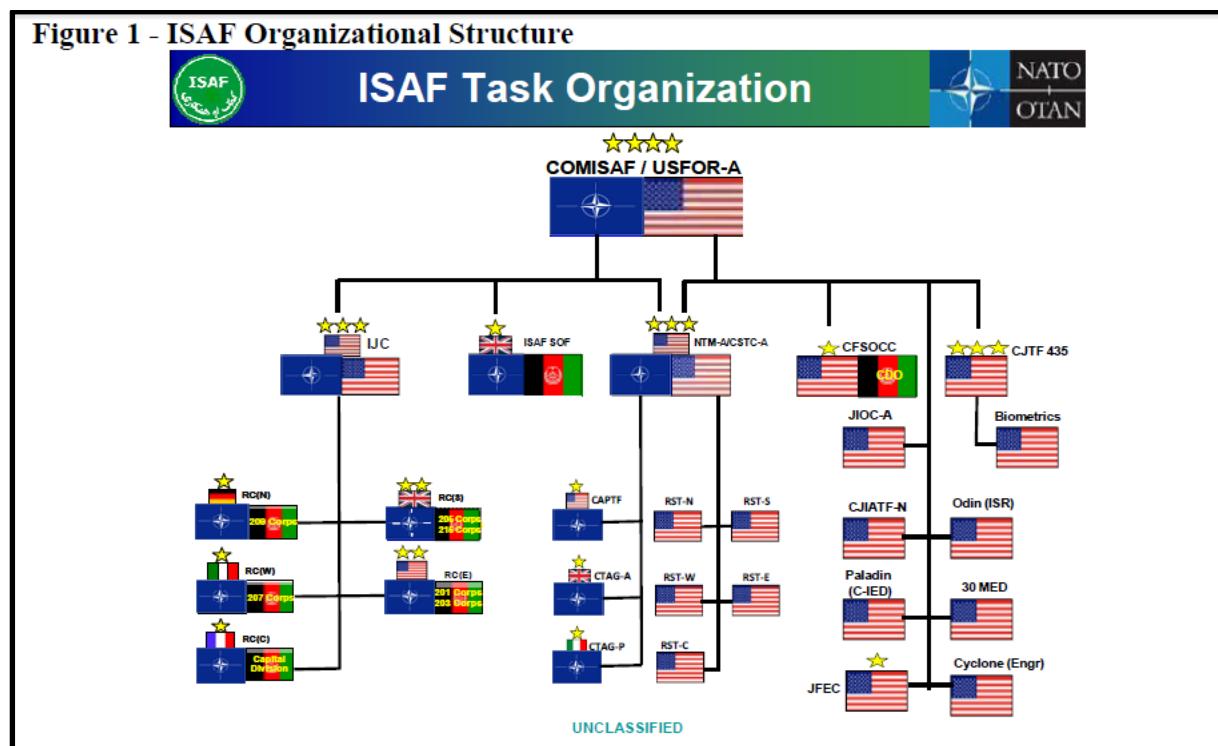
Faced with a deteriorating security climate, NATO concluded that conducting ‘proactive military operations’ was now an essential first step in winning the confidence of the local population, through ‘ridding them of the individuals and groups that terrorize them and threaten to disrupt the reconstruction projects that are making a tangible difference for the community’.<sup>3</sup> The question was, however, how – or in what way – the ISAF operation ought to change to better perform this combat role.

### ***The First Option: An ISAF-OEF Mission Merger***

One possibility was to conduct a structural and strategic change by merging the ISAF security and stabilisation operation together with the more robust and kinetic OEF counter-terrorism mission operating within the same Afghan AO.

The United States had been greatly in favour of such a merger since late 2005, as the fact of having two large but separate forces operating within the same area and within close proximity – sometimes even in support of each other – had already presented many complications in the conduct of U.S. military operations.<sup>4</sup> In addition, as of June 2006 the Americans were encountering a further problem

in that U.S. Commanders were having to perform the double-hatted function of being not only the Operational Commander of the ISAF – the COMISAF – but also simultaneously the Operational Commander of all U.S. forces within the OEF operation (U.S. Forces Afghanistan or USFOR-A) under the rubric of Combined Forces Command-Afghanistan (CFC-A).<sup>5</sup> An organisational chart depicting the two command structures in place to operate the two parallel missions, within the same Afghan AO, can be seen below in *Figure 7.1*.



*Figure 7.1 – Command and Control (C<sup>2</sup>) in Afghanistan: An organisational chart showing the two separate, but parallel command structures within the ISAF (left) and the OEF (right) operations occurring simultaneously within Afghanistan.<sup>6</sup>*

### *Opposition to an ISAF-OEF Merger*

This proposed merger was opposed by several ISAF contributing nations, however, due to concerns about the two supposedly divergent purposes of the operations.

From the very beginning in December 2001, when an international security assistance force for Afghanistan was first envisioned at the Bonn Conference and formed under a UN mandate (UNSC 1386), the work of the ISAF was seen by many in the international community to be quite separate from the work being carried out by the U.S.-led OEF mission. While the UN-mandated and largely European ISAF force would undertake to stabilise Afghanistan, largely through nation-building and active support of the Afghan interim government and its successors, OEF would continue to conduct counter-insurgent operations against Taliban remnants within the country and remain engaged in

counter-terrorism operations against the Al-Qaeda organisation and its local and foreign jihadist fighters. The mandates and missions of the two operations were considered to be distinctly separate and many countries contributing to the ISAF, especially those with a strong aversion towards active participation in offensive operations or operations in concert with U.S. forces, preferred it this way.

Four years of operating within Afghanistan did little to change this point of view among the allies. By 2005 Britain, Germany and France remained particularly resistant to any merger of the ISAF with OEF – even if this merger placed nearly all of OEF’s American combat forces under the command of the ISAF.<sup>7</sup> For Britain, the motivation behind such a stance was the government’s preference for stabilisation rather than combat operations, especially at a time when the insurgency posed little threat, being then reasonably small and inactive. This British point of view continued even into 2006 with the British Defence Secretary expressing publicly the hope, prior to the ISAF’s southern expansion, that British forces could deploy to the ISAF’s new sector of RC-South ‘without firing a shot’.<sup>8</sup>

Germany, for its part, protested that ‘merging the two missions might push for a more offensive focus and draw their forces into ground combat operations not then being undertaken’.<sup>9</sup> German forces were trained only for stabilisation duties, the government claimed, and the country simply did not have forces available to perform counter-insurgency and counter-terror tasks.<sup>10</sup> France, meanwhile, while recognising the need for ISAF forces to sometimes engage in combat, resisted the merger out of a deep suspicion about American motives and its possible ‘broader global objectives’, fearing that the U.S. could withdraw its units from the ISAF and leave its other NATO allies – including France – to secure and stabilise Afghanistan on their own.<sup>11</sup> As for the other members within NATO, the majority feared that any merger would result in ‘mission creep’, whereby ISAF units would gradually begin participating in the overtly offensive counter-insurgent and counter-terrorism work of OEF.<sup>12</sup> As the German Defense Minister summarised the prevailing sentiment within ISAF at this time: ‘NATO is not equipped for counter-terrorism operations. That is not what it is supposed to do’ (this is an interesting statement in light of NATO’s anti-terror aerial and naval operations in other theatres).<sup>13</sup>

Consequently, in 2005 the ISAF’s mission for the remainder of *Phase II – Geographic Expansion* had been viewed purely as stabilisation work, largely through the reconstruction, training, and governance work of the PRTs, and ‘with initial concern over military threats at a minimum’.<sup>14</sup> Indeed, NATO allies had then claimed that the ISAF was mandated by the UN *only* to perform stabilisation operations, including in the new southern and eastern sectors, asserting that any counter-insurgent or anti-terror combat operations in the AOR would be ‘OEF’s task’.<sup>15</sup>

### *Afghan Security Realities Garner New Support*

The resurgence of the Taliban in Afghanistan during 2006 brought many changes to the ISAF however. In particular, a watershed moment occurred in early 2006 to alter the ISAF's view of its own responsibilities. In February one of the ISAF's PRTs in Maimana, located in the normally quiet RC-North and operated by Norwegian and Finnish personnel, was attacked by insurgents. Due to ISAF's emphasis on the 'stabilisation' aspects of the mandate over its security components, there were no combat-capable ISAF forces in the surrounding area to rescue them (ISAF forces in the vicinity were prohibited by national caveats from participating in combat operations).<sup>16</sup> Following the incident the NATO SACEUR, General Jones, impressed upon NATO members the need for NATO to develop a rapid military response capability and asked NATO governments specifically to not only contribute 'combat' forces to the ISAF for the first time, but also to remove combat caveats from other forces stationed in theatre that prohibited participation in combat operations.<sup>17</sup>

Soon afterwards, burgeoning insurgency across Afghanistan caused another rapid change with regard to ISAF's view of its own mission. By May 2006 British COMISAF, LTGEN David Richards, had not only starkly described ISAF's third expansion of Phase II as a 'combat operation', but also mooted the idea that there was still a line dividing the activities of the primarily counter-terrorist OEF and the newly counter-insurgent ISAF operations.<sup>18</sup> COMISAF Richards argued, in fact, that the current counter-terror and counter-insurgency operations in Afghanistan were 'not always distinguishable', given the way in which terrorism was routinely employed by insurgents.<sup>19</sup> For example, ISAF units had been increasingly compelled to participate in offensive counter-terror operations within RC-South and RC-East, while at the same time the 'counter-terrorist' OEF was still heavily involved in combating insurgents and other anti-government elements in the southern regions of Afghanistan, as well as along the Afghan-Pakistan border.

In point of fact, according to Maloney, while some continued to refer to ISAF as the 'soft', 'peacekeeping' mission, implying that OEF was the 'hard', 'warfighting' operation:

The reality of the situation is that both organizations conduct stabilization, counterinsurgency and counterterrorism functions, in many cases working together. They have to: the insurgency in Afghanistan adapts from year to year, and this in turn prompts constant adaptation on the part of the international community and their Afghan government partners.<sup>20</sup>

This view was also confirmed in a 2006 NATO parliamentary report which labelled any attempt to divide the work of the two operations as a 'dangerous mischaracterization'.<sup>21</sup> On the one hand 'proactive military operations' could not be deemed solely the province of the OEF, the report argued, since for the ISAF 'a first step to winning the confidence of the local population is ridding them of the individuals and groups that terrorize them and threaten to disrupt the reconstruction projects that are making a tangible difference for the community'.<sup>22</sup> On the other hand, the OEF was itself conducting stabilisation and reconstruction operations, as it had done from the outset, and it was in fact the OEF

operation which had not only created the PRT concept, but also continued to run most of the PRTs operating in Afghanistan.<sup>23</sup> In short, significant overlap occurred between the two missions both in function and in territory.<sup>24</sup>

### *The Outcome*

As a result of these operational realities, arguments for a merger between the two ISAF and OEF operations continued to be presented to the NATO alliance over the following years. The existence of two separate operations and forces engaging in the same types of combat operations within the same area seemed non-sensical. Moreover, the presence of two separate chains of command appeared to fundamentally violate the principle of unity of command. As LTGEN David W. Barno (Ret'd), the former U.S. Army Operational Commander of OEF's CFC-A, described in an article for *Military Review* journal in 2007: 'Both the Supreme Allied Commander, Europe, and the Commander of U.S. Central Command own the Afghan theatre and its battlespace – and direct forces in Afghanistan who report separately up their two reporting chains'.<sup>25</sup> Nevertheless, in August 2008 it was decided by U.S. and NATO officials that a merger of the two overlapping operations would never formally proceed, and despite repeated pushes for and debates over the merging of OEF with the ISAF, this state of affairs has continued to the present day in 2014 (see endnote).<sup>26</sup>

### ***The Second Option: Counter-Insurgency Warfare***

The other possibility for changing the ISAF mission, to better match Afghanistan's security needs and realities at the end of 2006, was to alter the type of ISAF mission from a stabilisation-focused mission into an overt COIN campaign.

#### *COIN – A Form of War*

Counter-insurgency warfare is most simply defined as 'all measures adopted to suppress an insurgency', but has been defined by NATO as: 'Those military, paramilitary, political, economic, psychological, and civic actions taken by a government to defeat insurgency'.<sup>27</sup>

COIN, while vastly different from conventional warfare, is still a form of war. As David Kilcullen, one of the leading experts on modern insurgency and counter-insurgency warfare, states on the matter: 'War is armed politics, and COIN is an armed variant of domestic politics in which numerous challengers compete for control over the population'.<sup>28</sup> Like all forms of warfare, COIN is an expression of politics – it is a political instrument wielded by political masters towards a political objective. It can only be understood with reference to, and in counterbalance with, an insurgency. Indeed, they are a dichotomy: two sides of the one coin. As the 2006 U.S. COIN manual states:

Political power is the central issue in insurgencies and counterinsurgencies; each side aims to get the people to accept its governance or authority as legitimate. Insurgents use all available tools –

political (including diplomatic), informational (including appeals to religious, ethnic, or ideological beliefs), military, and economic – to overthrow the existing authority... an established government or an interim governing body. Counterinsurgents, in turn, use all instruments of national power to sustain the established or emerging government and reduce the likelihood of another crisis emerging.<sup>29</sup>

### *A Struggle for the Right to Govern*

As may be seen by this description, COIN is in essence a competition with insurgents for the political power to govern. The counter-insurgent fights to impose order, and does so by establishing formal structures, central institutions, and unarmed entities, while simultaneously affirming newer identities.<sup>30</sup> The insurgent, by contrast, fights to impose disorder, by building up informal structures, local institutions, and armed entities, while at the same time recalling older identities.<sup>31</sup>

To truly secure the right to govern, however, one side must achieve legitimacy in the eyes of the people – that is, their cause must be supported and approved of by the majority of the local population residing in the area. It must secure the ‘hearts and minds’ of the local populace, and therefore their support, allegiance and vote of confidence. It must also prove itself to be an effective and reliable means of government. As the 2006 U.S. Counter-insurgency Manual states: ‘The long-term objective for all sides remains acceptance of the legitimacy of one side’s claim to political power by the people of the state or region’.<sup>32</sup> At its deepest level then, COIN is a competition with an insurgency for power over the local populace. The people are the king-makers: the victor will be determined by the local populace alone.

### *Key to Success: Winning Majority Support*

Because the conduct of an insurgency-COIN campaign in an area usually results in the political polarization of the populace, this competition is in fact waged over the undecided majority – sometimes called the ‘empty middle’ – with each side seeking to win this majority’s support (see *Figure 7.2*).<sup>33</sup> As T.E. Lawrence, the leader of the Arab insurgency against Turkish rule during World War I, once wrote on the matter: ‘Rebellions can be made by 2 percent actively in the striking force and 98 percent passively sympathetic’.<sup>34</sup> David Galula, the classical French COIN theorist and practitioner with experience in China, Greece, Southeast Asia, and Algeria also underscored the importance of winning the support of the majority population, arguing that COIN warfare is essentially a battle for the population: the population is the ‘prize’ – the main goal or objective of the war.<sup>35</sup>

In any situation, whatever the cause,  
there will be—

An active minority for the cause.

A neutral or passive majority.

An active minority against the cause.

Figure 1-2. Support for an insurgency

### Chapter 1 – Insurgency & Counterinsurgency

Figure 7.2 – Battle for the Population: Diagram showing the typical division of any population when in the grip of an insurgency. The passive majority is key to any counter-insurgency campaign and must be won over into active support for the COIN campaign to be effective and achieve real success.<sup>36</sup>

Indeed, according to Kilcullen: ‘Control over the population (through a combination of *coercion* and *consent*) is the goal of both government and insurgent’.<sup>37</sup> Securing control over the population is particularly important for the counter-insurgent because, as Galula explains:

If the insurgent manages to dissociate the population from the counterinsurgent, to control it physically, to get its active support, he will win the war because, in the final analysis, the exercise of political power depends on the tacit or explicit agreement of the population or, at worst, on its submissiveness.<sup>38</sup>

This means that within COIN campaigns, in order to gain the upper hand and suppress the insurrection the counter-insurgent must not only secure control over the population, but additionally also work hard to win over *active* public support for the governing authority – to move them from a passive neutral majority to an active supportive majority – something achieved primarily through *political* rather than purely *military* operations.<sup>39</sup> For the counter-insurgent, more than the insurgent, ‘every military move has to be weighed with regard to its political effects, and vice versa’.<sup>40</sup> It is this centrality of winning over the approval and support of the local population to achieve success, and fighting a political rather than purely military war, that renders COIN warfare so complex and difficult to execute effectively.

### Conducting COIN

Indeed, COIN campaigns are far more complex than conventional warfare, and must be fought in a vastly different fashion. Rather than being solely a security campaign, COIN warfare is first and

foremost a political war – representing a political crisis – therefore requiring firstly political, then military solutions. Consequently, unlike in conventional warfare, the aim of COIN is not to crush the Enemy through overwhelming military force, but rather to steadfastly wear away the insurgents' support base (refer to *Figure 7.3*). That is, the military must work to actively win over the perceptions – the emotive ‘hearts’ and cognitive ‘minds’ – of *both* the local population and Enemy fighters (usually through financial aid, development projects, and general goodwill), while at the same time continuing to suppress hostile activity and eliminate hard-line fanatics.<sup>41</sup>

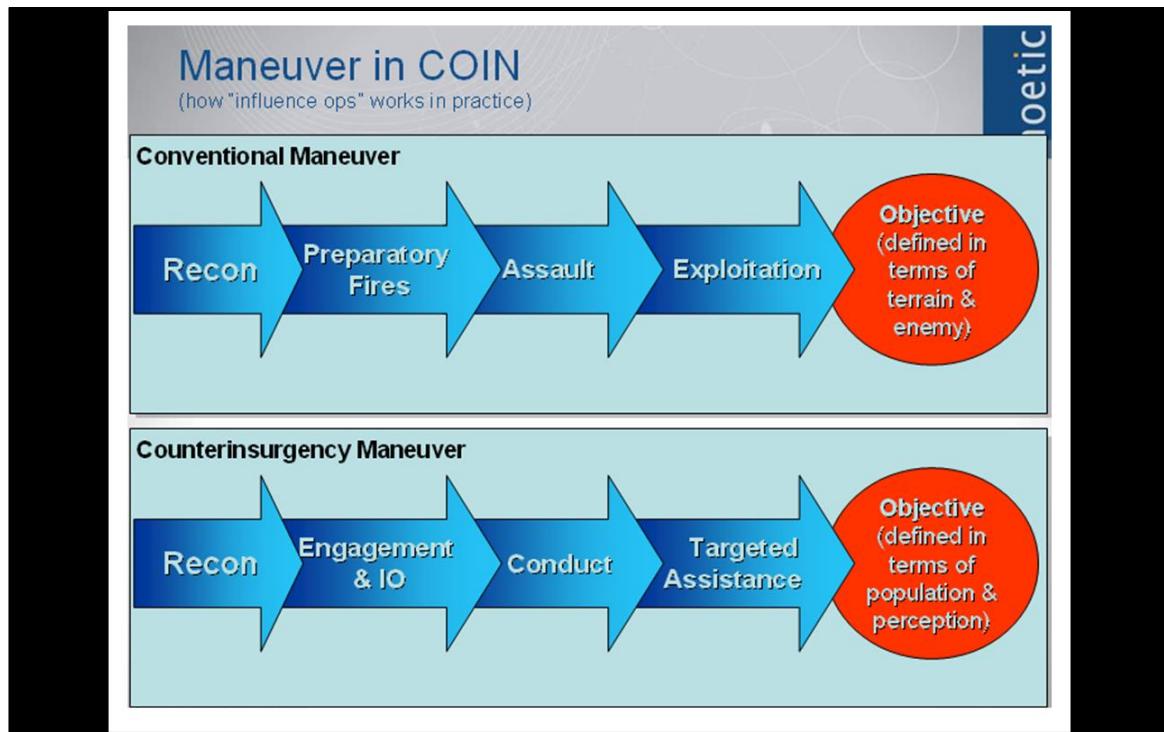


Figure 7.3 – COIN Warfare: The difference between force manoeuvres in an Enemy-centric conventional war campaign and that of a population-centric counter-insurgency campaign.<sup>42</sup>

In truth, the success of COIN campaigns depends almost entirely on the local population. Only through majority support for the COIN campaign, in addition to popular participation through taking charge of their own affairs and consenting to government rule, can the people of the area ensure the success of a COIN campaign, and thereby guarantee their own safety and a stable future.<sup>43</sup> The role of military forces in COIN is therefore to support wider political goals and through minimal force to, first, *protect the population*, and second, *provide the security necessary for political gains to be achieved* that will ultimately win the support of the people.<sup>44</sup>

This centrality of popular support in counter-insurgency warfare renders COIN a population-centric, rather than Enemy-centric, campaign, the maxim being to ‘control the population’, in the belief that progress will subsequently follow.<sup>45</sup> Insurgents seek to seize this control over the population

primarily through coercive means. Counter-insurgents, however, lack this coercive power and therefore must seek to win control over the population by winning popular consent.<sup>46</sup> Hence, rather than military destruction of the Enemy, the onus for counter-insurgents is on winning the war of perceptions by earning the respect and support of the local populace (in particular the key ‘opinion leaders’ within the population, who are central figures and leaders of particular social groupings within the populace).<sup>47</sup> As General Sir Gerald Templer stated in 1952 in regard to the Malayan COIN campaign: ‘The answer lies not in pouring more troops into the jungle, but in the hearts and minds of the Malayan people’.<sup>48</sup>

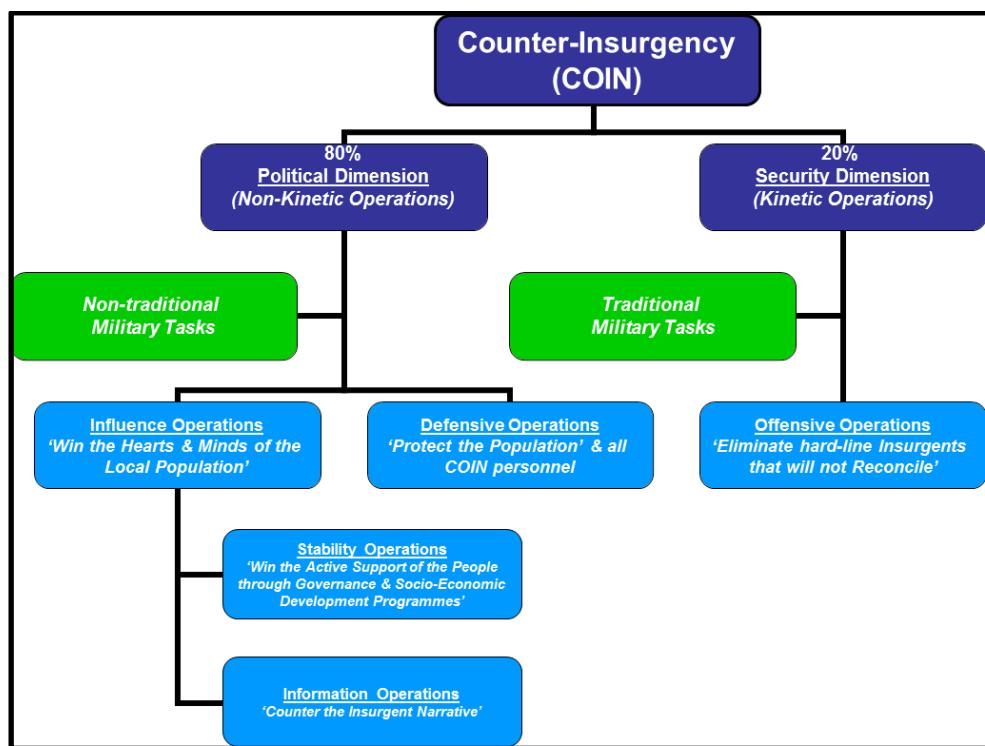
Unlike in conventional wars then, military troops involved in COIN must, as a basic standard, adopt an attitude of tolerance, sympathy and kindness towards the local population – goodwill rather than hostility. Kilcullen describes this unconventional military focus on ‘winning hearts and minds’ as not an exercise in niceties, but rather ‘a hard-headed recognition of certain basic facts’.<sup>49</sup> Namely that: (1) the Enemy needs the people to act in certain ways, without which the insurgency will wither; (2) the Enemy is fluid while the population is fixed, making control of the population attainable whereas destroying the Enemy is not; (3) due to this Enemy fluidity, an insurgency can never be eradicated through solely Enemy-centric means, the Vietnam War being a case in point; and (4) the local population is easily identifiable whereas the Enemy, often comprising multiple threat groups, frequently is not.<sup>50</sup>

In short, the military’s task is to engage in the psycho-political battle with the insurgent enemy and win control over the population, by competing for the hearts and minds of the local population. That is, counter-insurgents must work to win over the emotive hearts and cognitive minds of the local people by convincing them, respectively, that: (1) success of the counter-insurgency is in their long-term interests; and (2) the counter-insurgency will ultimately succeed against the insurgency and will permanently protect their interests.<sup>51</sup>

It is evident by this that the establishment of indigenous counter-insurgent security forces, and close cooperation with these local forces, is also a critical component of any COIN campaign. Not only are indigenous COIN forces critical in gathering popular support for the COIN cause, but they are also essential for assisting external non-native counter-insurgents to deliver on their promises. This is because it is only indigenous forces that can match the Enemy, in not only possessing a true and practical understanding of the local culture and its core values and imperatives, but also in their ongoing presence and long-term commitment in the AO.<sup>52</sup> Indeed, it is these native COIN forces alone who will ultimately become the guarantors of security once international forces withdraw from the campaign.

### *Winning Control of the Population: The 80/20 Rule*

One may see by this that it is the civilian population, rather than insurgent areas of operation, that forms the true frontline in any COIN campaign. This is because in a people-centric war, the local population is the counter-insurgent's greatest asset. A population won over from an insurgent movement is the counter-insurgency's greatest strength, politically and militarily – its political and military 'Centre of Gravity' around which the war will revolve. The primary objective for any COIN campaign is consequently, as it is for insurgents, 'to control the population'. While this is so, it is also worthwhile to also keep in mind that, as Kilcullen argues, 'the enemy and the terrain still matter' within a COIN campaign, with terrain-centric (positional warfare) and Enemy-centric (manoeuvre warfare) actions still 'vital and crucial to success'.<sup>53</sup> As he concisely concludes: 'Enemy and Terrain still matter, but Population is the key'.<sup>54</sup>



*Figure 7.4 – The 80/20 COIN Rule: The political and security dimensions of a COIN war campaign, involving a majority of non-kinetic political operations (comprising 80 per cent of all activity) in combination with a minority of kinetic security operations (comprising only 20 per cent of all activity), the latter nevertheless comprising an essential component of COIN work to 'protect the population'.*

However, winning back governmental control over the population from any insurgent force is a difficult task and requires the military to play a dual role in all COIN campaigns: the primary and largest function being political, and the secondary minor function security (see *Figure 7.4* above). Indeed, in most COIN campaigns at least seventy-five percent of all activity comprises non-military tasks.<sup>55</sup> This division of labour in a COIN campaign is sometimes referred to as Galula's 80/20 rule, being '20 per cent military action and 80 per cent political'.<sup>56</sup> As Galula states:

Essential though it is, the military action is secondary to the political one, its primary purpose being to afford the political power enough freedom to work safely with the population. The armed forces are but one of many instruments of the counterinsurgent, and what is better than the political power to harness the non-military instruments, to see that appropriations come at the right time to consolidate the military work, that political and social reforms follow through?<sup>57</sup>

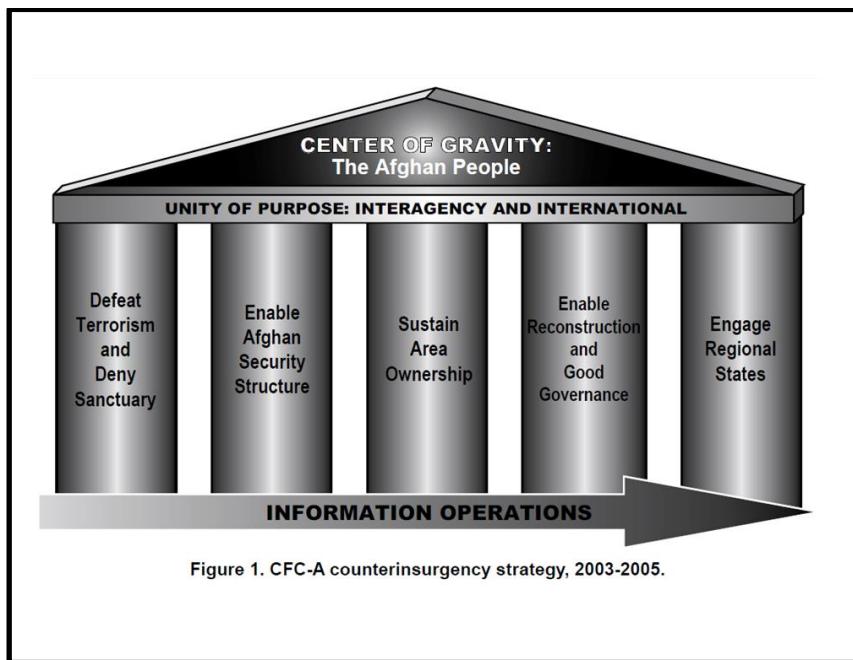
## ISAF Adopts a COIN Strategy

It was this COIN warfare option, rather than a merger with the OEF mission in Afghanistan, that NATO chose to pursue in late 2006 as the best means of addressing the flourishing Afghan insurgency within the mission.

In fact, this shift towards adopting a COIN strategy seemed the most logical step forward for the ISAF, since an emphasis on ‘countering the insurgency’ at the strategic level would as a matter of course encompass all of ISAF’s former stabilisation work, including reconstruction, development, governance, and ANSF training work. That is, these stabilisation activities would become the 80% non-kinetic and non-lethal effort of the COIN strategy, the remaining 20% to be the kinetic, lethal, security operations executed by combat or ‘manoeuvre’ units deployed specifically for the task. Consequently at the NATO Riga Summit in November 2006, it was decided that a COIN approach involving both security and stabilisation operations was the best way forward for the ISAF operation, and the best means by which to counter the insecurity and destabilisation that insurgents were attempting to foster throughout the country. The kind of ‘security assistance’ provided by the ISAF had changed fundamentally.

### OEF’s Afghan COIN Strategy (2003-2006)

Ironically, this was not the first time COIN has been applied to operations within the Afghan war. Prior to NATO’s expansion throughout the country, U.S. forces operating in the Afghan theatre had already designed and enacted a traditional COIN campaign under the command of LTGEN Barno of OEF’s CFC-A (depicted in *Figure 7.5*). This American COIN strategy had been enacted from 2003-2005 in response to increasing insurgent activity in 2003 and the need to re-establish security to pave the way for the 2004 Afghan national elections. During this time the COIN strategy had ‘positive and dramatic results’, reportedly having been effective in not only stemming the insurgent tide, but also in restoring safety and hope to ordinary Afghans.<sup>58</sup> This is evidenced by the way that twice the expected number of Afghans both registered to vote and actually took part in the elections despite insurgent intimidation (an estimated 10.5 million and 8.5 million people respectively).<sup>59</sup> As Barno concluded: ‘The late 2003 shift in strategy from an enemy-centric counterterrorist strategy to a more comprehensive, population-centred COIN approach marked a turning point in the U.S. mission’.<sup>60</sup>



*Figure 7.5 – COIN Strategy of OEF (2003-2005): A diagram depicting the COIN strategy designed and enacted by Combined Forces Command-Afghanistan (CFC-A) under U.S. Lieutenant-General (LTGEN) David W. Barno and active throughout Afghanistan prior to the ISAF's geographical expansion from Kabul Province.<sup>61</sup>*

In its early handling of the mission, however, NATO had made the grave mistake of dissolving step-by-step, with each of its geographical expansions, the successful American COIN strategy already in operation under U.S. OEF forces (in fact it could be argued that it was NATO's failure to both recognise the need for COIN, and keep or reinstitute a COIN strategy following its assumption of command over the ISAF in 2003, that is directly attributable to the escalating violence in subsequent years). As NATO expanded its command throughout the Afghan AO, gradually relieving U.S. CFC-A forces deployed to OEF-A between the years 2003-2006, the U.S. COIN strategy became a casualty of the ISAF contributors' single-minded focus on 'stabilisation'. Security operations that were executed by the ISAF during this time harked back to the counterproductive Enemy-centric counter-terror approaches of earlier years.

As a result, security degenerated rapidly as both the Taliban and Al-Qaeda movements gained strength and suicide attacks in the Afghan AO increased, the total number sky-rocketing from 17 in 2005 to 139 in 2006.<sup>62</sup> Barno lamented this series of events in late 2007, stating with regard to the ISAF:

Since mid-2005, the comprehensive U.S.-led COIN strategy described above has been significantly altered by subsequent military and civilian leaders who held differing views. With the advent of NATO military leadership, there is today no single comprehensive strategy to guide the U.S., NATO, or international effort. Unity of purpose – both interagency and international – has suffered; unity of command is more fragmented; area ownership has receded; and tactics in some areas have seemingly reverted to earlier practices such as the aggressive use of airpower. The "bag of capital" representing the tolerance of the Afghan people for foreign forces appears to be diminishing.<sup>63</sup>

### ***The ISAF's COIN Strategy (2006-2014)***

Now that COIN had once again been embraced in the Afghan theatre of war, however, NATO was confronted in its leadership with a difficult enterprise. Not only were its own members divided by differing ideas, approaches and experiences with COIN warfare, but the NATO organisation itself – comprised of conventional forces trained to conduct conventional, if not nuclear, war against a traditional enemy like the former Soviet Russia – seemed manifestly the wrong instrument for the task. Despite having leadership of the ISAF mission, NATO had no comprehensive doctrine for conducting COIN operations, nor any real experience with such complex and highly-political campaigns. The fact that this COIN campaign was to be designed and led by NATO then, and within the context of a country far outside its traditional operational area, populated by a non-European people, was clearly a cause for concern.

Nevertheless, under the command of American COMISAF General David McNeill (June 2006 – June 2008), an ISAF COIN strategy was developed for the mission, encapsulated by the motto: ‘SHAPE, CLEAR, HOLD, BUILD’. This meant that appropriate combat forces would first be amassed in a given insurgent-controlled area (SHAPE). Subsequently, ISAF combat forces would establish initial security within the operational environment by removing insurgents and other anti-government elements operating within the area, in order to create a space between the insurgents and the Afghan civilian population (CLEAR). This was mostly achieved by the removal of hostile fighters via elimination, detention or expulsion, and was to be conducted by ISAF forces in coordination with ANSF forces, which at that time in early 2007-2008 were assuming a supportive role in all combat operations.<sup>64</sup>

These ISAF and ANSF forces would next maintain the security that had been initially created within each AO (HOLD). This would be achieved by maintaining a strong ISAF presence in the area and continuing security operations to deny insurgents access or freedom of movement within the AO, and to prevent opportunities for their return. Stability forces would also be deployed to foster reconstruction, development and governance in support of the central government of Afghanistan, while other ISAF units would also undertake the training and mentoring of both the ANA and ANP in order to build the capacity of Afghanistan’s own indigenous security forces (BUILD).

The ISAF hoped that, through this new COIN approach, a secure and stable environment might be established and maintained within Afghanistan, and thereby, the mission in the country successfully accomplished.

## **Achieving the Mission: ISAF'S *Modus Operandi***

The change in the overarching focus of the ISAF mission towards COIN, rather than predominantly stabilisation achieved through Reconstruction and Development (R&D) programmes and other nation-building activities, resulted in some alteration in the ISAF's strategy and method of operation too – often referred to as the ‘comprehensive strategy’.

Prior to the adoption of this COIN approach for defeating the Taliban and other insurgent groups within the Afghan theatre, the ISAF had been engaged in nine different areas of activity, loosely grouped under the somewhat vague heading of ‘security and stability operations’. Indeed, no-where in NATO or ISAF documentation are these terms defined or described in more detail (possibly in order to confuse media-savvy insurgent enemies). The U.S. Department of Defense, however, provides a definition for ‘stability operations’, which is defined as:

An overarching term encompassing various military missions, tasks and activities conducted outside the United States in coordination with other instruments of national power to maintain or re-establish a safe and secure environment, provide essential governmental services, emergency infrastructure reconstruction, and humanitarian relief.<sup>65</sup>

### ***Nine Areas of Activity (2001-2006)***

These nine primary areas of activity within the ISAF mission, conducted between the years 2001-2006, were as follows.

#### ***Security Operations***

The first area of activity for ISAF forces was ‘security operations’ (predominantly interpreted to mean defensive patrols by many of the mission’s TCNs), which were conducted in cooperation with the ANSF, the latter comprising members of the ANA, ANP and Afghan SOFs.

#### ***Support & Equip the ANA***

The second task, conducted in concert with the U.S., was to support the ANA by assisting to increase its operational capability via a training and equipping programme conducted through the Combined Security Transition Command Afghanistan (CSTC-A). This assistance was lent in the form of ISAF OMLTs, embedded in ANA battalions, brigades and corps headquarters.<sup>66</sup> OMLTs spent a minimum of six months with ANA units, where they played an advisory as well as a training and mentoring role, deploying alongside ANSF personnel on operations.<sup>67</sup> OMLTs played an additional liaison role by assisting communication between ANA units and nearby ISAF forces, and were also involved in the planning of combined ISAF-ANA operations.<sup>68</sup>

Furthermore, ISAF equipped the ANA through supplying military equipment donated by NATO or Partner nation ISAF participating nations under the NATO Equipment Donation Programme (NEDP), donations which ranged in scope and size from tanks and helicopters to small arms, ammunition and uniform items.<sup>69</sup> The transportation and installation of this equipment was coordinated by NATO's Allied Command Operations Headquarters in Mons (Belgium), and financed by the ANA Trust Fund expressly set up for the purpose, which also covers the expense of new equipment purchases, the funding of ANA engineering and construction projects and in/out-of-country training.<sup>70</sup>

#### *Improve the ANA's Means & Capabilities*

Similarly, the ISAF's third area of activity involved supporting the ANP by working to improve its means and capabilities, chiefly through assistance at the tactical level. As the ANP was created and trained to act as a paramilitary police force – to perform both civilian and military functions given the Afghan security environment (ANP personnel were often involved in engagements with insurgents during these early years) – this also involved military support to ANP security operations, including the sharing of information, advice, indirect mentoring and guidance, joint patrolling and niche training of non-police specific skills (see endnote).<sup>71</sup> This task was conducted chiefly in coordination with the U.S., as the chief TCN supporter of Afghan security reform via CSTC-A (ISAF nations were initially given responsibility for key areas in these early years), but later also by the new creation of the European Union Police Mission in Afghanistan (EUPOL) established in June 2007.<sup>72</sup> According to the 'Afghanistan Compact' framework established between the international community and the new GIRoA at the 2006 London Conference, and the Afghan government's later Afghan National Development Strategy, the objective was for the ANP to comprise a professional police force of 82,000 officers committed to the rule of law by 2011.<sup>73</sup>

#### *Collection & Destruction of Illegal Weapons*

The fourth task for ISAF forces involved the collection of illegal weapons, ordnance and ammunitions from armed groups and individuals.<sup>74</sup> Once collected these munitions were to be catalogued then destroyed safely so that they no longer presented a threat to either Afghan or ISAF security forces, not to mention the civilian population.<sup>75</sup>

#### *Immediate Humanitarian Assistance*

A fifth ISAF area of activity, established in 2006, involved providing rapid short-term humanitarian assistance to Afghan civilians in the immediate aftermath of significant military operations, such as supplying food, shelter, medicine and repair to buildings and core infrastructure.<sup>76</sup> This activity was supported by the Post-Operations Humanitarian Relief Fund (POHRF), under the authority and discretion of the COMISAF, which was totally comprised of voluntary donations by ISAF TCNs.

Updates on the use of the fund were regularly made to NATO's highest body, the NAC, by NATO's Senior Civilian Representative in Afghanistan.<sup>77</sup>

### *Provincial Reconstruction & Development*

The sixth ISAF task – and the most visible and predominant area of activity within the mission – was crucial for both securing and stabilising Afghanistan, and involved PRTs. Indeed, according to NATO, PRTs were at the cutting or ‘leading edge’ of ISAF efforts in Afghanistan and were a practical expression of ISAF’s commitment to Afghanistan.<sup>78</sup> By 2009 there were 26 PRTs across Afghanistan, each led by one or more of the ISAF’s TCNs. The dual role of the PRTs was, first, to provide local security together with ANSF units, and second, to support all local R&D activities (whether Afghan, national, international or non-governmental in nature) in order to meet the ultimate objective of extending Afghan government authority throughout the country.<sup>79</sup> Each PRT was thus comprised of both military and civilian personnel, either supplied by one TCN or composed of personnel from a variety of different TCNs. The efficacy of each team depended heavily on good civil-military communication and cooperation both within each team and between PRT personnel and the Afghans, and in the cases of combined PRTs, also on cooperation internationally amongst multinational military and civilian personnel.

The role of military personnel at the PRTs was: firstly, to provide and ensure area security and stability; secondly, to support security sector reform including the augmentation of ANSF capabilities; and thirdly, to direct assistance to civilians in the form of transport, medical assistance or engineering aid.<sup>80</sup> By comparison, the role of the non-military civilian members of the PRTs was to use their political, economic, humanitarian and societal knowledge and skills to strengthen political institutions, encourage good governance, support the growth of governance structures, promote the rule of law and human rights, and further reconstruction projects in support of the GIRoA’s national development priorities.<sup>81</sup> Such projects included: (1) the repair of infrastructure; (2) the building of schools and implementation of education programmes; (3) the digging of irrigation ditches, wells and reservoirs to the benefit of farmers and the local population; (4) the laying of pipelines; and (5) measures to improve local mobility, communication, and medical access.<sup>82</sup>

### *Humanitarian Relief Missions*

In addition to the above, the seventh task was – upon request – for PRTs to assist the GIRoA and other international actors with particular humanitarian relief missions within their area, such as disseminating medication, food or winter supplies during severe weather conditions.<sup>83</sup>

### *Reduce Drug Production*

The eighth major area of activity within the mission was to support the GIRoA in its efforts to substantially reduce the production of illicit drugs within Afghanistan, the profits of which were fuelling the anti-Government insurgency in certain parts of the country. In May 2003 the GIRoA declared its National Drug Control Strategy with the aim of eliminating all drug production by 2012. The effort was to be led by the Minister of the Counter-Narcotics Directorate within the Interior Ministry of the Afghan government. However, it was largely reliant on international assistance. Consequently, support for the Afghan counter-narcotics programme became another key ISAF task, involving: (1) counter-narcotics training for the ANA; (2) distribution of information; (3) the execution of an efficient public information campaign; (4) the delivery of alternative livelihood means when requested; and (5) logistical support – including military support to counter-narcotics operations in extreme situations.<sup>84</sup>

### *Temporary Tasks*

Finally, ISAF forces were assigned ‘other tasks’ at specific times in the years since the force’s inception, as set out by the ISAF mandates of various UNSC Resolutions. These tasks involved, for instance, ISAF assistance to the conduct of free and fair elections and participation in the disbandment and reintegration of illegal groups (otherwise known as ‘Disarmament, Demobilization and Reintegration’ or ‘DDR’). The ISAF also made contributions towards the reform of the Afghan justice sector, including the reconstruction and reform of the Afghan prison system, in order to improve respect for the rule of law and human rights in Afghanistan.<sup>85</sup>

### ***Four COIN LOOs (2006-2014)***

Following the ISAF’s reorientation towards a COIN strategy, these nine prime areas of activity within the mission were regrouped into three main LOOs or COIN ‘pillars’. These operational lines included: (1) Security; (2) Governance; and (3) Reconstruction and Development (R&D). Due to unsatisfactory progress in the realm of counter-narcotics in subsequent years, moreover, the Afghan government made a formal request in 2008 for a greater ISAF role in supporting counter-narcotics operations, a request granted at the NATO Defence Ministers’ Meeting in Budapest on 10 October that year.<sup>86</sup> This increased aid involved ISAF actively contributing to the demolition of processing facilities and to operations against narcotic producers with proven links to the insurgency, though all of these actions had first to be requested by the GIRoA and assented to by the governments of the TAN forces involved before they could commence. As a result, following Budapest a fourth LOO – ‘Counter-Narcotics’ – was added to the ISAF’s main pillars of activity within the COIN mission.<sup>87</sup> These four LOOs are considered key components of the ISAF mission’s ‘comprehensive COIN strategy’ for Afghanistan, and are depicted in *Figure 7.6*.

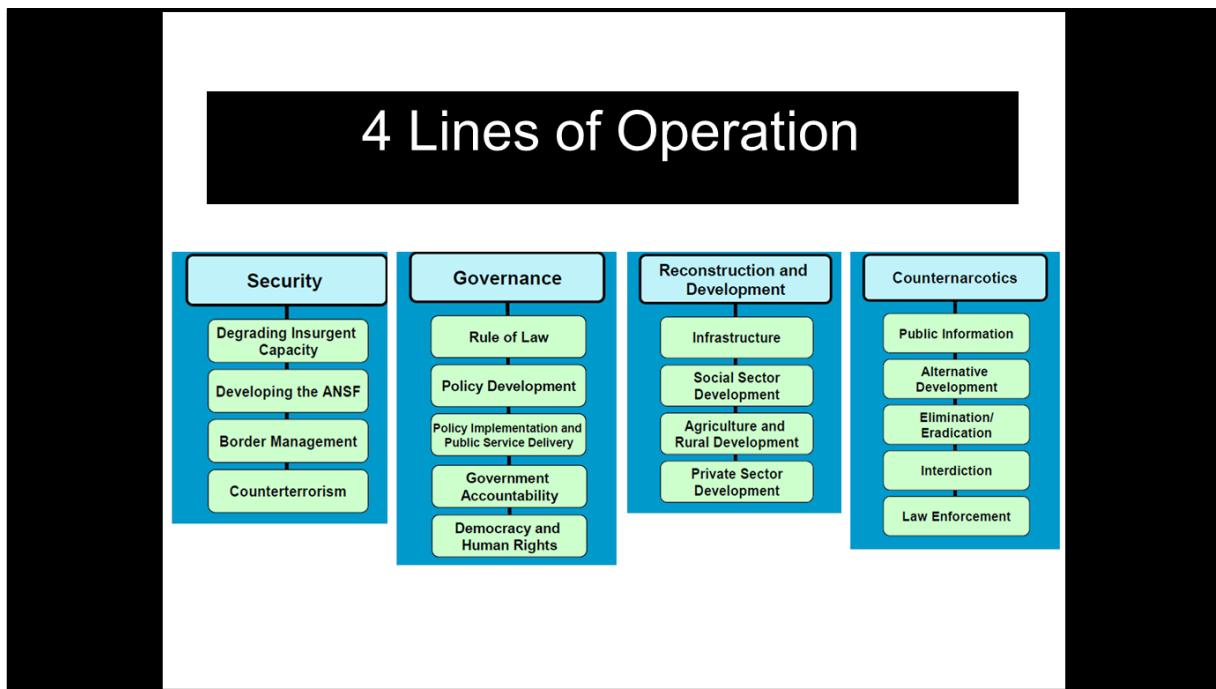
Figure 1: Components of the Comprehensive COIN Strategy



Figure 7.6 – Lines of Operation (LOOs): A flow-chart of the ISAF mission’s main LOOs, entitled ‘Components of the Comprehensive COIN Strategy’, taken from the U.S. Department of Defense Pentagon Report of January 2009.<sup>88</sup>

Following NATO’s adoption of a COIN approach in late 2006, the ISAF’s main areas of activity were reorganised – and in many cases expanded – under these new main areas of effort. UNSC Resolution 1510 had enlarged ISAF’s functions and objectives to include additional tasks than those initially envisioned. These tasks have been reiterated, and sometimes added to, in subsequent UNSC mandates passed annually in the years since.<sup>89</sup> The new organisation of the ISAF’s various tasks under the four key COIN LOOs is depicted in *Figure 7.7*.

Security operations along the *Security LOO* have involved: degrading insurgent capacity; developing the ANSF; border management; and counter-terrorism operations.<sup>90</sup> Meanwhile, the *Governance LOO* has involved activities to improve: the rule of law; policy development; policy implementation and public service delivery; government accountability; and democracy and human rights.<sup>91</sup> The *Reconstruction and Development LOO*, by comparison, has incorporated the following ISAF activities: infrastructure; social sector development; agriculture and rural development; and private sector development.<sup>92</sup> Finally, the new *Counter-Narcotics LOO* as of 2008 (formerly of unknown classification as a ‘security’ or ‘stability’ operation), has involved: public information; alternative development; elimination/eradication operations; interdiction operations; and law enforcement tasks.<sup>93</sup>



*Figure 7.7 – LOO Priority Areas: The 4 Lines of Operation within the ISAF COIN strategy, and their associated tasks for ISAF forces in each of the mission’s Regional Commands.*<sup>94</sup>

Despite this reorganisation of the ISAF’s main areas of activity into four primary LOOs, all of the ISAF’s tasks have continued to work towards the same mission objective since the outset – to secure and stabilise Afghanistan. As ISAF’s own official publications have set forth in successive mission statements between 2007-2011, the ISAF mission is to:

Conduct military operations in the assigned AO to assist the Government of Afghanistan (GoA) in the establishment and maintenance of a safe and secure environment with full engagement of Afghan National Security Forces, in order to extend government authority and influence, thereby facilitating Afghanistan’s reconstruction and enabling the GoA to exercise its sovereignty throughout the country.<sup>95</sup>

Regardless of the new COIN approach then, the ISAF mission has remained to assist the Afghan Government in exercising and extending its authority and influence across the country, with the mission objective of attaining ‘the establishment of a secure and stable environment’ in order to both facilitate Afghanistan’s reconstruction and enable the GIRoA to exercise its sovereignty throughout the country, with the end-goal of promoting ‘effective governance’ in Afghanistan while simultaneously ‘contributing to regional stability’ (see endnote).<sup>96</sup> Indeed, achieving this goal is considered to be the very role of the ISAF mission in Afghanistan. Consequently, the ISAF’s role in Afghanistan is overall, as one ISAF document has stated: ‘In accordance with all the relevant Security Council Resolutions, ISAF’s main role is to assist the Afghan government in the establishment of a secure and stable environment’.<sup>97</sup>

## **ISAF COIN in Practice: Division of Labour**

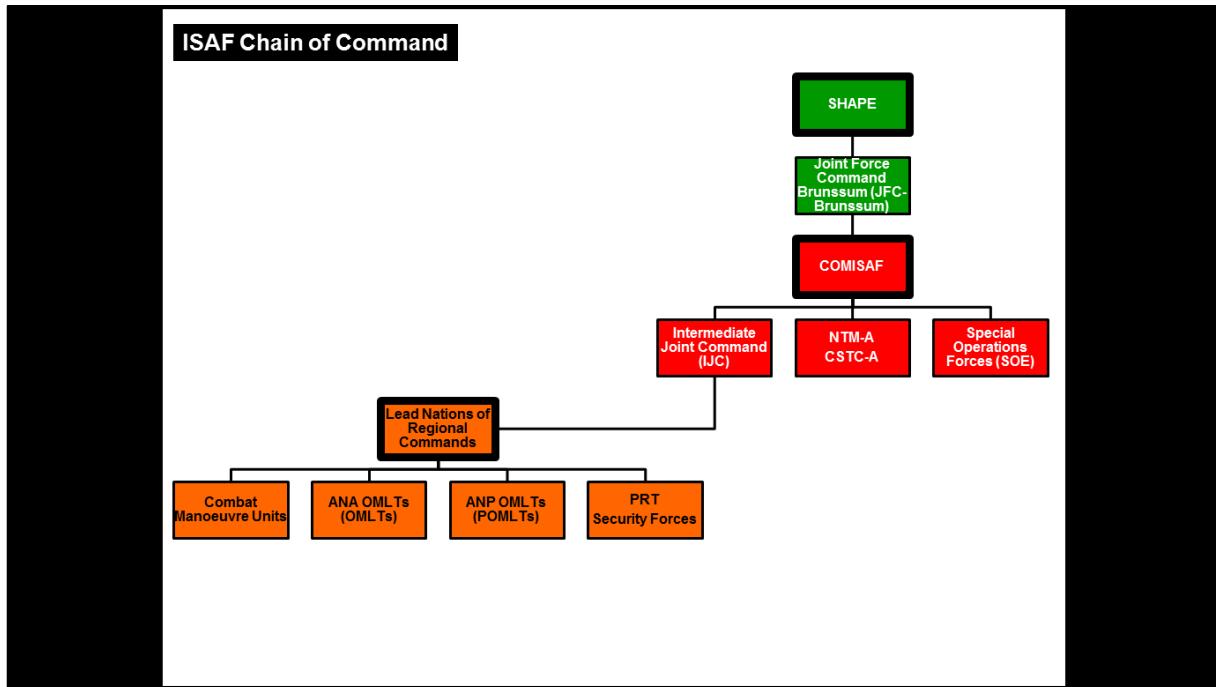
Yet the question begs, how exactly does the ISAF force work to achieve these challenging mission goals, on behalf of the international community, in practical terms on the ground in Afghanistan? The answer lies in the ISAF's own mission statement. The ISAF seeks the establishment and maintenance of a safe and secure environment through the 'conduct of military operations in the assigned AO... with full engagement of Afghan National Security Forces'. Or as ISAF documentation further states, 'to this end, ISAF forces are conducting security and stability operations throughout the country together with the Afghan National Security Forces and are directly involved in the development of the ANA through mentoring, training and equipping', this being the prerequisite for 'paving the way for reconstruction and effective governance'.<sup>98</sup> In 2010-2011, this mission statement was expanded to also include ISAF's new focus on significantly increasing 'the capacity of Afghan security forces in order to hand over gradually lead responsibility for security to Afghans themselves'.<sup>99</sup> (Only in February 2011, under the leadership of COMISAF Petraeus, was the ISAF mission statement changed to explicitly state that one of its four key priorities was to 'protect the Afghan people' and 'counter the insurgency', an alteration which has remained ever since under the leadership of COMISAF's Allen and Dunford.<sup>100</sup>)

What this means in practice is that the ISAF is pursuing its mission objective by conducting the activities of the four LOOs, in sequential phases in accordance with the COIN strategy ('SHAPE, CLEAR, HOLD, BUILD'), within an Afghan AO that is divided into five administrative Regional Command sectors. It is doing this in concert with ANSF forces, while simultaneously participating in ANSF training and capacity-building. The ISAF is further prosecuting these operations by means of security and stability forces deployed to each Regional Command, which operate in cooperation with local ANSF units and under the regional command of one Lead Nation.

### ***The Role of ISAF 'Lead Nations'***

Within each Regional Command sector there is either one designated Lead Nation, or a number of nations sharing lead command on the basis of short-term rotations. Each of these nations performs the role of Lead Nation on behalf of the ISAF and holds C<sup>2</sup> over all ISAF military personnel and activities within the sector. It is important to note here, however, that civilians involved in the Governance, R&D or Counter-Narcotics LOO activities are *not* controlled by the ISAF, but instead answer to their own national government departments or to their respective national/international humanitarian aid organisations, for example UN personnel to the United Nations Assistance Mission Afghanistan known as UNAMA (see endnote).<sup>101</sup> Lead Nations are themselves commanded by, and answerable to, the COMISAF at ISAF Headquarters in Kabul by means of the COMISAF's tactical Intermediate

Joint Command (IJC) – one of three subordinate commands under the COMISAF (see *Figure 7.8* below).<sup>102</sup> The COMISAF himself is commanded by NATO’s operational JFC Headquarters in Brunssum, which in turn is directed and commanded by NATO’s highest SHAPE Headquarters in the Netherlands.<sup>103</sup>



*Figure 7.8 – ISAF Chain of Command: The military chain of command for security forces within the NATO-led ISAF coalition.*

While IJC controls all of the Regional Commands in Afghanistan from ISAF Headquarters in Kabul, each Lead Nation controls its own units from its own C<sup>2</sup> headquarters within each Regional Command.<sup>104</sup> These Regional Command military units include primarily: major and minor combat manoeuvre units, otherwise known as simply ‘combat units’ or ‘manoeuvre units’; the military security component of its PRTs; OMLTs; and Police Operational Mentoring and Liaison Teams (POMLTs).<sup>105</sup> In addition to a Regional Command Headquarters, a Forward Support Base (FSB) established within each Regional Command provides logistical support for the sector, while Forward Operating Bases (FOBs) form military base camps for most combat units operating within the sector.

The ISAF mission objective in each of the Regional Command sectors via the designated Lead Nations is, as overall within the Afghan theatre, to ‘provide a secure environment for sustainable stability that is observable to the population’.<sup>106</sup> The Lead Nation seeks to attain this objective and create such a secure environment by conducting activities along the four LOOs of (1) Security, (2) Governance, (3) R&D, and (4) Counter-Narcotics. Although it is the R&D and Governance LOOs that form the greater part of COIN (the 80% effort), security is a vital precondition for their execution

and must be attained before the other LOOs can proceed. Indeed, R&D and governance activities can not even commence in a localised vicinity, until a fundamental degree of security has been established by the Lead Nation's security forces via tasks conducted along the Security LOO. This basic level of security must not only be established, however, but it must also be maintained for the other LOOs to continue operating over prolonged periods of time.

It is for this reason then, that the security LOO (the 20% effort) is considered the most important of the four ISAF COIN LOOs, especially during the early and middle stages of a localised COIN campaign. On the ground, this generally equates to establishing 'security bubbles' or secure 'zones' of development within each Regional Command, usually in districts around existing PRTs in a particular province.<sup>107</sup> Following the establishment of a safe zone, the Lead Nation seeks to expand the size of the security bubble to encompass outlying areas through on-going security and stability operations, with the end goal of expanding the multiple security bubbles within each Regional Command province, in order to ultimately push the boundaries of the safe zones across the entirety of the Regional Command operational area.<sup>108</sup> Generally-speaking, *security operations* refer to kinetic, often lethal military operations conducted by security forces, whereas *stability operations* refer to non-kinetic, non-lethal and even non-traditional military operations conducted by stability forces.

### ***ISAF Security Forces – Four Main Units***

Since this research is primarily concerned with security forces operating along the Security LOO within the ISAF campaign, and the effects of caveat imposition on these forces, the following is a description of the division of labour with regard to the four main security units conducting activities along this LOO: (1) Combat Manoeuvre Units; (2) OMLTs for the ANA; (3) POMLTs for the ANP; and (4) PRT Security Units.

#### ***Combat Manoeuvre Units (CMUs)***

The key agents conducting security operations along the Security LOO are, of course, the ISAF Combat Manoeuvre Units (CMUs) supported in varying degrees by local elements of the ANA and ANP, which are likewise supported by ISAF OMLT and POMLT teams. ISAF CMUs are commanded by the Regional Command Lead Nation from the ISAF Regional Command Headquarters within each Regional Command sector. CMUs comprise a melange of international infantry, armour and cavalry units, usually organised into Task Force (TF) combat entities.<sup>109</sup> On occasion artillery units will also be included in a combat unit, acting as provisional manoeuvre units.<sup>110</sup> There are both major and minor CMUs within the ISAF campaign, major units being those manoeuvre units comprising more than 700 troops.<sup>111</sup> In this sense, major combat units could well be thought of in terms of size as equivalent to a military 'battalion', with all CMUs within a Regional

Command amounting to roughly one military division.<sup>112</sup> Quartered at specific military camps or FOBs around each Regional Command, these CMUs are usually responsible for conducting security operations within specific districts or provinces within the Regional Command.<sup>113</sup>

The primary objective and task of ISAF combat forces in Afghanistan, in coordination with ANSF forces, is *to conduct security operations in order to reduce the capability and will of the insurgency*. The ‘sharpest’ edge of this responsibility relates to conducting overtly offensive, kinetic and lethal operations against active insurgents in the vicinity – referred to generally as ‘Degrading Insurgent Capacity’.<sup>114</sup> As a U.S. Pentagon states on this vital area of activity:

A requirement for establishing security in Afghanistan is degrading and eventually destroying the capacity of insurgents and anti-government elements to attack and/or intimidate the general population, to attack international and GIRoA forces and assets, and to retain and recruit new members into their organizations.<sup>115</sup>

In military terms, degrading insurgent capacity involves ISAF and ANSF forces conducting kinetic military operations to: ‘Directly diminish insurgent capacity by killing and capturing insurgents, destroying their equipment, supplies, and infrastructure, and denying insurgents access to and mobility within a given area, and physically separating them from the general population’.<sup>116</sup>

These kinetic operations are intended, on the one hand, to demonstrate the insurgents’ inability to control territory, and on the other, to show to the general population the potential cost of joining the insurgent ranks, thereby weakening the ability of the insurgency to replenish their forces and eroding their long-term capacity.<sup>117</sup> However, as the Pentagon report also states: ‘Kinetic operations have to be carefully executed to avoid civilian casualties and collateral damage that weaken popular support for International forces and the GIRoA’.<sup>118</sup> In addition, CMUs are also utilised to conduct kinetic counter-terrorism operations against Al-Qaeda and other terrorist organisations active in the country, which support the Taliban and other insurgent groups with finances, training and personnel to destabilise Afghanistan.<sup>119</sup> As the U.S. Department of Defense report sets forth, ISAF military assets are used ‘to detect and eliminate terrorist networks in Afghanistan’.<sup>120</sup> Furthermore, CMUs may also be employed to conduct counter-narcotics interdiction operations in conjunction with ANSF forces along the Counter-Narcotics LOO, involving the identification and arrest of drug-traffickers and the interdiction of drugs and money, in order to ‘dismantle the networks’ of the illegal Afghan narcotics industry.<sup>121</sup>

### **OMLTs & POMLTs**

The aim of the ISAF OMLT and POMLT teams is *to develop ANSF forces through mentoring, training and equipping ANA and ANP units*.<sup>122</sup> This secondary security task along the Security LOO is conducted with an eye towards *Phase IV – Transition* of the NATO OPLAN, with the final goal of

the ISAF coalition being the transfer of security responsibility across the entire Afghan AOR to native Afghan security forces. As the Pentagon report states:

To establish and maintain the security and independence of Afghanistan and to enforce the rule of law within the country, the Afghan government requires capable security forces. The long-term goal is to build a police force and military that is nationally respected; professional; ethnically balanced; democratically accountable; organized, trained, and equipped to meet the security needs of the country; and funded from the GIRQA budget...The U.S. long-term goal is for the ANSF to be capable of defending Afghanistan's borders and providing internal security.<sup>123</sup>

Developing the ANSF consequently involves both training and mentoring of ANA and ANP units, by means of these OMLT and POMLT teams, in addition to providing military equipment for ANA and ANP personnel with which they 'can protect the people of Afghanistan and enforce the law' and thereby act as a 'force multiplier' for the ISAF by reducing insurgent capacity within the country, while simultaneously showing 'the strength of the GIRQA to the general public' (see endnote).<sup>124</sup>

Responsibility for conducting and achieving these two essential security tasks along the ISAF security LOO rests, however, with the Lead Nation of each ISAF sector – the nation that holds overall lead command responsibility for security in the sector and whose own national forces generally form the bulk of the available ISAF CMUs within the Regional Command. In some instances, these national combat forces will also be supported by smaller, minor combat manoeuvre units offered by other TCNs based in the same sector. In these scenarios, since Lead Nations within the ISAF mission hold lead security responsibility over the entire territory of their designated sector, the Lead Nation will wield overall leadership and command over all other supporting national security forces deployed to the sector – whether these be major or minor combat manoeuvre or combat support units, or security forces attached to a PRT. The lead responsibility for security remains with the Lead Nation up until the point of time when ISAF Headquarters officially transfers lead security responsibility to the ISAF's counterpart ANSF elements, comprised of trained indigenous Afghan security forces.

### *PRT Security Units*

PRT Security Units, meanwhile, comprise military units – each attached to a specific PRT – that provide protection from insurgent attacks both to the local populace and PRT military and civilian personnel conducting activities along the other Governance, R&D and Counter-Narcotics LOOs. PRTs prosecute localised COIN campaigns involving activities along the R&D and Governance ISAF LOOs. They are established in key secured areas of every major Afghan province within the five ISAF Regional Commands and are comprised of a blend of around 120-150 military and civilian personnel, encompassing a broad range of knowledge and skills, who work side-by-side in a variety of local projects and programmes.<sup>125</sup>

Along the R&D LOO, PRTs work towards the objective of facilitating improvements in socio-economic development in coordination with the Afghan government and UNAMA. This is achieved

by the PRTs both actively contracting and supervising R&D projects themselves, and passively providing support for other humanitarian assistance efforts conducted by other national and international agencies.<sup>126</sup> In terms of the Governance LOO, moreover, the PRTs work towards the objective of facilitating improvements in governance by promoting good governance, the rule of law and respect for human rights in the locality, and by overall fostering ‘the emergence of a strong and credible central government able to extend its influence nation-wide’.<sup>127</sup> Specifically, PRT governance activities in pursuit of this objective involve working with local Afghan government authorities to ‘build capacity, support growth of governance structure, and promote an environment in which governance can improve’.<sup>128</sup> Lastly, since the 2008 Budapest Conference when counter-narcotic operations were added to ISAF activities in Afghanistan, to comprise a fourth LOO in the ISAF COIN mission, PRTs also actively and passively seek to support the Afghan counter-narcotics programmes, such as through the destruction of processing facilities, action against narcotic producers, *in extremis* emergency support, the sharing of information, and the conduct of efficient public information campaigns.<sup>129</sup>

In truth, PRTs form the backbone of the entire COIN campaign in Afghanistan and are at the forefront of the ‘80%’ COIN effort within the campaign. Indeed, it is primarily through these development ‘PRT bubbles’ – each fostering a measure of physical security and economic and political stability – that the ISAF seeks to win the support of local Afghans in each vicinity, and thereby the support of the locals towards the Afghan central government.<sup>130</sup> Figuratively speaking, the PRTs are intended to act as secure and attractive life-rafts in an insecure Afghan sea, extending a promise of rescue and stability to a storm-tossed and war-weary population. Nevertheless, the success of each PRT bubble is entirely contingent on the ability of ISAF forces to maintain security within the PRT reconstruction areas. A decline in basic physical security in one reconstruction locality will inevitably result in the decline or even cessation of all other R&D and governance activity in that locality, as well as in other reconstruction sites within the PRT AOR.

Consequently, in addition to this blend of military and civilian personnel, PRTs typically also include a security detail comprised of approximately 30 members of the national armed forces (usually land operations-trained army personnel) – the PRT Security Forces.<sup>131</sup> While the majority of PRT staff undertake the numerous local reconstruction and development projects needed in the AOR to promote security and stability, the security detail acts like a local police or gendarmerie service to not only protect the various reconstruction sites within the PRT AO, but also to protect both the PRT personnel and the local people of the community within the PRT area.<sup>132</sup> As Gillard, a former Chief of Staff of the New Zealand-led PRT, has expressed in relation to Bamyan Province:

You need door-kickers around those engineers and those civilians, to ensure that there is enough security...this isn't the Kapiti Coast [of New Zealand] here! If you go up into North-West

Bamyan...Man, that is a scary place. It was the most on edge I've ever been in 20 years in [the military]. I mean, you're travelling along dangerous, dusty roads as wide as this room. It's gravel, it's rough as hell. You've got a raging river on one side, you've got sheer cliffs on the other. Every corner is an ambush site. Every corner is an IED site. Every town up there...it's like it's a dirty, dingy, nasty place to be.<sup>133</sup>

In addition to basic protection, the continual presence of these security units – emphasized particularly through regular city patrols – helps to promote a general atmosphere of security and stability in the locality, which in turn inspires confidence among the local populace. It is for this reason that one military patrol – consisting of a Liaison Officer, a Patrol Commander and 10 infantry ‘door-kickers’ – is generally stationed at each patrol base within the PRT Province.<sup>134</sup> In many instances this military detail will also perform other non-security related tasks in support of the civilian PRT effort, such as conducting ANP training, undertaking engineering work in support of specific reconstruction projects, or performing transport, communications, quality control and medical aid tasks.<sup>135</sup> Importantly, only the military elements of the PRTs – military personnel including engineers, medics and aid staff in addition to the ‘security detail’ at each PRT – is subject to ISAF authority via the ISAF chain of command, especially that of the Regional Command Lead Nation, with the civilian elements of the PRT answering directly to their own national governments or national/international agencies.<sup>136</sup>

Any serious security problems or threats within the PRT or outside the PRT, however, such as those posed by insurgents, are reported by this policing unit to the Regional Command Lead Nation combat units vested with security responsibility, usually via the combined Regional Command/Lead Nation Headquarters.<sup>137</sup> This is because the task of combating local insurgents through conducting combat operations is *not* the responsibility of the PRT security detail, but rather that of the CMUs within the Regional Command sector which, as the principal forces conducting security operations along the security LOO, are tasked with conducting all offensive operations against Enemy forces.

In addition to combating insurgents and providing security for PRTs, these combat units also hold overall responsibility for securing the area in and around the PRT – an area known as Regional Development Zones (RDZs).<sup>138</sup> Through maintaining a sustained presence in the RDZs, combat forces ‘complement the work of the PRTs’ by enabling ‘government and coalition forces to integrate security and development assets in those areas “and thus gain a synergistic local effect”’.<sup>139</sup> The ISAF intent through this structure of PRTs, combined with a sustained combat force presence in surrounding RDZs within each Regional Command, is to ‘present terrorist organisation with an impossible situation, one where it was hoped they could not demonstrate any viable alternative of value to the Afghan people’.<sup>140</sup> In short, then, CMUs perform the role of the Regional Command’s military force in contrast with the PRT security detail, which predominantly performs a policing ‘Bobby-on-the-beat’ role.<sup>141</sup>

Nevertheless it must also be said, in accordance with COIN doctrine, that these security units within the PRTs may – in rare extreme circumstances – be required to revert to their military training and act as combat forces themselves. This may occur in situations in which Lead Nation combat forces are either insufficient or lacking to address an emerging threatening security situation.<sup>142</sup> While such scenarios may be rare, it is in fact an underlying assumption in all COIN campaigns that security forces contributing to a campaign must all be combat-capable and flexible – that is, they must be ready and able to transition from a development or policing role to a fighting combat role at any moment. As Gillard has aptly stated: ‘Cooks and bottle-washers can shoot as well’.<sup>143</sup> This is, in fact, a very important principle of all COIN warfare. A study by the University of Edinburgh has likewise reached this conclusion, with regard to all multinational forces deployed on the full range of multinational security operations in the interest of world security:

In the end, a military’s basic function is to have the ability to use force to impose its will on an adversary. As such, MNF forces working within the ranges of MOOTW/SSC [Military Operations Other Than War/Small Scale Contingencies] must be able to rapidly shift to the “use of force or threat of force” to ensure mission accomplishment...The MNF “must be ready to fight” (or transit to fight) at all times.<sup>144</sup>

## Conclusion

In conclusion, this chapter has examined the ISAF operation in greater detail in order to provide a broad overview of the way in which the mission actually operates on the ground in the Afghan theatre of war. From this overview it is clear that the prosecution of the COIN-oriented campaign in Afghanistan is a very complicated affair, involving efforts across the whole spectrum of security and stability operations.

It is also evident that security operations, in particular, although comprising only twenty percent of the overall effort expended within the COIN strategy, represent a very important – even crucial – aspect of the ISAF mission. Security operations along the Security LOO are required to establish security, maintain security, protect the population, and to capture or eliminate insurgent fighters. In short, they are the necessary prerequisite that makes the prosecution of activities along the other three LOOs possible. Security operations are thereby the lynchpin for achieving the ISAF’s mission objective of establishing and maintaining a safe and secure environment in support of the Afghan government. Understanding of the crucial role of security forces in enabling the ISAF to conduct its mission, and to achieve its goals – the very reason for which the ISAF was created and deployed to Afghanistan by the international community – is fundamental for understanding the caveat analysis which is to follow in subsequent chapters.

This chapter concludes Section II, which has sought to provide both the methodological framework and the contextual political and military setting of this research on the ISAF mission. In the following three sections, this study will address the core subject of this research: the problem of national caveats within the ISAF mission, over a ten-year period from 2002-2012, and their impact on the ISAF's operational effectiveness. The next section, Section III, will begin this analysis by examining the first key questions of this caveat study: '*What is the extent of the 'caveat problem' within the NATO-led ISAF multinational mission in Afghanistan?*'.

## ***SECTION III***

***Research Question One:***

***What is the extent of the ‘caveat problem’ within  
the NATO-led ISAF multinational mission in  
Afghanistan?***

## **CHAPTER 8**

### **Fighting against Allies:**

#### **The Problem of National Caveats within the NATO-led ISAF Operation in Afghanistan, 2002-2012**

This chapter is the first of three chapters which seek to address the first key research question of this ISAF caveat analysis: '*What is the extent of the 'caveat problem' within the NATO-led ISAF multinational mission in Afghanistan?*' The chapter will begin to address this question by discussing the core subject of this thesis: namely, the problem of national caveats within the ISAF mission in Afghanistan. Just as has previously occurred in other multinational security operations conducted by the UN or NATO, such as those undertaken in Angola, Rwanda, Bosnia and Kosovo, national caveats within the ROE of participating national forces to the NATO-led ISAF operation have once again emerged as a significant and difficult issue within the ISAF campaign. In fact, the dilemma posed by the imposition of national caveats could well be described as one of the ISAF's most severe internal problems, which has had tangible effects on the effective and successful execution of the mission. What is more, this caveat plight within the mission is one of long duration, the issue beginning in December 2001 when ISAF forces first deployed to Afghanistan and continuing over a full decade of warfare into 2012.

This chapter provides an introductory overview of the national caveat dilemma within the ISAF multinational security mission in Afghanistan. It will begin by briefly outlining the recurring habit of caveat imposition by NATO Member-States within NATO's few military operations, with reference to the legal grounds that permit NATO nations to impose caveats on their forces deployed to security missions, enshrined both in international law and the NATO Charter. Subsequently, the resultant effects of NATO members' use of these legal rights will be discussed in relation to the prosecution of the MNOs themselves. The chapter will then introduce the issue of national caveats within the ISAF mission itself, outlining how the national caveat problem grew in scope and importance over the years between 2002-2012 to become a major dilemma within this security and stability operation. Evolving attitudes towards the caveat issue, in response to this development over the time period, will also be discussed. Finally, it will be shown that the issue of national caveats within the ISAF has never been resolved, despite numerous attempts to eliminate the problem from the ISAF operation during ten years of warfare in Afghanistan.

## **NATO's Recurring Habit of Caveat Imposition on Operations**

The imposition of national caveats within the ROE of national contingents deployed to MNOs has been a source of continuing problems and contention within NATO-led peace support operations for some time. Whether in regard to the NATO-led operations in Bosnia, in Kosovo or most recently in Afghanistan – all three being the only MNOs in the history of the NATO collective security organisation – national caveats have remained a characteristic feature of these operations. To exemplify, during NATO's operations in Bosnia and Kosovo during the early and late 1990s respectively, national force contingents were often prohibited by their governments from being used by the NATO Operational Commander ‘in specific ways’ on operations, and also limited from leaving their Regional Command sector without first ‘calling home’ for approval.<sup>1</sup> In both cases, a number of detrimental effects resulted from these restrictions, as discussed in more detail in Chapter 4. Today, these caveats have once again reappeared within the ISAF operation in Afghanistan, a mission over which NATO has held leadership for over a decade from 2003 until the time of writing in 2014. Significantly, these national caveats have been imposed even by key NATO nations, with important Lead Nation security responsibilities for establishing and maintaining security within large swathes of the country.

### ***The Right to Impose National Caveats***

There are three principal reasons for this habitual imposition of national caveats within NATO operations.

Firstly, as outlined in previous chapters, it is the right of all sovereign nations to set the limits of its national forces’ participation in any operation the government has committed to. Indeed, reference to the sovereign right of NATO nations to impose caveat restrictions was specifically referred to within NATO’s first official resolution relating to national caveats within the ISAF operation. This resolution, collectively passed in 2005 by the full NATO assembly, explicitly set forth that ISAF force contributing nations were sovereign and therefore had ‘the right to define the terms by which they participate in the mission’.<sup>2</sup>

Three years later a 2008 British House of Commons report also underlined the key factor of State sovereignty with regard to national caveats within the NATO-led mission. As the British Secretary of State for Defence expressed: ‘We have to accept in operations, such as the operations in Afghanistan, where we are talking about the deployment of forces by sovereign nations, that the ultimate decision over how, when and where their forces will be deployed will lie with those sovereign nations.’<sup>3</sup> Sir Paul Lever, Chairman of the British Royal United Services Institute (RUSI) think-tank, also concurred

with this assessment, arguing that while it would be ‘highly desirable’ if other NATO countries were ‘less restrictive’ in their use of caveats, one had to be realistic about this issue as a natural occurrence when governments deployed forces.<sup>4</sup> As Lever stated: ‘It would undoubtedly be highly desirable...if all allies gave what might be called carte blanche and said, ‘Here’s our contingent. Deploy it as you like’, but that is not how the real world is.’<sup>5</sup> Similarly, other experts have reached the same conclusions, asserting that while caveats are ‘a real pain’ within NATO operations, because of the sovereign rights of all nations contributing to MNOs caveats are now like ‘death and taxation...an inevitable part of our military life’.<sup>6</sup>

Secondly, with regard to NATO specifically, caveat imposition is a legal right enshrined in the NATO Charter – the founding legal document of the NATO collective-security organisation – which dates back to the organisation’s naissance on 4 April 1949. Article V of the fourteen-point treaty states:

The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defence recognised by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, *individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security* of the North Atlantic area [emphasis added].<sup>7</sup>

From this statement it is clear that, while NATO members are duty-bound to respond in concert to such an armed attack against all, it in fact falls to each individual Member-State to decide exactly what form this contribution will take. What this means, as Hunter deduces, is that while on the one hand ‘military caveats are clearly a “lemon”’, on the other hand, ‘Article 5, the NATO cornerstone, does not commit allies to take any particular or collective military action, but only for each to consider by its own constitutional processes what it is prepared to do’.<sup>8</sup>

In short, the ambiguity and freedom bestowed upon each member nation to NATO back in 1949 has provided a convenient ‘opt out’ for members contributing to NATO campaigns in Afghanistan and elsewhere. Each NATO member contributing to NATO operations may freely impose force and combat caveats if it suits the nation’s interests, no-matter the consequences for the campaign as a whole. Indeed, according to Saideman, consensus to send forces anywhere under the banner of the NATO alliance would be impossible, unless members had this right to ‘opt out of some or all operations’.<sup>9</sup> The right to impose caveats within an alliance is not a new phenomenon, however, nor is it singular to NATO. As Saideman has asserted, historically military alliances have ‘always placed limits on how one country’s commander can order the troops of another into battle’.<sup>10</sup>

Thirdly, it has been argued that both the mandates and the template design of NATO operations actually encourage caveat-imposition amongst NATO nations. In terms of mandates, constant ambiguity in the UN mandates which authorise NATO security operations has led to NATO allies

taking ‘a wide variety of approaches’ as to how their respective force contingents deploy, how they participate with operational programmes, and what limits they operate under while conducting this participation.<sup>11</sup>

Meanwhile, with reference to operational command design, caveat-imposition is encouraged by the way in which the NATO operational area is commonly divided into regional, territory-specific commands – Regional Commands – with artificial boundaries that delineate and divide each sector off from the others within the total AO. This tendency has repeatedly led not only to a disunified command structure within NATO operations, but also to a disunified NATO force which acts in an unholistic manner.<sup>12</sup> That is, governments are inclined to allow their contingents to be used only in a territorially-defined way, with caveats constraining forces from operating outside the Regional Command sector they have been deployed to, so that national forces are prohibited from operating in other parts of the AO.<sup>13</sup>

Lastly, caveat imposition has been promoted by the NATO preference for ‘Lead Nation’ roles within their operations, with one nation predominantly being vested with overall responsibility for the security of each Regional Command sector, and sometimes for different security tasks too (for example, training local security forces). According to Cordesman, Burke & Kasten, this preference for Lead Nations has ‘led to nations making strategic choices based upon national caveats and their manning capabilities, rather than a realistic assessment of the current and future threat environment and a coordinated approach to providing the resources required’.<sup>14</sup> As such, the Lead Nation command design has oftentimes been ‘a recipe for failure’, which has encouraged limited warfighting and stabilisation capability within the NATO force deployed to MNOs.<sup>15</sup>

### ***Caveat Effects in NATO-led Military Operations***

Despite the inherent ‘right’ of NATO nations to impose caveats, and the reality that this imposition has become a habitual practice wherever NATO operates, the fact remains that the presence of national caveats within NATO operations is a significant problem for the effective prosecution of the campaigns for which national forces have been deployed. It is a problem, moreover, that has re-emerged in each of NATO’s multinational PSOs to date – in Bosnia, Kosovo and Afghanistan.

Essentially this recurring caveat problem is encapsulated by the following statement: that the majority of NATO nations within NATO-led operations have been more willing to sacrifice the accomplishment and success of the mission for which their forces have been deployed, than to sacrifice the life or limb of their professional soldiers-at-arms, all of whom have been specifically trained for war. As a result the protection of national armed forces and the prevention of casualties of

any kind, through imposing caveat limitations and prohibitions, has again and again been given precedence over the mission itself or the political objective for which the mission was put in place.

In general, this strategic prioritisation of ‘force protection’ measures over the achievement of PSO mission objectives, on the part of many – if not most – contributing governments to these NATO operations, has produced a number of caveat-specific effects.

Firstly, in each case, caveat restraints have caused the NATO force to become inflexible. With a large number of NATO nations imposing a range of limitations and bans on the activities of their respective contingents in these NATO operations, a large proportion of the MNF has neither been prepared nor authorised to properly and effectively conduct the tasks they are assigned. In this way, the force becomes not only fractured along caveat lines, but also rather cumbersome and unwieldy for the mission at hand (especially due to the laborious and slow permission processes caused by the imposition of ‘limitation’ caveats).

Secondly, with such a divided, constrained and disunified force as NATO’s primary security instrument on these operations, it logically follows that there has been a knock-on effect for tactical security operations within the MNOs. In short, the NATO force has been ill-equipped for the mission it has been deployed to prosecute, with many contingents incapable of performing even the most fundamental security tasks. This caveat-generated plight has become particularly apparent whenever security emergencies or crises have taken place within the mission, at which points of time the extent of the constraints within the force is highlighted in awkward and ugly displays, for instance, NATO’s woefully inadequate response to the 2004 Kosovo Riots (discussed in Chapter 4 and APPENDIX 1). The sum total of ineffective security operations at the tactical level is that, over time, the entire security mission as a whole also becomes compromised.

Thirdly, caveat-imposition within NATO operations has created inequalities within the MNF, whereby some national contingents are authorised to conduct a wider range of operations than others. Unequal freedoms and abilities inevitably leads to unequal sharing of the security burden within the mission overall between caveat-fettered and caveat-free contingents. In short, non-caveated national forces have, by virtue of their caveat-free status, been compelled to carry an unfair and disproportionate share of the security tasks within these missions. In this way, the most committed NATO nations – those who have honoured their commitment to the mission by deploying forces that are flexible and effective in the prosecution of their assigned tasking – have ultimately been penalized by their less-committed, less-willing and more risk-adverse allies. Indeed, unfair burden-sharing has become a real point of dissension in relations between NATO members over the past two decades. On the ground, this uneven division of labour between force contingents – especially where real war-

fighting capability is required within the mission – has resulted in an operation being led by a disunified, acrimonious alliance, with a disjointed approach to the mission and disunity of effort amongst the various national force contingents.

This combination of caveat-generated effects within NATO missions has also frequently had detrimental consequences for the prosecution and eventual success of the mission. It has, furthermore, had a negative impact on the NATO alliance itself, as the PSO organisation in command of these MNOs. No NATO operation provides a better example of the problem of national caveats within NATO operations, and the difficulties the caveats pose to the effective prosecution of a security campaign, than that of the NATO-led ISAF operation in Afghanistan.

The following is an overview of the grave issue of national caveats within the ISAF operation in Afghanistan. It will examine the way in which this caveat problem developed in scale and severity over a decade of warfare from 2002, when national caveats first arose as a difficult issue for the ISAF, until the end of 2012. Corresponding changes in attitudes towards the ISAF's caveat dilemma will be presented over this period of time. The ISAF's continuing caveat plight will also be discussed with reference to NATO's earlier failure to properly address the role of national caveats in the KFOR security disaster of 2004. In order to illustrate the abiding nature of the caveat problem within the mission, moreover, the on-going efforts made by ISAF, NATO, and a range of government military and civilian officials to reduce the number of national caveats over the research period will subsequently be discussed. Finally, the following examination will highlight the ways in which the mission's caveat problem has impacted detrimentally on the ISAF operation as well as the NATO organisation in lead command of the Afghan operation.

## **The Grave Problem of National Caveats within the ISAF Operation**

National caveats, elsewhere known as national ‘restrictions’, ‘exemptions’ or ‘exceptions’(all of which are regarded in this research as synonymous with ‘caveats’), first began to surface as a problematic issue for the ISAF in the very early years of the coalition’s operations in Afghanistan. Although difficulties with the ROE restrictions reportedly began ‘from day one’, public criticism of national caveats within the Afghan mission – and the paucity of tactical flexibility created by these operational restrictions – first arose in November 2002.<sup>16</sup> This was less than one year after the ISAF was first established in Bonn, and when the coalition’s AO was restricted solely to Kabul Province encompassing the Afghan capital city of Kabul. Although the precise numbers of national caveats imposed on the ISAF force at this time remains unknown, critics then decried what they described as ‘a maze’ of national caveats constraints on the multinational ISAF force contingents, which they

claimed were restricting the activities of ISAF members' forces and were thereby limiting the ISAF coalition's effectiveness.<sup>17</sup>

In addition to this paucity in tactical flexibility, the embryonic ISAF was at this time also suffering from weak leadership. Apart from the United Kingdom, Turkey and Germany, which had each held Lead Nation command of the ISAF 'coalition of the willing' since the 2001 Bonn Conference, by 2002 there existed a strong unwillingness among the remaining 29 nations with regard to continuing this command responsibility in their turn.<sup>18</sup> It was hoped that NATO leadership over the ISAF coalition would help to resolve these problems. Consequently in August 2003, following a UN request for NATO leadership of the Afghan operation several months earlier, NATO officially assumed responsibility for the command of the multinational mission in Afghanistan.<sup>19</sup>

As expected, when NATO took on this lead role over the mission, the ISAF was comprised of forces contributed by the full list of 19 NATO member-nations, specifically: Belgium; Canada; the Czech Republic; Denmark; France; Germany; Greece; Hungary; Iceland; Italy; Luxembourg; the Netherlands; Norway; Poland; Portugal; Spain; Turkey; the United Kingdom; and the United States.<sup>20</sup> In addition, seven other nations that were at that time in the process of gaining NATO membership (a process to be completed by March 2004, bringing total NATO membership to 26 nations) also contributed forces to the ISAF mission, namely: Bulgaria; Estonia; Latvia; Lithuania; Romania; Slovakia; and Slovenia.<sup>21</sup> Forces were also contributed to the ISAF by a range of other non-NATO nations – Azerbaijan, Finland, Ireland, New Zealand, Sweden, Switzerland and FYR Macedonia – in addition to Albania and Croatia, the latter being countries which were seeking to obtain NATO membership.<sup>22</sup> This meant that in August 2003, the ISAF was comprised of 35 TCNs, most of which had strong ties with the NATO alliance.

Nevertheless, in spite of new NATO leadership over the ISAF coalition, there was in fact no improvement on the caveat front within the force in Kabul Province, then renamed as RC-Capital under Lead Nation command of France, Turkey and Italy on the basis of rotation. The same unwillingness that had existed among the TCNs with regard to the ISAF's leadership continued to abound within the coalition with regard to the flexibility of deployed forces. Most of the NATO nations, and nearly all of the Partner nations, had deployed force contingents heavily bound by national caveats. In fact, by December 2003 nearly all of the 35 TCNs contributing forces to the ISAF had imposed caveats, which handicapped the capability of their forces and kept them indefinitely out of harm's way in Afghanistan.

While outside observers decried this caveat imposition within the force, within NATO itself the trend did not come as a large surprise, given that it was both a legal right and a prevailing norm within

NATO operations at this point of time. Caveat imposition within the Afghan mission was even expected by NATO from its members. According to Beckman, for instance, anticipation of national caveat imposition by NATO Member-States within the ISAF had led NATO, prior to its assumption of lead command in August 2003, to devise a plan ‘written broadly enough to allow nations to opt in or out of rules of engagement or missions in which the nations did not want or could not legally allow their troops to participate’.<sup>23</sup> As a result, NATO nations were given great freedom in both choosing their own individual approach to the ISAF mission, including selective involvement in its various programmes and activities, and in determining the limits (that is, caveats) that would govern their national forces.<sup>24</sup>

The result of this NATO approach to the caveat issue during the ISAF operation’s infancy was that the problem of national caveats began to escalate over time with each successive year, with caveat-imposition growing among the ISAF TCNs to an alarming degree. Indeed, seemingly impervious to the negative effects of national caveats for the effective prosecution of multinational campaigns, most NATO nations opted to impose heavily restrictive national caveats. Following on from the NATO nations’ example, the majority of non-NATO Partner nations followed suit. As the mission expanded across the entirety of Afghan territory during the subsequent three years, this caveat impasse worsened with many NATO and Partner nations adding more and more caveats to their contingents’ ROE. What is more, it appeared that the rising number of ISAF force contributing nations, which by mid-2006 had risen from 35 to 37 as Partner nations Austria and Australia joined as TCNs of the ISAF, had also corresponded in an increase in national caveats on the ISAF force.<sup>25</sup> This signified that new TCNs to the NATO-led ISAF were contributing forces as bound by caveats as the existing forces from older TCN contributors, so that every new member only added to the ISAF’s caveat difficulty.

By late 2006, within less than three years of NATO leadership, it became apparent that this widespread imposition of national caveats within the coalition was having a negative impact on the effectiveness of the operation, and inhibiting the ISAF’s efforts to secure and stabilise Afghanistan. As Auerswald & Saideman have argued: ‘Given the limited NATO footprint in Afghanistan, limitations on any of the contingents significantly constrains what can be done by the alliance as a whole’.<sup>26</sup> This was particularly evident during Phase II of the OPLAN as the ISAF completed its geographic expansion, during which time ISAF force contingents had deployed out of Kabul Province to take command of huge swathes of territory around the country. The effect of the caveats during this expansionary phase was perhaps best summarised by the U.S. Secretary of Defense at that time, Donald Rumsfeld, who asserted that: ‘Different restrictions on national forces make it enormously difficult for commanders to have the flexibility to function.’<sup>27</sup> It was clear that the early hopes that NATO leadership would iron out the caveat creases within the ISAF coalition were not in fact borne

out in reality. Indeed, whereas during the operation's early years the issue of national caveats had been considered a minor source of contention that had 'exacerbated tensions within the alliance', by 2006 onwards the issue had quite demonstrably become 'a sore point in alliance relations in Afghanistan'.<sup>28</sup>

Over the next three years the situation continued to worsen. Government-imposed caveats on national contingents continued to expand in scope, even as ISAF forces were authorised to take on new tasks, such as the training of indigenous ANSF forces by means of OMLT and POMLT teams. Moreover, while on the one hand, a handful of nations did remove their caveats (in several cases only to reimpose them in subsequent years), on the other hand, most of the new nations joining the mission as TCNs were simultaneously contributing troops restrained by caveat limitations and prohibitions. The reality of a majority of NATO nations continuing to impose restraints on their forces, over many subsequent years, did nothing to diminish this predisposition among the new TCNs.

In 2008 the British Secretary of State reported to a British Defence Committee that these new ISAF countries 'which come to this environment with caveats' were soon finding themselves 'out-caveated by others and that dynamic is having an effect'.<sup>29</sup> Simultaneously, security deteriorated drastically around Afghanistan, as the insurgency expanded its influence and control of territory across the country. In 2009 the issue of national caveats within the ISAF had in fact become so urgent and deleterious to the campaign that national caveats were considered to be veritable 'poison' for the successful prosecution of the Afghan mission.<sup>30</sup> This condemnation of caveats was reminiscent of an earlier charge made by a Yale news journalist two years earlier, that the ISAF's caveat impediment was 'NATO's operational cancer'.<sup>31</sup>

By December 2009 Cordesman, from the Washington-based *Center for Strategic & International Studies* (CSIS), asserted that the ISAF coalition was not only 'a dog's breakfast' overall, but also a 'coalition of the impossible' (see *Figure 8.1*).<sup>32</sup> As Cordesman explained:

What should be an integrated civil-military effort, focused on winning the war in the field, is a dysfunctional, wasteful mess that is crippled by bureaucratic divisions. Afghan power brokering, national caveats and tensions, and a failure to make good on pledges waste aid resources at every level.<sup>33</sup>

Six months later in June 2010, a French commander at the Parisian *École de Guerre* ('School of War') went one step further, claiming that caveat-imposing TCNs within the ISAF coalition could be described as having 'schizophrenia' (two personalities).<sup>34</sup>

This unhappy caveat reality within the ISAF mission in Afghanistan has continued in subsequent years into 2012 and beyond to the current time of writing in 2014 – even as ISAF forces have attempted to 'transition' security responsibility from ISAF to ANSF forces.



*Figure 8.1 – ‘Coalition of the Impossible’: A slide from Cordesman’s 2009 presentation, given on behalf of the Washington-based Center for Strategic and International Studies (CSIS), entitled ‘The Uncertain Metrics of the Afghan War’.<sup>35</sup>*

Truly, the caveat issue within the ISAF had spiralled out of control and proportion, and in a fashion much worse than expected – even by NATO. Indeed, the evolution of the caveat problem within the ISAF has been unprecedented, even within the history of MNOs. In sum, as Auerswald & Saideman concluded: ‘The [ISAF] coalition effort has been plagued by the problem of caveats’.<sup>36</sup> The national caveat quandary in Afghan mission has even caused the word ‘caveat’ – previously a largely unknown term – to become a widely-known and politically-loaded word, synonymous with the idea of a political ‘leash’ that inhibits effective military operations.<sup>37</sup>

A detailed account of the way in which the national caveat issue developed within the ISAF mission, over the ten-year period from 2002-2012, can be found in APPENDIX 2 ‘*The Evolution of the Caveat Dilemma within the ISAF Mission: Phases I-II*’ and APPENDIX 3 ‘*The Evolution of the Caveat Dilemma within the ISAF Mission: Phases III-V*’ in Volume II of this research. A table displaying the complete caveat picture with regard to caveat-free and caveat-imposing ISAF TCNs over the research period can also be seen depicted in APPENDIX 4 ‘*Table Displaying the Complete Record of National Caveat Imposition among the ISAF Troop Contributing Nations (TCNs) in Totality, August 2003 – December 2012*’ (Volume II).

## **KFOR: Lessons Not Learned**

This indifferent attitude and approach on the part of NATO nations towards national caveats during the early years of NATO's leadership over the ISAF operation owed in large part to the way in which NATO had failed to learn the lessons of its earlier Kosovo operation – a mission rife with geographical and operational caveats among the KFOR national force contingents (discussed in Chapter 4 and APPENDIX 1). These caveats had been instrumental in crippling NATO forces during the Kosovo Riots security crisis of March 2004, a state of affairs that resulted in one of the worst humanitarian disasters and cases of ethnic cleansing in the Balkans since the 1990s. As Rachel Denber, acting executive director of *Human Rights Watch* (HRW), concluded on the matter following the riots:

This was the biggest security test for NATO and the United Nation in Kosovo since 1999, when minorities were forced from their homes as the international community looked on. But they failed the test. In too many cases, NATO peacekeepers locked the gates to their bases, and watched as Serb homes burned.<sup>38</sup>

Nevertheless after the riots, and despite ample evidence to the contrary on the ground in Kosovo, the NATO organisation seemed to either ignore or be in denial over the instrumentality of national caveats in this failure. In fact, rather than addressing the issue properly, NATO spokesmen repeatedly claimed not only that 'KFOR has done a magnificent job', but also that KFOR had 'performed very well in March' and that 'our response was exactly as it should have been'.<sup>39</sup> Even the Commander of KFOR (COM-KFOR) himself, LTGEN Holger Kammerhoff, praised the performance of KFOR forces after the riots, stating in the KFOR Chronicle: 'We have proved our capability to provide a safe and secure environment by proportional force. The power of KFOR was seen by the rioters... Let's continue to make KFOR a successful NATO-peacekeeping mission'.<sup>40</sup> In addition to distorting the truth, these comments did nothing to address the core problematic issues underlying KFOR's failures during the riots, notably national caveats. Indeed, the comments prompted HRW to state that: 'Such uncritical, self-congratulatory rhetoric ignores the reality of UNMIK and KFOR's failures, and the urgency with which these shortcomings need to be addressed in order to prevent a repeat of the March 2004 events'.<sup>41</sup>

While a number of official reviews did subsequently take place on the conduct of security forces during the Kosovo Riots, conducted by NATO, the United Nations Interim Administration Mission in Kosovo (UNMIK) police, the UN Secretary General and even the German government, these reviews side-lined the issue of national caveats and resulted in no major changes.<sup>42</sup> In fact, all of these reviews failed to provide a critical analysis of KFOR's performance, causing HRW to proclaim that 'the international community appears to be in absolute denial about its own failures in Kosovo'.<sup>43</sup> As it stated explicitly on the matter in its following report:

Both UNMIK and KFOR officials with whom Human Rights Watch met painted an inaccurately rosy picture of their response to the March 2004 violence, or blamed each other for the failures. Although international officials have been outspoken in their criticism of the Kosovar leadership for its failings during the crisis, they have not shown a similarly critical attitude in evaluating the failures of their own organizations and institutions.<sup>44</sup>

‘Time is running out for both the international community and minorities in Kosovo,’ it continued, ‘and now is the time for resolute and transparent action to rectify the all-too obvious shortcomings of the international community’s security structures in Kosovo’.<sup>45</sup>

In fact it was only in 2006, as caveats became an increasingly disconcerting problem within the ISAF mission in Afghanistan, that NATO SACEUR General Jones publicly admitted that national caveats among NATO forces in Kosovo had been instrumental in the deterioration of the 2004 Kosovo Riots and that the subsequent removal of these caveats in the intervening years had contributed greatly to a more robust KFOR force. As he explained:

During the 2004 Kosovo uprising, many NATO forces were unable to help restore order quickly because caveats required approval from host governments, adding layers of bureaucracy. Contributors to NATO’s Kosovo Force (KFOR) since have agreed to lift their caveats and give on-the-ground commanders enough flexibility to respond to emergencies.<sup>46</sup>

Indeed, at the start of military operations in Kosovo, Jones disclosed further: ‘Commanders spent more time deciding what they couldn’t do with their forces rather than what we could do’.<sup>47</sup>

NATO’s failure to quickly address this underlying issue of KFOR national caveats following the 2004 riots, did not bode well for other NATO operations, or indeed for normal practice in MNOs generally. Indeed, the unhappy and alarming reality of caveat imposition within MNOs has become increasingly prevalent in coalition operations around the world as a result – most demonstrably in Afghanistan.<sup>48</sup>

As Brophy & Fisera state:

The commanders of these multinational missions, such as those in the Balkans, Kosovo and most famously, in the International Security Assistance Force (ISAF) fighting under NATO auspices in Afghanistan, are learning that many of these caveats, or restrictions, actually prohibit many national forces from engaging in combat operations, or from even deploying to hostile zones.<sup>49</sup>

The ISAF operation in particular – only NATO’s third ground operation in its history and the first NATO endeavour after the Kosovo mission – has inherited many of the same difficulties of caveats first seen in KFOR. NATO commanders within the ISAF have once again been compelled to learn, as they did in Kosovo, that it is the force contributing nations themselves who ultimately control the pace and effectiveness of a multinational peace-support operation – not the organisation that holds overall command. The former wield the power, the latter only the semblance of it. Simply put, the NATO-led ISAF operation in Afghanistan has become notoriously embroiled in the trappings of national caveats, both bi-products and symptoms of the power of state sovereignty within MNOs, with multiple consequences for the operation at large.

## **ISAF National Caveats: An Unresolved Issue**

It has been shown above how the problem of national caveats within the ISAF mission has been one of long duration, continuing to impede ISAF efforts over more than a full decade between 2002-2012, and how the issue itself and attitudes towards the problem have increased in severity over this time period. There is one other factor that has contributed to rendering the ISAF's caveat issue so infamous within the international arena however. Namely, that despite numerous attempts over more than ten years, the issue of national caveat imposition within the ISAF and its effects has never been resolved.

This is best demonstrated in the way that there have been continuous verbal and written appeals between 2002-2012 by various parties connected with the mission, specifically calling for national caveats within the ISAF to be eliminated, thereby illustrating the issue's abiding presence in the mission.

### ***NATO Secretaries General***

In terms of NATO officials, successive NATO Secretaries General have made great efforts to resolve the caveat crisis within the ISAF mission (NATO Secretaries General are international diplomats that have periodically been selected from NATO Member-States, on the basis of their political and/or military experience, and appointed by consensus among NATOs permanent representatives). For instance, NATO Secretary General Jaap de Hoop Scheffer (January 2004 – August 2009, appointed from the Netherlands) and his successor Anders Fogh Rasmussen (August 2009 – present, appointed from Denmark) have both made numerous appeals to NATO nations to eliminate their caveats from their force contingents in Afghanistan.

Indeed, as early as November 2006, de Hoop Scheffer intimated at a NATO press conference that the mission's problematic caveat situation was in fact a nationwide matter and about Afghanistan in total, 'be it north, south, west or east'.<sup>50</sup> Arguing that this state of affairs within the ISAF was 'not the ideal situation', he asserted that the lifting of the caveats was 'from time to time even more important than bringing in new forces'.<sup>51</sup> In 2008, de Hoop Scheffer again reminded NATO's Permanent Representatives that shortfalls in combat-capable forces in Afghanistan were hampering the COMISAF's combat ability, especially in southern Afghanistan where it was most urgently needed.<sup>52</sup> He appealed to NATO members 'to eliminate or reduce to the maximum extent possible operational caveats, particularly those that restrict forces geographically', since 'such caveats constrain COMISAF in exploiting operational success and planning'.<sup>53</sup> When by mid-2009 few changes had been made on the caveat issue by many of the principal NATO allies in Afghanistan, de Hoop

Scheffer's tone hardened significantly. Nations failing to act in Afghanistan, and thereby failing to acknowledge the real threat of a proliferation of Islamist extremism from Afghanistan into the wider Central Asia region, were 'simply burying their heads in the sand,' he declared.<sup>54</sup>



Figure 8.2 – NATO Secretary General, Jaap de Hoop Scheffer.<sup>55</sup>

In September 2009, Rasmussen likewise stated publicly that he understood well the frustration felt within several NATO nations with regard to caveats other nations had placed on their ISAF forces, and further remarked that: 'I am already working hard to address those very real problems.'<sup>56</sup> Indeed, in a subsequent speech to the U.S. *Atlantic Council*, Rasmussen declared emphatically that attaining the end goal of the mission in Afghanistan was 'not guaranteed' and that the ISAF 'cannot simply continue doing exactly what we are doing now. Things are going to have to change.'<sup>57</sup>

### **NATO SACEURs**

Successive NATO SACEURs (NATO's foremost military commander and NATO spokesman with responsibility for the overall command of NATO military operations) have also made innumerable written and verbal appeals to ISAF TCNs to remove caveats from their forces in Afghanistan, and thereby eliminate the problem of caveat imposition within the mission.<sup>58</sup> For instance, SACEURs General James L. Jones (2003-2006), General Bantz J. Craddock (2006-2009), and Admiral James G. Stavridis (2009-2013) have each played a role in publicly and privately appealing to ISAF TCNs to remove, reduce or eliminate national caveats in Afghanistan.

For example, in October 2006 General Jones delivered a public speech in which he 'emphatically and openly' encouraged ISAF force contributing governments to decrease their force restrictions in order

to increase the flexibility and capacity of NATO forces in Afghanistan.<sup>59</sup> ‘The more control a commander has the more agility he has and the more capability he has is directly related to the number of caveats we have to accomplish the task’, he stated.<sup>60</sup> One month later, Jones wrote an urgent letter to all NATO-member Chiefs of Defense (CHODs), asking them explicitly to both supply ISAF force requirements and ‘to lift caveats’.<sup>61</sup> The imposition of national caveats on ISAF forces not only ‘significantly limits the scope of military operations’ in Afghanistan, Jones stated, but also ‘limit the on-scene commanders from having the capability and maneuverability that they need’.<sup>62</sup>

His successor, General Craddock, proved the most outspoken of the three SACEURs on the issue. Indeed, during his tenure between 2006-2009, Craddock became well-known for his virulent criticism of caveated ISAF force contributors to the Afghan mission – especially NATO nations. Beginning in 2006 and continuing throughout his tenure Craddock made constant urgent calls for caveat elimination within the ISAF mission.<sup>63</sup> During and following the NATO Riga Summit, for instance, Craddock pressed for the elimination of caveats from the ISAF force and highlighted that, though there had been some progress in caveat reduction at Riga, much more effort was required to adequately address the issue within the force the following year in 2007.<sup>64</sup> In June 2008, Craddock asserted that national caveats were restricting the geographical mobility and tactical flexibility of many ISAF units. In this way, he argued, caveats were not only ham-stringing NATO’s capabilities, but also weakening the ISAF’s efforts to suppress a resilient and fluid Taliban insurgency that was now ‘exploiting chaos along porous borders with Pakistan’.<sup>65</sup> This being the case, more flexible fighting rules were urgently required to halt the ISAF’s ‘uneven progress’ in Afghanistan, Craddock emphasised, and were in fact pivotal to ‘turning the tide’ against the insurgency in Afghanistan.<sup>66</sup> As he then explained: ‘Too often, forces there now are relatively fixed because we don’t have adequate tactical mobility to move them around to be able to do the jobs we need them to do...The first thing we’d like to see is a reduction in these caveats, with the objective of elimination’.<sup>67</sup>

However, due to very limited success in these early years 2006-2008, Craddock’s appeals and pleas to NATO members quickly transitioned into sharp criticism and rebukes. In late 2008 Craddock took aim at the national caveat restrictions imposed on ISAF forces by NATO members in an address described by *The Telegraph* as ‘a thinly veiled condemnation of the reluctance of some Nato members to meet the challenges present in Afghanistan’.<sup>68</sup> A total of 70 force and combat caveats continued to undermine ISAF’s attempt to establish a comprehensive security presence across Afghanistan, Craddock had angrily declared.<sup>69</sup> In addition, national caveats were also inhibiting many of the additional force units deployed to Afghanistan, so that while the fresh troops were reinforcing their existing national deployments, they ‘do not extend the ISAF presence’.<sup>70</sup> One year on in July 2009, as Craddock resigned the post of SACEUR, he again vociferously raised the ongoing struggle with national caveats within the ISAF mission, stating in a public interview that caveats ‘increase the risk

to every service member deployed in Afghanistan and bring increased risk to mission success'.<sup>71</sup> The ISAF continued to be crippled by 'restrictions at every level', Craddock fiercely expounded, which were not only limiting operational capability but were proving 'detrimental to command and control'.<sup>72</sup>



Figure 8.3 – NATO SACEUR, General Bantz J. Craddock:  
NATO's highest military commander who served from 2006-2009.<sup>73</sup>

### NATO Meetings & Summits

In addition to NATO Secretaries General and SACEURs, moreover, continuous appeals for caveat reduction and elimination have been made at NATO meetings and summits over the past decade. In fact, the *Wikileaks* cable cache reveals that national caveats were raised as a significant and detrimental problem within the NATO-led ISAF operation at no less than 23 NATO meetings between 2006-2009, with caveat reduction or elimination being continuously alluded to in NAC read-out reports of these meetings (a total of 23 reports, dating between 25 October 2006 – 8 April 2009). These meetings have included a succession of NAC meetings, Defense Ministerial meetings (e.g. at Seville and Brussels during 2007), CHOD meetings (e.g. at Noordwijk and Bratislava between 2006-2009) and at least three NATO summits occurring on 28-29 November 2006 at Riga, 2-4 April 2008 at Bucharest, and 3-4 April 2009 in Strasbourg and Kehl. The issue of national caveats within the ISAF were reportedly an overriding theme and focus of both the Riga and Bucharest summits, so much so at the Riga Summit in fact, that this meeting was later described as 'the caveat summit'.<sup>74</sup>

Nevertheless, despite the pressure to eliminate the caveat problem from the Afghan mission, Riga would result in 'only a partial deal to use existing forces more flexibly', with many NATO nations subsequently continuing to impose caveats that were, as the *British American Security Information Council* (BASIC) concluded, materially 'impeding the ability of ISAF commanders to employ all

their available resources'.<sup>75</sup> The same conclusion was also reached by a House of Commons report on British forces in Afghanistan, which emphasized British concern that national caveats 'risk impairing the effectiveness of the ISAF Mission', and recommended that the British government 'continue to press ISAF partners to reduce further the restrictions placed on the use of their Forces'.<sup>76</sup> Indeed, U.S. government officials were reportedly astounded and disappointed that despite 'positive statements' on the matter behind closed doors at Riga and a communal pledge by NATO Heads of State to recommit to the Afghan mission, 'some leaders returned home publicly describing how they had "resisted pressure" [to remove caveats] at the Summit'.<sup>77</sup>



*Figure 8.4 – The NATO Riga Summit, November 2006: The official portrait of the 28 NATO-member Heads of Government in attendance.*<sup>78</sup>

This was a pattern that was to be repeated again and again, for instance after the 2007 Noordwijk meeting and the 2008 Bucharest Summit, despite rhetorical agreements by NATO members to 'fill critical shortfalls' and 'reduce caveats'.<sup>79</sup> To illustrate, a British government report from 2008-2009 stated that the continued use of national caveats 'significantly weakens' the ISAF force, since 'there is so little that those forces can do in terms of effective military action', and concluded by once again recommending that the British government 'continue to exert pressure on NATO partners to remove national caveats and to fulfil their obligations'.<sup>80</sup>

Caveat imposition among NATO nations would also continue in spite of the subsequent 2009 Strasbourg-Kehl NATO Summit, celebrating NATO's 60<sup>th</sup> anniversary. In fact, in late 2010 as NATO prepared for its next November summit in Lisbon, the elimination of national caveats among NATO force contingents was still being discussed as one of the greatest improvements that could occur within the ISAF mission.<sup>81</sup>

## **COMISAFs**

Several of the COMISAFs of the Afghan mission have also made public statements in an effort to eliminate the ISAF's caveat fetters, namely General Dan McNeill (February 07- June 2008), General David McKiernan (June 2008 – June 2009) and General David McChrystal (June 2009-June 2010) (shown below in *Figure 8.5*).



*Figure 8.5 – Frustrated by Caveats: Three COMISAFs who have spoken publicly of the frustration caused to operational planning by national caveat constraints on ISAF national contingents.<sup>82</sup>*

In early 2008, COMISAF McNeill proclaimed at a press conference his frustration with the operational restraints placed on ISAF soldiers, restrictions which he believed were severely retarding ISAF efforts to effectively combat the Taliban insurgency.<sup>83</sup> Two months later, as a series of caveat-related security incidents rocked the coalition, he again stated publicly that:

The caveats impinge upon our ability here to correctly apply the principles of war in our planning and resourcing and prosecution of military operations...[The ISAF force] could be made much more credible if it did not have some of the restraints that exist.<sup>84</sup>

COMISAF McKiernan also referred to the on-going predicament of heavy national caveat imposition within the ISAF force, both during and immediately after his tenure as COMISAF. In April 2009, for instance, he declared publicly that: ‘‘National caveats’ cede an enormous tactical advantage to the Enemy and increase the danger for the very same forces the caveats are intended to protect’.<sup>85</sup> ‘The NATO mission in Afghanistan requires a full commitment by those with the capabilities and capacity to fight an elusive Enemy in a very challenging terrain,’ he appealed further. ‘Regrettably, ISAF continues to lack sufficient forces and enabling capabilities in several key areas’.<sup>86</sup>

McChrystal too felt the ‘deleterious effect’ of national caveats during his tenure as COMISAF.<sup>87</sup> This negative effect was especially felt in relation to the training of the Afghan security forces which, under his enhanced population-centric COIN strategy, was a critical area of ISAF focus and effort. Indeed, in April 2010, McChrystal proclaimed that: ‘Allied forces in Afghanistan need to loosen or remove operational caveats in order to be effective in partnering with Afghan forces’.<sup>88</sup> When by the end of 2010 only a small group of nations had responded to this appeal by the Operational Commander, McChrystal reportedly declared: ‘Some nations in ISAF are overly protective of their own forces and need to get out of their bases and armored vehicles, engage the people, and physically collocate with the ANSF in order to be effective’.<sup>89</sup> Indeed, the caveat situation within the ISAF was so dire under McChrystal’s command that in late 2009 SACEUR Craddock appealed to the world to ‘ pity’ McChrystal in Afghanistan as ‘he has to live with paralyzing caveats from timid allies’.<sup>90</sup>

### ***Government Officials***

A procession of individuals, such as national statesmen in addition to military chiefs and commanders, have also made multiple verbal appeals in an effort to resolve the caveat dilemma within the ISAF. These pleas have been made both privately, through bilateral and NATO diplomatic channels, and publicly in statements to the press – the latter increasingly so during the course of the ISAF mission, with many public indictments of caveat-imposing ISAF nations made between the years 2006-2009.

The Dutch Defense Minister, Eimert van Middelkoop, for instance, denounced national caveats at the 2007 Noordwijk NATO defence meeting and reprimanded alliance nations only contributing armed forces to ‘safe zones’ in the more peaceful north and west of Afghanistan, among them Germany, France, Italy and Spain.<sup>91</sup> Shortly afterwards during a visit to Canadian forces in Kandahar Province in 2007, the Canadian Chief of the Defence Staff, General Rick Hillier, spoke out publicly against restrictions keeping national contingents out of the Afghan south. Addressing the issue, Hillier called for more ground troops, helicopters and military help from the NATO members unwilling to deploy to the Afghanistan’s southern battle zones. ‘This is a NATO mission and that means it requires all of the NATO countries to do their utmost to be successful,’ he stated. ‘Lobbying only goes so far, you can only put so much pressure on the military commanders. These are decisions that are made by political leaders’.<sup>92</sup>

One British commander serving on the ground in Afghanistan in Helmand Province, meanwhile, Iraq veteran COL Tim Collins, publicly stated that ‘Helmand Province is no place for defence forces that cannot go out at night without their mothers’, and that if NATO members were not willing to fight properly, they should ‘at the very least... provide more finance for those doing the hard fighting’.<sup>93</sup>

These statements have been supported by the findings of independent civilian experts, such as Sally McNamara of the U.S. *Heritage Foundation*, who likewise called for the removal of caveat restrictions. To illustrate, McNamara declared in December 2009 that:

Continental Europe should remove the vast majority of national caveats on troops and material provisions. Commanders on the ground should determine the geographical deployment of personnel and the scope of engagement. Continued micromanaging from national capitals will seriously undermine NATO's strategy. Further, the use of non-declared national caveats should be banned.<sup>94</sup>



Figure 8.6 – Celebrated British Commander, Colonel (COL) Tim Collins.<sup>95</sup>

These Dutch, Canadian, British and American voices have been joined in their sharp criticism of national caveats and caveat-imposing NATO allies by U.S. Defense Secretary, Robert Gates. Along with SACEUR Craddock, Gates has been consistently one of the most vocal critics of the mission's on-going caveat illness. Following the 2006 Riga Summit, Gates was reportedly deeply concerned about caveat impositions amongst the NATO allies involved in the ISAF mission.<sup>96</sup> While on the one hand, the Taliban had mounted a resurgence in Afghanistan resulting in the highest level of insurgent violence and terror-attacks in the country since the start of the ISAF mission, the menace posed by this strengthening Afghan insurgency had failed either to provoke an elimination of national caveat restraints among the mission's majority group of caveat-imposing TCNs (with the exception of ten nations, discussed further in Chapter 9), or to galvanize a complete resolution to the ISAF mission's caveat problem which was so sorely reducing the efficacy of the entire mission.

A year later following the failed 2007 Noordwijk meeting, at which no further progress had been made to eliminate caveats, Gates asserted publicly that national caveats had 'done real harm in

Afghanistan'.<sup>97</sup> Such caveats, he argued, not only signified unwillingness by allies to share the risks inherent in the mission, but also unfairly burdened other members who were providing forces.<sup>98</sup> As he then stated: 'Meeting commitments means assuming some level of risk and asserting the political will necessary to deploy armed forces beyond one's borders – fully manned and equipped, and without restrictions that undermine the mission'.<sup>99</sup> The caveats were thus 'symptomatic of a deeper challenge facing NATO', Gates emphasized, that only a handful of allies were paying the price and bearing the burden of NATO's commitment to Afghanistan – a failure which risked not only the Afghan mission, but the very credibility of NATO since 'people may come to question NATO's value if it can not summon the will to fulfil a mission its members agree is morally just and vital to their security'.<sup>100</sup> What the alliance needed most was not more empty rhetoric and words of encouragement by NATO members, Gates continued, but rather 'actions, deeds and a sense of urgency and commitment'.<sup>101</sup>

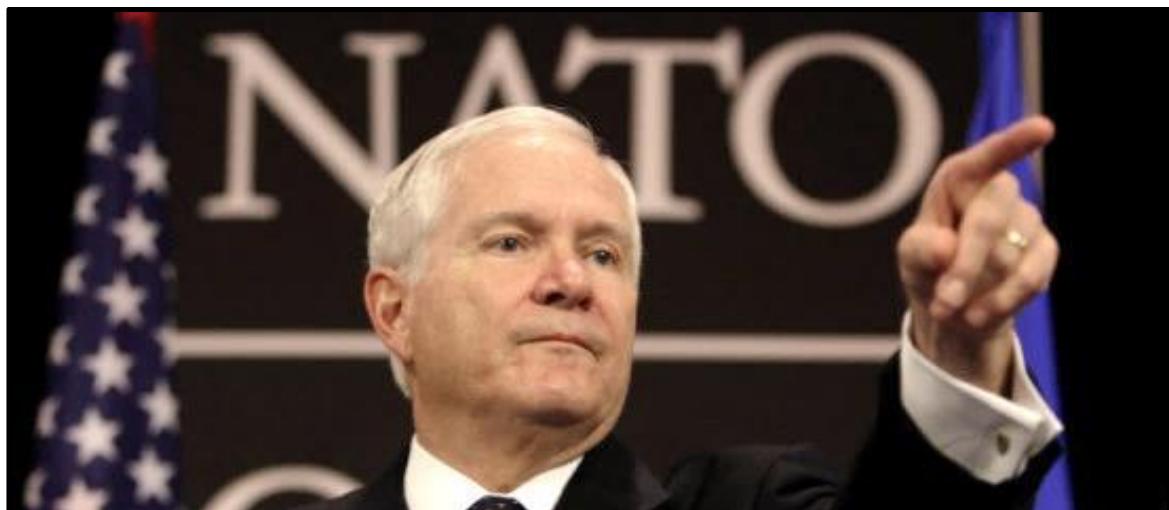


Figure 8.7 – U.S. Secretary of Defense, Robert Gates.<sup>102</sup>

Indeed, so troubling was the predicament caused by ISAF caveats in Afghanistan, that Gates used his next public occasion – a Conference of European Armies at the U.S. airbase in Ramstein, Germany – to plead with European military officers to do what they could to improve the caveat impasse within the ISAF mission, particularly those caveats preventing deployment to Afghanistan's southern provinces where the fight against the Taliban insurgency was most intense.<sup>103</sup> He compared the existing situation in Afghanistan to a game of chess, in which one player enjoyed full liberty of motion while the other was 'clearly handicapped' and only able to move a single space in a single direction. 'Similar restrictions placed on what a given nation's forces can do and where they can go put this alliance at a sizable disadvantage', he stated:<sup>104</sup>

Brothers in arms achieve victory only when all march in step toward the sound of the guns. To that end, I'm asking for your help to make caveats in NATO operations, wherever they are, as benign as possible, and better yet, to convince your national leaders to lift restrictions on field commanders that impede their ability to succeed in critical missions.<sup>105</sup>

In early 2008, Gates continued these appeals on the caveat issue by writing a series of ‘stern’ letters to the Ministers of Defence of all the caveat-imposing NATO nations, rebuking them for not eliminating the caveats from their forces in Afghanistan and for not sharing enough of the security burden in Afghanistan.<sup>106</sup> ‘We must not – we cannot – become a two-tiered alliance of those who are willing to fight and those who are not’, Gates stated emphatically. A continuation of the caveat status-quo could ‘effectively destroy the alliance’, he warned.<sup>107</sup>

Gates’ outspoken criticism during 2006-2008 of national caveat imposition among NATO allies contributing forces in Afghanistan led to a veritable media furore around the world on the issue, in which the ISAF mission and many of its NATO Lead Nations came under intense and heavy international criticism. The ISAF’s caveat dilemma, once an issue commented on only by military practitioners, academics, theorists and national policy-makers, had become one that had attracted unprecedented international interest and condemnation. However, this criticism neither resolved the ISAF’s caveat problem, nor produced positive results on the ground within the mission. To the contrary the publicization of the caveat difficulties in Afghanistan served only to inflame the divisions over the issue within NATO and the mission, while simultaneously blackening the reputations of the ISAF, NATO and several principal NATO nations, specifically Germany, France, Italy, Turkey and Spain.

This in turn led to NATO and several caveat-free ISAF TCNs adopting a drastic change of tactics on the matter in early 2009. That is, seemingly adhering to the old adage that ‘you can catch more flies with honey than vinegar’, many NATO nations within the ISAF took the decision to ‘go quiet’ and be far less public about the issue in future. As one NATO diplomat stated in September 2009, while the issue of national caveats was ‘still an irritant’, it was now ‘something that nations are talking about less in public’. <sup>108</sup> As the Dutch had also earlier argued: ‘The issue of national caveats should not be tackled by berating other NATO Allies for failing to do their share...Instead, the best and most effective way of dealing with caveats was to ask what capabilities those countries had and how they could be made available’.<sup>109</sup>

In tangible terms, this meant that from 2009 onwards, NATO and national government officials began to decline to ‘go into the precise details of national caveats’ imposed within the ISAF, on the grounds of the so-called ‘sensitivity’ of the issue.<sup>110</sup> British government officials, for instance, when asked about this problematic issue in late 2009, played down the negative impact of the caveats, stating: ‘The ISAF mission in Afghanistan is a coalition effort involving over 40 nations...Whilst we will continue to press others to do more, we recognise that each nation has its own parliamentary and political processes to adhere to and we must respect this.’<sup>111</sup>

In 2010 one Italian senior military official at the Italian Embassy in Washington D.C. even went so far as to describe the ISAF's caveat affliction as 'not a big issue', asserting that the caveat restrictions within the ISAF amounted to 'just words' with no effect on security within the mission.<sup>112</sup> The caveat issue was 'just a political dispute, not an operational problem', he argued, claiming further that Italian commanders in Afghanistan 'don't have any feeling about caveats'.<sup>113</sup>

German government officials have gone even further, actually issuing outright denials of the very existence of the national caveats known to be imposed on their forces in Afghanistan. The spokesman for the German Ministry of Defense, for example, reportedly claimed in September 2009 that only one caveat existed on German forces deployed to the ISAF, that being the prohibition banning German forces from deploying outside of RC-North, except in support of allies in emergency situations.<sup>114</sup> 'There are a lot of rumors about caveats such as that we cannot carry out foot patrols at night. These are incorrect,' he asserted.<sup>115</sup>

### ***American Diplomatic Entreaties***

In the United States the plight of the ISAF with regard to caveat-imposition has been of great concern in both political and military circles. Indeed, given the high degree of annoyance and frustration within the U.S military over their cavaleted allies in Afghanistan, U.S. Presidential Candidate Barack Obama made a pledge during his 2008 presidential election campaign 'to curb restrictions by NATO nations on where and when their military personnel could operate in Afghanistan'.<sup>116</sup> Consequently, following his electoral victory the new Obama administration began to turn its attention to the continuing caveat disorder within the ISAF mission.

### ***Private Bilateral Diplomatic Requests***

Instead of public censure and rebukes, however, the new U.S. government opted to make private, official requests to the ISAF contributors still imposing caveats on their forces. According to Etienne de Durand, the director of Security Studies at the *Institut Français des Relations Internationales*, Obama's private, diplomatic approach to caveat reduction within the ISAF was a difficult one. 'The balancing act is to push countries to loosen the rules as much as possible but not to push so hard that they withdraw troops from the field', de Durand stated. 'Pressing too hard for caveats to be removed could prompt some countries to leave, producing an outcome "far more detrimental," even if a few hundred or 1,000 troops are able to engage in more comprehensive operations.'<sup>117</sup>

To illustrate, on 1 April 2009 specific formal secret requests were issued by U.S. Secretary of State Hillary Clinton to all American embassy missions located in countries participating in or supportive of the ISAF mission in Afghanistan. While many of these requests contained entreaties for greater

force deployments from ISAF TCNs, several of the largest caveat-imposers – namely, Italy, Spain, Turkey, Bulgaria, and Greece were simultaneously specifically asked to ‘remove operationally restrictive caveats’ from their ISAF contingents.<sup>118</sup> Italy and subsequently France (which despite having deployed one caveat-free French combat manoeuvre battalion in RC-East in August 2008, had continued to keep the rest of its ISAF forces bound by national caveats) were the only nations to respond to this appeal (although Italy’s elimination of its caveats is also attributable to a promise made by newly-elected Prime Minister Silvio Berlusconi to President George W. Bush the previous year in June 2008).<sup>119</sup>

Consequently, with the exception of Italy and France, caveat imposition continued more or less unabated in 2009, with caveats still rife amongst the ISAF force contingents. Indeed, as one unidentified NATO official remarked in September 2009: ‘Some level of national restrictions are likely to remain on some NATO forces in Afghanistan, although moves have been made to minimize their impact… They have been reduced in the last five years, but there has been no seismic shift’.<sup>120</sup> The situation prompted de Durand to conclude on the caveat matter that: ‘They are a fact of NATO life and you won’t change them as they are driven by national politics’.<sup>121</sup> However, this caveat stalemate was deeply concerning as the Afghan mission continued to struggle throughout 2009 with large numbers of ineffective forces operating in large swathes of Afghanistan. As Cordesman argued emphatically at that time: ‘To be effective, [the ISAF] must eliminate as many national caveats and restrictions on troops as possible’.<sup>122</sup>

#### *A Private Diplomatic Meeting: NATO Headquarters*

A further round of private American requests, pressing for the removal of national caveats within the ISAF mission, consequently took place on 5 November 2009. This occurred at a time when the Obama Afghanistan-Pakistan (so-called ‘Af-Pak’) strategic review was in process in Washington following COMISAF McChrystal’s force request of 40,000 additional troops, the latter made in light of the deteriorating security situation in Afghanistan. This time a senior-level U.S. government team met with NATO and non-NATO Partner nations contributing forces to the ISAF at a closed door meeting at NATO Headquarters in Brussels. At this meeting, while outlining America’s intention to increase its force levels in Afghanistan, U.S. interlocutors stressed that ‘the U.S. expected its ISAF partners to also come forward with additional resources’ and expressed the hope that ‘nations would remove national caveats, allowing for greater flexibility in how their troops could be deployed and used in Afghanistan’.<sup>123</sup>

This entreaty was supported by the statements of an American general present at this meeting, Joint Staff Director for Operations LTGEN John M. Paxton, who also reiterated this request.<sup>124</sup> In addition, Paxton underscored ‘the importance of unity of effort from all the military actors on the

ground' and the centrality of: (1) geographical flexibility in owning and controlling the battlespace; (2) supporting units such as the OMLTs and PRTs within this battlespace; and (3) partnering effectively with the ANSF – the latter being a central theme in COMISAF McChrystal's population-centric strategy for successfully securing and stabilising Afghanistan.<sup>125</sup> This American petition on the caveat issue was also supported by caveat-free ally, Canada, the Canadian representative reiterating to fellow ISAF compatriots that 'unity of effort was important' and asking nations at the meeting 'to reduce or eliminate national caveats'.<sup>126</sup>



*Figure 8.8 – NATO’s Chicago Summit, 2012: A photo showing U.K. Prime Minister David Cameron, U.S. President Barack Obama, COMISAF General John R. Allen and U.S. Secretary of State, Hillary R. Clinton (seated in back row) at the NATO meeting held in the United States in May 2012.*<sup>127</sup>

Only four small NATO countries responded positively to this second American diplomatic offensive however (identified in Chapter 9). The large majority – especially the non-NATO Partner TCNs contributing to the ISAF – continued to refuse to oblige their caveat-free ISAF allies on this issue. As one commentator later remarked on U.S. efforts during this period: 'When Obama came into office, the new administration managed to make a number of European countries give up on some of their caveats – but far from all'.<sup>128</sup> Michael O'Hanlon, a senior fellow at the *Brookings Institute*, likewise argued that while there had been some 'noteworthy' progress as a result of the Obama appeals, the result was still 'not an overwhelming change in allied effort'.<sup>129</sup>

Consequently, although a small group of nations had at last eliminated their caveats from their ISAF forces, and a few others had finally agreed to lift some of these restrictions to allow their OMLTs to deploy 'outside their national area of responsibility', the large majority of TCNs within the coalition

continued to keep their political restraints imposed on their force contingents in Afghanistan, thereby limiting what they could do within the mission.<sup>130</sup> On the whole the caveat situation within the ISAF mission remained – as a 2009 British House of Commons report concluded – one of the ISAF’s most ‘persistent problems’, which ‘significantly weakens’ the ISAF force.<sup>131</sup> In fact the failure of these new American diplomatic rounds led to Gates making renewed appeals for caveats to be removed during diplomatic meetings in early 2010, especially those restraints relating to ANSF training and mentoring, which was by this time the new emphasis of the mission. ‘ISAF nations must loosen caveats to allow effective partnering with Afghan forces’, he stated.<sup>132</sup>

## The Abiding Problem of ISAF Caveat-Imposition

As this overview illustrates, American, Canadian, Dutch and British defence ministers, policy-makers, diplomats and military commanders have made continual entreaties to their NATO allies in Afghanistan to remove or eliminate national caveats within the ISAF security and stabilisation mission.<sup>133</sup> In fact throughout the ISAF mission, the maxim of many of the caveat-free ISAF TCNs seems to have been, as stated in one of the *Wikileaks* cables, ‘we will continue to press on caveats at every opportunity’ – whether through private or public, official or unofficial channels.<sup>134</sup> At times these appeals and reproaches have been made, as one commentator observed, ‘in tones that betrayed a sense of urgency bordering on despair’.<sup>135</sup> Because most of these pleas have fallen on deaf ears over many successive years, however, with many of the large European NATO nations being especially intransigent and immovable on the issue, this desperation has often turned to anger.

This has particularly been the case within the parliaments of the three countries most heavily involved in the fighting in Southern Afghanistan, namely Canada, the Netherlands and the United Kingdom. Even in France, however, a nation that only became caveat-free late in the mission during 2009, French policy-makers were quick to become angry at other NATO allies for their on-going refusals to lift their caveats – especially its large and militarily-capable neighbour, Germany. This mounting frustration led the French military chief to angrily declare in late 2010 that caveats were a ‘poison for multinational operations’, in yet another last-ditch appeal – alongside the British military chief – for other ISAF allies to take on a larger combat role within the mission.<sup>136</sup> No caveat changes were made within the ISAF as a result of this desperate entreaty however.

In sum, despite all of the diverse efforts described above to reduce or eliminate the ISAF’s caveat affliction in Afghanistan between 2002-2010 – formally or informally, publicly or privately – caveats have continued to exist within the mission. Furthermore, recent official reports have cited national caveats as a continuing impediment within the ISAF mission in subsequent years, with caveats still

imposed on ISAF force contingents during 2011-2012. U.S. Pentagon reports on the Afghan mission released in both April and December of 2012, for instance, both state that ‘national caveats continue to constrain ISAF operations’, and that ‘senior U.S. leadership consistently emphasizes the need to reduce national caveats in order to allow for the greatest operational effect’.<sup>137</sup>

From these reports it is abundantly clear that while many efforts have been made by numerous concerned actors on the world stage to reduce and to eliminate the caveat dilemma within the ISAF mission, in reality the problem has never fully been eliminated or resolved. Caveat imposition by ISAF force contributing governments has thus remained a persistent and problematic issue within the Afghan mission.

## **Conclusion**

This chapter has introduced the ongoing problem of national caveat imposition within the NATO-led ISAF mission in Afghanistan. It has shown that NATO nations have a recurring propensity to impose national caveats on forces deployed to international security missions. It has also outlined the way in which State sovereignty, and the NATO Charter itself, has supported the right of these nations to impose caveats on deployed military forces. Some of the general effects resulting from NATO’s caveat habit were subsequently outlined, in reference to NATO’s three major multinational ground operations to date.

In addition, this chapter has outlined the ISAF mission’s difficulties with national caveats, exploring the way in which this problem has deteriorated over time to the point of being called a poison – and even an operational cancer – within the mission to secure and stabilise Afghanistan. NATO’s failure to address the caveat problems within the KFOR operations, exemplified by the lack of a frank and honest appraisal of the role of national caveats in NATO’s failure to respond adequately to the 2004 Kosovo Riots, have contributed to this state of affairs within the ISAF. As a result, national caveats have proved both frustrating and detrimental to the effective and successful execution of the ISAF security and stability mission. Indeed, the dilemma created by the imposition of national caveats within the NATO-led multinational mission in Afghanistan could well be described as one of the ISAF’s most severe internal problems.

It is also clear, furthermore, that this caveat impediment within the mission has been one of long duration, the issue beginning in December 2001 when ISAF forces first deployed to Afghanistan and continuing over a full decade of warfare into at least 2012. Indeed, despite multiple attempts from

many different official and unofficial quarters – including from the highest commanders within both NATO and the ISAF mission itself – the problem of national caveats within the ISAF has never been resolved. It is all of these facts together which have rendered the issue of national caveat imposition within the ISAF mission an important area of academic research.

The following two chapters will continue this examination of the ‘extent’ of the caveat problem within the ISAF mission by investigating the caveat issue in greater detail. Chapter 9 will begin this detailed analysis by analysing the total numbers of caveat-free and caveat-imposing TCNs within the ISAF mission over the years 2003-2012, and furthermore, identifying for the first time all of the nations represented by these numbers.

## **CHAPTER 9**

### **Analysis: Caveat-Free & Caveat-Imposing Numbers & Nations within the ISAF**

The problem of national caveats within the ISAF mission in Afghanistan is a multifaceted, knotty issue – in large part the reflection of the messy domain of national and international politics as it interacts with military affairs. In the preceding chapter and in APPENDICES 2 and 3, the development of the problematic issue of national caveat imposition within the ISAF coalition of the willing was presented over the years 2002-2012. This overview of the evolution of the caveat problem illustrated how the mission’s caveat malady has not only remained ever-present and unresolved, but has also increased in size and scope as the range of caveats expanded over time and new caveat-imposing TCNs joined the mission.

The following two chapters seek to further clarify the extent of the ISAF’s caveat dilemma within the mission, by presenting analysis of the caveat data compiled in this research. This chapter, first of all, seeks to quantify the caveat data generated in the course of this research, in order to define precisely the total proportion of caveat-imposing TCN contributors within the ISAF coalition over the course of the mission. More specifically, it will provide data relating to the exact numbers and percentages of caveat-free and caveat-imposing TCNs within the NATO-led coalition between the years 2003-2012.

The chapter will subsequently match nations with numbers, by identifying precisely the TCN nations represented by these caveat-imposing figures over the time period. This is an endeavour never before undertaken in the domain of research on the ISAF mission. Drawing on multiple primary and secondary source materials, especially the U.S. Department of State cables released by *Wikileaks*, a detailed account will be provided of the way in which specific ISAF TCNs have imposed, removed, eliminated and also re-imposed caveats over the past decade, and how these developments have correspondingly altered the overall proportion of caveat-imposing and caveat-free nations within the ISAF coalition. The account will, furthermore, classify each of these caveat-imposing nations by identifying each TCN within its broader grouping as a NATO or Partner nation, in order to illustrate the overall proportions of caveat-imposing and caveat-free nations within each of these ISAF TCN categories of contributors to the mission.

## Caveat-Free & Caveat-Imposing TCN Numbers

The negative trajectory of heavy caveat imposition within the ISAF coalition over the duration of the Afghan mission is one that is well represented by the record of caveat-free and caveat-imposing TCN numbers between the years 2003-2012 (no specific caveat-free and caveat-imposing TCN information is available for the year 2002). In December 2003, only four months after NATO had commenced its leadership of the Afghan mission, 32 out of a total of 35 TCNs – representing a staggering 91 percent of the entire ISAF coalition – had imposed caveats which handicapped the capability of their forces and kept them indefinitely out of harm’s way (see *Table 9.1*). With reference to the two NATO nation and Partner nation groupings, this meant that 17 of the total 19 NATO nations and 15 of the 16 Partner nations had imposed national caveats restricting what their force contingents could do in Afghanistan. Due to the addition of a new caveat-imposing force contributor in 2004, the total number of caveat-imposing TCNs would increase further to stand at 33 out of a total of 36 TCNs over the subsequent two years, raising the caveat-imposing percentage among ISAF nations to 92 percent.

YEAR	TOTAL # ISAF TCNs	CAVEAT-FREE NATO NATIONS	CAVEAT-FREE PARTNER NATIONS	TOTAL # CAVEAT-FREE TCNs	CAVEAT-IMPOSING NATO NATIONS	CAVEAT-IMPOSING PARTNER NATIONS	TOTAL # CAVEAT-IMPOSING TCNs
Dec 2003	35	2	1	3 (9%)	17	15	32 (91%)
Dec 2004	36	2	1	3 (8%)	24	9	33 (92%)
Dec 2005	36	2	1	3 (8%)	24	9	33 (92%)
Dec 2006	37	14	2	16 (43%)	12	9	21 (57%)
Dec 2007	39	11	6	17 (44%)	15	7	22 (56%)
Dec 2008	41	10	5	15 (37%)	16	10	26 (63%)
Dec 2009	43	19	3	22 (51%)	9	12	21 (49%)
Dec 2010	48	17	3	20 (42%)	11	17	28 (58%)
Dec 2011	49	16	3	19 (39%)	12	18	30 (61%)
Dec 2012	50	15	3	18 (36%)	13	19	32 (64%)

*Table 9.1 – Total Numbers of Caveat-Free and Caveat-Imposing NATO & Partner Nations (2003-2012): The total numbers of caveat-free and caveat-imposing TCNs within the ISAF, 2003-2012, shown divided into the two principal NATO and Partner nation groupings within the coalition.*

The number of caveat-imposing ISAF TCNs would diminish in 2006, especially following pledges made at the NATO Riga Summit in November, with caveat-free numbers increasing dramatically from three at the end of 2005 (8 percent of the total coalition) to 16 by the end of 2006 (43 percent of the total coalition). As a result, the percentage of caveat-imposing nations correspondingly dropped from 92 percent to 57 percent over the same period, the latter representing 12 NATO nations and 9 Partner nations. This elimination of caveats by several NATO nations represents a significant alteration in the numerical caveat timeline. However, from this point on until the end of 2009, the caveat-free and caveat-imposing numbers would continue to fluctuate around this halfway mark, regardless of the addition of new TCNs to the coalition. This means that over a three-year period from 2006-2009, around half of the entire ISAF coalition was imposing caveats on their forces in Afghanistan.

From December 2009 until December 2012, caveat imposition would increase again as the ISAF gained seven new caveat-imposing members, expanding total ISAF TCNs from 43 to 50 by the end of 2012. Consequently, by the end of the research period, caveat-imposing TCNs within the ISAF once again formed the majority, with 32 of 50 TCNs (64 percent) imposing national caveats on their forces, while 18 TCNs (36 percent) remained caveat-free.

### **Official Figures**

This numerical record is confirmed by official figures of caveat-free and caveat-imposing ISAF TCNs released in government and NATO publications, especially reports released by the U.S. Department of Defense ('The Pentagon'). A table displaying the caveat-free and caveat-imposing TCN numbers identified in this research with these official force figures may be found in *Table 9.2*.

In 2008, for instance, a Pentagon report released in June stated that 'just over half' of the ISAF TCNs had 'some form of caveats on the geographical and/or functional deployment of their forces'.<sup>1</sup> A Pentagon report in January the following year similarly stated that 'over half' of the ISAF TCNs at that time were imposing caveats on their Afghan forces, with a minimum of at least 21 TCNs being caveat-imposing nations.<sup>2</sup> Six months later in June 2009, the newly appointed NATO SACEUR, U.S. Navy Admiral James Stavridis, reported to an American Senate committee that only 18 of the 42 ISAF TCNs were 'caveat-free', meaning that the remaining 24 TCNs were caveat-imposing nations.<sup>3</sup> By April 2010, furthermore, an additional Pentagon report revealed that the number of caveat-free ISAF TCNs had risen by three to 22 out of a total of 43 TCNs.<sup>4</sup> As the report then stated: 'Currently, 22 of 43 troop contributing nations are "caveat free," an improvement from 18 during the previous reporting period'.<sup>5</sup>

YEAR	TOTAL # ISAF TCNs	# CAVEAT-FREE TCNs	% CAVEAT-FREE TCN Contingents	# CAVEAT-IMPOSING TCNs	% CAVEAT-IMPOSING TCN Contingents	OFFICIAL NUMBERS
Dec 2003	35	3	9%	32	91%	
Dec 2004	36	3	8%	33	92%	
Dec 2005	36	3	8%	33	92%	
Dec 2006	37	16	43%	21	57%	
Dec 2007	39	17	44%	22	56%	
June 2008	40	16	40%	24	60%	'Just over half' TCNs caveated <sup>6</sup>
Dec 2008	41	15	37%	26	63%	
Jan 2009	41	15	37%	26	63%	'Over half' of TCNs caveated (min. of 21 TCNs) <sup>7</sup>
June 2009	42	18	43%	24	57%	18/42 caveat-free <sup>8</sup>
Dec 2009	43	22	51%	21	49%	
April 2010	43	22	51%	21	49%	22/43 caveat-free <sup>9</sup>
Nov 2010	47	20	43%	27	57%	20/47 caveat-free <sup>10</sup>
Dec 2010	48	20	42%	28	58%	
Dec 2011	49	19	39%	30	61%	
Dec 2012	50	18	36%	32	64%	

Table 9.2 – Total Caveat-Free and Caveat-Imposing TCN Numbers and Percentages (2003-2012): Data table displaying both the numbers and percentage of caveat-free and caveat-imposing ISAF Troop Contributing Nations (TCNs) out of total ISAF TCN numbers, 2003-2012.

This figure of 22 caveat-free TCNs comprises the highest caveat-free figure in the history of the ISAF mission in Afghanistan, covering a decade of warfare from 2002-2012, and the only and temporary time period in which caveat-free TCNs outnumbered caveat-imposing TCNs within the mission. The 22 caveat-free TCNs, representing 51 percent of the coalition, was at that time comprised of 19 NATO nations and 3 Partner nations. Conversely, the 21 remaining caveat-imposing TCNs, representing 49 percent of the coalition (the only time that the percentage of caveat-imposing nations has dropped below fifty percent), was comprised of 9 NATO nations and 12 Partner nations (refer to Table 9.1).

Finally, in November 2010, the U.S. Department of Defense reported that the number of caveat-free TCNs within the ISAF had decreased again to 20 out of 47 TCNs, with at least 20 of the remaining 27

caveat-imposing TCNs continuing to impose a range of restrictions on their forces.<sup>11</sup> As the report itself stated:

Of the 27 troop-contributing nations with caveats, 20 nations limit operations outside of originally assigned locations (usually the province where they are based), conducting counternarcotics (CN) operations with ISAF (predominantly imposed by Allies in RC-South), and Rules of Engagement caveats (the majority being held by non-NATO nations). Nearly 40 percent of the caveats are geographically-based, representing a significant challenge for COMISAF as they limit his agility.<sup>12</sup>

## Caveat-Free & Caveat-Imposing Nations

Any overview of the record of caveat-imposition within the ISAF mission would be incomplete, however, without reference to the specific nations that have been caveat-free or caveat-imposing TCNs during the course of the mission, and which comprise the numbers provided above. Nevertheless, due to the highly secretive and classified nature of the caveat issue in Afghanistan, such a record – matching nations with these overall numbers – has never been attempted.<sup>13</sup>

However, as a result of this caveat research, the names of the ISAF force contributing nations that have been recorded as caveat-free or caveat-imposing TCNs within the coalition during the Afghan mission, have now been identified for the first time. Indeed, following several years of intensive research on national caveat imposition within the ISAF, and the written record of caveat imposition and removal amongst all the ISAF force contributors between 2002-2012, in combination with the record of official caveat-free and caveat-imposing numbers, it has become possible to trace the disconcerting record of caveat imposition within the ISAF by matching specific nations with these caveat figures provided above.

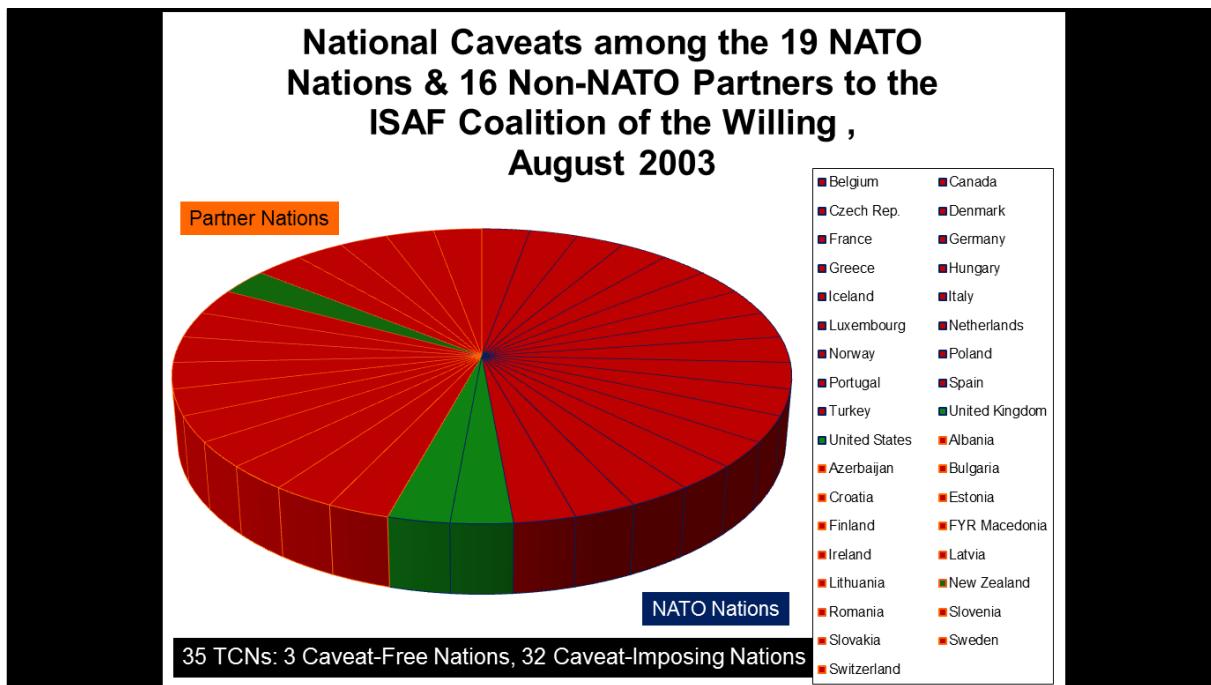
The following is an account of the ISAF TCNs that have imposed or not imposed (or alternately removed then re-introduced) national caveats on their Afghan forces, beginning in August 2003 when NATO first assumed command over the ISAF mission and ending in December 2012. This account has been pieced together based on caveat-related information released over the past decade from: official ISAF or NATO sources during the period 2003-2013; official national government documentation and reports, such as the publicly released U.S. Department of State cables between American Embassies and Washington D.C. or the U.S. Department of Defence Pentagon Reports; unofficial – and often anonymous – ISAF commanders, as provided in interviews with international journalists within the worldwide media; academics who have published caveat-related material (often a result of interviews with NATO and/or ISAF commanders and officials); and finally journalistic articles from the worldwide media.

From this information the following will provide a detailed account of the caveat-free and caveat-imposing nations within the ISAF over the research period 2003-2012, with specific mention of those nations that have been cited as having removed or eliminated their caveats over the period (see endnote).<sup>14</sup> For a corresponding table charting the changing status of all the ISAF's TCNs during this period, as either a caveat-free or caveat-imposing NATO or Partner TCN, please refer to APPENDIX 5 '*Table Displaying Caveat-Free & Caveat-Imposing NATO & Partner Nation TCNs within the ISAF Coalition, 2003-2012*' (*Volume II*). A smaller table displaying only ISAF TCNs whose forces have been caveat-free at some point of time over the course of the mission between 2003-2012, whether permanently or temporarily, can also be seen in *Table 9.6* on p. 215 (*Volume I*).

## **2003-2005**

In August 2003, when NATO assumed leadership of the Afghan security assistance mission, 32 TCNs of 35 were imposing caveats on their forces. These included the following NATO and Partner nations: Albania, Azerbaijan, Belgium, Bulgaria, Canada, Croatia, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, FYR Macedonia, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and Turkey. By contrast, only three of the 35 nations contributing forces to the mission were caveat-free (see *Graph 9.3*). These were NATO nations the United States (U.S.), the United Kingdom (U.K.) and – rather surprisingly, given the small size of this nation's population and military, in addition to its geographical location in the far South Pacific – one small Partner nation of the ISAF, New Zealand.<sup>15</sup>

Both the U.S. and the U.K. had been principal parties to the OEF operation that overthrew the Taliban and fought back Al-Qaeda jihadists in 2001. Having been so heavily involved in the war-fighting entailed within the OEF mission, when the ISAF mission was created both nations subsequently committed their forces to the ISAF mission without any caveat restraints in their activities (though this was not the case on the part of other principal OEF participants Canada, France and Australia).<sup>16</sup> As a U.S. Department of Defence report later stated on the caveat issue in 2008: ‘The U.S. government has consistently emphasized the importance of giving commanders in the field the maximum possible flexibility to ensure that they can accomplish their mission in the fastest possible timeframe, while minimizing risk and loss of life’.<sup>17</sup> The British stance on national caveats was similarly alluded to in a British House of Commons report during the same period which articulated the view, expressed by Sir Paul Lever, that ‘the UK was “usually pretty relaxed” about deploying its forces as part of a NATO mission’ in terms of control over how British forces may be used and the extent to which they should be put in harm’s way.<sup>18</sup>



*Graph 9.3 – Caveats & the ISAF Coalition (August 2003): Pie graph displaying the caveat-free and caveat-imposing ISAF force contributions nations as of August 2003, with nations named and arranged by NATO and Partner nation TCN groupings.*

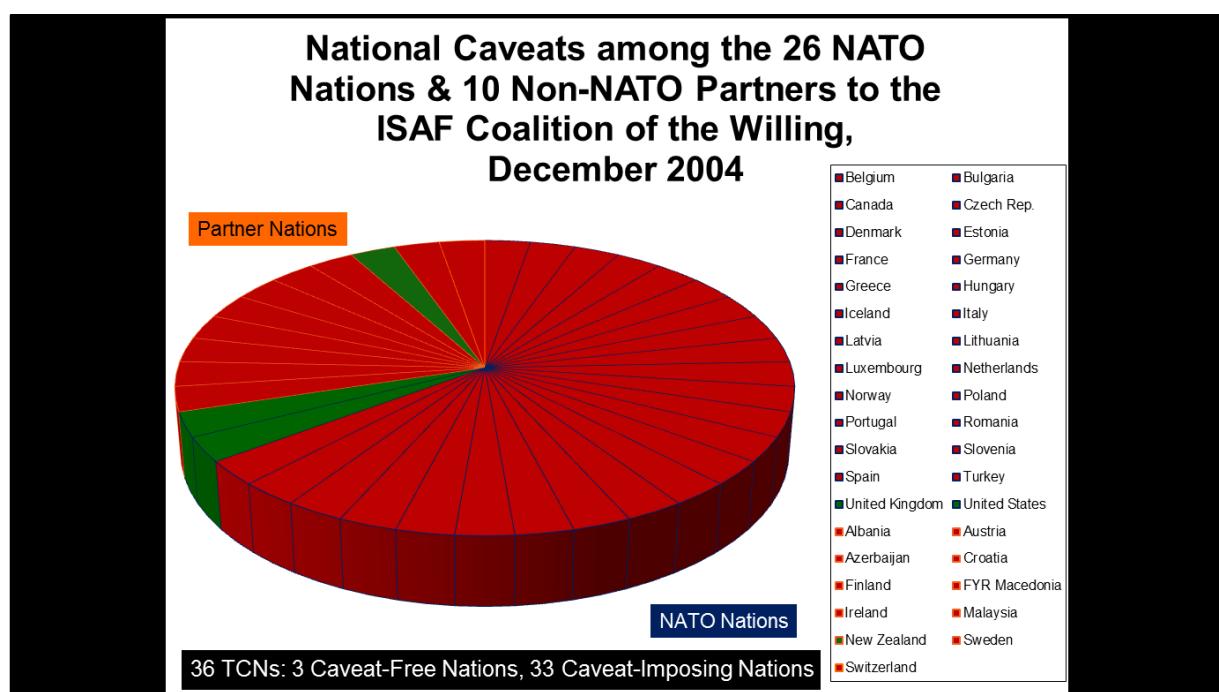
New Zealand had similarly played a role in the original OEF operation from December 2001, albeit a small one predominantly involving New Zealand Special Forces (refer to endnote for more details).<sup>19</sup> Following the Bonn Conference the same month, New Zealand also committed forces to the ISAF mission within Afghanistan, in addition to personnel deployed to the UN Assistance Mission, UNAMA.<sup>20</sup> All of New Zealand's OEF and ISAF forces operated free from caveat restrictions from the outset, including the approximately 120 NZDF personnel which were deployed to lead the Bamyan PRT in eastern Afghanistan under OEF command in 2003.<sup>21</sup> As LTCOL Shaw, a NZDF liaison officer who was based at U.S. OEF Headquarters in RC-East during a six-month period in 2005 (to liaise between the New Zealand PRT and the 1<sup>st</sup> Brigade of the U.S. 82<sup>nd</sup> Airborne Division) later recounted: 'I honestly can't think of a single instance where we came remotely close to any sort of caveat' (see endnote for a discussion of the positive relationship between New Zealand and the United States as a result of this caveat-free contribution to the ISAF mission in Afghanistan).<sup>22</sup>

Despite the escalation of the insurgency, moreover, this caveat-free status would remain intact in subsequent years, even after the New Zealand-led Bamyan PRT was incorporated under ISAF command following the mission's eastern expansion in late 2006. A U.S. State Department cable from November 2006 confirms this surprising fact, expressing not only that, 'NZDF force personnel operate without caveats in Afghanistan', but also that New Zealand had 'expressed sympathy' with American frustrations over national caveats in Afghanistan.<sup>23</sup> Indeed, according to Gillard, when

New Zealand military forces deploy overseas to operate as part of a MNO, as a general rule: ‘We don’t have that many issues or problems...We’re a real “can-do” kind of country.’<sup>24</sup>

In March 2004 seven former Partners to the mission were admitted as members of the NATO alliance, thereby altering the NATO nation/Partner nation ratio. These nations included Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia. However, admission to NATO did not alter the caveat-imposing status of these nations: all remained caveat-imposing TCNs of the ISAF. Similarly, although Austria had joined the ISAF coalition as a new Partner TCN in April, it also deployed forces as constrained by caveats as most of the other ISAF Partner nations.<sup>25</sup> Indeed, Austrian resistance to caveat elimination in subsequent years caused the country to become rather a by-word within the ISAF by 2010, the United States warning other TCNs not to ‘drift toward Austrian-style complacency’.<sup>26</sup>

Consequently by the end of 2004, the U.S., the U.K. and New Zealand – a scant 3 of the 36 total TCNs (representing 9% of the entire coalition) – remained the only TCNs to be caveat-free within the ISAF (depicted below in *Graph 9.4*). No changes at all occurred to alter this ratio of caveat-free versus caveat-imposing nations during 2005. This was despite repeated NATO and ISAF attempts to persuade ISAF force contributors to remove national caveats due to the negative effects the caveats were creating within the mission.



*Graph 9.4– Caveats & the ISAF Coalition (December 2004): Pie graph displaying the caveat-free and caveat-imposing ISAF force contributions nations as of December 2004, with nations named and arranged by NATO and Partner nation TCN groupings.*

## **2006**

In fact, the next alteration in the number of caveat-free and caveat-imposing nations within the ISAF coalition did not occur until two years later in January 2006 when Canada, which had formerly imposed ‘very tight’ and ‘relatively strict’ caveat constraints on its ISAF forces, removed all its caveats from its national forces as the contingent redeployed from Kabul Province to Kandahar Province to take part in the ISAF’s southern expansion.<sup>27</sup> According to Auerswald & Saideman, this was a ‘remarkable change’, which saw Canadian commanders for the first time offered ‘full freedom to authorize and conduct operations as you see fit’.<sup>28</sup> Indeed, this freedom was so extensive that one Canadian ISAF commander later reported that he ‘was empowered to make 99% of the ops-related decisions in theatre’.<sup>29</sup>

Similarly, Norway agreed to lift all of its national caveats from its forces in May 2006, including its RC-North-specific geographical caveat.<sup>30</sup> U.S. State Department officials had always considered caveat imposition by Norway to be a stark departure from the country’s previous discourse and stance on the caveat issue in the international arena, especially following the KFOR security crisis (Norwegian KFOR forces comprised one of the few national contingents that had acquitted themselves well during the Kosovo Riots, robustly protecting Serb civilians from Albanian aggression). As one American official at the U.S. Embassy in Oslo had argued in early May:

Norway’s caveat was out of step with its previous commitment to lift all of its (few) caveats, since, in principle, Norway agrees that national caveats have a deleterious effect on NATO commanders’ operational flexibility...In the past, Norway has been a strong supporter of our efforts in NATO against national caveats.<sup>31</sup>

This change would be short-lived however. In point of fact, after responding to SACEUR Craddock’s calls and agreeing to staff and command RC-North’s Quick Reaction Force (QRF) in Mazar-e-Sharif, an entity created in mid-2006 to respond quickly and effectively to security crises and emergencies as they arose within each of the Regional Commands, Norway actually reversed its new stance and had once again re-imposed a geographical caveat on the new unit by July of the same year.<sup>32</sup> Indeed, by October Norway was one of the countries singled out for especial criticism by NATO Secretary General, Jaap de Hoop Scheffer, for the way in which it had prohibited its emergency-response QRF unit from coming to the aid of other ISAF allies outside of RC-North’s borders – especially the Afghan south where emergency incidents were more frequent due to greater counter-insurgent combat operations.<sup>33</sup>

Australia, a new Partner nation which had joined the ISAF in July 2006, also opted to impose national caveats on its forces operating within the Afghan mission, just as it had for Australian personnel operating within Iraq (where the Australian contingent’s national caveats strictly prohibited ‘offensive

operations, attack and pursuit', leaving only defence and withdrawal as viable options for Australian combat troops).<sup>34</sup> This was a caveat stance that would remain static for the duration of Australia's participation in the ISAF mission, and in spite of a widespread perception that the Australian Army was 'plagued by institutional cowardice' as a result of such government restrictions (the latter reportedly even causing some Infantrymen to feel ashamed of wearing their Australian uniform and regimental hat badge).<sup>35</sup> Indeed, the situation led Australian officer MAJ Jim Hammett to observe that:

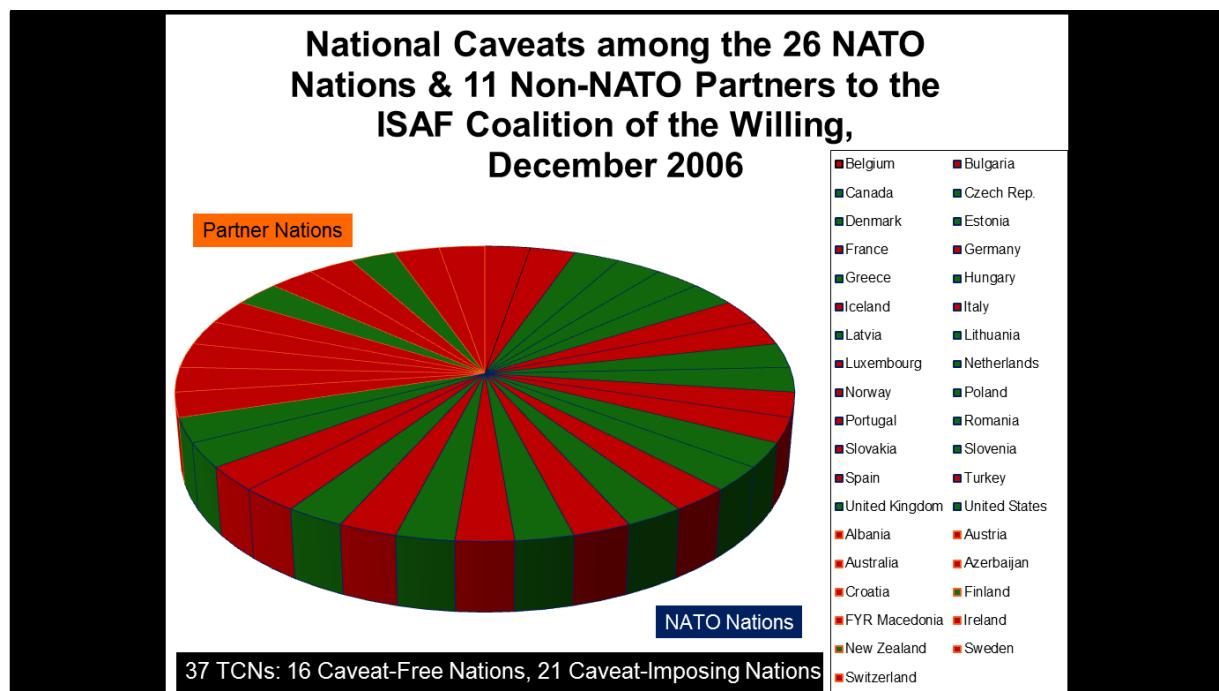
Notwithstanding the mutual accolades provided between international political bodies in the interests of diplomacy, Australia's contributions to both Iraq and Afghanistan have been derided and scorned by soldiers and officers alike from other nations who are more vigorously engaged in combat operations...The initial caution of such a deployment is both prudent and understandable, however the ongoing inaction and lack of contribution to counterinsurgency and offensive operations has resulted in collective disdain and at times near contempt by personnel from other contributing nations for the publicity-shrouded yet force-protected Australian troops.<sup>36</sup>

However, in late 2006 as the ISAF expanded eastwards, and in the midst of a deteriorating and expanding caveat situation within the mission even in the face of a Taliban resurgence, NATO nation Poland and Partner nation Finland unexpectedly lifted their caveats to become caveat-free TCNs.<sup>37</sup> By eliminating its national caveats, the Polish government stated it wished to 'set a good example' within the coalition. 'If our allies are in need, we will be going to the rescue', stated the Polish Defence Minister, Radoslaw Sikorski.<sup>38</sup> Indeed, along with the October announcement, the Polish government made an appeal to its counterpart ISAF TCNs to remove the caveats imposed on their forces. As Sikorski stated in an interview with the British *Daily Telegraph*: 'If other nations lifted their caveats, NATO might be able to "juggle" its existing forces. Then we would have enough troops to establish security'.<sup>39</sup> In early November, Finland became the only nation to respond to this call and likewise eliminate all of its caveat restrictions from its forces operating in the country. By 15 November the U.S. Embassy in Helsinki reported back to Washington that Finland had 'no formal or informal caveats' on its Afghan forces, and was expected to make 'no changes to this posture'.<sup>40</sup> Finland thereby became only the second of 11 Partner nations to become caveat-free within the ISAF, after New Zealand.

On 29 November 2006, the NATO summit took place in Riga, Latvia. It was here at this juncture of time in the course of the ISAF mission – and at a summit almost exclusively focused on the Afghan mission's grave caveat impediment – that the most dramatic and significant shift in the numbers of caveat-imposing and caveat-free nations occurred.<sup>41</sup> Indeed as one German diplomat remarked in later years, there was 'huge pressure to get rid of caveats' at the Riga Summit of 2006, pressure which 'has not been as intense ever since'.<sup>42</sup> Poland's example combined with strong appeals and arguments made by not only NATO officials and commanders – including the NATO Secretary General and

NATO SACEUR General Craddock – but also the representatives of the other three NATO caveat-free nations the U.S., U.K. and Canada, finally led to ten NATO ISAF nations eliminating their caveat constraints on their Afghan national contingents.<sup>43</sup> The first of these was the Netherlands, the third and only remaining caveat-imposing Lead Nation of RC-South, which until Riga had been imposing caveats prohibiting Dutch forces from participating in counter-terrorist, counter-insurgent or combat operations.<sup>44</sup>

The Netherlands then joined with the U.S. and its allies in the hostile Afghan south, co-Lead Nations the U.K. and Canada, to persuade other NATO nations operating in the south to follow its example and ‘release their combat forces’, by removing the caveat fetters on national forces and adopting flexible and robust ROE.<sup>45</sup> As a result Romania, Denmark, Estonia, the Czech Republic, Slovenia, Latvia and Lithuania – all NATO nations and TCNs with forces in the combative RC-South sector – responded to this appeal and reduced their national caveats so significantly that, as a U.K. House of Commons report stated, they ‘effectively came out of that with no caveats at all’.<sup>46</sup> In addition, NATO nations Hungary, with forces in RC-North, and Greece, based in RC-Capital, also removed all their caveat restrictions from their deployed forces.<sup>47</sup>



*Graph 9.5 – Caveats & the ISAF Coalition (December 2006): Pie graph displaying the caveat-free and caveat-imposing ISAF force contributions nations as of December 2006, with nations named and arranged by NATO and Partner nation TCN groupings.*

Indeed, by the end of the Riga Summit it was clear that, as the British Foreign Secretary later reported, ‘significant progress’ has been made in removing caveats among the NATO nations within the ISAF, with ‘a number of countries which have significantly changed in what they do and what

they are prepared to do'.<sup>48</sup> The significant alteration in caveat-free nations and numbers within the ISAF mission, as a result of the Riga Summit, is displayed in *Graph 9.5*.

## 2007

FYR Macedonia, a Partner nation, became the next ISAF TCN to shed its caveat-imposing status the next month in January 2007, bringing the tally of caveat-free Partner nations from two to three (in fact the government of Macedonia simultaneously removed all its caveats from its forces serving in both the Afghan and Iraq theatres of war).<sup>49</sup> Having already removed five of its seven national caveats imposed on Macedonian ISAF forces at the Riga Summit, the government was able to eliminate the final two caveats in January to become one of the caveat-free ISAF nations then within the mission.<sup>50</sup> NATO nation Portugal followed suit in February 2007, eliminating all its caveats from its national contingent in Afghanistan, as well as its Special Forces commando company – both of which subsequently became engaged in heavy fighting against insurgents within the country.<sup>51</sup> Indeed, according to U.S. embassy officials in Lisbon: ‘The Portuguese stress that they are with us in Afghanistan for the duration of NATO operations, so congratulations for their current contributions are in order’.<sup>52</sup>

Consequently by early 2007, NATO nations the United States, the United Kingdom, Canada, Poland, the Netherlands, Romania, Denmark, Estonia, the Czech Republic, Slovenia, Latvia, Lithuania, Hungary, Greece and Portugal, and Partner nations New Zealand, Finland and FYR Macedonia were caveat-free, comprising a total of 18 of 37 ISAF TCNs. By contrast, 19 TCNs were caveat-imposing force contributors and included NATO nations Belgium, Bulgaria, France, Germany, Iceland, Italy, Luxembourg, Norway, Slovakia, Spain, and Turkey, in addition to Partner nations Albania, Australia, Austria, Azerbaijan, Croatia, Ireland, Sweden and Switzerland.

Within months, however, three of the newly caveat-free TCNs would re-impose national caveats and thereby revert back to the status of a caveat-imposing TCN (see *Table 9.6*). In April 2007, Greece reimposed caveats so heavily that Greek forces in Afghanistan were subsequently described by U.S. Department of State officials as being ‘hamstrung by caveats’, with its OMLT prohibited from leaving RC-Capital and other forces forbidden even from leaving their bases in RC-Capital.<sup>53</sup> In a diplomatic cable to Washington, U.S. officials commented that the Greek government not only ‘found it difficult to commit itself fully to NATO’, but also worked to ‘postpone major decisions on Alliance matters or on assuming greater responsibilities within the context of collective action’.<sup>54</sup> According to these officials, caveat re-imposition in Afghanistan was indicative of this continued ‘reluctance to get involved’ on the part of the Greek government.<sup>55</sup>

Total # ISAF TCNs	Total # Caveat-Free TCNs	Name of Caveat-Free TCN	NATO or Partner Nation	Date from which TCN Caveat-Free	Date TCN reverted to Caveat-Imposer	Date TCN Caveats Removed a Second Time
35	1	U.S.	NATO	AUG 2003		
	2	U.K.	NATO	AUG 2003		
	3	New Zealand	Partner	AUG 2003		
36	4	Canada	NATO	JAN 2006		
36	5	Norway	NATO	MAY 2006		
37	(↓4)	Norway	NATO		JULY 2006	
37	5	Poland	NATO	OCT 2006		
37	6	Finland	Partner	NOV 2006		
37	7	Netherlands	NATO	NOV 2006		
	8	Romania	NATO	NOV 2006		
	9	Denmark	NATO	NOV 2006		
	10	Estonia	NATO	NOV 2006		
	11	Czech Rep.	NATO	NOV 2006		
	12	Slovenia	NATO	NOV 2006		
	13	Latvia	NATO	NOV 2006		
	14	Lithuania	NATO	NOV 2006		
	15	Hungary	NATO	NOV 2006		
	16	Greece	NATO	NOV 2006		
37	17	Macedonia	Partner	JAN 2007		
37	18	Portugal	NATO	FEB 2007		
37	(↓17)	Greece	NATO		APR 2007	
37	(↓16)	Denmark	NATO		JUN 2007	
37	(↓15)	Slovenia	NATO		AUG 2007	
37	16	Georgia	Partner	OCT 2007		
	17	Albania	Partner	OCT 2007		
	18	Croatia	Partner	OCT 2007		
39	(↓17)	Portugal	NATO		NOV 2007	
40	(↓16)	Finland	Partner		APR 2008	
41	(↓15)	Hungary	NATO		SEP 2008	
42	16	Italy	NATO	MAY 2009		
42	17	France	NATO	JUN 2009		
42	18	Bulgaria	NATO	JUN 2009		
43	19	Norway (2x)	NATO			DEC 2009
	20	Denmark(2x)	NATO			DEC 2009
	21	Portugal (2x)	NATO			DEC 2009
	22	Hungary (2x)	NATO			DEC 2009
44	(↓21)	USA	NATO		JAN 2010	
46	(↓20)	Netherlands	NATO		AUG 2010	
49	(↓19)	Canada	NATO		JULY 2011	
50	(↓18)	Hungary	NATO		AUG 2012	

Table 9.6 – Caveat-Free ISAF Nations (2003-2012): Table displaying the numbers and nations comprising the ISAF caveat-free TCNs between 2003-2012. The date of each TCNs transition to caveat-free status is included, in addition to the date of any reversal back to caveat-imposing status, and any subsequent changes back to caveat-free status in later years.

In June, Denmark likewise re-imposed a caveat on its OMLT training team, prohibiting its Danish mentors from being ‘embedded’ with ANA units, despite NATO arguments for greater flexibility for OMLTs in Afghanistan.<sup>56</sup> Slovenia also reneged on its Riga pledge, and was by August 2007 cited as having imposed the same restrictions on the force activities of its 2007 contingent as had existed previously in 2006, prior to the Riga Summit.<sup>57</sup> As the mission progressed, Slovenia strengthened this risk-adverse posture by introducing new caveats relating to the training and mentoring of ANSF units by OMLTs (see endnote for Slovenia’s one exception to this ban).<sup>58</sup> In fact, three years later in 2010 the two Slovenian platoons operating under Italian command in RC-West were described as being deployed ‘on a tightly-caveated force protection mission’, the result being that four years into the NATO-led mission Slovenia had not suffered one single casualty in Afghanistan.<sup>59</sup>

Nevertheless, the NATO meeting of Defence Ministers at Noordwijk in October 2007 would see the addition of three new nations to the list of caveat-free ISAF TCNs – non-NATO Partner nations Georgia, Albania and Croatia. Formerly only a member of the ISAF rather than a TCN since its date of joining on 7 September 2004, Georgia officially became a force contributor of the coalition at Noordwijk with the pledge to deploy 750 Georgian troops to operate as part of the ISAF.<sup>60</sup> Indeed, Georgia received much praise and approbation at the defence meeting, from many of the caveat-free NATO nations, for the way in which these forces were pledged not only to one of the most troublesome provinces within the most combative southern sector of the mission, Helmand Province in RC-South, but entirely free from caveat restraints in their ROE.<sup>61</sup> By way of comparison, Jordan, which likewise became a TCN at the meeting, pledged forces to the ISAF that would be limited by caveat restraints.

It is likely that Georgia’s aspiration to become a member of the NATO alliance played a bearing on its decision to become a caveat-free TCN from the outset, the country having already by this time been invited to the Intensified Dialogue process with NATO leadership on the issue of membership and necessary reforms.<sup>62</sup> In addition to Georgia, moreover, Albania and Croatia – two other ISAF Partner TCNs who were also aspiring to gain NATO membership and had consequently been for some years participating in the NATO Membership Action Plan (MAP) – also eliminated their national caveats from deployed forces at the Noordwijk meeting.<sup>63</sup> The addition of these two countries to the ranks of caveat-free force contributors brought total numbers of caveat-free ISAF TCNs from 15 to 18 out of a total of 37 TCNs.

However, in its continuous campaign to eliminate caveats from within the coalition, this NATO success at Noordwijk was dampened the next month by yet another former caveat-free TCN reverting to caveat-imposing status. In November, Portugal not only announced its intention to severely reduce its forces in Afghanistan from 165 commandos to 15 OMLT personnel and one C-130 aircraft, but

also re-imposed ‘operationally restrictive caveats’ to once again become a caveat-imposing nation.<sup>64</sup> Despite American and NATO entreaties to remove these new caveats, moreover, with diplomatic efforts beginning immediately following Portugal’s change in posture on the caveat issue, Portugal would remain a caveat-imposing nation for another two years until December 2009.<sup>65</sup>

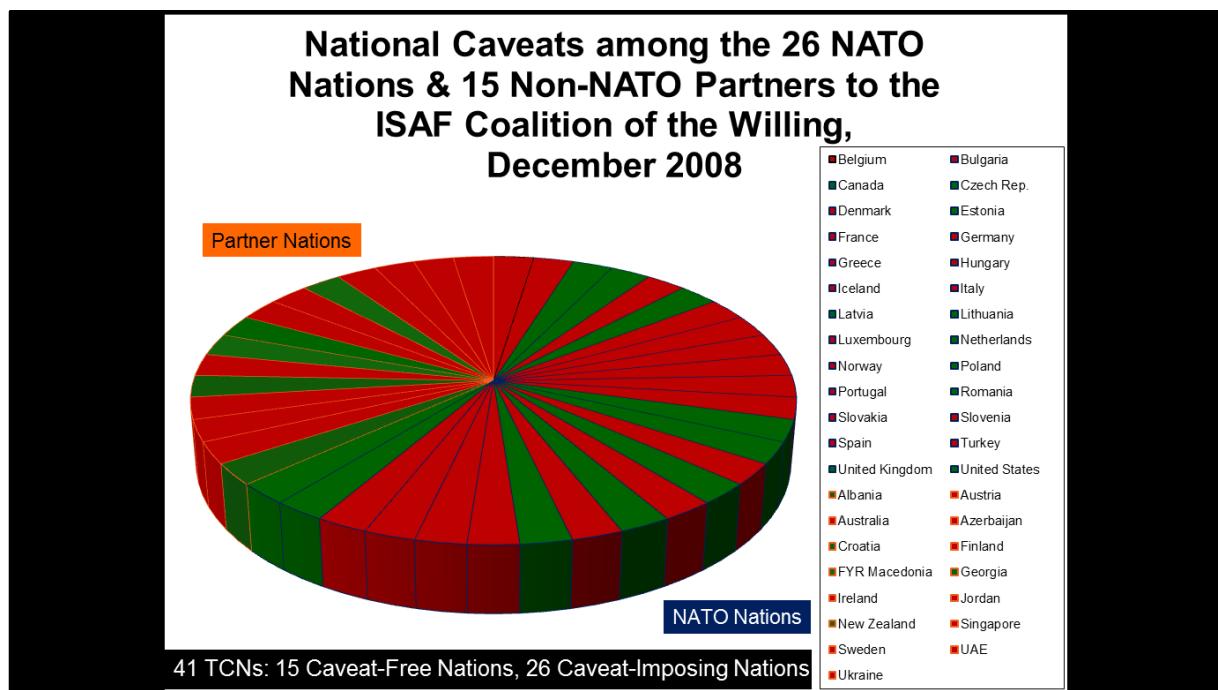
In fact, by the end of 2007 Portugal was named as one of the six ISAF TCNs (along with NATO nations Bulgaria, Greece, Italy, Spain and Turkey) to appear on an urgent prioritised caveat list at NATO’s Supreme Headquarters (SHAPE) since they were considered by NATO to have ‘operationally restrictive caveats that should be lifted quickly in order to give COMISAF maximum flexibility’. <sup>66</sup> Correspondingly, at the end of 2007 total caveat-free TCN figures had dropped again to 17 (comprising 44 percent of the coalition) out of 39 total TCNs, with the caveat-imposing TCN tally standing at 22 (56 percent).

## **2008**

Few changes took place amongst the caveat-free and caveat-imposing nations during 2008, despite the NATO Bucharest Summit in April, which many NATO officials had hoped would be the watershed moment on the caveat dilemma within the ISAF’s mission trajectory.<sup>67</sup> To the contrary, by the time of the summit, Partner nation Finland had actually re-imposed caveats which kept its contingent in RC-North, prohibited war-fighting offensive combat operations, and also forbade any deployment of its forces by the COMISAF to the south and east of Afghanistan.<sup>68</sup> The Finnish parliament also imposed a caveat banning Finnish military personnel from being deployed as part of battalion-level OMLTs, a move that left 145 Finnish personnel ‘slots’ vacant in Afghanistan until at least January 2010, 30 of which had been earmarked for OMLTs.<sup>69</sup> In fact in just over one year, the Finnish Foreign and Defence Ministers would together publicly and emphatically declare that Finland was not involved in a war in Afghanistan at all, but rather ‘difficult crisis management work’ under a UN mandate, even referring to the country’s ISAF contingent as merely ‘Finnish peacekeepers’.<sup>70</sup>

Following the Budapest Summit, Hungary too reneged on its Riga pledge and had re-imposed caveats on its PRT in RC-North by at least September of that year (see *Table 9.6*).<sup>71</sup> This re-imposition of caveats began with Hungarian objections to conducting counter-narcotics operations, a newly mandated activity area within the ISAF mission after Budapest.<sup>72</sup> Indeed, in its desire to avoid being officially listed again as a caveat-imposing TCN, Hungary attempted for some time to keep active narcotics interdiction operations out of the ISAF’s official mandate completely, preferring to keep the area as a voluntary ‘opt-in, opt-out’ activity.<sup>73</sup>

Furthermore, all of the new ISAF TCNs joining the ISAF in 2008 joined the ISAF as caveat-imposing nations (refer to APPENDIX 5). These new caveat-imposing TCNs included the following non-NATO Partner nations: the Ukraine (a participant in the Intensified Dialogue phase of NATO's membership process); the UAE; and Singapore.<sup>74</sup> Finally, one caveat-imposing Partner TCN to the mission, Switzerland, actually terminated its involvement with the ISAF coalition – the first ISAF TCN to do so – completely withdrawing its forces from the mission in Afghanistan as of 1 March 2008, thereby ending its military engagement in the ISAF.<sup>75</sup> The result of this overall increase in caveat-imposing TCNs within the mission, as of December 2008, is depicted below in Graph 9.7.



*Graph 9.7 – Caveats & the ISAF Coalition (December 2008): Pie graph displaying the caveat-free and caveat-imposing ISAF force contributions nations as of December 2008, with nations named and arranged by NATO and Partner nation TCN groupings.*

The Swiss government had made this decision in November 2007, determining to withdraw all its military forces from the ISAF mission in Afghanistan within four months.<sup>76</sup> The decision was taken in the wake of the burgeoning insurgency in Afghanistan, which the ISAF was required to address as a matter of course in its quest to bring security and stability to Afghanistan. Indeed, seemingly in keeping with its tradition of neutrality, the Afghan insurgency seems to have been the principal reason for Switzerland's withdrawal from the mission, or more specifically, the reality that as a TCN of the ISAF, Switzerland was required to 'pick a side' and allow its security forces to become involved in the fight against extremist insurgent enemies. In evidence of this, Samuel Schmidt, the head of the Swiss department of Defense, Civil Defense and Sports, claimed publicly to the media that the Swiss decision to withdraw from the mission was based on 'situational changes' in Afghanistan and the changing 'nature of the deployment' as part of the ISAF.<sup>77</sup> Namely, that the mission had become 'a

peace enforcement operation rather than a peacekeeping duty'.<sup>78</sup> This was especially the case in the Afghan south, Schmidt argued, where the peacekeeping support operation had 'gradually transformed into an operation fighting the insurgents'.<sup>79</sup>

Interestingly, it was not only the insurgency *per se*, but also national caveats on security forces within the context of this insurgency that played a role in the Swiss decision to terminate its involvement with the ISAF mission. Schmidt underlined this connection in his announcement of the Swiss withdrawal intimating that: 'Even in areas where only a few isolated insurgents are active, necessary *self-protective measures [caveats] of the troops make it nearly impossible to carry out the order*. In areas, where the Taliban regain strength, reconstruction work has become largely impossible' [emphasis added].<sup>80</sup> The Swiss government seemed to imply by this that, operations along all lines of operations – security, R&D and governance – within Afghanistan during 2007 were simply impossible to perform if conducted by cavaeted forces. Since Swiss forces were situated in RC-North (2 staff officers based at the German PRT at Kunduz), one must assume that this remark was made in reference to this northern sector under German Lead Nation command, although clearly the comment reflects a reality experienced throughout the other ISAF Regional Commands as well, wherever caveats imposed by either Lead Nations or subordinate supporting nations had been in force.<sup>81</sup>

## 2009

The year 2009 was the second most remarkable year in the record of caveat imposition within the ISAF, which resulted in the most dramatic substantive changes in the tally of caveat-free NATO nations since 2006. This is because it was in this year that two large, militarily-capable and seemingly impervious NATO nations finally eliminated their national caveat restrictions from all their ISAF forces in Afghanistan. These nations were Italy and France, Lead Nations within the mission, which had both remained caveat-imposing nations of the mission since 2001, despite multiple public and private calls and appeals over a period of more than seven years.

In May 2009 under the leadership of newly re-elected Prime Minister Berlusconi, Italy at last bowed to U.S. and NATO pressure by completely eliminating its national caveats from approximately 2,350 Italian ISAF forces.<sup>82</sup> In doing so, Berlusconi not only responded affirmatively to a specific request from the Obama administration in April, but also simultaneously delivered on an earlier promise made to President George W. Bush in June 2008 after Berlusconi's election victory, to work to remove the geographical and mission-related caveats then restricting Italian security forces within its sector of RC-West.<sup>83</sup> In confirmation of this major change, Italy was subsequently named as one of the caveat-free ISAF force contributors on a cable issued from Secretary of State Hillary Clinton in the U.S. State Department.<sup>84</sup>

Following in Italy's footsteps, France, which until 2009 had allowed only one of its battalions operating in RC-East to function without caveat restraints, also eliminated all of its caveats imposed on approximately 2,780 French forces in the Afghan theatre in June 2009.<sup>85</sup> Indeed, during a meeting with U.S. embassy officials in Paris in September, one of the Elysée diplomatic advisors would subsequently emphasise that France now not only operated 'with no limits or caveats on its troops', but was also 'totally engaged' in Afghanistan (implying implicitly that it had not been in previous years).<sup>86</sup> In fact, by the end of 2009 France was cited as one of the small group of NATO nation TCNs with 'few if any caveats', and was considered to: 'provide sizable forces that are not handicapped by restrictive "combat caveats" which prevent forces from participating in the full range of counterinsurgency operations'.<sup>87</sup> France also appeared on the caveat-free TCN list issued from U.S. Secretary of State Hillary Clinton in December 2009.<sup>88</sup>

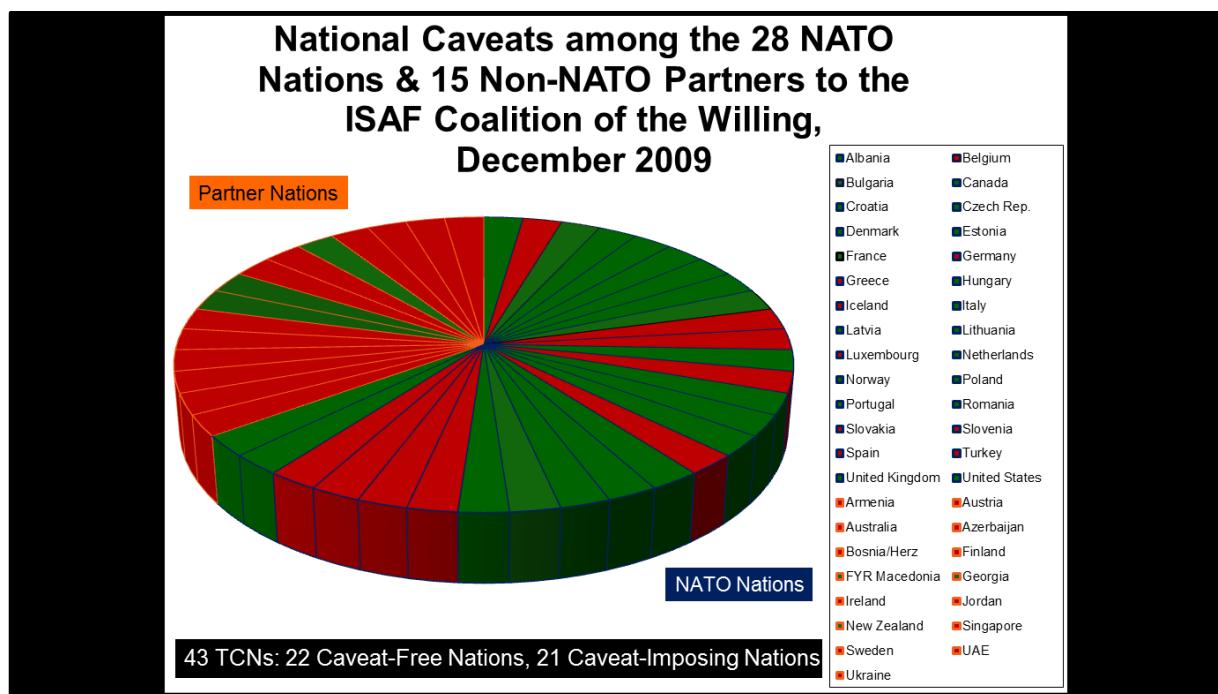
Like Italy and France, long-time caveat-imposing nation Bulgaria similarly eliminated its political restrictions from its forces for the first time to become a caveat-free TCN within the ISAF by June of 2009 (refer to *Table 9.6*). Since the end of 2007 and the failure of the Noordwijk meeting, Bulgaria had featured as one of the six NATO nations featured on SHAPE Headquarter's 'prioritized list' of TCNs imposing the most operationally restrictive caveats within the NATO-led mission.<sup>89</sup> The dramatic change in the Bulgarian stance on the caveat issue seems to have been brought about by a specific request through private, diplomatic channels from the Obama administration in April 2009, in which the Bulgarian government was asked to 'lift caveats' from its forces in Afghanistan.<sup>90</sup> Whatever the impetus for the change, Bulgaria was subsequently cited in September of that year as being 'a pretty reliable ally' in Afghanistan with forces operating 'without any of its own caveats'.<sup>91</sup> 'Bulgarian forces do not operate under any national caveats', a U.S. State Department cable similarly emphasized in December.<sup>92</sup>

The second round of urgent Obama appeals also reaped a few additional changes in the ranks of the caveat-free and caveat-imposing TCNs within the ISAF mission at the end of 2009. Four countries, which had once been caveat-free but subsequently re-imposed caveats, once again altered their caveat position and eliminated – for the second time – all of their national caveat restrictions from their forces operating in Afghanistan. These TCNs included Norway, Denmark, Portugal and Hungary.

In terms of Norway, a U.S. State Department cable reveals that as early as September 2009 all of the Norwegian opposition parties wanted to remove their one existing geographical caveat restricting Norwegian QRF forces in Afghanistan, a caveat which had been introduced by the 'ultra-leftwing' Socialist Norwegian government in 2006.<sup>93</sup> Following Norwegian general elections that same month, in which two of these opposition parties were elected into power (the Progress Party and the Conservative Party), this caveat was finally removed from Norwegian QRF units. Consequently, by

December Norway was ranked amongst the list of caveat-free ISAF force contributors issued by the U.S. State Department.<sup>94</sup> Denmark, which had similarly re-imposed national caveats on its ISAF contingent in June 2007, also eliminated its caveats in December, subsequently appearing along with Norway on the same list of caveat-free TCNs.<sup>95</sup> Portugal, which had since 2007 appeared as one of the six NATO nations featured on SHAPE Headquarter's prioritised list as a TCN imposing the most operationally restrictive caveats within the ISAF mission, likewise followed suit in December 2009.<sup>96</sup>

Finally Hungary, which had imposed a disconcerting series of caveats following its first reversal back to caveat-imposition in September 2008 (including caveats forbidding not just drug eradication operations but also combat operations, the firing of weapons in self-defence, mine-clearing, and patrols anywhere apart from main roads), also eliminated its caveats from its ISAF forces for the second time in December to become officially 'caveat-free'.<sup>97</sup> In doing so Hungary, was responding positively to a specific U.S. request made on 1 December 2009 'to seriously consider removing caveats on their PRT and OMLT in Baghlan Province', and subsequently appeared on the State Department list of caveat-free ISAF TCNs.<sup>98</sup>



Graph 9.8 – *Caveats & the ISAF Coalition (December 2009)*: Pie graph displaying the caveat-free and caveat-imposing ISAF force contributions nations as of December 2009, with nations named and arranged by NATO and Partner nation TCN groupings.

Consequently by the end of 2009, caveat-free TCNs within the ISAF had grown significantly by six NATO nations to peak at a total of 22 caveat-free ISAF TCNs. This figure is the highest that caveat-free TCNs ever climbed to in the history of the ISAF mission in Afghanistan between 2003-2012. Three of the six newly caveat-free nations – Italy, France and Bulgaria – had removed their caveat

restrictions for the first time in their history of ISAF force contributions. During the same year non-caveated Partner nations Albania and Croatia, which had been invited to join NATO at the 2008 Bucharest Summit, also officially became members of the NATO alliance on 1 April 2009, thereby altering the number of NATO and Partner nations contributing forces to the mission. Meanwhile Bosnia Herzegovina & Armenia, two new Partner TCNs to the mission, had both contributed their ISAF forces bound by caveat fetters (Bosnia Herzegovina had been invited at the 2008 Bucharest Summit into the NATO ‘Partnerships for Peace’ programme as a first step towards NATO membership).<sup>99</sup> The resultant caveat picture among ISAF force contributors in December 2009 is depicted in *Graph 9.8*.

By the end of December, caveat-free NATO nations had increased by nine from 10 to 19 (Albania and Croatia, in addition to Italy, France, Bulgaria, Norway, Denmark, Portugal and Hungary), in comparison with 9 NATO caveat-imposing TCNs (Belgium, Germany, Greece, Iceland, Luxembourg, Slovenia, Slovakia, Spain and Turkey). Meanwhile, caveat-free Partner nations had shrunk from five to only three (New Zealand, FYR Macedonia and Georgia), with caveat-imposing Partner numbers rising from 10 to 12 (Armenia, Austria, Australia, Azerbaijan, Bosnia-Herzegovina, Finland, Jordan, Ireland, Singapore, Sweden, UAE and the Ukraine).

However, this caveat triumph within NATO – the culmination of many years of work and persuasion to compel or convince ISAF NATO nations to eliminate their caveats from forces in Afghanistan – was to be short-lived. Within only a few months the number of caveat-free TCNs within the ISAF coalition would begin to regress once again.

## **2010**

In late April 2010 NATO’s SHAPE Headquarters released its official bi-annual caveat report which indicated that only 20 of the 47 ISAF TCNs were at that point of time contributing forces not restrained by national caveats.<sup>100</sup> These same figures were also reported in the quarterly U.S. Pentagon report to Congress on ‘Progress toward Security and Stability in Afghanistan’, released in November 2010.<sup>101</sup>

The decrease in caveat-free TCNs within the mission during 2010 is attributable to decisions by two Lead Nations, the United States and the Netherlands, to impose caveats on their forces – in the case of the United States for the first time in its history of involvement with the ISAF mission. American caveat imposition began when the ‘Obama surge’ of some 30,000 marines deployed to Afghanistan between January-June of 2010 (see endnote).<sup>102</sup> Approximately 15,000 of these additional U.S. personnel were deployed to reinforce the 4,000 U.S. marines that, together with 9,000 British forces,

had been conducting major combat operations against Taliban forces and strongholds in Helmand Province since July 2009.<sup>103</sup>

However, unlike the remainder of the surge troops or their U.S. force counterparts operating in RC-East, they did so with national caveat ‘exceptions’ in their ROE – a phenomenon unprecedented in the history of American participation in the ISAF mission. As COL Douglas Mastriano from the U.S. Army War College recently articulated on the matter: ‘The US is equally culpable of its own caveats. These range from independent combat operations, exclusive applications of force, segregated communication systems, and exclusive reporting’.<sup>104</sup> Indeed, U.S. caveats reportedly led to great frustration among the American marines and their commanders operating in Helmand Province, to the point that by June 2010 negative reports on American ROE made international headlines over a period of several months. ‘Rules of engagement for U.S. troops are “too prohibitive for coalition forces to achieve sustained tactical successes”’, proclaimed one such article in *The Washington Post*.<sup>105</sup> ‘Obama’s rules of engagement in Afghanistan will ensure our failure’, declared another.<sup>106</sup>

The caveats led not just to frustration, however, but also to negative effects within Helmand Province on the interoperability of U.S. and U.K. forces and C<sup>2</sup> within RC-South – even extending to the COMISAF, General McChrystal himself. As Danish NATO expert, Sten Rynning elaborates: ‘The Marines that moved into Helmand Province came with a handful of caveats of their own – caveats that impacted on the British and the whole regional command and also (then-Commander Gen. Stanley) McChrystal’s own command of the campaign’.<sup>107</sup> Moreover, these caveats continued to impede American activities throughout subsequent years as the marines continued operations alongside British, Danish, Estonian and ANSF forces in RC-Southwest (following the division of RC-South into two sectors in June 2010, with Helmand and Nimroz Province becoming part of the new RC-Southwest command) with the aim of ‘extending the authority and influence of the Afghan government’ in Northern and Central Helmand.<sup>108</sup>

In fact, three years later in May and June 2013, American forces were reportedly operating under additional new ANSF-related caveats that restricted them to predominantly an ‘observer’ role within the mission. To illustrate, U.S. forces were prohibited from either assisting or intervening to rescue native Afghan security forces that, as of 18 June, held full responsibility for maintaining security against insurgents in their country, such as through partnered combat units, or the provision of air support or medical evacuation helicopters – an approach referred to as ‘tough love’.<sup>109</sup>

The Netherlands, as a Lead Nation in the volatile Afghan south and one of the few caveat-free TCNs in the region after Riga, had for some years been feeling the strain of carrying more than its fair share of the heavy burden of combating insurgents to secure Afghanistan. After first threatening in 2007 to

withdraw its ISAF forces early, as a direct result of caveat imposition by its allies, the Dutch government had subsequently delivered on its threat and decided to end its combat role and begin withdrawing all of its forces from the mission in 1 August 2010, nearly five years ahead of the official 2014 mission end-date (only appeals by the Netherlands' other non-caveated NATO allies between 2007-2009 prevented this Dutch withdrawal from occurring two years earlier in August 2008, discussed further in Chapter 13).<sup>110</sup>

Given the on-going force shortages in the country, however, and the dearth of combat-capable forces due to the number of TCNs still imposing caveat restraints on their forces, the United States had urged the Netherlands to extend their mandate and delay their withdrawal from Uruzgan Province by one more year, from 2010 to 2011.<sup>111</sup> Following this request, a heated and controversial debate ensued over the issue in the Hague, with a stalemate appearing between the main parties of the governing coalition which had ruled Holland for three years. The result was the collapse of the Dutch government on 20 February 2010, when one of the coalition parties (the Labor Party) withdrew from the coalition.<sup>112</sup> With elections scheduled for June, this event had immediate consequences for the approximately 2,000 Dutch forces operating in the Afghan theatre of war: it signalled that the end of the Netherlands' combat mission, its 'Lead Nation' status, and the redeployment ('Phase V') of Dutch forces from Afghanistan would irreversibly commence on 1 August 2010, with the bulk of Dutch forces withdrawn from Afghanistan by the end of the year (leaving behind several F-16 jets and a few ANSF OMLT teams).<sup>113</sup>

The Netherlands thus became the second ISAF TCN after Switzerland – but the very first NATO country, Lead Nation and key combat force contributor – to withdraw from the ISAF mission. The Dutch contingent which had begun its participation in the ISAF with caveats, subsequently became caveat-free, then struggled with and suffered because of caveat-imposing allies, was eventually compelled to terminate its combat participation in the mission and accordingly reimpose combat prohibition caveats in August 2010.

Caveat-imposition by the U.S. and the Netherlands meant that the overall caveat-free numbers declined to 20 by August 2010 (representing 42 percent of the ISAF coalition), in contrast with 28 ISAF TCNs which were caveat-imposers (comprising 58 percent of the coalition). The latter was comprised of 11 NATO nations and 17 Partner nations. This high number of Partner caveat-imposers is indicative of the fact that new TCNs to the ISAF mission were contributing their forces bound by caveats, in full knowledge of – and seemingly in spite of – the on-going negative effects national caveats were having within the ISAF mission (discussed in Chapter 8 and in greater detail in Section IV of this research). Indeed, caveat imposition increased in 2010 when new Partner TCNs Montenegro, Mongolia, South Korea, Tonga and Malaysia each deployed their national contingents

constrained by these caveat operational ‘brakes’.<sup>114</sup> In the absence of any information to the contrary, El Salvador and Bahrain – other Partner nations to join the mission in 2011 and 2012 respectively – seem likewise to have contributed their forces bound by the caveat fetters that had already wreaked so much havoc within the mission for some ten years.

## **2011-2012**

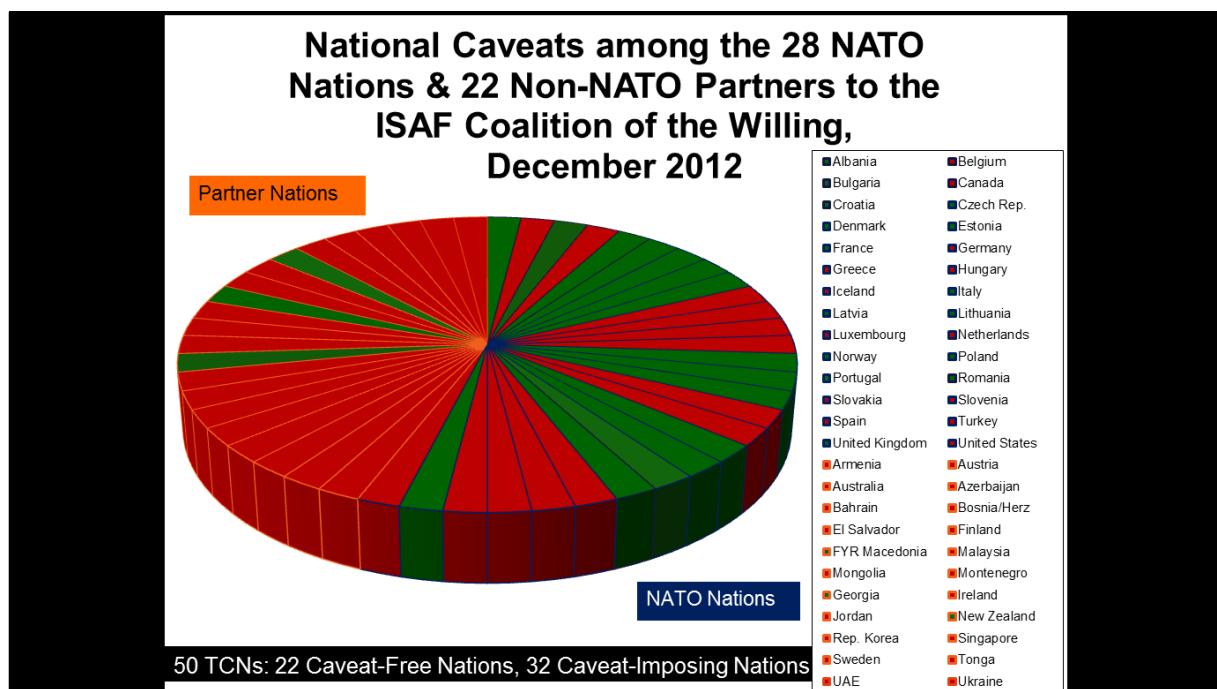
Caveat imposition would augment even further amongst the NATO force contributors of the ISAF, however, due to the fact that two NATO nations each re-imposed national caveats on their Afghan forces in subsequent years. Indeed, while the last official figures of caveat-free TCNs were released in 2010, information made available in subsequent years reveal that both Canada and Hungary reverted to caveat-imposing TCN status in 2011 and 2012 respectively, reducing the tally of ISAF caveat-free nations from 20 to 18 by the end of 2012.

Canada, another Lead Nation in the Afghan south, ended its combat role in the ISAF in July 2011. Like the Netherlands, Canada had for some years warned of a precipitous withdrawal from the mission if other NATO allies did not provide greater assistance in combating the insurgents in southern Afghanistan. When additional help was not forthcoming, the Canadian government publicly announced on 21 February 2008 that it would end Canada’s combat mission and withdraw all Canadian combat forces from Afghanistan by the end of 2011, with the redeployment of all Canadian forces from RC-South commencing in Kandahar Province in July 2011 (discussed further in Chapter 13).<sup>115</sup>

Canada thereby became the third ISAF TCNs – and the second NATO nation, Lead Nation and major force contributor – to end its combat role within the NATO-led Afghan mission. This meant that, from January 2012 onwards, Canadian forces remaining in Afghanistan no-longer took part in combat operations or operated at all within the ISAF’s RC-South sector, but instead limited their activities to the training of Afghan security forces and the provision of security for PRT reconstruction units in other sectors of Afghanistan.<sup>116</sup> As a result of this decision, and much like the Dutch before them, it is highly likely that caveat restraints were reimposed by Canada in order to guarantee its new limited, non-combat role within the ISAF mission.

Finally, Hungary – a nation which had twice in its history been ranked as a caveat-imposing TCN, and twice before also eliminated its national caveats at the Riga Summit in November 2006 and more recently in December 2009 – changed its caveat stance for a fourth time in 2012. Indeed, Hungary is reported as having very strict caveats in effect amongst its forces in Baghlan Province by at least August 2012.<sup>117</sup> The lack of any further citation of caveat-free ISAF TCNs in U.S., British or NATO

documentation between 2011-2012 seems to suggest that no other NATO or Partner nations eliminated their caveats after this point in time. Consequently by December 2012, the end of the research period, it appears that there were 18 caveat-free TCNs out of a total of 50 nations contributing forces to the Afghan mission, comprising 36 percent of the ISAF coalition. By comparison 32 TCNs were caveat-imposing nations, comprising some 64 percent of the coalition, the majority of which were comprised of non-NATO Partner nations (19 Partner nations in contrast with 13 NATO nations). The proportion of caveat-free and caveat-imposing TCNs to the ISAF coalition as of December 2012, representing the end of the research period under review, is depicted below in *Graph 9.9*.



*Graph 9.9 – Caveats & the ISAF Coalition (December 2012): Pie graph displaying the caveat-free and caveat-imposing ISAF force contributions nations as of December 2012, with nations named and arranged by NATO and Partner nation TCN groupings.*

## Conclusion

This chapter has quantified the available caveat data gathered in the course of this research by providing the numbers and percentages of caveat-free and caveat-imposing TCNs within the ISAF mission between the years 2003-2012. In addition to numerical figures, moreover, it has qualified this information, by identifying precisely the nations represented by these numbers during each of these years, with reference to old and new NATO and Partner nations to the Afghan campaign. In this way this chapter has drawn a clear picture of the caveat landscape within the mission, year-by-year.

From this overview, several deductions can be made. Firstly, it is evident that a number of nations have vacillated in their position on national caveats in the ISAF over the years. TCNs that have made two or more alterations in their caveat status include Norway, Greece, Denmark, Slovenia, Portugal, Finland, Hungary, the Netherlands and Canada. Of all these nations, Hungary holds the sole distinction of having made the transition between a caveat-imposing and a caveat-free ISAF nation four separate times over the six-year period between 2006-2012, ending as it started as a caveat-imposing TCN.

Secondly, the group of nations that have remained constant in their caveat-free position over many successive years during this period, after first eliminating their caveats prior to or following the NATO Riga or Noordwijk meetings, include: the United States (7 years, with the exception of its Helmand marines between 2010-2012), the United Kingdom (10 years), New Zealand (10 years), Canada (5½ years, until the Canadian withdrawal in 2011), Poland (7 years), the Netherlands (4½ years, until the Dutch withdrawal in 2010), Romania (7 years), Estonia (7 years), the Czech Republic (7 years), Latvia (7 years), Lithuania (7 years), FYR Macedonia (6 years) and latterly Georgia (6 years), Albania (6 years) and Croatia (6 years).

Thirdly, a large group of TCNs whose membership dates back to NATO's assumption of command over the ISAF in August 2003, have remained caveat-imposers within the coalition for the duration of the research period – without alteration. These TCNs include NATO nations Belgium, Germany, Iceland, Luxembourg, Slovakia, Spain and Turkey, in addition to Partner nations Azerbaijan, Ireland, Sweden, and – until its withdrawal in 2008 – Switzerland.

Finally, of the new nations contributing forces to the mission over the period, nearly all of them (15 of 16 TCNs, with the sole exception of Georgia) have joined the mission as caveat-imposers. These new TCNs, which not only joined the ISAF as caveat-imposing nations, but also additionally refrained from altering the caveat status of their forces in Afghanistan in the years following their initial troop contributions include: Austria, Australia, Jordan, Singapore, the Ukraine, the UAE, Bosnia-Herzegovina, Armenia, Montenegro, Mongolia, the Republic of Korea (South Korea), Tonga, Malaysia, El Salvador and Bahrain.

The following chapter will continue this analysis of the extent of the caveat problem within the ISAF mission in Afghanistan. The chapter will, first of all, address the caveats in relation to the proportion of the ISAF force, as a whole, which has been limited by these restrictions in the course of ISAF security and stability operations. Subsequently, the chapter will focus on the total numbers and scope of the national caveat rules themselves, each of which has been recorded as being imposed on ISAF

national contingents over the past decade. Namely, it will provide total official caveat figures, in addition to details regarding the diversity in content contained by these numerous restrictive caveats.

## **CHAPTER 10**

### **Analysis: Caveated ISAF Forces & the Number & Range of Imposed Caveat Restrictions**

The preceding two chapters have introduced the ISAF mission's caveat dilemma, tracing not only the negative development of the caveat issue over the course of the mission, but also providing total numerical figures of caveat-free and caveat-imposing ISAF TCNs over this period. The specific nations whose caveat decisions served to alter these numbers over time were also identified. This chapter seeks to continue this analysis of the extent of the caveat problem within the mission by focusing on the nature of the caveat problem itself. Namely, the chapter will provide more precise information as to the proportion of the ISAF force, as a whole, that has been affected by TCN government-imposition of national caveats over the research period 2002-2012. Furthermore, it will provide analysis of both the numbers and types of national caveat rules that have constrained these ISAF forces in their operations over the past decade.

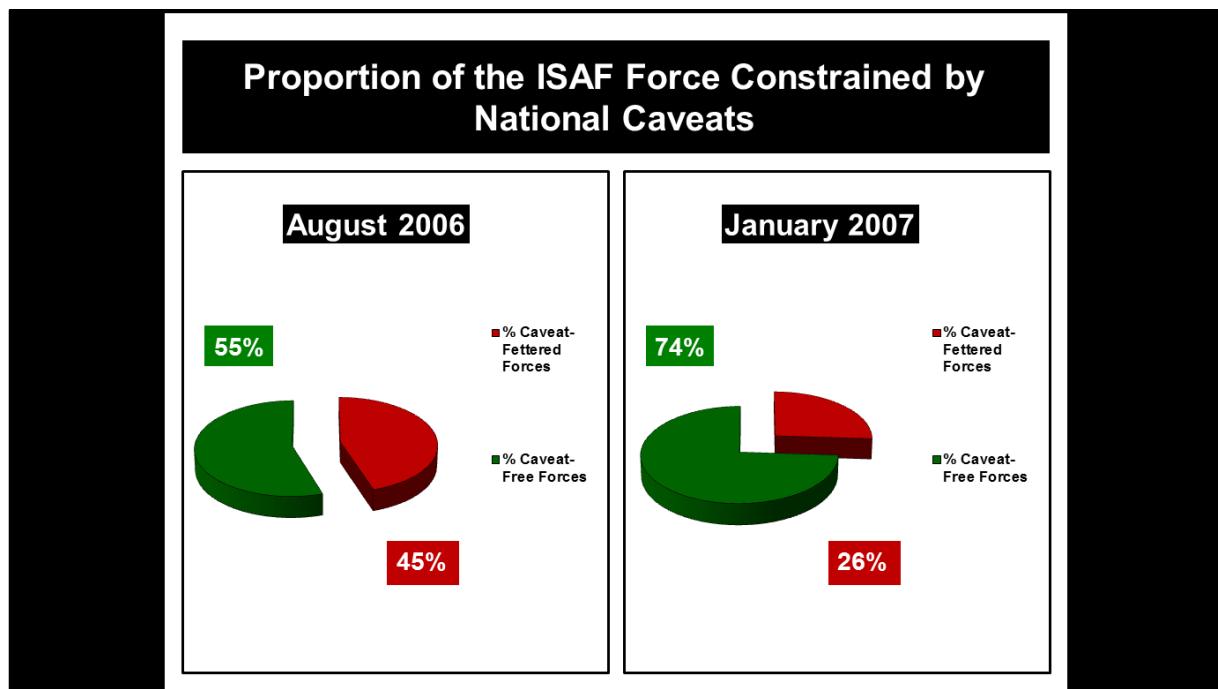
The chapter will do this by: firstly, addressing the proportions of the total ISAF force that have been operating with caveat fetters within the mission over the research period; secondly, discussing and illustrating the high numbers of caveat rules of engagement which have been imposed on this proportion of the ISAF force over the same period; and lastly, presenting the wide diversity of restrictions that have been imposed on ISAF forces between 2002-2012, which have correspondingly affected a wide range of operations.

#### **National Caveats: Ham-stringing the ISAF Force**

One of the most important factors to play a role in amplifying the severity of the caveat impediment within the ISAF mission concerns the proportion of the ISAF force affected by the caveat restrictions imposed by coalition TCNs. It is perhaps no great surprise that the imposition of national caveat fetters, by an almost continuously large majority of ISAF TCNs, has had a tangibly negative impact on the ISAF force itself. As indicated previously, the ISAF force has grown dramatically in size between 2001-2012, augmenting from 4,000 personnel deployed by 17 TCNs in December 2001 to approximately 102,011 personnel deployed by 50 TCNs in December 2012.<sup>1</sup> Such overall figures are misleading, however, since a significant proportion of this force has continually been operating under caveat fetters that have limited not only where these forces have been permitted to go, but also what they have been legitimately allowed to do within the mission.

To illustrate, in August 2006 when the ISAF force stood at approximately 15,000 personnel, ‘nearly half’ of these forces (an estimated 45 percent or 6,750 personnel) were reported as being constrained in their activities by national caveat constrictions (depicted in *Graph 10.1* below).<sup>2</sup> In January 2007 following the ISAF’s expansion eastwards, when the force had doubled in size largely due to the incorporation of approximately 14,000 caveat-free U.S. forces (which formerly operated in the parallel OEF mission), this percentage of cavaleted forces correspondingly dropped significantly to stand at 26 percent – roughly a quarter of the force (see *Graph 10.2*).<sup>3</sup> By the end of 2007, when the ISAF force had grown again to approximately 41,741 personnel, an ISAF document reports that again a quarter of the force – then representing some 10,435 ISAF personnel – were operating constrained by 50 of the most harmful caveat restraints imposed on ISAF forces.<sup>4</sup> As the Editors of the *Small Wars Journal* stated in December:

Various sources have reported that up to a quarter of ISAF’s forces maintain up to 50 caveats that seriously restrict missions deemed acceptable and limits the areas of operations these forces will deploy to...The most common complaint is the restrictions these caveats place on locking forces into irrelevant missions in the relatively peaceful north while ISAF forces in the south fight a steadily growing and capable insurgency.<sup>5</sup>

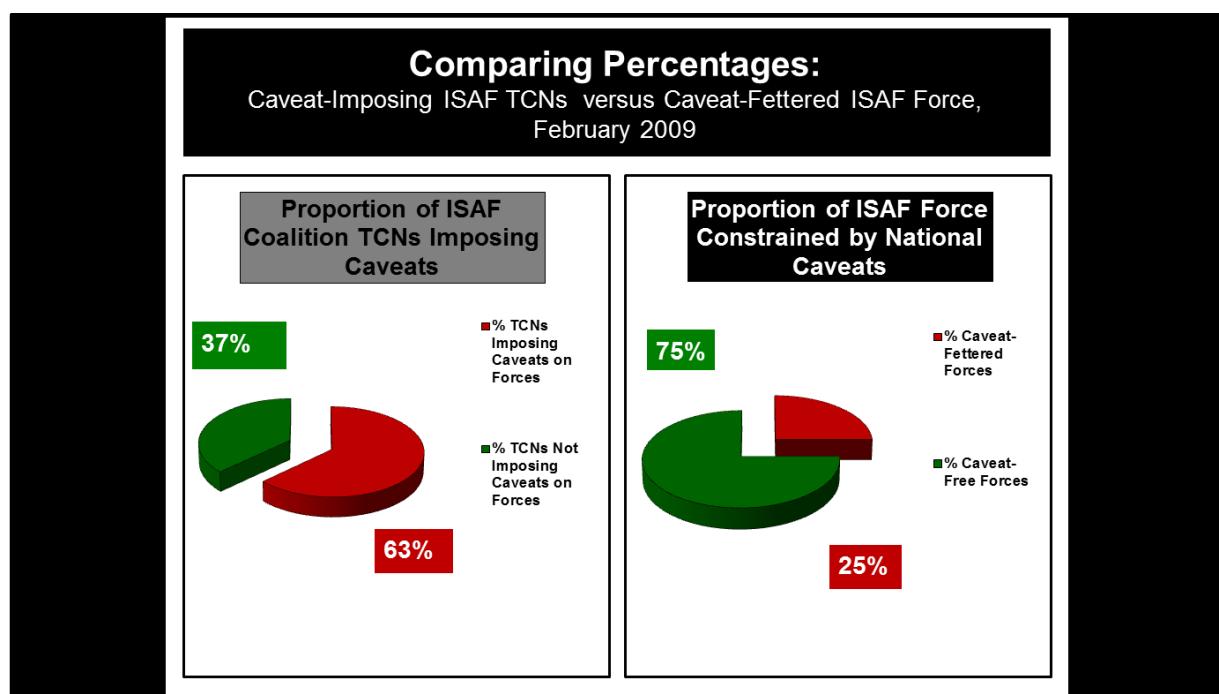


*Graphs 10.1 & 10.2 – Percentages of Caveat-Fettered and Caveat-Free Forces within the ISAF (2006-2007): Pie graphs showing the proportion of the entire ISAF force operating under government-imposed politico-legal national caveats that restrict their activities within the mission, August 2006 – January 2007.*

In January 2009, just over a year later, a Pentagon report stated that ‘over half’ of the ISAF coalition nations had ‘some form of geographical and/or functional caveats on their forces in Afghanistan’.<sup>6</sup> From the caveat data presented in the preceding chapter (*Table 9.1*), one can see that indeed 26 of the 41 TCNs – representing 63 percent of the entire coalition – were imposing caveat restraints at this

time. Sloan echoed this finding the next month in February 2009, stating that approximately half of the ISAF national contingents had ‘some sort of restrictions on their operational capacities, relating to geographic deployment, mission profiles, and the use of force’.<sup>7</sup>

Given the disproportionality of contingent sizes and capabilities between the caveat-free and caveat-imposing TCNs, however, this large majority does not translate directly to force numbers, especially given the caveat-free status of over 23,000 American forces within the mission in early 2009.<sup>8</sup> Consequently, although approximately half of the ISAF TCNs were imposing caveats on their national forces in early 2009, this does not equate to half of the ISAF force as a whole being constrained by the caveat restrictions. In fact, when the official force figures provided by ISAF Headquarters are divided into two groups of caveat-free and caveat-fettered forces, it becomes clear that the proportion of the ISAF force constrained by caveats at this point of time once again equates to a quarter – exactly 25 percent – of the ISAF force in February 2009 (see *Graphs 10.3 & 10.4 below*).



*Graphs 10.3 & 10.4 – Comparing Percentages: Pie graphs comparing the percentage of total ISAF coalition TCNs imposing caveats on their national forces in Afghanistan, with the total percentage of the ISAF force that has been impacted and constrained by this caveat imposition, as of February 2009.*

In order to demonstrate a more accurate picture of the total numbers and percentages of ISAF forces constrained by national caveat fitters over the research period, a table of official total TCN force numbers has been compiled (available between January 2007 – December 2012), which has been further categorised by the caveat-imposing or caveat-free status of the TCNs. These ISAF TCN force figures combined with their classification into caveat-free and caveat-fettered forces, based on the caveat data of this research presented in the preceding chapter, are shown in *Table 10.5*.

KEY:		-- Not yet a TCN	X TCN exited	Forces without caveats	Forces with caveats	
# ISAF TCNs	37	40	41	44	48	50
DATE	JAN 2007	FEB 2008	FEB 2009	FEB 2010	FEB 2011	JAN 2012
NATION	TOTAL FORCE STRENGTH (# PERSONNEL)					
Albania	30	140	140	255	250	286
Armenia	--	--	--	0	40	126
Australia	500	1,070	1,090	1,550	1,550	1,550
Austria	5	3	1	2	3	3
Azerbaijan	20	50	45	90	95	94
Bahrain	--	--	--	--	--	95
Belgium	300	370	410	575	530	520
Bosnia & Herzegovina	--	--	--	10	45	55
Bulgaria	100	420	510	540	610	598
Canada	2,500	2,500	2,830	2,830	2,905	556
Croatia	130	190	270	295	290	312
Czech Republic	150	135	415	440	470	626
Denmark	400	780	700	750	750	750
El Salvador	--	--	--	--	--	24
Estonia	90	130	90	150	160	154
Finland	70	105	110	95	165	156
France	1,000	1,515	2,780 (600)	3,750	4,000	3,916
FYR Macedonia	120	130	170	165	165	163
Georgia	--	1	1	175	925	935
Germany	3,000	3,210	3,460	4,415	4,920	4,818
Greece	170	150	140	15	135	154
Hungary	180	230	360	315	520	413

Iceland	5	10	8	3	5	4
Ireland	10	7	7	8	7	7
Italy	1,950	2,880	2,350 (60)	3,150	3,770	3,952
Jordan	--	90	4	0	0	0
Latvia	35	100	160	175	135	175
Lithuania	130	260	200	165	180	237
Luxembourg	10	9	9	9	9	11
Malaysia	--	--	--	--	30	46
Mongolia	--	--	--	--	60	114
Montenegro	--	--	--	--	35	37
Netherlands	2,200	1,650	1,770	1,940	195	166
New Zealand	100	115	150	220	235	188
Norway	350	495	490	500	415	433
Poland	160	1,100	1,590	1,955	2,490	2,475
Portugal	150	160	30	105	115	118
Rep. Korea	--	--	--	--	245	350
Romania	750	535	900	945	1695	1,876
Singapore	--	2	20	40	50	39
Slovakia	60	70	120	240	300	329
Slovenia	50	70	70	70	80	79
Spain	550	740	780	1,070	1,470	1,488
Sweden	180	345	310	410	500	500
Switzerland	5	2	X	X	X	X
Tonga	--	--	--	--	55	55
Turkey	800	675	700	1,755	1,825	1,845
Ukraine	--	--	10	8	20	23
United Arab Emirates	--	--	25	25	35	35
United Kingdom	5,200	7,800	8,300	9,500	9,500	9,500

<b>United States</b>	<b>14,000</b>	<b>15,000</b>	<b>24,900</b>	<b>47,085 (15,000)</b>	<b>90,000 (15,000)</b>	<b>90,000 (15,000)</b>
<b>TOTAL ISAF FORCE</b>	<b>35,460</b>	<b>43,250</b>	<b>56,420</b>	<b>85,795</b>	<b>131,983</b>	<b>130,386</b>

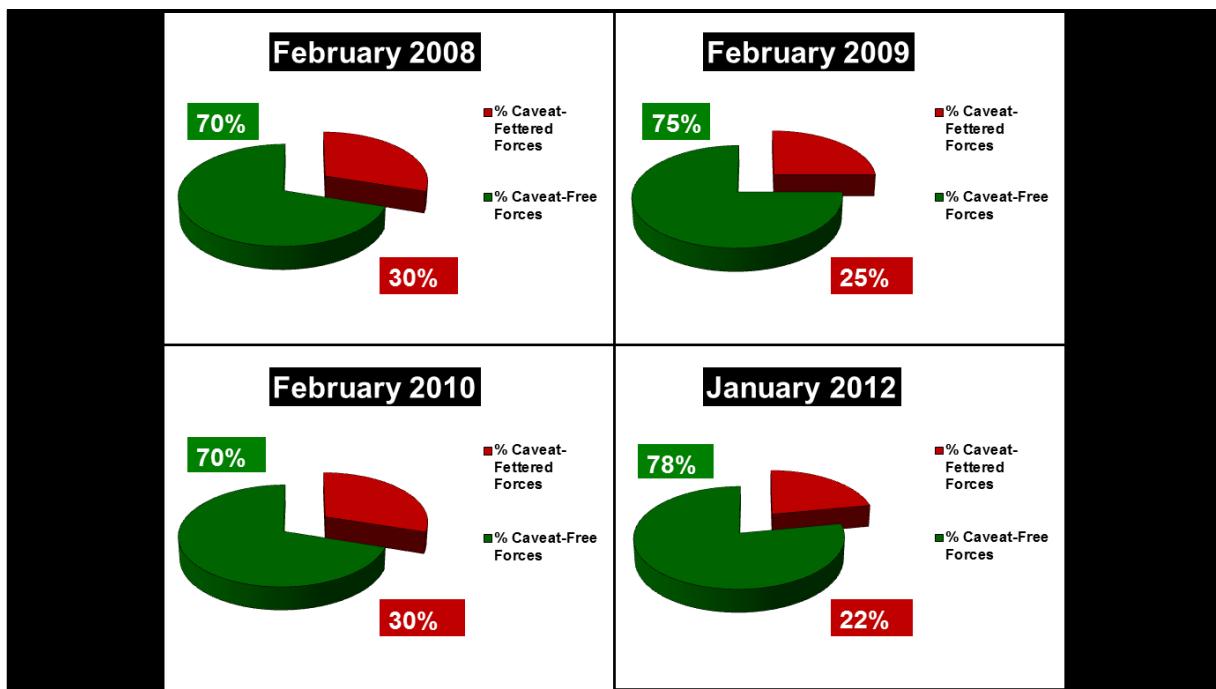
*Table 10.5 – Fettered Force Numbers (2007-2012): The total yearly numbers of caveat-free and caveat-fettered forces within the ISAF mission between January 2007-January 2012, based on the caveat data of this research combined with official force figures provided by ISAF Headquarters (including caveat-free or caveated exceptions made by France, Italy and the United States).<sup>9</sup>*

These total TCN force numbers have also been converted into percentages with respect to the total ISAF force over the six-year period between 2007-2012. These percentages of caveat-free and caveat-fettered forces within the entire ISAF force as a whole over this period, and the calculations carried out to acquire these overall percentages, are shown below in *Table 10.6*.

# ISAF TCNs	37	40	41	44	48	50
Year	JAN 2007	FEB 2008	FEB 2009	FEB 2010	FEB 2011	JAN 2012
Total # Caveat- Fettered ISAF Forces	9,155	12,973	13,879	25,390	27,404	28,279
Total # Caveat- Free ISAF Forces	26,305	30,271	42,546	60,405	104,580	102,107
Total ISAF Force	35,460	43,250	56,420	85,795	131,983	130,386
Percentage of Caveated Forces	26%	30%	25%	30%	21%	22%
Percentage of Caveat- Free Forces	74%	70%	75%	70%	79%	78%

*Table 10.6 – Total Fettered Forces & Percentages: The total yearly numbers and percentages of caveat-free and caveat-fettered forces within the ISAF mission between January 2007-January 2012, based on the caveat data of this research combined with official ISAF force figures.*

One may see by these calculations that, in actuality, approximately one whole quarter of the total ISAF force (between 21-30 percent) has operated under caveat restraints between January 2007 – January 2012. This has occurred regardless of changes in force strength over this five-year period, or indeed the increase in total numbers of TCNs contributing forces to the mission from 30 to 57 nations (see *Graphs 10.7-10.10* shown below). This signifies that, for the duration of the ISAF campaign in Afghanistan, a substantially large percentage of the total ISAF force have been operationally fettered in the way in which it could be employed by the COMISAF in pursuit of mission objectives.



*Graphs 10.7-10.10 – The Abiding Caveated Quarter of the ISAF Force: Pie graphs showing that roughly a quarter of the ISAF force has continued to be bound by caveat restrictions in their operations over the five-year period between 2008-2012.*

Moreover, due to the increase in total ISAF TCNs, in addition to increasing overall force contributions in response to rising insecurity in Afghanistan from 2006 onwards, this percentage of cavedated forces has representing an ever-augmenting number of ISAF personnel. Consequently, while the caveat-fettered percentage of the ISAF force has continued to stand at roughly a quarter over the period under review, the real ‘camp’ of cavedated forces within the mission has actually tripled, rising from approximately 9,155 caveat-fettered personnel in January 2007 to 28,279 cavedated personnel by January 2012.

In sum, it is evident from this overview that large and increasing numbers of successive national military contingents, deployed to the Afghan theatre of war to operate as part of the NATO-led ISAF coalition over the period of a decade, have been deployed severely and heavily bound in their

activities by restrictive national caveats imposed by their own national governments, to the detriment of force flexibility within the mission.

One can not truly fathom the impact this reality has had on the prosecution of the mission, however, and especially on the principle of unity of effort, without reference to the numbers and range of national caveats that have consistently bound approximately one-fourth of the ISAF force over the past decade. Indeed, quite apart from caveat-free and caveat-imposing TCN figures, there have also been high official numbers of caveat rules imposed on cavaleted forces within the mission over this period, encompassing a very wide-ranging variety of limitation and prohibition ROE. The following is an account of these caveat numbers and their fluctuations over the course of the Afghan mission, followed by a description of the range of national caveats imposed by ISAF TCNs.

## The Number of Caveat Restrictions within the ISAF

Another factor that has amplified the effects of caveat imposition within the ISAF mission relates to the high numbers of caveat restrictions in themselves, that have been imposed on this continually cavaleted quarter of the ISAF force. In the description of these numbers that follows, it is important to understand that the numbers alluded to refer only to written caveats that have been declared by TCN governments to the ISAF and/or NATO. The numbers do not include ‘undeclared’ written caveats – referred to as unofficial or informal caveats – which national governments have imposed on their national ISAF forces without declaring them either to NATO or the COMISAF at ISAF Headquarters, and which therefore remain classified information known only to the governments imposing them.

In addition, the numbers do not include unwritten, ‘verbal’ operational caveats, known as ‘*de facto* restrictions’, the content of which is largely unknown within the mission and learnt only on a case-by-case basis, as these unofficial force restrictions are exposed in the course of operational planning and execution.<sup>10</sup> Indeed, Auerswald & Saideman stated in 2009 that: ‘The number of informal and unstated caveats is not known’.<sup>11</sup> This is despite the fact that this class of restrictions has been alluded to by the United States government as having effects ‘even more severe than [official] caveats’.<sup>12</sup>

One must consequently keep in mind, during the following numerical analysis of the declared and written caveat numbers during the mission, that in fact the scale of caveat imposition within the ISAF multinational force is likely to be much larger and more severe than these official reported numbers can ever convey. Indeed, the unofficial tally of ISAF caveats is perhaps best indicated by the immense range of caveats unearthed by this research, to be discussed later in this chapter.

### **Caveat Numbers: 2001-2006**

Due to the classified nature of government caveats on national armed forces in Afghanistan, precise caveat numbers have on the whole remained secret, and therefore unknown, during much of the ISAF mission. This is especially the case during the early years of the mission, when the caveat problem was still regarded as a small – but still highly classified – nuisance.<sup>13</sup> According to one military expert, this secrecy surrounding the number and content of these caveats has had as much to do with preventing the great embarrassment of ‘many European nations’ should the full list become known, as keeping the Enemy ignorant of what ISAF forces could not do.<sup>14</sup>

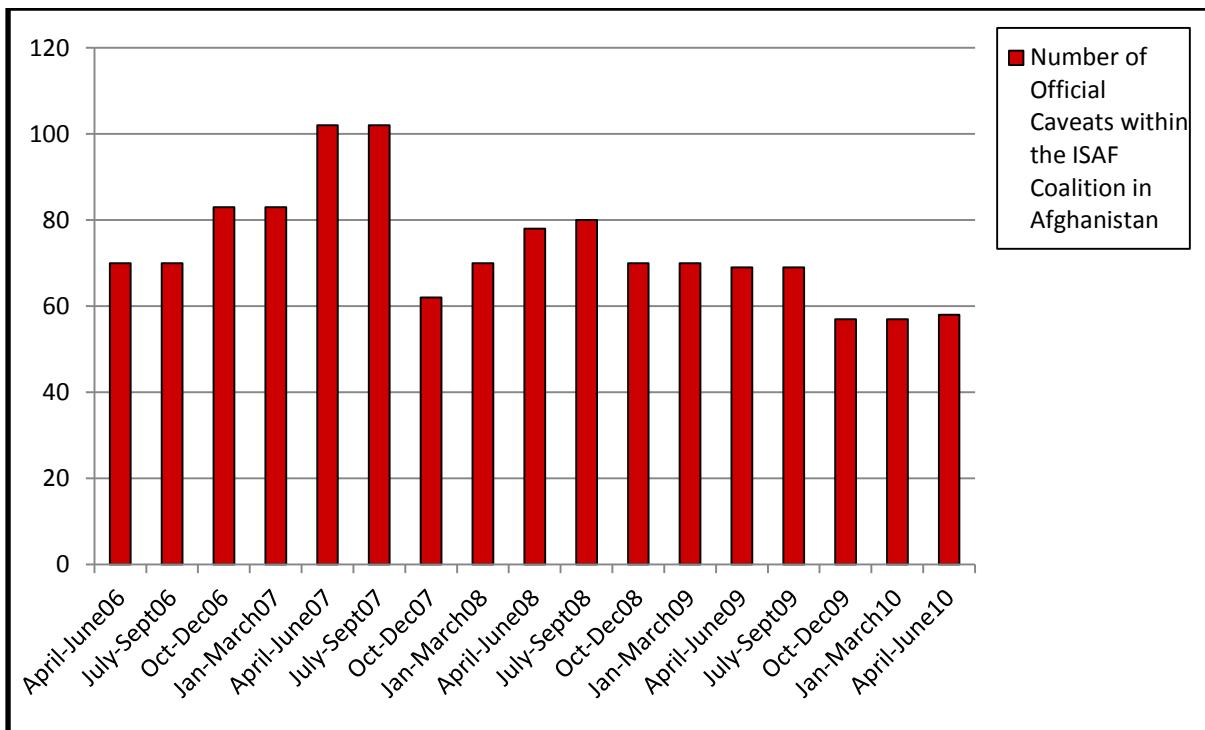
The first public indication of caveat numbers, and therefore the scale of caveat imposition within the ISAF force, did not in fact occur until early 2006, over four years after the ISAF mission commenced in Afghanistan. From this time onwards, caveat numbers continued to be released to the public from time to time, generally by way of official NATO or ISAF reports, media conferences and statements, but also occasionally appearing in media interviews with NATO, ISAF or TCN government officials. It is consequently possible to trace the rise and fall of these known numbers of declared, written caveats during the course of the Afghan campaign until mid-2010, when the final numbers of national caveats within the force were made available to the public. From these statistical fluctuations one can also identify the most significant periods of time in the course of the mission, during which caveat imposition by coalition force contributors either escalated or declined, resulting in a rapid increase or decrease of official national caveat numbers within the force.

The very first revelation as to the scale of caveat imposition within the ISAF force in Afghanistan occurred in March 2006, as the ISAF was in the midst of its third expansionary stage southwards to take command of RC-South. NATO commanders, speaking on the condition of anonymity, claimed that existing national caveats were an on-going and significant source of problems within the coalition. While exact numbers remained classified, the commanders revealed that the classified NATO document, which contained the list of declared caveats by ISAF force contributors, was so large it could best be described as a ‘book’ and was ‘the size of a large city phone directory’.<sup>15</sup> A few months later in mid-2006, as the ISAF’s southern expansion neared completion, better clarity on caveat numbers was afforded when it was ascertained that this document contained a total of at least 70 national caveats.<sup>16</sup> With 37 TCNs contributing to the coalition at this time, this figure suggested: firstly, that a significant proportion of the ISAF force contributing nations were imposing national caveats on their national contingents; and secondly, that within this large proportion, it was likely that a large number were imposing more than one caveat on their deployed forces. Indeed, as *Graph 10.1* illustrated previously, the latter was in fact the reality with approximately 45 percent – or nearly half – of the total ISAF force bound by caveat restrictions as of August 2006.

By the NATO Riga Summit on 29 November 2006, it was reported that ‘scores’ of caveats continued to inhibit the movement and operations of ISAF forces across Afghanistan.<sup>17</sup> As a result, NATO Secretary General de Hoop Scheffer and NATO SACEUR General Jones were both determined to reduce the number of caveats imposed on ISAF forces by NATO nations. In preparation for this, the 37 countries then contributing forces to the ISAF were asked by de Hoop Scheffer prior to the summit to declare their caveats, by supplying a complete and up-to-date list of both their written and unwritten ‘de facto’ caveats to the NATO Secretariat for discussion at the Riga Summit.<sup>18</sup> As one U.S. official explained with regard to the Riga Summit’s goal: ‘We want all forces to be available to commanders on the ground. We can’t have forces who don’t go to certain places and do certain things’.<sup>19</sup> In particular, de Hoop Scheffer and Jones were anxious to eliminate a group of at least 50 combat-related caveats within the total number of caveats then imposed on the ISAF, which Jones described as ‘national restrictions that interfere with troop manoeuvres and effectiveness’.<sup>20</sup>

Nevertheless, despite the intense pressure brought to bear at the summit, de Hoop Scheffer and Jones were to be disappointed. First of all, in terms of caveat numbers generally, although a large group of NATO TCNs did eliminate all of their national caveats to become ‘caveat free’, reportedly resulting in a ‘15% reduction in the 50 operationally significant caveats affecting ISAF’, an overall diminution in caveat numbers was nevertheless paradoxically and quizzically not achieved.<sup>21</sup> In fact, to the contrary, the new NATO SACEUR General Bantz Craddock later revealed that national caveat numbers actually increased following the summit, rising from 70 to 83 by the end of the next month in December 2006 (see *Graph 10.11*).<sup>22</sup>

Secondly, moreover, these two highest-ranking NATO officials were unsuccessful in persuading NATO force contributors to the ISAF to remove the 50 most severe combat-related caveat restraints then imposed on ISAF multinational forces. It seemed evident that the high numbers of combat caveats imposed on the ISAF force during 2006, many of which actually forbade involvement in offensive or ‘war-fighting’ combat operations, was indicative of reluctance and hesitation amongst ISAF TCNs to have their forces participate in the more robust, kinetic operations that might be necessary, now that the ISAF had expanded into the more hostile southern and eastern regions of the country where Taliban insurgents maintained a stronger presence.<sup>23</sup>

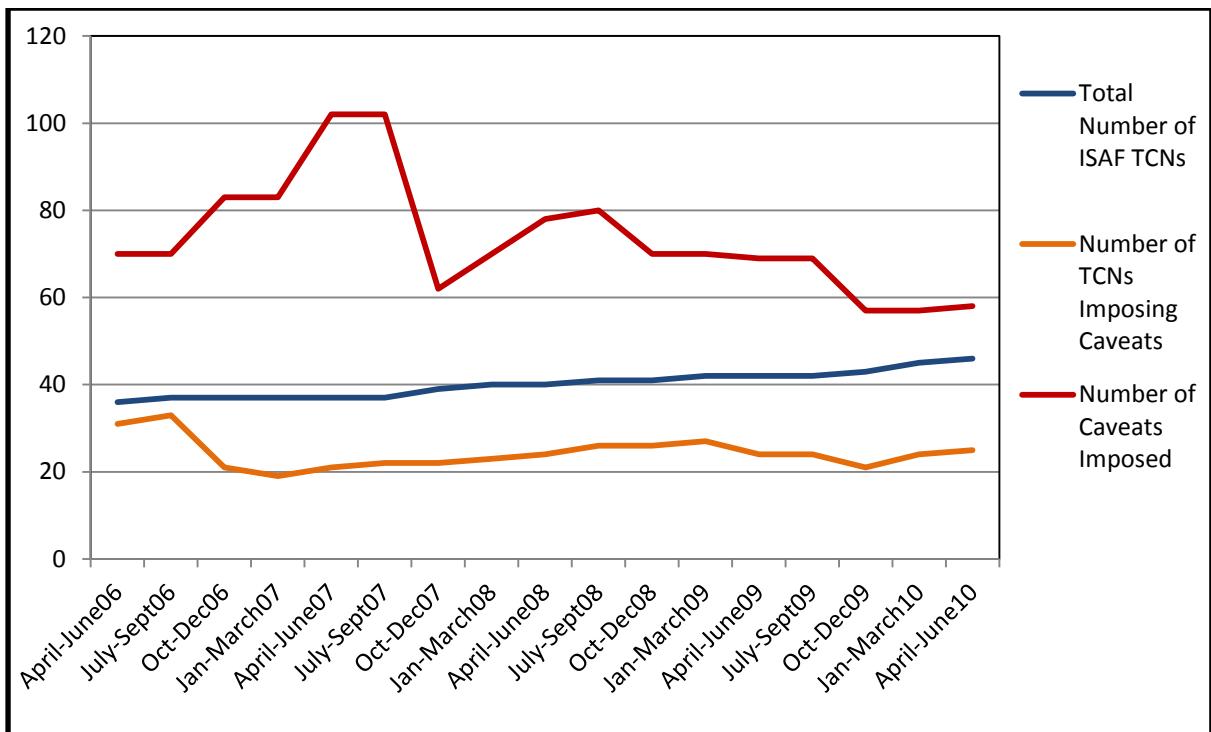


Graph 10.11 – Total Numbers of Declared Caveat Rules within the ISAF Force: Official reported numbers of national caveats imposed on ISAF forces, 2006-2010.

### Caveat Numbers: 2007

In fact, rather than decreasing, caveat imposition by ISAF TCNs actually increased rather dramatically during the subsequent period, as the mission entered the third mission phase of the OPLAN – *Stabilisation*. Despite NATO claims that further progress ‘in removing or limiting the scope of national caveats’ had been made since Riga, by mid-2007 the number of caveats imposed on the ISAF force had escalated from 83 to peak at a total of 102 caveat restraints within the ISAF force, many of which forbade national forces from taking part in real war-fighting operations against Afghan insurgents.<sup>24</sup>

This marked rise in caveat numbers in early 2007 seems difficult to explain. The total number of TCNs contributing forces to the ISAF had remained static over the seven-month period since the Riga Summit, signifying that the increase in caveat imposition within the force could not be related to the addition of new caveat-imposing TCNs to the mission. Furthermore, the number of caveat-imposing nations amongst these TCNs at the end of November 2006, compared with the end of June seven months later in 2007, remained unchanged, standing at 16 caveat-imposing TCNs (depicted in Graph 10.12).

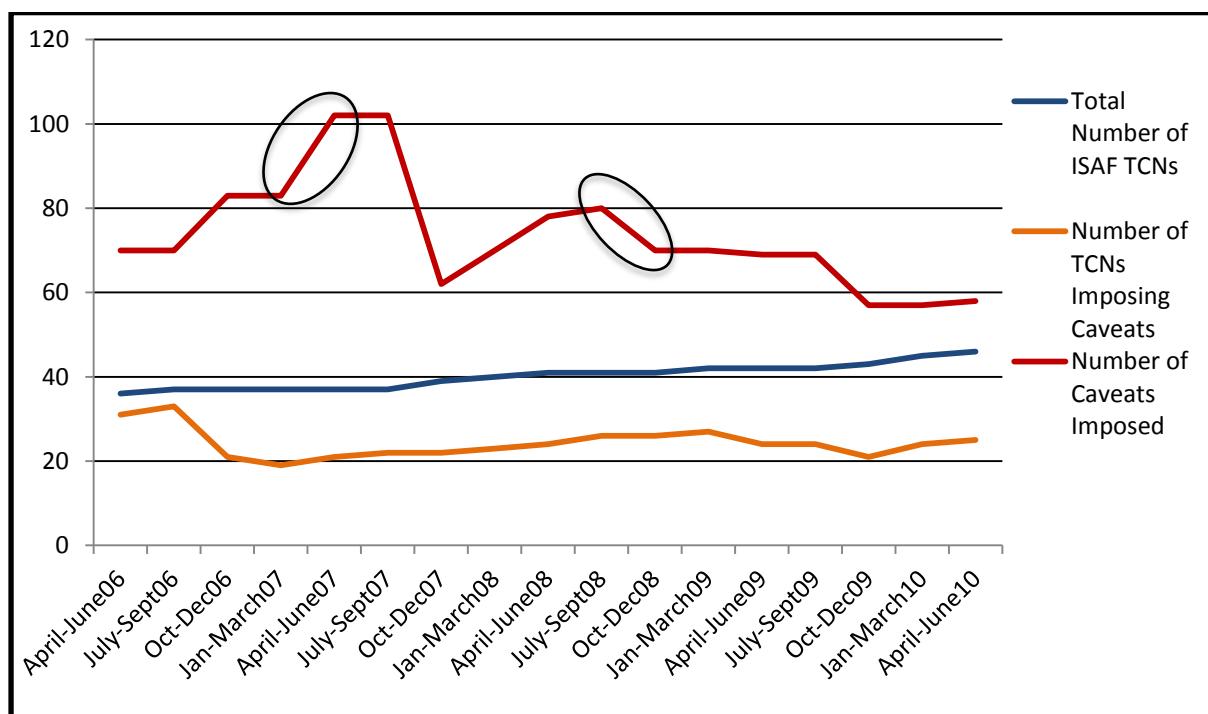


*Graph 10.12 – Comparing Numbers: Graph showing the numbers of national caveats imposed on ISAF forces, 2006-2010, in contrast with the total number of cavedated TCNs, in addition to the total number of ISAF TCNs.*

It seems possible that this escalation in caveat restrictions within the ISAF may have owed in part to the declaration of formerly unwritten caveats following Riga, and in part to a general increase in ISAF combat caveats in reaction to the series of offensives that rolled out against insurgents in the Afghan south and east during the early months of 2007. The increase in numbers may also be attributable to efforts by TCNs to prevent national forces participating in ‘counter-insurgent’ operations, since it was at Riga that the ISAF had officially adopted a COIN strategy for the ISAF campaign for the first time.

It is more probable, however, that a significant proportion of the rise in caveat numbers in early 2007 occurred as a result of the widespread imposition of counter-narcotics caveats, imposed to prohibit national contingents from conducting any active role in counter-narcotics operations. Prior to the NATO Riga Summit, ‘sensitivity’ among the ISAF TCNs had formerly limited the ISAF mandate with respect to this important area of activity, permitting only an indirect, passive role for ISAF forces in drug interdiction within the country.<sup>25</sup> Given the connection between the illicit Afghan drug trade and the Afghan insurgency, however, whereby opium production was supplying funding for the various Afghan insurgent movements operating in the country (not least the Taliban), NATO had begun at Riga to argue for a broadening of this mandate whereby ISAF would assume a direct, active role in counter-narcotics operations.<sup>26</sup>

It logically follows that opposition to such an active role may have materialized in the form of narcotics caveat restrictions following the Riga Summit. Indeed, evidence of this narcotics source for caveat imposition within the ISAF during this time can be found in the fact that one year later in 2008, when the ISAF was officially given a broader mandate to undertake these operations, caveat numbers also correspondingly decreased as narcotics caveats were removed from national continents by ISAF TCNs (see *Graph 10.13* below). The imposition of narcotics caveats following Riga may subsequently be seen as an attempt by many of the ISAF TCNs to prevent narcotics interdiction from becoming officially incorporated into the NATO/ISAF mandate.



*Graph 10.13 – Numbers & Counter-Narcotics Caveats (2006-2008): Graph showing increase and decrease in national caveats within the ISAF coalition which may be attributable to the imposition of, and subsequent removal of, counter-narcotics caveats against an active ISAF role in narcotics interdiction.*

Whatever the cause, the reality of over one hundred national caveats within the operational ROE of ISAF's 37 national contingents was soon creating security chaos on the ground within the Afghan mission. In fact it was soon reported that of the 102 caveats imposed on ISAF forces, at least half of these caveats were 'having an immediate, and adverse, impact on combat operations'.<sup>27</sup> 'The alliance is on the back foot in combat operations due to the fact that only a handful of countries are actively involved in fighting the insurgency', claimed senior diplomats and military officials, who contended the credibility of NATO was in jeopardy.<sup>28</sup>

This was particularly the case in the ISAF's southern Regional Command. Indeed, caveats were creating so many problems in the conduct of the combat offensives in RC-South that in March, during the course of Operation Achilles, senior British military commanders angrily denounced operational caveats and those countries who had not removed them, Germany and France – two powerful NATO members and Lead Nations of RC-North and RC-Capital respectively – foremost among them.<sup>29</sup> It seemed that, as previously in 2006, the 50 most severe combat-related caveat restraints were again interfering with force manoeuvres and effectiveness, and thereby acting as impediments to ISAF operations.

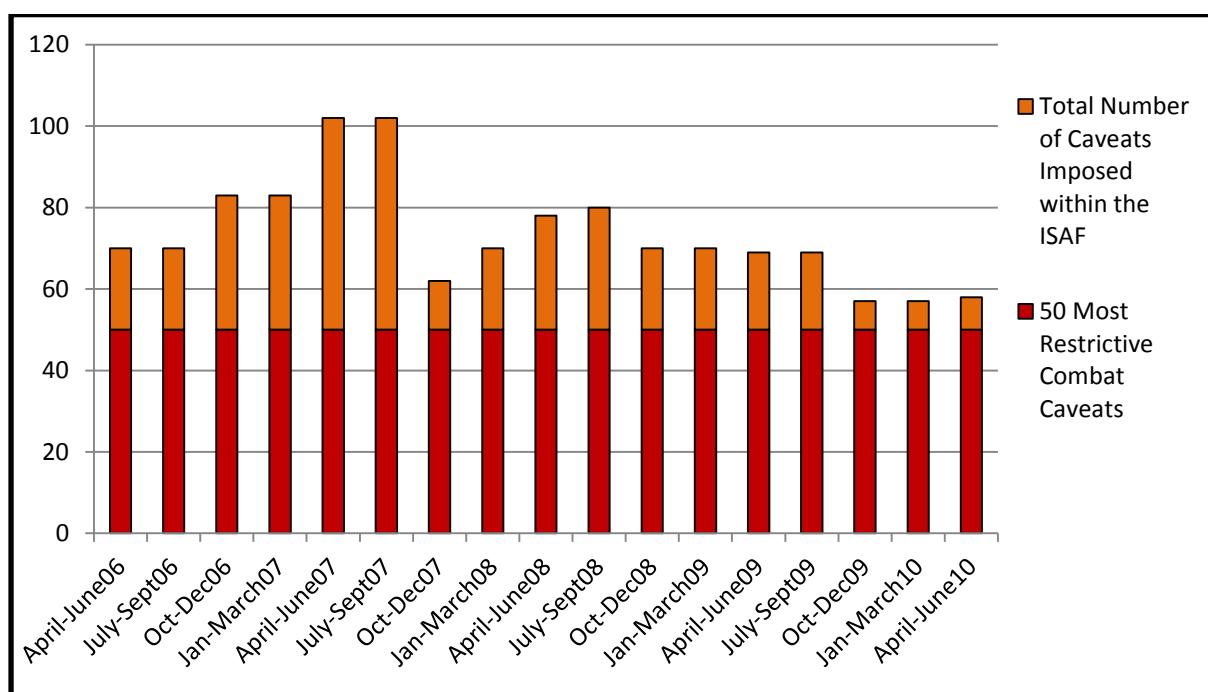
On 24-25 October 2007, NATO defence ministers met in the Dutch town of Noordwijk where a concerted push was again made to loosen or reduce the number of caveats imposed on the ISAF force. It was only at this point of time – nearly six years after ISAF began its mission in Afghanistan – that, following many persuasive arguments, appeals and warnings on ISAF's caveat impasse, a significant reduction in national caveats imposed on the force was finally achieved. Namely, by the close of the meeting the number of declared caveats imposed on the ISAF force had decreased from 102 to 62 – a massive and record diminution of 40 official national caveats (refer to *Graphs 10.11 and 10.12*).<sup>30</sup> Nevertheless, the new figure of 62 official caveats within the force still represented a substantial number of restrictions imposed on a wide variety of ISAF national contingents.

Indeed, of these 62 remaining caveats constraining the activities of the ISAF force, the 50 most restrictive combat caveats which NATO officials had continually attempted to remove since the Riga Summit of 2006, still remained intact and in force on ISAF personnel at the end of the Noordwijk meeting. Two months later in December 2007, ISAF Headquarters confirmed this reality, revealing that the quarter of the ISAF force bound by caveat restrictions – then comprising more than 10,435 personnel out of a total force of 41,741 – were still operating under this insidious group of caveats, considered to be the ‘most harmful’ caveats of all the caveats imposed on ISAF forces.<sup>31</sup> According to officials, these 50 caveats were also continuing to ‘seriously restrict missions deemed acceptable’ by NATO and ISAF Headquarters, and to restrict ‘the areas of operations these forces will deploy to’.<sup>32</sup>

### **Caveat Numbers: 2008**

In January 2008 NATO’s SHAPE Headquarters released its bi-annual internal ‘Caveat Report’, in which each caveat restriction imposed on ISAF forces within the Afghan mission was ranked by the degree of their negative impact on force flexibility into ‘significant’ and ‘marginal’ categories of caveats.<sup>33</sup> Although this report was classified, a U.S. Department of State cable reveals that the full list of declared TCN caveats contained in this NATO report filled no less than 24 full pages.<sup>34</sup>

By the time of the NATO summit in Bucharest on 2-4 April 2008, the political maelstrom over troop numbers and national caveats had degenerated into a full-blown international crisis both within NATO and the Afghan theatre. In particular, the 50 national caveats that continued to limit or prohibit offensive combat operations, in addition to the widespread imposition of caveats forbidding the deployment of national contingents to the ISAF's southern sector where the insurgency was the strongest, were the chief bones of contention. The continuing imposition of this group of combat caveats, widely imposed by ISAF TCNs over successive years within the ISAF mission, is depicted below in *Graph 10.14*.



*Graph 10.14 – Numbers & Abiding Combat Caveats: Graph showing the abiding presence of the 50 most restrictive combat caveats within the total numbers of national caveats imposed on ISAF forces between 2006-2010.*

Nevertheless, while rhetorically NATO Heads of Government and Heads of State reaffirmed their commitment to the Afghan mission at Bucharest, avowing their ‘determination and solidarity to fulfill operational responsibilities’ in the Afghan theatre, the reality was that the political impasses between the NATO allies emerged from the Bucharest Summit intact and seemed more and more insurmountable.<sup>35</sup> In fact, rather than diminishing, the ISAF’s caveat problem grew worse over subsequent months with caveat numbers increasing again in incremental stages, even as the ISAF struggled to prosecute *Phase III – Stabilisation* in the Afghan theatre of war.

In May 2008, one month after the NATO Bucharest Summit, the number of caveats imposed on ISAF forces had increased from 62 to 70.<sup>36</sup> By June this figure had escalated further from 70 to a total of 78 caveats, rising again to reach a total of 80 caveats imposed on ISAF forces the next month in July

2008.<sup>37</sup> According to NATO SACEUR General Craddock, these 80 caveats were inhibiting the ISAF mission across the entire campaign in Afghanistan. Indeed, Craddock argued that since the caveats restricted both the geographical mobility and tactical flexibility of many ISAF units, they were in fact ham-stringing NATO's capabilities and damaging ISAF efforts to suppress Afghanistan's flourishing insurgency.<sup>38</sup> As a result, they were materially preventing the ISAF from stabilizing the country, and consequently, from achieving its mission in Afghanistan.

At the subsequent meeting of NATO defence ministers in October 2008, NATO once again made a renewed effort to reduce the number of caveat restrictions that were continuing to constrain ISAF forces, and thereby, the ISAF mission in Afghanistan. A small reduction of national caveats within the ISAF coalition was here successfully achieved, decreasing from 80 to a total of 70 by the end of the meeting (refer to endnote).<sup>39</sup> Nevertheless, in spite of the international outrage on the issue of combat caveats in particular, the majority of the remaining 70 caveats imposed on the ISAF force continued to restrict national contingents from taking part in combat operations against insurgents along the security line of operation.<sup>40</sup>

### **Caveat Numbers: 2009-2010**

The total numbers of declared national caveats within the ISAF would remain fairly static into 2009, dropping by one to 69 in July.<sup>41</sup> However, as a U.S. Department of State report declared, these official numbers continued to include only the written caveats in place within the force that were 'known and officially documented at ISAF HQ', and thereby excluded both the numerous unwritten *de facto* and undeclared, written national caveats which, as the report argued, 'were often more severe than the former, and not well known within the ISAF coalition'.<sup>42</sup> Indeed, the difficulties relating to the official and unofficial numbers of national caveats imposed within the mission were a source of continuing concern within both NATO and ISAF Headquarters.

In June 2009 U.S. Navy Admiral James Stavridis, the commander appointed by NATO to take up the role of NATO SACEUR from departing General Craddock in July, commented on this complication to a U.S. Senate committee. Reporting that 69 official national caveats continued to restrict the ISAF in the conduct of its mission, Stavridis emphasized that this figure did not reflect the true caveat realities within the ISAF campaign.<sup>43</sup> Many caveats in force on national contingents continued to be 'unofficial' – that is either unwritten or undeclared – becoming apparent or reported only when an operation was 'underway'.<sup>44</sup> It was clear, however, that national caveats as a whole were continuing to take the form of geographical, AO, operational, combat, tactical, weather and time-related caveats, affecting the full spectrum of operations conducted by the ISAF in Afghanistan.

Indeed, the following month, upon relinquishing the role of SACEUR to Admiral Stavridis, departing General Craddock exposed in a blunt and candid interview that the 69 official caveats imposed on the ISAF' national contingents consisted of 'restrictions at every level', which were severely limiting the ISAF's operational capacity.<sup>45</sup> According to Craddock, these national caveats were 'a detriment to effective command and control, unity of effort and...command', that consequently not only 'increase the risk to every service member deployed in Afghanistan', but also 'bring increased risk to mission success'.<sup>46</sup> In a stinging rebuke of the ISAF nations, Craddock also highlighted the stubborn resistance of many ISAF force contributors generally to remove caveats from their forces, emphasizing that since assuming office in December 2006 it had taken 18 months of persuasion to induce ISAF TCNs to reduce caveats from 83 to 70 in May 2008.<sup>47</sup> 'Words like "urgent," "rapid" and "swift" better describe the demeanor and movement of a Galapagos tortoise than action in NATO,' Craddock remarked.<sup>48</sup>

Craddock's explosive disclosures seem to have had a great impact on caveat imposition within the ISAF force in subsequent months. By October 2009 total caveat numbers were successfully reduced from 69 to 57 – the lowest number of national caveats ever to be imposed on ISAF forces in the history of the Afghan mission.<sup>49</sup> Even more strikingly, this relatively low number of caveats imposed within the force continued to hold sway into the following year. Indeed, the tally of ISAF national caveats increased only by a factor of one during early 2010, rising from 57 to 58 in April 2010.<sup>50</sup> This slight increase is described in a U.S. Pentagon Report as owing to the addition of two new TCN nations in early 2010, namely Montenegro and Mongolia (both caveat-imposing nations).<sup>51</sup>

This official tally of national caveats remained static at 58 even into November 2010, despite the further addition of South Korea and Tonga as caveat-imposing TCNs to the ISAF mission (suggesting either the imposition of unofficial caveats by these new countries or slight variations in total caveat numbers amongst other caveat-imposing ISAF TCNs).<sup>52</sup> A U.S. Department of Defense report reveals, furthermore, that this number represents the totality of official national caveats imposed amongst the 27 caveat-imposing TCNs at that time. Since total ISAF TCNs numbered 47 by this time, the latter signifies that the majority of the mission's force contributors were continuing to impose caveats that had a severely detrimental impact to efficacy within the mission – even nine years after the beginning of the ISAF mission in 2001. As the November Pentagon report itself states:

Of the 27 troop-contributing nations with caveats, 20 nations limit operations outside of originally assigned locations (usually the province where they are based), conducting counternarcotics (CN) operations with ISAF (predominantly imposed by Allies in RC-South), and Rules of Engagement caveats (the majority being held by non-NATO nations). Nearly 40 percent of the caveats are geographically-based, representing a significant challenge for COMISAF as they limit his agility.<sup>53</sup>

This figure of 58 caveats in November 2010 is the last official number of caveats to be provided in either NATO or U.S. government documentation. The record and analysis of caveat numbers and the corresponding scale of caveat imposition within the mission must consequently end here in this research. The role that national caveats have played in hampering and hindering the ISAF mission in Afghanistan in these subsequent years has not reached a similar end-point however. Indeed, two U.S. Department of Defense reports released in April and December of 2012, two years on from the figures released above, continue to cite caveats as a major impediment to progress within the mission. As the reports both state:

Although some Allies and partners have reduced these caveats, national caveats continue to constrain ISAF operations by limiting the types of missions a given country's forces are authorized to undertake. Senior U.S. leadership consistently emphasizes the need to reduce national caveats in order to allow for the greatest operational effect.<sup>54</sup>

### **Caveat Numbers: Implications for the ISAF Mission**

Several conclusions may be reached from this account of caveat numbers over the course of the ISAF mission. Firstly, aside from the issue of ISAF caveat imposition itself, official national caveat numbers have posed a problem to the ISAF mission for the duration of the mission. Secondly, with caveats numbering more than fifty at any one time over the past decade, even doubling to peak at 102 in early 2007, it is clear that national caveats have been imposed on the ISAF force in high numbers for the duration of the mission. Thirdly, given these high caveat numbers, caveat restrictions have been imposed on ISAF units by a significant number and variety of TCN force contributors.

Fourth, with a group of 50 combat caveats continually represented among these caveat numbers, which NATO's top commanders have striven without success to remove over successive years, combat caveats represent a significant proportion of the total number of caveat restrictions. Fifth, combat caveats seem to also comprise the most harmful group of caveats of all the caveats imposed on ISAF units. Sixth, it has been either the formal declaration of informal *de facto* restrictions, and the imposition and removal of both combat and counter-narcotics caveats, that have together had the biggest influence in the rise and fall of national caveat numbers over the past decade.

Finally, as shown by the constant references to informal *de facto* caveat restrictions constraining the ISAF force, it is important to recognise that there have in reality been two stories of force restrictions occurring simultaneously throughout the ISAF mission in Afghanistan: the first being the 'official' national caveat history, as related here, drawn from official written and oral sources as well as unofficial journalistic and academic articles; and the second being the 'unofficial' account of undeclared or *de facto* restrictions, on which subject information is even more scarce, sketchy and classified than declared national caveats.

Consequently, the fact of a TCN being considered free of restraints in one category – that of officially written and declared national caveats – does not mean that this same TCN is free of restrictions in this second class of undeclared and verbal caveats. Due to the near complete absence of information or documentation on *de facto* restrictions, however, the story of informal caveats within the ISAF can not be told in the present research. Thus, it is only the account of formal national caveat imposition and their effects on operations within the mission that can be related and analysed in the following chapters. Nevertheless, it is plausible that the numbers and variety of informal caveats imposed on forces within the mission might emulate the pattern indicated by analysis of the formal, declared caveats presented in this chapter.

## **The Range of Caveat Restrictions within the ISAF Mission**

The immense variety or range of caveats, uncovered through the course of the research, constitutes a third significant factor exacerbating the severity of the caveat issue and its effects within the mission. Quite certainly, caveats have been imposed on ISAF forces to an unbelievable – arguably even unprecedented – degree within this multinational mission in Afghanistan. To be sure, the present research has discovered no less than 215 separate restrictions – comprised of both limitation ('yellow card') and prohibition ('red card') rules of engagement – that have been imposed on ISAF forces over the last decade between 2002-2012. These 215 caveats encompass a very wide range of restrictions, which is here organised by subject-area into twenty-one separate categories.

### **21 Caveat Categories**

These twenty-one categories of ISAF caveats comprise the following caveat groups. (1) *Mission* caveats relating to non-involvement in either the parallel OEF operation occurring within Afghanistan or other NATO operations; (2) *Theatre of Operations* caveats relating to force participation in ISAF operations in or near Pakistan and the Afghan-Pakistan border; (3) *Geographical* caveats forbidding the deployment of national forces to certain geographical locations within Afghanistan; (4) *Regional* caveats confining national operations within the boundaries of specific Regional Command sectors; (5) *AO* caveats relating to restricted or banned force movements within the Regional Command sectors themselves; (6) *Force Numbers* caveats relating to troop ceilings and limitations with regard to the size of national force contingents (including during rotations in some instances); and (7) *Command* caveats relating to command arrangements and National Commanders.

Following these categories are: (8) *Weaponry & Lethal Force* caveats relating to the use of certain weapons and other military equipment, in addition to rules governing the use of force; (9) *General Operations* caveats relating to operations or activities that national force contingents are forbidden

from engaging in (with the exception of Counter-Terrorism and Counter-Narcotics operations which each comprise a caveat category below); (10) *Ground Combat Operations* caveats relating to combat and combat support operations against insurgents conducted by combat ground forces, such as SOFs, combat manoeuvre units, and QRFs; (11) *Ground Security Operations* caveats relating to security operations (apart from combat and combat support operations) conducted by ground combat forces, such as security and protection patrols, or reconnaissance operations; (12) *Air Combat Operations* caveats relating to combat and combat support operations against insurgents, conducted by combat air forces (fighter jets, attack helicopters, reconnaissance aircraft and their personnel); (13) *Other Air Operations* caveats relating to other air operations (other than combat and combat support operations) conducted by aerial security forces, such as troop transports and Medical Evacuation (MEDEVAC) operations; and (14) *Time* caveats which relate to operations that are either restricted or prohibited from being conducted at a specific time of day or date in the year.

Finally, the last caveat categories include: (15) *Weather* caveats relating to restrictions enforced during certain atmospheric conditions; (16) *Counter-Terrorism* caveats limiting or prohibiting participation in ISAF Counter-Terrorism (CT) operations in Afghanistan; (17) *Counter-Narcotics* caveats limiting or prohibiting participation in Counter-Narcotics (CN) operations; (18) *ISAF Cooperation* caveats relating to restrictions that limit the cooperation of national ground and air forces with personnel of other ISAF national contingents; (19) *ANSF Cooperation* caveats relating to restrictions impinging on the cooperation of ISAF national forces with ANSF personnel (in particular limiting the OMLT and POMLT teams in their task of training and mentoring Afghan ANA and ANP units); (20) *PRT Security Operations* caveats limiting security operations conducted by PRT security forces in and around PRT locations; and lastly, (21) *PRT Stability Operations* caveats restricting the stability operations conducted by military-civilian humanitarian and development aid personnel based at PRT locations.

These twenty-one categories of caveats, together with a compiled list of known limitation and prohibition caveats within each category, can be seen in APPENDIX 6 (List 1), ‘*Compiled List of the Full Range of Known National Caveats Imposed by ISAF TCNs on National Armed Forces Deployed to ISAF in Afghanistan, 2002-2012*’ (on pp. 76-94 of Volume II).

Interestingly, in the course of this ISAF caveat research 12 other additional caveats, comprising both limitation and prohibition rules, were discovered which relate to the parallel OEF operation in Afghanistan. These additional caveats consequently bring the total number of caveats discovered in the course of this research up to a total of 227 caveat restrictions, all imposed on international forces operating in the Afghan theatre of war over the past decade. A list of these known additional OEF caveats may be seen in APPENDIX 6 (List 2), ‘*Compiled List of the Full Range of Known National*

*Caveats Imposed by OEF Force Contributors on National Armed Forces Deployed to OEF in Afghanistan, 2002-2012*’ (on p. 95 of *Volume II*).

### **Caveat Categories: An Assessment**

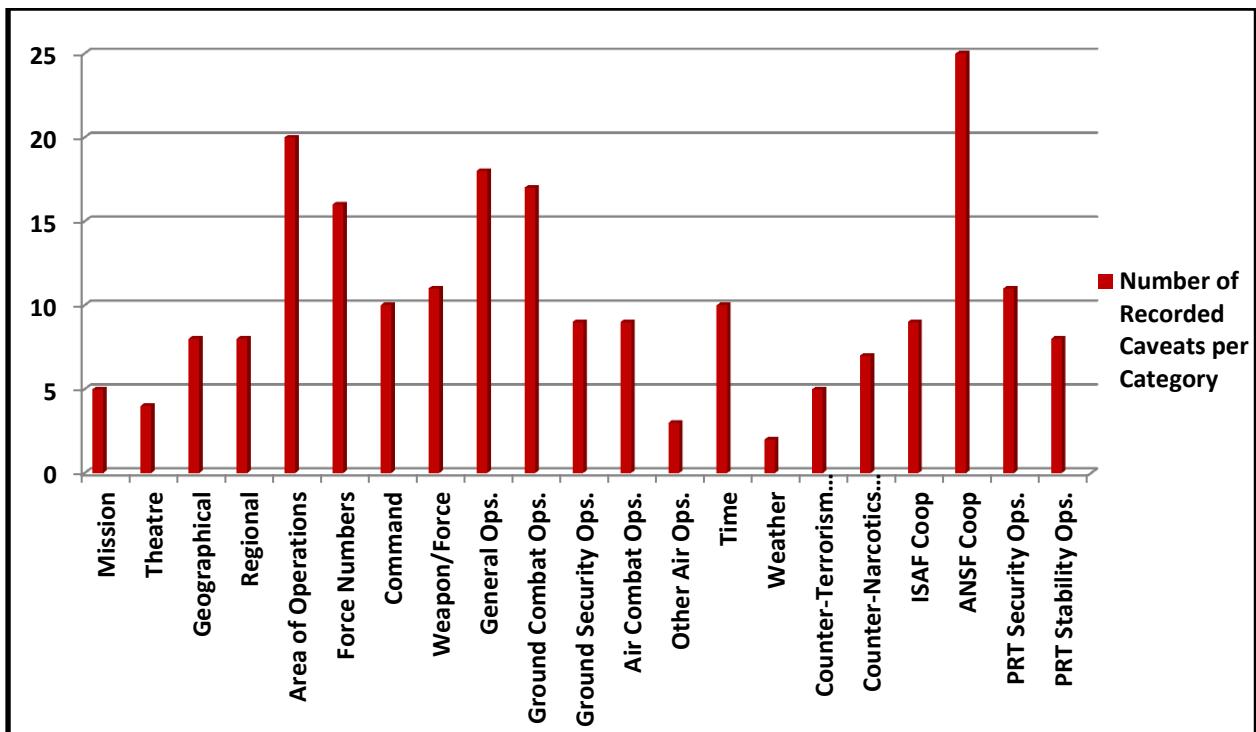
As APPENDIX 6 (List 1) clearly illustrates, the 215 national caveats discovered by this study encompass an extensive variety of restrictive rules of engagement imposed on ISAF force contingents over the course of the Afghan mission. The wide scope of caveat restraints revealed by this compiled list supports and explains the comment by ex-SACEUR Craddock in July 2009 that, ‘there are restrictions at every level’ within the mission.<sup>55</sup> In fact, in view of such an extensive list, it is small wonder that caveats were by 2010 widely considered to ‘have poisoned ISAF’.<sup>56</sup>

Based on the number of different caveat rules per category, it is possible from these caveat category lists to identify the categories which incorporate the widest diversity of rules (and therefore potentially also the greatest impact on ISAF forces prosecuting the mission). For instance, it is evident that national caveats have been most diverse and heavily imposed within the ANSF Cooperation category, with 25 different caveats limiting the cooperation of various national force contingents with Afghan security forces. The ANSF Cooperation category is then followed in order of highest diversity by the AO (20 caveats), General Operations (18 caveats, including the highest number of limitations of all the categories), Ground Combat Operations (17 caveats), and Force Numbers (16 caveats) categories respectively.

Furthermore, the Weaponry & Lethal Force category contains 11 diverse caveats, while both the Time and Command categories each incorporate 10 different rules. The Ground Security Operations, Air Combat Operations, and ISAF Cooperation caveat categories contain 9 varied restrictions each, while 8 caveats are incorporated under both the Geographical and Regional categories. A total of 19 caveats restrain the activities and movements of personnel based at PRTs (11 restrictions with regard to PRT Security Operations and 8 restrictions with reference to PRT Security Operations).

At the other end of the spectrum the Weather category contains the least diversity and number of caveat restrictions, incorporating only two prohibitions, while the Other Air Operations and Theatre of Operations categories contain a range of only three and four caveat restrictions respectively. Finally, the Mission and Counter-Terrorism Operations categories each contain five different restrictions on ISAF forces, while seven rules hinder Counter-Narcotics Operations.

This variance in the number and range of caveats within each of the 21 categories identified by this research is represented in *Graph 10.15*.



Graph 10.15 – Categories of ISAF Caveats (2002-2012): Bar graph contrasting the varying numbers of diverse caveats contained within each of the 21 caveat categories.

From these caveat lists by category, contained in APPENDIX 6 (List 1), it is also possible to identify specific phases in the trends of caveat-imposition within the ISAF mission. That is, in terms of the caveat rules themselves, the restrictions seem to have developed and escalated during particular stages over the past decade.

For instance, in the ISAF's early years caveats imposed on ISAF forces tended to be limitation caveats, with most national forces permitted to conduct a variety of operations only 'after consultation with their capitals'.<sup>57</sup> With forces compelled to stand-down while permission was obtained over periods ranging between 6-24 hours (the Italians and the Canadians respectively), this process wasted much time and slowed down the reaction times of the forces in deploying to security events.<sup>58</sup> This emphasis on acquiring permission prior to engagement in operations increased as the Taliban insurgency escalated in 2005-2006. As Auerswald & Saideman state:

The intensified efforts by the Taliban meant that the NATO forces had to increase their tempo, engaging in more direct combat operations. This boost in activity was unexpected, and "not what people had signed on to do." This meant that most, if not all, contributing countries had to go back to their home headquarters to figure out what they could and could not do in their new environment.<sup>59</sup>

Geographical and regional bans became more heavily imposed during the period 2005-2007, with an exception made for assisting allies in emergency security situations only materialising after the

November 2006 Riga Summit (where the NATO *in extremis* agreement for the ISAF mission was forged, though not all allies subsequently adhered to the agreement in practice). The prohibition against forces being deployed to RC-South in particular, which became the most common geographical caveat within the mission, continued into 2008 among the German, Italian, Spanish, Greek and Turkish national contingents.<sup>60</sup>

Tight restrictions on the movements and use of national forces even within each Regional Command – AO caveats – also became prevalent. Likewise, caveats which either limited or prohibited the engagement or participation of national forces in a range of ground and air combat and combat support operations also seem to have evolved in the wake of the Taliban resurgence, during *Phase III – Stabilisation* of the OPLAN (2007-2013). In fact, during this phase ISAF allies across the board seem to have placed limits on their national force capabilities as to whether, and if so how, the COMISAF could use national assets in theatre, with some TCN's restriction becoming very restrictive indeed, especially with regard to the use of force (e.g. Germany, Finland, Norway, Hungary and Iceland).<sup>61</sup>

Finally, when NATO required a greater emphasis on training and mentoring ANSF forces during both the *Stabilisation* and *Transition* phases of the OPLAN (2007-2013/2011-2014 respectively), including the ‘partnering’ of national security forces with ANA and ANP units, this shift in emphasis within the mission appears to have occasioned an increase in ANSF-related caveats by caveat-imposing TCNs. Caveat limitations and prohibitions preventing cooperation with local ANSF forces were applied so liberally by ISAF TCNs in fact, that this category contains the highest number and variety of caveats amongst all of the caveat categories presented here.

Overall, these caveat trends seems to indicate a general lack of political will on the part of ISAF coalition TCNs to carry out the mission for which their forces have been deployed, and portents negative consequences for the COIN campaign as a whole. Indeed, the reality of such an immense diversity of caveat rules, enforced on a quarter of the ISAF force over a period of ten years within the Afghan mission, can only have had grim ramifications for the flexibility and effectiveness of ISAF forces as a whole within the campaign.

## Conclusion

This chapter has presented precise caveat information with regard to three factors which have played a significant role in augmenting the severity and effects of the ISAF mission's caveat problem. These factors have concerned not only the proportion of the ISAF force constrained by the political fetters in

the midst of their ISAF operations, but also the total numbers of official national caveats and the range of these caveat restrictions.

Namely, the chapter has shown that roughly a quarter of the ISAF force – representing approximately 10-30,000 personnel – has been affected by the ISAF coalition’s widespread caveat imposition. It has subsequently demonstrated that there has been a high number of between 57-102 caveat restrictions imposed on these forces at any one time over the period 2006-2010. Furthermore, the chapter has illustrated that ISAF caveats have been extremely diverse in nature and scope, so that the vast numbers of national caveats imposed on TCN national contingents relate to multiple aspects of ISAF activities and movements. Indeed, no fewer than 215 separate caveat rules have been identified by this study as having been imposed on ISAF forces over the past decade, relating to no less than 21 separate categories. It is evident that these three caveat factors have together played a large part in creating, even generating, disunity of effort and ineffectiveness within the ISAF mission.

This chapter concludes Section III of this thesis, which has focused on analysing the extent of the caveat problem within the ISAF mission over the period 2002-2012. Section IV will next analyse the caveat data in relation to the second research question of this thesis: ‘*How have ISAF national caveats tangibly impacted on the ISAF’s prosecution of security operations within the counter-insurgency (COIN) mission?*’ The next three chapters will address this important question by examining the tangible on-the-ground impact and effects of the ISAF coalition’s astonishingly poor record of TCN caveat imposition on ISAF security forces conducting security operations within the mission. They will demonstrate how from the very outset scores of national caveats, constraining the myriads of national force contingents participating in the ISAF multinational mission, have continuously undermined – even crippled – the security forces attempting to prosecute the security line of operation within the COIN strategy. By way of evidence, tangible on-the-ground examples will also be provided to support this analysis.

## **SECTION IV**

***Research Question Two:***

***How have ISAF national caveats tangibly impacted on the ISAF's prosecution of security operations within the counter-insurgency (COIN) mission?***

## **CHAPTER 11**

### **Tangible Examples: The Effects of ISAF Caveat Imposition on the Security Line of Operation (‘SHAPE, CLEAR, HOLD, BUILD’)**

The previous section provided a qualitative and quantitative examination of the extent of the caveat problem posed to the ISAF mission in Afghanistan, as a result of heavy and widespread imposition of national caveats by coalition TCNs. It demonstrated not only that the caveat problem within the NATO-led Afghan mission has never been resolved over the past decade, but also that a near constant majority of ISAF TCNs have been imposing caveat restrictions on their forces within the Afghan theatre for the duration of the mission. The precise numbers and identities of caveat-imposing and caveat-free TCNs within the mission were subsequently identified. It was also shown that over a five-year period between January 2007 and January 2012, equating to the crucial *Stabilisation, Transition* and *Redeployment* phases of the NATO OPLAN, approximately one-quarter of the ISAF force has been continuously operating under caveat restraints in their operations to secure and stabilise Afghanistan. An in-depth examination of the caveat rules themselves further revealed, moreover, that an alarmingly high number and diversity of caveat restraints have been imposed on ISAF national contingents by their respective governments between 2002-2012, as exemplified by the extensive list of 21 categories of national caveats provided in APPENDIX 6 (List 1).

Section IV seeks to examine the on-the-ground ramifications or consequences of such a negative record of caveat imposition on security operations within the ISAF campaign. Namely, it will address the second key question of this research: '*How have the caveats tangibly impacted on the ISAF’s prosecution of security operations within the COIN mission?*' Or to rephrase this question, what precisely have been the on-the-ground effects of ISAF caveat-imposition on the ability of ISAF commanders and security forces to plan and execute effective security operations within the Afghan theatre of war?

The following three chapters will attempt to answer this important question by examining the impact of national caveats on the prosecution of the ISAF mission’s security LOO. As discussed in Chapter 7, the security LOO comprises one of four pillars of the overall COIN strategy of the Afghan campaign, and is a central – even pivotal – area of activity enabling the ISAF to achieve its mission in Afghanistan. For although security operations represent only twenty percent of the entire military effort expended in a COIN strategy, in contrast to stability operations (Galula’s 80/20 rule), this effort nevertheless is a fundamental prerequisite for the success of the COIN strategy overall. In short,

without security, there can be no stabilisation of Afghanistan. Security is thus the backbone of the ISAF COIN strategy on which all reconstruction and development tasks – geared at winning the hearts and minds of the local populace – heavily depend. Security is also, simultaneously, a central part of COIN warfare, the aim of which is ‘to protect the population’ from the intimidation, threats and influence of extremist insurgents. Consequently, the focus of the following chapters will be almost exclusively on security forces within the operation (as opposed to stability forces), encompassing ISAF military commanders, ground infantry and air forces.

This chapter will begin this examination by investigating the effects of TCN caveat constraints in relation to the planning and execution of security operations between 2002-2012, during each phase of the ISAF COIN strategy encapsulated by the maxim: ‘SHAPE, CLEAR, HOLD, BUILD’. To begin, this chapter will first of all discuss the overwhelming consensus with regard to the negative effects wrought on the ISAF campaign by national caveat imposition among coalition nations. Secondly, it will examine the principal force units amongst ISAF security forces and their key priorities along the security LOO during each phase of the COIN strategy. Thirdly, this chapter will examine the tangible ways in which national caveats have impacted negatively on ISAF security forces during each phase of the COIN strategy – ‘SHAPE, CLEAR, HOLD & BUILD’. To illustrate the degree to which these politically-based caveat constraints have been negative, moreover, real-life concrete examples of negative effects caused by ISAF caveats will be provided where available, with regard to both the planning and execution of ISAF security operations over the research period.

## **The Negative Effects of ISAF Caveats on Security Operations**

As in many multinational coalitions, the prevailing logic within the ISAF from the outset has tended to be, as former U.S. Secretary of Defense Donald Rumsfeld once articulated in relation to the OEF coalition, that:

Our policy of accepting help from any country, on a basis comfortable for its government, and allowing that country to characterize how it is helping (instead of our creating that characterization for it), is enabling us to maximize both other countries’ cooperation and our effectiveness against the enemy.<sup>1</sup>

This policy of open-ended contributions and commitments from a wide assortment of nations with varying military capabilities has led to a coalition that has grown substantially in membership over the passing years, comprising 50 TCNs by the end of 2012 under COMISAF John R. Allen.

However, while it is true that such an open approach has maximized international cooperation in terms of participation in the Afghan mission, and even advanced its legitimacy in the eyes of many political statesmen and analysts, the policy has also simultaneously created unintended negative

consequences. Firstly, this ‘all-welcome’ approach has led to a wide assortment of nations offering hugely divergent numbers of troops, with differing capabilities, expectations, objectives, national agendas, ROE and – of prime interest here – national caveats, thereby actually frustrating physical international cooperation on the ground between national contingents operating within the Afghan theatre of war. Secondly, as a result of these multiple divisions, the policy has had a demonstrably negative impact on the mission’s effectiveness in securing and stabilising Afghanistan from Enemy Taliban and anti-Government insurgents. Indeed, the issue of national caveat restrictions within the ISAF mission well encapsulates the downside of such an open-ended approach to MNOs in the international security sphere. The fact of multiple national contingents operating under disparate – even contradictory – ROE within the mission, has both directly and indirectly created a plethora of negative effects within the ISAF mission that has impacted detrimentally on the effectiveness of the operation.

This negative relationship between caveats and operational ineffectiveness was apparent in the Afghan theatre as early as 2002, when it was claimed that national caveats among ISAF contingents in Kabul Province were restricting the activities of member forces and limiting the ISAF coalition’s effectiveness.<sup>2</sup> As former American President, George W. Bush, himself articulated in his memoirs on the issue: ‘The result was a disorganized and ineffective force, with troops fighting by different rules and many not fighting at all’.<sup>3</sup> NATO and ISAF officials have also emphasized the tangibly negative effect of the caveats. At the Riga Summit in 2006, for instance, NATO SACEUR General Jones condemned caveat imposition with the mission stating that these ‘national restrictions... interfere with troop maneuvers and effectiveness’.<sup>4</sup> Two years later in 2008, COMISAF McNeill would also publicly state that: ‘The caveats impinge upon our ability here to correctly apply the principles of war in our planning and resourcing and prosecution of military operations...This is a credible force here, it could be made much more credible if it did not have some of the restraints that exist’.<sup>5</sup>

Similarly, numerous British government officials and reports over the years have repeatedly underscored the negative impact that heavy caveat imposition, by so many of the coalition’s TCNs, has had on the campaign. In 2007 one such report concluded its investigation of the issue by stating that ‘national caveats risk impairing the effectiveness of the ISAF mission’ and that the British government consequently remained ‘concerned that national caveats risk impairing the effectiveness of the ISAF mission’.<sup>6</sup> In 2008, a subsequent report stated that ‘there is no doubt that caveats can have a detrimental effect on the coherence of NATO’s operations’, expressing that this being the case, the challenge was to prevent them for impairing the mission’s operational effectiveness.<sup>7</sup>

Indeed, as shown in the previous chapters, the myriad of national caveats imposed by multiple national governments on their national force contributions to the ISAF, many of which have remained in place over successive years, have in reality created a political minefield that could not but have tangibly negative security consequences on the Afghan battlefield. In brief, the contention of this research is that national caveats imposed by national governments contributing to the ISAF have severely and continuously impeded the military effectiveness of the ISAF coalition in the security domain, frustrating the efforts of the ISAF coalition to fulfil its mission to bring security and stability to Afghanistan.

### **Positive Effects?**

This is a contention that has nevertheless been denied in some quarters, some suggesting that the imposition of national caveats on ISAF security forces have had little or no impact on the mission. For instance, one senior Italian military commander, interviewed in Washington D.C. during 2010, claimed that the issue of national caveats within the ISAF mission was ‘not a problem – just words’, and represented ‘no real problem on the ground’ for ISAF commanders or ground and air forces.<sup>8</sup>

Others have gone even further, arguing that the caveat restrictions on ISAF security forces have actually created so-called ‘positive effects’, working to aid the ISAF mission by greatly increasing the number of ISAF personnel conducting the R&D and governance work of stability operations (the 80% effort). To illustrate, the German government once defended its heavy caveat imposition, proclaiming that the reconstruction work conducted by its national contingent of 3,000 German personnel in RC-North – comprising both security and stability forces, including caveat-fettered combat manoeuvre units – was ‘just as important as fighting insurgents’.<sup>9</sup> This is a political posture that has allowed Germany to keep its ISAF contingent heavily constrained by caveats for the duration of the mission, even to the present day in 2014.

Both of these assertions are not supported by the evidence collected in the course of this research however. With regard to the former, the imposition of high numbers of national caveats by a near continuous majority of ISAF TCNs is no small matter. Indeed, it is abundantly clear that national caveats have had significant debilitating effects for the ISAF mission, as the multiple statements of NATO, ISAF and government officials provided in Chapter 8, and the overview of continuous caveat difficulties between 2001-2012 provided in Appendices 2 and 3, both amply demonstrate.

As to the latter, while the fact of thousands of combat forces being diverted into R&D activities may have assisted stability operations, this is *not* a positive effect for *security operations* being conducted along the security LOO – which is the central focus of the present research. Similarly, any positive

effects resulting from caveat-imposition within the domestic political spheres of multiple national governments – in that they have quite plausibly assisted various governments to hold on to power by the fact of having reduced the exposure of national forces to danger, thereby keeping casualty rates low in Afghanistan – have not at all translated into the security sphere within the ISAF mission itself, to secure and stabilise Afghanistan.

To the contrary, the evidence indicates that national caveats have consistently had a negative impact on the prosecution of the ISAF campaign over more than a full decade of warfare between 2002-2012. Indeed, during six years of intensive research based on many hundreds of primary and secondary source materials, not one example of a positive effect of caveat imposition for security forces conducting security operations within the ISAF mission was ever discovered. Consequently, while the idea of additional troops conducting the 80% effort of the COIN strategy sounds positive in theory, the reality is that caveats preventing security forces from conducting their assigned security operations within the mission has had serious detrimental consequences for the vital 20% security effort that underpins the success of the whole ISAF campaign. The fact of combat forces prohibited by government-imposed caveats from conducting combat operations, in particular, has been extremely harmful in this regard.

In fact, as Section IV will show, the truth is that wherever ISAF security forces have been prevented by government constraints from conducting their assigned security and combat operations within their AOs, security vacuums have been created. Pockets of insurgent fighters within the AO have not been addressed, leaving swathes of territory unsecured. ISAF PRTs and their military-civilian personnel have similarly not been afforded sufficient protection, especially in cases where security forces have been prohibited from engaging in combat operations or confined to limited security ‘bubbles’ around or even inside the PRT itself. The ISAF R&D projects themselves – to which governments have frequently dedicated the main effort of their combat forces – have in many cases also been left unprotected by this negation of security responsibilities, thereby allowing the projects to be attacked by insurgents and the entire development effort in that area to be stalled. The fact of security forces not conducting their ISAF security tasking has also left other development projects conducted by NGOs, as well as their civilian personnel, vulnerable and exposed to intimidation, threats, kidnappings, assassinations and suicide-bombings. Finally, with regard to COIN itself, caveats imposed on security forces have meant in many instances that the local Afghan population has not been afforded security or protection, causing the loss of crucial indigenous support for the mission.

In short, the fact of ISAF security forces not conducting security operations is a serious evasion of responsibility that has created multiple negative effects, which have undermined the security LOO

within the campaign, worked counter to the population-centric COIN strategy, and jeopardized the success of the mission as a whole.

## **Tangible Examples: Caveat Effects on ISAF Security Operations**

This chapter seeks to substantiate this contention by providing, where available, tangible examples of the detrimental impact of these national caveat restrictions and prohibitions within the ISAF on the security sphere of the COIN campaign. It will do this by providing examples of caveat interference at both the planning and execution levels of ISAF security operations over the decade from 2002-2012. In fact, the negative impact of national caveats on the effectiveness of the mission is especially visible in relation to the ISAF's prosecution of the security LOO within the campaign, in which domain the national political constructs of national caveats have frequently interfered with the planning and execution of ISAF security operations from the level of the COMISAF Headquarters right down to ground level within the Regional Commands themselves.

Because it is solely the security LOO that is under investigation here, the following illustrations will focus on ISAF security forces – that is, ground and air combat and combat support forces of various nationalities. These forces chiefly concern the following five units: Combat Manoeuvre Units (CMUs) (supported by Aerial Combat Support units); ANA mentoring and liaison teams (OMLTs); mentoring and liaison teams for the paramilitary ANP (POMLTs); and finally, PRT security units, tasked with securing the local populace and ISAF personnel living and working in and around ISAF PRTs (the latter being ISAF's pre-eminent device for the 80% COIN effort).

The evidence to follow has been drawn from multiple sources including interviews (conducted by myself and others), media conferences, government publications, parliamentary debates, autobiographical books, audio-visual documentaries, news reports, academic literature, and several eye-witness accounts gleaned from non-fiction autobiographical and biographical military books and DVD documentaries. Several examples have also been drawn from U.S. State Department diplomatic cables between Washington D.C. and its various embassies around the world, which were released to the public by *Wikileaks* between 2010-2012. Indeed, due to the *Wikileaks* disclosures, the world now has access to a written record of possibly the worst display of caveat interference in a multinational security mission in military history.

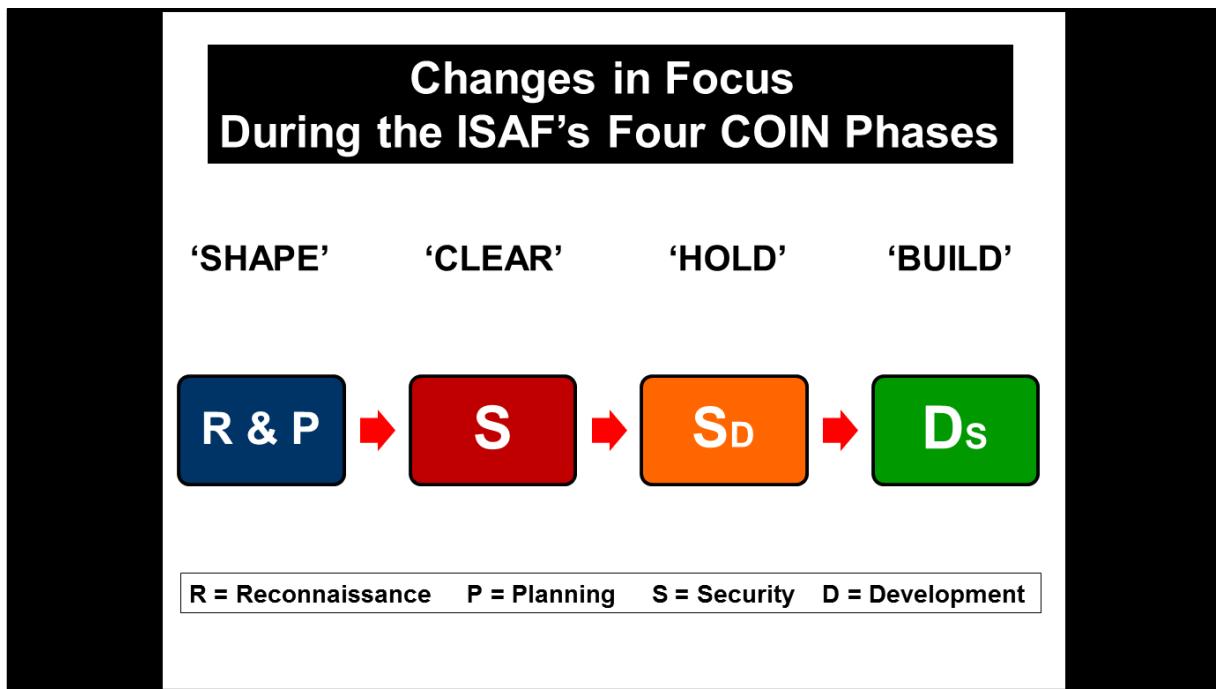
By providing illustrations of the real-life chaos invoked by national caveats, this chapter aims to show the real-life impact of the presence of national caveats on security elements tasked to conduct security operations within the campaign. In this way the chapter seeks to showcase the multiple, negative and

varied ramifications of national caveats on the ISAF security campaign. Further, through these concrete examples, the chapter will also illustrate in what kinds of ways these political constraints have constituted a severe and detrimental impediment to the effective execution of the ISAF mission, to bring security and stability to Afghanistan.

### ***'SHAPE, CLEAR, HOLD, BUILD'***

The examples to follow will be grouped under the four headings encapsulated by the ISAF COIN motto: 'SHAPE, CLEAR, HOLD, BUILD'. As outlined previously, these four headings represent the four planned phases by which ISAF Headquarters have sought to first secure, then stabilise, each district in Afghanistan. During the 'SHAPE' phase, reconnaissance is carried out to identify the key security, economic and social metrics of the given area, and planning undertaken to first select and then deploy the appropriate ISAF force to the area. During the 'CLEAR' phase, military security operations commence, in partnership with local ANSF forces, to 'eliminate, detain, or expel insurgents and anti-government entities' from the area and create a space between the enemy insurgents and the local Afghan population.<sup>10</sup> During the 'HOLD' phase, while military security operations continue to widen the security 'bubble' within the given locality, the ISAF begins development and governance projects to connect the local populace with its central government in Kabul. Finally, in the 'BUILD' phase, ISAF forces seek to capitalise on the security and stability established in the preceding phases to establish the basic political, social, economic and security infrastructure and institutions which would allow the area to become fully secured and stabilised, and serve to safeguard the area's future.<sup>11</sup>

According to NZDF LTCOL Roger McElwaine, who led the New Zealand PRT in Bamyan Province during 2008 (CRIB 10), these four phases not only lead ultimately to full transition of security responsibility to Afghan security forces, but also correlate to a changing emphasis on security vis-à-vis development within each Afghan district.<sup>12</sup> That is, following the conduct of reconnaissance and planning and the initial deployment of armed forces to a given area of operation ('SHAPE'), full emphasis is first placed on security ('CLEAR'), then subsequently on security with a degree of development ('HOLD'), and finally on development with a degree of security ('BUILD').<sup>13</sup> The focus then shifts to concentrate pre-eminently on development, at which point the given area has been secured and stabilised to the extent that it has become ready for transition to Afghan command and control (see *Figure 11.1*).<sup>14</sup>

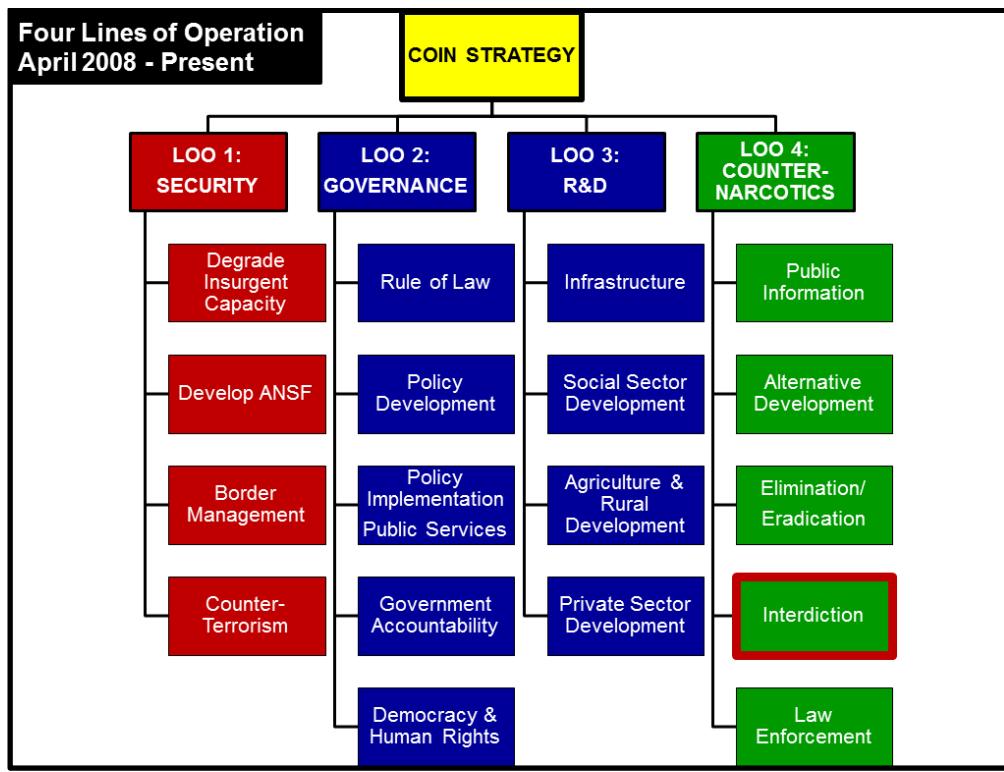


*Figure 11.1 – Changing Emphasis in the Conduct of COIN: The changing relationship between security and development during the four phases of the ISAF COIN strategy.*

One may see by this that establishing and maintaining security remains a key focus for security forces during all three ‘CLEAR’, ‘HOLD’ and ‘BUILD’ phases of the ISAF COIN strategy. The abiding need for security forces and security operations is also reflected in the three stated primary objectives of the COIN strategy: (1) to remove insurgent and anti-Government elements from a given area or region, thereby creating space between the insurgents and the population; (2) to maintain security, denying the insurgents access and freedom of movement within the given space; and (3) to exploit the security space to deliver humanitarian relief and implement reconstruction and development initiatives that will connect the Afghan population to its government and build and sustain the Afghanistan envisioned in the strategic goals.<sup>15</sup>

### ***Primary Security Priorities for ISAF Security Forces***

As previously discussed in Chapter 7, the priorities of ISAF security forces in the conduct of these military security operations include the following: (1) to degrade insurgent capacity; (2) to develop the ANSF (both ANA and ANP forces); (3) to manage the border between Afghanistan and neighbouring countries, including Pakistan; (4) to conduct counter-terrorism operations when and as required (including potentially cooperation with force elements of the neighbouring OEF operation along the Afghan-Pakistan border); and finally, from 2008 onwards, (5) to take part in counter-narcotics interdiction operations when requested (a task officially grouped under the Counter-Narcotics LOO). These priority areas for ISAF security forces, in comparison with the other COIN LOOs, may be seen in *Figure 11.2*.



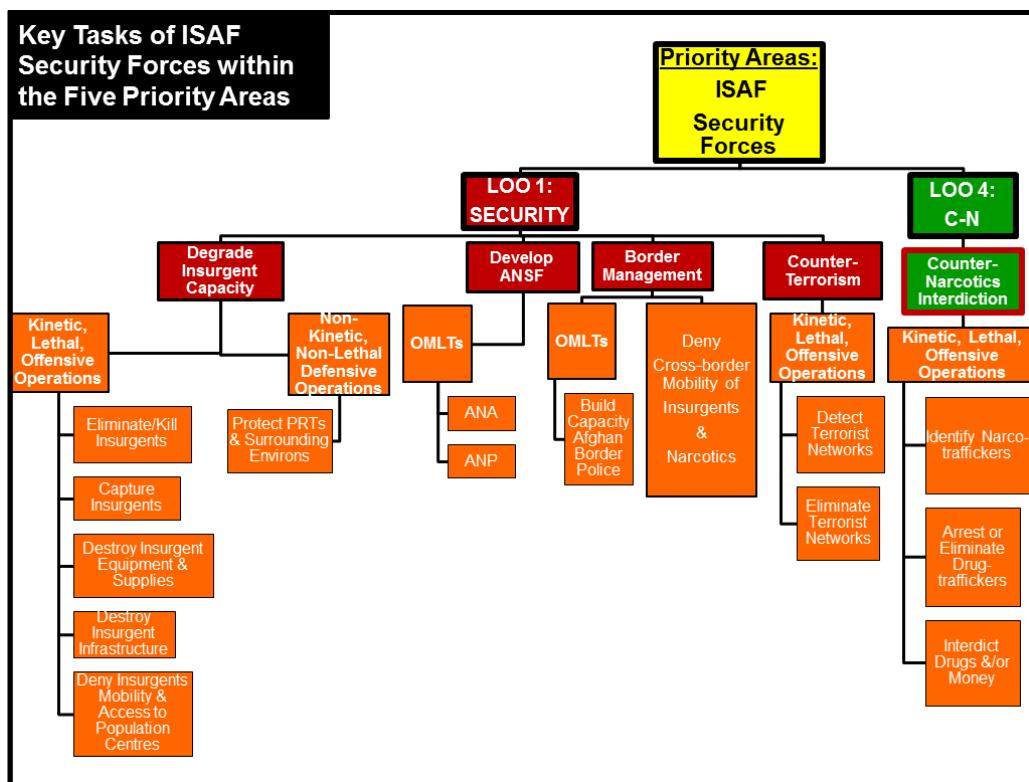
*Figure 11.2 – Priority Areas for ISAF Security Forces (2008-2014): A chart showing the priority areas for ISAF forces within the four Lines of Operation (LOOs) within the ISAF COIN strategy. Priority areas for the ISAF’s security forces are marked in red.*<sup>16</sup>

Each of these five priority areas also involves specific security tasks, conducted by particular ISAF force units. The first priority area, ‘Degrade Insurgent Capacity’, involves kinetic, lethal and offensive operations to eliminate insurgents, capture insurgents, destroy insurgent equipment and supplies, destroy insurgent infrastructure, and deny insurgents mobility and access to population centres.<sup>17</sup> It also, however, simultaneously involves non-kinetic, non-lethal defensive operations, such as those conducted by PRT security units to secure the PRTs and their surrounding environs. In addition, these units relay any gathered insurgent intelligence to the appropriate kinetic units – usually the nearest CMUs.<sup>18</sup>

The second priority area, ‘Develop ANSF’, chiefly involves the tasks of training and mentoring Afghan army and police units, which includes mentoring and supervising these units to plan and execute their own offensive combat operations.<sup>19</sup> The third priority area, ‘Border Management’, involves the task of training, mentoring and supervising Afghan Border Police units, by way of OMLTs, in addition to assistance in denying cross-border mobility of anti-Government insurgents and illegal narcotics goods across Afghanistan’s borders, especially through the mountainous – and subsequently porous – Durrand Line border between Afghanistan and Pakistan.<sup>20</sup>

The fourth priority area, ‘Counter-Terrorism’, again involves kinetic, lethal, offensive operations to first detect, then eliminate terrorist elements within Afghanistan, whether through the use of ground or

air forces. Finally, the last priority area, ‘Counter-Narcotics Interdiction’, involves ISAF security forces undertaking the tasks of: (1) identifying, then arresting or eliminating drug-traffickers within Afghanistan; and (2) interdicting drug or money in order to dismantle narcotics networks functioning within the country (see *Figure 11.3* below).



*Figure 11.3 – Key Security Tasks for Security Forces: The key tasks of ISAF security forces within the five priority areas allocated to security forces within the ISAF COIN strategy lines of operation.*<sup>21</sup>

## Caveat Effects: ‘SHAPE’ (Reconnaissance & Planning)

The first phase of the COIN strategy described above, ‘SHAPE’, has involved the essential first step of reconnaissance and planning with regard to the appropriate levels of force strength and capabilities for every area in Afghanistan. This field has principally been the domain of commanders – both at the highest strategic and operational level – beginning with the COMISAF at ISAF Headquarters, and proceeding down to the planning and field commanders at the operational and tactical levels.

Given the long list of known national caveats presented in the preceding chapter, totalling some 215 limitation and prohibition rules of engagement across 21 different categories, it is perhaps unsurprising that there have been many instances in which caveats have negatively impacted on security operations within the Afghan campaign. Indeed, as early as June 2007, the ISAF coalition

had itself officially recognised the difficulties presented by such a wide array of caveat restrictions on this phase of the ISAF COIN operation, chiefly on the planning of security operations. Geographical, logistical, time-related and command caveats were restricting the operational capacity of ISAF forces, ISAF officials announced, and ‘these caveats can have a particularly detrimental effect on commander’s planning and flexibility’.<sup>22</sup>

### **Caveat Constraints on the COMISAF**

The detrimental effects of caveats on operational planning within the mission has been particularly apparent for the operation’s various COMISAFs, for whom caveats have long presented complications to mission planning. This is perhaps best illustrated by an account provided by LTGEN Barno of the United States Army (Ret’d), the former Operational Commander of the U.S.-led CFC-A between the years 2003-2005 with command over 20,000 multinational OEF forces. In an interview in Washington D.C. during 2010, where he is now based as a senior consultant at the *Center for a New American Security (CNAS)*, Barno recounted a visit to American COMISAF McNeill in early 2007, during which he caught sight of a disconcerting caveat board in the COMISAF’s office ‘with red, amber and green marks all over all the different countries, showing what he could and could not ask countries that were under his command to do’.<sup>23</sup>

A 2008 British government report once intimated that awareness of these officially declared national restrictions, on the part of the COMISAF, has been sufficient to mitigate the negative effects of these TCN caveats. As the report stated:

The MoD states that “a number of countries have removed some or all of the caveats they began with”. Where restrictions remained, their effect was limited by the fact that the Commander of ISAF (COMISAF) “is fully aware of any remaining caveats and can plan around them”.<sup>24</sup>

However, it is important to comprehend that this so-called ‘awareness’ has been limited only to official caveats which have been ‘declared’ to NATO and ISAF Headquarters – and therefore does not include the scores of other undeclared and *de facto* restrictions on ISAF national contingents. Furthermore, this statement belies and even minimizes the full impact of the caveat restrictions on the COMISAF’s ability to carry out his duties as Operational Commander.

The severe difficulties to planning that caveats have presented to the mission’s COMISAFs are made clearer when all the known caveats discovered in the course of this research, imposed by ISAF TCNs on their respective national forces between 2002-2012, are shown together in one comprehensive list. This list can be seen in APPENDIX 7 (b), ‘*Compiled List of Known National Caveats by Category Imposed by ISAF TCNs on National Forces, December 2002-December 2012*’ (*Volume II*). A table showing the number of caveat categories that are represented in this list, on the part of each of the

ISAF TCNs, may also be viewed at the head of this list, entitled APPENDIX 7 (a) ‘*Table Displaying Known Caveat Categories Imposed by Each ISAF TCN, 2002-2012*’ (*Volume II*). Together these appendices present the dizzying and frustrating picture faced by successive COMISAFs as they have attempted to manage ISAF forces and plan security operations over the past decade.

Indeed, as these appendices make explicit, the impact of the caveat-generated situation on the COMISAF’s ability to command the mission is much more consequential than the MoD statement suggests. COMISAF McNeill himself best expressed the situation in a public statement in March 2008, when he proclaimed at a media conference that, despite attempts to adopt a philosophical attitude to the caveat issue since assuming ISAF command and remain focused on ‘the possibles’ over the intervening year, national caveats within the ISAF operation had in fact become a real source of difficulty. According to McNeill, the caveats were ‘frustrating in how they impinge upon my ability to properly plan, resource and prosecute effective military operations’.<sup>25</sup>

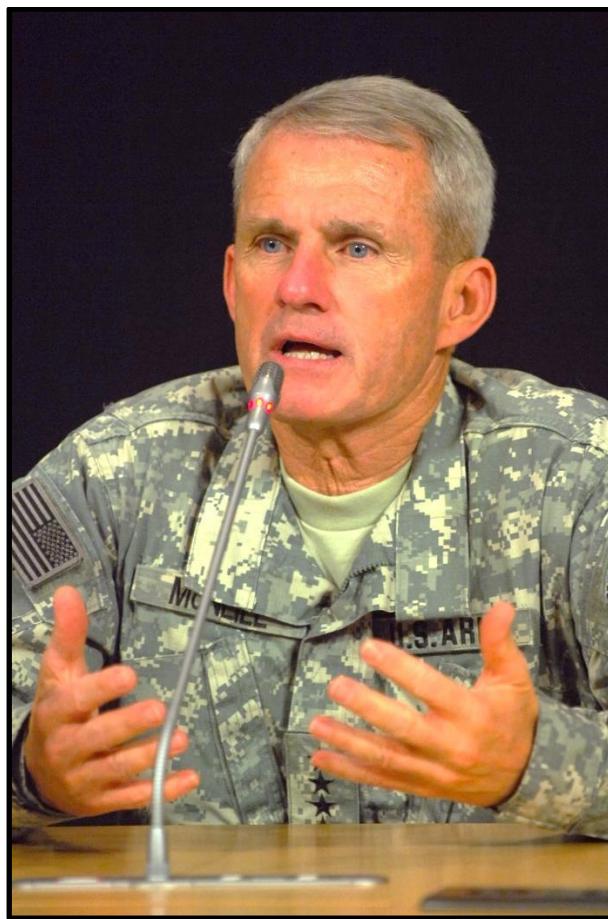


Figure 11.4 – American COMISAF General Dan K. McNeill, who commanded ISAF XI over a period of 16 months from February 2007 – June 2008.<sup>26</sup>

This statement has been further confirmed by Barno who has stated that the inflexibility in resources posed to operational command by caveat restrictions: ‘Dilutes the ability of a commander to

command. It prevents him from being able to use his force to best effect, because he has to constantly shift, adjust, modify, sub-optimize the employment of his forces'.<sup>27</sup> In short, knowledge alone has not been sufficient to assist the commander in overcoming the difficulties thrust upon his planning by the imposition of caveats by the ISAF coalition's contributing nations.

### *Constraining the Flexibility of ISAF Security Forces*

Firstly, national caveats have rendered the ISAF force an inflexible force, a state of affairs which has posed serious problems and dilemmas for various COMISAFs. As NATO SACEUR General James Jones emphasised at Riga in late 2006, approximately 50 national caveats have been imposed on ISAF forces 'that interfere with troop maneuvers and effectiveness'.<sup>28</sup>

An indication of this caveat strait-jacket on the planning of the COMISAFs within the mission is particularly apparent in regard to caveats restricting the deployment of national forces around Afghanistan. As shown previously in APPENDIX 6 (List 1), several countries imposed theatre caveats limiting or prohibiting national forces from deploying near the Afghan-Pakistan border. Between 2003-2006 and even beyond, a large number of countries imposed caveats that prohibited the COMISAF from deploying their forces to the southern (Austria, Belgium, Finland, Norway, Germany, Italy, Greece, Spain and Turkey) or eastern (Austria, Belgium, Finland, France, Norway, Germany, Italy, Sweden and Spain) regions of Afghanistan. These prohibitions remained fixed even in times of emergency, when security incidents necessitated speedy deployments of additional forces to reinforce beleaguered ISAF units operating in RC-South or RC-East. A substantial number of ISAF TCNs also imposed regional caveats prohibiting national forces from ever being deployed outside the boundary lines of their own originally-assigned Regional Commands – even in cases of security emergencies – thereby further reinforcing the geographical caveats above (for instance, Austria, Belgium, France, Germany, Greece, Italy, Spain, and Sweden among others).

Certain nations have gone further still, limiting or prohibiting the deployment of national forces outside of specific territorially-defined AOs within the Regional Commands, such as to certain provinces. Over the course of the mission, some national governments have gone one step further, employing narrowly-defined AO caveats prohibiting the COMISAF from deploying national forces outside of specific districts, cities, military bases, and airports (for instance, Austria, Belgium, Canada, Denmark, France, Greece, Hungary, Italy, Lithuania, Luxembourg, Slovakia, Spain, Sweden, and the Netherlands).<sup>29</sup> At one point of time France even prohibited the deployment of its forces from one specific suburb of Kabul City in RC-Capital, while for many years Hungary limited its forces' deployment to a specified radius around the Pol-e Khomri PRT within Baghlan Province, and Sweden confined its troops to the Mazar-e-Sharif PRT itself in Balkh Province (both PRTs in the lower-risk command of RC-North).<sup>30</sup>

Several nations have also imposed further qualifications within this group of caveats, prohibiting national forces from being deployed to ‘hostile’ or ‘high-risk’ zones within certain provinces or districts of their own RC, or – as in the case of Germany – from having national forces deploy anywhere located more than two hours from well-equipped hospitals with emergency surgery facilities.<sup>31</sup>

### *Constraining the Capability of ISAF Security Forces*

In addition to a fundamental inflexibility among ISAF security forces, due to government-imposed caveat restrictions, a series of COMISAF’s have also faced the disturbing reality of simultaneously having large portions of ISAF security forces severely constrained in their operational capability. This is because many – if not most – of the national contingents under the overall command of the COMISAFs have operated under caveats that have restricted the kinds of tasks national forces could be required to conduct or participate in as part of the ISAF within the Afghan theatre.

For instance, in terms of reconnaissance – an essential pre-requisite in the ‘SHAPE’ stage enabling the COMISAF not only to gather a situational picture of any given area in Afghanistan, but to assist him in the organisation and deployment of appropriate forces for every area – some caveats have been imposed to prevent certain national forces from conducting reconnaissance either on the ground or in the air. Other caveats have furthermore prevented the dissemination of any information collected during ground and/or air reconnaissance operations to other nations of the ISAF coalition. Lead Nations Italy and Germany both stand out in each respect (refer to caveats listed in Appendix 7 (b) for both nations, specifically those under the heading ‘ISAF Cooperation’). Between 2001-2009, Italy imposed a caveat absolutely forbidding the conduct of ‘reconnaissance’ missions by Italian reconnaissance Tornado aircraft, to support ISAF ground forces engaging in combat operations.<sup>32</sup> Germany’s caveats with regard to reconnaissance operations have been even more notorious. For almost a decade the German government has prohibited the participation of German ground or air forces in reconnaissance operations conducted at night, after dusk, or at any time under cover of darkness, and further prohibited reconnaissance personnel from ever engaging in combat operations.<sup>33</sup>

In addition, Germany has placed strict restrictions on the communication of insurgency-related intelligence and photographs collected from its Tornado aircraft during daytime reconnaissance operations, limiting or prohibiting the dissemination of the information: (1) to the OEF operation by means of its commanders or personnel (except in rare exceptional cases); (2) to military commanders involved in both the ISAF and OEF operations, such as the COMISAF and other senior ISAF commanders; (3) to ISAF participating nations which simultaneously contribute to the OEF mission (for instance, American, British or French forces); (4) to ISAF participating nations engaging or potentially involved in ISAF counter-terrorism operations (despite the fact that this is one of the

official priority areas of ISAF security forces); and (5) to ISAF participating nations which participate in ISAF offensive operations against Afghan insurgents (another crucial priority area for ISAF security forces).<sup>34</sup> In the rare cases in which the German government permitted the sharing of such information, moreover, further caveats have dictated that the intelligence not be provided to other ISAF nations via the NATO CETRIXS or BICES computer networks, but rather shared selectively with appointed nations on the basis of bilateral intelligence sharing agreements.<sup>35</sup>

With regard to security forces and the actual planning of security operations along the security LOO of the mission strategy, furthermore, many other task-related caveats have limited or prohibited outright the involvement of ISAF security forces in activities that were essential to achieve the LOO's five key security objectives of degrading insurgent capacity, developing the ANSF, managing the border, conducting counter-terrorism and, post-2008, interdicting drug-smugglers.

In regard to 'Degrading Insurgent Capacity', first of all, the pre-eminent priority area along the COIN security LOO, in addition to the host of geographical, regional and AO caveats described above, all of which prohibited the deployment of forces southwards or eastwards into areas of high insurgent activity, Germany, Italy and Spain have each enforced caveats prohibiting their ground and air security forces from engaging in active, kinetic, lethal 'counter-insurgent operations' against insurgents in their respective sectors.<sup>36</sup> These caveats seem starkly inappropriate and even non-sensical in light of the COIN orientation of the ISAF campaign in Afghanistan, and the insurgent realities within the country which have seriously threatened to derail the mission to secure and stabilise the country. Indeed, by the end of 2006, the COMISAF's C<sup>2</sup> over the mission had been seriously eroded by these operational caveats, with ISAF commanders every day 'learning that many of these caveats, or restrictions, actually prohibit many national forces from engaging in combat operations, or from even deploying to hostile zones'.<sup>37</sup>

With regard to the second security priority, 'Developing the ANSF', many TCN governments have similarly imposed operational caveats that have limited or banned the cooperation of national forces with local ANSF forces. One such caveat banned national forces outright from 'cooperating or working with ANSF forces'.<sup>38</sup> Other restrictions have banned national forces from donating lethal equipment to Afghan security forces, or from transporting ANSF personnel on national aircraft – even in cases of serious injury.<sup>39</sup> Some TCNs, like Finland, forbade their national contingents from contributing forces to OMLT teams, while others, like Slovakia, even banned the engagement of its elite Special Forces in ANSF training or mentoring.<sup>40</sup> These ANSF-related caveats, in addition to caveats relating to proximity to Afghan borders, especially the Afghan-Pakistan border, have also impacted on the capability of ISAF forces to work with the ANP in securing Afghanistan's borders – the third security priority.

The fourth and fifth security priority areas for ISAF security forces, ‘Counter-Terrorism’ and ‘Narcotics Interdiction’ operations, have similarly been impacted negatively by national caveats. In addition to the reconnaissance and counter-insurgent caveats mentioned previously, several nations have also imposed caveats limiting or prohibiting the participation of national forces in counter-terrorism operations (or indeed any operation conducted in concert with OEF forces) and counter-narcotics operations. To illustrate, Turkey, Germany, Italy – and in the early years of the campaign prior to the Riga Summit of late 2006, also the Netherlands, Denmark, Estonia and Romania – imposed caveats banning national ground or air forces deployed to the ISAF from conducting counter-terrorism operations.<sup>41</sup> In fact, Turkey even forbade its contingent from even providing support to ISAF ground or air forces conducting counter-terrorism operations within the country.<sup>42</sup> Germany, Spain and Turkey, also prohibited both their ground and air combat forces (including SOFs) from participating in the activities or operations conducted by the OEF mission in Afghanistan.<sup>43</sup>

With regard to narcotics, furthermore, in 2007 a total of 17 TCNs – including but not limited to Australia, Denmark, Estonia, France, Hungary, the Netherlands, and Romania (among them several TCNs deployed to RC-South where the narcotics industry has been most prevalent and alarming), also imposed caveats prohibiting the participation of any kind by national forces in counter-narcotics interdiction operations.<sup>44</sup> These caveats were so debilitating to counter-narcotics efforts within the mission that General Jones considered there to be an overt ‘connection between some countries’ reluctance to participate fully in Afghanistan and the failure of anti-narcotics efforts in Afghanistan’.<sup>45</sup> Even following the official incorporation of counter-narcotics into the NATO/ISAF mandate in October 2008, moreover, Germany employed caveats to prohibit its forces from taking any lead role in counter-narcotics interdiction operations in Afghanistan (only support activities permitted), or from participating in any counter-narcotics operations or activities which did not also involve ANSF forces, preferably in a lead role.<sup>46</sup>

### ***Implications for the COMISAF & Other ISAF Commanders***

The negative implications of all these caveat restrictions on the ability of the COMISAF to command the mission – and especially plan security operations and manoeuvre his security forces around the Afghan theatre as required – seem obvious. A host of caveats have rendered the ISAF a largely inflexible, non-combat capable force, with a myriad of red- and yellow-flagged activities denoted to most national contingents. In short, the COMISAF’s troops, task, planning and contingency planning has become difficult due to the ISAF’s numerous caveat constraints.<sup>47</sup> As Gillard has expressed: ‘He lacks flexibility...freedom of action...to be proactive as well as reactive’.<sup>48</sup>

Indeed, even with regard to the less-prohibitive limitation caveats, in which forces could potentially engage in certain activities if government approval was sought and received by the COMISAF through the national chain of command, these caveats too have presented difficulties to effective command, wasting much of the COMISAF's time and effort. This is because these yellow-flag caveats have required the COMISAF to undergo a government approval process each time he has sought to deploy or utilise national soldiers in a yellow-flagged activity or movement. The difficulty and frustration caused by limitation caveats has been well expressed by Gillard: 'If you have to go up through your national chain, [] it could be wasting time...it could be midnight, it could be 2am back in the home country. Or the Minister might be on bloody holiday!'.<sup>49</sup> COMISAF McNeill has also referred to this wastage, stating in 2008 that:

It's hard to mass [troops] when you sometimes have to ask all the way back to governments, "May I use your force in this location in this manner?"...If we can move faster than our adversary we have an edge over him. If I have to take the time to see who can make this move and who cannot if I request them, it's hard to avail myself of speed. Therein lies the issue...It requires me to expend energies that without an imposition of such restrictions and constraints, I'd be able to put that energy into things that are far more important.<sup>50</sup>

To illustrate, between 2002-2004, most of the national contingents operating as part of the ISAF were bound by limitation caveats requiring government permission to conduct many ISAF activities.<sup>51</sup> Among these contingents, Canadian forces in Kabul Province not only operated under many strict limitation caveats (see endnote), but also had the longest stand-down period of all, with the permission process lasting 24 hours or more between a COMISAF request and an official government response approving or rejecting the request (depending on whether the Canadian Deputy Chief of the Defence Staff was required to consult with the Chief of the Defence Staff and also the Canadian Defence Minister).<sup>52</sup> With many Canadian activities yellow-flagged during this period, this time-consuming political reality greatly hindered the COMISAF's ability to deploy or employ the Canadian contingents in a wide range of tasks.

Indeed, when Canada's own LTGEN Rick Hillier became the COMISAF in early 2004, Canadian limitation caveats reportedly placed him in 'a very frustrating situation', whereby while on the one hand he was the designated commander of the NATO mission, he found on the other hand that in reality he held 'little influence' over Canadian forces deployed to the mission, with many of his requests turned down by the contingent's National Commander due to strict caveats.<sup>53</sup> Hillier reportedly soon began to refer to the ISAF Canadian Battalions (CANBATS) as 'CAN'T BATs', since 'he frequently had to rely on other contingents that were far more flexible'.<sup>54</sup> Another Canadian senior commander below the COMISAF, BRIG Jocelyn Lacroix in command of the 5,500-strong Kabul Multinational Brigade during the first six months of 2004, reportedly also frequently found

himself in ‘the galling situation of needing to find an alternative to the Canadian contingent while waiting for deliberations in Ottawa to conclude’.<sup>55</sup>



*Figure 11.5 – ‘CAN’T BATS’: Canadian COMISAF, Lieutenant General (LTGEN) Rick Hillier (nicknamed ‘The Soldier’s Soldier’), who commanded ISAF V over a period of 6 months from February 2004 – August 2004 and was continually frustrated by government caveats imposed on the Canadian national contingent.<sup>56</sup>*

In addition to the frustration caused to operational planning, and the time lost and energy expended by ISAF commanders in seeking TCN governments’ approval to use their forces, this permission process was often also carried out for nought, with the effort being expended in vain for little or no tangibly beneficial outcome. Lacroix’s predecessor, fellow Canadian Major General (MAJGEN) Peter Devlin, for instance, later reported that: ‘The home office said yes to about half of the requests to use the special ops units’ – thereby suggesting only a fifty percent success rate during this period for the use of Canada’s most elite fighting unit.<sup>57</sup> Four years later in 2008, COMISAF McNeill also pointed to the unsatisfactory outcome of the process, claiming that the actual success rate of the process in gaining TCN governmental approval for his official requests was very poor – even terrible for the purpose of war-fighting.<sup>58</sup> Consequently, it is no surprise that McNeill concluded his remarks by calling for more combat-capable troops and the removal of national caveats, stating: ‘I would like the force to be resourced to a level which I think is appropriate for the task in hand, and within the force I would like the caveats to be eliminated’.<sup>59</sup>

### *Other ISAF Military Commanders*

Many other commanders within the ISAF chain of command – in addition to the overall COMISAFs – have also been adversely affected by the caveat bureaucracy within the security mission over the past decade, including both planning commanders and tactical commanders in the field. Like the COMISAF, commanders at all levels have also been compelled to deal with inflexible forces and yellow- or red-flagged activities in the course of the planning and even the execution of security operations within Afghanistan. Indeed, according to NATO SACEUR General Jones, ISAF national caveats in Afghanistan ‘limit the on-scene commanders from having the capability and maneuverability that they need’.<sup>60</sup> This is a reality that has become increasingly obvious over time, especially with regard to combat operations. As Julian Hale of the U.S. *Defense News* once reported in 2009: ‘Some commanders have complained these caveats tie their hands in combat scenarios, restricting who they call to perform certain mission’.<sup>61</sup>

Aggravation amongst ISAF commanders has been especially prevalent with regard to unwritten *de facto* caveats, the informal restrictions which have often only been discovered haphazardly as operations were in the planning stages, or indeed, were underway – much to the surprise and consternation of ISAF commanders. As General Craddock once articulated: ‘It’s where we’re not aware of a situation until [the commander] might ask...a nation to move troops to a certain area or conduct a particular task....only then do the restrictions become apparent, and this is often where there is an urgent need forces or capabilities’.<sup>62</sup> In these situations, informal caveats disrupt the planned operation, force other TCNs to urgently provide additional forces for the operation, degrade relationships between allies, and can even cause the termination of the operation altogether – much to the dismay of ISAF commanders on the ground.<sup>63</sup>

However, even when the caveat restrictions have been declared or are known to commanders through experience operating with certain allies, caveats still remain ‘extraordinarily frustrating’ for commanders in Afghanistan to work around.<sup>64</sup> As Barno likewise states on the matter:

It’s a question of command. Command in its best sense allows you to use your units within their capabilities to the full extent of what they can do, and have great flexibility in moving them around and shifting them and adjusting them towards the task in hand, especially in a company. And national caveats – quote “known and unknown” really – restrict them from being able to do that, they limit the commander’s flexibility and they, they make his command less than the sum of the parts.<sup>65</sup>

Indeed, the result of these caveat impediments to command on the whole has been, as one U.S. senior defence official stated publicly in 2006, that across the board caveat restrictions have rendered the commanders’ jobs ‘unnecessarily complicated’.<sup>66</sup> As one British general reportedly complained in 2006, ‘wretched caveats’ made it ‘hard for him to do his job’.<sup>67</sup> This is because, as General Craddock

once explained: ‘The more control a commander has the more agility he has and the more capability he has is directly related to the number of caveats we have to accomplish the task’.<sup>68</sup>

In early 2007 a British government report also highlighted the additional difficulties posed to command by national caveats in Afghanistan, referring to the findings of an independent study by the trans-Atlantic BASIC security council which asserted that the continued existence of caveats risked ‘impeding the ability of ISAF commanders to employ all their available resources’.<sup>69</sup> By the end of the same year, the predicament faced by commanders across Afghanistan due to caveat restraints was so troubling that U.S. Secretary of Defense, Robert Gates, delivered an impassioned plea to European military officers at a military conference in Germany to do what they could to improve the caveat imbalance within the ISAF force:

Brothers in arms achieve victory only when all march in step toward the sound of the guns. To that end, I’m asking for your help to make caveats in NATO operations, wherever they are, as benign as possible, and better yet, to convince your national leaders to lift restrictions on field commanders that impede their ability to succeed in critical missions.<sup>70</sup>

Gates compared the existing situation in Afghanistan to a game of chess, in which one player enjoyed full liberty of motion while the other was ‘clearly handicapped’ and only able to move a single space in a single direction.<sup>71</sup> ‘Restrictions placed on what a given nation’s forces can do and where they can go put this alliance at a sizable disadvantage’, he stated.<sup>72</sup>

By 2009, after three years in which caveats had frequently wreaked chaos and caused the deterioration of many a security crisis – especially during ‘emergency’ scenarios (examined in Chapter 14) – a NATO official declared emphatically that: ‘No NATO official, either civil or military, will be satisfied until all caveats have been removed to give field commanders maximum operational capacity’.<sup>73</sup> Significant changes did not in fact occur to alleviate the caveat frustrations of ISAF planning and field commanders, however, Hoehn & Harting stating in 2010 that:

NATO commanders in Afghanistan continue to express frustration about layers of restrictions and the challenges these restrictions cause when planning and executing operations...Commanders are eager to see restrictions on their activities of their forces removed or to get greater numbers of troops to carry out operations, or preferably both.<sup>74</sup>

One may appreciate by this overview just how severely the first ‘SHAPE’ phase of the ISAF COIN strategy has been jeopardized and undermined by government caveat restrictions on national forces deployed to Afghanistan. In sum, national caveat imposition within the mission has had a significant debilitating impact on the ability of the COMISAF and other ISAF commanders to plan reconnaissance and security operations within the Afghan theatre (‘SHAPE’). Indeed, the caveats have presented ISAF commanders with a veritable planning nightmare that has affected the planning of security operations along the whole command chain from the COMISAF down to tactical field

commanders on the ground. Overall, they have seriously reduced the flexibility and capability of ISAF security forces. In some respects, the limitation caveats have created more negative effects than the outright bans, since they require the expenditure of a vast amount of energy and time on the part of commanders, as they seek to acquire government approval to use national forces in a certain capacity from capitals outside the actual theatre of conflict. This expenditure of effort seems an even greater drain on the mission – a waste in fact – where the requests have ultimately been denied, for instance, as was the case for half of the requests dispatched by the Canadians in the early years of the mission.

The unhappy caveat realities faced by commanders in the planning of security operations, have become not only more dire, but also more visible in the actual execution of these security operations, during the CLEAR, HOLD and BUILD phases of the ISAF COIN strategy. In order to aid the following analysis, a comprehensive table depicting the known TCN caveats imposed on the force units under examination is available in APPENDIX 8(a) '*Table Displaying Known Major Force Units within the ISAF Mission Constrained by National Caveats (2002-2012)*' (*Volume II*). A list of known caveats as they apply to each of the major force units may, furthermore, be found beneath this table in APPENDIX 8(b), entitled '*Compiled List of Known National Caveats Imposed on Major Force Units within the ISAF Mission in Afghanistan, 2002-2012*' (*Volume II*).

## **Caveat Effects: ‘CLEAR’ (Security)**

In the ‘CLEAR’ phase, first of all, in which security operations are paramount as the first and only priority for security forces in order to clear areas of insurgents (refer to *Figures 11.1* and *11.2*), caveats have effectively crippled this phase of the COIN strategy within many areas of Afghanistan. This is because clearing areas of insurgents towards the first security objective of ‘Degrading Insurgent Capacity’ has chiefly involved offensive, kinetic, lethal combat operations, conducted in order to create a ‘security bubble’ in which stability operations can subsequently proceed. However, many of the ISAF’s force contributing nations have for many years imposed caveats on their forces that either limited or completely forbade their soldiers and air personnel from engaging or participating in offensive operations.

### ***Combat Operations***

To exemplify the point, Spain, Slovakia, Hungary and Turkey have over successive years employed caveats that forbade their contingents from engaging in any offensive or kinetic combat operation at all, confining their forces to a strictly ‘non-combat’ role with combat forces conducting only civil reconstruction and humanitarian tasks.<sup>75</sup> Finland, Sweden and Switzerland also banned their ground

forces from engaging in any ‘peace-making’ activity (as opposed to traditional ‘peace-keeping’ tasks).<sup>76</sup> Germany, Italy, France, Finland – and prior to the November 2006 Riga Summit also Denmark, the Netherlands and Romania – have even more overtly imposed caveats that forbade the participation or engagement of national combat ground forces in any ISAF ‘war-fighting’ offensive combat operation (see *Figures 11.6 and 11.7*).<sup>77</sup>

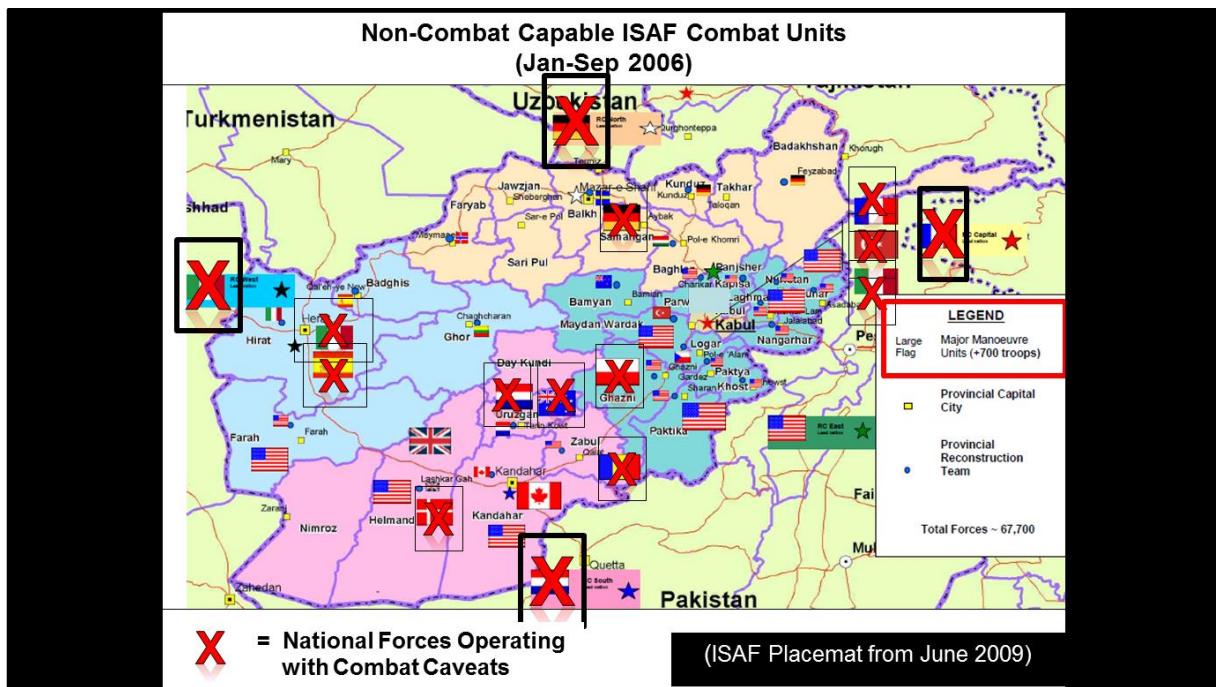


Figure 11.6 – Non-Combat Capable ISAF Combat Forces: The extent of combat caveat fitters on the ISAF mission’s security forces between January and September 2006.<sup>78</sup>

In fact, Germany and Italy – Lead Nations in RC-North and RC-West respectively – explicitly banned the participation of their ISAF forces in active, kinetic offensive combat operations against insurgents from 2001-2009, thereby excluding their forces from the hard work of taking the fight to the Enemy, while simultaneously allowing their personnel to conduct such measures in self-defence in the interests of force-protection.<sup>79</sup> This same caveat was also imposed by Iceland, which also forbade its forces from ever participating in the QRF rapid response entity or its operations.<sup>80</sup> Even Australia imposed caveats forbidding its infantry forces from engaging in kinetic combat operations ‘except in cases of emergency whereby national personnel have been attacked by Enemy forces’, and further, banned its ground troops from ‘provoking any offensive engagement’ or ‘fire-fight’ with the Enemy.<sup>81</sup> These restrictions are reportedly much to the frustration and chagrin of the Royal Australian Infantry Corps which, despite its combat training, has not been tasked with conducting offensive operations since the Vietnam War.<sup>82</sup> As a result of these government restrictions confining the role of Australian Infantrymen to strictly ‘force protection’ in Afghanistan, Australian combat operations within the ISAF mission have been solely the domain of its ISAF Special Force commandos (see endnote).<sup>83</sup>

Even in terms of elite SOFs, however, many of these units have not been entirely free of the caveat impediment either. During the early years of the mission, between 2002-2004, Canada placed limitation caveats on its SOF units requiring government-consent for any operation where forces might be involved in ‘significant activities’ or that ‘might risk collateral damage’.<sup>84</sup> In 2006 Germany, in addition to its ‘no-combat’ caveat, imposed a limitation caveat that required permission from the Minister of Defence before any German SOF unit could be deployed outside the boundaries of RC-North.<sup>85</sup> Portugal likewise imposed a limitation caveat requiring explicit approval from the Chief of Defence before any deployment of its elite forces operating as the RC-West rapid-response QRF over RC-West boundary lines.<sup>86</sup>

Some of these countries would subsequently become even more stringent, with Germany, Portugal and Norway all banning the deployment of their respective Regional Command QRFs outside of Regional Command boundaries, and thereby restricting their teams’ capability to participate in combat operations or respond to emergencies ‘AOR wide’ across the entire theatre of Afghanistan.<sup>87</sup> These caveats were enforced prior to, and even following, the November 2006 *in extremis* Riga agreement – regardless of SACEUR and COMISAF requests. Slovakia, meanwhile, banned outright the engagement of its SOF units in any offensive or kinetic combat operation, including those conducted in concert with ANSF forces, limiting its special forces to ‘force-protection missions’.<sup>88</sup>

### *Combat Support Operations*

Besides ruling out the active prosecution of combat operations by ground forces to degrade insurgent capacity in Afghanistan’s many districts and provinces, many ISAF contributing nations have also used caveats to forbid any participation of their ground forces in providing combat support to the combat-capable forces of other nations. Germany, again, notably prohibited its ground forces from supporting offensive ground operations conducted by other ISAF nations.<sup>89</sup> This included a restriction prohibiting the sharing of insurgent-related intelligence gained from German nationwide reconnaissance flights with ISAF TCN contingents which participate in ISAF offensive operations.<sup>90</sup> Italy likewise imposed this caveat ruling out combat support for the forces of other ISAF nations, but mysteriously allowed it for ANSF forces in Afghan-led combined combat operations.<sup>91</sup>

Many of these same combat-related caveats have also applied to national air personnel, with air forces from Germany, Italy, France, Finland – and until 2006 also Denmark, the Netherlands and Romania – prohibited from participating in any ‘war-fighting’ offensive combat operation (though defensive combat operations were permitted).<sup>92</sup> Italy and Germany also introduced caveats prohibiting national air forces even from supporting offensive ground or air operations conducted by other ISAF nations (in Italy’s case with the sole exception of combined operations led by ANSF forces).<sup>93</sup> In addition, Italy banned its Tornado aircraft and personnel, from conducting ‘close air

support' missions in support of ISAF ground forces engaging in combat operations.<sup>94</sup> Even Canada required government consultation before any air mission that 'might risk collateral damage' in the early years of the mission.<sup>95</sup> One un-named ISAF TCN also banned its air forces from conducting close air support, if ISAF ground forces were anywhere in close proximity to Afghan villages.<sup>96</sup>

Other more peculiar caveats have also been imposed by ISAF TCNs with regard to their ISAF air force units. Germany, for instance, forbade the solo flight of any armoured helicopter on operations, requiring all its air operations to be conducted in pairs – a significant restriction for a country with only six armoured helicopters deployed to the Afghan theatre (of which two are regularly unavailable due to ongoing maintenance checks).<sup>97</sup> Other ISAF TCNs have forbidden its air crews from participating in air missions above specific altitudes, or from transporting Afghan military personnel aboard national aircraft – even in case of serious injury.<sup>98</sup> The transport of Afghan civilians aboard national helicopters, even in case of injury, has likewise been prohibited by several ISAF TCNs.<sup>99</sup>

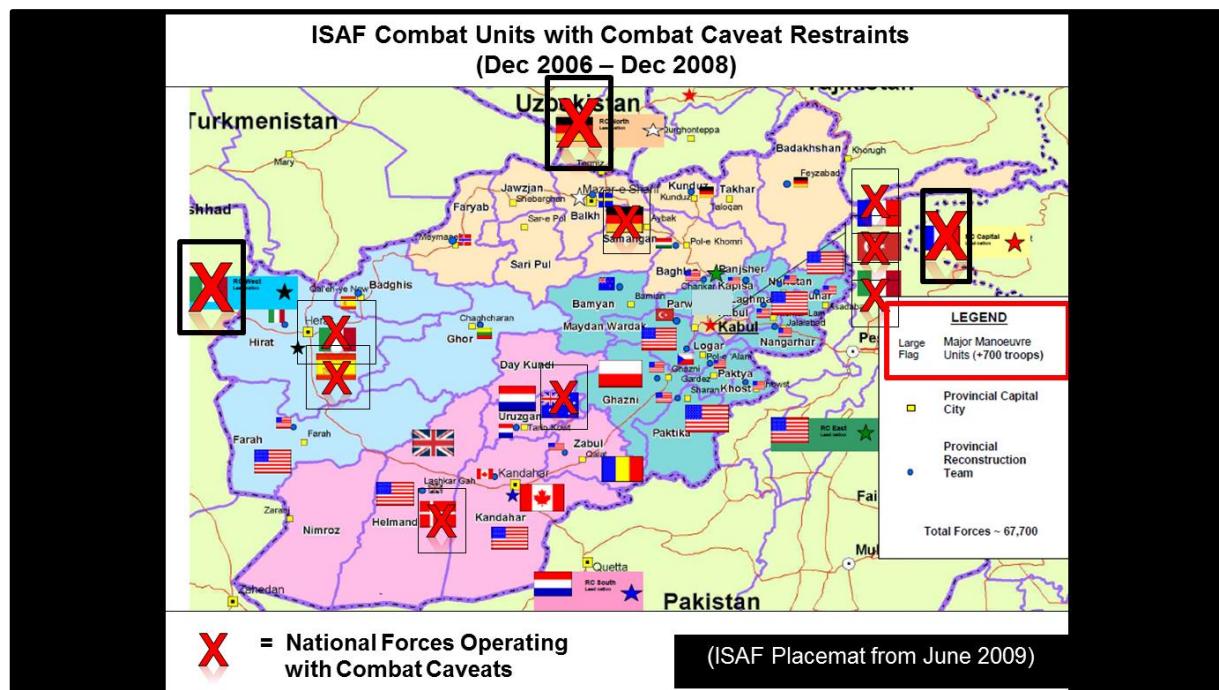


Figure 11.7 – Non-Combat Capable ISAF Combat forces: The extent of combat caveat fitters on the ISAF mission's security forces over the two-year period between December 2006 and December 2008.<sup>100</sup>

## Security Operations

Even with regard to more general ground security operations, such as reconnaissance, defensive patrols, riot-control operations and force-protection escorts, caveats have proliferated among the ISAF's coalition TCNs. For many successive years Lead Nation Italy has limited its ground forces from conducting patrols at all without explicit government authorisation.<sup>101</sup> German forces have been prohibited from executing security patrols without armoured vehicle support.<sup>102</sup> Canada, in the early

years, and successive French governments have both prohibited the involvement of their ground security forces in crowd control or riot-control operations.<sup>103</sup>

Even security forces based at fixed military installations have not been free of the caveat hindrance. For instance, Slovenian platoons deployed to an Italian base in Hirat Province (RC-West) as a ‘force protection’ unit were banned by their government from ever being placed ‘in harm’s way’ in the course of their security operations.<sup>104</sup> They were further prohibited from ever deploying outside the boundary lines of RC-West in the course of their security operations, except in cases of extreme emergency.<sup>105</sup> Romania imposed a caveat banning Romanian personnel at Kandahar Air Field (KAF) from mounting foot patrols outside the compound, unless the patrolling party was comprised of a minimum, unspecified number of personnel.<sup>106</sup> Icelandic security forces at Kabul Airport, meanwhile, have been forbidden by national caveats from participating in any security operations at the airport or from even conducting ‘guard duty’.<sup>107</sup>

### ***Counter-Terrorism Operations***

In terms of counter-terrorism operations, moreover, which have required kinetic, lethal, offensive operations to first detect, then eliminate terrorist elements within Afghanistan, a significant number of ISAF TCNs (and NATO members) have used caveats to prevent the involvement of their forces in the difficult work of killing or capturing terrorist fighters and suicide-bombers within their sectors (whether members of the Taliban, Al-Qaeda or foreign jihadists operating in Afghanistan).

Between 2003-2006 Denmark, Estonia, Hungary, the Netherlands, and Romania imposed caveats to prohibit the participation of their in-theatre ground and air forces in counter-terrorism operations. The same caveat was also instituted by Italy between 2001-2009, and also by Germany and Turkey for the duration of the mission between 2001-2012 and beyond even to the present time.<sup>108</sup> As alluded to previously, Germany prohibited the dissemination of its reconnaissance photographs and intelligence to ISAF nations who engage or are potentially involved in counter-terrorism efforts, thereby declining to assist this important area of activity in any way.<sup>109</sup> Meanwhile, Turkey’s aversion to counter-terrorism work has been so strong, that the Turkish government has additionally imposed caveats banning Turkish ISAF forces even from supporting counter-terrorism operations in Afghanistan.<sup>110</sup>

### ***Counter-Narcotics Operations***

Finally, in terms of the last priority area along the security LOO, that of narcotics interdiction to identify, arrest, or eliminate drug-traffickers and confiscate drugs and money, by 2007 no less than 13 of 37 nations (representing 35 percent of the coalition’s TCNs) were using caveats to ban participation of any kind by their contingents in counter-narcotics interdiction operations, including several Lead

Nations.<sup>111</sup> These nations comprised not only Hungary, Lithuania, France and Germany, but also Australia, Denmark, Estonia, the Netherlands, Romania, Hungary and Turkey – the latter all nations whose forces operated in RC-South where the narcotics industry was tangibly fuelling the insurgency and promoting instability in the southern provinces, especially in Helmand.<sup>112</sup>

Many of these national caveats continued to hold sway even after counter-narcotics operations were officially adopted by NATO into the ISAF mandate for the mission (though notably, not among the key nations in RC-South). France, for instance, which by 2009 was based in RC-Capital and RC-East, continued to prohibit French infantry forces from participating or engaging in counter-narcotics operations, a ban which also extended to French Special Forces.<sup>113</sup> Lithuania and Hungary, both operating in RC-North, forbade both its military and civilian personnel at Chaghcharan and Pol-e Khomri PRTs respectively from participating or engaging in any counter-narcotics activity that ‘could heighten the threat to national personnel’.<sup>114</sup> Germany, too, continued to prohibit any lead role of German forces in counter-narcotics interdiction operations in RC-North, permitting German involvement only in support activities that also involved ANSF forces (preferably in a lead role).<sup>115</sup>

### ***Joint inter-ISAF Combat & Security Operations***

Further jeopardizing the successful execution of the ‘CLEAR’ phase of the ISAF strategy, several nations have over the past decade also maintained strict caveats with relation to inter-ISAF cooperation with other nations, thereby impeding joint combat and security operations involving various ISAF allies. For instance, quite apart from the German OEF and intelligence related caveats cited previously, which seem to represent an anti-American bias (since they specifically exclude the United States from receiving or benefiting from German Afghan intelligence), Greece has forbidden its national forces in Afghanistan from participating in joint or combined operations in which they would be required to deploy alongside ISAF troops contributed by historical rivals Turkey and Macedonia (see endnote for more details on the long-standing enmity between these nations).<sup>116</sup> Bulgaria also imposed a caveat prohibiting national forces from sharing its equipment with an unspecified ISAF ally in a joint AO (a PRT in RC-North).<sup>117</sup> Moreover, Germany forbade the transport of military personnel from other ISAF force contributing nations on national aircraft.<sup>118</sup>

Even the United States, once its forces had deployed to Helmand Province in 2010, imposed a handful of caveats prohibiting American forces there from: (1) conducting joint combat ground or air operations with the forces of other nationalities – that is, British personnel – permitting only ‘independent’ combat operations in RC-SW; (2) employing inclusive or joint/combined applications of force with British personnel in Helmand (only ‘exclusive’ applications of force permitted); (3) from inclusive reporting of information (only ‘exclusive reporting’ permitted by U.S. personnel); or (4) communicating information through combined, inclusive communication systems (only

‘segregated communication systems’ may be used by U.S. forces).<sup>119</sup> In this way, caveats obstructing full cooperation between ISAF forces operating in Afghanistan have provided additional obstacles to the prosecution of the ‘CLEAR’ phase of the COIN strategy.

### ***Weather & Time Restraints on Combat & Security Operations***

Finally, the ISAF’s combat capability and ability to execute the ‘CLEAR’ phase of the COIN strategy have been compromised by a range of other prescriptive caveats, which have limited the use of these forces even further through the use of weather and time constraints. Several South European nations, ostensibly Spain, Greece and Italy, have prohibited their ground and air forces from participating in any operation taking place in winter conditions, such as after snowfall.<sup>120</sup> In addition, in order to limit casualties on significant national occasions, Italy imposed a caveat prohibiting its forces from deploying outside their protective military bases in RC-West on national statutory holidays.<sup>121</sup> The latter led to an incident during 2006 in RC-West, whereby Italian combat forces stationed in Farah city near Farah airport were forbidden from deploying to prevent insurgents from seizing control of the local airport, because it was a national statutory holiday in Italy.<sup>122</sup>

Most infamously, Germany has used caveats to ban the participation of national ground and air assets in Afghanistan from participating in any reconnaissance or security operations or patrols ‘at night’ or under the cover of darkness.<sup>123</sup> In addition, further caveats have been imposed to prohibit German forces even from exiting their military bases after nightfall (all forces must also return to base before nightfall), or from being transported on aircraft after dusk or at any time under cover of darkness.<sup>124</sup> Even emergency medical evacuation operations have not escaped this heavy prohibition, with German MEDEVAC crews also forbidden to conduct evacuation operations for the injured or wounded at night after dusk, or at any time under cover of darkness.<sup>125</sup> To illustrate, in 2007 German MEDEVAC air personnel in RC-North abandoned their Norwegian allies in Faryab Province, ignoring urgent requests for assistance in an engagement with insurgents, because it was ‘dinner time’ and German pilots ‘refused to fly emergency medical helicopters in the dark’.<sup>126</sup>

### **Caveat Effects: ‘HOLD’ & ‘BUILD’ (Security & Development)**

Government-imposed national caveats have had a negative effect on the campaign not only in the ‘SHAPE’ and ‘CLEAR’ phases of the mission, however, but also in the ‘HOLD’ and ‘BUILD’ phases of the COIN strategy.

The ‘HOLD’ phase is intended to build on progress established in the preceding ‘CLEAR’ phase. ISAF security forces maintain the ‘security bubbles’ created previously and then continue combat operations to further expand the secured area into the outlying areas of the bubble, to eventually encompass the entire district, and ultimately the province as a whole. At the same time, ISAF forces begin ANSF training and mentoring to build the capacity of indigenous ANSF forces in order to maintain security and stability in Afghanistan following the departure of the ISAF – a central tenet of COIN. Besides the actual training of the ANA and paramilitary ANP ‘kandaks’ (battalions), it is the task of ISAF combat forces to also deploy alongside these units to train and mentor them in the art of planning and executing combat operations against Enemy forces. ISAF PRTs are simultaneously established in the secured zones and begin development and governance projects to connect the local populace with its central government in Kabul. Security forces are deployed to each PRT as protection details to defend PRT personnel and the local populace, in addition to any R&D projects, and to provide basic security within the PRT and its surrounding environs.

During the subsequent ‘BUILD’ phase, the ISAF security role diminishes substantially with the development effort – or 80% COIN effort – moving to the forefront of activity. During this phase, security is intended to be so well established and maintained during the preceding three phases that local ANSF units can begin to take the lead in the planning and execution of all security operations. ISAF security forces increasingly assume the role of ‘mentors’ to ANSF forces, accompanying ANA and ANP units in a supporting capacity and playing a chiefly advisory function until or unless an emergency security situation requires an ISAF intervention. In sum, ISAF forces seek to capitalise on the security and stability established in the preceding phases to establish the basic political, social, economic and security infrastructure and institutions, which would allow the area to become fully secured and stabilised, and serve to safeguard the area’s future.<sup>127</sup> From this overview, it is clear that not only ISAF combat forces, but also ISAF training and mentoring teams (OMLT teams for ANA units and POMLT teams for ANP units) in addition to PRT staff and their protection details, are the key actors during these latter phases of the COIN strategy.

It logically follows that all the combat-related caveats described previously, in relation to the ‘CLEAR’ phase of the COIN strategy, have also had a negative impact on combat and security operations during the subsequent phase of the strategy. Indeed, not only have all of these combat-related caveats continued to constrain the activities of ISAF combat forces in the ‘HOLD’ phase of the ISAF strategy, but further restrictions have proved to be additional obstacles for ISAF forces in the prosecution of their security tasking.

### **Lethal Force: Carrying and Firing Weapons**

For instance, many ISAF TCNs have imposed additional caveats relating to the use of lethal force – that is, to the firing, and even the carrying, of lethal weapons by national personnel. This is despite the fact that using lethal force is a key capability for security forces and also a necessary prerequisite for conducting security operations to both ‘CLEAR’ and ‘HOLD’ territory from insurgent influence and activity. To illustrate the point, Germany, Finland and Norway are three TCNs which have, during the course of the mission, prohibited their ISAF forces from using lethal force at all, except in self-defence if an attack was taking place or was imminent.<sup>128</sup> Germany, in addition to Hungary and Iceland, has also imposed a caveat explicitly banning their personnel from firing their weapons at adversaries except in self-defence.<sup>129</sup>

Indeed, the German government has frowned so heavily on the use of lethal force by German soldiers in Afghanistan that, even in self-defence situations, it has furthermore imposed prohibitions banning its personnel from ever using heavy weapons against adversaries at these times or from firing their weapons at the insurgents while Enemy forces are moving, either to retreat or re-position.<sup>130</sup> In point of fact, one NATO official revealed that Germany’s caveat disclosures to NATO Headquarters in 2006 contained ‘far-reaching instructions and clarification notes’, with lengthy dissertations on the German view of ‘the use of force’ and ‘the principle of proportionality’. These caveats – in addition to Germany’s many other combat-related constraints – have rendered thousands of German Lead Nation forces in Afghanistan ‘toothless’ and ill-qualified for the purpose of ‘Degrading Insurgent Capacity’ – the first priority of security forces in Afghanistan.<sup>131</sup>

This German ban on the use of lethal force except in self-defence has extended even to Germany’s most elite combat forces in Afghanistan – the *Kommando Spezialkräfte* (KSK). In fact over-zealous restraint on the KSK forces led to much controversy within NATO during 2008, when it was revealed by German political magazine *Der Spiegel* that a German SOF unit, which had tracked down a known and wanted Taliban commander, had not eliminated him as he escaped from capture because of lethal force caveats.<sup>132</sup> The Taliban commander in question was responsible not only for many Taliban ambushes against British military convoys, but also more notoriously for the Baghlan Bombing of 6 November 2007, in which a newly-built sugar factory in Baghlan Province (RC-North) had been bombed during its inauguration ceremony.<sup>133</sup> The bombing was the deadliest Taliban attack in Afghanistan since 2001 and was responsible for the wounding of 96 and the death of a further 79 Afghan civilians, among them not only attending government officials and politicians but also several teachers and at least 59 children.<sup>134</sup> The Taliban attacks had so rocked the country that the Afghan government had instituted three days of national mourning for the victims.<sup>135</sup> *Der Spiegel*’s disclosure was the cause of much ‘disquiet’ at ISAF Headquarters and rankled many of the nations heavily committed to the NATO mission in Afghanistan, leading to the accusation that German

combat soldiers in Afghanistan were ‘not licensed to kill’.<sup>136</sup> The German response was that national personnel ‘killing and being killed’ could put the whole German deployment at risk.<sup>137</sup>

This ‘Baghlan Bomber’ incident threw into stark relief a major difference in interpretation between the government of Germany and other governments contributing to ISAF with regard to the use of ‘lethal force’. In particular, this difference concerned the principle of proportionality, whereby military necessity is balanced with due regard to humanity in the use of force, so that the amount of harm inflicted in a theatre of war is less than the military benefit achieved by it (discussed in Chapter 3). While British and American SOFs have deemed the use of lethal force against known Enemy commanders – including in an offensive rather than simply a defensive capacity – to be clearly legitimate and proportional, the German government, rather quizzically, has viewed such an approach as ‘not being in conformity with international law’.<sup>138</sup> This German point of view was perhaps best expressed by a senior official at the German Defence Ministry following the incident, who claimed that the Baghlan Bomber was really ‘a fugitive’ rather than an aggressor, who consequently ‘should not be shot unless necessary’.<sup>139</sup> The position taken by Germany was reportedly considered by many NATO nations to be ‘pushing the principle [of proportionality] to the point of absurdity’.<sup>140</sup> Indeed, Germany’s policy of the use of force has been overtly contrary to normal military procedure for NATO operations.

Iceland’s use of caveats with regard to the use of force have been, in one sense, even more alarming than Germany’s however, in terms of the degree of severity. Contributors of ‘peace-keepers’ to secure Kabul Airport, in addition to critical Mobile Liaison Observation Teams (MLOTs) conducting security patrols around PRT Chaghcharan in Ghor Province of RC-West, the Icelandic government has imposed quite startling caveats on its military forces, which have increased in severity over the past decade.<sup>141</sup> In the early years of the mission, for instance, Iceland first banned national forces from carrying or using automatic weapons, and then subsequently limited personnel from carrying weapons without express authorisation (only police officers and explosive ordnance disposal unit personnel were authorised to carry weapons in Afghanistan).<sup>142</sup> In later years, however, Iceland imposed a series of stricter prohibition caveats which utterly prohibited Icelandic forces from: firstly, carrying arms at all (only unarmed personnel permitted); subsequently, wearing, ‘battle dress’ or helmets (that is, to appear as a ‘warrior’ rather than a ‘peacekeeper’); and lastly, even from wearing military uniforms (Icelandic personnel were re-branded as ‘civilian peacekeeping specialists’ that had been permitted to deploy to the ISAF mission as peace-keepers).<sup>143</sup>

An unspecified number of ISAF TCNs have, finally, also imposed a ban on the use of riot-control agents, such as tear gas.<sup>144</sup> These caveats have together further hindered the ability of ISAF contingents to both ‘CLEAR’ and ‘HOLD’ areas of insurgents.

### **ISAF-ANSF Training & Combat Operations**

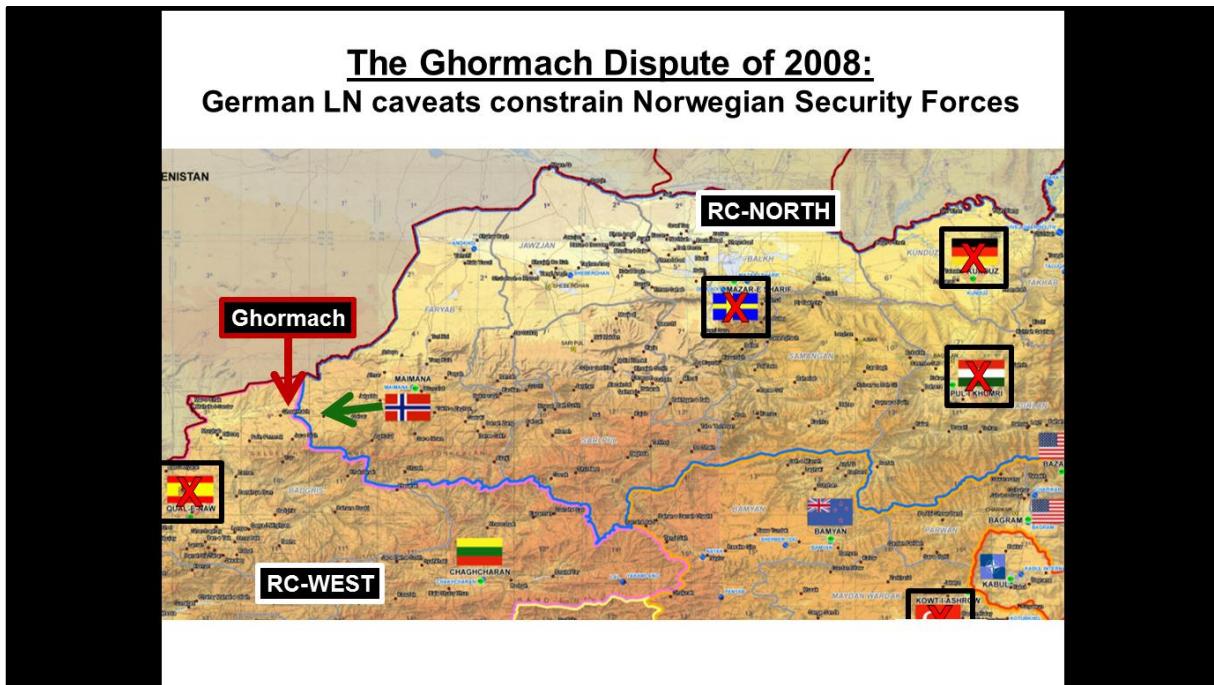
Additional caveats have also been imposed that hinder the work of ISAF OMLTs and POMLTs. This is especially clear with regard to the training and mentoring of indigenous ANSF forces. Aside from the caveats mentioned above which have banned any close cooperation or engagement with ANSF forces, or the transport of Afghan personnel on national aircraft, a significant proportion of the ISAF coalition have imposed caveats forbidding their forces from forming or participating with OMLT and POMLT teams. In fact, as demonstrated in Chapter 10, the highest number of government-imposed national caveat restrictions within the ISAF coalition over the past decade have pertained to ANSF cooperation (refer to *Graph 10.15*). Finland, Slovakia and Sweden, for example, have long implemented caveats prohibiting its national ISAF contingents from contributing to the training or mentoring work of battalion-level OMLTs, a ban that extended even to Special Forces units in the case of the latter two countries.<sup>145</sup> Besides unwillingness to mentor and train ANSF units, these caveats have also hindered any role of these nations in cooperating with Afghan Border Police units in the management of Afghanistan's borders – the third security priority area along the security LOO.

Among those nations allowing their forces to contribute to the training and mentoring of ANSF units, and thereby to build the capacity of Afghan security forces (a critical requirement for successful COIN), other caveat restrictions have been imposed to hinder OMLT operations. Indeed, despite the requirement of the NATO/ISAF mandate for joint ISAF-ANSF combat operations, national caveats have actually abounded in this area. This has especially been the case among nations that, while prohibited by their governments from engaging or participating in combat operations, have nevertheless despite their limitations contributed OMLT and POMLT teams to the campaign. To exemplify, during much of the past decade Hungary has prohibited its personnel from engaging in offensive operations alongside ANSF units during OMLT ‘partnering’ operations.<sup>146</sup> Turkey has likewise imposed this caveat, forbidding Turkish OMLTs from conducting combat operations (or assuming any combat role) during either training or ‘partnering’ operations with ANSF forces.<sup>147</sup> Denmark, meanwhile, prohibited completely the embedding of Danish personnel within ANA kandaks over a period of two years between 2007-2009.<sup>148</sup>

A rash of geographical (anti-south/anti-east) and regional (RC-specific) caveats have also been prevalent with regard to OMLT teams, imposed by TCNs to limit or prohibit national OMLT teams from deploying outside Regional Command boundaries alongside their ANSF units in the course of operations, most specifically to the south or east. Spain, Belgium, Germany, Italy, Greece, Sweden, and France employed this type of prohibition caveat with regard to their own respective Regional Command sectors, thereby barring the COMISAF from using their OMLT teams nationwide.<sup>149</sup> Sweden and Germany, along with Hungary, have imposed even stricter caveats banning OMLTs from deploying outside specific AO locations within the Regional Commands when conducting

‘partnering’ operations.<sup>150</sup> Greek OMLTs have been forbidden by caveats from deploying outside a 60-kilometre radius from Kabul City alongside their ANSF units.<sup>151</sup> In Sweden’s case the deployment limit within its AO was set at the immediate vicinity surrounding Mazar-e-Sharif PRT, with explicit authorisation from the national government in Stockholm required for deployments outside this specific area.<sup>152</sup>

Politically-derived government caveats have not only prevented the movement of national OMLTs in Afghanistan, but in the case of a number of Lead Nations with command over ISAF sectors and forces stationed there, these caveats have also applied to the OMLTs of supporting nations within the Regional Command. The best tangible example of the negative impact caused by this type of Lead Nation caveat concerns Lead Nation Germany and Ghormach District, which is located just outside the border of RC-North in RC-West (see *Figure 11.8* below). In 2008 Ghormach District had become an insurgent sanctuary to launch attacks into Faryab Province, where the Norwegian contingent was based.<sup>153</sup> The ISAF had been unable to prevent this, due to the fact that the nearest Spanish forces in RC-West were stationed 1800 kilometres away (approximately an 18-hour drive across difficult terrain) – a reality that Taliban forces were exploiting.<sup>154</sup> Furthermore, even if Spanish forces could be deployed to Ghormach, Spanish combat caveats meant they were in fact powerless to combat insurgents.



*Figure 11.8 – The Ghormach Dispute: Lead Nation Germany enforced its own regional caveat restrictions on the forces of supporting nation forces under its command within RC-North, in particular Norwegian security forces (including a QRF). Norwegian forces were thereby prohibited from aiding local ANA forces in quashing a growing insurgent stronghold just outside the sector boundaries in Ghormach District (RC-West).<sup>155</sup>*

Germany, however, refused to alter its regional caveats and allow either its CMUs or OMLTs to deploy outside the sector boundaries of RC-North and engage in combat alongside Afghan forces (German combat units were also restrained by a variety of combat caveats). As the commanding nation over all RC-North ISAF forces, moreover, this position also affected supporting force contingents in RC-North. To wit, Germany refused to allow combat units or OMLTs from other national contingents in RC-North to cross the border into Ghormach – including caveat-free Norwegian security forces at the nearby Maimana PRT.<sup>156</sup>

The ban also extended to the Norwegian QRF at Maimana, comprised of elite SOF commandos in RC-North (which, while operating with a Norwegian geographical caveat with regard to southern and eastern Afghanistan, did not have a specific regional caveat restraining QRF operations solely to RC-North), despite the fact that NATO Headquarters required all QRFs to be fully deployable around the entire Afghan theatre.<sup>157</sup> This ban was enforced in spite of the security reality, as one German ISAF officer stated, that deployment into Ghormach would ‘be in Germany’s own self-interest, since this area is believed to be one of [the] main infiltration routes for insurgents moving north’.<sup>158</sup> As a result of this Lead Nation caveat, Afghan personnel from the 209<sup>th</sup> ANA Corps, based in Mazar-e-Sharif, had to conduct multiple combat operations in Ghormach on their own during 2008-2009, without their Norwegian OMLT mentors or any RC-North ISAF support.<sup>159</sup>

As a means of addressing the problem, in November 2008 the Afghan government officially transferred the district of Ghormach from Badghis Province in RC-West to Faryab Province in RC-North, thereby also transferring security responsibility for the district from Italian to Germany Lead Nation control.<sup>160</sup> The German government, however, defiantly refused to acknowledge the Afghan edict and continued to consider the district part of RC-West, even though ISAF Headquarters had confirmed that Germany had operational responsibility for the area.<sup>161</sup> In justification of this position, the German Ministry of Defence declared that ‘German forces were already at minimal levels’ in RC-North and that they needed to stay focused on training the ANSF (though not, apparently, with regard to ANSF units active in Ghormach).<sup>162</sup> Indeed, despite the insurgent realities in Ghormach, the German government expressed that it saw ‘little practical necessity’ for German forces to leave RC-North.<sup>163</sup> Regional and AO caveats on German OMLTs consequently remained intact, with German forces only permitted to deploy into Ghormach under *in extremis* scenarios under the temporary exception in the German parliamentary mandate.<sup>164</sup>

These German caveat restrictions also continued to hold sway over supporting forces in RC-North. Consequently, between 2008-2009 Norway attempted to gain great operational freedom from Germany via diplomatic channels, including through meetings with American officials, but to no avail.<sup>165</sup> One Norwegian soldier expressed his disgust at German control of Norwegian forces,

describing Norwegian forces as having to ‘beg on our knees before the German RC-commander for permission to enter this area and operate, and then getting a constant stream of “NEIN DAS IST VERBOTEN!” [“NO THAT IS FORBIDDEN!”, original emphasis]’.<sup>166</sup> As he further stated:

ANA has folks stationed in Ghowrmach already and IMHO the next sensible thing to do is to construct a proper ISAF FOB and/or patrolbase(s) there and put some Norwegians/others on the ground there on a more permanent basis. Having a few week-long excursions down there now and again to blast some random Taliban doesn’t really cut it; It’s a waste of time, (ISAF/ANSF) lives and resources IMHO. The place needs a constant presence of robust ISAF and ANA forces + CIMIC and civilian aid-organisations working to shift popular support among the civilian population from the enemy to us.<sup>167</sup>

It is interesting to note that Norway subsequently reacted against German control and reciprocated by imposing a caveat, in force from 2008 onwards, to prohibit the transfer of national QRF forces to German Lead Nation operational control within RC-North.<sup>168</sup>

In addition to caveats constraining the activities of ANA-training units, several ISAF TCNs have also imposed operational restraints on their POMLT teams established to train units of the paramilitary ANP. Lead Nation Germany, again, has been the heaviest imposer of POMLT caveats of all the TCNs contributing forces to the ISAF mission. Indeed, Germany imposed no less than ten caveats during the course of the mission relating specifically to its POMLTs mentoring and training Afghan police units in RC-North. One such caveat limited the participation of German POMLTs in the U.S. Focused District Development (FDD) police training programmes ‘unless the district in question is within one hour’s drive of a national PRT or other national military installation’.<sup>169</sup>

Other prohibition caveats – which seem to have increased in severity over the past decade – banned German POMLT mentoring teams from: (1) partnering with Afghan ANP in operations beyond the scope of normal law enforcement, that is ‘purely civilian government activity’ (meaning counter-insurgent or combat operations with the paramilitary ANP were not permitted); (2) conducting training or mentoring operations beyond the protection of national combat forces and medical support; (3) deploying with ANP units outside of RC-North; (4) conducting operations in conflict areas; (5) conducting operations outside the immediate vicinity of military bases; (5) deploying with ANP units outside of military bases within RC-North; (6) exiting military bases at all for the duration of their deployment; (7) recruiting security contractors; or (8) involving or participating with security contractors in the conduct of police training and mentoring operations.<sup>170</sup>

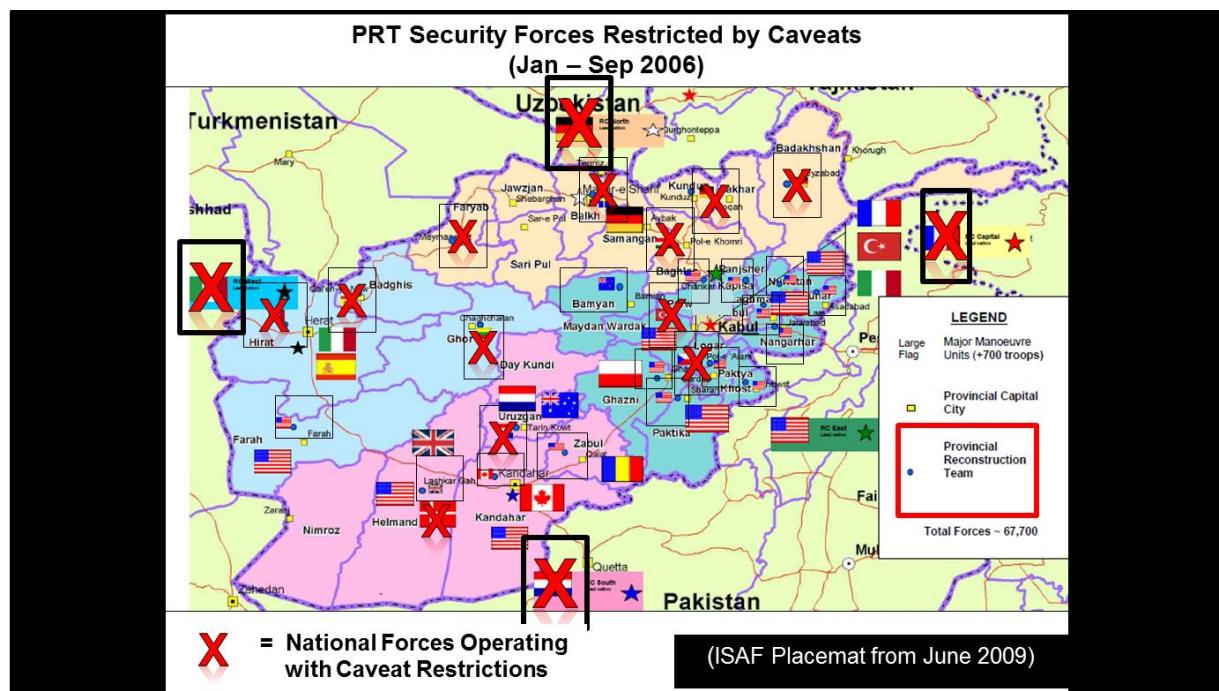
### ***Protection for PRTs & the Urban Afghan Population***

Lastly, caveats have also hindered the activities of PRT security units tasked with the job of not only protecting and defending the PRTs and their personnel and projects, but also the local Afghan population in and around the PRT area. This is a very important tasking in light of the fact that it is

the ISAF PRTs which form the frontline of the 80% COIN effort in Afghanistan. In addition to these responsibilities, PRT Security Units are also expected to be capable of mounting more ‘robust’ security operations and provide protection in cases of emergency, in accordance with COIN doctrine. Nevertheless, many of the ISAF’s PRT security details have nevertheless been debilitated by strict restrictions with regard to both their tasking and geographic manoeuvrability (see *Figures 11.9* and *11.10*).

### *PRT Security Operations*

In terms of limitation caveats, for example, Hungarian security forces at the Pol-e Khomri PRT in Baghlan Province (RC-North) have been constrained by a limitation caveat from ever ‘mounting an armed response to insurgency-related security situations’ without government consent, except in grave situations requiring self-defence.<sup>171</sup> Spanish governments have limited Spanish PRT security forces from making excursions (alongside PRT personnel) into ‘insecure districts’ of Badghis Province, without specific prior approval from the government in Madrid.<sup>172</sup> Stricter still, Lead Nation Italy has limited its Italian security forces at the Herat PRT from deploying outside the PRT AO into other areas of Hirat Province, without explicit government authorisation from Rome.<sup>173</sup>



*Figure 11.9 – Caveated PRT Security Forces: The scale of caveat constraints on the ISAF mission’s PRT Security Units between January and September 2008.*<sup>174</sup>

The prohibitive caveats on PRT Security Units are even more surprising and disconcerting. Both Turkey and Singapore, for instance, have prohibited their personnel from patrolling beyond a defined distance from their respective PRTs (a distance of approximately 80 and 10 kilometres

respectively).<sup>175</sup> According to two senior New Zealand military commanders and former Bamyan PRT commanders, in both cases these caveats have frequently prevented joint international patrols between New Zealand and Turkish or Singaporean forces, in the former case leading to a more insecure border between Bamyan and Wardak Provinces in RC-East.<sup>176</sup> Spain, meanwhile, has enforced caveats banning its PRT security forces from ‘taking an active role in counter-insurgency operations’.<sup>177</sup> This has meant that Spanish security forces based at the Qal-eh-ye Now PRT have been banned over many successive years from conducting any robust security operation against insurgents in the Spanish AOR of RC-West, not least against insurgents at Ghormach (discussed above). This government restriction has thereby also disabled the capacity of Spanish PRT security forces to transition to a more robust, offensive role if necessary, such as in emergency security situations, as prescribed by COIN doctrine.

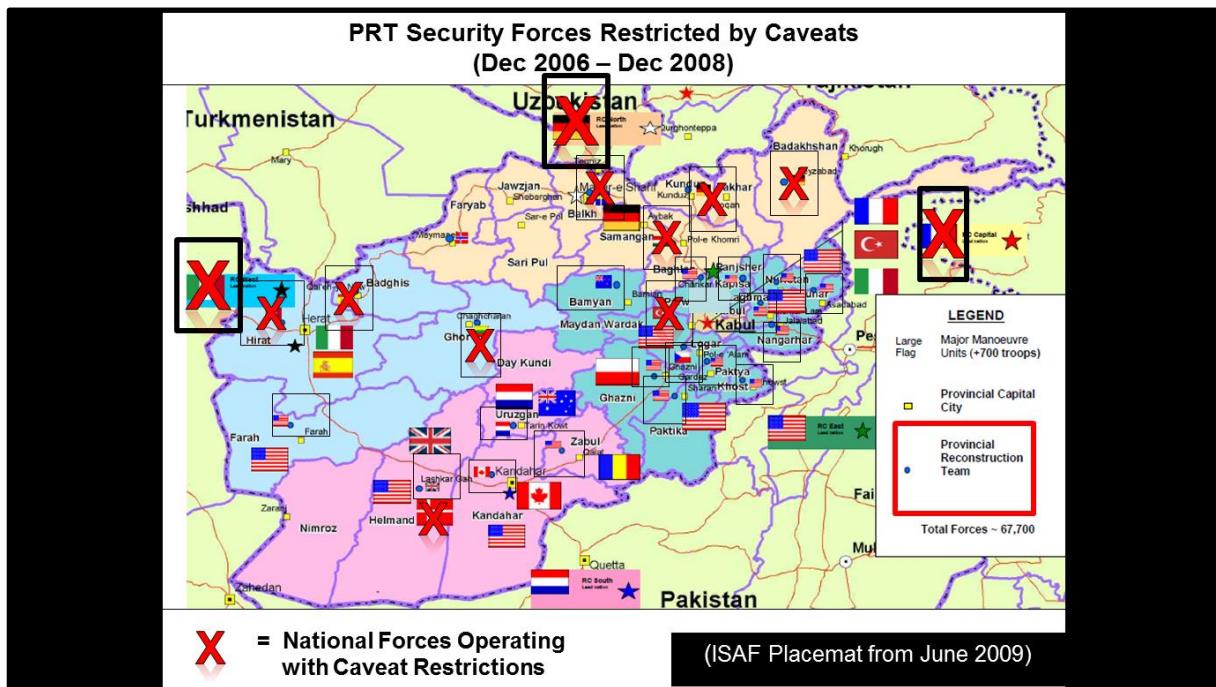
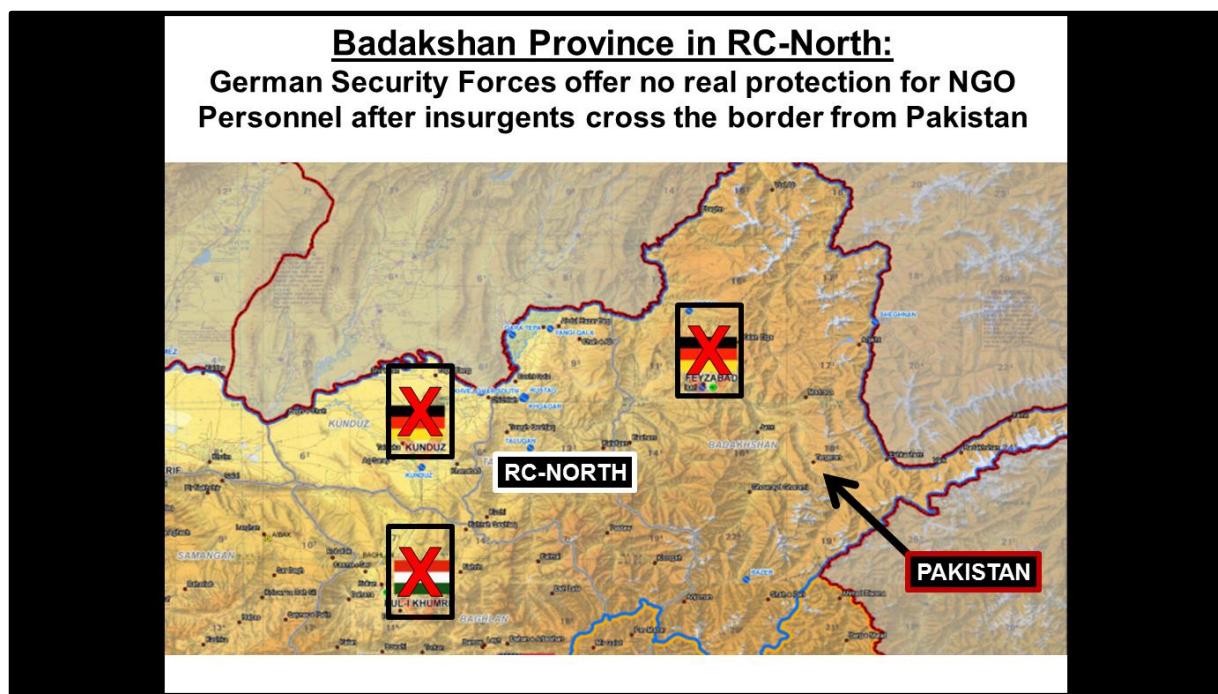


Figure 11.10 – Caveated PRT Security Forces: The scale of caveat constraint on the ISAF mission’s PRT Security Units over the two year period between December 2006 and December 2008.<sup>178</sup>

Among all the TCNs contributing security units to PRTs, however, Germany’s caveats have once again been the heaviest and strictest in this domain, followed closely by Hungarian restraints. German PRT security units have been banned from conducting security operations outside of the German PRTs in RC-North, a caveat that has literally confined the units to activities only within the PRTs themselves.<sup>179</sup> Indeed, as if to emphasise the point, the German government has also imposed a caveat that forbids regular patrols in the immediate area around the German PRTs in RC-North, a ban which seems to defeat the purpose of the PRT security forces – to provide basic protection for the PRT personnel and Afghan populace and its surrounding environs.<sup>180</sup>

Even within the PRTs themselves, furthermore, over a period of six years between 2004-2010, German security units have been restrained by caveats from executing foot patrols through PRT townships (only armoured vehicles patrols were permitted).<sup>181</sup> When these foot patrols were finally permitted in early 2010, moreover, a further caveat prohibited them from taking place without armoured vehicle support.<sup>182</sup> A further blanket caveat prohibits German PRT security forces from conducting security patrols at night, or at any time under cover of darkness – a caveat also imposed by Hungary on its Hungarian PRT security personnel at Pol-e Khomri PRT in RC-North.<sup>183</sup>

Together with the night and combat prohibitions on German CMUs, this has meant that most of RC-North territory and its Afghan inhabitants have been left unprotected – exposed to insurgent intimidation and attacks during the hours of the night – for a period of over nine years. This lack of protection in RC-North is well illustrated by the desperate email from a U.S. State Department official, who in 2009 was working with an NGO in Badakshan Province to the north-east of RC-North (see *Figure 11.11* below).



*Figure 11.11 – German Security Forces Provide No Security: In September 2009, caveats prevented German security forces in RC-North from offering robust protection to NGO personnel after the arrival of over 200 fresh insurgents in the vicinity from Pakistan. The security vacuum created as a result of these caveats caused one U.S. State Department official to fear that he would lose his life by morning.*<sup>184</sup>

On 3 September 2009, the U.S. official dispatched an urgent message to friends and colleagues in Washington D.C. stating that approximately 225 Pakistan Taliban had crossed the mountains from Pakistan into Badakshan Province during the night, to join a growing Taliban contingent in the province.<sup>185</sup> Though aware of the Taliban build-up, the caveated German forces at the local PRT

could do little to address the problem, bound as they were by both combat and night caveats.<sup>186</sup> Although German reinforcements were called for, moreover, these combat forces would not arrive in time to assist the ISAF-ANSF personnel working there, and furthermore, would remain restrained by the same combat caveats that were preventing assistance from German military personnel at the PRT.<sup>187</sup> ‘We could use [German] air strikes to help us defend ourselves,’ the official further related, ‘but as you know those are now prohibited in most cases’.<sup>188</sup>

The security of all the NGO staff was consequently left in the hands of approximately 40 Afghans ‘armed with 40 year old AK-47’s’, because the U.S. State Department had taken away ‘personal weapons’ from their officials in Afghanistan.<sup>189</sup> The predicament was so alarming that the official concluded the email stating:

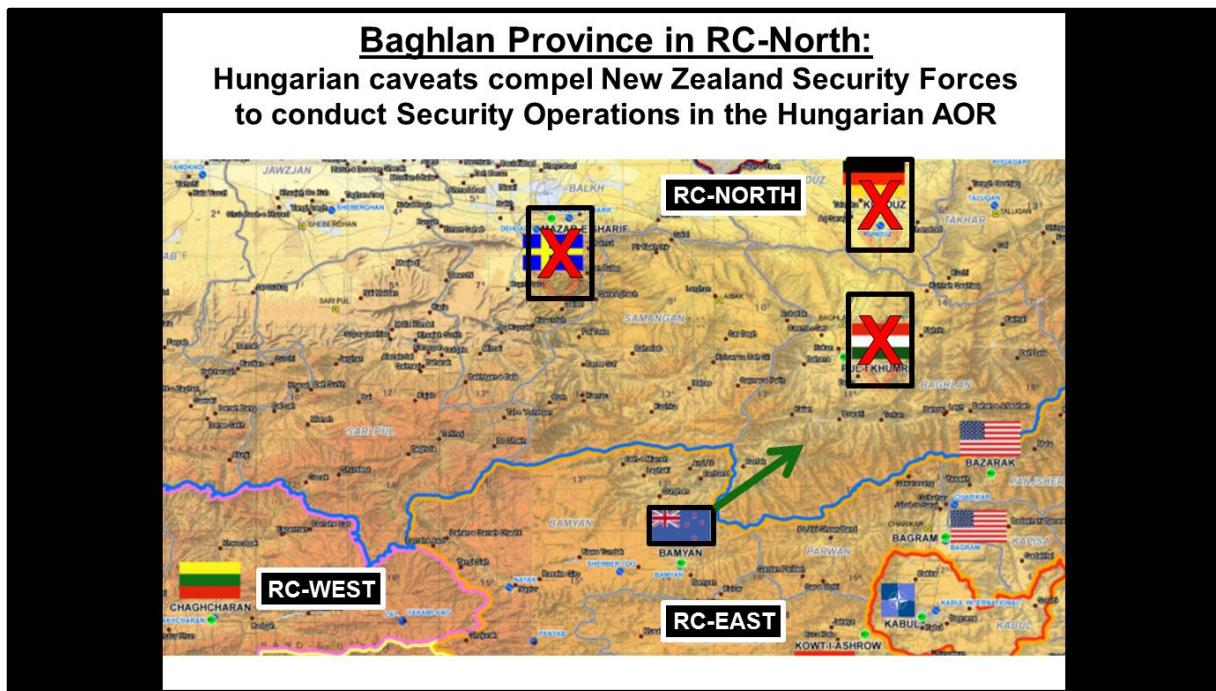
We can’t depend upon the Germans, because while being great NATO allies, they nevertheless have a national caveat which prohibits them from coming to our aid in the event of an attack. Another key factor is that the Germans are not allowed to journey out of their compound after dark. Bottom line, during the next 72 hours we could be in for a very rough ride. Remember, worst case, I want one of those big tree covered plots in Arlington [Cemetery] in the shade...Thank you for your unwavering friendship and support. See you all on the other side.<sup>190</sup>

With regard to Hungary, besides the night caveat alluded to above, Hungary has also imposed further caveats on its PRT security personnel prohibiting them from either deploying beyond a specified distance from Pol-e Khomri PRT within Baghlan Province or from even conducting security patrols on terrain other than the main roads around the PRT.<sup>191</sup> Combined with its non-combat caveats generally for Hungarian forces, these caveats have led to a downturn in security within Baghlan Province overall. Indeed, in October 2009 a senior Hungarian civilian, who had been working at Pol-e Khomri for over two years, reported that the ‘PRT is not doing anything’ to assist security in Baghlan, and had the philosophy of a ‘tourist’, committed only to ‘unscathed’ stints of humanitarian assistance in Afghanistan and quick exits.<sup>192</sup> Those Hungarian commanders willing to ‘do more’, and coordinate with other PRTs for joint action, furthermore, were constrained by caveats that enforced a ‘risk-adverse’ position.<sup>193</sup> In addition to these tight caveats, the official reported, Hungarian security forces had not even been provided with specific training for combat activity, and no instructions had in fact been issued from Budapest regarding the use of weapons in self-defence.<sup>194</sup> Moreover, Hungarian security forces were repeatedly compelled to refuse to offer protection for Hungarian NGO personnel, stating the government-line that: ‘It is not our responsibility’.<sup>195</sup>

As with Germany, these caveats have meant that Hungarian PRT security units have not been able to prosecute robust security patrols or operations in Baghlan Province, despite having leadership of the only ISAF PRT in the province. Indeed, according to the Hungarian PRT official, these severe Hungarian constraints sent ‘an obvious message to insurgents that they have a safe-haven’ in

Baghlan.<sup>196</sup> In point of fact, due to the night restrictions in particular, the Taliban and other criminals were then reported to hold complete control of Baghlan Province each day ‘after four P.M’.<sup>197</sup> With Hungarian ISAF forces effectively handicapped, local security during these hours was dependent on one Afghan ANA battalion with low capability and a desertion rate of 33 percent.<sup>198</sup>

The frustrated official summarised the negative security situation stemming from the night caveats, stating: ‘Taliban presence may be increasing, criminality is very high and such “criminals,” acting on the Taliban’s behalf, exploit the local population, who ask: “who will defend us?”’<sup>199</sup> This dismal security situation generated by Hungarian caveats has held important implications for the successful prosecution of population-centric COIN in Baghlan Province. The Afghan local populace have been reported as holding a ‘very low’ view of the ISAF’s Hungarian-led PRT, which was largely seen as ‘not effectively contributing to the province’s security’.<sup>200</sup> In fact, the Afghan Provincial Governor of Baghlan, together with Afghan leaders of the local Shura, reportedly all expressed the belief that the PRT was not giving ‘value-added’ to security and had ‘a greater responsibility to provide security’.<sup>201</sup>



*Figure 11.12 – Baghlan Province in RC-North: Caveats on Hungarian security forces compel caveat-free New Zealand security forces, located at the Bamyan PRT in RC-East, to conduct security operations against insurgents in the Hungarian AOR over a period of many years (from at least 2009-2012).*<sup>202</sup>

The situation in Baghlan has, furthermore, held wider ramifications for the ISAF campaign as a whole. That is, with Hungarian ISAF security forces adopting a ‘go-to-ground’ approach whenever an insurgent threat has arisen, other ISAF nations have become compelled by the deteriorating security situation in Baghlan to intervene themselves (see endnote).<sup>203</sup> In particular, this has concerned non-caveated New Zealand security forces based at the New Zealand-led Bamyan PRT,

located southwards across the border from RC-North in neighbouring Bamyan Province in RC-East (see *Figure 11.12*). Unlike the approximately 413 Hungarian soldiers at Pol-e Khomri, New Zealand security forces have operated free from all geographical, regional, AO, combat and night restraints, endowing these forces with operational flexibility and freedom in the face of the insurgent menace. As one journalist reported: ‘Kiwi troops have always been able to cross the border’.<sup>204</sup>

When insurgent activity rose to dangerous levels in the north-east of Baghlan Province, it was consequently the New Zealanders – not the Hungarians – who deployed to counter insurgents there.<sup>205</sup> Moreover, when in 2010 insurgents began to react by attacking New Zealand forces in Bamyan from Baghlan Province, resulting in the death of one New Zealand soldier, an elite New Zealand SOF unit (a *Special Air Service* or ‘SAS’ squad) again crossed the border to conduct a punitive raid on the insurgents responsible.<sup>206</sup> Indeed, by 2012 cross-border sorties by New Zealand forces into the Hungarian area of responsibility had become common practice, with security operations there leading to several New Zealand casualties.<sup>207</sup>

This security norm, whereby New Zealand security forces assumed the duties of Hungarian security personnel led New Zealand Prime Minister, John Key, to remark: ‘Hungarians don’t go out at night – they might in Budapest, but not in Afghanistan’.<sup>208</sup> Nevertheless, in spite of the Hungarian’s caveat situation, which had directly led to increased New Zealand security operations in a new ‘dangerous and difficult’ Baghlan environment, Key confirmed that New Zealand’s political and security commitment to Afghanistan would remain firm (see endnote).<sup>209</sup> Furthermore, Key considered there was no point in New Zealand applying direct or indirect diplomatic pressure on the Hungarians to do more in Baghlan, moreover, since ‘the position the Hungarians have taken has been the position ever since they have been there’.<sup>210</sup>

#### *PRT Stability Operations*

Even with regard to the PRT stability forces themselves, military-civilian humanitarian and development aid personnel focused on conducting the other three Governance, R&D and Counter-Narcotics LOOs of the COIN strategy, these forces too have been constrained in their conduct of their tasks by government-imposed political fetters. Like security forces, Italian stability personnel have been limited from deploying outside Herat PRT without explicit government authorisation from Rome.<sup>211</sup> Spanish personnel have likewise been restrained from making excursions into ‘insecure districts’ of the Badghis Province around the Qal’ey-ye Now PRT without prior consent from Madrid.<sup>212</sup> Like their security counterparts, these personnel have also been banned from ‘taking an active role in counter-insurgency operations’, which has significant implications for the non-kinetic and non-lethal sphere of COIN, especially within the context of a COIN campaign in Afghanistan.<sup>213</sup>

German stability personnel have been prohibited outright from operating outside the borders of PRT bases.<sup>214</sup> Hungarian military-civilian personnel have been forbidden from staying outside the PRT base area overnight.<sup>215</sup> Lastly, Sweden has not only banned its civilian aid personnel at the Mazar-e-Sharif PRT in Balkh Province (RC-North) from deploying outside the PRT's immediate surrounding area, but has actually instituted caveats to forbid them from working with Swedish or other international military forces, or even from working near to localities where military forces operate or are based (many of the various international NGO relief and development agencies working in the country have also refused to coordinate or integrate with military forces, creating a reconstruction effort described by NATO SACEUR Craddock as 'disjoined in time and space').<sup>216</sup> This unhappy state of affairs led Morelli & Belkin to conclude in 2009 that:

The allies' description of PRTs as the "leading edge" of their stabilization effort masks a divergent reality. Some PRTs are clearly effective, building needed infrastructure and by most accounts gaining the confidence of local populations. Others, in the view of some U.S. and European officials, are no more than showcases, aimed more at demonstrating an ally's desire to participate in an important NATO mission than at producing concrete results for the stabilization plan.<sup>217</sup>

In short, national caveats on PRT forces have materially damaged the ability of the PRTs to prosecute their duties along all four LOOs during the HOLD and BUILD phases of the strategy. Indeed, as this analysis makes evident, the ISAF has struggled to execute its COIN strategy, because although ISAF security forces might clear an area of insurgents, stability forces have not had the flexibility to take full advantage of these security gains. As Craddock explained: 'If governance does not immediately follow, the military gains are often for naught'.<sup>218</sup>

Overall, the caveats described in this chapter present a picture of a fragmented, divided and uncohesive security and stabilisation effort in Afghanistan. The prevailing realities of divided ISAF security forces, constrained by numerous government-imposed fetters from effectively prosecuting the most critical security LOO of the campaign, can only have had grave implications for the success of the entire mission to secure and stabilise Afghanistan. Indeed, from the overview presented in this chapter, one can see that caveats have hurt the Afghan campaign and hindered ISAF security forces during all four phases of the NATO COIN strategy – 'SHAPE, CLEAR, HOLD, BUILD'. This caveat-induced fragmentation within the ISAF force is present not only in the security sphere of the ISAF campaign, furthermore, but is actually mirrored in the stability sphere too. Indeed, across the board, the caveats present a disconcerting pattern of constraint, with ISAF personnel not able to carry out their tasking with the requisite freedom to achieve their objectives fully and effectively. In short, campaign-wide, there has been a clear and tangible lack of freedom among many ISAF personnel – freedom of movement as well as freedom of action – which has led to negative consequences for the mission, for the Afghans the ISAF is tasked with protecting, and for ISAF personnel themselves.

## **Conclusion**

In conclusion, national caveats have had a tangibly visible, and perceptibly negative effect on the ability of ISAF security forces to conduct the full range of security operations within the overall COIN strategy. In each of the vital COIN security phases – SHAPE, CLEAR, HOLD and BUILD – intended to first create security in Afghanistan and then build on this security to stabilise the country, caveat fetters on ISAF security forces have done irreparable harm. The fact that national security forces have been deployed to Afghanistan specifically to conduct security operations, but are then excluded from conducting real security tasks by their governments, is a two-faced reality that has not been lost on the Afghan people and which is serving to undermine COIN within the mission.

Of all the caveat-imposing ISAF TCNs, Lead Nation Germany in RC-North is the worst offender in this respect. Germany's hefty list of some 74 caveats have had a demonstrable negative impact on the ability of German forces to secure the north of Afghanistan, an area encompassing nine large provinces. In this way, the German caveats have made a direct contribution to the deterioration of security in RC-North. Unfortunately, the Germans are not alone in having taken this position. Indeed, the fact that so many international security forces have been prevented by caveats from conducting the security operations necessary to secure the country from extremist Islamist influence is an absurd and almost farcical reality within the ISAF mission.

The following chapter will continue this examination of the tangible negative effects of national caveats on ISAF security forces between 2002-2012, by narrowing the focus even further to examine the impact of TCN caveats on the ISAF's combat forces. In particular, the chapter will highlight three major negative caveat effects which have handicapped the mission's combat arm performing the hardest security work at the 'sharpest' point of the spear – that of fighting and dying to secure the Afghan people from the terror and intimidation of the Taliban and other Afghan insurgent fighters.

## **CHAPTER 12**

### **Degrading Insurgent Capacity:**

### **Three Negative Effects on ISAF Combat Operations**

The previous chapter has demonstrated, using tangible examples, how a web of national caveats has hindered both the planning and execution of ISAF security operations in Afghanistan over the past decade. National caveats have materially constrained ISAF forces in the prosecution of their tasking, and acted as hindrances to mission accomplishment during each phase of the overarching COIN strategy for the Afghan campaign – ‘SHAPE, CLEAR, HOLD, BUILD’.

This chapter will investigate this reality further, by narrowing its focus to the debilitating effects of national caveats on ISAF *combat forces* conducting combat operations within the campaign. These combat forces are principally composed of major and minor Combat Manoeuvre Units (CMUs, also known as ‘Task Forces’), Special Forces (SOFs) and Quick Reaction Forces (QRFs). Three crucially important and critically negative effects for the mission that have resulted from caveat fetters on this combat arm within the mission will be examined, specifically the way in which national caveats have: (1) led to diminished combat capability within the mission; (2) compounded ISAF under-resourcing; and (3) served to help the insurgent and terrorist Enemy forces operating within the country. Each of these three detrimental effects will be discussed in detail in the following, in order to reveal the stark and ugly realities that these political constraints have had on security forces conducting the ‘sharpest edge’ of the security work to secure and stabilise Afghanistan from radical Islam and its extremist global designs.

### **Caveats & Combat Operations**

Assessing the impact of national caveat imposition on the combat arm of the ISAF mission is a serious and important undertaking. Combat operations have become a critical feature of the ISAF mission since the Taliban resurgence of 2006, and vital to the international effort to secure and stabilise Afghanistan. Since then combat operations have become such an essential part of ISAF security operations, being conducted along the security LOO of the COIN strategy (the 20% effort), that by 2013 the entire mission was retrospectively described by NATO as a ‘combat mission’.<sup>1</sup> As recently as June 2014, NATO Secretary General Rasmussen also referred to the ISAF campaign as a whole as an ‘active combat mission’.<sup>2</sup> Indeed, due to the extent of the insurgency within Afghanistan between 2006-2012, the success of the whole multinational mission has, in a very real sense, hung on

the effective prosecution of these crucial combat operations, the latter involving not only counter-insurgent and counter-terrorist operations, but also from 2008 onwards, active participation in counter-narcotics interdiction operations.

Nevertheless, as alluded to in Chapter 10, ISAF combat operations have been hindered by the heavy and widespread imposition of national caveats. In particular, approximately 50 combat caveats have been imposed by coalition TCNs on their national contingents between at least 2006-2010, which have materially interfered with the prosecution of these operations within the Afghan theatre of war. According to officials, this insidious group of combat caveats on ISAF combat forces have not only acted to ‘seriously restrict missions deemed acceptable’ by NATO and ISAF Headquarters, but have also been instrumental in handicapping approximately a quarter of the entire ISAF force over this period.<sup>3</sup> Furthermore, as discussed in Chapter 11, these combat caveats have presented a grave dilemma to the COMISAF and other ISAF commanders in both the planning and execution of combat operations. Indeed, a substantial group of ISAF TCNs – including several prominent NATO Lead Nations – have continued to impose these combat caveats over many successive years, despite the unhappy reality that this group of caveats has been interfering with the manoeuvrability and effectiveness of ISAF combat forces and were declared by NATO to be ‘having an immediate, and adverse, impact on combat operations’.<sup>4</sup>

In particular, combat caveats have had a deleterious impact on the ability of ISAF combat forces to successfully and effectively achieve the first and most crucial priority area along the security LOO ‘Degrading Insurgent Capacity’ – the campaign’s main security effort to rid the country of extremist insurgent influence and intimidation through kinetic, lethal and offensive operations to kill or capture insurgents, eliminate their equipment, supplies and infrastructure, and deny insurgents access to population centres (refer to *Figures 11.2 and 11.3*). The following analysis will examine three specific negative effects in this important domain, which have resulted from caveat-imposition by coalition TCNs on ISAF combat forces.

## **Effect 1: Diminishing Combat Capability**

One of the key ways that combat caveats have obstructed combat operations, conducted in pursuit of the security priority objective of ‘Degrading Insurgent Capacity’, has been through diminishing the combat capability of the ISAF force as a whole. In short, these caveats have created an oxymoron within the campaign – the existence of thousands of non-combat capable ‘combat forces’, chiefly in

the form of non-combat capable CMUs. This unsettling reality is displayed in the table presented below (*Table 12.1*).

COMBAT UNIT	Red = TCN Units Affected by Caveat Restrictions		Green = TCN Units Not Affected by Caveat Restrictions		Orange = Caveated TCN Units whose Caveats were Lifted as Exceptions	
	Major Combat Unit(s) (>700 troops)	Minor Combat Unit(s) (550-700 troops)	QRF(s)	SOF(s)	OMLT(s)	POMLT(s)
TCNs				Albania	Albania	
	Australia			Australia	Australia	
		Belgium			Belgium	
		Bulgaria			Bulgaria	
	Canada		Canada	Canada	Canada	Canada
					Croatia	Croatia
		Czech Rep.		Czech Rep.	Czech Rep.	Czech Rep.
	Denmark	Denmark		Denmark	Denmark	Denmark
					Finland	
	France	France	France	France	France	France
	Georgia					
	Germany		Germany	Germany	Germany	Germany
					Greece	
		Hungary		Hungary**	Hungary	
	Italy		Italy		Italy	Italy
				Latvia	Latvia	
				Lithuania**		Lithuania
					Macedonia	
	Netherlands		Netherlands	Netherlands	Netherlands	Netherlands
				New Zealand		New Zealand
		Norway	Norway	Norway	Norway	Norway
	Poland			Poland	Poland	Poland
			Portugal	Portugal**	Portugal	
	Romania	Romania		Romania	Romania	
				Slovakia	Slovakia	
					Slovenia**	Slovenia
	Spain	Spain	Spain		Spain	Spain
					Sweden	
	Turkey				Turkey	Turkey
	U.K.		U.K.	U.K.	U.K.	U.K.
	U.S.A.		U.S.A.	U.S.A.	U.S.A.	U.S.A.

*Table 12.1 – Caveated Combat Units: The caveat-status of TCN combat units within the ISAF mission over the period of a decade between 2002-2012.*

This table depicts the various nations that have contributed units officially recognised as combat forces involved in combat operations, which include: major combat units; minor combat units; QRFs; SOFs; OMLTs; and lastly POMLTs (the ANP force is a paramilitary police force and engages in combat operations, in addition to ordinary civilian ‘Bobby-on-the-beat’ policing). It also indicates the caveat-status of these units, that is – whether they have been restricted in their combat operations by politically-derived and imposed restrictions. The ISAF TCNs which have imposed these restrictions on their combat units at some point over the ten year period between 2002-2012 are coloured red (note that American caveats apply only to forces in Helmand Province from 2010-2012). TCN combat units which have continually been caveat-free – and therefore combat-capable, flexible and manoeuvrable – are coloured green. Nations which have altered their caveat stance on certain units,

removing former combat restrictions as a one-off ‘exemption’ granted only for that particular unit (sometimes also only for a specific time period), are coloured orange.

One may see by this table that caveated combat units are the prevailing norm or rule, rather than the exception, within the ISAF mission. Major and minor combat units hindered by caveats in the prosecution of their combat operations to degrade insurgent capacity in Afghanistan over the course of the ISAF mission include those contributed by Australia, Belgium, Bulgaria, the Czech Republic, Denmark, France, Germany, Hungary, Italy, the Netherlands, Norway, Poland, Romania, Spain, Turkey and even the United States. Emergency QRF units affected by caveat restraints, meanwhile, include units contributed by France, Germany, Italy, the Netherlands, Norway, Portugal, Spain, Turkey, and the United States (in Helmand from 2010). Elite SOFs limited by caveats include those contributed by Australia, the Czech Republic, Denmark, France, Germany, Hungary, Latvia, Lithuania, Italy, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, and the United States (in Helmand from 2010).

With regard to OMLT teams – central to the COIN strategy of developing combat-capable indigenous Afghan security forces – units affected by caveat fetters include those contributed by Australia, Belgium, Bulgaria, Denmark, Finland, France, Germany, Greece, Hungary, Italy, Latvia, the Netherlands, Norway, Portugal, Slovakia, Slovenia, Spain, Sweden, Turkey and the United States (in Helmand from 2010). Likewise POMLT teams affected by political constraints include those deployed by Denmark, France, Germany, Italy, the Netherlands, Norway, Slovenia, Spain, Turkey and the United States (in Helmand from 2010).

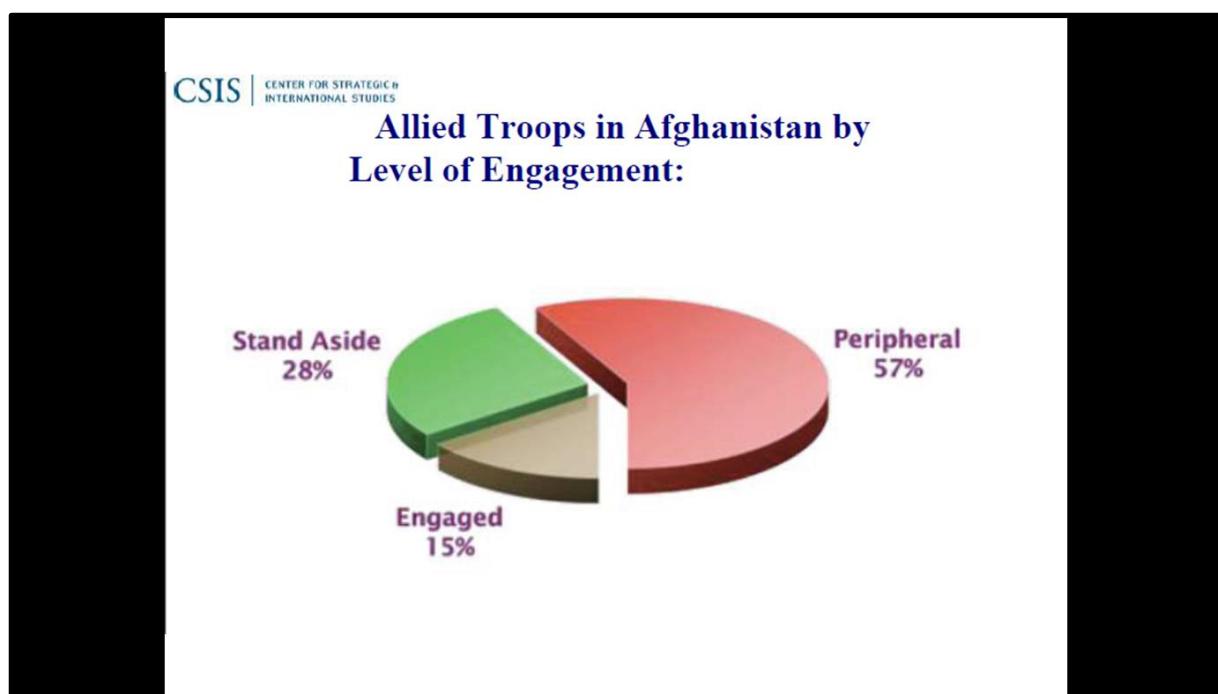
In fact, many TCNs have actually prohibited their ground and air combat forces from ever engaging in kinetic, lethal, offensive combat operations at all during the course of the campaign, leading to the irony of having large numbers of non-combat combat forces within the mission. These nations include Lead Nations the Netherlands (2001-2006), Italy (2001-2009), France (2001-2009), Germany (2001-2012), and Turkey (2001-2012), in addition to supporting nations Denmark (2003-2006), Slovakia (2003-2006) and Spain (2003-2010). The same ban has also been imposed on security forces deployed to Afghanistan by Finland, Iceland, Sweden and Switzerland (nations further limiting or prohibiting security forces even from engaging in non-kinetic security operations and patrols at ISAF PRTs, airfields and other military installations also include Austria, Germany, Iceland, Italy, Romania, Slovenia and Spain).

### ***Determining Total Numbers of Caveated Combat Forces***

Unfortunately, it is difficult to ascertain in numerical terms precisely how many thousands of combat forces have been affected by caveat constraints over the research period 2002-2012. This is due to the

fact that precise force numbers for each of these TCN combat units over the decade are unavailable, in addition to the way in which official ISAF force figures per TCN are representative of the entire national contribution to the mission, including both combat and non-combat personnel.

Nevertheless, a rough indication of the scale of caveat imposition among CMUs can be found when charting the size of each nation's force contribution to the mission over the six-year period between 2006-2012. This is due to the fact that minor and major combat units have a set size of less than, and more than, 700 personnel respectively. A table indicating TCN's contributions to minor and major CMUs between June 2006 – December 2012, in addition to the TCN's caveat status over the same time period, can consequently be seen in APPENDIX 9 '*Table Displaying Caveat Imposition among Major and Minor Combat Manoeuvre Units (CMUs) within the ISAF Mission, June 2006 – December 2012*' (*Volume II*). Overall, the table shows that the majority of major and minor combat units within the mission have been affected by national caveats in their operations over this important six-year period, following the Taliban resurgence in Afghanistan.

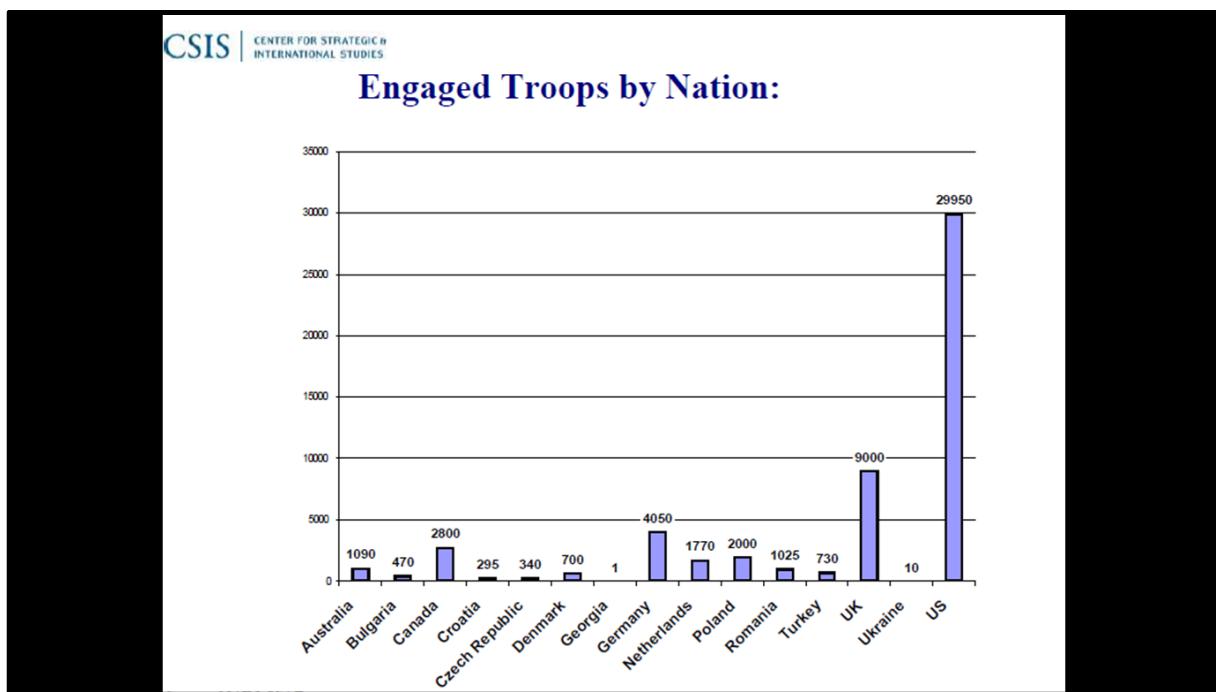


Graph 12.2 – ‘Engaged’ or ‘Stand Aside’ Combat Forces: Cordesman’s pie graph showing that only 15% of the ISAF force is actually engaged in combat operations against Taliban and extremist insurgents and terrorists within Afghanistan (2009).<sup>5</sup>

A further indication of the numbers of combat forces affected by these caveat restrictions was provided by Cordesman, from the Washington-based CSIS, in December 2009. At a presentation of metrical analysis on the Afghan War, Cordesman estimated that by mid-2009 the combat units within the mission represented some 43 percent of the entire ISAF force<sup>6</sup>. Within this percentage of ISAF

combat forces, Cordesman considered that only 15 percent could be classed as ‘engaged’ in combat operations, while the remaining 28 percent were classified as ‘stand aside’ troops within the campaign (see *Graph 12.2*).<sup>7</sup>

Since Italian and French forces are not classed as ‘engaged’ combat forces within Cordesman’s data (see *Graph 12.3 below*), one can deduce that these figures were drawn from data collected around March-April of 2009, before the Italian and French governments eliminated all of their caveats from their ISAF personnel. Since the ISAF force officially stood at 61,960 personnel in March 2009, one can further deduce that of the approximately 26,642 combat personnel within the mission (that is, 43 percent of the entire force), around 9,294 combat personnel were ‘engaged’ in combat operations against the Taliban and other anti-Government forces within Afghanistan, while approximately 17,348 combat forces were not engaging in combat, becoming ‘stand aside’ troops (equating to 35 percent and 65 percent of total ISAF combat forces, respectively).<sup>8</sup> In other words, due to the caveat restrictions on ISAF combat units, 65 percent of all ISAF combat forces within the mission were not considered by Cordesman to be engaged in the hard work of fighting insurgents to degrade insurgent capacity in early 2009, three years after NATO took command of the ISAF mission.



*Graph 12.3 – Engaged Troops by Nation: Cordesman’s graph indicating the TCNs classified as ‘engaged’ in combat operations within the ISAF campaign (2009).*<sup>9</sup>

The effect of so many caveated combat units on the ISAF’s combat capability is clear: the mission’s combat arm has been severely impeded by the caveats, with thousands of forces across the full spectrum of combat units crippled by government restrictions. David Loyn of the *European Council on Foreign Relations* has also alluded to this troubling reality, testifying to a British House of

Commons select committee in 2009 that there exists in Afghanistan: ‘A military force that was initially drawn from an alliance, which you cannot send into battle in most of the country’.<sup>10</sup> Given the size of Afghanistan, an area of 647,500 km<sup>2</sup>, and its population of some 33.6 million people, the implications of this on the ability of the ISAF to actually protect the Afghan population are grim.<sup>11</sup>

## **Effect 2: Compounding ISAF Under-Resourcing**

The second negative effect of caveat imposition on the ISAF mission’s combat arm concerns under-resourcing within the mission. It is no secret that the NATO-led ISAF mission in Afghanistan has suffered from under-resourcing for the duration. For over ten years, the mission has operated with major shortages in military forces, aircraft and funding.

Given the manpower-intensive nature of a COIN campaign, the shortages in military personnel has been of greatest concern. As Max Boot has stated, ‘there’s no substitute for troops on the ground’ within a counter-insurgency campaign.<sup>12</sup> This concern rose substantially after a succession of NATO force generation conferences between 2006-2009 failed to garner substantial increases. Indeed, according to NATO SACEUR General Craddock: ‘Since mission inception, NATO nations have never completely filled the agreed requirements for forces needed in Afghanistan’.<sup>13</sup>

### ***Under-Resourcing within the Mission, 2006-2009***

Force shortages are also consistently referred to by many ISAF COMISAFs and NATO officials in both press conferences and diplomatic communiqûés (the latter appearing frequently in the *Wikileaks* cache of diplomatic cables). In November 2006, for example, NATO SACEUR General Jones reported that the ISAF then consisted of only 85 percent of the official NATO Combined Joint Statement of Requirements for the mission, equating to a shortage of several thousand personnel including 1-2 infantry battalions, helicopter mobility and other critical enablers.<sup>14</sup> ‘When the alliance takes a decision, those missions have to be resourced, especially in Afghanistan,’ Jones stated, ‘When you have a mission where people are actually being shot at, and you have combat operations, that 10 to 15 percent [shortfall] becomes more important’.<sup>15</sup>

The following year in 2007 COMISAF McNeill revealed that despite NATO appeals there still existed a substantial gap between the actual military forces deployed to ISAF and the number of military troops he required to complete the mission, with the 39,000 armed forces then deployed to the mission still constituting only 85 percent of the NATO Joint Statement of Requirements.<sup>16</sup> In May 2008, McNeill again underscored the ISAF’s plight, emphasizing that the ISAF mission was significantly under-resourced in: (1) force numbers (only 53,000 personnel against the U.S. COIN

doctrine recommendation of 400,000); (2) combat capability, through a lack of combat manoeuvre forces; (3) equipment and flying machines, especially fighter aircraft and helicopters; (4) and intelligence surveillance and reconnaissance systems.<sup>17</sup>

McNeill's concerns were echoed in a subsequent U.K. government report which stated that:

The difficulties of force generation in Afghanistan have long been a source of concern to us. In our report on UK operations in Afghanistan, published in July 2007, we highlighted the difficulties NATO had encountered in generating sufficient forces for the ISAF mission. We said that we were deeply concerned at the reluctance of some NATO members to provide troops to ISAF and stated that that this was undermining the coherence of ISAF operations on the ground as well as the credibility of the NATO Alliance as a whole... More troops are needed in Afghanistan if the ISAF mission is to succeed... Such progress will be essential to the future of the ISAF mission.<sup>18</sup>

By mid-2008, however, under-resourcing of the ISAF mission remained an on-going issue. McNeill then warned that NATO's continued failure to fill the ISAF's force requirements was prolonging the mission and that while, on the one hand, an under-resourced ISAF could still eventually 'get the job done', on the other hand, the shortages represented an inherent strategic danger: that it would take longer for an under-resourced ISAF to complete its mission, a reality which would endanger the 'perishable wills' of the governments and peoples of Europe, North America and Afghanistan in the Afghan 'chronological race'.<sup>19</sup> As McNeill then described ISAF's position:

You will have to accept that with an under-resourced force, it's likely to take longer. And the risk in the fact that it takes longer means that those perishable wills [within Afghanistan and all ISAF contributing nations], one or more of them, could indeed go asunder.<sup>20</sup>

Nevertheless, despite all of these warnings, by July 2009 the force shortages within the mission remained, causing General Craddock to remark that 'a "teeth sucking" sound' resonated in the hallways of NATO Headquarters in Brussels, following any request to commit additional resources.<sup>21</sup> As Saideman likewise stated: 'Countries either have had very little to provide or have decided to provide much less than they need to be capable.'<sup>22</sup> This reality has led to comments such as that made by the German magazine *Spiegel*, which declared in one article that 'ISAF is failing in its effort to secure Afghanistan on the cheap' and named the Afghan campaign 'The Discount War'.<sup>23</sup>

Over the same period from 2006-2009, the mission has also encountered continual major shortfalls in OMLTs necessary to build the capacity of Afghan security forces (including through combat training and operations).<sup>24</sup> This is despite the fact that ANSF capacity-building has been much lauded as an Afghan solution that would speed up the ISAF's departure from Afghanistan and provide a comprehensive exit strategy for all of the mission's TCNs. As the Obama Administration stated in its strategy white paper of 2009:

Our military forces in Afghanistan, including those recently approved by the President, should be utilized for two priority missions: 1) securing Afghanistan's south and east against a return of al

Qaeda and its allies, to provide a space for the Afghani government to establish effective government control and 2) providing the Afghan security forces with the mentoring needed to expand rapidly, take the lead in effective counterinsurgency operations, and allow us and our partners to wind down our combat operations.<sup>25</sup>

As late as April 2010, however, a U.S. Pentagon report found that the ISAF was still experiencing capability gaps in this area, being short of 17 OMLTs and a startling 108 POMLTs that were both urgently needed and officially required to carry out the training and mentoring tasks of the ANA and ANP.<sup>26</sup>

The problem of ISAF under-resourcing was only partly resolved by an American surge of 17,000 troops ordered by new President Obama in February 2009. However even with this American force injection, this surge was 13,000 short of the number which COMISAF McKiernan stated he ‘urgently needed’ and ‘as quickly as possible’ to combat escalating Taliban violence and a fresh influx of foreign jihadists that had crossed the border from Pakistan into Afghanistan (reportedly of Arab, European, Uzbek and Chechen descent).<sup>27</sup> The smaller surge was also in spite of a gloomy prognosis by the U.S. Joint Chiefs of Staff that, unless rapid and major improvements were made, the Afghan situation would ‘worsen’ and continue in a negative ‘downward spiral’.<sup>28</sup>

Similarly, in September 2009 after Obama’s adoption of a more holistically COIN-oriented ‘Af-Pak’ strategy for Afghanistan, COMISAF McChrystal requested 40-85,000 additional American troops to meet the objectives of the new revised strategy.<sup>29</sup> As McChrystal then stated in his report:

Failure to gain the initiative and reverse insurgent momentum in the near-term (next 12 months) -- while Afghan security capacity matures -- risks an outcome where defeating the insurgency is no longer possible...Inadequate resources will likely result in failure.<sup>30</sup>

This assessment was echoed by counter-insurgency expert, Max Boot, who remarked that: ‘Only by sending more personnel, military and civilian, can President Obama improve the Afghan government’s performance, reverse the Taliban’s gains and prevent Al Qaeda’s allies from regaining the ground they lost after 9/11.’<sup>31</sup>

However, once again and despite the urgency of the security situation in Afghanistan, President Obama deployed only 30,000 additional forces to the mission in December – 10,000 soldiers short of the McChrystal’s ‘bare minimum’ force requirement figure, which he had stated was necessary ‘to reverse the deteriorating situation in Afghanistan’.<sup>32</sup> What is more, the Obama Administration took three months after McChrystal’s September force request – 89 days – to reach this decision (see endnote).<sup>33</sup> Coincidentally, the drawn-out delay in resolving the ‘Deepwater Horizon’ oil spill crisis, an event which occurred the following year in the Gulf of Mexico off America’s southern coast, equated to exactly the same period of time – though the latter delay gained far more international attention than the former.

## **Caveats & Under-Resourced Combat Forces**

This constant under-resourcing of the ISAF mission, combined with the reality of cavedated combat forces, has had a two-fold effect on ISAF combat forces. First of all, the constant shortages have meant that insufficient combat forces have existed in many areas of Afghanistan generally to conduct the kinetic, lethal and offensive aspects of security operations – especially given the prevailing ‘tooth-to-tail’ ratios within national contingents (amounting to small numbers of combat forces supported by large numbers of logistical and support personnel). Secondly, moreover, the caveat restraints have reduced and limited even further the combat-capable force within the existing small pool of combat forces operating within the mission. In this way, the caveats have compounded the under-resourced plight of the Afghan mission, further shrinking the ISAF’s combat capability and on the whole creating an anaemic combat arm within the mission.

NATO SACEUR General Jones underscored exactly this point as early as October 2006. With total ISAF force levels already being ‘inadequate to the task’, Jones announced that national caveat restrictions together with the ISAF’s substantial troop shortfalls significantly increased operational risks within the Afghan mission.<sup>34</sup> The material impact of these two factors combined for ISAF combat operations was, as Jones then stated, that: ‘You lose one of two infantry battalions, you lose helicopter mobility, you lose reconnaissance capability, you lose some of the critical enablers that you need’.<sup>35</sup> In short, the caveat constraints were amplifying further the existing force shortages. It was for this reason that Jones lobbied so concertedly for a relaxation of caveats in 2006, which he asserted was urgently required to ‘maximize operational capability of available forces and to better address troop shortfalls’.<sup>36</sup> ‘Removing caveats is tantamount to raising forces’, he declared.<sup>37</sup> ‘Removing caveats is like providing more troops, a force multiplier’, Jones continued. ‘The more freedom you give, the better it is.’<sup>38</sup>

A series of COMISAF’s have consequently been presented with a double-edged dilemma with regard to combat forces having, firstly, too few combat forces in general, and secondly, a large proportion of existing combat forces severely inhibited by caveats from conducting combat. This was especially problematic between the years 2006-2009, at a time when the insurgency within Afghanistan was every month gathering strength and combat-capable combat forces were needed as a matter of urgency to restore security and stability to the country. Indeed, the situation of cavedated combat forces prompted a 2008 U.K. House of Commons report on ‘*The future of NATO and European Defence*’ to state:

National caveats impose limitations on the use of Allied forces which complicate the task of theatre commanders and necessitate the deployment of additional troops to cover for those which cannot be employed in certain kinds of operations....we remained concerned that such caveats risked impairing the effectiveness of the ISAF mission.<sup>39</sup>

However, even with regard to additional forces, TCN governments regularly imposed caveats on additional national deployments to Afghanistan during this period, so that the fresh troops only reinforced caveat-restricted comrades and, as General Craddock once explained, ‘do not extend the ISAF presence’.<sup>40</sup> As Barno also explains:

If I have a requirement for 20,000 troops...my expectation is that those 20,000 troops can do all the tasks at hand. If 20,000 can only do half the tasks at hand, then that does not equal the 20,000, that's equal to something less than 20,000. So, you know, a force coming with caveats, even though it may have a 1000 soldiers, may only be worth 500 soldiers because it can only do half of the tasks that a thousand American soldiers might be able to do, or a British unit or whatever...If your combat troops are restricted in what they can do, then they're not equal to the full force that you say that you need in effect.<sup>41</sup>

Small wonder then that by 2009 Craddock began to express that he ‘would gladly forgo more NATO troops to fight Taliban insurgents in Afghanistan if allied countries dropped their caveats against their use in combat operations’.<sup>42</sup>



**A “Dog’s Breakfast:” NATO/ISAF Forces  
October 22, 2009**

	Albania	250		Georgia	1		Portugal	145
	Armenia	0		Germany	4365		Romania	990
	Australia	1350		Greece	145		Singapore	9
	Austria	4		Hungary	360		Slovakia	245
	Azerbaijan	90		Iceland	2		Slovenia	130
	Belgium	530		Ireland	7		Spain	1000
	Bosnia & Herzegovina	10		Italy	2795		Sweden	430
	Bulgaria	460		Jordan	7		The Former Yugoslav Republic of Macedonia <sup>a</sup>	165
	Canada	2830		Latvia	175		Turkey	720
	Croatia	290		Lithuania	250		Ukraine	10
	Czech Republic	480		Luxembourg	8		United Arab Emirates	25
	Denmark	690		Netherlands	2160		United Kingdom	9000
	Estonia	150		New Zealand	300		United States	34800
	Finland	165		Norway	480			
	France	3095		Poland	1910		Total	71030

Table 12.4 – A ‘Dog’s Breakfast’: Cordesman’s view of the ISAF mission’s forces, as presented on 3 December 2009.<sup>43</sup>

In this way the caveats have undermined ISAF’s attempt to establish a comprehensive security presence across Afghanistan, so much so in fact that the French military chief was provoked to remark in late 2009 that caveats were a ‘poison for multinational operations’.<sup>44</sup> Indeed, NATO officials claimed that only caveat-free ISAF forces, operationally free from constraints, would be able to be used as the COMISAF saw fit, including participation in ‘a full range of operations including combat’.<sup>45</sup> It is consequently no surprise that many COMISAFs have publicly appealed for more combat-capable troops through the removal of national caveats. As COMISAF McNeill once asserted:

'I would like the force to be resourced to a level which I think is appropriate for the task in hand, and within the force I would like the caveats to be eliminated'.<sup>46</sup> In short, due to chronic under-resourcing and the added detrimental impact of national caveat restraints, the combat arm of the ISAF has over a significant period of time been – as Cordesman once remarked – a 'dog's breakfast' (see *Table 12.4*).

### **Effect 3: Aiding the Enemy**

The third negative effect of caveat imposition amongst ISAF combat forces is the very disturbing fact that caveats have actually aided the insurgent Enemy within Afghanistan, especially between the years 2006-2009. As Barno states: 'The Taliban used those...years to grow certainly stronger than they were at the beginning of that time'.<sup>47</sup> Or as Cordesman more emphatically expressed in 2009:

The Taleban have gone from a defeated group of exiles to a force that has threatened to defeat Nato and the Afghan Government. It has also created a situation where winning the war now requires Nato/ISAF to deal with not one, but six, centres of gravity.<sup>48</sup>

To be sure, caveat restrictions within the ISAF have helped the Enemy in a number of ways.

#### ***Providing Opportunities: Freedom to Move, Act & Expand with Impunity***

Firstly, the caveats have had the direct effect of preventing thousands of combat forces from participating in the full range of combat tasks necessary to degrade insurgent capacity throughout Afghanistan. Namely, the caveats have over many successive years prevented ISAF security forces from: (1) conducting combat operations against the insurgent Enemy; (2) countering the narcotics industry funding the insurgents; (3) engaging in counter-terrorist operations; and (4) even from conducting effective security patrols around ISAF installations (e.g. bases, airfields, outposts, and PRTs). In other words, the caveats have prevented a quarter of the ISAF force – including approximately 65 percent of all combat forces – from conducting their priority tasking along the security LOO of the COIN strategy. As senior diplomats and military officials once expressed: 'The alliance is on the back foot in combat operations due to the fact that only a handful of countries are actively involved in fighting the insurgency'.<sup>49</sup>

This reality has not only signalled great ISAF weakness to the mission's Enemy adversaries, but it has also exposed ISAF vulnerabilities amongst its force contingents. That is, the restrictions have provided countless opportunities for insurgents to exploit as the tangible impact of the restrictions on-the-ground have become increasingly obvious over the passage of time. Furthermore, with the caveats in many areas providing insurgents with a great deal of room to move to take advantage of these vulnerabilities, insurgents have had much more freedom to attack ISAF and ANSF forces than would otherwise be the case. Indeed, the lack of robust, kinetic offensive operations in certain regions

– even entire sectors, within the mission has enabled insurgents to not only augment their intimidation and control over the local population, but also expand their control into new areas of Afghanistan. In this way the caveats have actually helped to spread the influence of radical Islamo-fascist extremism within Afghanistan.

The example of Lead Nation German in RC-North, the heaviest caveat-imposer in the entire ISAF mission, is a case in point. As revealed in this research, the 70 known restrictions imposed on German forces within the mission over the past decade have had a severely deleterious effect on insurgent activity in RC-North. Previously referred to as the sector with both the best security and the least amount of anti-Government insurgent activity, this sector has since 2006 seen a marked increase in insurgent strength and attacks under German command.<sup>50</sup> Insurgent activity in Kunduz, Baghlan and Faryab Provinces, in particular, increased around 30 percent between 2007-2008 with annual security incidents in RC-North increasing from approximately 130 to 170 (though this number is still far less than the 3,800 incidents in RC-South during 2008).<sup>51</sup> Aside from insurgents, moreover, the sector was reportedly also vulnerable to the destabilising influence of drug traffickers and other criminals.<sup>52</sup>

However, the 4,200 German forces in RC-North could not legitimately participate in robust security or combat operations due to their caveat restraints.<sup>53</sup> By 2009, six years after German forces first deployed to the sector, instability in the North had reached a crisis point with American officials reporting that:

The security situation in Kunduz province [has] deteriorated significantly in early 2009 as restrictions on German rules of engagement allowed Taliban insurgents to regain control over many remote areas of the province. Regular attacks on German forces as well as suicide bombs and IEDs were the main tactics employed.<sup>54</sup>

### ***Creating Routines: Weaknesses to Exploit***

Secondly, national caveat constraints within the ISAF force have caused patterns of behaviour to become entrenched among certain national contingents – patterns that have become easily discernible to the Enemy. Gillard has described this effect of caveat-imposition within the ISAF as the establishment of routines – ‘ways of acting and ‘ways of reacting’.<sup>55</sup> These routines are weaknesses that Enemy forces can exploit to their own advantage.<sup>56</sup> This is especially the case if the patterns signal to the Enemy that there is an area into which ISAF forces can not deploy, or an activity ISAF forces can not perform.

The night caveats imposed by both Germany and Hungary in RC-North provide a good illustration of this signal of weakness. Gillard has explained the danger of such night-time caveat constraints, and the patterns of action and inaction that they create. As he states:

One of the basic principles of military planning is strength and weakness. Put strength on weakness. If a guy isn't going to leave a base after dark, well there's something you can exploit. But if you get an organisation – and New Zealand is one of them – that doesn't care when it moves, day or night, then it becomes much harder. Now there are real risks of moving at night in Afghanistan – it's a real decision, a hard decision to make. But we used to do it, because we used to vary routine. We'd leave the patrol base at 2am in the morning, or 5pm at night, or midday...not just 8 o'clock in the morning to roll out. Roll out whenever and come back whenever, because it breaks a cycle of routine. If you have caveats that tie you to routines, then it's an obvious weakness that you can exploit.<sup>57</sup>

Indeed, Germany and Hungary's night caveats have played a considerable role in the downward security trajectory in their sector, since they effectively gave the night in the North to the Enemy. The result has been high insurgent activity during the dark hours, including insurgent visits to local towns to intimidate Afghan locals, the delivery of threatening 'night letters', the laying of IED bomb devices, and even overt night attacks on ISAF and ANSF forces (see *Figure 12.5*). Barno has expressed his dismay over this situation, stating in 2010 that:

The Taliban simply owns the night, so you've given the night to the enemy where you can't operate at night. That's debilitating. That's totally unacceptable. And in some ways, it makes it worse than not having a force there at all, because it creates false expectations of what security should be and what it is not.<sup>58</sup>



*Figure 12.5 – Anti-Government Enemy Insurgents: Photos of Taliban & 'Neo-Taliban' Insurgents operating in Afghanistan during 2010-2014.<sup>59</sup>*

### **Ceding the Initiative**

Thirdly, combat and lethal force caveats, in addition to restrictions that have effectively confined forces to their bases, have allowed insurgents to move, act and expand with impunity, knowing they will never be confronted by offensive operations – or indeed, any kind of robust security operation – from certain ISAF force contingents. In short, combat and lethal forces caveats within the mission have caused a ceding of initiative to Enemy forces wherever they have been in force on ISAF contingents. As Gillard states: ‘Our initiative, or the NATO nation you’re talking about or ISAF nation, would have boundaries on the initiative it could take – which is an advantage to the Taliban’.<sup>60</sup>

The German contingent in RC-North and its various combat caveats again provides a good local example of this point. Due to lethal force caveats, the German government had refused to grant permission for German Special forces to participate in ISAF’s ‘catch-or-kill’ campaign to eliminate hard-line Taliban leaders, a campaign which elsewhere in Afghanistan had led to the deaths of 150 Taliban commanders and new space between the insurgency and the Afghan population in other parts of the country.<sup>61</sup> This meant that Taliban commanders in RC-North were effectively, by default, given the initiative in the mission’s northern sector. What is more, given the amount of freedom giving to Enemy forces in northern Afghanistan by these caveats, the Taliban in south-east Afghanistan, in addition to a guerrilla group from the sector’s northern neighbour Uzbekistan, seized upon this window of opportunity to move into RC-North and build up strongholds there.<sup>62</sup> As one journalist commented in September 2009: ‘While the German Army sat on its bases in the North, the Taliban came back. The rest of NATO has noticed’.<sup>63</sup>

Nationwide, the reality of caveated ISAF combat forces – limited by the restrictions from conducting the full range of tasks required of them by NATO Headquarters and the ISAF Operational Commander, especially as regards kinetic, offensive operations – has ceded the initiative to the Enemy in Afghanistan for approximately five full years. As Cordesman has asserted: ‘The nations of the alliance lacked a unity of purpose, failed to provide enough troops and placed serious national caveats and limits on their use. They let the enemy take the initiative for more than half a decade’.<sup>64</sup> This is because the range of geographical, regional, combat, counter-narcotics and counter-terrorism caveats on combat forces have not only limited the COMISAF’s ability to mount kinetic, offensive operations against insurgent strongholds, but also short-circuited even the COMISAF’s ability to respond speedily and appropriately to contain spreading insurgent influence.

As the Chair of the NATO Military Committee reported in 2008: ‘Caveats constrain COMISAF in exploiting operational success and planning.’<sup>65</sup> Large numbers of ISAF combat forces have simply been rendered too inflexible to be used effectively – especially as regards deployments to the south of Afghanistan and emergency situations – shrinking the COMISAF’s available and deployable resources to respond to security events and crises as they developed. In this way, the caveats have

ceded the initiative to the Enemy, placing the ISAF on a continuously defensive and reactive footing vis-à-vis the insurgency. Indeed, according to Barno, had these caveats not been imposed on ISAF forces, it is highly probable that the mission would have been an offensive rather than a defensive effort between 2007-2009, and moreover, necessitated fewer numbers of troops to accomplish the task.<sup>66</sup>

### ***Undermining Military Advantages***

Fourthly, although it is true that the mere fact of having sophisticated military forces does not necessarily equate to success against insurgents in a counter-insurgency fight, nevertheless the caveats have played a role in actually negating or undermining the advantages the mission has possessed in terms of its modern military capabilities, thereby eroding away the value of the few modern aces within the ISAF's deck of cards. This is especially apparent with regard to caveats on air forces, on the dissemination of intelligence, and on the use of certain weapons (not to mention prohibitions on any use of lethal force at all).

COMISAF McKiernan perhaps best expressed this point in a Pentagon briefing during 2009, when he stated: 'We have advantage with our military capabilities, with speed, with mobility, with intelligence, with firepower, with logistics. When we place caveats on our military contributions, we tend to reduce those advantages'.<sup>67</sup> In other words, in a desperate race against time – in which the future of the modern world in regard to international Islamist terrorism has hung in the balance – the mission has been 'shot in the foot' so-to-speak by the coalition's very own members. This is in addition to the pre-existing imbalance between ISAF and insurgent forces, whereby the former respect international law and abides by the rules of LOAC, while the Enemy insurgents do not – especially with regard to the protection of civilians.

### ***Creating Divisions: Fragmentation within the Coalition***

Fifthly, caveats have also assisted the Enemy by the mere fact of having created divisions within the ISAF coalition's TCNs, divisions that Afghan insurgents have been able to capitalise on and deliberately target in an effort to fragment the coalition further.

Indeed, symptomatic of 'multiple disjointed approaches', the caveats have created deep rifts not only within the ISAF coalition, but also within the NATO alliance itself – an event that has cast much doubt on the future of NATO as a security mission operator.<sup>68</sup> In his address to the Senate Armed Services Committee in 2009, Barno described the division within the mission in the following way:

An increasingly fractured international civil effort is mirrored by a fragmented NATO International Security Assistance Force (ISAF) military organization with 41 members – all of whom operate under differing rules and a myriad of national strategies and caveats... Different actors in the Afghan

campaign have disparate interests and objectives, a reality often poorly appreciated... This individualistic approach with contributing nations effectively designing their own campaigns has proven problematic.<sup>69</sup>

Cordesman similarly described these divisions, stating: ‘What should be an integrated civil-military effort, focused on winning the war in the field, is a dysfunctional, wasteful mess that is crippled by bureaucratic divisions. Afghan power brokering, national caveats and tensions, and a failure to make good on pledges waste aid resources at every level.’<sup>70</sup>

The ISAF’s political fissures, translated into the military sphere as cavedated forces operating under disparate mandates, have all aided the Taliban insurgency. Firstly, they have signalled coalition weakness and disunity to insurgent forces, which has greatly increased Taliban morale and resolve since, as the Biblical proverb best expresses, ‘every house or city divided against itself shall not stand’.<sup>71</sup> In fact, Barno considers that the reality of a divided coalition in Afghanistan has actually empowered the Taliban. As he explains:

It showcases the vulnerabilities and the lack of unity in their adversary NATO. It makes it very clear then that they are not fighting a unified opponent, that the opponent has all kinds of fissures and cracks and various diversity points inside of its organisation.<sup>72</sup>

Secondly, these politically-based fissures have become excellent targets for Afghan insurgents to exploit to their own advantage. In particular, insurgents have been deliberately targeting specific TCNs in an effort to aggravate the political situation within coalition nations’ own domestic political sphere, and thereby not only heighten further the divisions within the ISAF coalition, but also jeopardize the TCN’s commitment to the fight. Indeed, according to Barno, divisions within the ISAF have allowed Afghan insurgents to be both more capable and more effective in their military operations, since they have become very astute at targeting TCN vulnerabilities.<sup>73</sup> As he explains further, the insurgents are ‘also astute at the political linkages back home and they will conduct tactical events in the field to create political effect back home in the capitals, which again, they are very very good at’.<sup>74</sup>

To exemplify, in early 2008 the media-savvy neo-Taliban were reportedly targeting specific TCNs by accessing battle damage assessment data over the internet, and then laying an increased number of IED traps in the path of that nation’s forces in order to cause spikes in the TCN’s casualty figures.<sup>75</sup> The Taliban also began to ‘court’ Western media not only by staging IED attacks against prominent national figures during their visits to Afghanistan, but also by sending its own ‘spin doctors’ to speak to the ‘more naïve Western reporters flocking to Kandahar’ (these efforts have been connected to the increasingly pessimistic outlook among Western journalists and academics in 2008 and to diminished political will to ‘stay the course’ in Afghanistan).<sup>76</sup> Finally, the Taliban have attempted to influence

the sphere of domestic politics within TCNs, for instance by staging ‘psychological’ attacks on days of national or political significance (possibly leading to Italy’s caveat banning its forces from deploying out of bases on national holidays).<sup>77</sup> This is a deliberate Taliban targeting strategy which has also been referred to by Gillard. As he states:

You whack the Italians deliberately and precisely because they will wobble. You know what I mean? If you hit the Brits or the Yanks, they don’t like the casualties but they are staunch. If you hit Germans, Italians, the French...wobble, wobble, wobble, wobble.<sup>78</sup>

To illustrate further, the Taliban has sought to influence Canadian politics within Ottawa by deliberately targeting Canadian forces on days during which parliament was set to debate either the extension of the mandate authorising the Canadian deployment to the ISAF, or the shipping of new equipment such as tanks and LAV III’s to Afghanistan.<sup>79</sup> During the intense Canadian parliamentary debates of February 2008, the Canadian Chief of Defence Staff, Rick Hillier, acknowledged this reality by calling on Canadian politicians to recognize that:

Often the best way for members of the Canadian Forces to defend themselves is by engaging in “pro-active operations” against enemy combatants... He commented that failure to do so would serve as a signal to the Taliban that they could shape Canada’s political decisions by targeting Canadian forces in Kandahar, adding that he could not rule out that the Taliban had decided to step up the pace of recent attacks with an eye on this ongoing debate.<sup>80</sup>

Further proof of the Taliban’s awareness of, and desire to influence, the domestic political circuit in NATO countries was provided in 2010, when on 1 August the Netherlands officially ended its military mission in Afghanistan. Following the official hand-over ceremony at the main ISAF base in Uruzgan Province, a Taliban spokesman contacted the Dutch newspaper *Volkskrant* to ‘wholeheartedly congratulate the citizens and government of the Netherlands’ for the force withdrawal, urging other NATO nations to follow the Dutch example.<sup>81</sup>

### ***Losing Focus: Alliance-Management trumps Combat against Insurgents***

Sixth, ISAF national caveats have also resulted in a loss of focus at the highest level of command at ISAF Headquarters. That is, over time the management of an increasingly fragmented and discordant coalition at ISAF Headquarters has taken precedence over the prosecution of the mission itself towards its end objective.

To wit, according to Barno, at least one – if not two – COMISAFs were given specific directions that: ‘The primary mission as ISAF commander was “not to fracture the alliance” – not his mission was to win the war, but not to fracture the alliance’.<sup>82</sup> This was an instruction directly related to the caveat fitters, in that these orders were ‘in part dictated by the tremendous number of restrictions that each nation has in making a very qualified commitment of forces there’.<sup>83</sup> In fact, one source, speaking on

the condition of anonymity, has expounded that amongst soldiers in Afghanistan, ISAF Headquarters is often referred to as ‘EuroDisney’ – an epithet for a headquarters that is more the playground of alliance politicking amongst European nations than effective command, control and management of an important military mission.<sup>84</sup>

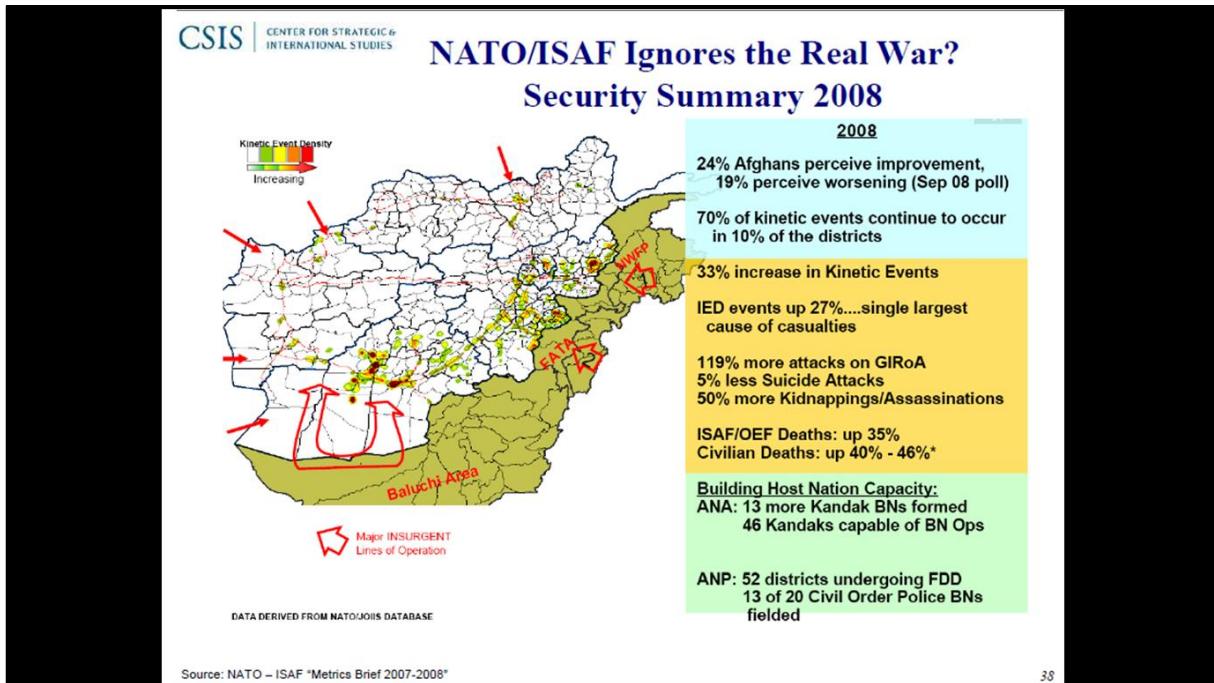


Figure 12.6 – Alliance Management over the Mission: Ignoring the ‘real’ war in Afghanistan.<sup>85</sup>

The diversion of the COMISAF’s focus away from the prosecution of the campaign could not but have a negative impact on the mission. In terms of the insurgency in particular, the reprioritisation of alliance management over securing and stabilizing Afghanistan has had negative outcomes for the security LOO of the campaign, especially the objective of ‘Degrading Insurgent Capacity’. As Barno explains:

When that [not fracturing the alliance] becomes your mission... then your ability to actually get ahead of the Taliban, and seize the initiative, and be able to put a press on them is very limited.  
You spend more time in alliance management than you spend in fighting the enemy.<sup>86</sup>

Indeed, Barno accredits the loss of progress in the security domain in Afghanistan, specifically a period of over two years between 2007-2009, to this diversion of focus among the COMISAFs under the direction of NATO Headquarters. As he states:

The alliance wasted those two years... and they were lost because of the caveats, because of the vast amount of time that the commander had to spend on maintaining the unity – unity inside the alliance – and not having various players be offended by the direction of the game.<sup>87</sup>

Cordesman, holder of the Burke Chair in Strategy at the CSIS, has also indirectly alluded to this loss of focus and progress during this window of time, suggesting in his analysis that throughout 2008 the NATO/ISAF mission was in fact ‘ignoring the real war’ (see *Figure 12.6*).<sup>88</sup>

### **Losing Momentum**

Finally, caveats have helped the insurgents within Afghanistan by causing overall a loss of momentum along the security LOO of the COIN campaign, due to the cumulative effect of all of the caveat “brakes” on ISAF combat forces throughout the Afghan theatre (thereby creating a so-called ‘brake effect’ within the campaign). This loss of momentum has not only led to the loss of progress and time, as described previously, but it has also actually played right into the hands of the Taliban and other Afghan insurgents. That is, by prolonging the length of the ISAF campaign, the caveats have worked to bolster the insurgent strategy of protracting the conflict and ultimately ‘out-waiting’ ISAF counter-insurgent forces.

The protraction of conflicts is, of course, a traditional strategy of insurgents engaged in psychological warfare for control over a population, and one of their most powerful strategic weapons. The adoption of a time-centred strategy is a logical course of action for insurgents since, unlike most opposing counter-insurgent governing powers, time is nearly always on the side of insurgents. For while counter-insurgent forces are constrained by time-specific temporal deadlines – the inevitable result of being an instrument of one or more political governments – insurgents, to the contrary, need never concern themselves with political deadlines, parliamentary terms, elections or exit timelines.

Prolonging the conflict consequently benefits the insurgent force – on the one hand, affording them ample time in which to act, recruit, regroup and mount a victorious campaign, while at the same time inflicting high casualties, creating stress, eroding confidence, and generally promoting exhaustion within the ranks of the counter-insurgent forces. As Kilcullen argues, a protracted conflict plays to the strengths of the militarily weaker insurgent foe, enabling the insurgency to ‘avoid strong counterinsurgent forces, control [its] own loss rates, enhance the exhaustion effect and preserve strength after setbacks.’<sup>89</sup> In sum, insurgents commit to propagating insecurity, confusion, and ambiguity over very long periods of time, in the hope that through exacerbating and prolonging the conflict, such a strategy will slowly wear down an opponent’s will and ability to resist (refer to endnote for more details on this insurgent strategy).<sup>90</sup> This has been a strategy also adopted by the Taliban insurgency in Afghanistan. Indeed, the Taliban have apparently coined a maxim for their adoption of this very strategy: ‘You have the watches, but we have the time’.<sup>91</sup>

Widespread caveat imposition within the ISAF has aided this Taliban Enemy strategy, by slowing down progress within the mission, wasting time and effort, and losing momentum – all of which has proved advantageous to anti-Government forces operating within the country. According to Barno,

ISAF command recognised the reality of this loss of momentum in early 2009.<sup>92</sup> Barno describes the years from mid-2009 onwards as years in which ISAF deliberately sought to ‘recapture’ this lost momentum within the campaign.<sup>93</sup> However, recapturing momentum is a very difficult enterprise for any military mission, much less a complex multi-faceted COIN conflict like the one faced by the ISAF in Afghanistan. Indeed, it still remains unclear today in 2014, whether the ISAF has been successful in regaining the momentum lost by heavy caveat imposition on the ISAF’s combat forces during the mission’s critical years.

## Conclusion

In conclusion, caveats have had a serious and demonstrably negative impact on ISAF combat forces, with consequent effects on the ability of the ISAF as a whole to actually ‘take the fight to the Taliban’ and eliminate the key sources of insecurity and instability within the country. National caveat imposition by ISAF TCNs on national combat forces have, firstly, severely diminished the mission’s combat capability over the past decade, with all of the ISAF’s combat units – including major and minor CMUs, QRFs, SOFs, OMLTs and POMLTs – affected by politically-imposed fetters. Secondly, caveats on ISAF combat forces have compounded chronic and continuous ISAF under-resourcing, with the combat restraints diminishing even further pre-existing shortages in combat manpower and equipment, thereby further hindering the ISAF’s ability to prosecute effective combat operations – even with regard to the key priority of training ANSF forces.

Thirdly – and worst of all – caveats have directly aided and enabled the Taliban and other Enemy forces operating within the Afghan theatre. Not only have the caveats signalled weakness and disunity within the coalition itself, but they have afforded Enemy insurgents opportunities to exploit and a degree of freedom within the Afghan AO that – if not for the caveats – they would not enjoy. The caveats have also been instrumental in causing the ISAF to cede the initiative, lose momentum, and waste time – all of which have played into the hands of the Taliban strategy to ‘out-wait’ the ISAF.

In sum, national caveats within the mission have seriously and negatively impeded the effectiveness of ISAF combat forces and combat operations within the Afghan theatre. Because the ability to ‘degrade insurgent capacity’ is a critical priority along the COIN security LOO, this means in fact that coalition TCN members, that have chosen to impose combat caveats on their combat forces, are culpable of directly contributing to a worsening of the Afghan security situation throughout the country and to an undermining of the COIN strategy that is so fundamental for achieving the mission.

In sum, through national caveats the ISAF coalition's own members have jeopardized – even sabotaged – the success of their own mission in Afghanistan.

The following chapter will continue this examination of the tangible effects of caveat imposition within the ISAF by examining a final negative effect of ISAF caveat-imposition relating to combat forces – one that has not only been highly visible within the mission, but has also been the source of a great deal of anger and frustration within many national capitals for over a decade. Namely, this last major effect concerns inequitable burden-sharing among ISAF TCNs with regard to conducting the hardest combat work within the mission, especially among the principal NATO allies and Lead Nations within the mission.

## **CHAPTER 13**

### **Inequitable Burden-Sharing within the ISAF Mission**

The preceding two chapters highlighted the severely negative effects of ISAF caveat restrictions on the ability of the mission's security forces to conduct combat and security operations in order to establish and maintain security in Afghanistan, and thereby protect the Afghan population and achieve the ISAF mission. This final chapter of Section IV will address another important effect of heavy caveat imposition within the NATO-led mission – and one that has become synonymous with the entire caveat crisis within the ISAF mission: disproportionate burden-sharing amongst coalition TCNs, with regard to both combat operations and geographical deployment to the most volatile southern and eastern sectors within Afghanistan.

This chapter will address the issue by, firstly, introducing the problem of unequal burden-sharing, the result of unwillingness among many TCNs to shoulder their 'fair share' of the mission's combat burden. Secondly, it will discuss the vast differences in the security climate and ISAF force realities between the so-called 'North' and 'South' within the mission. Thirdly, the chapter will examine disparities in casualties suffered between national contingents in the north and west, as opposed to the south and east of Afghanistan. Finally, it will undertake an examination of the political repercussions of this ISAF inequality for the nations compelled by their unwilling allies to conduct the lion's share of the fighting against the Taliban and insurgent forces – namely, the Netherlands, Canada and the United Kingdom – and the consequent impact of this inequality for the ISAF campaign as a whole.

### **Unequal Burden-Sharing within the ISAF**

One of the best on-the-ground illustrations of the tangibly negative effect of widespread caveat imposition within the ISAF campaign concerns inequitable burden-sharing between the ISAF TCNs in relation to the hardest or 'sharpest' edge of the mission – conducting kinetic, offensive, lethal combat operations to eliminate or capture insurgents, in pursuit of the first security objective of 'Degrading Insurgent Capacity'. This issue is in fact an additional, fourth, major negative effect of caveats on the mission's combat arm, and one of the most prominent and explosive issues stemming from caveat imposition within the ISAF. Certainly unfair and disproportionate 'burden-sharing' has become a euphemism for the abiding caveat affliction within the ISAF mission.

In brief, the issue of burden-sharing concerns the imposition of combat caveats by a large number of TCNs – including many large and militarily capable nations – that have prohibited or limited the

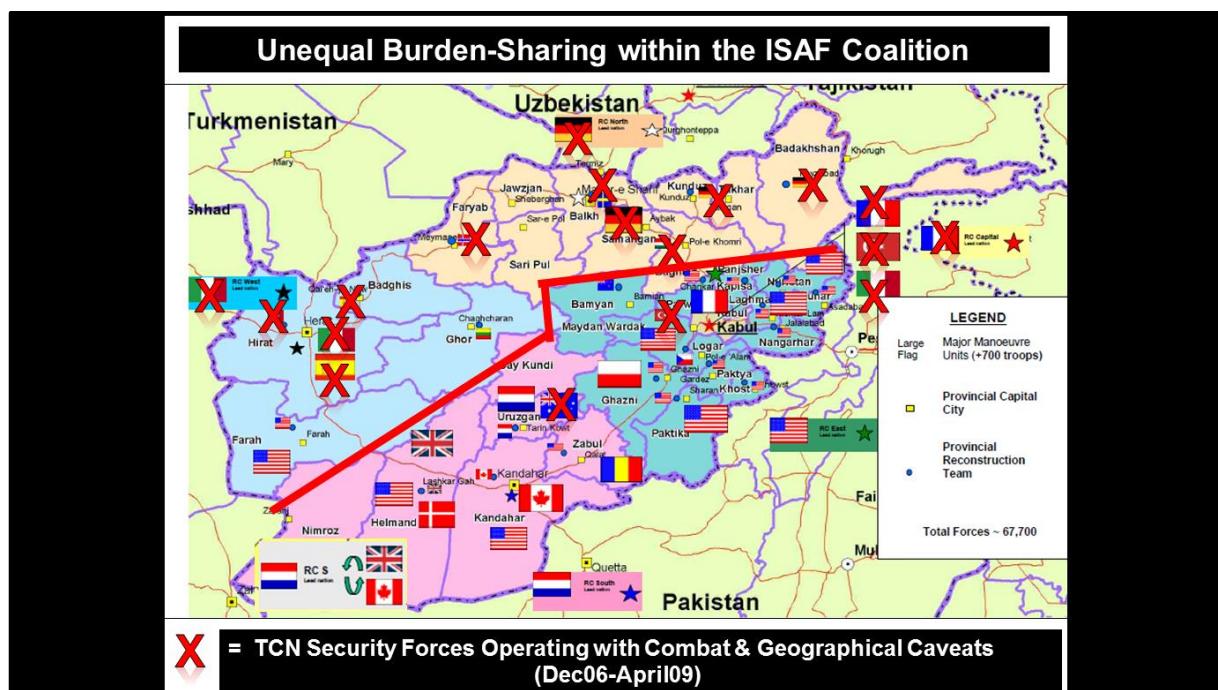
participation of their national forces in offensive operations. These multiple bans against engagement in actual war-fighting have divided the ISAF coalition, delineating them into ‘fighting’ and ‘non-fighting’ camps. Moreover, geographical caveats forbidding or tightly restraining the deployment of national forces to the southern or eastern Regional Commands within the mission, where the most intense combat against insurgents have continuously taken place, have additionally served to both reinforce and deepen further this divide. Indeed, it is clear that combat and geographical caveats have been the two most harmful categories of caveats in creating this distinct burden-sharing divide between allies contributing to the ISAF mission. The resulting situation has perhaps been best summed up by COMISAF Richards, who stated in 2006: ‘We can not have on the one hand soldiers who fight and die, and on the other troops who distribute lollipops in Kabul’.<sup>1</sup>

This burden-sharing disparity has been most prominent and controversial amongst the NATO Lead Nations within the mission. While on the one hand, the United Kingdom, Canada, the Netherlands and the United States have each assumed their share of the combat burden in the south and east of Afghanistan, on the other hand France, Germany, Italy and Turkey have over successive years emphatically declined to do so – in respect to both combat operations *and* deployment to the most combative southern and eastern Afghan regions. Indeed, at the November 2006 Riga Summit, each of the latter four Lead Nations declared that ‘their troops will not be joining US, British, Canadian and Dutch troops fighting the Taliban in troubled areas in the south and the east’.<sup>2</sup> In the words of Italian Premier, Romano Prodi: ‘This has been our clear position from the beginning. That also goes for the French president, the German chancellor and the Spanish’.<sup>3</sup> Germany – the most ill-reputed nation amongst this group – even emphatically maintained that it ‘would not join the NATO forces in the south where violence has been escalating’, since their parliamentary ‘peacekeeping’ mandate for Afghanistan stipulated that German forces ‘remain in the north, apart from one-off forays’.<sup>4</sup>

The result of this stubborn refusal among five of the mission’s eight NATO Lead Nations to participate in the heaviest responsibilities of securing Afghanistan has been that thousands of Lead Nation security forces have not only been prevented by caveats from participating in combat operations, but also deliberately constrained by further caveats to conducting low-risk operations within their own respective sectors. What is more, this situation has continued over a significant period of time – throughout most, if not all, of the past ten years of ISAF operations in Afghanistan. A comparative table reflecting this great disparity in numbers of caveat-free and caveat-fettered Lead Nation forces may be found in APPENDIX 10(a) ‘*Table Displaying the Caveat Free or Caveat-Fettered Forces of the 8 ISAF Lead Nations, January 2007-December 2012*’ in *Volume II* of this research. A complete and comparative list of all of the known caveats, discovered during this research, that have been imposed on Lead Nation forces over the course of the mission may also be viewed beneath this table in APPENDIX 10(b) ‘*List of Known National Caveats Imposed by Lead*

## 'North' & 'South'

This politically-based caveat-stalemate within the coalition has had a tangible effect on the campaign. From the beginning of the southern expansion in January 2006 and continuing until at least 2012, the Afghan mission has been geographically divided – prosecuted by two disunified and politically entrenched groups of ‘engaged’ and ‘stand aside’ forces, physically located in the south-eastern and north-western swathes of the country respectively. This geographical operational division has occurred because a majority of the ISAF TCNs imposing combat caveats – including among them France, Turkey, Germany, Italy and Spain – have only volunteered their forces to the least combative sectors of the mission in RC-Capital, RC-North and RC-West. Despite the increasing risk to mission success posed by the Afghan insurgency, furthermore, especially in the Afghan south between 2006-2009, most of these TCNs have over successive years refused to alter this stance and deploy any large numbers of forces southwards and eastwards into the combat zones, despite repeated pleas for reinforcements in the south and east of the country by successive COMISAFs, NATO officials and other beleaguered allied nations. The resulting unequal distribution of labour within the ISAF mission is depicted below in *Figure 13.1*.



*Figure 13.1 – Unequal Burden-Sharing: Unequal sharing of the combat burden within the ISAF mission, caused by the imposition of combat and geographical national caveats.<sup>5</sup>*

This has meant that over the past six years a small minority group of TCNs with caveat-free forces – particularly Britain, Canada, the Netherlands and the United States – stationed in RC-South and RC-East respectively, where insurgents are very active, have been compelled to bear the brunt of the combat burden to secure and stabilise Afghanistan. Assistance in shouldering this heavy and unequal share of the war-fighting burden within the mission has been provided mainly from Denmark, Estonia, Poland and Romania (all of which, together with the Netherlands, eliminated their national caveats at Riga in 2006), in addition to Australian SOFs (the Australian infantry have operated with combat caveats). As a consequence the campaign has become polarized into two divergent areas of operation known generally as the ‘North’ and the ‘South’.

## ***North***

In the ‘North’ – sometimes referred to as ‘Fortress North’ – national security forces operate under heavy caveat restraints which prioritize their own ‘force protection’, while simultaneously confining activities to traditional peace-keeping and reconstruction tasks.<sup>6</sup> Because these constrictions diminish their usefulness in the security domain, these forces have done little to secure their own AOs or the population resident in these areas, sometimes even in spite of growing Taliban influence in Pashtun pockets and also increasing instability propagated by narco-criminals and smugglers.<sup>7</sup> In the words of NATO SACEUR Craddock, ‘paralyzing caveats from timid allies’ has been the sum total of the situation.<sup>8</sup>

Combat caveats in the North seem indicative of division within the coalition about the real importance of combat operations against the Taliban, even within the context of a COIN strategy in which combat operations comprises only a small part of the entire campaign.<sup>9</sup> Morelli & Belkin have similarly commented on this state of affairs, stating in 2009:

Some NATO governments continue to send forces inappropriate for the task or forces that are heavy on support functions but light on combat capability. This attitude was again seen in the types of additional forces that were pledged at the April [09] NATO summit. These governments continue to be reluctant to send their forces into the field to confront the Taliban and to control warlords and their militias.<sup>10</sup>

In fact, Barno considers that many NATO nations in the North ‘remain profoundly uncomfortable characterizing the effort in Afghanistan as a “war” at all – despite rocket attacks, roadside bombs, ambushes and thousands of casualties on all sides’.<sup>11</sup> As early as 2007, this reality led to accusations by other TCN and NATO countries that contingents in the north and west of Afghanistan have been deployed merely as a symbolic or token gesture, rather than any substantial political or military commitment to the success of the Afghan mission.<sup>12</sup> In fact, suspicion that some nations have deployed troops to the mission only to be *seen* to be contributing – in order to have a presence and fly

the national flag in Afghanistan, especially on the part of NATO members – has led some in military circles to denigrate these nations as mere ‘flag-flyers’.<sup>13</sup>

This claim of symbolic rather than robust deployments to the ISAF campaign seemed validated when evidence arose in 2008 with regard to Lead Nation Germany in RC-North, with overall command responsibility for creating and maintaining security across nine Afghan provinces. In October 2008, first of all, a startling revelation surfaced that over 100 elite German KSK Special Forces commandos, who had been stationed in RC-North since 2005 for a period of three years in order to conduct counter-terrorist operations in OEF, were departing the theatre without having executed one single mission.<sup>14</sup> In fact, according to the German Foreign Minister, in all that time the KSK SOF units had ‘never left their bases on an operation’.<sup>15</sup> One journalist, writing from Kabul, pithily and aptly expressed the shock caused by the disclosure, especially given the force shortages in both the OEF and ISAF campaigns. ‘They came, they saw, then left the Afghan war without a single mission’ screamed *The Scotsman* headline.<sup>16</sup> Angry senior NATO military officials also turned their wrath on their German allies, reportedly ‘blasting’ the KSK commanders for keeping their forces in camp.<sup>17</sup>

The same month, further reports surfaced that German ISAF forces were spending their time partying in the numerous bars and nightclubs constructed at the German airbase in Mazar-e-Sharif.<sup>18</sup> Indeed, German forces had consumed 1.7 million pints of beer and 92,000 bottles of wine during 2007, and another 901,000 pints of beer and 56,000 bottles of wine during the first six months of 2008.<sup>19</sup> In fact, even one year earlier in 2007, U.S. officers had been compelled to report a German colonel who had attended ISAF mission briefings in a drunken state.<sup>20</sup> By December, a German parliamentary report of Bundeswehr army forces in Afghanistan had found that German soldiers were on the whole ‘too fat and drunk to fight’.<sup>21</sup> This statement was amplified by a following report which further disclosed that of the 3,600 German soldiers deployed in Afghanistan, forty per cent (approximately 1,440 personnel) were overweight – a percentage higher than among the German civilian population – with soldiers living on a diet of beer, sausages and cigarettes.<sup>22</sup>

The resulting anger within NATO was immediate, especially given the shortages of both combat forces and SOFs within the ISAF campaign. Germany has been ‘sitting on the sidelines while the rest of the world fights’, exclaimed one NATO official in disgust. ‘It’s just unbelievable to think there have been 100 highly-trained troops sitting doing nothing for three years, while everyone else has worked their socks off. It’s no good sending troops if they don’t do anything. They might as well have stayed at home’.<sup>23</sup> Or as another official exclaimed: ‘It’s ludicrous that they would be here and not contributing’.<sup>24</sup> Indeed, indignation against the large numbers of non-combat capable German forces in RC-North was so widespread amongst ISAF TCNs in the south, that even the Australian Prime Minister, Kevin Rudd, condemned German forces in no uncertain terms. In a diplomatic cable,

later released by *Wikileaks*, Rudd is cited as complaining to American officials that: ‘In the south-east, the US, Canada, British, Australia and Dutch were doing the ‘hard stuff’, while in the relatively peaceful north-west, the Germans and French were ‘organising folk-dancing festivals’.<sup>25</sup> The outlook for the mission ‘scares the hell out of me’, Rudd concluded.<sup>26</sup>

As a counter-measure to salvage Germany’s poor reputation that year, Chancellor Angela Merkel quickly agreed to extend the German mandate to 2009 and deploy an additional 1,000 German soldiers to the ISAF campaign, thereby raising the overall German contribution to 4,500.<sup>27</sup> However, as NATO SACEUR General Craddock had earlier pointed out, these forces would not add much materially to the fight in Afghanistan, since their deployment proceeded under Germany’s special caveat which required that they remain in RC-North – and out of RC-South and RC-East – for the duration of their deployment.<sup>28</sup>

## ***South***

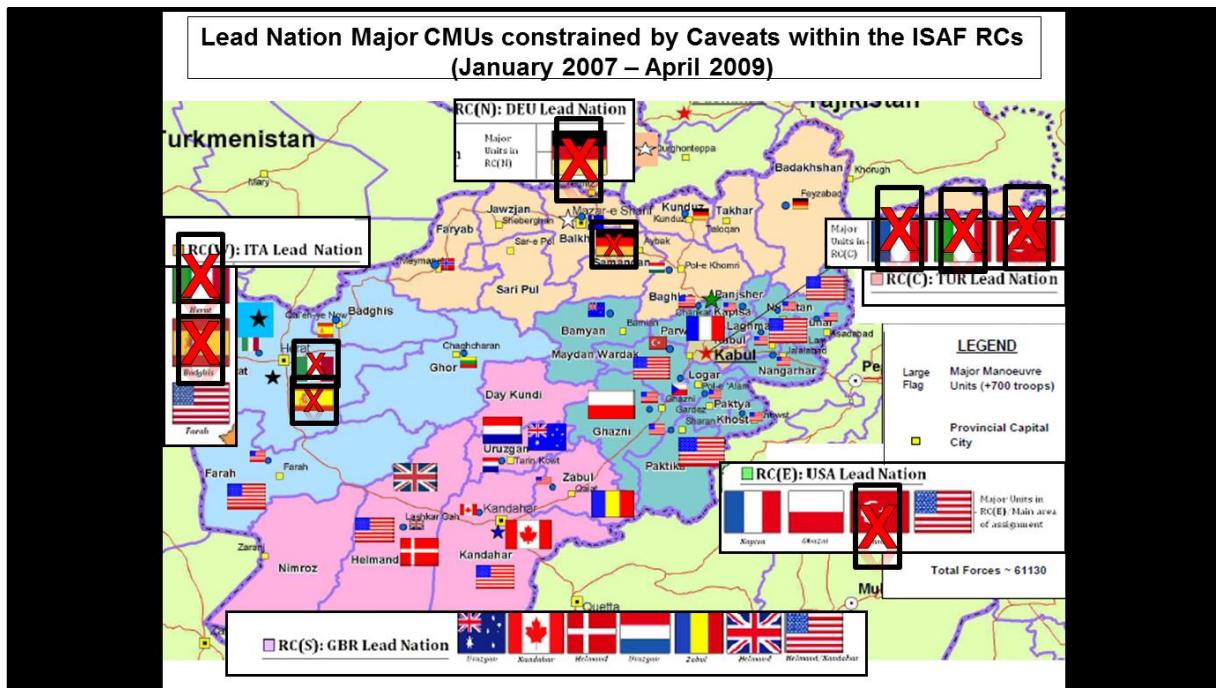
In the ‘South’, by contrast, offensive, kinetic lethal combat operations – along with resultant casualties – have been the status quo in RC-South and RC-East ever since the ISAF’s expansion into these sectors in 2006. As Barno explains:

The Counter-Insurgency (COIN) Zone – the primary area of insecurity and combat action – comprises RC-East based in Bagram and RC-South in Kandahar. Forces in the COIN Zone are engaged in near-continuous combat action and account for the bulk of casualties in both NATO ISAF and in Operation Enduring Freedom (OEF) – U.S. counterterrorism forces not under NATO command. Enemy suicide attacks, ambushes, roadside bombs and popular intimidation occur predominantly in the COIN Zone.<sup>29</sup>

Consequently, whereas ISAF combat forces in RC-Capital, RC-North and RC-West have been prevented by caveats from taking part in offensive operations against insurgents, in RC-South and RC-East (and in the new RC-Southwest sector too from 2010 onwards, after the division of RC-South), ISAF forces have regularly participated in offensive operations against anti-Government insurgent forces and with increasing regularity over the years. This is especially true with regard to the major CMUs of the ISAF Lead Nations, as depicted in *Figure 13.2*.

Moreover, because most of the TCNs in the ‘North’ have declined to deploy forces to the south, or allow their pre-deployed forces in the North to be redeployed southwards or eastwards to take part in the fighting, these Southern forces have had to conduct their combat tasks with severe manpower and resource shortages. Manpower in the South has been so limited, in fact, that in June 2008 it was reported that ISAF forces were stretched so thin in RC-South that forces there were struggling to hold the ground they had just cleared of insurgents.<sup>30</sup> During the same month COMISAF McNeill also reported he was unable to determine the extent of Iran-backed insurgent activity along the Afghan-

Iranian border in RC-South, because of a ‘complete lack of presence in Nimroz province’.<sup>31</sup> One year earlier, Afghan locals had even reported the existence of Iranian Taliban training camps for Taliban fighters in a Taliban-controlled village in Gizar district of Day Kundi Province, however due to the lack of ISAF and Afghan presences in that area in mid-2007, ‘no Afghan or international forces have attempted to address this problem to date’.<sup>32</sup>



*Figure 13.2 – Lead Nation Forces – ‘North’ vs ‘South’: Unfair burden-sharing among the ISAF mission’s Lead Nations, created by combat and geographical caveats, lead to widely disproportionate levels of engagement in combat operations in the most volatile southern and eastern sectors of the mission.*<sup>33</sup>

Lastly, the fact of caveat-fettered Lead Nation forces in the North and West of the country has substantially added to the already over-burdened workload of the caveat-free Lead Nations in the south and east, in that growing instability in the ‘North’ has eventually had to be dealt with by Lead Nations other than those holding key security responsibility in these sectors. For example, the United States was compelled to deploy 300 additional U.S. SOF forces to Germany’s main headquarters compound in Mazar-e-Sharif in late 2009 in order to conduct combat operations against the anti-Government insurgents in RC-North.<sup>34</sup> Given the force shortages in RC-South and RC-East, this diversion of scarce manpower resources is significant and held tangible consequences for these other more combative sectors of the ISAF mission.

Germany’s failure to conduct combat operations and robustly address the insurgency in its own sector has vexed local Afghan authorities, furthermore, with unforeseen additional consequences for the Lead Nation of RC-East (see endnote).<sup>35</sup> In late 2009 – early 2010, the growing insurgent threat in RC-North prompted local Afghan government officials to take matters into their own hands and form

their own ‘informal security mechanisms’ – namely, local Afghan ‘militias’. For example, in January 2010 Afghan authorities in Kunduz Province recruited hundreds of Afghan men into a number of different militia groups to fight alongside ANSF forces in combat operations against local insurgents in the province’s various districts (with varying levels of success depending on the organisation and discipline of the Afghan militia groups).<sup>36</sup> This was an event much to the consternation and disapproval of German Commanders at RC-North Headquarters, one such commander signalling to U.S. officials that ‘he was not comfortable with the use of militias to counter the problem’.<sup>37</sup> When some of these militia groups began to add to the confusion in RC-North (due to certain militia groups having no clear organisational chain of command, fighting amongst themselves, switching loyalties between the insurgents and the Afghan authorities, participating in tribal feud-settling, and even harassing the local population), the U.S. was again obliged to deploy some 2,500 U.S. soldiers to Kunduz Province in February 2010 as part of the American ‘Surge’ in order to address the rising insecurity in Germany’s sector (though these forces were substituted under German Regional Command in order not to upset or embarrass Germany).<sup>38</sup>

Sajjan Gohel of the *Asia-Pacific Foundation* well summarised this unequal situation between ISAF security forces in the North, as opposed to the South, while testifying to the Foreign Affairs Committee of the British House of Commons in 2009. As he then stated:

It is all very well having them up in the north where it is safe, but they are not actually doing anything of substance. British troops, along with the Canadians, the Dutch and the Americans are actively engaging the Taliban. They should be applauded for what they have been doing, but they need more support.<sup>39</sup>

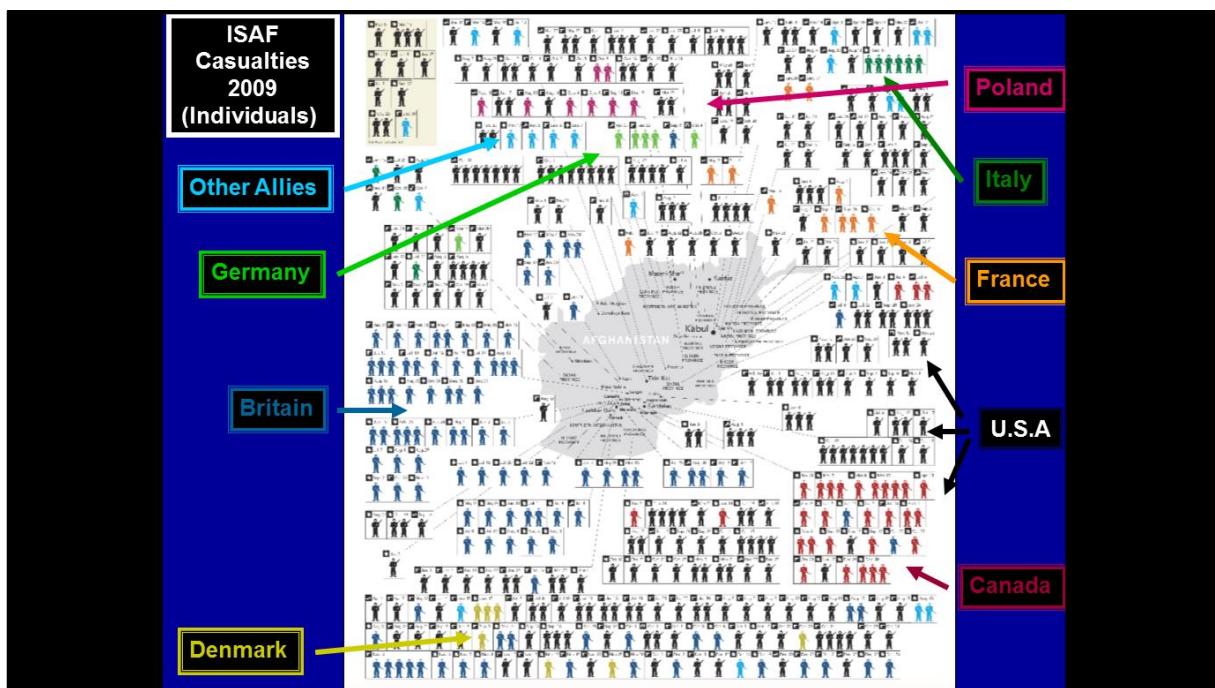
Indeed the whole operational situation in Afghanistan, whereby ‘fighting’ forces have remained heavily active against insurgents in the South while largely ‘non-fighting’ fighting forces remain out of harm’s way in the North, has led to a running joke among American troops: that the acronym ISAF actually stands for ‘I Saw Americans Fighting’, ‘I Suck At Fighting’ or ‘I Sunbathe at FOBs’ (in reference to ISAF troops stationed at the heavily-fortified and therefore largely safe Forward Operating Bases in RC-North and RC-West).<sup>40</sup>

## **Disparities in Military Casualties**

This disunity of effort and inequality in both the burden-sharing and risk-taking within the mission has correspondingly been reflected in largely disparate casualty rates between the two camps of TCNs in the North and South of Afghanistan.

In the summer of 2008, for instance, the ISAF witnessed the highest levels of violence in Afghanistan since the onset of the ISAF mission, with insurgent-initiated attacks up 40 percent from the previous

year, and a monthly casualty rate that surpassed those then being sustained by coalition forces in Iraq.<sup>41</sup> During the month of June, 45 ISAF service personnel were killed by insurgent forces – one in the ‘North’ (one Hungarian) and the remaining 44 in the Afghan ‘South’. From those killed in the southern and eastern sectors of the mission, the dead included: 27 Americans; 13 Brits (bringing the U.K.’s total death toll up to 100); two Canadians; one Romanian; and one Pole.<sup>42</sup> One year later in July 2009, a month which saw 56 ISAF force personnel killed in action, over half of this number – 30 or 54 percent – were comprised of American service personnel and a further 19, or 34 percent, were British soldiers (the latter brought the total British death tally in Afghanistan to 188 – a figure higher at that time than the total British death toll of the Iraq War).<sup>43</sup>



*Figure 13.3 – Casualty Disproportionality: A snapshot of total individual deaths of ISAF military personnel within the NATO-led mission, arranged by nationality, over the year 2009. Most represented among these casualties are American, British and Canadian military personnel.<sup>44</sup>*

The inequalities in casualty rates sustained by the various TCNs in the North as opposed to the South is also reflected in a snapshot of total casualties sustained among the ISAF coalition nations operating in Afghanistan during the year 2009. This snapshot, published by *The New York Times* in January 2010, may be seen in *Figure 13.3* (note that each soldier icon represents the death of one individual military serviceman or servicewoman). The casualty chart makes clear that there has been preponderance of American, British and Canadian fatalities in the overall ISAF death toll during 2009.

Overall Lead Nation figures make this disparity between the northern and southern swathes of the mission even clearer (refer to *Table 13.4*). Between 2001 and September 2009, the death toll for the

ISAF Lead Nations were as follows: In RC-Capital Turkey had a casualty toll of 2 individuals; in RC-North, Germany had lost 36 service personnel; in RC-West Italy had suffered 21 fatalities; in RC-South, by contrast, the United Kingdom had suffered 214 fatalities, Canada had a death toll of 130, and the Netherlands had lost 21 Dutch personnel; while finally in RC-East, Lead Nation France (which in mid-2008 had made the exception of deploying the bulk of its combat forces – caveat-free – to engage in combat against insurgents in Kapisa Province) had suffered 31 deaths, and the United States – the largest force contributor of all – had lost a total of 830 military personnel.<sup>45</sup>

DEC 2001 - SEPT 2009					
'NORTH' (RC-N/RC-W/RC-C)			'SOUTH' (RC-S/RC-E)		
LEAD NATION TCN	# ISAF FORCES (Sep09)	TOTAL DEATHS	LEAD NATION TCN	# ISAF FORCES (Sep09)	TOTAL DEATHS
Germany	4,000	36	U.K.	9,000	214
Italy	3,200	21	Canada	2,830	130
Turkey	730	2	Netherlands	1,770	21
(France →)			France	3,160	31
			U.S.A.	64,500	830

*Table 13.4 – The Great Divide (Deaths, 2001-2009): Disparate force contributions and geographical deployments among the ISAF mission's NATO Lead Nations result in widely divergent losses in numbers of ISAF military personnel killed in the Afghan theatre of war. Figures reflect total ISAF fatalities sustained between December 2001–September 2009.<sup>46</sup>*

Over the same period, other TCNs operating in the Afghan south also sustained significant casualties. For instance, small NATO nation Denmark suffered 24 deaths (more than Lead Nation Italy and Turkey combined), while Poland had lost 13 personnel.<sup>47</sup> Indeed, caveat-free Denmark, Estonia and Latvia, together with Lead Nations Canada, Britain and the Netherlands – all TCNs with forces conducting combat operations in the South – have each lost more soldiers per capita than even the United States.<sup>48</sup> To exemplify using per capita rates, in February 2009 Denmark had lost 3.8 soldiers per million population, compared with 3.2 losses per million in Canada, 2.3 per million in the United Kingdom, and 2.1 per million in the United States.<sup>49</sup>

Thruelsen of the Danish Defence Academy has explained this high per capita death rate amongst Danish ISAF forces operating in Helmand Province, by pointing to the absence of AO caveats within the national contingent. Although Denmark has not been entirely free of caveat restraints (from June 2007 – December 2009), this geographic flexibility within RC-South has allowed the COMISAF and LN Commanders of RC-South Headquarters to utilise Danish forces in many of the 2,500 ‘hostile’ combat operations against Taliban insurgents, which have been executed each year in Afghanistan’s most insecure and dangerous province since January 2007.<sup>50</sup> As Thruelsen states: ‘We have not

restricted the operational areas of our soldiers like, for example, France, Germany, Spain and Italy who have said that they are prepared to take part, but not where it really hurts'.<sup>51</sup>

## **Anger, Ultimatums & Early Exits**

This disparity in both effort and blood among the ISAF TCNs has been the catalyst for much anger, resentment and even bitterness on the part of nations doing the bulk of the fighting and the dying in RC-South – Britain, Canada and the Netherlands.

As early as mid-2007 British and Canadian forces in Helmand and Kandahar Provinces had become involved in some of the most intensive combat engagements since the Second World War.<sup>52</sup> Similarly, the Dutch in Uruzgan Province had become involved in heavy combat not seen by Dutch forces since the Korean War.<sup>53</sup> As one American newspaper commented: ‘Dutch soldiers engaged in the dangerous Uruzgan province since 2006 have none of the uncertainty about their mission that marked those who were accused of failing to stop the 1995 Srebrenica massacre in Bosnia’ (an incident that in the late 1990s caused NATO soldiers to deride Dutch military forces, saying ‘Wooden shoes wouldn’t shoot’).<sup>54</sup>

As casualties rose over the months, ‘huge resentment’ and ‘a sense of betrayal’ began to rise among the military forces of these countries, due to the lack of support received from other NATO nations stationed in the less hostile north and west.<sup>55</sup> In the years since, political anger within the governments of these nations, combined with military exhaustion, have together also taken their toll on the longevity of these nations military deployments to the ISAF mission.

In the following, the political and military repercussions of this caveat-generated inequality within the ISAF will be discussed in further detail, with regard to these three caveat-free NATO Lead Nations in RC-South: the Netherlands, Canada and the United Kingdom.

### ***The Netherlands***

Among all of the Lead Nation forces combating insurgents in RC-South, it has been the Dutch who have been most incensed at the lack of support by NATO allies based in the Afghan north and west. In previous years within the NATO Training Mission in Iraq (NTM-I), the Netherlands had been frustrated by the fact that unlike Dutch forces, which had accepted the risks and were training Iraqi security forces within Iraq proper, France and Germany preferred to make limited contributions outside of Iraq.<sup>56</sup> This had occurred despite Dutch efforts to ‘shame other countries to do more’.<sup>57</sup>

Faced with risk-aversion among its allies again in the Afghan theatre of war, the Dutch government was adamant that other NATO nations must do more to help the nations fighting in the south. This determination was particularly strong given the fact that the Dutch government had itself overcome high public opposition to eliminate its own national caveats at the 2006 Riga Summit, in order to adopt a more robust combat stance in light of Afghanistan's insurgent realities. Alongside NATO allies, the UN too became a target of Dutch ire, the government criticising 'the UN's reluctance to work in the southern provinces' and its failure to list Afghanistan as a UN priority during 2007.<sup>58</sup>



*Figure 13.5 – Lead Nation Forces: Disproportionate burden-sharing leads to disproportionate casualties – and ultimately the exhaustion and early withdrawal of combat forces from the ISAF mission.<sup>59</sup>*

### A Dutch Ultimatum

In October 2007, growing anger over continued, disproportionate burden-sharing within the ISAF mission led the Dutch government to issue an ultimatum to NATO. Namely, unless Dutch forces in Uruzgan Province received additional reinforcement and support by NATO members in 'safe zones', the Netherlands would be compelled to bring its commitment to the ISAF mission to an end by August 2008 the following year.<sup>60</sup> As the Dutch Defense Minister, Eimert van Middelkoop, declared emphatically at the NATO defence meeting in Noordwijk: 'There is no free ride to peace and security...fair risk and burden sharing has to be a leading principle for NATO'.<sup>61</sup> The Dutch urgently needed 'third party support' in Uruzgan in order to secure a Parliamentary extension of the Dutch mandate, and thereby authorise 1,200 Dutch troops to remain in Afghanistan past August 2008.<sup>62</sup>

Specifically, the Dutch required a reinforcement of 400 additional forces, since ‘politically and logically...it was just not possible to maintain the current deployment level.’<sup>63</sup>

However, despite the critical importance of the Dutch contingent remaining in RC-South and continuing its combat operations there, in late September the Dutch reported to the U.S. that – despite extensive lobbying – its efforts had been unsuccessful: the response from Germany, Norway, Sweden, Finland, Lithuania, Latvia, Slovenia, Japan and South Korea had all been ‘very negative’; the responses from Poland, Hungary, Belgium, Slovakia, Denmark and France were ‘not positive’; forces from the Czech Republic, Singapore and Indonesia were ‘not available’ (though Singapore offered a field hospital and Indonesia one policeman).<sup>64</sup> In the end, only direct American intervention secured the Dutch presence in the Afghan south for an additional two years into 2010. This was achieved by U.S. efforts in: (1) promoting a Dutch-Australian partnership in Uruzgan; (2) influencing the Afghan government to send ANA forces to Uruzgan; (3) eliciting two combat brigades from Georgia, an OMLT from France and other small contributions from the Czechs, Slovaks and Hungarians; and (4) extracting a promise from NATO allies that allied support would be available to extract Dutch forces in cases of emergency.<sup>65</sup>

#### *Political Dissatisfaction & Military Exhaustion*

Disappointment and ‘deep dissatisfaction’ over the lack of positive NATO support for Dutch entreaties quickly became endemic within the full spectrum of Dutch political parties, the Socialist Party even publicly accusing NATO of ‘not keeping its part of the bargain’.<sup>66</sup> As one U.S. diplomat summarised the political atmosphere: ‘The Dutch question their own involvement in an international coalition that appears incapable or unwilling to develop a legitimate, sustainable Afghan government’.<sup>67</sup>

In purely military terms, furthermore, carrying such a large share of the combat burden had exhausted the Dutch military. By February 2009, for instance, half of the entire military force was reportedly either in Afghanistan, preparing to go to Afghanistan, or in a recovery mode from deployment to Afghanistan at any one time.<sup>68</sup> In combat terms, moreover, the Dutch were coping with ‘all they can handle’ in Uruzgan Province and had suffered 18 total fatalities (among them the son of the Dutch Chief of Defense, General van Uhm).<sup>69</sup> In sum, as the Dutch Defence spokesman Raymond Knops expressed, after eight years in Afghanistan, including three years of on-going engagement in combat operations against anti-Government insurgents, Dutch military forces were badly in need of ‘some rest’.<sup>70</sup>

### *Government Collapse: The Dutch Make an Exit*

This reality combined with ongoing anger, frustration and disappointment over disproportional burden-sharing and lack of NATO solidarity led to several party leaders pronouncing in 2009 that ‘it would be suicide’ for the Dutch government to extend the mandate further past December 2010.<sup>71</sup> The population of Holland believed their country had done ‘more than their fair share’ in Afghanistan.<sup>72</sup>

Indeed, attempts by the Dutch government to further extend the Dutch presence in the ISAF by extending the mandate past December 2010 – on request by NATO and the U.S. government who regarded an ongoing Dutch presence in Uruzgan as ‘critical’ to the success of the mission in RC-South (more details provided in endnote) – elicited a dramatic collapse of the Dutch government in February 2010, following 15-hours of failed negotiations over the issue within cabinet (as discussed previously in Chapter 9).<sup>73</sup> According to Lindley-French, from the *Netherlands Defense Academy*, the collapse of the Dutch government was directly brought about by the widespread and heavy caveat imposition within the ISAF mission, especially by many of Holland’s large and capable NATO allies.

As he expressed on the matter:

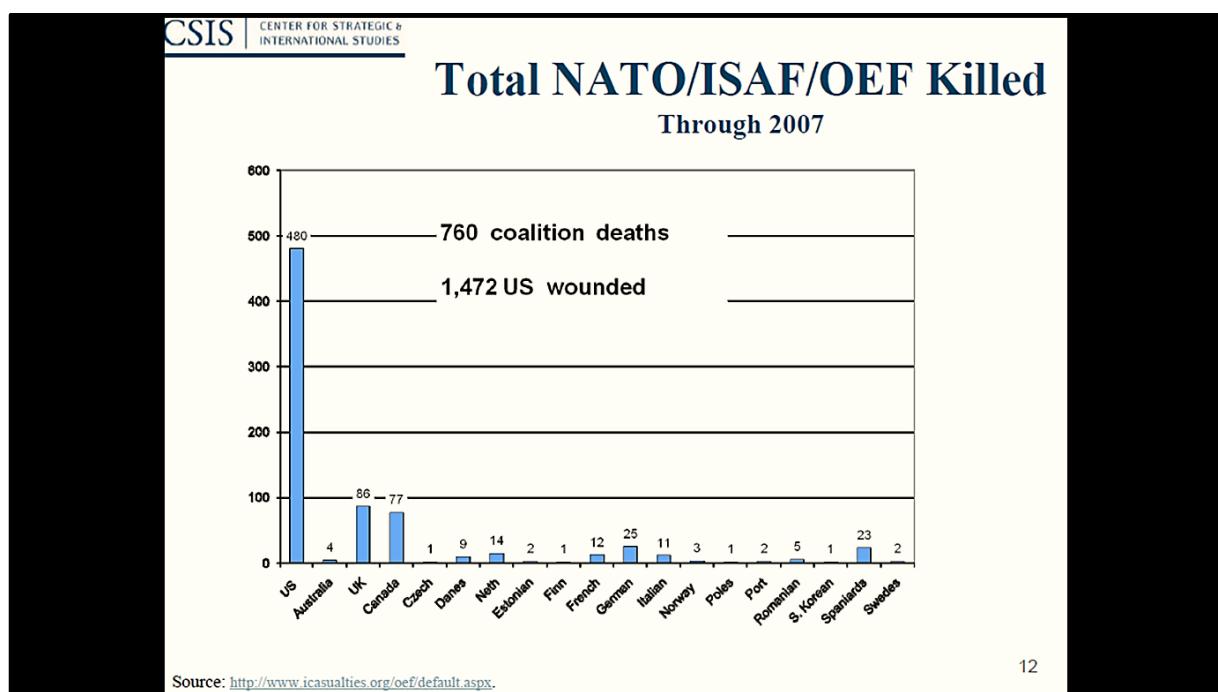
They’ve got a small military...the force has suffered a great deal of wear and tear. The Dutch have hung in there...The real failing is the ability of NATO partners and allies to rotate through the south and the east of the country, where the real center of the struggle exists.<sup>74</sup>

The Netherland’s combat role consequently ceased on 20 February 2010 with the bulk of Dutch forces withdrawn from Afghanistan by the end of the year, nearly five years ahead of the official 2014 mission end-date. The Netherlands thus became the first NATO country to withdraw from the ISAF mission – and also simultaneously the first major casualty of inequitable burden-sharing, generated by national caveats, within the ISAF.

### **Canada**

The disproportionality between the fighting and the dying among NATO nation forces participating in the ISAF mission has also led to much angst in Canada. Having suffered few military casualties since the Korean War, the impact of over 100 deaths in Afghanistan in the eight years since 2001 has had a massive impact on Canadian society, and been the cause of building Canadian resentment toward other NATO countries who keep their forces ‘away from combat, and out of harm’s way’.<sup>75</sup> With a population of 33 million (half that of Britain and only a tenth of the population of the United States), Canada had by mid-2009 suffered more combat deaths in Afghanistan than any other coalition partner per capita – including the United Kingdom and the United States.<sup>76</sup>

Canada was also one of the few TCNs to remove all of its national caveats on its ISAF forces during the early years of the campaign, eliminating all of its force restrictions when the contingent deployed southwards from Kabul Province to Kandahar in January 2006. Moreover, Canadian forces had remained entrenched there in the ‘heartland of the Taliban’ come what may – much unlike France, which withdrew its Special Force commandos from Kandahar almost immediately after its 2006 deployment when the unit suffered significant casualties.<sup>77</sup> Indeed, between 2001-2008 alone, over 18,000 Canadian soldiers had served in Kandahar Province under the ISAF banner.<sup>78</sup> Canadian sentiment with regard to the issue of burden-sharing is perhaps best expressed by one U.S. diplomat, who reported in 2009: ‘Bad news from Kandahar and repeated deaths of Canadian troops contribute to a growing public perception that Canada has already done more than its share’.<sup>79</sup>



*Graph 13.6 – Total Coalition Deaths: Cordesman’s snapshot of total ISAF/OEF casualties in Afghanistan, 2001-2007.<sup>80</sup>*

### *Deaf Ears & Dashed Hopes*

As in the Hague and London, frustration over unfair burden-sharing within the mission had reached its peak by September 2007, after Canadian forces had endured a long Taliban summer offensive in Kandahar which had brought total Canadian ISAF/OEF casualties in Afghanistan to a tally of 77 (refer to *Graph 13.6* above).<sup>81</sup> With German forces suffering only a third of this number (25), and French and Italian forces approximately a tenth (12 and 11 respectively), a combination of anger and desperation over the issue was fermenting within the Canadian parliament in Ottawa.<sup>82</sup>

On 9 October 2007 Canadian and Dutch parliamentary delegates both declared at the NATO Parliamentary Assembly in Iceland that, due to falling public opinion, their countries could not for

much longer justify bearing the burden, along with Britain, of providing the bulk of ISAF forces combating the Taliban in southern Afghanistan.<sup>83</sup> This being the case, the delegates pleaded with their NATO allies with large and capable defence forces – namely, France, Germany, Italy, Spain, Greece and Turkey – for tangible on-the-ground support in RC-South, including through geographical rotations.<sup>84</sup> The situation was critical, they reported, with government reports in both countries concluding that: (1) the Taliban were re-establishing safe-havens in the south; (2) security nationwide had deteriorated; and (3) the ISAF mission was failing to ‘check the country’s slide towards becoming a “narco-state”’.<sup>85</sup> However, this joint and desperate plea seemed to fall on deaf ears within NATO, with significant force contributions for RC-South failing to materialise from the meeting.

The Canadian government, like the British and the Dutch, subsequently hoped that more help would be secured at the next NATO defence meeting in Noordwijk at the end of the month. Indeed, many ISAF nations in the ‘South’ – including the United States which was then committing the largest share of 15,000 forces – hoped that the Noordwijk meeting would make dramatic progress towards rectifying the imbalance in burden-sharing between NATO nations’ commitments within the Afghan mission, and the loss of momentum the imbalance was occasioning.<sup>86</sup> Yet again, Canada and its Southern allies would leave the meeting disappointed. Spain, Italy and Turkey, absolutely refused point-blank to remove their caveats and deploy their troops to the hostile combat zones in Afghanistan’s southern and eastern provinces, or even to extend their existing force commitments to ISAF.<sup>87</sup> Germany agreed only to commit more forces to its PRT in the north, its Defence Minister Franz Josef Jung insisting, rather obnoxiously, that ‘the reconstruction work carried out by 3,000 German troops in northern Afghanistan was just as important as fighting insurgents’.<sup>88</sup> France, meanwhile, while arguing ‘passionately’ that Canada, the U.K., the U.S. and the Netherlands ‘maintain their troop levels’ and not slacken in their commitment or ‘pull back from their objectives’, agreed only to send more ANSF training teams to Kabul, and refused to send any more combat troops of its own to RC-South, or even much-needed equipment such as helicopters.<sup>89</sup>

### *An Exit-Date & an Ultimatum*

Consequently, within the governments of the three Lead Nations in RC-South, the year 2008 dawned under a cloud of suspicion and frustration. In Canada, parliamentary debates raged throughout January over whether to extend the mandate for the Canadian deployment of 2,500 personnel in Kandahar, or to withdraw the contingent completely when the current mandate expired in February 2009.<sup>90</sup> Opposition parties, while expressing their full support for Canadian forces, threatened to provoke a snap election against the ruling minority government if it attempted to extend Canada’s mandate in Afghanistan without readjustment and a clear exit date.<sup>91</sup> A parliamentary paper described inequitable burden-sharing as the most difficult and politically controversial issue within these debates, a reality it described as generated by unwillingness within the ISAF to deploy their forces in

combat missions in the more dangerous areas of Afghanistan.<sup>92</sup> This unwillingness was further secured by written and unwritten caveats, the practical impact of which could not be ignored, since they affected all unit types and ‘substantially limit the operational capability of multinational forces and their ability to accomplish their mission’.<sup>93</sup>

The consequences of this political conflagration in Ottawa for the ISAF mission was a bipartisan motion announced by Prime Minister Harper on 21 February 2008, with two major outcomes for the ISAF: firstly, Canadian forces would irrevocably end their combat role within the ISAF in July 2011 and begin to redeploy out of the Afghan theatre with all combat forces completely withdrawn from RC-South by the end of the year (leaving only residual civilian PRT personnel in southern Afghanistan); and secondly, this commitment to remain in RC-South until July 2011 was contingent on greater NATO support – Canada would withdraw its forces even earlier in February 2009 when its current mandate expired, if NATO did not respond to Canadian demands and send substantial reinforcements to Kandahar Province of at least 1,000 troops, in addition to sufficient medium lift helicopters and UAV drones ‘soon’.<sup>94</sup>

As a result of this motion, Harper subsequently led a ‘full court press’ on NATO members and its partners at the April 2008 Bucharest Summit, emphasizing that ‘NATO’s efforts in Afghanistan and especially in Kandahar were not adequate’, and warning that NATO’s reputation was ‘on the line’ and that if NATO could not succeed in Kandahar, ‘it will ultimately not do it anywhere’.<sup>95</sup> Once again Germany, France, Italy, Spain and Turkey declined to send national forces to Kandahar Province or to remove their anti-south caveats. However, the French did alter its position somewhat to assist the Canadians to stay in Afghanistan: the newly-elected Conservative government, under the leadership of President Nicolas Sarkozy, agreed in spite of fierce domestic opposition to deploy one battalion of approximately 600 soldiers to RC-East, thereby freeing an equivalent number of American personnel to reinforce the Canadians in RC-South (see endnote).<sup>96</sup> As a direct consequence, the Canadian contingent remained in Afghanistan beyond February 2009, even as security conditions in Kandahar Province deteriorated dramatically in subsequent months (refer to endnote for more details).<sup>97</sup> Harper explained Canadian resolve by stating that continuation of the mission was important to the security of Canada and the world, as well as to Canada’s international reputation, and that Canada had an obligation to the people of Afghanistan and the sacrifices of Canadian troops to continue ‘fighting on behalf of Afghanistan’s right to be a similar democracy’.<sup>98</sup>

#### *Canada Terminates its ISAF Military Contribution*

The Obama request in April 2009 for the 2,800-strong Canadian contingent to remain in Afghanistan past the 2011 deadline, or at a minimum to leave all its OMLT, POMLT, PRT and critical enablers (airlift, intelligence, engineers) in Kandahar Province, was a bridge too far for Canada however (refer

to endnote for an explanation of the reasons behind this U.S. request).<sup>99</sup> While the Canadian government agreed to consider the proposal (including the ideas of either recommitting Canadian forces in 2012 after a one year ‘operational pause’ or leaving 1,800-2,000 forces in Kandahar to continue conducting training, mentoring, enabling and PRT force protection tasks), it explained that the Canadian commitment to the mission would depend on the responses and actions of its European NATO allies at the Strasbourg-Kehl Summit that month, celebrating the 60<sup>th</sup> anniversary of NATO.<sup>100</sup> ‘So far we’ve heard many appeals’, one Canadian official expressed to her American counterpart, ‘but not much of a response to those appeals’.<sup>101</sup>

Continued dissatisfactory responses by NATO allies at the subsequent summit, however, led directly to the reinforcement of Canada’s previous position that, while combat forces would continue their operations in the meantime: ‘By 2011 Canada’s Task Force Kandahar (TFK) will no longer exist’.<sup>102</sup> On 8 December 2009, this final Canadian position – brought about by the caveat-induced burden-sharing inequalities between NATO nations within the Afghan mission – was categorically reiterated by the Canadian Chief of the Defence Staff, General Walter Natynczyk, in a testimony to Parliament: ‘In accordance with a March 2008 parliamentary motion, no Canadian Forces – apart from a military attaché in Kabul – or military equipment will remain in Afghanistan after December 31, 2011...This is the end of the military mission’.<sup>103</sup>

Canada thereby became the second NATO Lead Nation after the Netherlands to end its combat role within the ISAF mission, and the second casualty of inequitable burden-sharing within the ISAF mission.

### ***The United Kingdom***

Of the three countries engaged in heavy combat in the mission’s southernmost sector, the United Kingdom has perhaps been the most articulate in the expression of its anger, both politically and through the medium of its national media. The fact of unequal burden-sharing within the ISAF was first publicly commented on in 2006 by the British Defence Secretary, Des Browne, who argued not only that national caveats were ‘restrictions that must be ended to enforce equal burden-sharing and risk-sharing amongst ISAF forces’, but also that they were ‘indelibly linked to the success of NATO in Afghanistan’.<sup>104</sup> ‘Burden-sharing ought to be the proper expression of the collective defence agreement of NATO’, Browne asserted, emphasizing further that NATO Allies had together made a ‘common pledge to provide ISAF with the forces and flexibility to ensure the success of this vital mission’.<sup>105</sup>

By early 2007, this refrain was echoed by senior British commanders, who angrily denounced operational caveats and the continental European countries who had not removed them – Germany

and France foremost among them.<sup>106</sup> Lord Peter Inge, a former head of British Armed Forces, added his voice to the entreaty, asserting that the caveat status quo was not only causing building resentment among ISAF ground troops putting their lives on the line when ‘others are not’, but it was also rendering the NATO alliance itself ineffective.<sup>107</sup> British newspapers were quick to reiterate this message. ‘Do your fair share in Afghanistan’, one *Telegraph* headline cried.<sup>108</sup> ‘Nato’s military credibility on the line’, proclaimed another.<sup>109</sup> The subsequent failure by Britain, Canada and Holland to secure substantial additional forces for RC-South at the NATO Noordwijk meeting, as discussed above, only added impetus to the burden-sharing issue during the following year.

Indeed, by March 2008 tension within NATO over the issue of unfair burden-sharing within the ISAF had reached ‘a new level’, as both the Netherlands and Canada began to question their commitment to the ISAF mission.<sup>110</sup> A U.K. government report deftly summarised the situation:

NATO has encountered substantial difficulties in generating sufficient forces for Afghanistan and there are large disparities in troop contributions between different members of the Alliance. In some of the larger troop-contributing nations, there is a perception that the burden in Afghanistan is not equitably shared and that some countries are making sacrifices that others are not prepared to accept.<sup>111</sup>

### *A Compensatory Approach*

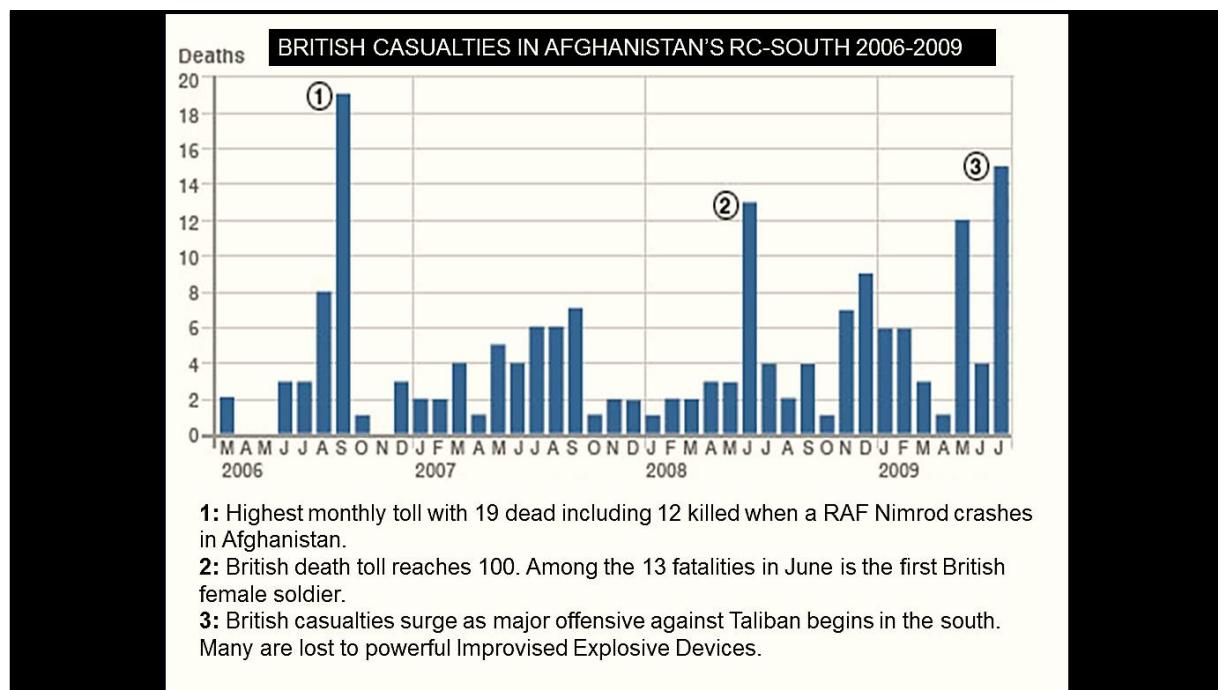
The British response was to change its approach to the caveat issue. Like the famous Iraq War veteran, COL Tim Collins, who stated that if NATO members were not willing to fight properly, they should ‘at the very least... provide more finance for those doing the hard fighting’, the British government began to look for ways in which NATO contributors not participating in combat operations might assist the nations that did.<sup>112</sup>

This new approach was first expressed by Prime Minister Gordon Brown in the House of Commons when, in his quest to secure ‘greater burden sharing by all partners and allies’ in Afghanistan, he delivered a message that ‘where countries are unable to deploy their own troops or equipment’ the British government urged them to ‘look at innovative ways to burden share and help fund those who can’.<sup>113</sup> According to the Defence Secretary, Des Browne, this was a ‘realistic’ approach to the issue.<sup>114</sup> As a March 2008 House of Commons report similarly articulated:

We recognise that not all members of NATO have the capabilities to deploy their forces on expeditionary operations and that some have found it hard to obtain the popular or parliamentary support required to increase their deployments...[However] More troops are needed in Afghanistan if the ISAF mission is to succeed. We look to our other allies to make additional contributions where they can, be it through increased force levels, pledges of military equipment, or by offsetting the costs of operations. We hope that further progress in force generation can be achieved at the Bucharest Summit. Such progress will be essential to the future of the ISAF mission.<sup>115</sup>

This realistic ‘compensatory approach’ was also adopted by NATO’s highest strategic decision-making entity, the NAC. Indeed, Hunter recounts that the NAC set to work during the early months of 2008 to seek out ‘half-measures’ from non-fighting NATO TCNs – that is, greater contributions along the other COIN LOOs within the ISAF campaign – in an effort to turn the caveat ‘lemon’ within NATO into more palatable ‘lemonade’.<sup>116</sup> It seemed that in waging war through a coalition of the *willing*, compromise was NATO’s only means to lessen the stalemate within NATO, a stalemate which is described by Hunter as a full-scale clash between ‘the need for tactical flexibility’ in Afghanistan and the preeminent ‘desire of allies to limit casualties’.<sup>117</sup>

Within months, however, this compensatory approach had backfired for the British in Helmand Province. With the new approach having only secured for RC-South two additional Czech Weapon Locating Radars to Kandahar Airfield (due the next year in April 2009) and one French OMLT (with a promise of a future increased contribution to Close Air Support), British forces quickly found themselves under-manned and under-resourced to face the Taliban onslaught in RC-South (see endnote for details on the additional small contributions made by Poland to RC-East).<sup>118</sup> Indeed, the helicopter shortage was so severe that NATO had been compelled to lease the aircraft from commercial suppliers, even though, as Craddock angrily expressed, ‘we know the capacity is resident in the nations that are participating’.<sup>119</sup> The British death toll in Afghanistan had also continued to climb, with significant new casualties sustained with every passing month to peak in the month of June 2008 (see *Graph 13.7* below).



*Graph 13.7 – British Casualties: A BBC timeline of British casualties per month, 2006-2009.*<sup>120</sup>

In August 2008, senior British commanders reported to Westminster not only that the insurgency had now expanded into areas not controlled by the Taliban since 2001, but that unless an Iraq-style surge involving thousands of additional soldiers was deployed to Afghanistan immediately, the ISAF campaign would fail and the Taliban would win back control of the country.<sup>121</sup> As one officer stated: ‘Unless the West commits serious numbers of extra troops soon we are looking at a Taliban victory...The urgent need is to provide security on the ground for reconstruction to move ahead, and you cannot provide security without boots on the ground’.<sup>122</sup> This ominous prediction was also shared by COMISAF McKiernan and his British deputy, LTGEN Jonathon Riley, who were then both reportedly ‘screaming out’ for more forces.<sup>123</sup>

With 4,000 British soldiers heavily involved in the Iraq War and despite warnings of ‘over-stretch’, the United Kingdom had by June 2008 already increased its Afghan deployment in Afghanistan from 7,800 to 8,030 personnel (to comprise 15% of the total ISAF force of 53,000).<sup>124</sup> Prime Minister Gordon Brown had intended this increase to be a sign of Britain’s unwavering commitment to security in Afghanistan.<sup>125</sup> ‘We have resolved...as we did some years ago,’ he stated, ‘that it is in the British national interest to confront the Taliban in Afghanistan or Afghanistan would come to us’.<sup>126</sup> However, the United Kingdom now found itself in an uncomfortable and disconcerting position. Britain could now commit no more to the Afghan fight, and could also not expect any significant force injection from its European NATO allies. In short, continental Europe and the compensatory approach had failed to help Britain in shouldering the heavy and taxing combat burden in RC-South.

### *The American Solution*

An American solution subsequently became the only feasible option for securing more troops in RC-South. In an effort to help fill the force gap and reduce the Taliban presence in the south, the Bush administration had already agreed to deploy an additional 3,000 Marines to the sector by March 2008.<sup>127</sup> However, even this force injection was not sufficient for the actual combat requirements of the ISAF’s southern sector. This led American NATO SACEUR, General Craddock, to declare that more flexible fighting rules were pivotal to ‘turning the tide’ against the insurgency in Afghanistan. As he stated: ‘Too often, forces there now are relatively fixed because we don’t have adequate tactical mobility to move them around to be able to do the jobs we need them to do...The first thing we’d like to see is a reduction in these caveats, with the objective of elimination’.<sup>128</sup> When an EU report echoed this assertion, the French government subsequently made the decision to deploy one French battalion – caveat-free – to RC-East, thereby allowing one U.S. battalion to rotate to RC-South. In September, outgoing American President, George W. Bush, also authorised an additional 4,500 to Afghanistan as a final gesture of solidarity with the southern allies, which he termed a ‘quiet surge’.<sup>129</sup>

However, this heavy dependence by NATO nations on an American solution to the burden-sharing problem soon led to problems within the U.S. military. Namely, no reinforcements were available to replace U.S. forces when they ended their rotations and exited the Afghan theatre, as occurred that year with regard to 2,000 Marines due to exit RC-East in November 2008 (tens of thousands of American forces were still heavily engaged in the Iraq COIN campaign).<sup>130</sup> Given overstretch within the British military, however, the British government could do little to help its transatlantic ally, one official stating that: ‘Given limited UK resources, HMG [Her Majesty’s Government] was determined to “embrace” increased U.S. involvement in the south’.<sup>131</sup> However, the British government committed itself to a diplomatic offensive in Europe in the hope that, as Afghan elections approached, ‘the burden would be more broadly shared and other nations would deploy forces’.<sup>132</sup>

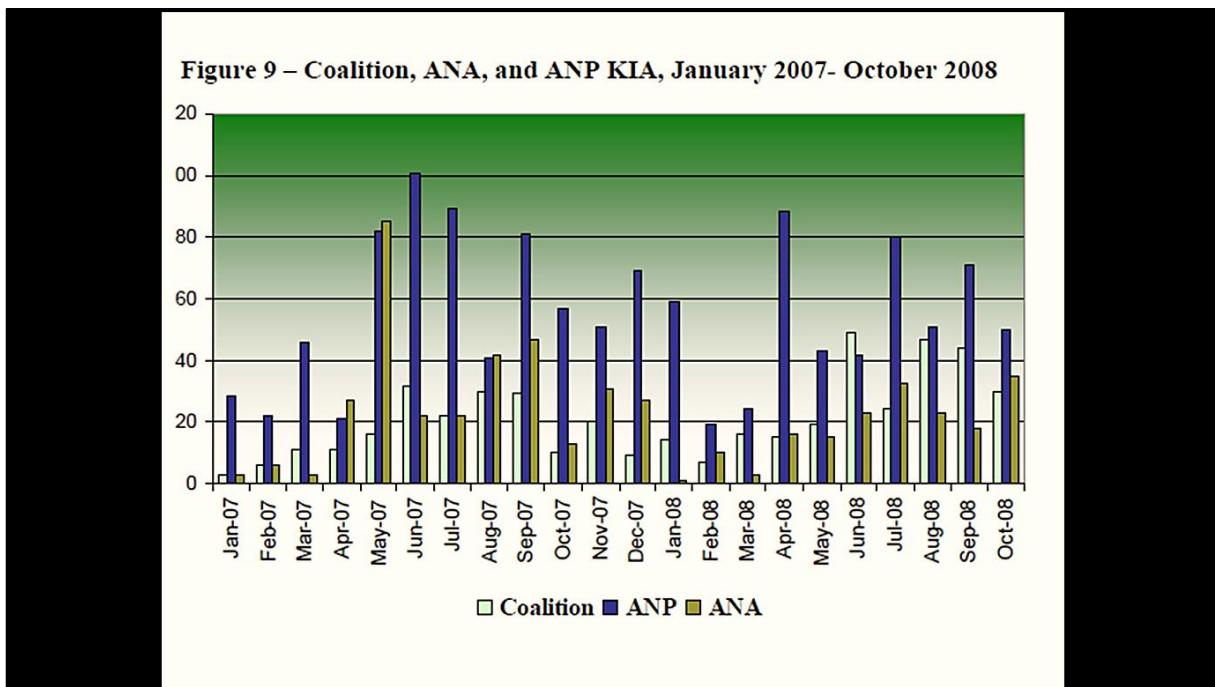
### *The ‘Airstrike’ Remedy*

With continued intransigence on the burden-sharing issue on the part of recalcitrant NATO Lead Nations Germany, Italy, Spain and Turkey (provoking ‘a thinly veiled condemnation’ by SACEUR Craddock), the southern allies began to turn to heavy airstrikes as another solution for the force shortages occasioned by caveats and uneven burden-sharing.<sup>133</sup> Indeed government officials explained that their forces on the ground depended on such air support during engagements with the Enemy, because they often found themselves outnumbered and air strikes were necessary to compensate for insufficient ‘boots on the ground’.<sup>134</sup> As a result, total airstrike sorties within the mission tripled during the year 2008.<sup>135</sup>

However, the airstrikes were a poor substitute for boots on the ground: violence increased in RC-South as the Taliban insurgents became more resilient, and though British forces had established five security zones in Helmand Province, by the end of the summer the Taliban controlled 5 of the 13 districts in the Province.<sup>136</sup> Furthermore, dependency on air strikes had produced a negative side-effect – they became the cause of many Afghan civilian casualties throughout 2008-2009, which worked to harm NATO’s reputation as well as the very people-centric COIN campaign the ISAF was there to conduct. To illustrate, according to the *Brookings Institute*, of the 2,118 Afghan civilians killed during 2008, 26 per cent had been killed as a result of ISAF-ANSF military action including air strikes (by way of comparison, the majority – 49 percent – were killed by anti-Government insurgents by means of executions, suicide-bombings, IEDs and Enemy escalation of force).<sup>137</sup> As a consequence, COMISAF McKiernan soon issued new military rules of engagement for ISAF forces to prevent such civilian deaths since, as one European official commented, ‘killing civilians is not the best way to attract hearts and minds’.<sup>138</sup>

### An Afghan Solution?

An Afghan solution became the final option for the over-taxed and over-burdened British forces in Helmand. By October 2008, British forces in Helmand had turned to Afghan security forces, who they stated were not only ‘proving their battle-worthiness’ but were also reassuring the local populace by their presence.<sup>139</sup> In government-to-government meetings between the U.K. and Afghanistan, an ‘Afghan-led solution’ to the ISAF force shortfall in the south and east was discussed involving a ‘combined ISAF-ANA approach’. To cement the deal, the U.K. promised to deploy an addition 2,000 British forces to the south.<sup>140</sup> Afghan ANA and ANP units were subsequently dispatched to work alongside British CMUs in RC-South, resulting in increased ANSF casualties (see *Graph 13.8* below).



*Graph 13.8 – Casualties among ANSF forces: A graph, taken from a 2009 U.S. Pentagon Report, showing the numbers of ANA and ANP personnel killed in action over a period of almost two-years between January 2007-October 2008, in contrast with total Coalition deaths.*<sup>141</sup>

Yet even with this ANSF solution, the British were frustrated to find that there were still insufficient forces in Helmand to establish security across the province.<sup>142</sup> In fact, the British soon became the recipients of Afghan ‘displeasure’ when during a political visit of the Afghan Governor of Helmand to a U.K. Forward Operating Base in Sangin District in January 2009, Governor Gulab Mangal found he ‘was only allowed about 200 meters beyond the FOB perimeter and was unable to walk through the bazaar’ since Taliban forces were entrenched within 500-600 meters of the Sangin District Center (see endnote for more details).<sup>143</sup> The British response was that: ‘There have never been sufficient ISAF or Afghan forces to control the whole district’.<sup>144</sup>

In fact, one American official in Sangin summarised the whole British effort in Afghanistan as divided into two camps, with half of British military forces wishing to move resources into areas where progress was possible and the population supportive, and the other half wanting to ‘simply hold what they have’ and wait for the United States to interject troops and funds, with many ‘wildly speculating about where and when U.S. troops will go’.<sup>145</sup> By mid-2009 it was alarmingly evident that a total of 9,000 British forces and approximately 4,000 U.S. marines, together with several Afghan kandak battalions of ANA and ANP forces, were still woefully insufficient to secure Helmand from Taliban influence.<sup>146</sup>

#### *Renewed Focus on Disproportionate Burden-Sharing*

It was at this juncture that British efforts to break the burden-sharing stalemate, caused by combat and geographical caveats, began with renewed vigour and focus. ‘We do need to have more of an effort from other Nato members’, declared Prime Minister Brown. ‘We need to see more burden-sharing’.<sup>147</sup> As he further explained:

While it is right that we play our part, so, too, must others take their fair share of this burden of responsibility...Forty-two countries are involved, and all must ask themselves if they are doing enough. For terrorism knows no borders.<sup>148</sup>

Heightening the urgency of the situation, in September 2009 COMISAF McChrystal described the ISAF mission in Afghanistan as ‘deteriorating’ but still winnable, adding that ‘without additional resources, current efforts would be "fixed" – but with more resources, enough terrain could be controlled to deny the Taliban strategic traction’.<sup>149</sup> With the looming departures of both Dutch and Canadian forces from RC-South, together with a total British death toll of 212 (84 killed so far in 2009 alone) and rising public pressure to withdraw British troops completely from the mission, Prime Minister Brown could well pose the question, as he did to American officials in Kabul: ‘Would there be extra burden sharing by those who had done so little?’<sup>150</sup>

In a final bid to encourage more equitable force contributions from NATO allies – specifically, Germany, France, Italy and Spain – Brown announced an additional deployment of 500 soldiers to the 9,000-strong British ISAF contingent with the condition that other ISAF partners also bear ‘their fair share’.<sup>151</sup> As Brown stated emphatically: ‘Everyone must accept that they’re part of a coalition, and they’ve got to show it’.<sup>152</sup>

#### *Exhaustion, Irritation & Disappointment*

As the Obama review slowly progressed in the United States, British officials warned their American counterparts in London that the U.S. government should not ask for more troops from the United

Kingdom: with 9,500 personnel deployed to the ISAF mission, Britain had reached its final military limit. As one U.S. State Department cable reveals, by November 2009 the British Foreign and Commonwealth Office, Ministry of Defence and 10 Downing Street were all in ‘lock step’ in agreeing that the U.K. could not deploy more troops to Afghanistan.<sup>153</sup> ‘We don’t have the capability in terms of logistics or equipment’ to support the deployment of additional troops, one British interlocutor explained, ‘we’re all at one...the cupboard is bare’. If asked by the U.S. to send more troops, ‘the UK would be obliged to say “no”’, the cable concluded.<sup>154</sup>

Besides military exhaustion, ‘increased irritation’ at NATO allies regarded as ‘not pulling their weight’ was a weighty consideration within the British government, especially with regard to Germany and France.<sup>155</sup> As one British official stated to his American counterpart: ‘When some allies do so little, to ask for more from us would be very difficult’.<sup>156</sup> This theme was expounded upon by Liam Fox, the shadow Defence Secretary, who exclaimed during a speech at Chatham House in 2009:

Why should the few carry the many? Common security implies common commitment. It is quite wrong for everyone in the street to get the same insurance policy when only a few pay the premiums...Given the state of the UK’s finances is it right that despite being in a collective security alliance we have contributed in blood and treasure, £9 billion and 237 lives, by any means this is more than our fair share.<sup>157</sup>

This view was also reiterated by a military scholar, who in 2009 well summarised the British position and the danger to the NATO alliance caused by unfair burden-sharing during more than a decade of warfare in Afghanistan.

What is clear is that NATO is not an alliance of equals, it is not ‘one for all and all for one’ and this calls into question the very future of NATO, some serious thinking is required. Is it an option for those that do not commit their forces (such that they are and can do anything useful) pay for those that do? It is an interesting concept but does this not give those nations an easy opt out... *Run along, you go and do the fighting, here is a few Euros for your trouble.* It is simply too easy a cop out, either NATO is a collective where all nations pull their weight in both blood and treasure or not [original emphasis].<sup>158</sup>

Although Britain has remained fully engaged in the ISAF mission in the years since until the present time in 2014, including in offensive, kinetic, lethal combat operations against Afghan insurgents in RC-South, the unfair burden-sharing that has occurred in Afghanistan has undoubtedly left its mark on British politicians and military personnel. The disproportional burden-sharing in Afghanistan, described in this chapter, has certainly *not* been collective security by any means. The reality on the ground in Afghanistan has been that caveats on NATO forces have mutated the slogan of ‘all for one, and one for all’ into ‘the few for many, and the many for none’. In sum, with regard to combat

operations at a minimum, the principle of collective security and collective defence has not been visible within the Afghan mission at all.

## The Burden-Sharing Impasse: Three Exacerbating Factors

As this overview has shown, inequitable burden-sharing amongst the coalition members of the ISAF has been a serious issue within the Afghan mission – and a key debilitating effect of heavy and widespread caveat imposition by most of the ISAF's TCNs. This prolonged, inequitable sharing of the burden for combat operations within the ISAF mission, over a period of at least six years from 2006-2012, is in fact a puzzling and almost unnatural development. That is, the issue has occurred within a military coalition which boasts some of the largest and most capable national military forces in the world, and in which a majority of 28 TCNs are members of a treaty-based alliance committed to prosecuting conventional ‘total war’ in defence of its members.

Upon closer examination, it seems that there have been three significant factors that have contributed to the severity of this burden-sharing inequality, and the political and military outrage this reality has provoked within the nations forced to bear the brunt of the combat burden in Afghanistan. These factors relate to: (1) the consistently high numbers of ISAF TCNs imposing caveats within the coalition, amongst both the NATO and Partner nation groupings; (2) the quizzical disproportionality represented by the way that many TCNs with large, capable militaries have remained caveat-imposing force contributors throughout the mission, while TCNs with smaller, less capable militaries have become caveat-free; and (3) the unhappy fact that several of these large, capable NATO nations operating under caveat restrictions within the mission have in fact been the mission’s own appointed ‘Lead Nations’ with lead security responsibility for one or more of the Regional Commands around Afghanistan.

For more detailed analysis of the way in which each of these three factors have served to amplify the negative effects of unequal burden-sharing within the ISAF mission, please refer to APPENDIX 11 ‘*Burden-Sharing Analysis: Two Factors Contributing to the Severity of the ISAF Mission’s Caveat Affliction*’ and APPENDIX 12 ‘*Burden-Sharing Analysis: The Third Factor – Caveat Imposition among the ISAF Mission’s ‘Lead Nations’*’ in Volume II of this research.

## **Conclusion**

This chapter has provided an examination of the burden-sharing crisis within the ISAF mission – a crisis brought about by the widespread and sustained imposition of combat and geographical caveats by the mission’s own coalition members. These caveats have not only sabotaged the capability of the ISAF to conduct rigorous, offensive combat operations against Enemy insurgents in every part of Afghanistan (as shown in Chapters 11 and 12), but they have also forced nations with caveat-free forces to conduct an unfair and disproportional amount of the fighting and dying to secure Afghanistan from radical Islamist forces.

In short, the caveats have compelled the few to pay the full cost – in both effort and blood – of the hardest combat work of the mission, while the many remain largely unscathed and un-blooded from combat operations in the ‘safe’ northern and western regions of the country, where the insurgency is weakest. This inequality has tangibly harmed the ISAF coalition, causing principal NATO nations with large national contingents, such as the Netherlands and Canada, to end their military engagements and withdraw their combat forces from the mission. The price of skewed burden-sharing has simply been too high for these nations to pay.

The disproportionality has also, furthermore, revealed an alarming and fundamental lack of solidarity and true ‘collective defence’ within the NATO alliance. This reality has led to an important loss of confidence by many of its principal members, not only in the collective security institution itself, but also in the reliability of many NATO allies – notably, Germany, France, Italy, Spain and Turkey. This is a state of affairs which does not bode well either for the NATO organisation, or its future aspirations as a global PSO operator.

This chapter concludes Section IV of this study, which has addressed the second key question of this research relating to the tangible impact of national caveats on security forces conducting security operations within the NATO-led ISAF mission. Pursuant to the aim of this research, the final section to follow will provide an assessment of the overall impact of a decade of ISAF national caveats on the operational effectiveness of the multinational security mission as a whole.

## **SECTION V**

*Discussion of Research Findings:*

*The Impact of National Caveats on ISAF  
Operational Effectiveness*

## **CHAPTER 14**

### **An Assessment:**

#### **The Impact of ISAF National Caveats on Unity of Effort**

In the previous section, it was shown precisely how ISAF national caveats have impacted negatively on the security LOO of the ISAF COIN campaign and, more specifically, on combat operations conducted to degrade insurgent capacity within Afghanistan. Both the planning and the execution of ISAF combat operations have been debilitated by the caveat restrictions over a substantial period of time – a reality that has not only fragmented the coalition along burden-sharing lines, but also given Enemy insurgent forces substantial advantages and opportunities to exploit: ISAF weakness has become a Taliban strength.

Besides the numerous individual casualties suffered during the Afghan campaign, the military security mission has itself also become a casualty of the Afghan War. It has fallen victim to paralyzing political structures, imposed by a plethora of sovereign TCN governments, which have consistently prioritized national political interests over the security needs of the international campaign. This has been a continuous trend within the mission over the past decade, visible not only among Partner nations, but also many NATO nations – including the mission's own NATO Lead Nations with heavy security responsibilities in Afghanistan. With caveats also impeding stability operations along the other three LOOs of the ISAF COIN strategy, it is clear that in fact no aspect of the ISAF operation has been unaffected by the impediment of government-imposed caveat constraints on ISAF national forces.

In the following two chapters, the research findings of this caveat study will be discussed in relation to the central aim of this thesis. That is, this section seeks to determine whether the ISAF's decade-long national caveat impediment has had a significant impact on the operational effectiveness of the Afghan mission as a whole, in its quest to stabilise and secure Afghanistan from radical Islamo-fascist influences. Because measuring the effectiveness of any COIN campaign is problematic in itself, this section will seek to measure this impact by examining the effect of the caveats on the fundamental principle of 'unity of effort'. As outlined in Chapter 1, unity of effort is a necessary prerequisite for operational effectiveness to be attained in any MNO involving disparate actors. Consequently, as further outlined in Chapter 7, unity of effort is a useful analytical lens by which to assess the overall impact of caveat-imposition on operational effectiveness within the ISAF mission.

This chapter will begin this assessment by examining the impact of ISAF national caveats on this critical principle of ‘unity of effort’. It will do this by: firstly, briefly revisiting the relationship between unity of effort and operational effectiveness; secondly, examining official and academic statements with regard to the impact of caveats on this crucial military principle; thirdly, detailing exactly how caveats have had such an overwhelmingly negative effect on unity of effort; fourthly, determining the negative influence of caveats on the underlying supporting constructs of unity of effort in MNOs, namely ‘unity of command’ and ‘cooperation, coordination and consensus’; and finally, examining the overall effect of the caveats on unity of purpose within the ISAF coalition.

## **Unity of Effort: A Key Lens for Assessing the Impact of National Caveats on ISAF Operational Effectiveness**

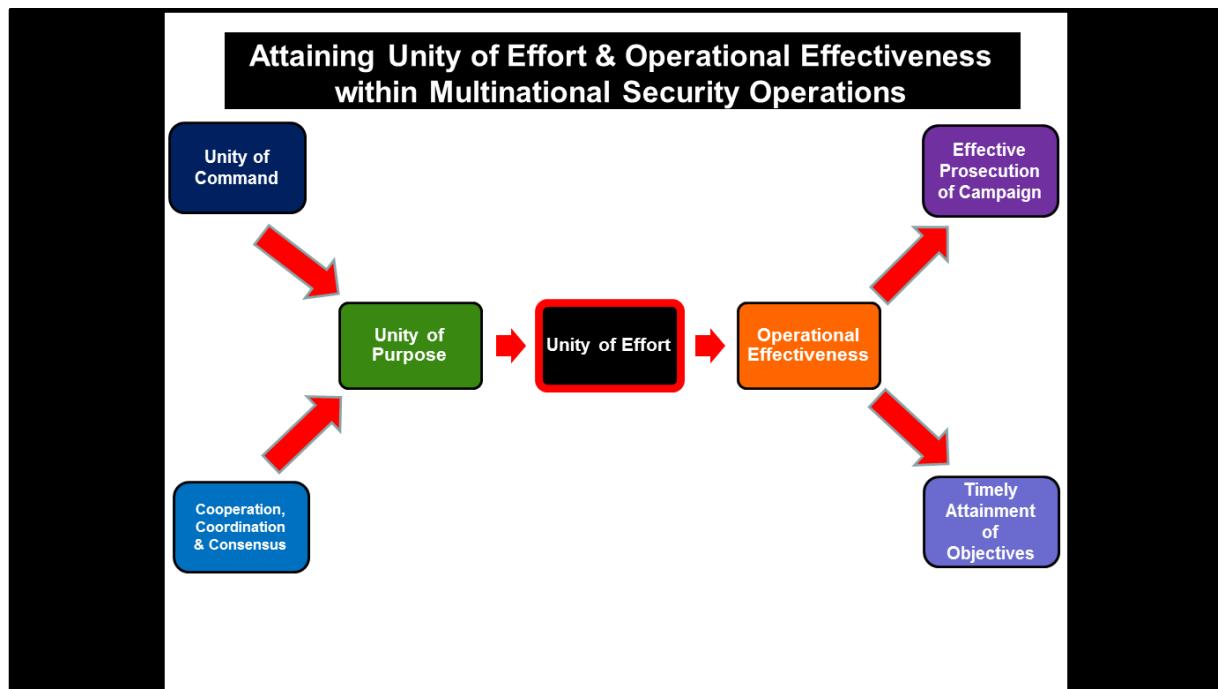
Over the course of this thesis many quotes by NATO/ISAF officials, national government officials, and academic experts have been presented on the negative impact of ISAF national caveats on effectiveness within the mission over the past decade. In brief, various officials and observers alike have been emphatic in insisting that caveats have had a deleterious effect on: (1) the coalition; (2) the mission; (3) the ISAF force as a whole; (4) ISAF security forces, especially combat forces; (5) ISAF security operations; and (6) the whole campaign to secure and stabilise Afghanistan. The overriding view is perhaps best summed up by Barno, the former commander of the OEF mission in Afghanistan, who states: ‘I think they [national caveats] make it very difficult to use a military force to its best advantage...they impinge on the effectiveness of a military organisation – flat-out’.<sup>1</sup>

In order to assess the cumulative effect of ISAF caveats on the overall effectiveness of the mission, one must first grapple with the reality that measuring operational effectiveness – especially within COIN campaigns – is a problematic issue in itself. Military experts and government officials alike have long grappled with this problem in regard to the Afghan mission, and many differing sets of metrics have been presented by which an overall picture of ISAF effectiveness can be obtained. However, as Clausewitz once pointed out, all war is by nature a complex, chaotic business full of friction, confusion and uncertainty, and consequently an inherently difficult environment in which to gather accurate measurements.

This is especially the case in a COIN-oriented war campaign, in which traditional tangible metrics – such as tallying the total numbers of Enemy fighters killed or captured – does not truly reflect the progress of a comprehensive population-centric operation to win the support of the majority population.<sup>2</sup> Local opinion polls, instances of local Afghan cooperation with ISAF and ANSF forces, and numbers of Afghan civilians shielded from violence are more apt measurements of progress

within COIN.<sup>3</sup> The problem has been so thorny that as late as August 2009, the White House was reportedly also struggling to devise a means of measuring effectiveness and success in Afghanistan in the wake of Obama's new strategy, in the awareness that 'poorly devised measurements can become misleading indicators – and can create a false sense of progress'.<sup>4</sup>

For the purposes of this research, one straight-forward way of measuring the impact of caveats on operational effectiveness is by recourse to the theoretical lens of 'unity of effort'. As outlined in Chapter 1, unity of effort is the golden military principle for achieving operational effectiveness in any multinational security operation, regardless of the theatre, environment and nature of the conflict or the number of nations contributing to the mission, or even the mission objective. Unity of effort consists of 'coordination and cooperation toward common objectives' amongst coalition members and is created through 'successful unified action'.<sup>5</sup> It is the glue that, through holding together the disparate actors of the operation, enables progress towards the collective goal. As such, unity of effort is a vital, prerequisite principle for the effective and successful functioning of multinational security operations, and the single most important priority essential to mission accomplishment within MNOs. Consequently, by measuring the impact of ISAF caveats on the principle of unity of effort, a clearer overall picture of the impact of these caveats on overall operational effectiveness can be more easily obtained than through the use of rather uncertain metrics.



*Figure 14.1 – Unity of Effort – Key to Operational Effectiveness: The prescribing conditions and positive outcomes of the presence of 'Unity of Effort' within multinational military operations.*

The relationship between unity of effort and operational effectiveness is depicted in *Figure 14.1*. As discussed previously in Chapter 1, unity of effort is created or fostered by one of two means – ‘unity of command’ or ‘cooperation, coordination and consensus’ – ideally involving a combination of both which together foster ‘unity of purpose’ amongst a mission’s various national actors. Regardless of the means employed, however, unity of effort is the bottom-line and must be present for an operation to be either effective or successful. As the maxim expresses: ‘Unity of Command is “desired”; Unity of Effort is “required”’.<sup>6</sup>

In spite of the overriding importance of this principle – especially within a difficult and complex multinational COIN campaign as that occurring in Afghanistan – this research has revealed that unity of effort within the ISAF mission has been dramatically undermined by the presence of national caveats, which have been imposed in high numbers on multiple ISAF force contingents for the duration of the mission. Indeed, the unhappy and rather grave reality of having tens of thousands of security forces restricted in their ability to conduct both security and stability operations, within a mission expressly designed to secure and stabilise Afghanistan, could not but have a detrimental impact on the principle of unity of effort and the overall success of the campaign. One could even go so far as to argue that *disunity* of effort – rather than unity of effort – has been the prevailing rule within the mission since NATO took command of the ISAF mission in 2003. The detrimental impact of the national caveats on unity of effort within the ISAF mission will be analysed more fully in the following.

## National Caveats & Disunity of Effort within the ISAF Mission

The link between national caveats and disunity of effort within the ISAF campaign is evident, first of all, when one looks at statements made on the matter by ISAF and government officials, in addition to academic experts. Indeed, with approximately one-fourth of the entire ISAF force constrained in their operations and activities from at least 2007-2012, the problem of national caveats has been an issue of contention within the coalition that has provoked much public comment and criticism.

The first connection made between caveats and their impact on operational effectiveness occurred in late 2002, when academic experts observed a connection between caveats on forces in Kabul Province and diminished overall effectiveness within the mission.<sup>7</sup> By mid-2006, caveats were regarded by ISAF Headquarters as a major cause of interference in overall operational effectiveness.<sup>8</sup> Two years later, in early 2008, COMISAF McNeill expressed his frustration that caveats were severely retarding the ISAF’s ability to effectively combat the Taliban insurgency, a point reiterated by SACEUR Craddock several months later when he argued that the caveats were weakening the ISAF’s efforts to

suppress a resilient and fluid Taliban insurgency that was now ‘exploiting chaos along porous borders with Pakistan’.<sup>9</sup>

By November 2009 caveats were being more directly and explicitly linked to a lack of unity of effort within the ISAF mission. In a meeting at NATO Headquarters in Brussels, for instance, British NATO representative and Joint Staff Director for Operations, LTGEN John M. Paxton, bemoaned the rash of geographical caveats within the mission which were regarded as the cause of poor unity of effort across the campaign.<sup>10</sup> Achieving unity of effort was ‘critical’ within the ISAF mission, he argued.<sup>11</sup> As a U.S. State Department cable recounts:

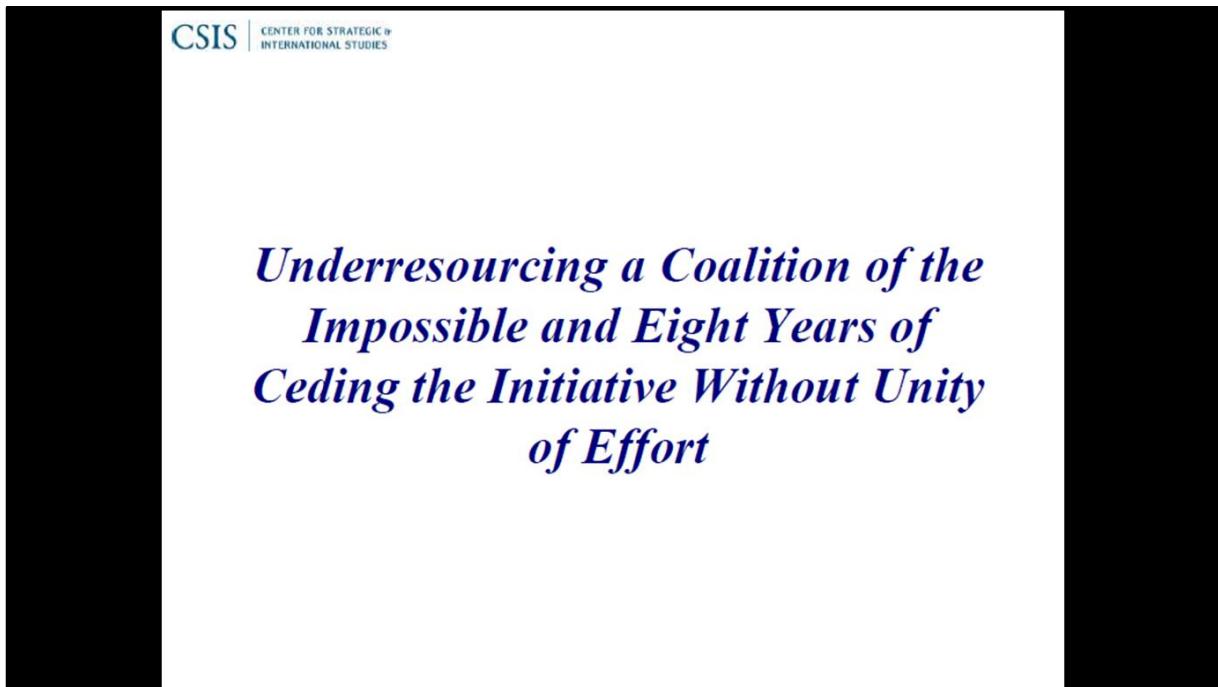
Paxton also stressed the importance of unity of effort from all the military actors on the ground, focusing on battlespace owner control of and support for all units in their AO, to include Operational Mentor Liaison Teams and Provincial Reconstruction Teams.<sup>12</sup>

The British delegate was supported in this view by the Canadian representative, who declared explicitly that ‘unity of effort was important and asked nations to reduce or eliminate national caveats’.<sup>13</sup> In acknowledgement of the undisputed importance of the principle, the American delegate, Deputy Undersecretary of Defense Michele Flournoy, similarly requested at this time that ISAF nations ‘remove national caveats, allowing for greater flexibility in how their troops could be deployed and used in Afghanistan’.<sup>14</sup>

One year on in 2010, however, only a handful of TCNs had responded to this urgent appeal and eliminated their caveat restrictions to enhance unity of effort within the mission (namely, Norway, Denmark, Portugal and Hungary). In refusing to remove caveat constraints from their ISAF contingents, it was clear that many of the ISAF TCNs were making force contributions that – due to scores of operational restrictions, especially those limiting geographic and operational flexibility – did not add much of real value to the mission. In short, a large proportion of the international TCNs – especially continental European nations – were failing to pull their weight within ISAF. Through the imposition of national caveats these nations were also simultaneously creating disunity of effort within the operation and thereby direct harm to the NATO campaign in Afghanistan.<sup>15</sup> Abshire, writing for the *Atlantic Council* well articulated the caveat-generated state of affairs prevailing within the Afghan mission at that time, stating: ‘Our European allies are becoming security consumers and not security providers’.<sup>16</sup>

Indeed, as early as December 2009 Cordesman had already concluded that the ISAF coalition, comprised of a mélange of cavedated and non-cavedated forces drawn from NATO and Partner nations and therefore with varying capabilities, was in reality ‘a coalition of the impossible’, and that the resulting ISAF force was a ‘dog’s breakfast’.<sup>17</sup> Under-resourcing had worsened the situation further, with caveats being the final nail in the coffin for true ‘unity of effort’ within the mission. As he stated: ‘What should be an integrated civil-military effort, focused on winning the war in the field, is a

dysfunctional, wasteful mess that is crippled by bureaucratic divisions'.<sup>18</sup> In fact, following detailed analysis of metrics within the Af-Pak War, Cordesman summarised the situation within the ISAF mission, as of late 2009, with the following words: 'Underresourcing a Coalition of the Impossible and eight years of Ceding the Initiative without Unity of Effort' (reproduced in *Figure 14.2* below).<sup>19</sup>



*Figure 14.2 – No Unity of Effort: Cordesman's grim conclusion of the ISAF campaign, as shown in a presentation to the CSIS in December 2009.<sup>20</sup>*

## **How Have Caveats created Disunity of Effort within the ISAF?**

The question subsequently follows, if caveats are directly connected to disunity of effort within the ISAF mission, how exactly have the restrictions had this effect? The cause-and-effect relationship, between the imposition of national caveats on the one hand, and a lack of cooperative, coordinated, unified action within the mission on the other, is obvious when one considers the sum total of the caveat effects on the ISAF force as a whole, as a result of caveat imposition by coalition members.

First of all, as shown in Chapter 9, a majority of ISAF TCNs have almost continually imposed caveats on their national force contingents between 2003-2012 (refer to *Table 14.3*). This caveat-imposing majority of the ISAF coalition has, secondly, encompassed nations from both of the major NATO and Partner nation groupings, including a constant majority of Partner nations over the entire period and a majority of NATO nations between December 2003 and mid-2009 (also shown in Chapter 9, and in greater detail in APPENDIX 11).

## ISAF TCNs with a History of Caveat Imposition, 2001-2012



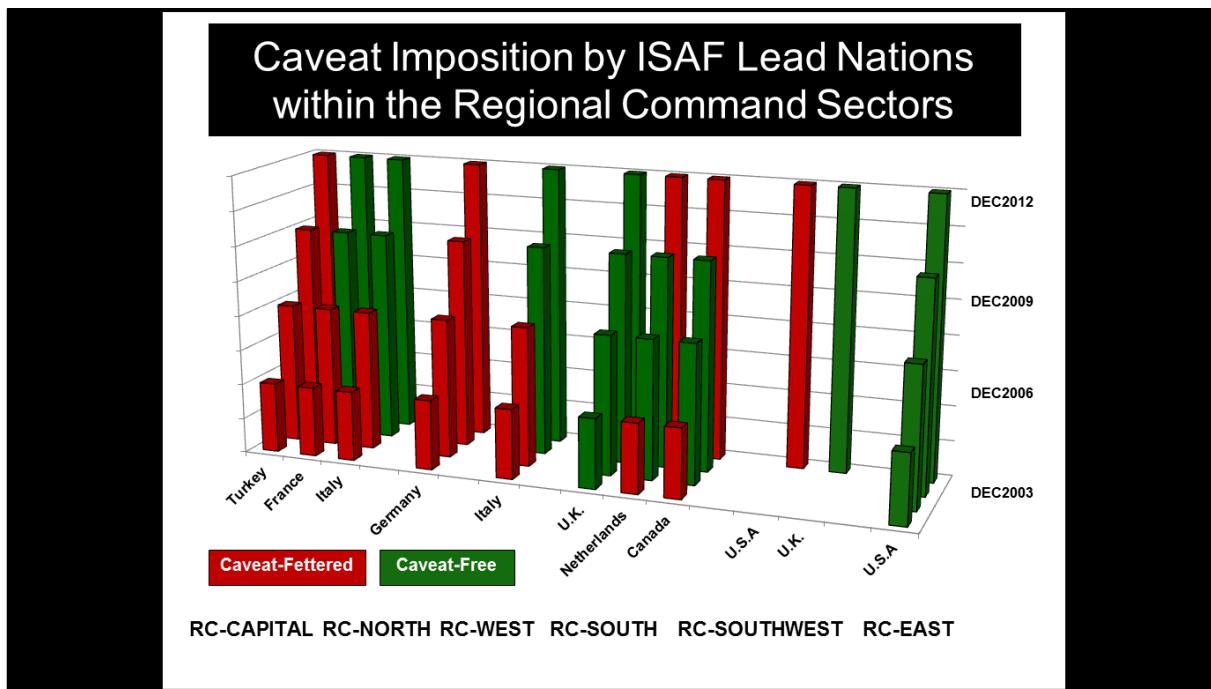
**International Security Assistance Force**

**Troop Contributing Nations**

Country	Caveat Imposition Status	Contingent Size	Country	Caveat Imposition Status	Contingent Size	Country	Caveat Imposition Status	Contingent Size
Albania	X	199	Georgia	X	1,561	Norway	X	97
Armenia	X	126	Germany	X	4,318	Poland	X	1,770
Australia	X	1,094	Greece	X	10	Portugal	X	141
Austria	X	3	Hungary	X	582	Romania	X	1,549
Azerbaijan	X	94	Iceland	X	2	Singapore	X	39
Bahrain	X	95	Ireland	X	7	Slovakia	X	234
Belgium	X	265	Italy	X	4,000	Slovenia	X	38
Bosnia & Herzegovina	X	53	Jordan	X	0	Spain	X	1,606
Bulgaria	X	581	Republic of Korea	X	350	Sweden	X	413
Canada	X	950	Latvia	X	27	The former Yugoslav Republic of Macedonia	X	157
Croatia	X	242	Lithuania	X	240	Tonga	X	55
Czech Republic	X	416	Luxembourg	X	10	Turkey	X	998
Denmark	X	567	Malaysia	X	4	Ukraine	X	24
El Salvador	X	12	Mongolia	X	46	United Arab Emirates	X	35
Estonia	X	150	Montenegro	X	40	United Kingdom	X	9,500
Finland	X	112	Netherlands	X	500	United States	X	68,000
France	X	543	New Zealand	X	156	Total		102,011

*Table 14.3 – Caveat-Imposing TCNs (2001-2012): A table showing the 50 ISAF Troop Contributing Nations as of December 2012, which have at some time imposed national caveat restrictions on their contingents between 2001-2012. Over this period only three nations – Georgia, New Zealand and the United Kingdom – have never imposed caveat constraints on the operations of their forces in Afghanistan<sup>21</sup>.*

Thirdly, caveat-imposing TCNs have included among their ranks many of the mission's own designated Lead Nations. This is in spite of the fact that these nations have not only had lead status for creating and maintaining security within their respective sectors, but have also been principal NATO nations – thereby bearing a special responsibility to set a good example to other supporting nations in an international mission in which the NATO organisation has held overall leadership. Indeed, as discussed in Chapter 13 and further demonstrated in APPENDIX 12, six of the eight total Lead Nations (75 per cent) were imposing caveats on their national forces between August 2003 and December 2005, and half of these Lead Nations (four out of eight, or 50 per cent) remained caveat-imposers between November 2006 and mid-2009. In fact it could be argued that the palpable division between the principal NATO Lead Nations on the issue of caveats within the Afghan theatre has been the most noticeable expression of disunity of effort within the mission (see Graph 14.4).



*Graph 14.4 – Caveat-Imposing Lead Nations: Caveat-free and caveat-imposing Lead Nations within each Regional Command, December 2003 – December 2012.*

Fourthly, as examined in Chapter 9 and further in Chapters 11 and 12, caveat-imposing TCNs have also included many of the subordinate, supporting nations within each of the ISAF sectors. This has meant that caveats have affected not only forces with leadership responsibility for security and stability operations within each sector, but also a wide array of forces performing a secondary, supporting role in operations within each Regional Command (see *Figure 14.5*).

Fifth, the result of such a high record of caveat imposition within the mission on ISAF national force contingents has been that, as demonstrated in Chapter 10, nearly half of the total ISAF force was bound by caveat restrictions between 2003-2006. Approximately a quarter of the entire ISAF force remained fettered by these caveat limitations and prohibitions, moreover, for the remainder of the mission between 2007-2012, regardless of how the force increased in size over this period (from approximately 35,000-130,000 military personnel).

Sixth, as examined in Chapter 11, within this quarter or more of the force restrained in their activities by government bureaucratic constraints, caveat restraints have been imposed on both of the two main categories of ISAF forces – that is, on both *security* and *stability* forces deployed to the mission. The caveats have thereby impacted negatively on all four ISAF LOOs within the mission, in the realms of: (1) Security; (2) Governance; (3) Reconstruction & Development; and (4) Counter-Narcotics.

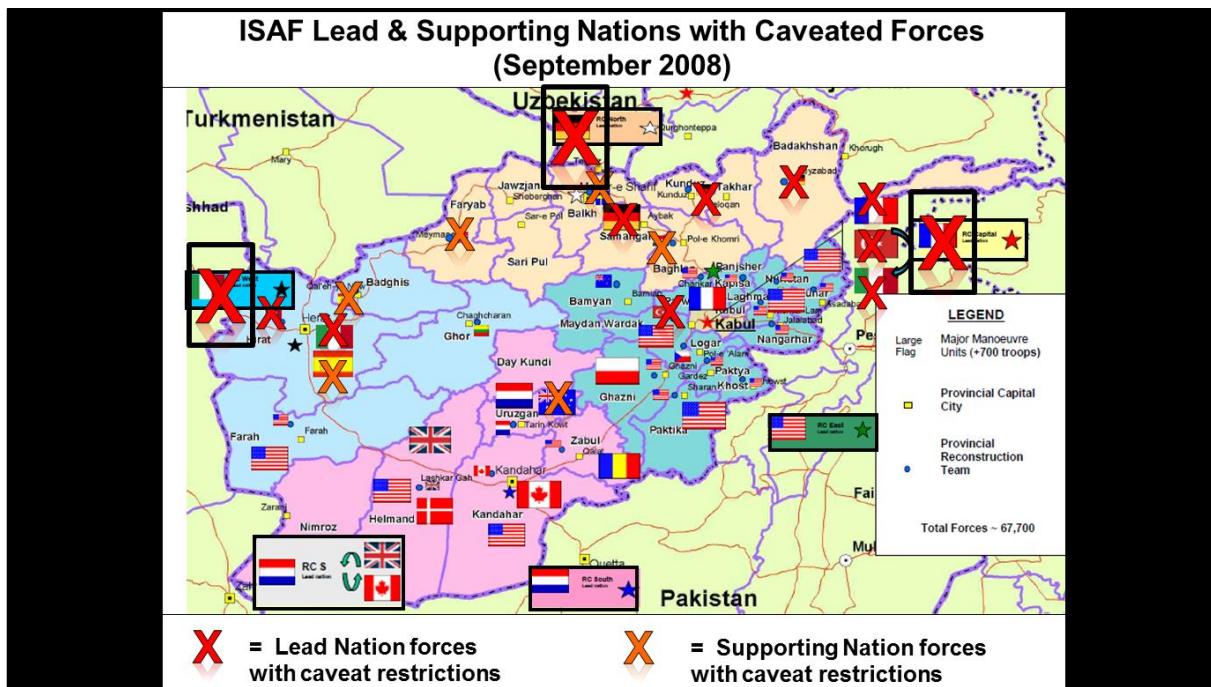


Figure 14.5 – Caveated Lead & Supporting Nations during ‘Phase III – Stabilisation’: A map showing the location of caveated Lead Nation & Supporting Nation forces bound by caveat restrictions, within each of the five ISAF Regional Commands, two years after the end of the ‘Geographic Expansion’ phase of the NATO OPLAN.<sup>22</sup>

Seventh, caveat restrictions have thus affected most of the operations conducted by these two different security and stability ‘camps’ of ISAF forces involved in the mission, as was clearly indicated in APPENDIX 6 (List 1) ‘Compiled List of the Full Range of Known National Caveats Imposed by ISAF TCNs on National Armed Forces Deployed to ISAF in Afghanistan, 2002-2012’. For instance, in terms of security forces conducting activities along the preeminent security LOO of the ISAF COIN strategy, caveats have been negatively affecting the operations of major security units such as: combat and combat support forces involved with major and minor combat manoeuvre units; SOF units; Regional Command QRFs; OMLTs mentoring, training and partnering with Afghan ANA units; POMLTs mentoring, training and partnering with Afghan ANP units; and PRT Security Units.

In terms of stability forces, furthermore, caveats have also had a material effect in constraining the activities conducted by the major stability units within the ISAF of military-civilian PRT personnel based at PRTs around Afghanistan. In addition, caveats have also more generally limited the activities of other ISAF stability forces, such as: military and civilian personnel involved in the governance LOO of the ISAF COIN strategy; military and civilian personnel involved in the R&D LOO; military and civilian personnel involved in the Counter-Narcotics LOO; pockets of military and/or civilian development aid personnel; and lastly, military medical ground and air personnel involved in MEDEVAC operations.

This dire reality is illustrated in *Table 14.6* below, which displays the range of major ISAF force units, contributed by their respective nations to the ISAF, that have been affected in their activities within the mission by caveat restrictions between the years 2006-2012.

FORCE UNIT			Red = TCN Units Affected by Caveat Restrictions				Green = TCN Units Not Affected by Caveat Restrictions	
	Major Combat Unit(s) (>700 troops)	Minor Combat Unit(s) (550-700 troops)	QRF(s)	SOF(s)	OMLT(s)	POMLT(s)	PRT Security Units	PRT Military-Civilian Personnel
TCNs				Albania	Albania			
	Australia			Australia	Australia		Australia	Australia
		Belgium			Belgium			
		Bulgaria			Bulgaria			
	Canada		Canada	Canada	Canada	Canada	Canada	Canada
					Croatia	Croatia		Croatia
		Czech Rep.		Czech Rep.	Czech Rep.	Czech Rep.	Czech Rep.	Czech Rep.
	Denmark	Denmark		Denmark	Denmark	Denmark		
					Finland		Finland	Finland
	France	France	France	France	France	France		
	Georgia							
	Germany		Germany	Germany	Germany	Germany	Germany	Germany
		Hungary		Hungary**	Hungary		Hungary	Hungary
								Iceland
	Italy	Italy			Italy	Italy	Italy	Italy
				Latvia	Latvia			
				Lithuania**		Lithuania	Lithuania	Lithuania
					Macedonia			
	Netherlands		Netherlands	Netherlands	Netherlands	Netherlands	Netherlands	Netherlands
				New Zealand		New Zealand	New Zealand	New Zealand
		Norway	Norway	Norway	Norway	Norway	Norway	Norway
	Poland			Poland	Poland	Poland		
			Portugal	Portugal**	Portugal			
	Romania	Romania		Romania	Romania		Rep. Korea	Rep. Korea
								Romania
				Slovakia	Slovakia			Singapore
					Slovenia**	Slovenia		Slovakia
	Spain	Spain	Spain		Spain	Spain	Spain	Spain
					Sweden		Sweden	Sweden
	Turkey				Turkey	Turkey	Turkey	Turkey
	U.K.		U.K.	U.K.	U.K.	U.K.	U.K.	U.K.
	U.S.A.		U.S.A.	U.S.A.	U.S.A.	U.S.A.	U.S.A.	U.S.A.
<b>**Exceptions: Caveats Lifted by TCN Government from this Specific Force Unit</b>								

*Table 14.6 – Total Caveated Force Units: A table showing the range of major ISAF security and stability force units that have been affected by national caveat restrictions, 2003-2012.<sup>23</sup>*

Eighth, as Chapters 11 and 12, in addition to APPENDIX 6 (List 1), 8(a) and 8(b), have also shown, not only have these ISAF caveats applied to the two main camps of security and stability forces within the mission, conducting security and stability operations respectively within the mission, but they also apply to forces drawn from the various military Services. That is to say, deployed ISAF forces are constrained whether they are members of the Army, the Air Force or indeed any other military Service operating in the country. In fact, certain service personnel may even operate under additional

caveats imposed to specifically cover their operations in the Afghan theatre of war, such as Service-specific Air Force caveats relating to air operations.

Ninth, as analysed in Chapter 10, unacceptably high numbers of between 50-100 officially declared caveats have been active in restricting ISAF force operations at any one point of time between the years 2006-2010, with at least 50 of these relating to restrictions on offensive combat operations. This is in addition to unknown numbers of undeclared written caveats and verbal *de facto* caveats that have likewise been imposed by coalition TCN governments on ISAF national contingents. Finally, this caveat research has shown that these high numbers of caveats, that have constrained thousands of ISAF forces of different types for over a decade, have furthermore represented an extensive range of some 215 different restrictions, comprising both limitation and prohibition ROE (as illustrated in APPENDIX 6 (List 1) in *Volume II*).

Tenth, these diverse rules can be classified into 21 separate caveat categories which have together affected multiple aspects of the mission's activities – indeed, the full spectrum of ISAF operations, including the full range of ground and air operations. For instance, national caveats may constrain: exactly where forces can operate; what activities they are allowed to engage in; what operations they may participate in; if lethal force may be used; if permitted, the degree of force that may be employed; and even in what manner, under which weather conditions, and at what time of day national forces may execute their tasks. National caveats have thus restricted a wide array of operations within the Afghan security and stability mission, based on factors including – but not limited to – geography, operations, tactics, logistics, combat, the use of force, time, and the weather.

When these ten caveat effects are added together, the cumulative effect is a picture of disunified forces incapable of achieving unity of effort within the ISAF mission. An examination of all of the caveat data lists and tables presented in the appendices as a whole, as presented in *Volume II*, only confirms this dismal picture of disunity. Further proof of disunity of effort within the ISAF is also found when one considers that some of the TCN force contingents have been forbidden by their governments from cooperating fully with COMISAF requests, and even from cooperating fully with other ISAF or ANSF contingents.

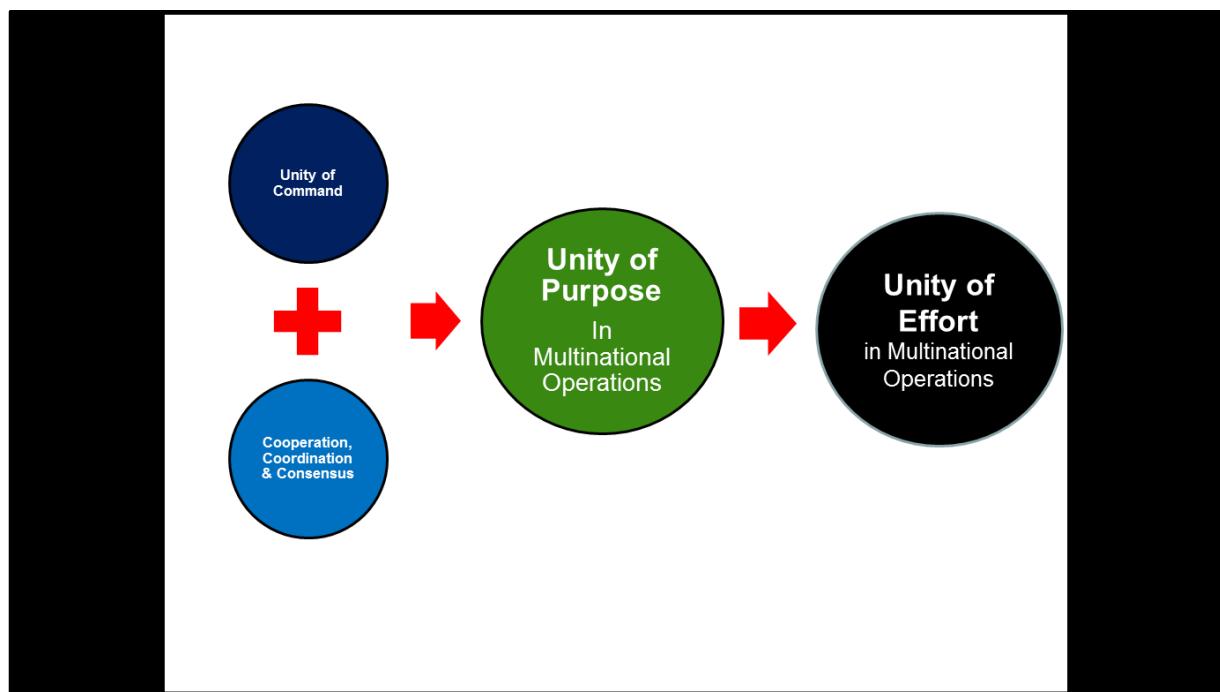
The principle of unity of effort – the ‘required’ glue necessary for keeping disparate actors working together cooperatively towards common goals in MNOs – has consequently suffered significantly from the imposition of national caveats within the ISAF. In fact, one could go so far as to state that a severe *lack* of unity of effort and cohesion between the forces of the various ISAF coalition members, especially in terms of overall force flexibility, has been the one overriding and enduring characteristic of the ISAF force over the past decade. The tangible on-the-ground reality of inequitable burden-

sharing within the ISAF, as presented in Chapter 13 (with further analysis provided in APPENDIX 11 and APPENDIX 12), is perhaps the best illustration and evidence of this overall disunity of effort within the Afghan mission.

In sum, heavy and widespread imposition of diverse national caveats have created barriers, divisions and dissension between the multiple national force contingents deployed to the Afghan theatre, which has consistently undermined unity of effort within the mission for over a decade of warfare in Afghanistan.

## **Undermining Supporting Structures: ‘Unity of Command’ & ‘Cooperation, Coordination & Consensus’**

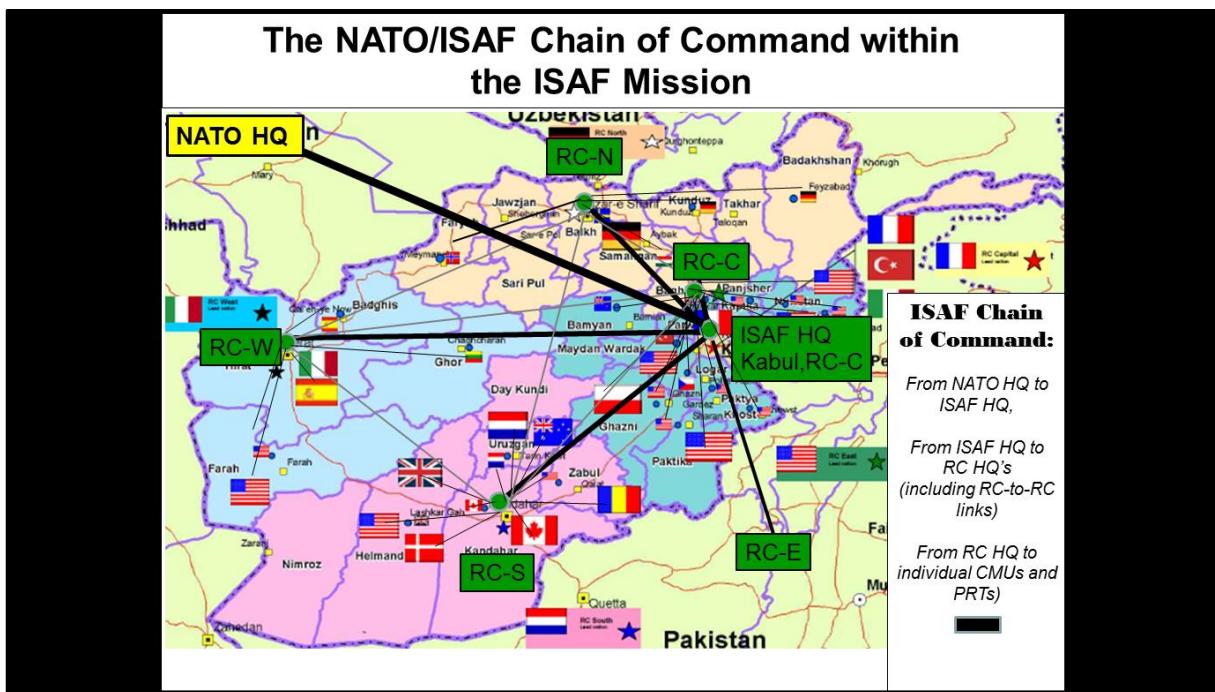
Another way of assessing the impact of caveat imposition on unity of effort within the ISAF MNO is to examine the effect of ISAF caveats on the two underlying constructs which, as explained in Chapter 1, both generate and support unity of effort in multinational warfare. These constructs are ‘unity of command’ and ‘cooperation, coordination and consensus’, which together create unity of purpose, leading to unity of effort (see *Figure 14.7* below).



*Figure 14.7 – Supporting Constructs of Unity of Effort in MNOs: The two important constructs that generate and support unity of effort within multinational campaigns: ‘unity of command’ and ‘cooperation, coordination & consensus’, which together lead to unity of purpose.*

## **Unity of Command**

Unity of command is the existence of a sole overarching source of authority to direct, control and coordinate all military forces participating in an operation, and to thereby ensure unity of effort towards collective mission goals. Unity of command is the preferred means of ensuring unity of effort, and signifies that ‘all forces operate under a single commander with the requisite authority to direct all forces employed in pursuit of a common purpose’.<sup>24</sup> In the case of the ISAF mission, this single commander is the COMISAF at ISAF Headquarters in Kabul, who in principle holds overall C<sup>2</sup> authority to direct all ISAF forces and activities within the mission. *Figure 14.8* below depicts this official chain of command under the COMISAF who, while himself directed by NATO’s SHAPE Headquarters via NATO’s operational JFC Headquarters in Brunssum, issues orders to ISAF forces stationed in each of the ISAF sectors by means of the official Regional Command Headquarters and their Lead Nation commanders. These orders are then relayed to the appropriate combat units and PRTs within that sector as appropriate.



*Figure 14.8 – NATO/ISAF Chain of Command: The official NATO/ISAF chain of command under the COMISAF, establishing unity of command within the mission.*<sup>25</sup>

However, the reality of unity of command under the COMISAF within the mission has been another story entirely. The imposition of hundreds of caveat constraints on ISAF forces by the mission’s TCNs has in fact reinforced multiple, rival, national chains of command, which have severely eroded unity of command under the COMISAF. These diverse and competing command chains have meant that it has in fact been a disparate group of national governments in the capitals of home countries – situated far from the Afghan theatre of war and its insurgent security challenges – rather than the

COMISAF *per se* that has ultimately held command power to authorise the movements or activities of ISAF force units deployed to the mission – on any given day, or indeed, at any time. The overriding command power and control of these national chains, wherever caveats have been imposed, has been most evident with limitation caveats, over which National Commanders must request permission from the national government far away in the home country before an order by the COMISAF can be carried out by cavaleted ISAF forces. In many instances, during the long delays caused by this permission process, time has been wasted and important windows of opportunity lost within the campaign to secure and stabilise Afghanistan.

Gillard has described this particular effect of national caveats on ISAF C<sup>2</sup> as ‘the 8,000 mile screwdriver’. As he states:

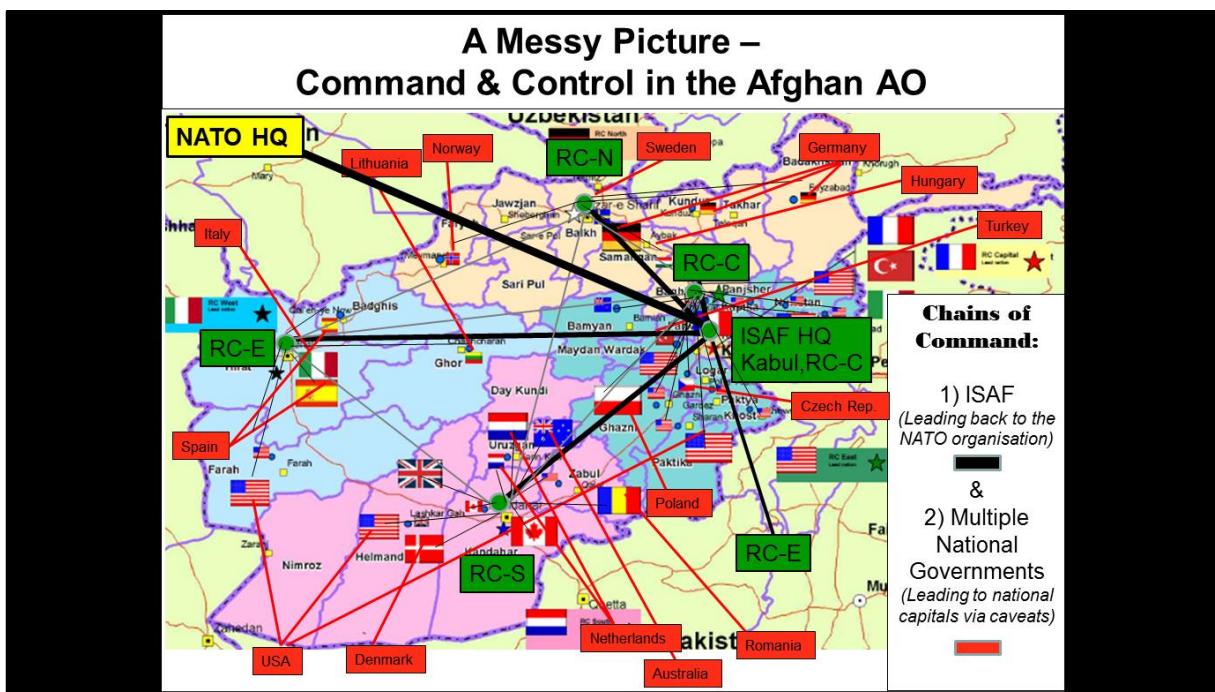
Another consequence of caveats is what we call “the 8,000-mile screwdriver”... And you can put any kind of distance on there – it doesn’t have to be 8,000 miles, it could be a 10,000-mile screwdriver – however far your capital is from the scene of the operation...The caveats and modern technology, they can screwdriver right in so politicians and senior officials are telling corporals what to do...They are 8,000 miles away but they are saying and influencing directly at the lowest tactical level. Now again the old maxim is: “The guy on the ground is probably right”. Because he is there. But caveats give the ability for someone to reach down from the highest level and screw with people at the tactical level. Because they are worried, or they don’t necessarily trust, or they think that people don’t understand.<sup>26</sup>

This ‘screwdriver’ effect introduces a pernicious sense of uncertainty and mistrust into both the national and ISAF chains of command within the operation. On the one hand, due to both official and unofficial force constrictions, multinational command can never know the true extent to which TCN forces can deploy to threatening situations and take combat action towards objectives. In short, the political solidarity spoken of at NATO/ISAF conferences is not at all apparent on the ground within the mission. On the other hand, the national caveats also cause a break-down of trust between commanders within each national chain of command. In particular, doubt and distrust is fostered between: (1) the national government and its deployed military forces; (2) senior military planning commanders and tactical field commanders; and (3) tactical commanders and their subordinate forces conducting the tactical operations on the ground.<sup>27</sup>

This is particularly apparent at the tactical level of operations. According to Gillard, the ‘8,000-mile screwdriver’ effect created by national caveats , firstly, generates stress and anxiety between senior military planners and tactical field commanders. As he states: ‘The bottom guys are going, “Am I getting this right?” And the top guys are going, “Are they getting it right?”’.<sup>28</sup> Secondly, moreover, the caveats corrode ‘mission command’ – the delegation of tasks to subordinates by senior officers (‘intent, resources, end-state’), which not only establishes trust between tactical field commanders and their subordinate units on the ground, but also gives those tactical units ‘freedom of action’.<sup>29</sup> As Gillard explains:

We trust our subordinates to do things...If there are lots of caveats then mission command is harder to execute, so there's a problem...It's harder to execute and to allow people to get on with the job if there are caveats, because you are wondering whether they are abusing those caveats, or they're not aware of those caveats, or they're not interpreting those caveats correctly.<sup>30</sup>

The result of widespread caveat-imposition has consequently been a messy command situation within the ISAF operation in Afghanistan. On-the-ground, there has existed a myriad of national command chains to command and control national contingents, which rival the official NATO/ISAF chain under the COMISAF's command (see *Figure 14.9* below). The number of these competing command chains within the mission have fluctuated over the years, but have been equivalent to the number of caveat imposing nations at any one time – that is between 21-32 rival command chains over the period 2003-2012. These scores of command chains interfere, compete – and often directly clash – with the will, intent and instructions contained in COMISAF orders. Indeed, U.S. forces redeployed to Afghanistan from Iraq once commented on the ‘clumsiness’ of international command within the ISAF mission, U.S. Marine commanders stating in 2008 that ‘operations were being stymied because of the multi-layered command structure’ and that they were ‘trying to keep our frustration in check’ as they waited for ‘the elephants to stop dancing’.<sup>31</sup>



*Figure 14.9 – Multiple ISAF & National Chains of Command: The real multiple chains of command at work within the mission, which through the TCN's caveat restraints interfere with the official chain of command, thereby assuring disunity of command (circa July 2006). Note: Not all of the rival national chains of command within the ISAF are depicted in this map.<sup>32</sup>*

From this it is clear that caveat-generated disunity of command – rather than unity of command – has been the prevailing norm within the mission from the outset. Small wonder then that SACEUR Craddock described the caveats as crippling restrictions at every level that were ‘a detriment to effective command and control’.<sup>33</sup> Barno has more amply described this caveat effect on unity of command, stating:

It is a question of command – effective command... I commanded in eight different organisations over the course of my military career. Command in its best sense allows you to use your units within their capabilities to the full extent of what they can do, and have great flexibility in moving them around and shifting them and adjusting them towards the task in hand, especially in a company. And national caveats – quote “known and unknown” really – restrict them from being able to do that, they limit the commander’s flexibility and they, they make his command less than the sum of the parts... they make it very difficult to use a military force to its best advantage.<sup>34</sup>

Indeed, according to Barno, levels of U.S. and coalition unity of command that had once existed throughout Afghanistan prior to the ISAF’s expansion between 2003-2006, were in subsequent years ‘largely replaced by loosely coordinated NATO national efforts focused on the small slices of Afghanistan, semi-autonomous from any unified military strategy on the ground’.<sup>35</sup>

For the purposes of this research, this means not only that unity of command has been eroded by the imposition of caveats within the ISAF mission, but additionally that the ability to generate unity of effort via unity of command has also been seriously compromised. In sum, unity of effort within the mission has not been generated by unity of command – the first and most preferred means of assuring successful unified action towards common objectives. Moreover, the fact of significant disparities existing between sets of instructions given by national governments, as opposed to orders issued by the COMISAF at ISAF Headquarters over a period of more than a decade within an important military enterprise, raises an important question: Who has really been in control of ISAF forces? The COMISAF or numerous cabinet and defence ministers scattered around the globe? To adapt two old adages, it seems evident that ‘too many cooks’ in the ISAF kitchen, have indeed ‘spoilt the broth’.

### ***Caveats & ‘Cooperation, Coordination & Consensus’ within the ISAF Mission***

The other structure generating and supporting unity of effort within the ISAF is cooperation, coordination and consensus amongst members of a coalition. However, like unity of command, this concept too has fallen victim to national caveats within the ISAF mission.

The lack of true cooperation and consensus within the ISAF mission has been evident in relation to a range of major issues within the mission, including: (1) the issue of widespread caveat imposition which has never been resolved; (2) decade-long under-resourcing of the mission, especially in terms of manpower and aircraft; (3) the issue of unequal burden-sharing with regard to both combat

operations and deployments to RC-South and RC-East; (4) prolonged unwillingness of TCNs to allow national forces to participate in emergency rescue operations in response to deteriorating security situations; (5) the issue of abiding resistance within NATO to an active ISAF role in narcotics interdiction operations (with resistance also shown in the form of narcotics caveats); and (6) unwillingness by TCNs to become involved in the training and mentoring of indigenous Afghan national security forces, despite the importance of strong, capable Afghan security forces to the success of COIN and the mission (the latter even to the extent of securing an exit for the bulk of ISAF multinational forces).

Among this list, the lack of cooperation, coordination and consensus within the ISAF coalition has been most manifestly visible with regard to the serious issue of rescue operations in response to critically deteriorating security situations. This issue will be discussed in detail in the following.

### *Emergency Security Situations*

During the first six years of the mission from 2001-2006, there was a total absence of cooperation, coordination and consensus within the ISAF coalition over how allies and partners should respond to emergency security situations. Generally speaking this was because, on the one hand, a significant group of TCNs with forces in the North and West did not actually anticipate the occurrence of security emergencies in the course of their traditional ‘peace-keeping’ duties (for instance Germany, Norway, Sweden, Finland, Spain). On the other hand, many TCNs who did anticipate such events did not want their forces to be involved in rescue operations – especially to render assistance in the volatile south or east (for example France, Italy and Turkey).

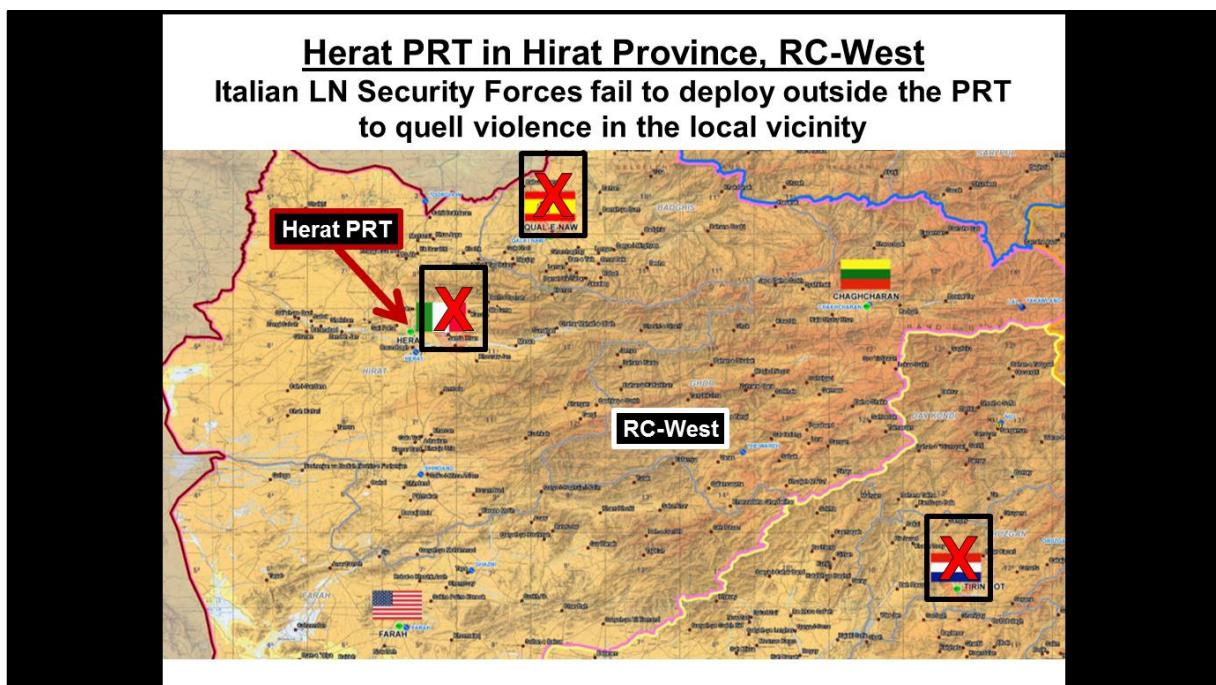
The web of caveats imposed by the vast majority of these ISAF TCNs, particularly geographical, regional, combat and lethal force caveats – many with ‘even in emergency situations’ qualifications – helped to ensure that thousands of national forces within the ISAF force would not be available to the COMISAF to mount rescue operations in assistance of beleaguered allies. The result was that caveats directly obstructed cooperation between the various ISAF national contingents at times of crisis. Indeed, this lack of unity within the ISAF was soon illustrated during 2005-2006 when a series of emergency situations occurred within the mission. During each of these crises, cavaeted ISAF forces failed to respond adequately or rapidly to deteriorating security situations, thereby highlighting the debilitating role of national caveats in degrading cooperation and coordinated action within the mission.

### **Early Incidents in RC-North & RC-West**

To illustrate, in late 2005 when an Alternative Livelihood team was struck by an IED in Badakhshan Province of RC-North (refer to *Figure 11.11*), leaving several men badly wounded and ‘bleeding out

onto the road', Lead Nation Germany would not deploy local German combat forces to rescue them because 'it was dusk and therefore deemed too dangerous to mount a rescue operation'.<sup>36</sup> In other words, Lead Nation security forces in the area were not able to break their caveats either forbidding night operations or combat operations (which might have become necessary in the course of the rescue operation). The German forces were only deployed to rescue the wounded and isolated team after the lapse of several hours, and following direct intervention from both the U.S. and the UN, which reportedly included 'much hectoring' of the German government.<sup>37</sup> German ISAF forces were subsequently ordered from Berlin to temporarily operate outside its caveat prohibiting any deployment of German personnel at night or 'under cover of darkness', in order to belatedly rescue the wounded personnel.<sup>38</sup>

Further, when a 'very violent' dispute erupted between the Sunni and Shi'a Muslim populations in Herat city in RC-West in early 2006, the Italian commander at the local Herat PRT refused to intervene and deploy Italian security forces to quell the unrest in its AO (refer to *Figure 14.10* below). The violence led to the burning of a Shi'a mosque, the death of four civilians, numerous injuries, and increased instability within Herat City – the capital of not only Hirat Province but also western Afghanistan.<sup>39</sup> Officially the PRT later defended its inaction by stating that it 'did not consider intervention to be within its mandate', claiming further that the matter was 'an internal Afghan problem'.<sup>40</sup>



*Figure 14.10 – Unrest in Herat: In early 2006 caveated Italian forces failed to intervene to quell violence erupting within the vicinity of the Italian-led Herat PRT. This failure to act resulted in destruction, injury and death in Herat City, in addition to increased instability in Hirat Province.*<sup>41</sup>

However, as this research has shown, the reality was that Italian security forces were actually bound in their operations by a strict limitation caveat which not only prevented them from deploying outside the Herat PRT compound without explicit authorisation from Rome, but also from participating in kinetic or offensive security operations, except in self-defence (refer to the ‘Italy’ subheading within the list of Lead Nation caveats provided in APPENDIX 7(b) in *Volume II*).<sup>42</sup> These caveats thereby prevented Italian security forces from mounting a robust response to the security crisis – regardless of the wishes of ISAF Headquarters. Indeed, caveats such as these led American officials at the Kabul Embassy to comment at that time that: ‘ISAF engagement in local security situations in which it is not directly affected remains extremely limited. This includes defending against attacks on foreigners such as NGOs and intervening in sectarian and other violence’.<sup>43</sup>

### The ‘Cartoon Riots’ of 2006

In February 2006, furthermore, a week of violent demonstrations broke out in protest against the publication of the infamous Danish cartoons, later referred to as the ‘Cartoon Riots’.<sup>44</sup> According to American officials in Kabul, the week of upheaval presented an opportunity ‘to assess ISAF’s capability and willingness to respond to violent confrontations in its current areas of responsibility’, which at that time included RC-Capital, RC-North and RC-West.<sup>45</sup> Throughout Afghanistan, ISAF bases, PRTs, personnel and vehicles, in addition to ANP personnel and even civilians and their property, were assaulted by small groups of stone-throwing rioters (the Embassy district of Kabul, in particular, became the scene of a particularly large protest, however, involving a group of 200-300 stone-throwing protestors).<sup>46</sup> These riots resulted in the injury of five ISAF and two ANP personnel, as well as the destruction of several vehicles.<sup>47</sup>

At 0630 hours on 7 February, PRT Maimana in ‘quiet’ Faryab Province of RC-North was violently attacked during the Cartoon Riots by a melange of 30 rioters and insurgents, who breached the PRT perimeter and used an arsenal of small arms, automatic weapons, grenades, RPG rockets, incendiary devices and rocks to kill ISAF personnel at the PRT.<sup>48</sup> While the Finnish PRT commander did have authority to respond to the attack with lethal force, seeing as it was a clear-cut case of self-defence, he instead ordered that ISAF security forces only employ warning shots, stun grenades, rubber bullets and tear gas in defence of the PRT.<sup>49</sup> Once again, in a scenario reminiscent of the 2004 Kosovo Riots, no German Lead Nation combat forces were stationed in the province to assist the PRT and other German combat forces in RC-North could not be deployed in their aid, because they were bound by caveats prohibiting their involvement in combat operations (from the German perspective, the ISAF mission was strictly a peace-keeping and reconstruction mission).<sup>50</sup>

With Lead Nation Germany’s combat forces bound by caveats from mounting a rescue, even within its own RC-North sector, the PRT commander eventually requested emergency support from Kabul

after enduring an hour of attacks. Due to limitations in ISAF air lift capability, however, the only combat-capable unit available – a caveat-free British rapid-response QRF in Mazar-e-Sharif – was unable to embark on the 20-minute flight to PRT Maimana for more than two hours.<sup>51</sup> Attempts by ISAF Headquarters to deter the rioters in the interim with ‘shows of force’, specifically, F-16 and Coalition A-10 aircraft, had little effect in a situation that required combat-capable ‘boots on the ground’.<sup>52</sup> Moreover, 200 ANP personnel, physically located in the next compound to the PRT, never received the order from the Afghan Chief of Police to deploy, despite repeated requests from the PRT, the COMISAF and even Afghanistan’s own Ministry of Interior Affairs.<sup>53</sup> The caveat-free British unit eventually arrived two-and-a-half hours after the initial request and immediately mounted a robust ISAF response to end the attack – a full four hours after the violence had first begun.<sup>54</sup>

Following the incident, it was concluded that the Finnish commander had shown ‘too much restraint’ in response to ‘extreme provocation’, and the whole incident had highlighted the unpreparedness of many ISAF contingents for life-threatening emergency scenarios.<sup>55</sup> As one U.S. official concluded:

Last week’s events, together with the potential for continuing or increasing violence even in traditionally “quiet” areas of Afghanistan, should prompt ISAF and NATO contributing nations to review their approach and training for PRT command and staff. The preferred posture of many countries appears to be one of minimal force response, an approach that may be valid in some cases but not when violence becomes life-threatening.<sup>56</sup>

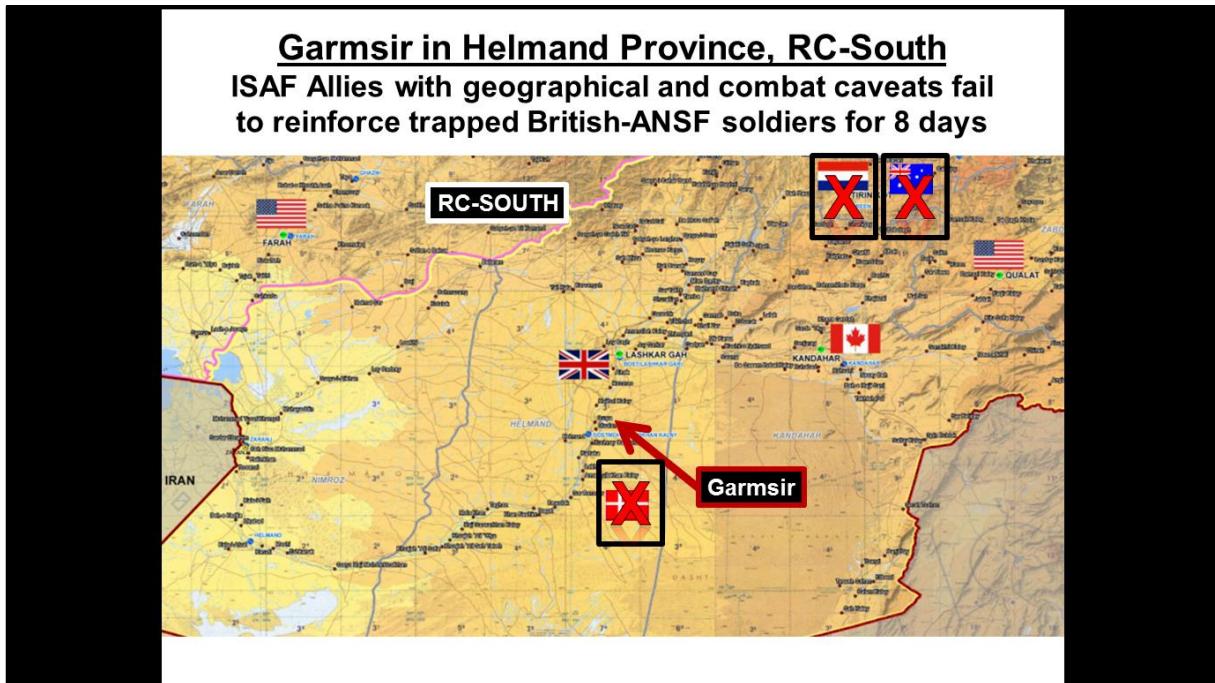
From a holistic perspective, however, the incident pointedly exemplified the way in which cavedated ISAF forces – especially caveats on the combat units of Lead Nations in the ISAF sectors – was impeding cooperation and coordination among ISAF national contingents at times of crisis, leading to a worsening of emergency security situations.

### Emergencies in RC-South

Despite these early warning-signs, national caveats within the ISAF continued to impede cooperation, coordination and consensus between multinational force units. In fact, following the ISAF’s expansion into RC-South and RC-East, the role of caveats in deteriorating emergency security situations became even more woeful – with grave consequences for British and Canadian forces conducting combat in the Afghan south. Two major emergency-related incidents, which took place in RC-South during the subsequent months of 2006, well exemplify this point.

The first incident took place in the midst of the first major offensive under ISAF command in the Afghan south, an operation known as *Operation Medusa*. This was a major Canadian-led combat operation which took place between 2-17 September 2006, with the aim of ejecting Taliban forces from RC-South, namely from Helmand and Kandahar Provinces (a previous U.S.-led OEF offensive in May-July, *Operation Mountain Thrust*, had failed to oust the Taliban from their southern strongholds despite heavy casualties on both sides).<sup>57</sup> During the offensive national caveats were

blamed for the failure of ISAF allies to send reinforcements in aid of a combined British-ANA-ANP force tasked to take back from the Taliban the town of Garmsir, a critical insurgent transport hub in Helmand Province (see *Figure 14.11* below).<sup>58</sup> Heavily outnumbered, the unit suffered many casualties and became trapped with low supplies of ammunition and food. With Britain's main fighting unit similarly engaged in heavy battle further north, in defence of three British platoon garrisons, the unit was reliant on reinforcements from other ISAF allies in the area.<sup>59</sup>



*Figure 14.11 – The 2006 Garmsir Crisis: Caveated allies fail to cooperate in order to reinforce a British-ANA-ANP unit, trapped in a heavy gunbattle with Taliban forces.*<sup>60</sup>

However, a combination of geographical, regional and combat caveats imposed on a majority of the ISAF force contingents prevented most of Britain's allies in Afghanistan from deploying to assist the trapped unit. Moreover, although Danish forces were already stationed in Helmand Province of RC-South, and were also available to reinforce the beleaguered unit, AO regional caveats halted their immediate deployment (Danish caveats were not eliminated until the Riga Summit of November 2006, but were subsequently reimposed a year later in June 2007).<sup>61</sup> Indeed, a lengthy permission process between the Danish contingent and the Danish government in Copenhagen ensued, with one Danish reconnaissance squadron finally receiving government authorisation to deploy eight full days after the COMISAF request for emergency assistance was officially lodged.<sup>62</sup>

Furthermore, when at last Danish forces did arrive on the eighth day to assist the battle-weary soldiers, a prohibition combat caveat forbidding Danish personnel from participating in 'war-fighting' offensive combat operations prevented them from 'actually fighting the Taliban', meaning they could

give little real assistance to the British-Afghan unit in the battle raging around them.<sup>63</sup> The British unit was consequently forced to hold out another six days – with only sporadic U.K. and U.S. air support.<sup>64</sup> The situation became so critical that the Danish soldiers were eventually compelled to begin ‘interpreting their rules of engagement loosely’, and commenced clearing Enemy-held buildings with grenades and machine guns.<sup>65</sup> The joint British-Afghan combat unit were finally relieved by British Royal Marines after enduring 14 days of intense combat.<sup>66</sup> Following the incident, NATO SACEUR General James Jones publicly expressed his frustration at the caveats constraining forces in the south, stating: ‘It’s not enough to simply provide forces if those forces have restrictions on them that limit them from being effective’.<sup>67</sup>

The second incident took place two months later in November, when a number of cavaeted ISAF contingents in RC-South refused to come to the aid of Canadian allies who – free from combat caveats – were taking part in combat operations in neighbouring Kandahar Province. During the course of one particular Canadian operation, one unit became trapped by Taliban forces and became the recipients of a heavy Taliban assault.<sup>68</sup> Despite requests to at least four different allied contingents in RC-South for urgent assistance – namely, to Dutch, Danish, Romanian and Australian forces – each of these local contingents were constrained by national caveats which prohibited involvement in ‘offensive’ combat action.<sup>69</sup> Consequently, in each case the senior National Commander was compelled to use his ‘red card’ and refuse the request for emergency aid.<sup>70</sup>

This caveat-generated inability to cooperate and assist allies in RC-South led directly to unnecessary loss of life, namely the deaths of 12 Canadian personnel.<sup>71</sup> The incident is also alleged to have led to the near collapse of the entire Canadian operation on the fourth day of fighting.<sup>72</sup> A British Member of Parliament perhaps best expressed the reaction among fighting forces in RC-South following the incident, stating in the British House of Commons: ‘If that emergency did not merit support from other NATO troops, what operation in Afghanistan would?’<sup>73</sup> The British Secretary of State, Des Browne, also commented on the alarming event, stating that these kinds of situations were ‘exactly the sort of problem that Operational Commanders can encounter if caveats act against the best interests of the campaign’.<sup>74</sup>

#### **QRFs & the Riga ‘In Extremis’ Agreement: Enhanced Cooperation?**

In fact the first sign of ISAF unified consensus and cooperation on the issue of emergency assistance appeared in mid-2006 when, following several of the disasters cited above, NATO called for the formation of rapid-response QRFs to be stationed in each Regional Command within the mission. These QRFs were designed to enable the COMISAF to draw from an array of at least five separate entities, based in disparate geographical locations, and thereby empower him to respond rapidly to security emergencies that might develop throughout the Afghan AOR. At the same time, these forces

would also fill a crucial gap in ISAF force capacity, referred to by NATO and ISAF officials throughout 2006 as a cause of concern should the mission face either a sharp upsurge of insurgent violence or a ‘gradual slippage’ of narco-criminal activity within the Regional Commands.<sup>75</sup>

By the end of the year each of the Lead Nations – apart from France, Germany and Turkey – had committed between 200-400 troops for this purpose. In addition, Norway agreed to contribute an ISAF QRF in RC-North. Portugal likewise agreed to staff a QRF unit, initially in Kandahar Province of RC-South then subsequently in RC-Capital, while Spain contributed forces to supplement the Italian-led QRF based in Herat.<sup>76</sup> Germany and France also eventually deployed QRFs two years later in mid-2008, the former when Norway announced its intention to withdraw its QRF from RC-North and the latter after its deployment to RC-East.<sup>77</sup>

The appearance of solidarity and cooperation on the issue quickly unravelled, however, when it became clear that many of the QRFs were also similarly restricted in their operations by national caveats. For instance, the governments of Italy, Spain Norway and Portugal had imposed caveats which prevented their QRFs from ever being deployed by the COMISAF outside of the Regional Command in which they were based, meaning that they could not be deployed nationwide across the Afghan AOR as initially envisaged (especially to RC-South where the largest combat offensives were underway).<sup>78</sup> These caveats remained in place, moreover, even after a series of requests by the COMISAF, NATO SACEUR and NATO Secretary General who all argued, as de Hoop Scheffer articulated at the November Riga Summit, that: ‘In an emergency all forces should be able to move’.<sup>79</sup> In fact, in the case of Norway and Portugal, these regional caveats would not be removed until three years later in 2009.<sup>80</sup>

In addition, a number of the QRFs were also restrained by nation-specific caveats. For example, the combined Italian-Spanish QRF was forbidden from intervening in any emergency unfolding in snowy locations in RC-West.<sup>81</sup> The Dutch and Portuguese QRFs in RC-South were forbidden from being involved in any rescue operation related to narcotics-interdiction.<sup>82</sup> As for the German QRF, first established in 2008, while the government had lifted combat and regional caveats to allow the unit to participate in combat operations across Afghanistan (the first and only German force unit to receive this exemption), the QRF was nevertheless not permitted to cooperate with OEF forces.<sup>83</sup> Even without these formal restrictions, however, the German QRF has rarely deployed out of RC-North despite COMISAF requests, one official explaining that ‘the primary mission of the QRF is to respond to emergencies in RC-North’ (this reality may point to the existence of unwritten ‘de facto’ caveats within the German ISAF contingent).<sup>84</sup> It is indeed interesting that when the unit first deployed to RC-North in 2008, the German QRF commander, Gunnar Bruegner, stated to the German public rather casually that the deployment ‘did not involve heightened dangers’ – this despite

warnings from the out-going Norwegian QRF commander, Rune Solberg, that ‘the German army had to be prepared for more casualties’ since threat levels had increased significantly in the sector.<sup>85</sup>

The ISAF *in extremis* agreement, forged collectively at the 2006 NATO Riga Summit, is a further indication of the way in which caveats have created a lack of ISAF cooperation, coordination and consensus within the mission. Following the security disasters cited above in which caveats had contributed to the deterioration of security crises, even leading to needless deaths, de Hoop Scheffer had called for a collective agreement to the effect that all ISAF TCNs would allow their forces to be redeployed in the aid of allies during times of emergency. As one U.S. official expressed: ‘We want all forces to be available to commanders on the ground. We can’t have forces who don’t go to certain places and do certain things’.<sup>86</sup> The resulting *in extremis* agreement was reached and eventually consented to by all ISAF contributors, including key opponents and ISAF Lead Nations Germany and France.

According to this act of consensus, ISAF allies were obligated to deploy their contingents in aid of other allies in emergency security situations, subject to the classification of an emergency situation by each of the TCN’s respective ‘alliance commander on the ground’.<sup>87</sup> All the ISAF force contributors also re-pledged their commitment to the mission’s success, and published a ‘Riga Summit Declaration’ which stated: ‘We reaffirm the strong solidarity of our Alliance, and pledge to ensure that ISAF has the forces, resources, and flexibility needed to ensure the mission’s continued success.... There can be no security in Afghanistan without development, and no development without security’.<sup>88</sup>

Despite this seeming demonstration of consensus within the ISAF coalition, however, developments within the Afghan theatre soon revealed the great difference between political rhetoric and actual military action. Firstly, it soon became apparent that many nations were not abiding by the agreement, and were continuing to refuse assistance by national forces in emergency situations. Despite Germany’s agreement to allow its forces to embark on ‘one-off forays’ during emergency situations, for instance, Germany apparently continued to deny the COMISAF permission to redeploy German units on rescue assignments in RC-South.<sup>89</sup> France too, despite agreeing at Riga to allow French soldiers to deploy out of Kabul Province, with the additional statement that ‘if there were real danger they would help NATO allies in the south’, actually reneged on its commitment in practice, refusing requests to deploy forces out of RC-Capital to participate in emergency rescue missions in the south and east (the latter at least until mid-2008 when French forces deployed to RC-East).<sup>90</sup>

Secondly, national forces that were permitted to deploy to assist allies in emergencies in Regional Commands occurring outside the south, in RC-Capital, RC-North, RC-West and RC-East, remained

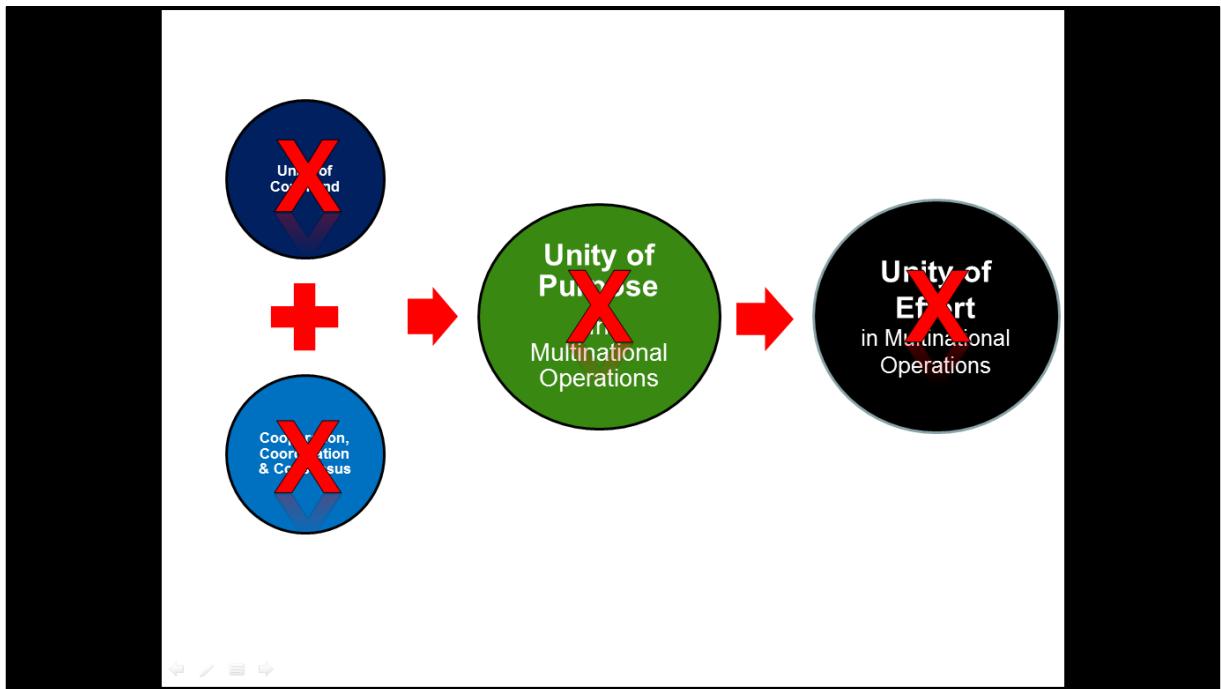
constrained by combat caveats – caveats that according to Brophy and Fisera continued to lead to unnecessary casualties.<sup>91</sup> German and Turkish forces, which remained under combat caveats for the duration of the mission, have been prime examples of this.

Thirdly, TCNs which had pledged equipment for use in emergencies, such as aircraft, defaulted on this promise when the moment arrived. Spain, for instance, which at Riga had offered the use of its national helicopters in ‘exceptional circumstances’ to help evacuate wounded ISAF soldiers, seems to have subsequently reported to the COMISAF that the helicopters were ‘unavailable’ upon receiving an emergency request.<sup>92</sup>

In fact, across the board the *in extremis* agreement became mired in politics, with many TCN governments disputing over the true definition or interpretation of the word ‘emergency’ over the next four years into 2010.<sup>93</sup> The vague terminology used in the *in extremis* agreement had allowed nations to adopt quite disparate unilateral interpretations on the matter, especially among Lead Nations Germany, France and Italy in addition to Spain (the same quibbling over word definitions among these and other ISAF nations would also later take place with regard to the 2008 Budapest agreement on active ISAF counter-narcotics operations).<sup>94</sup> In these cases, the *in extremis* agreement seemed to have become lost in translation. This dispute had tangible effects on the Afghan battlefield too, since the Riga agreement made clear that the deployment of TCN forces on emergency assistance missions was contingent on the classification of an ‘emergency’ situation by National Commanders – and this classification depended entirely on the interpretation prescribed by their respective governments in their national capitals.

## **ISAF Caveats: Eroding Unity of Purpose**

In sum, as the illustrations above demonstrate, due to the presence of national caveats neither unity of command nor true cooperation, coordination and consensus has existed within the ISAF mission. Because both must be present for unity of effort to exist within a multinational military operation, one can further confirm from this overview that indeed, as a result of caveat imposition, there has been no real unity of effort within the multinational ISAF mission in Afghanistan. Moreover, because unity of purpose results from the presence of either of these two structural concepts supporting unity of effort, one can also deduce that caveats have simultaneously eroded unity of purpose amongst all of the ISAF TCN participants to the mission. That is, caveats have undermined political unity amongst the ISAF’s coalition members with regard to the operational objectives and the means to achieve them (see *Figure 14.12*).



*Figure 14.12 – The Effect of National Caveats on Supporting Constructs: The two supporting structures that generate both unity of purpose and unity of effort – ‘unity of command’ and ‘cooperation, coordination and consensus’ – have been gravely compromised by national caveat imposition among the ISAF TCNs.*

In hindsight, the lack of political unity within the ISAF multinational coalition is illustrated by numerous factors within the mission relating to its participating members, namely: (1) the very imposition of myriad caveat fetters on ISAF forces, and abiding resistance – even intransigence – to their removal or elimination by many TCNs; (2) widespread TCN reluctance to provide the resources necessary to effectively prosecute the campaign, especially in terms of manpower, aircraft and equipment; (3) pervasive baulking among TCNs with regard to deploying to the most unstable southern region of Afghanistan; (4) combat avoidance by a majority of TCNs, including by principal NATO allies and ISAF Lead Nations; (5) unwillingness by many TCNs to suffer casualties during the course of the mission in order to achieve the mission objective of securing and stabilising Afghanistan; (6) the precedence of national force protection over the protection and safety of local Afghans, who security forces have been deployed to secure; (7) unwillingness to assist allies even during *in extremis* emergency scenarios, when the lives and limbs of allied compatriots have been critically on the line; and (8) the general prioritisation of national political agendas in Afghanistan over actual ISAF mission security objectives. In short, political fragmentation – rather than unity – seems to have been the prevailing norm within the ISAF over many critical years in Afghanistan.

Disunity of purpose within the mission has also been demonstrated by the general lack of political will and commitment by TCNs towards the success of the mission over successive years. In point of fact, this has been a recurring theme in statements made by many academic observers, military commanders and NATO officials over the past decade. Consider, for instance, the statement by Philip

Gordon of the *Brookings Institute* in January 2006 that: ‘It is not yet clear that the European governments who are committing to this mission know what they are getting into or have the political will and support to see it through’.<sup>95</sup> By the end of that year, Julianne Smith from the *Central Asia-Caucasus Institute* wrote that: ‘Only a small number of NATO countries have both the capabilities and the political will to undertake and sustain high intensity combat operations’.<sup>96</sup>

Further, consider the statement by British LTGEN Sir Rob Fry (Ret’d) in a U.K. House of Commons report in 2008 that: ‘Removing caveats was, ultimately, an issue of political will for the countries which imposed them and for the Alliance as a whole... this is really now a matter of convincing other nations of their political responsibilities to the health of the Alliance as a whole’.<sup>97</sup> Or, lastly, NATO SACEUR Craddock’s comments at the end of that same year: ‘We are demonstrating a political will that, in my judgment, is sometimes wavering. We in NATO have the ambition, we have the military capability, but the question is, do we have the will to address these challenges?’<sup>98</sup>

In fact, lack of political will has also been directly linked to national caveats as the root cause of their imposition by ISAF TCNs. ISAF nations have over the past decade provided ten different reasons to explain the imposition of caveat constraints on their national forces in Afghanistan. These have included the following explanations: (1) that caveat imposition is a default mode for national forces when they first deploy to a theatre of war; (2) that they have been imposed to distinguish the work of ISAF forces as separate and distinctly different from OEF forces operating in the country (an ‘artificial’ distinction given that forces of both mission engage in many of the same activities); (3) that the caveats are symbolic of non-identification with the United States in the wake of the 2003 Iraq War (or in other words, anti-American geostrategic posturing); (4) that they symbolise divergent views amongst TCNs with regard to ‘NATO’s overarching purpose’ in the mission; (5) that caveats reflect differing levels of military experience and capability with regard to security operations, counter-insurgencies and war in general; (6) that caveats are a sign of protest against the evolving COIN orientation of the campaign (despite the insurgent realities which have made this development necessary); (7) to prevent casualties and the political repercussions of these casualties on the longevity and success of national governments in the domestic sphere of politics (a narrow, short-sighted and even rather selfish approach given the terrorist exigencies that have made the Afghan war necessary for collective international security); (8) that caveats are indicative of a strong distaste for warfare generally and the business of killing to ensure your own nation’s security, especially among European TCNs; (9) due to hostile populations with poor public support for the Afghan mission; and finally, (10) that caveats have been imposed due to parliamentary ‘constitutional constraints’.<sup>99</sup>

For each of these ten reasons, however, a parallel example has emerged over the past decade which has disproved the validity of the argument, whereby another nation (or indeed the same one) using

one of these explanations has nevertheless altered its caveat stance and eliminated most – if not all – of its intrusive caveat restrictions. Several illustrations of this were provided in APPENDIX 12, with regard to NATO Lead Nations Italy and Germany. While there is little room to discuss this paradox in detail within this thesis, valid and invalid reasons for caveat imposition within the ISAF is an area well worthy of future research. It suffices to say, however, that in each case it is political will – rather than political, social, historical, military or even constitutional constraints – that has proved to be the real bottom-line in the decision to impose and also to remove national caveats.

Auerswald & Saideman, pioneers of research into the domestic forces driving the imposition of ISAF caveats by NATO nations, have also reached this conclusion on this unfortunate but true state of affairs for the ISAF mission. As they likewise conclude:

National restrictions, or caveats, largely, although not entirely, emerge where principals are more concerned with the behavior of their contingents and less focused on achieving the desired endstate. Restrictions on where to deploy (not to the south), when to operate (not at night), with whom to operate, and with what weapons all are efforts to limit how military units can behave. These caveats are not aimed at achieving more success on the ground, but rather are focused at avoiding certain kinds of failures that could have domestic or international consequences. They constrain the behavior of the agent.<sup>100</sup>

## **Conclusion:**

This chapter has demonstrated that there has in fact been no unity of effort within the NATO-led ISAF mission for over a decade of warfare. The Afghan mission has been prosecuted by a fragmented and disunified coalition with varying levels of political commitment to the mission's success – as the spectrum of caveats so clearly reveal. The result has been divided national contingents with divergent capabilities, answering to disparate national chains of command, and acting in a disunified fashion within the Afghan theatre. In short, the ISAF mission displays all the symptoms of a mission in which there is no unity of effort among its members. This is a conclusion also reached by multiple NATO and ISAF officials in their statements.

By way of further evidence in support of this conclusion, this chapter has additionally explored the detrimental impact of the ISAF's caveat impediment on the military principles of unity of command and cooperation, coordination and consensus within the mission – both supporting structures that create and generate unity of effort within multinational security missions. In both cases, national caveats were also found to have severely negated these crucial principles. Not only has there been a lack of unity of effort within the mission, but there has also been no true unity of command, nor true cooperation, coordination and consensus either. In sum, one could well say that national caveats have

worked to *guarantee* disunity of effort within the mission, and thereby a poor outcome for the Afghan mission.

Indeed, when the overall caveat picture presented in the preceding chapters of this research is combined with this unhappy reality of disunity of effort within the ISAF mission, a rather bleak picture emerges. Because unity of effort is a critical prerequisite for any multinational mission to be operationally effective, furthermore, this unity void represents equally grim ramifications for the mission's actual effectiveness in the quest to secure and stabilise Afghanistan. The following final chapter of this thesis will complete the research by examining the impact of national caveats on the ISAF mission's overall operational effectiveness.

# CHAPTER 15

## Final Assessment:

### The Impact of National Caveats on ISAF Operational Effectiveness

This final chapter seeks to fulfil the aim of this research, by assessing the impact of national caveat imposition within the ISAF mission on the overall operational effectiveness of the NATO-led mission in Afghanistan over the research period 2002-2012. According to multinational warfare theory, unity of effort is the crucial link of a chain that leads to operational effectiveness, characterised by the timely attainment of objectives and an effective prosecution of the military campaign.

However, as shown in the previous chapter, caveats have largely disabled this crucial lynchpin in the effectiveness process, leading to tangibly visible disunity of effort amongst coalition members in the Afghan theatre of war. Because unity of effort and operational effectiveness are intricately linked, one can consequently deduce that operational effectiveness has also been negatively affected by the caveats to become another great casualty of the ISAF mission's caveat ailment.

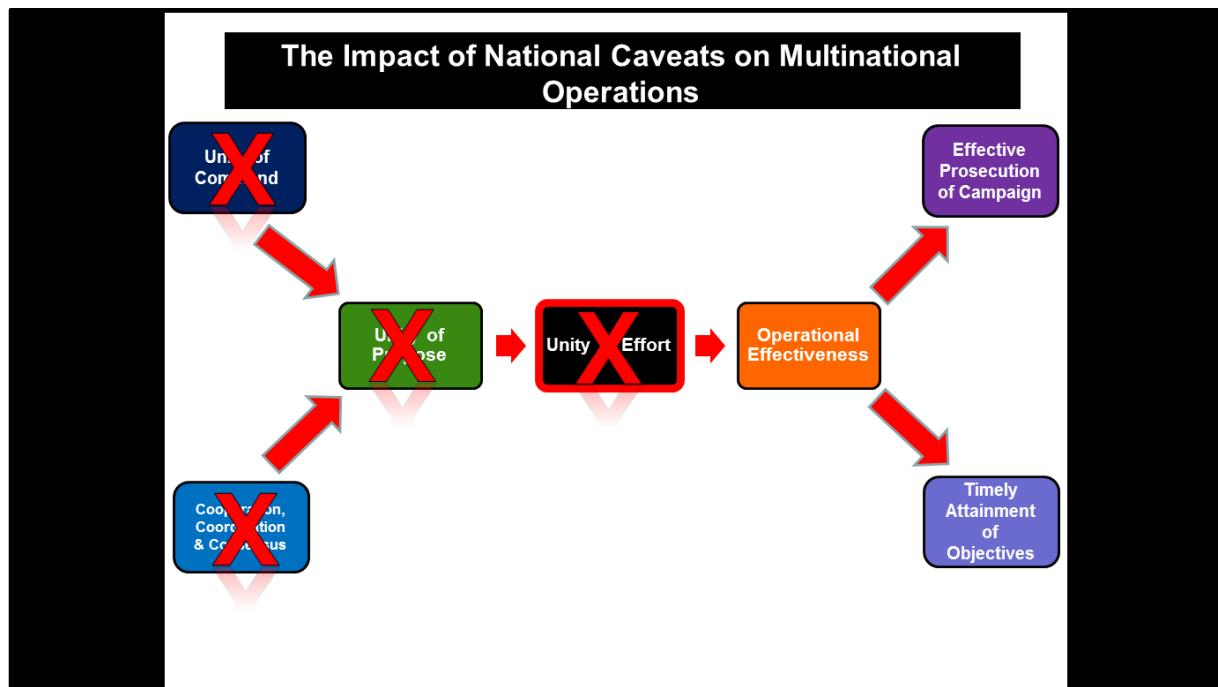


Figure 15.1 – Compromising Unity of Effort within the ISAF: National caveat imposition within the ISAF mission has undermined critical links in the chain leading to operational effectiveness, characterised by the effective prosecution of the campaign, and the timely attainment of objectives.

This chapter will discuss the overall deleterious impact of ISAF caveats on operational effectiveness, in relation to the two primary offshoots of effectiveness: (1) the ‘timely attainment of objectives’; and (2) the ‘effective prosecution of the campaign’ (see *Figure 15.1*).

## **Caveats & the Delayed Attainment of Mission Objectives**

The negative impact of caveats on the timely attainment of objectives relates to time, or rather, the loss or waste of time in the prosecution of the ISAF campaign. This loss of time is linked particularly to security operations along the security LOO – the essential prerequisite 20% effort which paves the way for the 80% stability operations to begin and continue within the COIN mission. According to multinational warfare theory, international military operations are purported to ‘decisively increase combat power’ towards ‘a more rapid and favourable outcome to the conflict’ than would possible in unilateral military campaigns.<sup>1</sup>

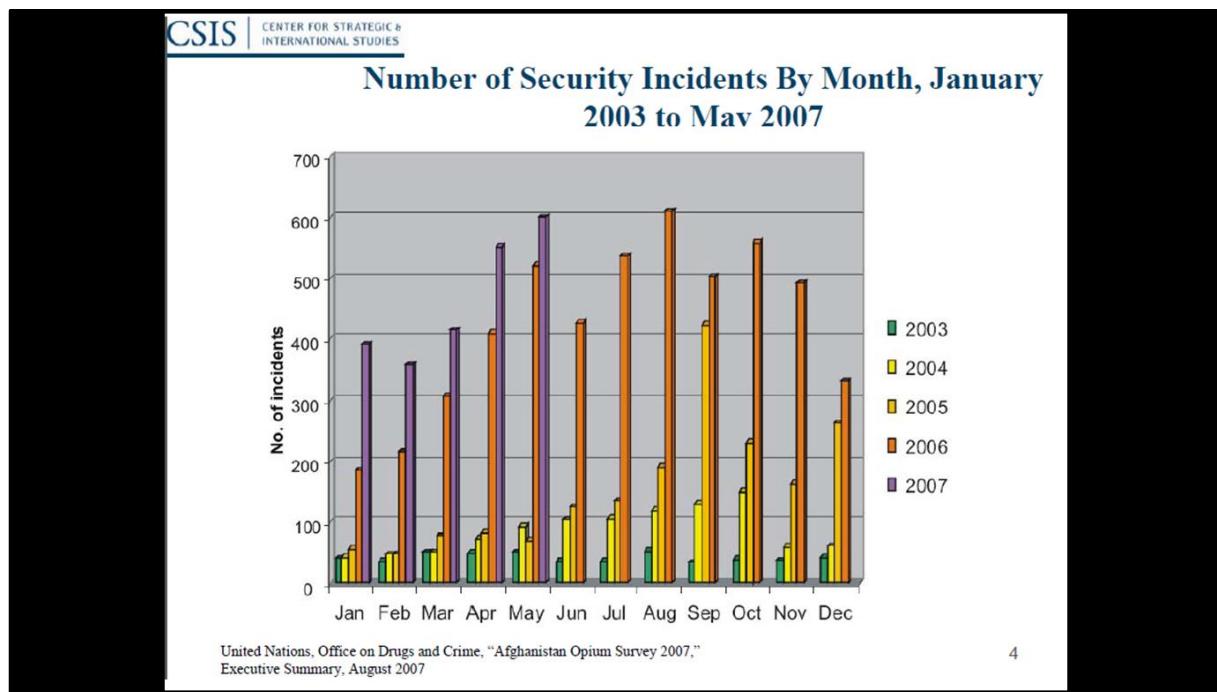
However, due to heavy and widespread caveat imposition within the ISAF coalition, as shown in this research, this positive advantage of multinational security operations has not at all been evident in Afghanistan. To the contrary, according to Barno, one of several Operational Commanders of the U.S. OEF mission in Afghanistan, national caveats within the ISAF mission have actually caused the loss of two-and-a-half years of progress within the ISAF mission, beginning in early 2007 and ending in mid-2009 with the departure of COMISAF McKiernan and the arrival of COMISAF McChrystal.<sup>2</sup> The loss of progress over so many critical years during the mission, and within the context of a COIN campaign in which native Afghan goodwill and tolerance is pivotal to success, is alarming. As Barno expressed during an interview in Washington D.C. in 2010:

Strategically the biggest impact of the caveats has been the loss of those two years of time. That was an irreplaceable window that now we’re scrambling desperately to make up for and may not be able to. We squandered the most precious commodity we had – 2+ years of time...The alliance wasted those two years. I think they were lost years.<sup>3</sup>

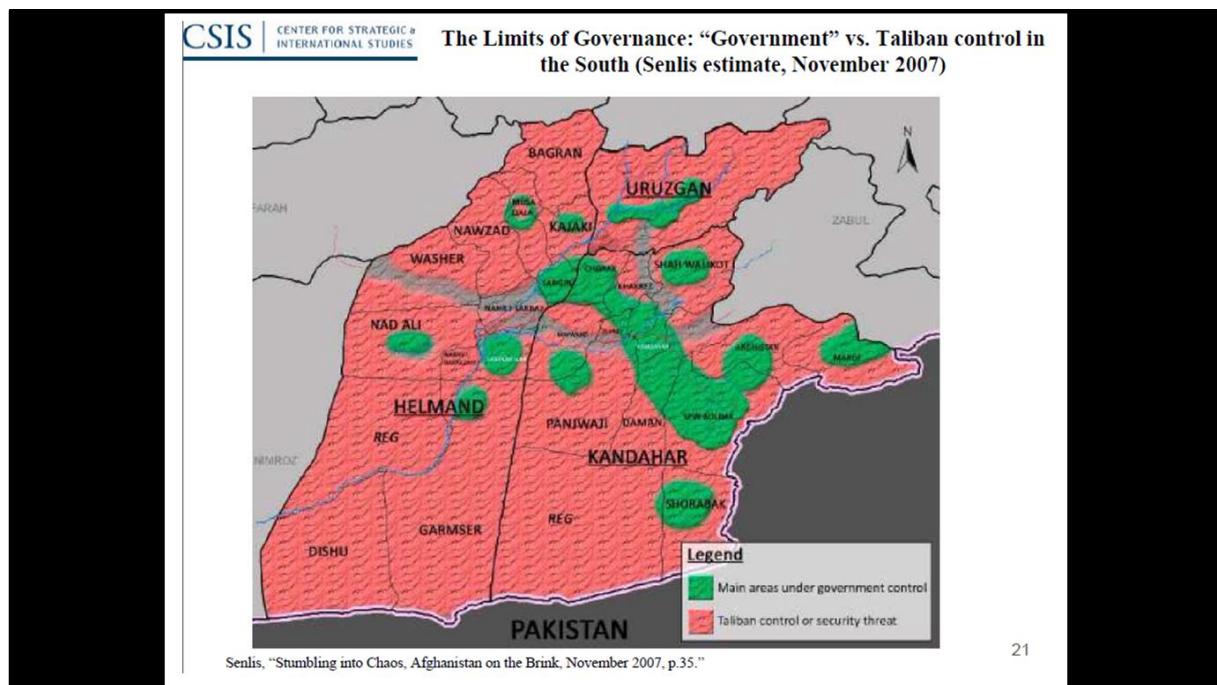
### ***The Lost Years: Security Deterioration, 2007-2009***

Certainly this specific period of time was marked by a sharp decline in security within Afghanistan and a simultaneous increase in total numbers of anti-Government insurgents, insurgent attacks and suicide-bombings. In January 2007, for instance, the Chair of the NATO Military Committee reported that: ‘70 percent of all significant events in 2007 occurred in 40 of Afghanistan’s 389 districts, most of which were in RC-South, with the remaining ones largely in RC-East’.<sup>4</sup> Over the next months the average number of insurgent attacks within Afghanistan per month continued to rise from around 200-500 security incidents a month to an average of between 400-600 per month by May

2007 (see *Graph 15.2*).<sup>5</sup> By November the Taliban was reported as having control of most of RC-South, with only ten isolated pockets and one long bubble of territory under ISAF control within Kandahar Province (depicted below in *Figure 15.3*).<sup>6</sup>



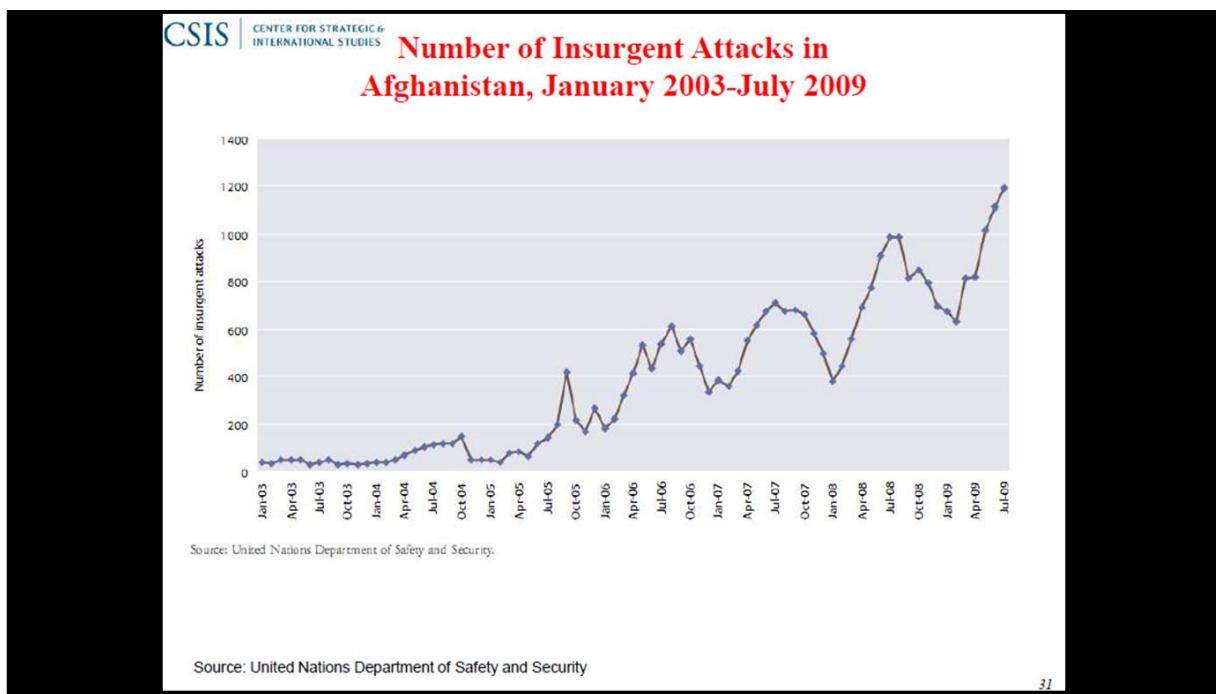
*Graph 15.2 – Increasing Insecurity in Afghanistan: Rising insurgent violence within the Afghan theatre, January 2003- May 2007.*<sup>7</sup>



*Figure 15.3 – The Taliban’s control of RC-South, as of November 2007.*<sup>8</sup>

Nearly one year later in September 2008, NATO findings were even more grim. In fact, the acting Chief of the NATO Military Committee, Admiral Di Paola, reported that the ISAF had made ‘no clear progress’ in extending the authority of the Afghan government across the country during that year, due chiefly to ‘revitalized and more effective Opposing Militant Force (OMF) efforts’.<sup>9</sup> The insurgents had also begun to diversify their anti-Government campaign, conducting attacks not only against ISAF and ANSF forces, but also against NGOs operating within the theatre – the latter described by the Taliban as ‘soft targets’ with limited security.<sup>10</sup> Moreover, while on the one hand, security had improved in RC-South as a result of major ISAF offensives that had inflicted heavy casualties on Taliban forces, on the other hand, the insurgency was rapidly expanding with more and more territory in RC-West and RC-East falling under the control of insurgent forces. Insurgent growth in strength and capability was so dire in RC-East in fact, that according to one expert U.S. combat forces were ‘no longer “winning” in the east’ at all.<sup>11</sup>

By mid-2009, security within Afghanistan had deteriorated even further with insurgent control of Afghan districts multiplying exponentially throughout the country to a total of more than 160 districts within the country (a dramatic increase from 30 districts in 2003 and 40 districts in 2007).<sup>12</sup> Furthermore, numbers of daily insurgent attacks had increased by a massive 60 percent, over a period of only seven months between October 2008 – April 2009 (see *Graph 15.4*).<sup>13</sup>



*Graph 15.4 – Cordesman’s Graph of Insurgent Attacks: Line graph showing the dramatic increase of insurgent activity and capability within the Afghan theatre between 2003-2009.*<sup>14</sup>

This state of affairs prompted Cordesman to state in August 2009 that, while in some areas of the country ISAF combat forces were winning in tactical military clashes, overall ‘the Taliban have been

winning the war for control of Afghanistan's territory and population'.<sup>15</sup> This was especially the case in southern Afghanistan, which the UN decreed to be a 'No-Go' zone for its own personnel, since it was classified as an 'Extreme Risk/Hostile Environment' (see *Figure 15.5*).<sup>16</sup> In the country as a whole, furthermore, by late 2009 insurgent capability had increased to the point that NATO reported that: 'The enemy demonstrated the ability to conduct high profile attacks at the time and place of their choosing'.<sup>17</sup> Indeed, the insurgents themselves reportedly considered 2009 to have been their most successful year.<sup>18</sup> This is a view corroborated by the GIRoA's findings in 2010, that only 9 of Afghanistan's 364 districts could be considered 'safe' from the insurgent threat.<sup>19</sup>

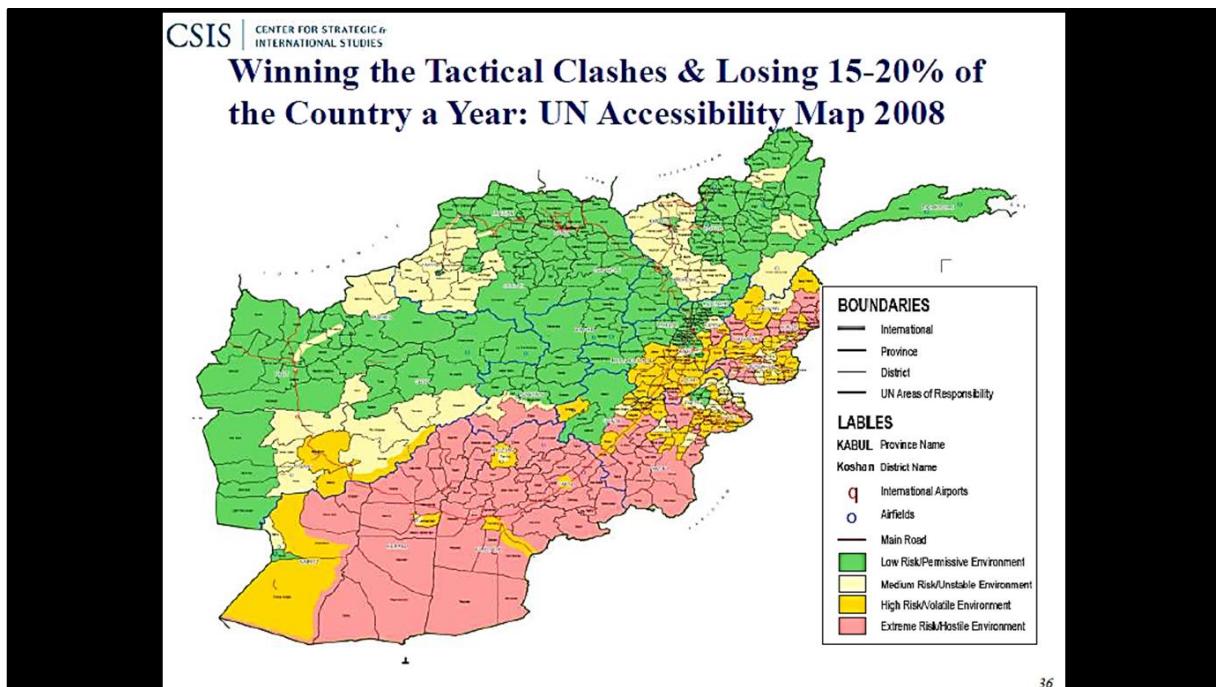


Figure 15.5 – RC-South: A 'No-Go' Zone for UN personnel.<sup>20</sup>

In sum, over the two-and-a-half year period between 2007 and mid-2009, the ISAF had failed demonstrably in its mission to bring security and stability to Afghanistan, and to prevent the country from reverting to a sanctuary for radical Islamist extremists and terrorists. In an address to the Senate Armed Services Committee in 2009, Barno summarised these 'lost years' in the following way:

The past two years of NATO command in Afghanistan have exposed numerous flaws in alliance inter-operability and seen a spike to unprecedented levels of insecurity and both military and civilian casualties – violence today is up 543% on 2005, according to United Nations figures, a rise of several orders of magnitude over the previous five years. 2007's high point of violent incidents became 2008's year's lowest point...Eight years into a broad and substantial multi-national investment and two years since NATO assumed military leadership, the Taliban have returned in growing strength, poor governance and corruption are widespread, the Afghan people's confidence is ebbing, and the political sustainability of NATO's effort over the long term is in question.<sup>21</sup>

### ***Losing Time: The Role of Caveats***

Of course there have been many different factors contributing to this downward trajectory in the security sphere, as described above, and the corresponding increase in insurgent influence, control, activities, attacks and capability within Afghanistan. These factors principally include: (1) the reality of an insurgent external sanctuary within the border regions of Pakistan; (2) the fact that various insurgent groups receive external support (money, weapons, training) from at least two countries – Pakistan and Iran; (3) the flourishing opium industry within Afghanistan, which has been a key source of Taliban and insurgent revenue for over a decade; (4) the lack of progress in the development sphere due to fragmentation and under-funding within the civilian development effort, leading to heightened Afghan disillusionment and willingness to support the insurgents; and (5) last of all, endemic corruption within the Afghan government and within the ANSF – especially the ANP – which has assisted insurgent recruitment.

Foremost among these factors is the role of Pakistan in providing safe-haven for insurgents and Al-Qaeda terrorists within the Federally Assisted Tribal Areas (FATA) along the Afghan-Pakistan border. Political ‘peace deals’ between the Pakistani government and various tribal groups along the border between 2006-2008 led directly to huge spikes in insurgent attacks on ISAF and ANSF forces in neighbouring Afghanistan. These Pakistan-insurgent treaties resulted in huge swathes of territory being effectively turned over to Taliban control, along with numerous access routes along the porous Afghanistan-Pakistan border, thereby providing the insurgents with a secure base from which to launch cross-border attacks against neighbouring ISAF and ANSF forces (during one of these treaties, the Musharraf government also released from prison 2,500 foreign fighters linked to Al-Qaeda and the Taliban to cement the deal).<sup>22</sup> As a result, attacks against ISAF and Afghan forces increased exponentially in 2007 and 2008. In 2007, for instance, attacks increased by 300 percent and cross-border raids by 200 percent, while the number of suicide-bombings rose by 500 percent.<sup>23</sup> In mid-2008, COMISAF McNeill reported that insurgent attacks had again doubled in number during only the first four months of the year, stating that ‘analysis shows a link between increased violence in Afghanistan and deals with militants in Pakistan’.<sup>24</sup>

Pakistan’s culpability in enabling the anti-Government insurgents within Afghanistan extends to its covert Inter-Services Intelligence agency (ISI) which, according to multiple intelligence sources, has also been abetting the Taliban insurgency by arming, training, recruiting and funding Taliban fighters – even reportedly providing them transport to the Afghan frontline, just as it did for the Mujahideen in the Soviet-Afghan War of 1979-1989 (see endnote for a more detailed description of Pakistan’s interference in Afghanistan and the ISI’s role in funding, arming, training and transporting the Taliban).<sup>25</sup> In many respects, Pakistan’s involvement in the Afghan war today – and even in the very creation of the Taliban movement in 1994 – can be described as a modern Pakistani version of the

‘Great Game’ for control over Afghanistan, once played centuries ago by both the British and Russian empires. In short, the issue of Pakistan and its ungoverned FATA sanctuary has long been regarded as the largest external issue for the NATO-led ISAF coalition – the ‘elephant in the room’ casting long menacing and influential shadows over Afghanistan with regard to both the Taliban movement and other anti-Government fighting groups taking part in the Afghan insurgency.

Nevertheless, national caveats have also played a substantial and important role in the security regression in Afghanistan, especially between the years 2007-2009 – a fact not to be overlooked or diminished. Indeed, caveats are perhaps one of the greatest *internal* issues that have challenged and weakened the ISAF coalition, contributing greatly to the delayed achievement of the ISAF’s security and stability objectives, especially with regard to the security LOO. To fully appreciate their impact, one must keep in mind that the role of ISAF military forces conducting combat operations throughout Afghanistan – comprising 20% of the COIN operation overall but representing an essential, even critical, line of operation to the success of COIN – is to reduce the insurgent threat, while securing the Afghan population.<sup>26</sup> As Barno explains: ‘As in Iraq, improvements in security are an essential first step that will prompt faster progress in governance and development programs, which will in turn enable greater security, leading ultimately to a virtuous cycle of improving conditions’.<sup>27</sup> What this has amounted to, in brief, is that ISAF security forces have been tasked with ‘fighting what most would describe as a deadly counter-insurgency (COIN) fight – a full-fledged war’.<sup>28</sup>

In this regard, politically-derived national caveats have severely limited the ISAF’s ability to ‘take the fight to the Enemy’ and conduct combat operations against insurgent Enemy forces, towards the primary objective of ‘Degrading Insurgent Capacity’ and securing areas from insurgent control and influence, so that the ISAF’s 80% COIN effort of stabilisation operations could proceed. All of the bans and restrictions imposed by TCN governments have together acted as combat fetters that have inhibited forward progress along the security LOO of the mission, wasting invaluable time and giving the insurgent Enemy opportunity and room to expand their control and increase their activity (as discussed in Chapter 12). As Barno explains: ‘In the first two years [after ISAF’s full expansion], I think the caveats were so debilitating that they caused the NATO military organisation to tread water, to stay in place, to not make any forward progress’.<sup>29</sup> This loss of momentum has directly contributed to the loss of progress and time within the COIN mission.

As described in previous chapters, the wide range of bureaucratic prohibitions and restrictions have done this in a number of ways, including through: (1) banning or limiting combat forces from conducting combat operations at all; (2) forbidding or limiting deployments to the south or east of Afghanistan where the insurgency is the strongest; (3) preventing military forces from deploying outside specific Regional Commands or even specific AOs (including provinces, districts, defined kilometre perimeters, military bases and PRTs); (4) restricting the sharing of insurgency-related

information; (5) banning or limiting the use of lethal force against insurgents; (6) forbidding or restricting involvement in narcotics interdiction operations (despite the crucial link between narcotics and funding received by the Taliban and other insurgent groups); (7) banning or limiting security patrols, especially through Afghan towns and cities; (8) banning or limiting participation with the ANSF, especially the work of OMLTs; (9) and by preventing OMLT teams from fully and effectively training their ANSF counterparts with regard to combat operations or from deploying alongside these forces during ISAF-ANSF partnered operations within Afghanistan.

### ***Illustrations: The Direct Role of Caveats in the Loss of Progress & Time***

This link between caveats and the loss of progress – and ultimately time – in the face of the Afghan insurgency is well illustrated by the example of cavedited TCNs in RC-West, namely Lead Nation Italy and its supporting nation Spain.

#### *Lead Nation Italy, RC-West*

In October 2007, the Italian RC-W Commander, BRIG General Fausto Macor, revealed that although he was responsible for an area ‘half the size of Italy’, the Italian government had imposed restrictive caveats that permitted only 270 personnel of his total force of 1,800 to conduct security patrols in the sector.<sup>30</sup> This meant that the vast majority of Italian security forces remained confined to a base in Herat, reported to be a ‘fortified barricade compound...protected against Enemy fire by a 1-meter-thick wall of boulders’.<sup>31</sup> According to American officials, this strict constriction owed to the Italian government’s reluctance ‘to place Italian soldiers at increased risk’ in the conduct of their operations.<sup>32</sup>

At the same time Italy also maintained the lowest troop levels of all the ISAF Regional Commands, so that Macor complained that when the two Italian units went out on patrol into the vast RC-West sector, they could easily find themselves operating more than 400 kilometres (or 249 miles) apart.<sup>33</sup> ‘It’s as if one of them were in Turin and the other in Venice’, the Italian commander commented.<sup>34</sup> By April 2008, these two factors together had led U.S. officials to report that Italy did not have significant ownership of its command region, causing the sector to face ‘a worsening security situation’.<sup>35</sup>

In fact, instead of conducting kinetic counter-insurgent combat operations where they were needed, especially in Hirat and Farah Provinces, Italian forces soon came under ISAF censure for paying ‘protection money’ to anti-Government insurgent fighters and negotiating financial deals with insurgents for the release of Italian hostages.<sup>36</sup> By the end of 2008, the Italian PRT also came under media criticism for contributing to the worsening security situation in Herat since ‘it rarely left the compound’, a fact which had led to increased Afghan dissatisfaction in Herat City and ‘the decline in

security in what used to be one of Afghanistan's safest cities'.<sup>37</sup> This situation had still not improved by early 2009. Indeed, in February 2009 Italy declined a request to participate in ANP training at a U.S.-run facility at Islam Qala – Afghanistan's busiest border-crossing with Iran – because 'Islam Qala is 100 km west of Herat and Italian forces do not patrol there'.<sup>38</sup>

### *Supporting Nation Spain, RC-West*

The same relationship between caveated forces and a decline in local security has occurred with regard to Italy's supporting nation, Spain, with security responsibility for Badghis Province of RC-West (refer to *Figure 14.10*). As explained elsewhere, Spain has been a contributor of major and minor CMUs, an emergency QRF in partnership with Italy, a number of OMLTs and POMLTs, and a PRT in Badghis Province – all constrained in their tasks by national caveats however (see 'Spain' within APPENDIX 7 (b) for a list of known caveats discovered in the course of this research). Following the caveat pattern, as a result of under-resourcing combined with national caveats, security in Badghis Province 'deteriorated significantly' between 2006-2008, resulting not only in areas falling under almost complete Taliban control, but also in the expansion of these insurgent-controlled areas, especially within the Afghanistan-Iran border areas where Taliban control had extended from Bala Murghab in Murghab District southwards into neighbouring Moqur District.<sup>39</sup>

Enemy insurgents in RC-West overall also rose greatly in number from 400 to almost 2000 during the three-year period between 2006-2009, causing Spain's own Ambassador to Kabul, Jose Turpin Molina, to remark that: 'The inkblot is growing, but of the wrong kind of ink'.<sup>40</sup> In fact, this security downturn in RC-West led the Spanish Ambassador to conclude that the ISAF mission could not only no-longer succeed in RC-West, but that the entire ISAF mission was also lost and doomed to failure (see endnote).<sup>41</sup> The role of Spanish caveats in contributing to this security failure in Badghis Province and in RC-West generally, however, seems to have escaped Molina's purview. Finally, a diplomatic cable from the U.S. Embassy in Kabul to the U.S. State Department in November 2009 indicates, that while Spain remained 'committed to the mission' during the subsequent year, it nevertheless had continued to adopt 'a cautious approach' to security in Badghis Province with the effectiveness of its forces remaining 'limited by their short rotations and strict national caveats'.<sup>42</sup>

Aside from these two illustrations, there are in fact countless other examples of the tangibly negative link between the presence of caveated forces in an Afghan area and a resultant decline of local security, leading to the loss of progress and of time within the ISAF mission. Caveats on German and Hungarian forces and the consequent deterioration of security in the so-called 'quiet North' is another prime example of this relationship, for instance, as discussed previously in Chapters 11 and 12. In sum, caveats imposed by ISAF TCNs have directly contributed to the waste of more than two years of

time and progress within the ISAF mission – causing the delayed attainment of the mission's security and stability objectives (see *Figure 15.6*). As Barno has also concluded:

We squandered the most precious commodity we had – 2+ years of time. Because of the debilitating nature of the caveats, because of the necessity to spend vast amounts of commanders time, ISAF commanders' time, managing the alliance – you know – children if you will. And that really debilitated the military effort during that 07-09 window...Those were years you can't replace, those were vital years.<sup>43</sup>

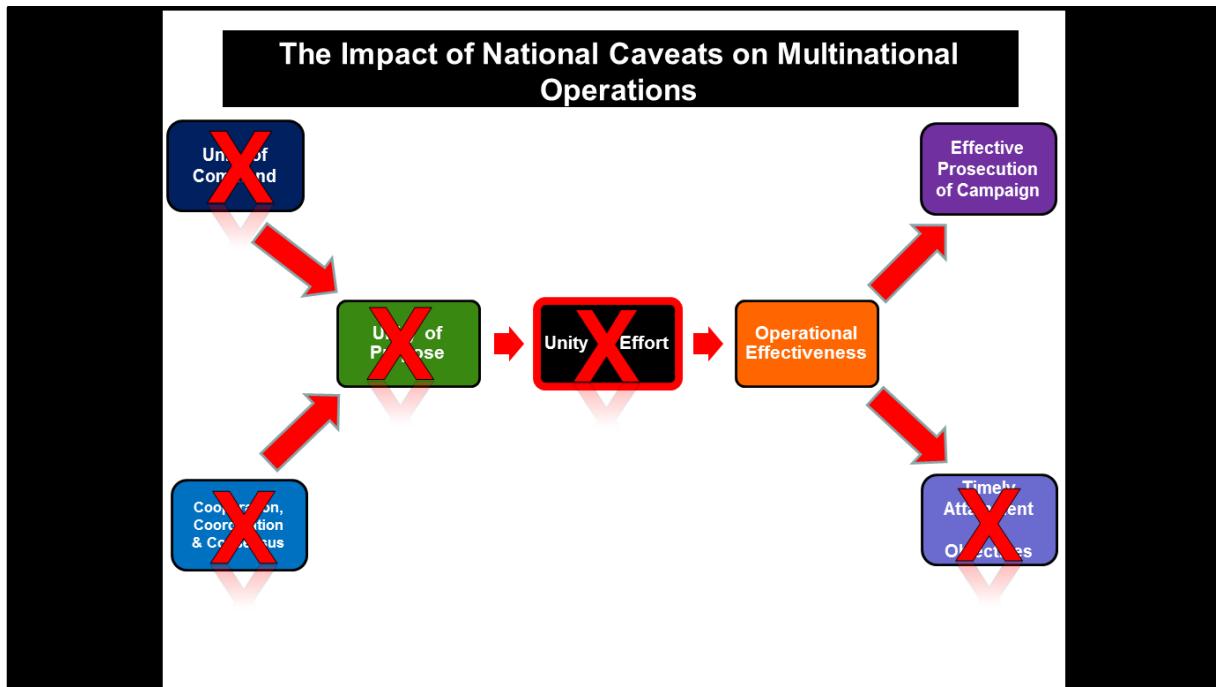


Figure 15.6 – Compromising the Timely Attainment of Objectives: Caveats have caused the loss of two-and-a-half years of progress within the ISAF mission, and have consequently undermined the timely attainment of the ISAF's security and stability objectives.

## Caveats & the Ineffective Prosecution of the ISAF COIN Campaign

The second outcome of true operational effectiveness within multinational missions is the effective prosecution of the military campaign. Within the ISAF mission, this campaign is a COIN campaign, waged on many fronts to win ‘the hearts and minds’ of the majority, neutral ‘empty middle’ within the Afghan population. The critical role of Afghan popular support in determining the outcome of the ISAF COIN campaign can not be overstated. Only through majority support on the part of the indigenous Afghan population for the ISAF mission, and their participation in the new political system and social structures developed by the ISAF in conjunction with the Afghan government, can the ISAF’s COIN campaign succeed and a secure and stable future for Afghanistan be secured.

Since the Taliban resurgence within the Afghan theatre and the adoption of a COIN strategy in late 2006, ISAF forces have been engaged on the difficult enterprise of working to actively win over the perceptions – the emotive ‘hearts’ and cognitive ‘minds’ – of both the local population and Enemy fighters (usually through financial aid, development projects, and general goodwill). Simultaneously, they have also been engaged in the long struggle to suppress hostile activity and eliminate hard-line fanatics amongst the Taliban, Al-Qaeda and other anti-Government insurgent forces operating within Afghanistan.<sup>44</sup> In sum, as Cordesman has concisely expressed, the ISAF has been engaged in carrying out the equivalent of armed nation building, while simultaneously defeating the Taliban and other insurgent groups, in addition to Al-Qaeda.<sup>45</sup>

### ***Insufficient Political Will Undermines the COIN Strategy***

However, political will amongst the ISAF coalition for conducting a COIN campaign in Afghanistan has been questionable from the outset – even initially by the NATO organisation itself. The fact that from 2006 up until mid-2009 and the arrival of COMISAF General McChrystal, NATO would not even allow the word ‘counter-insurgency’ to be used in any of its official discourse on Afghanistan is a case in point.<sup>46</sup> Even once the mission had adopted the ‘SHAPE, CLEAR, HOLD, BUILD’ counter-insurgency strategy, furthermore, the coalition remained fragmented and demonstrated a lack of unity and coherence with regard to COIN. This disunity prompted Bruno & Mullen to ask in April 2009: ‘How about a coherent COIN strategy? Is NATO there?...From an individual country standpoint there are certainly countries that do COIN, counterinsurgency strategy, very well. From a collective standpoint, probably not as far down the road as we could be’.<sup>47</sup> This incoherence was also in spite of the fact that, as U.S. Admiral Michael Mullen expressed, the counter-insurgency requirement within the ISAF mission was an essential component of preventing the Taliban and other insurgent and terrorist groups from returning to Afghanistan in future years.<sup>48</sup>

This disagreement between coalition members led to nations effectively designing and implementing their own versions of not only of the mission, but also COIN, thereby causing the campaign to disintegrate into ‘loosely coordinated NATO national efforts focused on the small slices of Afghanistan, semi-autonomous from any unified military strategy on the ground’.<sup>49</sup> Barno summarised this state of affairs in his February 2009 Senate testimony, stating:

NATO has spoken of a “comprehensive approach” in its operations, but confusion regarding NATO’s historic role as a conventional military alliance have pre-empted it from taking greater ownership of integration of military and civil effects in this irregular war where success requires the effective integration of both. Unfortunately, despite a new American commander leading NATO’s International Security Assistance Force (ISAF) for the first time, the conflict rapidly became decentralized in application – much different from previous US-led NATO missions (such as the 1995 Balkans “IFOR” effort or 1999 Kosovo Air War). This individualistic approach with contributing nations effectively designing their own campaigns has proven [...] problematic.<sup>50</sup>

A similar conclusion was also reached by Australian Prime Minister, Kevin Rudd, who criticised the mission's European TCNs for having 'no common strategy for winning the war or winning the peace'.<sup>51</sup> In fact, a *Wikileaks* disclosure reveals that even as late as November 2009, Australian officials were continuing to express dismay at the strategic incoherence within the ISAF, with Australia's special representative on Afghanistan and Pakistan, Ric Smith, declaring after a visit to RC-South that both the ISAF mission and the authority of the central Afghan government within the country remained a 'wobbly three-legged stool'.<sup>52</sup> Indeed, aside from the caveats themselves, Barno considered the lack of a 'unified NATO counter-insurgency approach' to have also greatly contributed to the loss of the vital two-and-a-half-year window between early 2007 and mid-2009.<sup>53</sup>

### **Caveats & COIN: Direct Negative Effects**

Not only has the COIN strategy been undermined by the lack of a unified NATO counter-insurgency approach, moreover, but the political devices of national caveats have created increased incoherence. In brief, the caveats have led to a majority of ISAF countries 'opting' in or out of counter-insurgency tasks at will. In this way they have exacerbated further the divergent COIN approaches within the mission. Amongst the exhaustive list of some 215 separate caveat restraints discovered during the course of this research, classified further by content into 21 categories of rules, the most harmful caveat categories with regard to COIN include those restricting or prohibiting national forces from participating in: offensive combat operations; narcotics interdiction operations; and the training and mentoring of indigenous ANSF forces (while combat caveats and geographical caveats have together contributed most significantly to the burden-sharing divide within the operation). On the whole, however, all of the 21 caveat groups of rules combined have together – directly and indirectly – contributed to the loss of Afghan support for the mission over the past decade, and in a number of different ways.

### ***Security Operations***

In the sphere of security operations, first of all, the caveats have directly interfered with the first critical step of winning Afghan confidence and popular support for the ISAF campaign – namely, ridding the Afghan population of the individuals and groups that terrorize them and threaten to disrupt the reconstruction projects that are making a tangible difference for the community.<sup>54</sup> The latter is accomplished through both the provision of security in population centres and the elimination of the most potent insurgent threats to local security. As COMISAF McChrystal himself expressed, the measure of effectiveness within the mission would be measured by 'the number of Afghans shielded from violence'.<sup>55</sup>

In order to do this, military forces conducting the security ‘20%’ of COIN must necessarily have the ability and the freedom to use force to impose its will on insurgent adversaries.<sup>56</sup> With regard to many TCN contingents, however, this ability and freedom has been negated by the political caveats with a range of geographical (anti-south and anti-east), regional, combat, lethal force, counter-narcotics and ANSF-related categories of caveats neutering the ability of combat forces’ first priority within the COIN security sphere: to protect the population. In regard to COIN, as in other ISAF-related domains, these caveats in the security sphere have led to deleterious effects within the mission in the following ways.

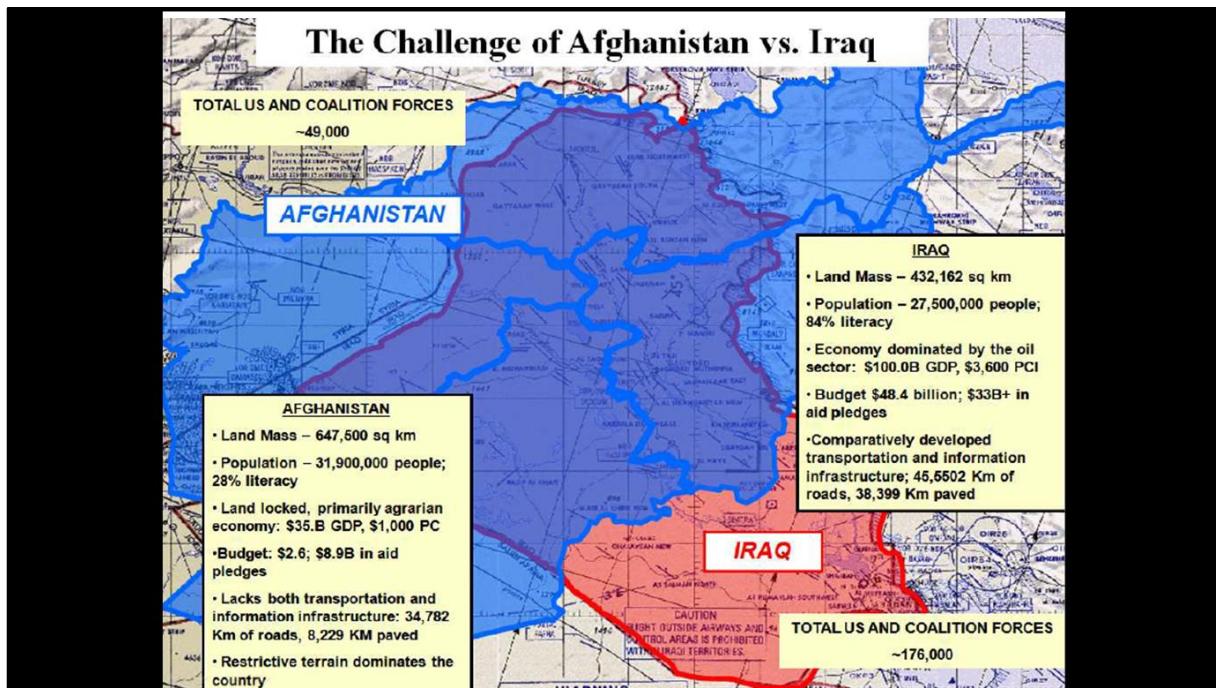
Firstly, as discussed in Chapters 11-12, approximately 50 combat caveats have crippled the combat ability of ISAF security forces, rendering thousands of combat forces ‘toothless’ within the campaign with no authority to conduct the kind of offensive, kinetic operations that would drive insurgent forces out of Afghan territories. As Barno states: ‘I think he [the COMISAF] had a very suboptimal military force during that time’.<sup>57</sup> A lack of security, stability and protection to Afghans throughout the country has been the direct result of these caveats on ISAF combat forces. By mid-2009, for instance, militarily ISAF controlled only the Afghan towns in the country, while the insurgents controlled all the surrounding countryside, and overall prospects for the success of the COIN mission were looking very dismal indeed.<sup>58</sup> As Auerswald & Saideman stated in late 2009: ‘The failure to provide security, caused by both troop shortages and inflexibility of key contingents, is a critical problem for the counter-insurgency’.<sup>59</sup>

Upon closer examination, the contrast between cavaeted forces and non-caveated forces with regard to eliminating the extremist threat has been profound. The approach taken by the non-caveated combat forces is perhaps best expressed in the words of British LTCOL Oliver Lee, the commander of 45 Commando Royal Marines, who in a pre-deployment speech to his troops in 2011 stated:

We will give those who seek to oppose us an honourable way to become part of the legitimacy of Afghanistan. But if they refuse that and become irreconcilable, we will fight them hard and ruthlessly as 45 Commando always does. And we must look after the people who have known nothing other than war and oppression in their lives to date. It is about Afghans, before it is about anybody else, ourselves included.<sup>60</sup>

The approach taken by cavaeted combat forces within the mission, by contrast, is that represented by Italy and Spain in RC-West, or Germany and Hungary in RC-North, each of which have prioritized the protection and safety of their own military personnel over the protection and the safety of the Afghan population they have been deployed to assist. The position taken by the governments of these nations, and the tangible security degeneration in their assigned localities within Afghanistan as a result of this position, has already been discussed in previous chapters.

Secondly, because large numbers of land forces are required to conduct COIN effectively, the full range of 21 caveat categories relating to all aspects of the ISAF mission have made ISAF under-resourcing even more severe, minimizing further the total number of COIN-capable security forces. The result is described by Sean Maloney, the official historian for the Canadian deployment to Afghanistan between 2003-2009, who states that although Afghanistan is one-and-a-half times the size of Iraq, it has been ‘hopelessly under-soldiered’ for the purposes of COIN, with even the United States committing ‘less than a third of the troops there that its own counter-insurgency doctrine says is a minimum’ (see *Figure 15.7*).<sup>61</sup> In December 2009 COMISAF McChrystal would also echo this point, reporting that under-resourcing was undermining the ability of the ISAF to achieve its key NATO priority of protecting Afghan civilians, since ‘a true counterinsurgency strategy can be implemented only with a higher troop-to-civilian ratio’.<sup>62</sup>



*Figure 15.7 – ISAF Under-Resourcing for the Purposes of COIN: Cordesman’s map comparing total COIN forces in Iraq as opposed to Afghanistan in December 2009.*<sup>63</sup>

Thirdly, caveats have forced a major alteration of the overall objective of the security LOO within the COIN strategy. By early 2008 the combination of chronic under-resourcing and caveat imposition by ISAF allies – especially with regard to southern Afghanistan – had had a toxic effect on the security LOO of the COIN strategy on the ability of security forces to ‘protect the population’. Consequently, only two years after the ISAF’s full expansion across Afghanistan, ISAF Command was compelled by the counterproductive situation to transition the largest share of ISAF combat forces into the lesser role of a COIN occupation and nation-building force, thereby limiting the mission to a smaller, weaker and geographically-constrained combat arm.<sup>64</sup>

In other words, the overall objective of the ISAF security LOO had altered from bringing security to the country through the defeat of the country's multiple insurgent movements, to the role of a temporary babysitting force that was 'simply a force to buy space and time while we build Afghan national capacity and that's going to take a little while'.<sup>65</sup> On the ground this meant in effect that ISAF Headquarters was abandoning its intent to develop an effective nationwide COIN war-fighting arm, to be employed along the security LOO in kinetic, lethal, offensive operations against the hardest extremist elements within the insurgency, since this was a concept that would involve the supply of suitable numbers of trained, equipped and combat-capable combat troops in each Regional Command in theatre. So-called 'Afghanisization' of the campaign, through building ANSF capacity, consequently became the ISAF's primary security goal along the security LOO, a mission objective that also simultaneously secured the ISAF's exit from the country.

Fourthly, even with this altered focus for ISAF security forces, however, caveats have again reduced the ability of security forces to properly conduct COIN, this time in relation to the work of building ANSF capacity through OMLT and POMLT units. Indeed, ANSF-related caveats have continued to constrain the training and mentoring of indigenous security forces from as early as 2006 until at least 2012, if not beyond (see APPENDIX 6 (List 1) for a full list of known ANSF-related caveats). The range of OMLT caveats, in particular, has proved a major impediment to COIN and an enduring sticking point within the Alliance – especially in relation to the mentoring of Afghan combat operations. With regard to the latter, caveats have restricted the ability of ISAF OMLTs to actually deploy alongside their ANSF units conducting combat operations, and more controversially, from deploying across AO, district, provincial, and regional Regional Command boundaries in the course of Afghan combat operations.

### *Stability Operations*

In the sphere of stability operations, moreover, caveats have also directly contributed to the undermining of the 80% COIN effort, spearheaded by the ISAF PRTs. With various national military-civilian teams forbidden by their governments from travelling more than a defined distance from PRTs, from conducting reconstruction and development tasks outside the PRTs, or even from leaving the PRT at all, the 'frontline' devices of the ISAF COIN strategy have not been working in these instances to win the support of the Afghan population in the provinces where they are based. To the contrary, the unwillingness of international forces to deploy beyond their bases and engage with local Afghan communities has signalled a lack of ISAF commitment to their development and their safety. In a population-centric context, actions have always spoken louder than an arsenal of words.

The lack of security provided in and around the PRTs has become even more evident to locals when the PRT is unable to protect its own installations or projects – or indeed those built by NGOs or even

local Afghan communities. To illustrate, in Zarghun Kelay, a town not far from Laskar Gah in Helmand Province of RC-South, a school built and re-built by the Afghan community there was destroyed twice by Taliban forces during 2010 who, during one of the attacks, also publicly executed one of the teachers in the town square.<sup>66</sup> A surviving teacher later related of this event: ‘Now security is ok, ISAF forces are stationed around here. Back then there was nobody...there was no police, no ISAF, no one. Anyone could come and go as they liked’ (see endnote).<sup>67</sup> This reality has caused the entire sphere of development to become a fertile ground for Taliban and insurgent narratives, which capitalise on the ISAF’s slow progress – and particularly multiple delays and failures to deliver on its promises – in the bid to win and recruit Afghans to the insurgent cause. This is a serious setback along the R&D LOO of the COIN strategy. As Barno articulated to the American Senate committee in 2009:

The Afghan people, down to the local level, are the ultimate arbiters of success in Afghanistan. Progress rather than perfection is a standard they understand and will accept. On the other hand, international civil and military activities that alienate the Afghan people, offend their cultural sensibilities, or further separate them from their government are doomed to fail.<sup>68</sup>

Furthermore, lethal force and combat caveats on stability forces have also broken another important principle of COIN warfare – that of always being ready to transition to fight at all times. To be sure, in COIN warfare – and regardless of force assignments to military or civilian tasks – all COIN military forces must be ‘ready to fight’ at all times with the ability to ‘rapidly shift to the “use of force or threat of force” to protect the local population and ensure mission accomplishment.<sup>69</sup> However, given the range of caveats on stability forces, especially on PRT personnel on the figurative ‘frontline’ of ISAF’s stabilisation effort, this ability has not been present amongst most stability forces operating within the country (see caveat categories 20 and 21 in APPENDIX 6 (List 1) located in *Volume II* of this research). To exemplify, many contingents involved in stability operations have been banned by their respective government from ever conducting offensive operations, from using lethal force except in urgent need of self-defence, or more stringently, from even firing their weapons at all (while Icelandic forces have been banned even from carrying weapons or wearing military uniforms). In short, thousands of ISAF stability personnel involved in the mission have not – due to national caveats – truly fit the description of conducting ‘armed nation-building’ in Afghanistan.

### ***Caveats & COIN: Indirect Negative Effects***

Indirectly, too, caveats have had the unintended but extremely negative effect of losing additional Afghan support, than would otherwise be the case if national force restrictions had not been imposed. These effects, once again, relate to operations in both the security and stability spheres, in addition to ‘compensatory tactics’.

### *Security Operations*

Afghan support has been lost indirectly, firstly, due to the obvious lack of protection and security in most of Afghanistan over the last decade, especially in rural areas far from ISAF military bases and installations, where caveated forces have failed to patrol. Indeed, the lack of an ISAF presence in large swathes of the country over the past decade has exposed millions of Afghans to insurgent intimidation, threats, violence and control, thereby diminishing confidence in the ISAF operation's ability to secure the whole country from Taliban control.<sup>70</sup> The role of caveats in fostering this diminution of Afghan faith in the GIRoA-ISAF cause is described by Barno, who explains that caveat-imposition both restricts and limits the effectiveness of COIN. As he states:

If your security forces can't do offensive operations, if they can't patrol at night, if they can't operate off roads, their ability to do security tasks is significantly diminished. And the Enemy rapidly takes advantage of all those vulnerabilities, and can dominate an area... That's debilitating. That's totally unacceptable. And in some ways, it makes it worse than not having a force there at all, because it creates false expectations of what security should be and what it is not.<sup>71</sup>

The best on-the-ground example of this concerns Germany in RC-North. In 2008 the Afghan inhabitants of RC-North, in addition to Afghan government officials, expressed disappointment with German tactics in the North, complaining of both a lack of German resources and a simultaneous increase in IED and suicide attacks.<sup>72</sup> With German forces constrained by so many tight restrictions, even 'joint security activities' between German and ANSF forces had reportedly yielded 'few results'.<sup>73</sup> 'German forces are too conservative in their methods,' the Afghan Governor in Kunduz complained, 'and when the PRT acts, it is only with large numbers after days of preparation allowing insurgent forces plenty of time to vacate an area'.<sup>74</sup>

In this absence of an effective, robust ISAF security presence, stability in RC-North has been reportedly 'superficial' and fragile, a situation that existed until the arrival of American combat forces during 2009-2010 (including 300 U.S. Special Forces personnel specifically deployed to combat insurgents there).<sup>75</sup> 'Deep frustration' among the Afghan populace consequently remained even to the end of 2009 over the fact that, despite a strong German presence in RC-North, 'security continues to worsen'.<sup>76</sup> German caveats have been so debilitating in fact that American officials have actually credited any stability in RC-North under German command to the control and influence of 'local power brokers' within the Afghan population itself, rather than to German, ANSF or Afghan government officials.<sup>77</sup>

Aside from a loss of Afghan support and the negative effect of this on the overall prosecution of the COIN mission in the north, moreover, these caveats have led to a loss of support and faith in German capability even among other NATO allies. From 2006 onwards Germany has been the recipient of widespread criticism, anger and condemnation by NATO members for 'not doing enough to help

defeat the insurgency' owing to its tight caveats.<sup>78</sup> As one *Atlantic Council* commentator expressed in 2009:

The German deployment has been a complete failure. The Bundeswehr is consistently undermining the allied tasks in Afghanistan and should either reevaluate or withdraw...The [airstrike] incident in Baghlan, and Germany's inability to manage its aftermath, is part of a years-long pattern of mismanagement and confusing command decisions by the German Army in Northern Afghanistan.<sup>79</sup>

U.S. State Department diplomatic cables also reflect this lack of faith, American diplomatic officials in Berlin advising compatriots in Washington D.C. that: 'As we go forward with our plans to deploy some 300 U.S. Special Forces in Mazar-e-Sharif to assist the Germans in meeting the growing insurgency threat, we will want to be careful not to give the impression that we do not have faith in the Germans to do what is necessary to continue to secure the north.'<sup>80</sup>

This negative view contrasts starkly with Germany's own perception of itself in Afghanistan, namely a belief that they have executed 'careful and dependable management of the north' and that Germany is 'one of our [America's] most reliable Allies in Afghanistan'.<sup>81</sup> Interestingly however, even within Germany itself, there is evidence of confusion over the purpose of thousands of cavaleted forces in RC-North, with opposition parties requesting as late as September 2009 that President Angela Merkel explain to the Bundestag 'the precise role of the German troops' in Afghanistan.<sup>82</sup>

Quite aside from this German illustration, nationwide Afghan polls undertaken in 2005 and 2007 have also demonstrated that there exists a direct link between the level of insurgent activity and the level of support the mission receives from Afghan civilians.<sup>83</sup> Evidence of this chain reaction can additionally be found in the way that there has been a consistent parallel trajectory between the decline of security in Afghanistan and a decline in Afghan support for the mission between 2007-2009. Certainly, across Afghanistan the lack of robust combat operations by ISAF forces have repeatedly led to an erosion of confidence among the Afghan populace, especially those living in RC-South, a majority of whom consider the Taliban 'the single greatest danger to their country'.<sup>84</sup> Indeed, the 2005 poll also revealed that a large segment of Afghans living in southern Afghanistan were not at all sympathetic to the Taliban or Al-Qaeda and 'welcome an opportunity to drive them out'.<sup>85</sup> This revelation prompted the NATO rapporteur to then conclude: 'Far from breeding resentment, those military operations often instill confidence in the local population that the international community is serious about stabilizing the country'.<sup>86</sup>

Consequently, the presence of hundreds of ISAF forces who, because of caveat restrictions, can not conduct combat or narcotics operations – nor even in some cases conduct security patrols at all properly – not only works counter to the intent of COIN, but has also led to diminished support and even resentment on the part of local Afghans. According to Barno, there have been 'a number of anecdotal accounts' of this very fact, whereby the lack of protection offered by ISAF forces in certain

vicinities have led locals to feel ‘quite resentful’, leading some to be recruited by anti-Government Enemy forces.<sup>87</sup> From a purely military perspective, this has not been a healthy situation for the NATO-led mission either, since ‘it means also that you have combat troops that are [...] just sitting there and kind of sucking up resources’.<sup>88</sup>

In sum, one could argue that caveat imposition amongst ISAF security forces, and amongst NATO contingents in particular, has caused the NATO mission to repeat history – to once again be found ‘failing to protect’ just as they have several times before in their history, for instance with regard to ethnic genocide in Bosnia and Kosovo during the 1990s.

### *Stability Operations*

A second indirect effect of ISAF caveats on the COIN campaign concerns a follow-on effect of the latter, the poor progress of reconstruction and development projects in the realm of stability operations. A lack of security has had the knock-on effect of causing constant delays in development projects and also the delivery of development aid to Afghans in many parts of the country.<sup>89</sup> Time and time again, the unhappy Afghan reality has been that of having large numbers of ISAF forces stationed nearby, which due to their own restrictive ROE, neither provide real security or protection from the Taliban, nor add any material benefit to their lives due to the lack of security combined with operational, AO and PRT caveats. In this way the ISAF has not only failed to protect much of the Afghan population, but has also failed their expectations in the ten years following the overthrow of the Taliban regime.

This failure has been exacerbated further by widespread insensitivity to Afghan culture, customs and religion among ISAF forces (especially the Pashtun code of ‘Pushtunwali’), to become sources of offense even where ISAF personnel are operating (refer to endnote for an in-depth discussion of the ‘cultural gulf’ between Afghan nationals and ISAF personnel).<sup>90</sup> Indeed, there are countless examples of ISAF forces causing offense to this traditional Islamic and strongly Pushtunwali culture of the Afghan population, for instance, by conducting house raids, body searches of women and having direct male-female interaction. For the purposes of this research perhaps the best illustration concerns the building of nightclubs and the importation and consumption of vast quantities of alcohol for the enjoyment of cavaleted German forces at the Mazar-e-Sharif base in RC-North. In a strictly Islamic culture, in which alcohol is forbidden and sexual modesty and morality enforced at all times, the fact of German soldiers partying and boozing in the Afghan North on a regular basis, and over many successive years, has had sorry consequences in terms of ‘winning the hearts and minds of Afghans’ in RC-North. Indeed, the combination of caveats that largely confine personnel to the protection of ISAF bases and PRTs, together with the widespread engagement of personnel in this kind of culturally insensitive activity, has meant that German security forces have not only failed to provide

security in RC-North (the sector least threatened by insurgent influence within the whole mission), but have also caused great cultural, moral and religious offense thereby fuelling insurgent propaganda and recruitment.

Resulting disappointment and bitterness on the part of Afghans, as a result of these two factors, have rendered local populations less inclined to either support the ISAF cause or offer their support to the centralised Afghan government. To the contrary, these failings on the part of caveated ISAF forces may have actually played a role in encouraging Afghan men to passively or actively support Enemy forces instead.

### ***Further Effects: Non-COIN Compensatory Tactics***

Caveats have also indirectly hurt the effective prosecution of the COIN campaign in the way that national caveats have caused multiple national contingents to employ tactics not suited for the purposes of ‘war amongst the people’ to win hearts, minds and local support. Specifically, extreme shortages of combat-capable – or rather COIN-capable – forces to prosecute the security LOO of the campaign, has led to the adoption of non-COIN compensatory tactics amongst ISAF forces. These have included: (1) the heavy use of airstrikes; (2) the conduct of ‘night raids’; (3) the negotiation of ‘deals’ with local insurgents; and (4) even the paying of bribes (or ‘protection money’) to Enemy forces.

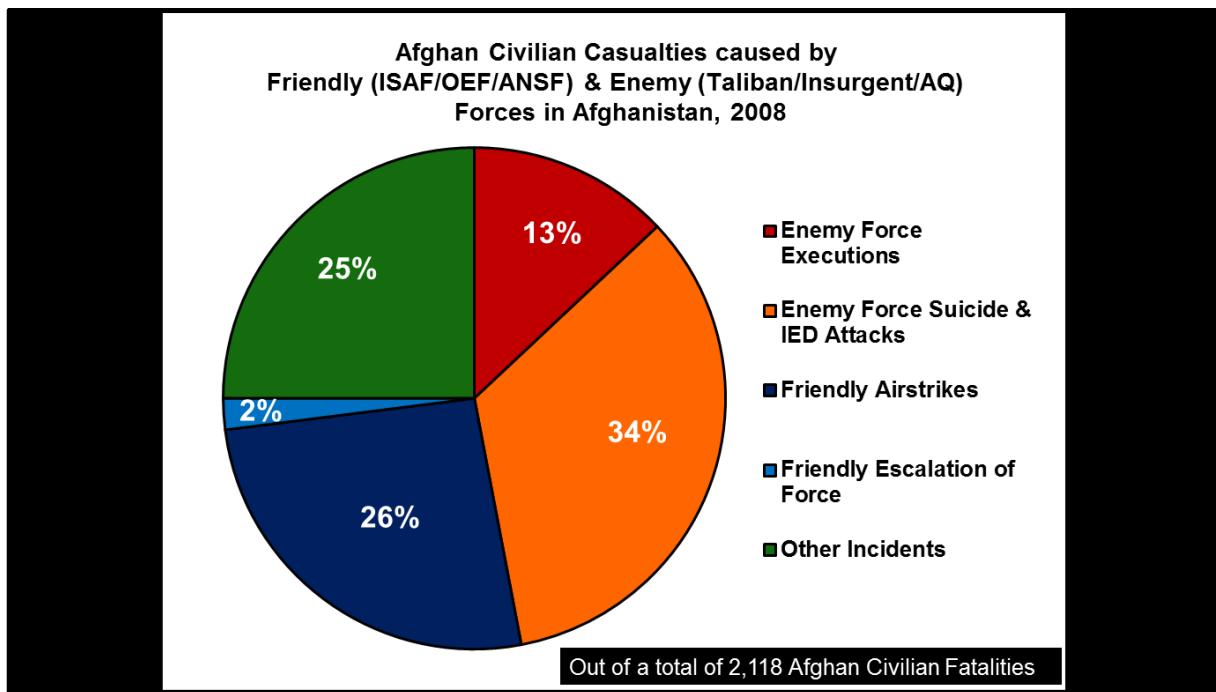
#### ***Air Strikes***

Firstly, heavy use of airpower has become the resort of overwhelmed and out-numbered ISAF combat forces, especially among the multinational forces doing the hard insurgency fighting in the south and east of Afghanistan. Under-resourcing in terms of both manpower and equipment, exacerbated by ISAF caveats among the combat forces of allied contingents, have led to a dependence on these air strikes against insurgent forces as a ‘tactical element of choice’, in order to compensate for the critical lack of ‘boots on the ground’ in these volatile sectors.<sup>91</sup> A 2009 U.K. House of Commons report reveals in fact that air strikes have not only become necessary in both the ISAF and OEF operations because ground forces are ‘widely dispersed and few in number’, but that ‘tactical air support has been vital to any success they have had, and has often saved the small numbers of ISAF forces from being overwhelmed’.<sup>92</sup>

This resort to air strikes has been increasingly employed even among the caveated forces in the less hostile north and west of the country, such as by the German and Italian Lead Nation contingents. This is due once again to their over-emphasis on force protection, namely the simple fact that with airstrikes ‘the risk for the forces involved is comparably low and it meets force protection

requirements'.<sup>93</sup> This development occurred between 2008-2009 as the Afghan insurgency gathered strength, and in spite of severe criticism by these same nations in earlier years that the use of airstrikes indicated an emphasis of military solutions over pure development and nation-building, as the solution for quelling the insurgency in Afghanistan.<sup>94</sup> The use of air strikes by Italy and Germany – largely as substitutes for combat-capable forces – has led to two infamous incidents in Hirat Province (RC-West) and Kunduz Province (RC-North) respectively, both of which resulted in heavy civilian casualties and much political controversy (examined further below).

The negative result of such a heavy dependence for the purposes of COIN, however, has been the collateral damage resulting from the airstrikes – the destruction of Afghan homes and property, and most especially, the steadily rising numbers of civilian casualties as a result of the increased bombings. Indeed, this caveat-induced over-reliance on air power to fight insurgents within the mission has led to the inadvertent deaths of thousands of Afghan civilians over the past decade. In 2008, for instance, pro-Government forces are considered to be responsible for 28 percent of total civilian casualties that year, a tally of 2,118 people (see *Graph 15.8* below).<sup>95</sup>



*Graph 15.8 – Afghan Civilian Casualties: Pie graph showing the cause of Afghan civilian casualties during 2008, including airstrikes and offensives by friendly pro-Government forces, and executions, suicide-bombings and IED attacks on the part of Enemy anti-Government forces in Afghanistan.<sup>96</sup>*

Within this percentage, air strikes accounted for 26 percent of the total figure, or approximately 551 civilians (see endnote).<sup>97</sup> While this figure diminishes in comparison to the casualties inflicted by the Taliban and other anti-Government forces in the country – who together have caused 47 percent of these total deaths (or 995 civilians) by means of executions, suicide-bombings and IEDs – the figure

has nevertheless represented a counterproductive trend in the ISAF method of warfare along the security LOO.<sup>98</sup> It was a trend, furthermore, that was not amended significantly until mid-2009, when COMISAF McChrystal decreed new ISAF restrictions with regard to airstrikes.<sup>99</sup>

In terms of COIN, this inadvertent death toll over the years 2006-2009 has alienated the Afghan population that the mission has so desperately needed to win over. Indeed, the mounting civilian fatalities as a result of the strikes have caused ‘widespread anger’ and ‘a critical backlash’ within Afghan society, and even caused the issue of air power to become ‘a major political issue’ within the Afghan government – so much so that President Karzai has frequently and publicly expressed his consternation and outrage over the issue.<sup>100</sup> This state of affairs led the U.K. government to conclude, in a 2009 Foreign Affairs Committee report on the Afghan war, that:

No matter how difficult the circumstances facing the military in Afghanistan, the use of air power and acts of considerable cultural insensitivity on the part of some Coalition Forces over an extended period have done much to shape negative perceptions among ordinary Afghans about the military and the international effort in Afghanistan. This problem has caused damage, both real and perceived, that will in many instances be difficult to undo.<sup>101</sup>

The repercussions of certain Italian and German airstrikes in Herat and Kunduz Provinces, respectively, well illustrate the point. In August 2008, Italy called in American air strikes on militants operating in Hirat Province. While approximately 30 militants were killed through the strike, reports suggested that up to 90 civilians were also killed in the strikes, 50 of which were purported to have been children. The incident led to great tension between the ISAF and Afghan government, with the latter demanding a cessation of ISAF airstrikes on civilian targets and a ‘renegotiation’ of the rules which governed ISAF forces in the country (the terms within the GIRoA-ISAF ‘Memorandum of Understanding’ or MOU).<sup>102</sup> The following year on 4 September 2009, the German commander at the Kunduz PRT in RC-North called in air strikes against two fuel tankers, which had been hijacked during the night by Taliban insurgents 6 kilometres from the German base.<sup>103</sup> Dozens of Afghan civilians – purportedly attempting to siphon fuel from the hijacked trucks – were also killed during the strikes.<sup>104</sup>

In both cases the resort to air strikes seems to have been the only option to address the crises in light of the combat caveats – and in Germany’s case, the additional night caveats – that have constrained Lead Nation security forces. The Kunduz air strike, in particular, led to sharp Afghan and international criticism and condemnation against German actions in the North.<sup>105</sup> As one article by the *Atlantic Council* expressed:

The Bundeswehr has evolved from refusing to kill known militants to calling in air strikes based on flimsy evidence...Germany’s stewardship of the North has been a disaster. They have mismanaged the area, overseen a shocking deterioration in security, and managed to kill dozens of civilians when they chose to become proactive. For too many years, Germany has been failing the

people of Afghanistan. If the military won't start to act like a real Army, it should scale back its commitment in Afghanistan and allow other nations to take responsibility.<sup>106</sup>

Civilian casualties have, furthermore, also played into the hand of the Taliban and other insurgent groups in the country to become a key theme of anti-ISAF propaganda, which has reportedly strengthened Afghan popular support for the insurgents.<sup>107</sup> In his article treating anger over national caveats, Lok summarises this negative state of affairs – a grim side-effect of caveat imposition:

Low troop levels, lack of equipment for ground forces and contingents constrained by political and legal restrictions are factors that increasingly lead commanders towards the use of air power...The use of air power against insurgents, however, inevitably increases the likelihood of civilians being killed in such operations. One reason for this is that insurgents tend to hide among the civilian populace or even use civilians as 'human shields'. However, the growing number of civilian casualties and mounting collateral damage are undermining the coalition forces' legitimacy in the eyes of both Afghans and the international community, including the latter's respective domestic publics, and will eventually erode support for the coalition forces.<sup>108</sup>

Aside from the Afghan population, moreover, these alarming consequences of caveats in the Afghan theatre have additionally served to erode support for the war in coalition home countries, causing citizens of many nations to doubt the validity of national engagement in the Afghan war.

### *Night Raids*

A second indirect result of caveats on ISAF security forces around Afghanistan has been the adoption of so-called 'night raids', another compensatory tactic that has been employed heavily among American and British forces in their struggle against insurgents in RC-South and RC-East. These raids have involved forced entry into the homes of suspected insurgents, usually under cover of darkness during the early hours of the morning.<sup>109</sup> Though this tactic has been adopted in order to reduce the air strike side-effect of civilian casualties, it has nevertheless resulted again in anger and a public outcry from the Afghan Pashtun population, who see the intrusions as a grave breach of the Pushtunwali code of honourable behaviour.

To illustrate, LTCOL Shaw (a NZDF liaison officer based at American Headquarters in RC-East) has recounted night raids in RC-East where, in the process of searching Afghan homes for hidden insurgents, U.S. personnel have unintentionally swept a copy of the Koran onto the floor, manhandled Afghan women, and dragged Afghan men out of the house in front of their families, thereby causing great offense to Afghan religious and cultural honour-based sensibilities. Indeed, according to Shaw, these incidents not only caused night raids to become a 'big issue' in RC-East, but also 'had a terrible impact on the situation' by fuelling the insurgency in the sector. 'These are tangible examples of how operations on the ground and ROE interplay to reduce operational effectiveness really,' Shaw concluded.

The *UK British & Irish Agencies Afghanistan Group* (BAAG), an advocacy group supporting humanitarian and development programmes in Afghanistan, has likewise reported on the tactic that:

Night raids frequently involved abusive behaviour and violent breaking and entry at night, which stoke almost as much anger toward PGF [Pro-Government Forces] as the more lethal air strikes. In areas where night raids are prevalent, they were a significant cause of fear, intimidation, and resentment toward PGF.<sup>110</sup>

A similar finding on the raids was also reached by the Afghan Independent Human Rights Commission (AIHRC), which concluded that: ‘In a conflict like Afghanistan, where half of the battle is to ensure that the population does not begin supporting the insurgent forces, or at least does not stop supporting the government forces, public perceptions of supposed violations and misconduct matter’.<sup>111</sup>

### ***Negotiated ‘Deals’***

Thirdly, the array of operational restrictions impeding combat operations within the ISAF mission has led to the development of other unhelpful methods in the COIN campaign – namely, the making of negotiated ‘deals’ between ISAF forces and local insurgent groups or local authorities to keep insurgents at bay (deals which simultaneously also reduced the TCNs’ national responsibility for security in certain assigned areas).

In 2009, for example, Danish forces in RC-South negotiated a deal with local Taliban forces in an attempt to break the security stale-mate in their area. The deal was instigated and negotiated by Denmark unilaterally, without reference to either ISAF command or the Government of Afghanistan.<sup>112</sup> In defence of the deal, a Danish officer who attended the meetings was reported as saying: ‘We must intensify the dialogue and the negotiations with the Taliban if we want to have peace in Afghanistan, because we cannot eliminate the enemy’.<sup>113</sup> When news of the deal made headlines in Danish, British and Afghan newspapers, an angry backlash followed from the Afghan government which released a public statement declaring: ‘The policy of the Afghanistan government is, any talks or dialogue should take place through government, not by the friendly countries who have a presence in Afghanistan’.<sup>114</sup>

During the same year, moreover, the British in Helmand Province apparently forged another kind of deal – a political arrangement with local Afghan leader Mullah Abdul Salaam in Musa Qala to the effect that the British forces would completely withdraw from the city in exchange for Salaam’s promise to protect the population and expel the Taliban from the city. The deal back-fired so completely, that Musa Qala was lost to Taliban control. British and American forces were then compelled to carry out an extensive bombing campaign on Musa Qala – reportedly ‘rubble-izing’ the town and creating additional civilian casualties in the process – in order to recapture it a second time from Taliban control. Public opinion of British forces apparently reached new lows after this

‘horrible deal’.<sup>115</sup> As one commentator expressed: ‘The British were entirely responsible for that fiasco, and rather than being hated for shelling the city, they were hated for installing a stupid, corrupt coward to rule the city and for actually believing that he would protect the population and drive out the Taliban’.<sup>116</sup>

### *The Paying of Bribes (‘Protection Money’)*

These deals have even extended, finally, to ISAF forces paying bribes to insurgents – so-called ‘protection money’. This is another non-COIN compensatory tactic that has eroded confidence among the local Afghan population in the ability of the Afghan government and international forces to provide protection for their communities.

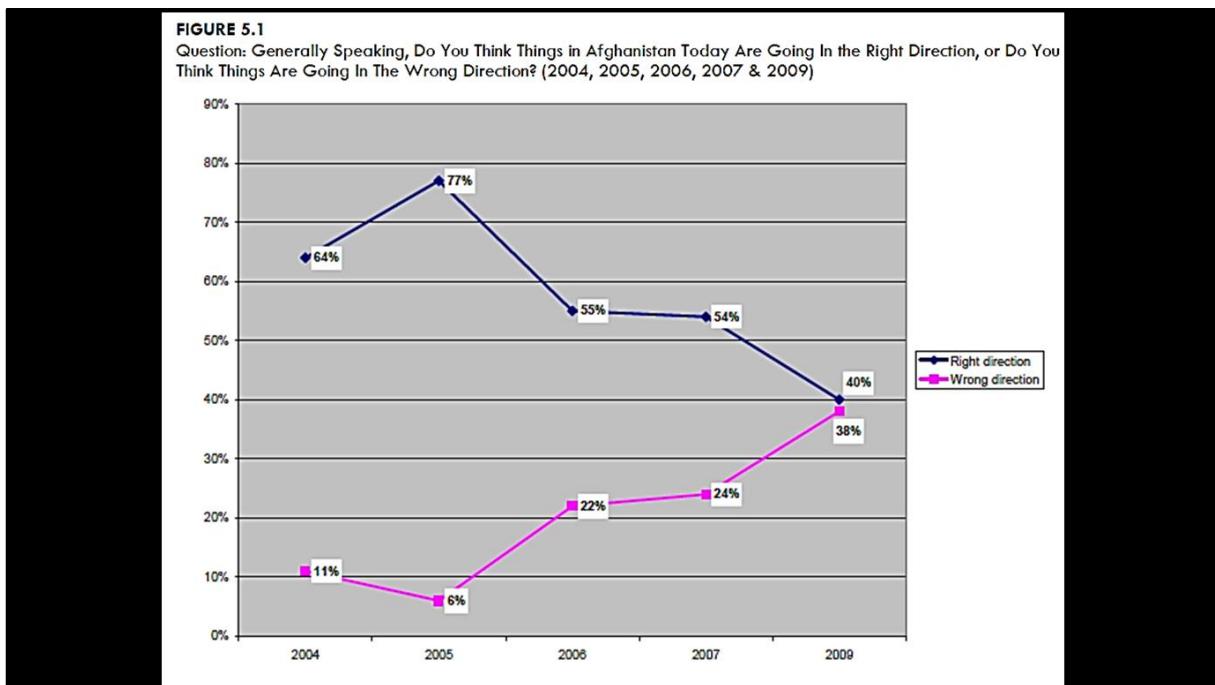
To exemplify, in a scenario reminiscent of the Third Anglo-Afghan War, when retreating British soldiers had to pay Afghan tribal militias for safe passage through Afghanistan’s eastern mountains to British India (and were subsequently attacked anyway all the way to the border), Lead Nation Italy in RC-West was discovered by NATO to have been paying bribes and even ‘protection money’ to local insurgent leaders throughout 2008 in order to keep their forces safe from harm.<sup>117</sup> The fact of an ISAF Lead Nation and principal member of NATO, with approximately 2,350 military personnel deployed to the ISAF during 2008, having to pay Enemy forces in order to continue operating in safety within Afghanistan has been a negative signal not lost on the Afghans – nor the insurgents. Once again, however, this non-COIN counterproductive tactic in RC-West has evolved as a result of caveat imposition – the horrible outcome of tight national caveats on Italian combat forces.

Taken together, these political and financial deals present a dismal picture of desperate, overwhelmed combat forces – limited either by insufficient resources or inadequate ROE – making unwise and precipitous decisions that counter both the ISAF mission objectives and the COIN-oriented nature of the campaign. As Smith wrote on the matter on a military defence blog: ‘How fast can NATO surrender to the Taliban?’<sup>118</sup>

### **Caveats & COIN: Undermining the ISAF Mission**

In sum, caveats have sabotaged the effective prosecution of COIN in Afghanistan. In particular, they have directly and indirectly caused the mission to lose the support of the Afghan people in this battle for the population, thereby ceding ground to Enemy insurgents in this immense politico-military struggle for control over Afghanistan. In this way, caveats have not only undermined the COIN strategy, but they have actually inverted it completely, causing ISAF forces to ‘lose’ rather than win the hearts and minds of Afghan civilians, and thereby critical Afghan support for the mission amongst the neutral ‘empty middle’ of the Afghan populace.

To illustrate, polls reveal that over a five year period from 2004 to 2009, belief among Afghans that their country was headed in the right direction dropped from nearly 80 to 30 percent.<sup>119</sup> Indeed, opinion polls conducted over this time period reveal that, ever since 2005, there has been a continuous decline of confidence within the Afghan populace that the country has been headed in the right direction under the leadership of the GIRQA supported by ISAF forces. This negative trend within the mission is depicted in *Graph 15.9*.



*Graph 15.9 – Losing Hearts and Minds: Losing the support of the Afghan people in the battle for the population.*<sup>120</sup>

To be sure, the effect of caveats for the purposes of COIN have been woeful in seriously reducing not only Afghan support, but also Afghan tolerance of foreign forces in Afghanistan – something which Barno describes as the crucial Afghan ‘bag of capital’ necessary for COIN success in the country.<sup>121</sup> Indeed, as early as 2007 Barno stated:

Without hope among the population, any COIN effort is ultimately doomed to failure... The Afghan people, whose aspirations rose to unprecedented heights in the exhilarating days of 2004 and 2005, have experienced a series of set-backs and disappointments...NATO, the designated heir to an originally popular international military effort, is threatened by the prospects of mounting disaffection among the Afghan people.<sup>122</sup>

This rising Afghan dissatisfaction holds important implications in terms of time too, remembering that all COIN campaigns are long-term endeavours that have historically required an investment of at least 10-12 years to be successful.<sup>123</sup> In short, a potent mixture of ISAF under-resourcing and national

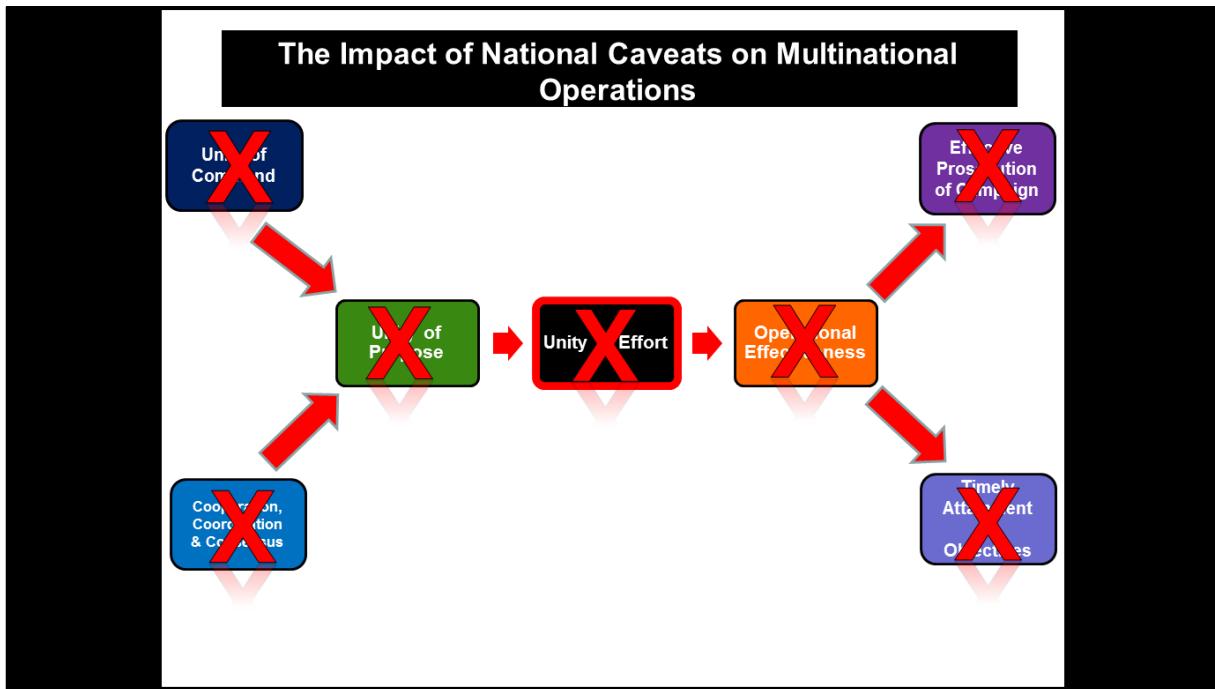
caveats has cost invaluable time in the campaign – time that can never be replaced. As COMISAF McKiernan once publicly declared on this point:

There is no doubt that Afghanistan has not received the resources from the international community needed to meet its requirements for security, governance, or development. Militarily, we have never had enough forces to conduct a proper counterinsurgency campaign across Afghanistan. To do that – clear out insurgents, keep them separated from the population, and set the conditions for reconstruction and development – all of that translates to boots on the ground, and we are short of them.<sup>124</sup>

By January 2009, Cordesman had come to the conclusion not only that ‘time is critical’ within the mission, but also that the ISAF was still not on track for a ‘slow win’ in its COIN campaign.<sup>125</sup> The following month Barro likewise testified that ‘the international endeavor in Afghanistan at the beginning of 2009 is drifting toward failure’ and declared that ‘major change is essential’ for mission success to be possible.<sup>126</sup> In fact when all of the factors discussed above are taken together, and combined with the reality of rising opposition to the ISAF mission in coalition home countries, two conclusions are clear: the ISAF has been running out of time to successfully complete its mission; and secondly, in causing the loss of two-and-a-half years of progress along the vital security LOO, national caveats have had a critical role to play in this state of affairs.

## National Caveats & ISAF Operational Effectiveness

From this overview it is evident that national caveat imposition amongst the ISAF coalition has detrimentally impacted on both the timely attainment of objectives and the effective prosecution of COIN within Afghanistan. Indeed, every link in the chain leading to operational effectiveness and a successful accomplishment of the ISAF mission in Afghanistan has been gravely compromised by the imposition of national caveats by the ISAF’s coalition members. The resulting picture may be seen in *Figure 15.10*.



*Figure 15.10 – Guarantors of Operational Ineffectiveness: National caveats have worked to guarantee the ineffective prosecution of the ISAF campaign.*

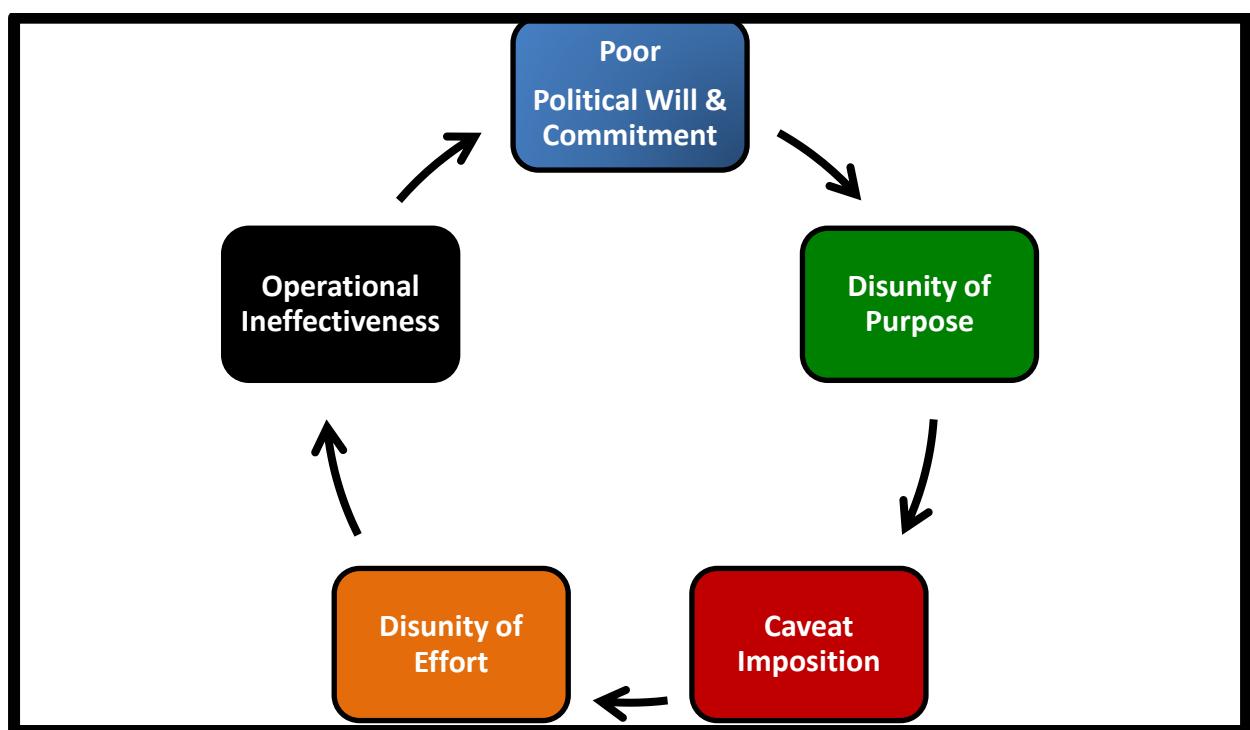
As a consequence, one can further conclude that the mission's caveat impediment has certainly impacted negatively on the overall operational effectiveness of the ISAF campaign, rendering the whole mission ineffective – especially along the security LOO. In short, caveats have in effect undermined and worked counter to the intent of the entire Afghan mission over the past decade. Indeed, there is not one aspect of the security and stability mission that has not been directly or indirectly influenced for the worse by the imposition of caveat restraints on ISAF forces by coalition governments.

Moreover, when one considers the way in which the caveats have scuttled unity of effort within the mission – the crucial lynchpin for operational effectiveness within the international campaign – one could even argue that caveats have acted as *guarantors* of a poor outcome of the mission. This point is an important lesson for the prosecution of MNOs generally, and one that ought perhaps to have been learnt in 2004 following the caveat-generated security failure within the NATO-led MNO in Kosovo. In any case, the negative chain of events that stem from caveat imposition amongst multinational forces has been clearly illustrated and underlined in Afghanistan within the NATO-led ISAF mission.

### **The Cycle of ‘Caveat Ineffectiveness’**

In fact, during the course of this research, it has become clear that there exists a chain reaction in the politico-security sphere, or rather, a cycle of caveat-induced ineffectiveness, that has rotated unendingly to impede the mission politically and militarily wherever caveats have existed on international forces. The motor of this cycle seems to be weak political will and commitment on the part of governments towards the success of the mission, which directly generates other negative effects (see *Figure 15.11*).

Poor political will at the government level, firstly, creates political disunity of purpose amongst the coalition members to the mission. Secondly, this disunity of purpose leads to the imposition of national caveats by coalition members, in order to protect their own national agendas and interests within the mission. Thirdly, the range of national caveats on various contingents create disunity of effort amongst international forces attempting to prosecute the security mission, with uncoordinated and ineffective security operations by mission forces frequently resulting in security crises that cost lives. Fourthly, this disunity of effort undermines the mission strategy and causes a loss of time and progress in the pursuit of mission objectives – in short, caveats greatly reduce operational effectiveness.



*Figure 15.11 – The ‘Cycle of Caveat Ineffectiveness’: A flow chart depicting the negative cycle of ineffectiveness instigated by poor political will within many ISAF TCNs at government level, and generated by the subsequent imposition of national caveats on ISAF national military contingents deployed to the NATO-led Afghan mission.*

Finally, this operational effectiveness – marked by both poor and slow progress on-the-ground – ultimately results in political will and commitment amongst the coalition governments becoming weakened further. The loss of life occasioned within the mission through disunified and constrained security operations, both in terms of military personnel and unintended civilian casualties, is one important factor in this weakening of political resolve, especially as anger in theatre and at home steadily increases in reaction to these deaths. Governments subsequently begin to question their involvement in the military mission and their focus shifts from securing the success of the mission to securing a firm exit strategy for national forces. Weakened political will and commitment to the mission leads to a further weakening of unity of purpose within the coalition, and so the cycle continues...

In sum, the ISAF mission has become a casualty of poor political will and its expression on the battlefield in the form of national caveats on armed forces. Political will is, thus, the true bottom-line for military effectiveness within multinational military operations.

## **Conclusion**

In conclusion, national caveats within the ISAF mission have not only prevented true unity of effort amongst the mission's coalition forces, but have also undermined the effectiveness of the entire Afghan operation. In particular, national caveats have caused the loss of two-and-a-half years of progress between January 2007 and June 2009, thereby short-circuiting any real possibility of a 'timely attainment of mission objectives' within the mission.

In addition, the caveats have undermined and worked counter to an effective prosecution of the ISAF COIN strategy in every respect. The restrictions have both directly and indirectly contributed to the loss of Afghan support for the mission among the vital majority population, by preventing combat operations and hindering the training of indigenous Afghan security forces on the one hand, and by allowing insecurity to flourish on the other, leading to disappointment and bitterness among Afghans whose security and development expectations have not been met. Furthermore, the imposition of caveat fetters on ISAF security forces has led to the adoption of a number of compensatory tactics, each of which have not only worked counter to true COIN, but have also resulted in significant Afghan civilian casualties and a further loss of Afghan confidence in the mission.

National caveats have not only significantly harmed the ISAF campaign, moreover, but they have actually worked to help or enable the insurgent Enemy. Caveat-generated operational impotency and ineptness amongst scores of ISAF national contingents representing thousands of armed forces,

especially among Lead Nation contingents, have created countless security vacuums across Afghanistan. These vacuums have not only afforded insurgents freedom to act, recruit and expand, all under the purview of caveated ISAF security forces, but have also left thousands of Afghans exposed – both unprotected and unsecured from insurgent intimidation, violence and control. Frequent fiascos in which caveats have played a major part in the deterioration of ISAF security crises, moreover, have not only emboldened the Enemy, but become fuel for insurgent propaganda to diminish Afghan confidence in ISAF forces as well as the central Afghan government. Finally, the caveats have caused the ISAF mission to bolster the Taliban strategy of ‘out-waiting’ the ISAF through the waste of precious years of progress – time that can not be recouped.

In sum, national caveats have critically compromised the operational effectiveness of the NATO-led ISAF mission in Afghanistan. As a result, the prospects for the success of the ISAF mission have also been seriously placed in jeopardy by the national caveat restrictions on ISAF forces. In fact, on the whole, one essential truth has become abundantly clear as a result of this research: national governments which have imposed national caveats on their ISAF forces have essentially sabotaged the ISAF mission to secure and stabilise Afghanistan from Islamist extremism – and by extension – sabotaged the international community’s most important bid in Afghanistan to secure the world from international Islamist terrorism.

## **Conclusion**

This research has investigated the national caveat impediment within the NATO-led ISAF mission in Afghanistan, in order to determine whether national caveats have had a significant impact on the overall operational effectiveness of the ISAF mission in Afghanistan, and if so, in what specific ways. In pursuit of this aim, the study addressed two primary research questions: firstly, '*What is the extent of the 'caveat problem' within the NATO-led ISAF multinational mission in Afghanistan?*'; and secondly, '*How have the caveats tangibly impacted on the ISAF's prosecution of security operations within the COIN mission?*'. The results of these caveat inquiries were then assessed in relation to the ISAF mission's overall effectiveness, using as an analytical lens the fundamental military principle of 'unity of effort' as the critical means for attaining operational effectiveness within multilateral security campaigns.

In this conclusion to the research, a summary of the research findings will be provided and then followed by a discussion of the implications of this research on: (1) the future prosecution of MNOs in general; (2) the ISAF mission in Afghanistan, in addition to the global campaign against Islamist terror; (3) the NATO collective-security organisation; and lastly, (4) future academic scholarship.

## **Summary of Research Findings**

### ***The Extent of the ISAF's Caveat Problem***

Research question one, as to the full extent of the caveat impediment within the ISAF, was addressed in Chapters 8-10 of Section III.

Chapter 8, in conjunction with APPENDIX 2 and 3, provided an introduction to the mission's caveat problem, and showed that caveat-imposition has been an ever-present issue within the mission over the past decade from 2002-2012. In addition, the analysis demonstrated that caveat-imposition within the mission grew worse over time as TCN governments expanded the range of restrictions imposed on their ISAF forces and as new countries joined the mission, only to similarly impose political restrictions on their forces constraining what they could do within the Afghan theatre. Furthermore, the chapter showed that numerous efforts by NATO, ISAF and government officials, to persuade, pressure, warn and even shame national governments into removing their caveats on national contingents, failed to eliminate the caveat problem from the mission, with only a small group of nations agreeing to become completely 'caveat-free' in Afghanistan over the course of the mission. While the ever-strengthening Afghan insurgency has added increased urgency for caveat elimination, and correspondingly led to increased political pressure on caveat-imposing TCNs to reduce or remove

national caveats on national forces, the growing insurgent threat to stability and security in Afghanistan has nevertheless failed to galvanize a resolution to the caveat dilemma within the mission. The caveat problem within the ISAF has been, indeed, an intractable one – with no real prospect of resolution.

Chapter 9 pursued this examination further by investigating the total numbers of caveat-free and caveat-imposing TCNs within the ISAF mission between 2003, when NATO first took command leadership of the mission, to the end of the research period in 2012. The caveat data collected during the course of this research was quantified to present overall numbers and percentages of both caveat-imposing and caveat-free TCN ‘camps’ within the mission and displayed side-by-side in data tables. This numerical analysis indicated that a large majority of ISAF coalition nations have almost consistently been caveat-imposing force contributors over the time period, regardless of the growth in size of the ISAF coalition over the decade.

The chapter then qualified this numerical caveat data by identifying the nations represented by the numbers of caveat-free and caveat-imposing TCNs. This examination revealed several caveat-related trends over the research period. Firstly, only a small group of nations have operated free from caveat restraints in Afghanistan, a minority group that grew in waves from 3 in 2003 to reach a peak of 22 TCNs in 2009 as Italy, France, Bulgaria, Norway, Denmark, Portugal and Hungary finally eliminated their caveat constraints from national contingents. Secondly, a large group of TCNs – including many NATO nations such as Germany, Turkey and Spain – have remained firm caveat-imposers on their forces for the duration of the mission regardless of the many urgent entreaties by NATO, the COMISAF and even other NATO allies. Thirdly, a significant number of TCNs have vacillated between the two caveat camps over the time period, with 9 TCNs imposing, eliminating and then actually re-imposing caveats as the years passed.

In Chapter 10, the focus was narrowed to the caveat issue in itself, to investigate: (1) the actual proportion of the ISAF force affected by the political constraints in their operations within Afghanistan; (2) the total known numbers of caveat rules imposed by ISAF TCNs over the research period; and (3) the range of the known caveats, in terms of the content of the national restrictions. The subsequent analysis revealed, firstly, that approximately one quarter (between 22-30 percent) of the entire ISAF force have been restricted in their ISAF activities by national caveats over the course of the mission, representing some 9,000-29,000 forces between 2007-2012.

Secondly, these forces have been constrained by high numbers of caveat rules, with official numbers of ‘declared’ caveats peaking at 102 by mid-2007, while total numbers of undeclared and *de facto* restrictions remain unknown. An indication of the true scale of national caveat imposition within the ISAF mission can nevertheless be seen in the total number of caveats discovered to have been in force on ISAF personnel during the course of this research. Indeed, this research alone has discovered a

total of 215 separate caveats that have been imposed on ISAF national contingents at various times over the past decade.

Thirdly, ISAF caveats have encompassed a very wide range of rules in terms of their content. In fact, the national restrictions could be divided by ROE content into 21 different caveat categories, as demonstrated in APPENDIX 6 (List 1) in *Volume II*. These caveat categories include: (1) mission caveats; (2) theatre of operations caveats; (3) geographic caveats; (4) regional caveats; (5) AO caveats; (6) force numbers caveats; (7) command caveats; (8) weaponry and lethal force caveats; (9) general operations caveats; (10) ground combat operations caveats; (11) ground security operations caveats; (12) air combat operations caveats; (13) MEDEVAC and other air operations caveats; (14) time-related caveats; (15) weather-related caveats; (16) counter-terrorism caveats; (17) counter-narcotics caveats; (18) ISAF cooperation caveats; (19) ANSF cooperation caveats; (20) PRT security operations caveats; and lastly (21) PRT stability operations caveats.

### ***The Tangible Impact of Caveats on Security Operations***

The second research question, as to how these caveats have tangibly impacted on the ISAF's prosecution of security operations within the COIN mission, was examined in depth in Chapters 11-13 of Section IV.

Chapter 11 demonstrated the way in which national caveats have negatively impacted on the planning and execution of security operations by ISAF commanders and security forces during each phase of the COIN strategy – ‘SHAPE, CLEAR, HOLD, BUILD’. This reality was demonstrated by the extensive list of known caveats, imposed by all of the ISAF’s TCNs within the mission over the research period, provided in APPENDIX 7(b). Tangible on-the-ground examples were also provided where available, to more fully demonstrate this negative caveat impact within the ISAF’s Regional Commands. The chapter showed decisively that national caveats have had a tangibly visible *negative* effect on the ability of ISAF security forces to conduct the full range of security operations within the overall COIN strategy. This in turn has led to insecurity in large swathes of territory in Afghanistan between 2006-2009, especially in RC-North and RC-West under the command of caveated NATO Lead Nations Germany and Italy respectively.

Chapter 12 subsequently focused more closely on the ISAF mission’s combat forces tasked by the COMISAF with conducting combat operations against anti-Government insurgents. To aid this examination, a table and list of known caveats as they have applied to the various ISAF force units was supplied in APPENDIX 8(a) and 8(b). An additional table displaying the caveat-free or caveat-fettered status of major and minor combat manoeuvre units contributed by ISAF TCNs between 2007-2012 was also provided in APPENDIX 9. The analysis revealed that combat caveats imposed by various national governments have seriously impeded the effectiveness of ISAF combat forces and

combat operations within the Afghan theatre, and in many instances largely negated the ability of combat forces to achieve their primary security objective: to ‘Degrade Insurgent Capacity’.

More specifically, Chapter 12 found that the imposition of combat caveats on the ISAF’s combat forces have: firstly, severely diminished the mission’s overall combat capability; secondly, compounded ISAF under-resourcing, with shortages in manpower and equipment diminishing further the ISAF’s ability to prosecute effective combat operations – even with regard to the key priority of training ANSF forces; and thirdly, directly aided and enabled the Taliban and other Enemy forces operating within the Afghan theatre, affording them a degree of freedom that – if not for the caveats – they would not enjoy. In short, caveat restrictions have presented real obstacles for the effective prosecution of combat operations along the security LOO within the COIN campaign, leading directly to a loss of progress and Afghan support.

Chapter 13 addressed another major caveat-related issue affecting the ISAF mission’s combat forces – that of inequitable and disproportionate burden-sharing amongst ISAF national contingents. This fundamental inequality between multinational combat forces has been brought about chiefly by: (1) combat caveats, which have inhibited the ability of many combat manoeuvre units from actually conducting combat (producing an oxymoron of ‘non-combat capable combat forces’); and (2) geographical caveats (reinforced by regional and AO caveats) which have prevented combat forces from ever being deployed to conduct combat operations against the Taliban and other insurgents in the mission’s volatile and unstable southern and eastern Regional Commands.

The worst offenders in this regard have been NATO nations and ISAF Lead Nations with hefty security responsibilities – Germany, Italy, Turkey and France. In short, thousands of Lead Nations forces have been prevented from participating in combat operations within the ISAF mission, as shown in APPENDIX 10(a). By contrast, caveat-free contingents – especially those of the United States, the United Kingdom, Canada and the Netherlands – have been forced by their NATO allies to bear a disproportionately large share of the fighting and the dying for the success of the ISAF security mission in RC-South and RC-East. This inequality has been the cause of dissension, division, frustration, and anger within both the ISAF coalition and the NATO alliance, and ultimately led to the early withdrawals from the ISAF mission by the Netherlands and Canada (the former brought about by the collapse of the Dutch government over the issue in early 2010).

APPENDIX 11 and APPENDIX 12 further investigated this issue further by examining three factors which have played a large contributing role in exacerbating this burden-sharing stale-mate between the ISAF mission’s coalition members. Firstly, APPENDIX 11 demonstrated that this inequality has been driven by the fact that a large majority of ISAF TCNs – including significant and enduring majorities within both of the two ‘camps’ of NATO and Partner ISAF nations – have used caveats to constrain the activities of their forces within the Afghan theatre over the duration of the mission.

Secondly, the disproportionate combat fighting has been augmented by a puzzling disproportionality in military contributions between the caveat-free and caveat-imposing TCNs within the mission. In short, many of the strongest, wealthiest and most militarily-capable countries have opted for fixed caveat imposition, while smaller, poorer and less militarily-capable nations – including several Partner nations without NATO membership – have to the contrary eliminated all of their national caveat exemptions to render their ISAF forces robust, flexible and caveat-free within the mission.

Lastly, APPENDIX 12 analysed the third factor to exacerbate the combat burden-sharing issue – the reality that a majority of the ISAF’s eight Lead Nations, principal NATO nations with leadership and command responsibility for various Regional Command sectors within the mission, have been imposing caveats on their forces for a significant period of time. Indeed, France and Italy remained heavy caveat-imposing TCNs and Lead Nations over a period of seven-and-a-half years from 2001-2009. Recalcitrant NATO nations Turkey and Germany, meanwhile, have obstinately continued to impose strict and numerous caveat fetters on their ISAF contingents for the duration of the mission – a period of eleven full years within the operation from 2001 until at least 2012.

### ***The Impact of Caveats on ISAF Operational Effectiveness***

Finally in Section V, Chapters 14-15 addressed the overall aim of this research: to determine how national caveats have impacted on the overall operational effectiveness of the ISAF mission in Afghanistan.

Using the military principle of ‘unity of effort’ as an analytical lens, Chapter 14 demonstrated that national caveats have crippled unity of effort within the ISAF mission. Indeed, not only has ISAF caveat-imposition led to *disunity* of effort within the mission, but it has also scuttled the three underlying military constructs critical to generating and maintaining unity of effort in any MNO, namely those of: (1) unity of command, (2) cooperation, coordination and consensus, and (3) unity of purpose. In short, national caveats within the ISAF mission have weakened every link in the chain leading to unity of effort and have thereby served to *guarantee* disunity of effort within the ISAF mission, with obvious negative ramifications for operational effectiveness.

Chapter 15 subsequently analysed the impact of ISAF caveats on operational effectiveness itself over the research period, by assessing the impact of abiding national caveats on the two yardsticks of successful and effective MNOs – the timely attainment of mission objectives, and the effective prosecution of the campaign. As anticipated in the research hypothesis outlined in Chapter 5, this examination demonstrated that the mission’s caveat problem has indeed had a negative impact on ISAF operational effectiveness. ISAF caveats have: (1) prevented the timely attainment of mission objectives (chiefly through the loss of at least two-and-a-half years of progress between 2007 and mid-2009); and (2) hindered and frustrated the successful prosecution of COIN within the mission.

In sum, national caveats, imposed by coalition members of the NATO-led ISAF mission over a decade of warfare between 2001-2012, have utterly undermined the ability of ISAF forces to achieve their mission and secure and stabilise Afghanistan from extremism. In so doing, caveats – and the governments that have imposed them on their ISAF contingents – have effectively sabotaged the mission's prospects of success. This finding confirms the hypothesis of this caveat research: it is certain that national caveats within the ISAF have indeed impacted negatively on the effectiveness of ISAF security forces within the mission, and thereby, have also had a significantly detrimental impact on the effectiveness of the ISAF operation overall.

In fact, the ISAF's caveat quandary has continued to obstruct, delay and constrain the mission to secure and stabilise Afghanistan from the very outset until the present day of writing in July 2014. The caveat issue consequently remains an unresolved problem within the Afghan multinational security operation. It seems that the caveat 'cancer' within the ISAF will only be expelled from the mission as caveat-imposing TCNs actually exit the Afghan theatre and withdraw all their forces from the country during *Phase V – Redeployment*. As Jacobson argued early this year: 'Experts [have] agreed that the question [of caveats] is either moot already, or soon will be...Restrictions on fighting no longer make much sense, as the ISAF combat force is due to withdraw over the next 24 months. Canadian, French and Dutch combat troops are already gone'.<sup>1</sup> According to Jacobson, this tacit agreement to resolve the caveat problem by means of exit strategies equates to a 'compromise' between caveat-imposing and caveat-free TCNs.<sup>2</sup>

However, redeployment does not equate to a real resolution of the caveat impasse that has so persistently troubled the ISAF mission. Indeed, such a short-sighted remedy signifies that the underlying caveat predicament hindering the ISAF mission has the potential – as an inadequately treated security phenomenon – to revisit other multinational missions in future years. Like the UNPROFOR and KFOR caveat legacies which have reappeared within the ISAF operation, the Afghan mission's caveat dilemma is similarly likely to re-emerge in future security operations. To illustrate the point, new fears have already been voiced that the ISAF's caveat impediment might actually be continued and carried into the planned post-ISAF NATO-led mission, 'Resolute Support', scheduled to begin in January 2015.<sup>3</sup> Consequently, there is no end in sight for the problem of national caveats frustrating military efforts within the Afghan theatre of war.

It seems evident that a lack of true political will towards the success of the mission, among participating TCN NATO and Partner nations, has been the engine that has generated the caveat impediment within the mission. This shortage of genuine political will and commitment amongst coalition members has become the catalyst for a negative 'cycle of caveat ineffectiveness', a cycle, moreover, which has worked to erode political will even further over the past decade. Indeed, this

study has highlighted the fact that if political commitment to a mission is not robust among force contributing nations, caveats are highly likely to be imposed by the latter on national security forces – restrictions that represent a conflict of interests between national force contributors and multinational mission command. Negative political interference will begin on the operational chain of command and on the key principle of unity of effort, via erosion: of: (1) unity of command; (2) intra-coalition cooperation, coordination and consensus; and (3) unity of purpose. Where caveats are present, especially in high numbers and by a majority of the coalition, a negative downward trajectory will inevitably follow within the security mission. Consequently, political will is the baseline, the heartbeat, and the true determiner of the failure or success of any multinational military campaign.

More generally, this study has also underscored the inescapable reality that national caveats, imposed by contributing governments on their national contingents deployed to MNOs, are highly likely to produce negative outcomes within all international military security campaigns. It is conceivable, in fact, that caveats are the great operational inhibitors within MNOs – potential *guarantors* of disunity of effort and operational ineffectiveness within every multinational mission in which they exist.

## **Implications: The Prosecution of Multinational Operations**

Indeed, it follows that there are manifold implications of this caveat research on the future conduct of multinational military operations. This research has shown that national caveat imposition within a MNF produces at least seven detrimental effects within an international security campaign, which are outlined below.

### **1) Caveats Generate Operational Ineffectiveness**

First of all, this research has concretely demonstrated, as stated above, that national caveats are quite feasibly the great ‘operational inhibitors’ within MNOs. Caveats are also potentially guarantors of operational ineffectiveness in every multinational military campaign. This is because national caveats undermine each link in the chain that generates operational effectiveness and ultimately the successful conclusion of multinational missions. Unity of command, cooperation, coordination and consensus, unity of purpose, unity of effort, operational effectiveness, the timely attainment of objectives, and the effective prosecution of the campaign – all are undermined within a multinational mission by the presence of national caveats within a multinational military force.

When this detrimental process is translated from the abstract theoretical domain to the concrete realities of on-the-ground security operations, several tangibly negative outcomes have been revealed by this research and are described in the following.

## **2) Caveats Waste Effort & Time**

Caveats lead to a waste of effort and of time, especially on the part of multinational commanders along the full chain of command, who must navigate a maze of bureaucratic red tape in order to prosecute operations they deem necessary for the success of the campaign. Above all, caveats severely impede and waste the time and effort of the Operational Commanders, presenting them with additional planning complications that lead to great frustration – especially with regard to non-declared and *de facto* restrictions within the multinational force, of which they likely have no knowledge at all. Moreover, as Chapter 11 demonstrated, even where the Operational Commander does possess knowledge of the existence of national caveats within certain national contingents, this knowledge alone does not assist him in utilising his forces to the best possible advantage.

## **3) Caveats Cripple Security Forces**

Caveats effectively neuter security forces within a multinational mission, constraining security forces to the point of absurdity. This is perhaps best demonstrated within the ISAF mission by Germany's caveats which have kept thousands of German forces effectively confined to their bases in RC-North (including one Special Forces unit which never once deployed out of its base to conduct a single mission during a three-year tour in Afghanistan), and by Icelandic forces who in the course of their security tasking have been forbidden by caveats to carry weapons or wear military uniforms within the mission. Caveated – and therefore anaemic – security forces within multinational *security* missions are, quite simply, an operational non-starter. The emergence of caveat-bound, non-combat capable combat forces, furthermore, seems ludicrous in MNOs – like the ISAF – which seek to establish and maintain security in the face of violent opposition, such as that mounted by the Taliban insurgency.

In short, the mere *presence* of national security forces within a mission is not enough. For any national contribution of security forces to be effective and of value within a multinational security campaign, they must *ipso facto* be permitted to conduct their assigned security tasking within the mission. As Barno, a former commander of the U.S. multinational OEF mission, has also expressed on this point, the view taken by many of the ISAF TCNs that the mere presence of national security forces within the mission renders their contribution a success is ‘absurdly below par’. As he states:

What *presence* becomes success? Again you get into this, “If I’m there, therefore I’m successful and I’m contributing”, and that’s not what we need. We need completely effective troops with all of their capabilities being able to be used by the commanders in flexible ways on the ground and maximize their impact against, you know, whatever very adaptive enemy we’re going to face. When you suboptimize your troops, by limiting what they can do, their value in coming to the operation at all starts to be called into question...*Presence* does not equal *success*.<sup>4</sup>

#### **4) Caveats Lead to Security Deteriorations**

The imposition of national caveats on multinational security forces can also frequently lead to the deterioration of emergency security crises – the latter demonstrated not only by the unravelling emergency situations within the ISAF described in Chapter 14, but also in earlier years by the dramatic deterioration of security within the KFOR mission at the time of the 2004 Kosovo Riots. In this way, there is a direct link between caveated forces which can not deploy to render security assistance on the one hand, and the loss of life and destruction of property, on the other hand, that results due to this failure to respond appropriately. Britain, Canada, the Netherlands and Denmark stationed in RC-South – with the highest casualty rates per capita within the ISAF – could well further extrapolate on this point. Indirectly too, caveats on ISAF forces have led to casualties among the very civilian population multinational forces have been deployed to protect, not least by forcing an over-dependence on air power as a substitute for truly capable and flexible ‘boots on the ground’. When all of these factors are combined, one can argue that national caveats actually lead to a loss of support, not only by the in-theatre local population (which in COIN is a critical factor in operational success), but also by the domestic population in the home countries of non-caveated forces, on whom the heavy caveat repercussions fall.

#### **5) Caveats Prevent Unified Action**

National caveats work against true collectivity within multinational military campaigns by eroding unity between TCNs. As the present research has shown, national caveat imposition can divide the actual coalition or alliance that has embarked on the multinational security endeavour, causing disunity, dissension and fragmentation between allied nations. Indeed, in Afghanistan the caveat issue has divided the ISAF coalition of the willing into ‘willing’ and ‘unwilling’ camps with regard to combat operations, thereby creating a second ‘coalition of the *un-willing*’ within the voluntary ‘coalition of the willing’ entity. Furthermore, the caveats have fragmented the NATO organisation into two or more ‘tiers’ or strata of nations, based on the willingness of members to actually allow national armed forces to conduct the hard war-fighting of ISAF combat operations.<sup>5</sup>

#### **6) Caveats Create Burden-Sharing Inequalities**

Disproportionate burden-sharing amongst the forces of allied nations contributing to a MNO is likely to appear as a key symptom of this caveat-generated division, especially with regard to security operations and offensive combat operations. Inequitable burden-sharing creates an imbalance within multinational campaigns, in terms of both combat tasking and casualties. This in turn can lead to even greater disunity, dissension and outright friction between the mission’s TCNs, with deleterious consequences for both the mission and the coalition.

This was clearly demonstrated with regard to the NATO allies within the Afghan campaign, whereby the forces of the caveat-free few have become over-burdened while tens of thousands of cavaeted forces remain largely out of combat and out of harm's way. This unequal distribution of labour and risk-taking among the members of an organisation supposedly committed to common security through collective defence – including through waging conventional, if not nuclear, war – has led to serious political and military consequences.

In terms of the ISAF mission, skewed burden-sharing has resulted in disjointed and uneven progress on-the-ground within the operation, especially with regard to the security LOO and the execution of both offensive combat operations and robust security patrols to 'protect the population'. In this way, the caveat-generated inequality has hindered the successful execution of the COIN strategy. With regard to the coalition, furthermore, disproportionate war-fighting has created anger and bitterness between the ISAF allies, which has fragmented the coalition. The on-going discord over the issue ultimately resulted in the early withdrawal of the entire Dutch contingent and most of the Canadian contingent from the Afghan theatre, with grim ramifications for security in Afghanistan's most volatile and important southern sector.

Lastly, in terms of the mission's leading entity, NATO, the reality of disproportionate burden-sharing between NATO members has created controversy and splintered NATO into factions, further undermining solidarity. Indeed, such burden-sharing inequalities contradict the very *raison d'être* of NATO as a collective security organisation. As the former U.S. Secretary of Defense, Robert Gates, remarked as early as 2007: 'Many allies are unwilling to share the risks, commit the resources, and follow through on collective commitments to this mission and to each other. As a result, we risk allowing what has been achieved in Afghanistan to slip away'.<sup>6</sup>

## **7) Caveats Aid & Embolden Enemy Forces**

Caveat-generated division within the coalition or leading entity of multinational military campaigns is a weakness that Enemy forces can easily exploit to their own advantage, especially by means of targeted attacks on the national contingents of particular countries at times of political domestic crises. This has occurred in Afghanistan, at a minimum with regard to the Canadian and Dutch contingents. Furthermore, national caveats can in themselves prove an advantage to Enemy forces opposing the success of a multinational campaign, as has occurred with regard to the Taliban, Al-Qaeda and other anti-Government Enemy forces operating within the Afghan theatre of war. Caveats have created patterns of action – or indeed, *inaction* – that have been easily discernible to the Enemy, which in turn has created opportunities these Enemy forces have been able and willing to exploit to the detriment of the ISAF campaign, often over substantial periods of time.

In RC-North, for instance, Taliban insurgents, criminals and other forces of instability in the region have taken full advantage of the abiding reality, for over a decade, that the thousands of German Lead Nation forces stationed at ISAF military bases and PRTs have not been permitted to deploy during the night. Hungarian forces in RC-North have likewise operated under this constraint to the current day. This caveat alone has fuelled the expansion of the insurgency in the Afghan north, and allowed the Enemy not only to move and to recruit freely with impunity, but also to threaten, intimidate and attack the local populace. In addition, a Hungarian caveat restricting national forces to security patrols ‘only on main roads’ has created another clear opportunity for the Enemy with regard to optimal paths for IED-mining. In short, the caveats have harmed the ISAF and helped the Enemy. In the same way, caveat- imposition within other MNOs create the potential for other such negative scenarios to play out in other conflict theatres around the world.

## **Implications: Afghanistan & the Global Campaign against Terror**

This research also holds implications for the ISAF mission as a whole, with regard to its bid to secure and stabilise Afghanistan from the Islamist extremism that instigated the global campaign against international terrorism.

### ***ISAF Caveats Have Hindered Mission Success***

As demonstrated in Chapters 14-15, the ISAF mission has been seriously undermined by caveat imposition on national ISAF contingents. Not only have the caveats directly contributed to mounting ISAF, ANSF and Afghan civilian casualties, but they have furthermore caused the loss of two-and-a-half years of progress between January 2007 and June 2009 – a critical window in the COIN campaign that can not be recouped. Indeed, one could further argue that the caveat impasse within the mission has directly contributed to the way in which the mission has floundered in attaining its mission objective – to secure and stabilise Afghanistan from Islamist extremism in the form of the Taliban, insurgents, and Al-Qaeda foreign jihadists – and has thereby jeopardized the overall success of the ISAF mission. In point of truth, there have been scores of comments made publicly by NATO, ISAF and government officials on this very point, to the effect that the ISAF mission is ‘not winning’ or succeeding in Afghanistan, and that as a result, the future security of the country and of the Central Asian region – including nuclear Pakistan – remains in jeopardy.

It was this very fact of heavily cavedated ISAF forces which led to the switch in focus during 2009 to an ‘Afghan solution’, whereby hurriedly building the capacity of the ANSF became the ISAF’s exit strategy. This change was largely due to continued recalcitrance on the part of cavedated Lead Nations

Germany, Turkey, Italy and even France to bear their fair share of the combat burden to secure the country. When caveats interfered even with this solution, however, an ‘American solution’ became the only answer to save the ISAF mission from failure. In this sense the influx of 30,000 American forces to the mission in 2010 can be regarded as a U.S. move to ‘rescue’ the ISAF ‘rescue operation’ of Afghanistan.

### ***Half-Hearted Commitment Has Jeopardized Afghanistan’s Future***

Despite the fact that the ISAF mission is a critical campaign in the Global War against Terror, with far-reaching ramifications for world security and international terrorism, it seems that many of the ISAF contributing nations have not been fully committed to the success of the mission. The high number and expansive range of national caveats presented in this research, combined with the high numbers of caveat-imposing TCNs within the coalition – within both the NATO and Partner nation camps of TCNs, leads one to this inescapable conclusion. In the final analysis, a majority of ISAF nations have shown themselves unwilling to pay the cost – in terms of effort and blood – to secure Afghanistan, and thereby the world, from the scourge of global Islamist terrorism. This raises the question, of whether the ISAF has, in effect, been squandering the most important bid in current history to usher in peace and security in this generation?

This half-heartedness on the part of many ISAF force contributing nations towards actually securing Afghanistan from radical Islam may also hold important – if tragic – implications for the country of Afghanistan itself and its approximately 32 million inhabitants.<sup>7</sup> The historic enterprise of assisting Afghanistan to become a modern, democratic and developed country may become void if the NATO-led ISAF operation fails to achieve its mission to assist the Afghan government to become an independent, self-sufficient country, with robust security forces that enable it to protect its citizens and its own territorial integrity in the face of the Taliban and other forces of insecurity and instability. Indeed, at the time of writing in July 2014, the future of NATO engagement in Afghanistan hangs in jeopardy, as negotiations stall between the governments of Afghanistan and the United States with regard to the prerequisite bilateral agreement (a ‘Memorandum of Understanding’), vital documentation necessary to authorise the continuing presence of NATO forces in Afghanistan post-2014. There are warnings that all ISAF forces may have to be fully and permanently withdrawn by the end of this year, if the bilateral MOU is not mutually agreed upon.

Such a precipitous, full-scale withdrawal from Afghanistan would place 13 years of international assistance to the country – including 8 years of COIN – in great peril, with potentially calamitous outcomes for Afghanistan and for Islamist radical extremism within the region. Indeed, experts are predicting that a full withdrawal of ISAF forces in December 2014 would result in the Taliban retaking control of the entire south and east of Afghanistan, in addition to mounting a full-scale

Taliban assault on the capital Kabul, within a period of less than one year.<sup>8</sup> In such an event, multiple Afghan towns and districts now experiencing security and stability in RC-South and RC-East – a security hard-won at significant cost to national treasure and human life within these restive, borderland territories – would effectively be surrendered back to the control of radical Islam and its exponents.

The series of vicious attacks mounted by extremist forces on the Afghan capital in June last year, on and around the day of the official total handover of security responsibility from NATO to ANSF forces, well exemplifies the abiding strength and intent of the Taliban and Al-Qaeda within Afghanistan.<sup>9</sup> So too do the attacks that have continued to destabilise the capital in the early months of 2014, for instance the Taliban gunmen attack on the Serena Hotel in March, the continued rash of suicide-bombings against Afghan civilians, and the most recent Taliban attack on NATO fuel tankers.<sup>10</sup> In June 2014, moreover, massive Taliban days-long offensives took place against ANSF and ISAF forces in southern Afghanistan – the Taliban's heartland – thereby further illustrating the real and ongoing danger posed to Afghanistan in 2014.<sup>11</sup>

### ***ISAF Caveats Have Undermined the Global Campaign against Terror***

Such a dire prediction – given after 12 years of ISAF presence in the country – is alarming. It raises the question, how secure and stable is Afghanistan? And how much real security assistance did the international ‘security assistance’ force provide during this period, if the country is expected to quickly and easily fall back into the control of this extremist Enemy? This question seems even more critical when one considers that it was to prevent and render impossible such a return to power of the Taliban and its Al Qaeda associates, for the safety of the region and the world in the global campaign against international terrorism, that the ISAF force was assembled and deployed to Afghanistan.

One journalist writing for the *New York Times* describes the very real prospect of a regression to past realities in Afghanistan as a ‘particularly bitter pill’ after the blood and sweat expended in the past 13 years of war.<sup>12</sup> Or as one U.S. Pentagon official expressed on this point: ‘After all of this effort and all of this sacrifice and all of this progress, you’re back to a new safe haven for terrorists? It’s like, it just makes no sense’.<sup>13</sup> Certainly, the failure of the ISAF mission in Afghanistan would have serious consequences for Afghanistan and the global campaign against terrorism. As NATO Secretary General de Hoop Scheffer once expressed emphatically on such a prospect:

Central Asia would see extremism spread. Al-Qaeda would have a free run again, and their terrorist ambitions are global. This is not conjecture. This is fact. Those who argue otherwise – who say we can defend against terrorism from home – are simply burying their heads in the sand.<sup>14</sup>

One thing is clear: should the worst case scenario materialise into a reality in Afghanistan, and the country does fall back into the hands of Islamist radicals and terrorists, stubborn and heavy-handed national caveat imposition within the NATO-led mission – especially by a number of its large militarily-capable NATO Lead Nations – will have played a vital role in this demise. In the quest to secure and stabilise Afghanistan, ISAF national caveats have wasted effort, progress and most critical of all – time.

## **Implications: The NATO Collective-Security Organisation**

### ***NATO Solidarity***

This research also holds implications for the NATO collective-security alliance. First of all, this study of caveats within the NATO-led ISAF mission has shown clearly and dramatically that there is no real collectivity or true solidarity between NATO allies, especially with regard to security operations within its multinational missions. The principle of ‘collective security’ for the mutual defence of all has not at all been visible amongst the allies in their effort to secure Afghanistan. In many cases, the political rhetoric and commitment to the Afghan mission aired publicly at yearly NATO summits and meetings has not been borne out by events on the ground.

This is evident not only in the matter of NATO’s chronic under-resourcing of the mission for the duration of the campaign – in spite of the existing military capabilities resident in many NATO countries, but also in regard to widespread and heavy caveat-imposition among most of the allies within the NATO-led mission, directly against the wishes and advice of NATO and ISAF high command. As the years have passed and the caveat problem has intensified, NATO has also failed to achieve the total elimination of caveat constraints among the NATO nation contingents within the ISAF force, despite many determined efforts over the past decade.

Indeed, even with regard to solely the small group of eight NATO Lead Nations with lead command responsibilities and hefty force deployments within ISAF’s Regional Commands, NATO command has failed to achieve the elimination of national caveat constraints. The fact that NATO Lead Nations Italy and France continually resisted NATO pressure to eliminate their caveat restraints until mid-2009 – eight years into the mission and a full two-and-a-half years after NATO leadership and ISAF commanders argued this elimination was critical for success – is a telling indication of this. So also is the fact that NATO nations Germany, Turkey, Spain and Greece have remained obstinate caveat-

imposing TCNs for the duration of the mission even up to the present day – a period of more than 12 full years – in spite of, and in defiance of, NATO leadership over the mission.

It is clear that NATO's power of persuasion has been insufficient for the demands of ISAF leadership: the free, sovereign will of member-nations, enshrined in the NATO Charter, has repeatedly trumped the requests and needs of NATO command. The NATO allies have failed to act in a collective, unified manner on this important issue, thereby revealing that the national political interests of NATO member-nations are in reality overriding – and even obstructing – the needs and interests of the NATO organisation, as well as the ISAF military campaign to secure and stabilise Afghanistan.

### ***The Use of Lethal Force***

Secondly, as similarly highlighted within the UN during the diplomatic Iraq Crisis of 2002-2003, when the Security Council became starkly divided over the issue of whether, and when, lethal military force ought to be employed against Iraq after a decade of non-compliance with UNSC Resolutions, the ISAF mission has exposed a fundamental divide amongst NATO-members with regard to the general use of lethal force by national armed forces against anti-Government insurgent forces in Afghanistan. Within the ISAF operation, this divide has become especially visible between ISAF TCNs the United States, the United Kingdom, Canada, the Netherlands, and a number of small Eastern European nations such as Poland, Romania, Lithuania, Estonia and Georgia on the one hand, and a large group of principal Western European NATO nations on the other hand, which includes ISAF TCNs Germany, France, Italy, Spain, Greece and Turkey. On-the-ground in Afghanistan, this fundamental division on the use of lethal force has manifested itself most demonstrably in the form of the burden-sharing crisis, whereby the latter group of NATO nations have over many successive years objected to participating in robust security operations and any use of force in an offensive capacity, including through combat, counter-terrorist and counter-narcotics operations against insurgents.

### ***Offensive Combat Operations***

Thirdly, the lack of unity and solidarity existing between NATO contingents within the ISAF mission has been driven particularly by the irresponsible positions taken on combat against anti-Government Enemy forces, by a large number of continental European nations and NATO-members – principally Germany, France, Italy, Turkey, Spain and Greece. As McNamara has concluded:

For too long, ISAF has been short-changed militarily and politically by Continental Europe. The United States and the United Kingdom have been forced to shoulder an unfair share of the burden for the mission in Afghanistan, losing disproportionate amounts of blood and treasure...Several Continental allies have hidden behind pretexts and excuses, forcing other members to carry unfair shares of the burden. Since the beginning of the Afghan campaign in 2001, the United States and the United Kingdom have committed disproportionate amounts of blood and treasure to uprooting

radical extremism at its source, taking the fight to al-Qaeda and the Taliban. France, Germany,<sup>15</sup> Greece, Italy, and Spain can no longer hide behind political pusillanimity or stall for time.

In this sense, the so-called ‘leap of faith’ taken by the United States in handing security responsibility for Afghanistan to a multinational coalition involving a preponderance of European nations – a decision made for various reasons, including heavy engagement in the Iraq War (in fact NATO’s only experience in conducting security missions has occurred at the behest of the United States, in Kosovo, Serbia and Afghanistan) – has not been well rewarded.<sup>16</sup>

### ***A Fractured, Multi-tiered Alliance***

Fourthly, this fundamental division within NATO on the use of force and combat, played out so visibly within the Afghan mission, has had the effect of fracturing the NATO alliance itself into fighting and non-fighting factions. At NATO meetings in both February and April of 2008, two years after the burden-sharing inequality for combat operations had become evident within the mission, NATO officials warned that such an on-going divide on the use of force within the mission risked splitting NATO into a ‘two-tier Alliance’.<sup>17</sup> However, these warnings went unheeded and by 2009, the disconcerting prospect had become a reality. British Defence Secretary, John Hutton, subsequently publicly blasted the continental European allies for failing to ‘step up to the plate’, stating that: ‘Freeloading on the back of US military security is not an option if we wish to be equal partners in this transatlantic alliance. Anyone who wants to benefit from collective security must be prepared to share the ultimate price’.<sup>18</sup> It has even been suggested, further, that the combat impasse in Afghanistan has created a ‘multi-tiered alliance’, based on the degree of risk that NATO members are willing to expose their forces to in the course of their operations in Afghanistan.<sup>19</sup>

### ***A Re-Evaluation of ‘Allies’***

Fifthly, this debilitating fragmentation of NATO during the course of prosecuting the Afghan mission has caused a re-evaluation of both the integrity and reliability of certain NATO allies, especially those with long-standing membership in comparison to relatively new members. This reassessment has been driven by the striking paradox within the ISAF whereby the smaller, poorer NATO nations with small militaries are proving to be better and truer allies with respect to combat operations, than their larger, wealthier and more militarily-capable counterparts. These small allied nations have included Denmark, the Czech Republic, Poland, Romania, Albania, Croatia, Estonia, Latvia, and Lithuania.

Even Georgia, a non-NATO nation aspiring to join NATO and enter the membership action phase, has proved a better ‘ally’ in Afghanistan in this sense, than many of NATO’s confirmed, permanent members. To illustrate the point, Georgia has recently taken security responsibility for the volatile Helmand Province, with thousands of Georgian combat forces currently filling the security gap left by

the Dutch and the Canadians after their precipitous, but well-earned, withdrawals from the mission.<sup>20</sup> In so doing, this small country has made a gesture never made by principal NATO nations Germany, France, Italy and Turkey in over 12 years of engagement in the Afghan mission. Despite this act of good faith, however, NATO recently announced in June that Georgia will be denied the opportunity to formally begin the membership process via MAP at the upcoming summit in the United Kingdom during September 2014.<sup>21</sup>

This raises the important and inescapable question for large NATO nations like the United States, Canada and Britain: Who are the ‘real’ allies within the collective-security alliance? The willingness of small Eastern European nations in this group ‘to do their fair share’ in Afghanistan, and thereby side with countries the United States, the United Kingdom and Canada on the combat issue, suggests new developments may be afoot for the NATO alliance. Indeed, as McNamara has expressed, this new reality presents an opportunity for the smaller and newer members of the alliance ‘to take the initiative within the alliance and shape their standing within NATO’.<sup>22</sup>

### ***Insufficient Political Will***

Sixth, this research has shown that, across the board, insufficient political will to achieve mission success in Afghanistan has been prevalent amongst most of the NATO members engaged in the mission. This is in spite of the fact that the ISAF mission is NATO’s most important military undertaking to date and critical for its transformation in the current security climate. It has been this lack of true political will within many NATO nations that has led to such widespread caveat imposition on national forces. Widespread caveat-imposition, in turn, has generated the negative cycle of caveat ineffectiveness within the Afghan mission, described in Chapter 15, which has year-by-year jeopardized the success of the entire mission.

Indeed, the downward caveat-generated trajectory has led to accusations of NATO nations ‘flag-flying’ in Afghanistan, whereby national forces have been deployed to the Afghan theatre for ulterior political motives rather than for any genuine commitment to the success of the Afghan campaign itself. These ulterior motivations include: (1) the desire to maintain good relations with the U.S.; (2) the fact that many nations are duty-bound to contribute to the mission as members of NATO; and (3) the wish to provide a public sign of national commitment to the fight against international terrorism. Ironically, the shortage of true political will for the success of the mission amongst the ISAF TCNs, resulting in the half-hearted commitment so visibly exemplified by the caveat fitters, has actually harmed all three of these underlying agendas: (1) relations between heavily-caveated nations and the U.S. have deteriorated over the issue; (2) the NATO organisation has been clearly divided into two or more ‘tiers’ of nations based on their willingness and capability to engage in combat; and (3) the

Afghan mission – once described by COMISAF David Richards as the ‘front line against terror’ – has been seriously hindered, not least by the loss of two-and-a-half years of progress.<sup>23</sup>

### **NATO's Loss of Credibility**

Seventh, NATO has, not surprisingly, lost a great deal of credibility over the caveat issue in Afghanistan. Just as the UN was discredited in the eyes of many over the interpretation of ‘all necessary means’ and the onset of the 2003 Iraq War, NATO too has shared the same fate with regard to the Afghan War, having substantially lost kudos and international standing as a result of its Afghan struggles.

In fact, the whole caveat crisis in Afghanistan suggests that traditional recourse to collective decision-making and action, via the ‘multilateral approach’ in times of conflict, may have suffered as a result of this persistent operational malady. In the future, when the necessity for war arises, large countries like America and Britain – and even smaller ones like the Netherlands, Croatia, Latvia and Estonia – may prefer to take the ‘coalition of the willing’ route, rather than that of established institutions like NATO or the UN in which they hold membership. Indeed, as early as 2008, this was the prognosis made by the U.S. which warned that NATO failure in Afghanistan could in future render nations less likely to turn to NATO in times of crisis, leading to a ‘moribund Alliance...reduced to geopolitical irrelevancy and marginalization’.<sup>24</sup> *Ad hoc* coalitions, whereby military campaigns are waged by select countries that can be trusted to exhibit full political and military commitment to the success of a military campaign, may well be the way of the future for several large NATO nations and a preferable option to intra-NATO squabbles and politicking.

One outcome of this loss of credibility is certain – America’s relationship with and reliance on the NATO Alliance has been materially damaged. As U.S. Defence Secretary Gates stated emphatically in 2011, America’s engagement with NATO faces a ‘dim, if not dismal’ future, particularly given the way in which European nations have shown themselves unable to go to war with the U.S. in a coherent way.<sup>25</sup> Indeed, according to Gates, NATO’s very viability is in question: (1) ‘weaknesses and failures’ have become evident with regard to both Afghanistan and Libya; (2) there is a shortage of political will and an abundance of penny-pinching among its members; (3) and many of the allies have proved ‘unwilling to devote the necessary resources or make the necessary changes to be serious and capable partners in their own defense’.<sup>26</sup> ‘To avoid the very real possibility of collective military irrelevance, member nations must examine new approaches to boosting combat capabilities,’ Gates concluded. ‘Emotional and historical attachment [to NATO] is aging out...The drift of the past 20 years can’t continue’.<sup>27</sup>

### ***Questioning NATO Ambitions***

Eighth, there exists a contradictory mis-match between NATO's political goals and the political will and momentum amongst its members to attain these goals. As one commentator concluded in 2009, with regard to NATO's ambition to be the 'Preeminent Transatlantic Security Institution' in the domain of world security: 'The crux of NATO's operational problems is that its ambition outstrips its political will'.<sup>28</sup> NATO's lofty rhetoric is not being matched by practical, concrete realities on the ground. This contradictory position is being driven by one fundamental and important source: public opinion against involvement in conflict theatres within the NATO countries. More specifically, this concerns modern attitudes within the current generation with regard to: (1) war and the use of force generally by national military personnel; and (2) sustaining casualties from military enterprises conducted to ensure national security.

According to Barno, the prevailing myth within modern society today is that war is – or ought to be – 'bloodless'.<sup>29</sup> This attitude has been brought about by the military technological revolution that in its early phases caused the quick and decisive victories seen in the Gulf War of the early 1990s, and led to false expectations that common security objectives can be attained rapidly at a minimum or near negligible cost to national lives and treasure. However, this attitude is an 'historical anomaly' compared with any other era in human history.<sup>30</sup> Wars are never bloodless, even in the modern era. Moreover, the reality is that, despite climbing casualty figures in Afghanistan, total military fatality rates in Afghanistan are relatively small in comparison with the numbers killed in other campaigns such as in both World Wars, the Korean War or even the Vietnam War. To exemplify the point with reference solely to American military fatalities, the United States sustained a total of 2,156 fatalities in Afghanistan over the period 2001-2012, in contrast to a total of 36,574 fatalities during the Korean War (1950-1953), and a total of 58,220 fatalities during the Vietnam War (1964-1973) (see endnote for total non-U.S. figures).<sup>31</sup> Indeed, Barno considers the current generation to be 'extraordinarily lucky' to have sustained such comparatively small casualty rates overall in the Afghan War, a war that has now been prosecuted for over 12 years.<sup>32</sup>

A recent UN report has also underscored this problematic modern attitude towards the use of force in a study of the deployment of UN forces in eight current UN operations around the globe. The report found that many nations contributing peace-keepers to the mission considered the risk of the operation to their forces to be 'higher than they would accept', and consequently absolutely prohibited their forces from ever taking recourse to the use of force.<sup>33</sup> Other nations have made the use of force a 'paper option', constraining their troops with 'operational and political constraints' – that is, national caveats – that have been 'at odds with their legal authority and mandate to act'.<sup>34</sup> Even where nations have allowed their forces to use force in the protection of civilians, moreover, the report found that UN personnel only intervened in only 20 percent of the attacks on civilians (101 of 507 incidents),

being predominantly either ‘unable or unwilling to prevent serious physical harm from being inflicted’.<sup>35</sup> Even in cases of intervention, however, UN forces were motivated to use force primarily in the interest of either their own self-defence or the protection of UN personnel and property, rather than purely that of providing protection for the civilians themselves.<sup>36</sup>

At the national political level, this prevailing attitude within modern society towards military personnel ‘dying for one’s country’ in the line of fire is problematic for any multinational military campaign involving the use of force against Enemies. The by-product – heavily-caveated national combat forces – is indicative of two-mindedness, whereby nations are committed to a certain objective in the interests of their own security, yet are not necessarily willing nor prepared to pay the price to achieve it. Germany – the strictest and most notorious caveat imposing nation within the ISAF – is a case in point in this regard. In fact, in 2008 one German politician went so far as to state that the very prospect of German military personnel ‘killing and being killed’ could put the whole German deployment to Afghanistan at risk (see endnote for an overview of new developments with respect to this traditional German stance).<sup>37</sup>

The crisis over caveat-imposition within the ISAF mission is the inevitable outcome of such a prevailing view, what Hunter has described as a full-scale clash between ‘the need for tactical flexibility’ in Afghanistan and the preeminent ‘desire of allies to limit casualties’.<sup>38</sup> Indeed, it is aversion to casualties that is at the heart of the caveat problem – an aversion brought about by a shortage in political will or fortitude to sustain casualties in the course of achieving necessary security goals. One is reminded of the old adage: ‘He who dares wins, He who hesitates... is lost’. It is also this single truth that has fed into the controversial burden-sharing crisis within NATO, which, as described above, has divided the alliance into two or more distinct factions. Nations contributing to the ISAF mission have simply not been willing to deploy their forces to regions of Afghanistan where the potential for casualties of war has been high. Widespread aversion to casualties among the ISAF coalition members have forced a small group of more willing and self-sacrificial nations to bear a disproportionate cost in lives lost amongst their military personnel, in order to achieve the collective mission objective of security and stability in Afghanistan. Amongst the military forces of this small group of nations, anger, resentment, bitterness and a sense of betrayal have risen correspondingly to climbing casualty figures.

### ***NATO’s Uncertain Future***

Ninth, as a direct consequence, this research concludes that the future of NATO is at risk. At the end of the Cold War when Russian geo-political designs – which had once been the key catalyst in the creation and cohesion of NATO – were no-longer considered to pose a real threat, NATO’s purpose was thrown into question. It became clear that for NATO to maintain its relevance it had to adapt

itself to the new intra-state security threats to international stability, including a capacity to conduct expeditionary operations out of its traditional trans-Atlantic AO.<sup>39</sup> In this sense, NATO's involvement in the genocidal civil wars in Bosnia and Kosovo helped to secure the organisation's pivotal security role in European affairs, along with its transformation in the new and ever-globalising security environment.<sup>40</sup> As Warren states: 'The Alliance showed resilience under strain...NATO was still the only guarantor of collective security for its members, and it felt intuitively comforting to keep this arrangement.'<sup>41</sup>

However, NATO's recent involvement in Afghanistan has told a different and disconcerting story, which has both exposed and underscored the lack of true allied solidarity and unity in the field. Caveats have crippled the mission, dividing the ISAF into 'many hard-to-manage pieces', and creating rancour and resentment between the allies.<sup>42</sup> The ISAF's caveat affliction has cast grave doubt on the ability of NATO to be a truly effective expeditionary force with the capability for tackling new non-conventional threats to world security, including outside its traditional AO. It has also created uncertainty with regard to NATO's ability to be an effective international peace and security operator in the modern security environment. Furthermore, the performance of NATO nations within the ISAF mission has placed question-marks over the real-life commitment of NATO nations to the foundational NATO principle of collective security, encapsulated by the maxim 'all for one, and one for all'. In short, collective, unified action has not been visible on-the-ground in Afghanistan.

This misgiving with regard to NATO's future is further amplified by the fact that even in other collective security missions prosecuted by NATO in recent years, the national caveat impediment and its resultant force divisions have continued to reappear. Simply stated, the national interests of NATO Member-States have continued to trump collective interests during on-the-ground security campaigns. In December 2008, for example, British defence officials reported with regard to NATO's naval anti-piracy mission around Somalia in the Gulf of Aden and the Horn of Africa, that the mission not only lacked sufficient numbers of ships, but also that disparate and clashing rules of engagement between NATO participating forces were creating additional difficulties.<sup>43</sup> In several cases, the officials reported, the mandates governing national naval forces were not appropriate for the task in hand.<sup>44</sup>

These divisions were even more visible during NATO's involvement in Libya during the uprising there in 2011, an issue which created a controversial and very public fracas between principal NATO members the United States, the United Kingdom, Germany, France, Italy and Turkey over the extent of NATO's involvement in the mission (this was in addition to heated disputes over what the mission objective should actually be). According to the *Atlantic Council*, an important factor adding to the contentious issue of whether NATO ought or ought not to take leadership command of the military

operation there, was concern that ‘a NATO operation would limit the operational flexibility of commanders to execute the mission’.<sup>45</sup> In a word – caveats.

These NATO realities taken together suggest that NATO may soon be compelled to take an alternate route from its strategically planned agenda in terms of transforming its future role on the world stage to that of a security mission operator in ‘out-of-area’ operations. Indeed, due to these ongoing trans-Atlantic divisions, NATO may well be relegated to conducting ‘the softer kinds of roles’ such as more traditional peace-keeping operations and training missions, rather than overt COIN or war-fighting campaigns like that conducted under the NATO banner in Afghanistan.<sup>46</sup> The question is, what kind of instrument is NATO really in the security environment today? And what can this instrument be used for most effectively? Interestingly, this essential question – heightened so dramatically by the Afghan mission – was earlier raised by a journalist of the *The Wall Street Journal* in October 2004. As he then perceptively remarked:

Is NATO an appropriate instrument for tasks that resemble reconstruction, election-monitoring, police-like patrolling (as in Kabul), logistical support, and training constabulary-type Afghan troops? To be sure, such a mission is neither beyond NATO’s range, nor beyond NATO’s means. But is this the kind of mission that would demonstrate NATO’s continuing military ‘Relevance’? (This is the R-word in allied deliberations). In sum, such a mission would be neither A Bridge Too Far, nor a Mission Impossible, *but it would become a Mission Irrelevant, if it is undertaken without adequate resources or political commitment* [emphasis added].<sup>47</sup>

Unfortunately, it is the latter which has proven true within the NATO-led mission in Afghanistan.

### **New Exigencies: Russia & ISIS**

Nevertheless, recent developments have highlighted the need for, and importance of, NATO within the current world security framework. In 2008 Russia – the old enemy against which the collective-security alliance was originally formed – reasserted itself as a force of aggression in Europe. Under the leadership of President Vladimir Putin, Russia unilaterally invaded and annexed the province of South Ossetia in Georgia, the location of a Western-backed ‘Baku-Tbilisi-Ceyhan’ (BTC) oil pipeline pumping fuel from Azerbaijan to the Mediterranean Sea by way of the Georgian capital.<sup>48</sup> The international community did little either to prevent the annexation, or in later years to restore this stolen territory to Georgian sovereign control.

In a move strongly reminiscent of Nazi Germany’s annexations in the late 1930s, Russia has in recent months mounted a second invasion into territory belonging to another Eastern European nation, this time the Crimean Province of the Ukraine, which is also the location of an important naval port on the Black Sea. Once again too, in a striking parallel to the pattern of aggression in the 1930s, both of these territorial annexations in Georgia and in the Ukraine have been conducted by Russia under the pretext of concern for ethnic minorities. In recent weeks, furthermore, U.S. and Ukrainian defence officials have found Russia complicit in shooting down at least five aircraft as they flew within

Ukrainian airspace, among them four Ukrainian military aircraft operated by the Ukrainian military (one transport plane and three fighter jets), and also a civilian passenger airliner operated by Malaysia Airlines (killing all 298 people aboard).<sup>49</sup> These actions could well be considered ‘acts of war’ against the Ukraine.

Whatever the outcome of these alarming events, the rise of a newly aggressive Russia has called attention to NATO’s original purpose as a collective security organisation against Russian aggression, and once again highlights NATO’s continuing relevance and military importance for the defence of Europe – as well as the importance of ‘real’ combat-capable allies within the Alliance.

Further, new radical Islamist insurgencies have erupted in the Middle East, most notably and violently in Syria and Iraq. This development underscores once again the threat of Islamist extremism and terrorism to world stability and security. In particular, a radical Islamo-fascist terrorist group, known as ‘The Islamic State in Iraq and Syria’ (ISIS), has been active in Syria and Iraq in seeking to establish a militant Islamic empire (or ‘caliphate’ under Sharia Law) that will straddle both countries. This is also one of the expressed goals of Al-Qaeda, which the latter has already attempted without success in both Afghanistan and Iraq in the years since 2001.

The violence and atrocities committed by the militant Islamist ISIS jihadists within Syria and Iraq has led to the displacement of millions of people within the region and to the destabilisation of neighbouring countries Lebanon and Jordan.<sup>50</sup> Indeed, the UN expects that Syria will soon become a divided, failed state like Somalia, to become another potential sanctuary for breeding and exporting Islamist terrorism.<sup>51</sup> In Iraq the threat is even more immediate: ISIS jihadists have seized two prominent northern Iraqi cities, Tal Afar and Mosul, killing thousands of Shi’ite Iraqi civilians in the process (including through grisly massacres and decapitations), and as of late June were poised to march on Baghdad in order to incorporate the capital by force into its new Islamist empire within the Middle East.<sup>52</sup>

In fact, at the present time of writing, the ISIS jihadists control 90 full miles of territory that stretches across the Iraq border into Syria, territory that encompasses six Syrian oil and gas fields – the revenues of which will undoubtedly be used to fuel further bloody Islamist conquests within the region.<sup>53</sup> In having already attained its goal, the ISIS has in one sense already succeeded where Al-Qaeda has failed. This fact strongly suggests that the ISIS has become a more dangerous and threatening Enemy to world security and stability in recent years than even Al-Qaeda. In short, after achieving relative stability in the late 2000s, the Middle East has once again been reignited as an active theatre for forces of terror and Islamist extremism, thereby confirming Kilcullen’s arguments on the ‘global insurgency’.<sup>54</sup>

These events highlight the critical need for NATO to have at its disposal an effective COIN capacity among its member forces – and importantly, NATO forces free from the caveat fetters that have proven to be such visible and harmful impediments to success within the COIN campaign in Afghanistan. Indeed, it is of paramount importance in this now tense security landscape that NATO urgently and promptly address these divisive caveat and burden-sharing fissures relating to war-fighting, if it is to show true solidarity and collectivity at the critical hour.

## **Implications: Caveats & Future Academic Scholarship**

Finally, this ISAF caveat study has revealed new possibilities for academic research on national caveats and their effects within MNOs.

### ***Addressing the ‘Caveat Gap’ in Academic Scholarship***

Firstly, the significantly large ‘caveat gap’ within academic literature, especially in the domain of Defence & Security Studies, needs to be more adequately and systematically addressed by defence scholars. In terms of caveat theory, for instance, there needs to be a more rigorous examination of rules of engagement in themselves, and the role of caveats within these rules, especially in regard to the way in which caveats impact on and impede ‘mission accomplishment’ rules. In addition, further caveat-related research needs to be undertaken in this important area in relation to the general effects or outcomes of national caveat imposition within multinational security operations.

### ***The Need for Benchmarks in Future MNOs***

Secondly, the ISAF mission suggests that closer attention must be paid to the ‘all welcome’ approach often employed in the organisation of a coalition to conduct a collective, multinational military campaign. This approach has not proved conducive to an effective or successful operation in Afghanistan. In short, national caveats within the NATO-led ISAF mission in Afghanistan have hindered the ISAF security and stability mission, helped the Enemy, hurt the ISAF coalition, and seriously harmed NATO. This unhappy scenario well illustrates the dangers of *ad hoc* coalitions as an instrument in the serious enterprise of warfare, even when this coalition is subordinated under the leadership of a more permanent entity or organisation like NATO.

The caveat situation in Afghanistan has been allowed to develop in part by the failure of NATO to enforce ‘benchmarks’ – qualifying restrictions or criteria – for nations joining the ISAF as force contributing nations. The consequences of this permissive and rather unwise approach is clear – a quarter of the entire ISAF force has been constrained from conducting the full range of tasks expected

from them by the COMISAF for over a decade of warfare. Thousands of deployed ISAF military forces have been compromised by their government-imposed caveats. The case of the ISAF mission strongly suggests the need for greater selectivity in the coalition-forming process with regard to all multinational missions in future years. Future coalitions of the willing need to be assembled more selectively, on the basis of the willingness of nations to allow their military forces to engage in offensive warfare. Some offers of military assistance may need to be rejected at the outset, in order to avoid the problems so clearly visible within the assorted, militarily unbalanced and dis-unified ISAF coalition of the willing in Afghanistan.

In particular, the research underscores the importance of global PSO operators setting benchmarks for nations wishing to contribute forces to future MNOs, whereby nations are admitted to an operational coalition based on their willingness and capability to allow national forces to conduct a list of required tasks. This is an idea advocated by Barno, as a senior U.S. Army commander with experience conducting tens of thousands of international military forces. As he explains in his own words:

One of the going-in positions should be: any nation that signs up for this will permit their soldiers to do the following, you know, 25 things – that's the benchmark for entering this operation. If you're going to contribute troops, your troops can do all 25 of these tasks. If they can't, they don't come. End of story.<sup>55</sup>

It might even be possible to set a ‘no-caveat’ ban as one of the operational requirements during this coalition-assembling stage of a MNO, thereby removing altogether in one fell swoop the problematic issue of military forces bound by national caveat prohibitions and limitations from future international security campaigns.

If selective criteria are not employed during the assembling stage of international coalitions, and as a result caveat-imposing nations are permitted to join a MNF, then at a bare minimum governments contributing forces to a MNO should be required to: (1) impose only written national caveats that have been officially documented in their ROE, rather than unwritten *de facto* restrictions; and (2) officially and fully declare their national caveats to the commanding body of the operation at the very start of the mission, thereby avoiding the secrecy and caveat knowledge-gaps that are so harmful for the planning and execution of operations on the ground within the mission.

### **Caveat Coping Strategies**

Thirdly, the alarming caveat-generated reality within the ISAF also points to another important area for consideration by military practitioners and scholars. Namely, in cases where benchmarks or criteria have not existed to govern TCN force contributions from the outset, what steps can and must be taken within a pre-existing multinational mission, when members of the coalition of the willing prove substantially unwilling to conduct the hardest but most essential military tasks, and then reinforce this position by heavy-handed imposition of national caveat restrictions on their forces?

More generally, furthermore, what coping strategies can and must be devised to better manage and mitigate the negative caveat effects within international security missions today, given the now prevalent norm of caveat-imposition by national governments contributing forces to MNOs? This will require some hard thinking on the part of political leaders and strategic military commanders, ideally to occur in the planning phase of any multinational mission rather than, as has occurred in Kosovo and Afghanistan, as an unplanned, reactive process.

### ***Command Design & C<sup>2</sup>***

Fourthly, the ISAF's caveat problem also reveals the need for a re-examination of the politico-security arrangements made, and the command design selected, during the pre-deployment stage of planned MNOs. This research suggests that a multi-parallel Lead Nation design may not be the optimal choice of command structure, in cases where those Lead Nations are likely or inclined to impose caveat restraints on their national forces. In such a scenario, caveats will inhibit the Lead Nation's ability to show leadership, especially in terms of security tasking along the security LOO within the mission. It seems that a more centralised command design – and one which firmly establishes unity of command under the Operational Commander – may be a more highly preferable option in attaining improved operational effectiveness within future multinational campaigns.

In addition, rigorous analysis might also be conducted with regard to the effects of national caveats on C<sup>2</sup> within MNOs, for instance with regard to MNOs other than the ISAF mission, in order to clarify further the full range of effects generally caused by TCN caveat imposition on the command and control of multinational forces, at the strategic, operational and tactical levels.

### ***Unity of Effort & the Principles of War***

Fifthly, the criticality of 'unity of effort' within multinational missions, combined with the overriding predominance of the multilateral warfare format within the international system, suggests the need for a re-evaluation of the traditional *Principles of War* guiding armed conflict in the current security environment. Heretofore, unity of command has featured largely in discourse on the military principles of war, the latter being predominantly oriented towards conventional means of warfare. This has caused substantial neglect of the critical principle of 'unity of effort' within non-conventional military campaigns – the outcome of unity of command and/or cooperation, coordination and consensus. Indeed, inadequate attention has been paid in the academic sphere to: (1) the centrality of unity of effort to the success of multinational security endeavours; and (2) the reality that unity of command *and* cooperation, coordination and consensus within MNOs are both means by which this essential unity of effort and action towards collective goals may be fostered towards mission success within MNOs.

Numerous studies over the last 20 years have advocated the need for the addition of a further principle of war to the standard list – that of ‘unity of effort’. Though the terminology for this concept has varied – appearing alternatively as ‘flexibility’, ‘unity of effect’, ‘cooperation’ as well as ‘unity of effort’ *per se* – each of these studies essentially amount to the same thing: the fundamental and universal principle of unity of effort is currently missing from modern military lists, despite the criticality of unity of effort for attaining operational effectiveness in *both* unilateral and multilateral forms of modern warfare, and within the context of *both* conventional and non-conventional war.<sup>56</sup> Indeed, the present research has demonstrated that unity of effort has been critical for success within the ISAF Afghan mission. It follows that the principle is also fundamental for the success of all military campaigns, no-matter the design, command framework or objective of the mission. This suggests that a new re-evaluation of the principles of war is both required and well overdue.

### ***ISAF: Caveated Lead Nations & their Regional Commands***

This research is the first academic endeavour to systematically address the extent of the issue of national caveat imposition within the NATO-led ISAF mission, and its tangibly negative effects on both security operations and overall operational effectiveness within the mission. However, many gaps remain with regard to caveats and the Afghan mission specifically, which were beyond the scope of the present research. Therefore, sixth, further analysis of the ISAF’s caveat issue with regard to the various TCN contingents would be valuable, especially with regard to Lead Nation caveats and their effects on: firstly, subordinate supporting nations; and secondly, on the overall security diminutions within each of the ISAF mission Regional Commands over the years 2006-2012. Furthermore, analysis of the tangible effects of caveat-removal or caveat-elimination by Lead Nations within the security sphere, which examines improvements in combat capability and flexibility in creating and maintaining security – especially with regard to the Netherlands in RC-South from 2006-2012 and Italy in RC-West from 2009-2012 –would be a further valuable line of enquiry.

### ***ISAF: Reasons for ISAF Caveat-Imposition***

Seventh, the relationship between politics and security affairs suggests another area of exploration in future research in this domain of national caveats. An investigation of the political, military, historical and domestic social factors that have influenced decisions by national governments to impose the caveat fetters on their national forces in Afghanistan and elsewhere seems especially of value. In particular, a study of these factors in relation to the NATO allies and ISAF Lead Nations Germany, Turkey, Italy and France, which have each been so uncompromising on the caveat issue over many successive years, would be highly insightful (especially with regard to France and Italy which, despite these influences, nevertheless altered their position to become caveat-free within the ISAF during 2009).

Auerswald & Saideman have recently begun pioneering analysis along this vein of thought within the domain of Political Science, by undertaking an investigation of the political sources of the various national caveats imposed on Canadian, French and German national contingents within the ISAF operation. They propose that political institutions within the three countries under examination (i.e. coalition, presidential and majoritarian parliamentary governments) offer a better explanation for these nations' observed behaviour of caveat-imposition within the ISAF mission in Afghanistan, than other earlier explanations focusing on public opinion, threat perception or military strategic culture.<sup>57</sup>

Since, as shown by this research, political will seems in fact to be the real bottom-line in the decision to impose or not to impose national caveats on national ISAF contributions, which also simultaneously generates the 'cycle of caveat ineffectiveness' identified and described in Chapter 15, a political study that traces levels of political will and commitment to the Afghan mission alongside their record of caveat-imposition, removal and elimination would also be a worthy enterprise.

### ***ISAF: Caveats & COIN Warfare***

Eighth, more comprehensive research needs to be undertaken with regard to the relationship between caveats and COIN within the ISAF mission. As shown in this research, national caveat imposition within the ISAF has gone a long way in undermining the effective prosecution of COIN in Afghanistan, actually serving to invert COIN theory by losing – rather than winning – the support of the local Afghan populace to the ISAF cause and the central Afghan government. A more thorough COIN-focused study that would highlight national caveat pitfalls with respect to COIN would prove useful in future multinational COIN campaigns. Indeed, in light of the 'global insurgency' described by Kilcullen, and the reality of Islamist insurgencies occurring in multiple global theatres today in Syria, Iraq, Somalia, Yemen, Libya, the Sudan and even Nigeria, new COIN-oriented multinational military operations may soon become necessary in future years.

### ***Other MNOs: Potential Caveat Case-Studies***

Finally, other multinational missions are also worthy of academic caveat examination and analysis, in particular the caveat-related incidents that occurred during: the UNAVEM II operation in Angola (1992); the UNPROFOR operation in Bosnia (1992); the UNAMIR operation in Rwanda (1994); the UNTAET operation in East Timor (2000); and finally, the KFOR operation in Kosovo (2004).

The need for greater attention to the caveat impediment within international security missions is amplified by the recent, ground-breaking ruling by the Netherland's Supreme Court in September 2013 that the Dutch government must pay compensation to surviving family members of three victims of the Srebrenica massacre, who were slaughtered when Dutch peace-keeping forces – bound by strict caveat restraints – failed to protect them within the Dutch designated safe-haven during the Bosnian

mission in 1995.<sup>58</sup> This historic ruling has set a new precedent whereby nations that have contributed forces to international security missions – present or historic – may be legally and financially held accountable and liable for the misconduct of their deployed forces and overall ‘failure to protect’ during these multinational missions. If legal action was taken with regard to caveated-forces within the NATO-led ISAF mission in Afghanistan, financial penalties could be hefty for a large number of countries, especially Germany. Interestingly, since November 2006 when the Dutch government eliminated its caveats from its ISAF contingent, Dutch military forces in Afghanistan have been given great freedom and flexibility – even to the point of being enabled to engage in counter-terrorist operations and to kill terrorists outright on sight.<sup>59</sup> The lesson of Srebrenica had perhaps not taken full effect within the Dutch government until this point of time during the Afghan campaign.

Investigations also need to be carried out not only with regard to the issue of caveat imposition in itself within these MNOs, moreover, but also in relation to inappropriate mandate design at both the international and national level for the mission in hand. Dame Margaret Joan Anstee, the UN Special Representative and Head of Mission in Angola who survived the 1992-1993 security disaster that followed the break-down of the Angolan Peace Process, has argued exactly this point.<sup>60</sup> In her book, *Orphan of the Cold War*, Anstee argues that the negotiation of a mandate may well be a masterpiece of diplomacy, but it serves no purpose if it is not workable on the ground.<sup>61</sup> Further examination of mandate design – including rules of engagement – within multinational security missions must be properly and rigorously undertaken in the academic domain, for the benefit of future policy-makers and operational planners in both the political and military spheres.

## Concluding Remarks

In conclusion, there has been an enduring sensitivity and resistance, over the past two decades, to examining and discussing the issue of caveat imposition and its detrimental effects within multinational security operations on the part of many national governments within the international community. This widespread unwillingness to examine the impact of national caveats on operational effectiveness within MNOs has directly led to the caveat-generated stalemate within the NATO-led ISAF mission in Afghanistan, a situation that has resulted in a range of negative effects for the success of the mission over the past decade from 2002-2012. Effort has been wasted, time has been lost, progress has been delayed, COIN has been compromised, and military and civilian casualties have increased as a result of this network of ISAF national caveats. Both unity of effort within the ISAF force, and the resultant operational effectiveness of the mission, have been seriously undermined by the presence of national forces fettered by government-imposed caveat restrictions,

leading to the delayed attainment of mission objectives and the poor prosecution of COIN. These findings do not bode well for the success of the ISAF mission.

Despite the overwhelmingly negative effects that national caveats have generated within the ISAF mission, restrictive rules of engagement have already reappeared in other MNOs around the world, most notably within NATO missions in Somalia and Libya in recent years. National caveats are also expected to be imposed by national governments on forces yet to be deployed to Afghanistan to conduct the post-ISAF mission ‘Resolute Support’ in 2015.

It seems obvious that unless this thorny issue of national caveats is dealt with properly within the international community, and avoidance, management and compensatory coping strategies formulated within security institutions in direct response to this Afghan caveat crisis, national caveat imposition will continue to be seen as a viable option for sovereign governments deploying national forces to future multinational military operations, whether under the NATO, UN or other organisational banner. It is highly likely that national caveats will continue to hamper security operations during future decades of multinational warfare. The same symptoms of disunity of effort observed within the ISAF mission in Afghanistan – namely, unfair burden-sharing and operational ineffectiveness, along with resultant deleterious security ramifications for both military personnel and the local civilian population – will consequently continue to emerge within future international security missions, wherever they take place around the world.

In short, there is a desperate need for this issue of national caveats to be openly and frankly addressed within the military sphere, and for this neglected but critical area for MNO effectiveness to be examined more rigorously by both academic scholars and military practitioners. This thesis is intended as the first contribution to this important field of study, and it is hoped that other such caveat-focused research undertakings will follow, in relation to the ISAF as well as other multinational security campaigns – past, present and future.

One thing is abundantly clear: if this important issue of national caveats within MNOs is not promptly and properly addressed by defence scholars, future caveat-generated calamities are highly likely to reoccur within other international campaigns in future years, with potentially drastic and unforeseeable consequences for international security in the modern era.



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## Endnotes

### Introduction

<sup>1</sup> ‘Winston Churchill on Politics’, *Winston Churchill Leadership*, <http://www.winston-churchill-leadership.com/churchill-quote-politics.html>, (accessed 17 April 2013).

### Chapter 1

<sup>1</sup> New Zealand Defence Force (NZDF), Headquarters New Zealand Defence Force (HQNZDF), ‘Glossary and Acronyms’, *Foundations of New Zealand Military Doctrine – NZDDP-D 2004, New Zealand Defence Doctrine Publication*, Wellington, 2004, G-9.

<sup>2</sup> U.S. Department of Defense (U.S. DoD), *The Dictionary of Military Terms*, Joint Pub 1-02, New York, Skyhorse Publishing, 2009, p. 361.

<sup>3</sup> *Ibid.*, p. 360.

<sup>4</sup> U.S. Department of Defence (U.S. DoD), Joint Chiefs of Staff Publication, *Joint Publication 3-16: Joint Doctrine for Multinational Operations*, 16 July 2013, p. GL-4, [http://www.dtic.mil/doctrine/new\\_pubs/jp3\\_16.pdf](http://www.dtic.mil/doctrine/new_pubs/jp3_16.pdf), (accessed 6 June 2009).

<sup>5</sup> ‘Chapter A-1: ‘Introduction - Asia-Pacific Shared Interests, MNF SOP Objectives, Applicability, and MNF Considerations’, in *Multinational Standing Operating Procedures (MNF SOP)*, 6<sup>th</sup> working draft, Artificial Intelligence Applications Institute (AIAI) of the University of Edinburgh, 10 April 2002, pp. A1 B-1 - A1 B-2., [www.aiai.ed.ac.uk/project/coax/demo/2002/mpat/SOP/A1.DOC](http://www.aiai.ed.ac.uk/project/coax/demo/2002/mpat/SOP/A1.DOC) (accessed 20 January 2009).

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*

<sup>10</sup> ‘Winston Churchill on Politics’, *Winston Churchill Leadership*, <http://www.winston-churchill-leadership.com/churchill-quote-politics.html>, (accessed 17 April 2013).

<sup>11</sup> J. P. de B. Taillon (COL), ‘Some of the Challenges of Multinational Force Command’, *New Zealand Journal of Defence Studies*, vol. 1, March 2007, p. 2.

<sup>12</sup> *Ibid.*, p. 2.

<sup>13</sup> J. Rice, ‘Command and Control: The Essence of Coalition Warfare’, *Parameters*, Spring 1997, p. 2, [strategicstudiesinstitute.army.mil/pubs/parameters/Articles/.../rice.htm](http://strategicstudiesinstitute.army.mil/pubs/parameters/Articles/.../rice.htm), (accessed 20 January 2009).

<sup>14</sup> J. P. de B. Taillon (COL), ‘Some of the Challenges of Multinational Force Command’, *op. cit.*, p. 2-4.

<sup>15</sup> *Ibid.*, pp. 2-4.

As COL de B. Taillon states on the matter: ‘There is a spectrum of intangible benefits of operating closely with multinational partners...one learns how to best approach, manage and persuade other nationalities’ (*Ibid.*, p. 2).

<sup>16</sup> *Ibid.*

<sup>17</sup> *Ibid.*

<sup>18</sup> *Ibid.*

<sup>19</sup> *Ibid.*

<sup>20</sup> R. Lane (MAJGEN), ‘The Command, Leadership and Management Challenges of Contemporary Multinational Command’, *Royal United Services Institute (RUSI) Journal*, vol.151, issue 6, 2006, p. 32.

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- <sup>21</sup> J. P. de B. Taillon (COL), ‘Some of the Challenges of Multinational Force Command’. *op. cit.*, p. 3-7; Lane, *ibid.*, p. 32.
- <sup>22</sup> L. L. Marich (LTCOL), ‘Enhancing Command and Control in Multinational Operations’, *U.S. Army War College, Carlisle Barracks*, 2002, p. iii, <http://www.dtic.mil/cgi-bin/GetTRDoc?Location=U2&doc=GetTRDoc.pdf&AD=ADA404313> (accessed May 14, 2010)
- <sup>23</sup> MAJ Josh Wineera, Personal communication (II) with Regeena Kingsley, 17 June 2010, Centre for Defence & Security Studies (CDSS), Massey University, Palmerston North, New Zealand.
- <sup>24</sup> New Zealand Defence Force (NZDF), Headquarters New Zealand Defence Force (HQNZDF), ‘Chapter One: Introducing Command in the New Zealand Defence Force’, *Command and Control in the New Zealand Defence Force – NZDDP – 00.1, New Zealand Defence Doctrine Publication*, Wellington, 2008, pp. 1-3.
- <sup>25</sup> *Ibid.*, pp. 1-4.
- <sup>26</sup> *Ibid.* pp. 1-2.
- <sup>27</sup> *Ibid.*, pp. 1-2.
- <sup>28</sup> HQNZDF, ‘Glossary and Acronyms’, *op. cit.*, p. G-9.
- <sup>29</sup> HQNZDF, ‘Chapter One: Introducing Command in the New Zealand Defence Force’, *op. cit.*, pp. 1-4.
- <sup>30</sup> *Ibid.*
- <sup>31</sup> HQNZDF, ‘Glossary and Acronyms’, *op. cit.*, p. G-9.
- <sup>32</sup> HQNZDF, ‘Chapter One: Introducing Command in the New Zealand Defence Force’, *op. cit.* pp. 1-3.
- <sup>33</sup> *Ibid.*, pp.1-4.
- <sup>34</sup> HQNZDF, ‘Glossary and Acronyms’, *op. cit.*, p. G-9.
- <sup>35</sup> HQNZDF, ‘Chapter One: Introducing Command in the New Zealand Defence Force’. *op. cit.* pp.1-4.
- <sup>36</sup> MAJ Josh Wineera, Personal communication (II) with Regeena Kingsley, *op. cit.*
- <sup>37</sup> Marich, *op. cit.* p. 7
- <sup>38</sup> U.S. DoD, *Joint Publication 3-16: Joint Doctrine for Multinational Operations*, *op. cit.*, p. II-10.
- <sup>39</sup> Marich, *op. cit.* p. 14.
- <sup>40</sup> *Ibid.*, p. 7.
- <sup>41</sup> *Ibid.*
- <sup>42</sup> U.S. DoD, *Joint Publication 3-16: Joint Doctrine for Multinational Operations*, *op. cit.*, p. II-10.
- <sup>43</sup> Marich, *op. cit.* p. 10; U.S. DoD, *Joint Publication 3-16: Joint Doctrine for Multinational Operations*, *ibid.*, p. II-10.
- <sup>44</sup> U.S. DoD, *Joint Publication 3-16: Joint Doctrine for Multinational Operations*, *ibid.*, p. II-11.
- <sup>45</sup> *Ibid.*, p. II-7.
- <sup>46</sup> Marich, *op. cit.* p. 2.
- <sup>47</sup> Marich, *ibid.*, pp. 2-3.
- <sup>48</sup> U.S. DoD, *Joint Publication 3-16: Joint Doctrine for Multinational Operations*, *op. cit.*, p. IV-5; Marich, *ibid.*, p. 3.
- <sup>49</sup> Marich, *ibid.*, p. 3.
- <sup>50</sup> U.S. DoD, *Joint Publication 3-16: Joint Doctrine for Multinational Operations*, *op. cit.*, p. IV-7; Marich, *ibid.*, p. 3.
- <sup>51</sup> U.S. DoD, *Joint Publication 3-16: Joint Doctrine for Multinational Operations*, *ibid.*, pp. IV-7 - IV-8; Marich, *ibid.*, p. 3.
- <sup>52</sup> MAJ Josh Wineera, Personal communication (I) with Regeena Kingsley, 27 May 2010, Centre for Defence & Security Studies (CDSS), Massey University, Palmerston North, New Zealand.
- <sup>53</sup> *Ibid.*
- <sup>54</sup> *Ibid.*
- <sup>55</sup> U.S. DoD, *Joint Publication 3-16: Joint Doctrine for Multinational Operations*, *op. cit.*, p. IV-2; Marich, *op. cit.* pp. 1, 3.
- <sup>56</sup> Marich, *ibid.*, p. 3.
- <sup>57</sup> USDOD, ‘*The Dictionary of Military Terms*’, 2009, *op. cit.*, p. 576.
- <sup>58</sup> ‘Chapter A-1: ‘Introduction - Asia-Pacific Shared Interests, MNF SOP Objectives, Applicability, and MNF Considerations’ *op. cit.*
- <sup>59</sup> John I. Alger, cited in R.W. Glenn, ‘No More Principles of War?’, *Parameters*, (Spring) 1998, pp.1-17, <http://carlisle-www.army.mil/usawc/parameters/98spring/glenn.htm>, (accessed 24 June 2010).
- <sup>60</sup> While various military concepts or ‘tenets’ for successful warfare were loosely referred to in the eighteenth and nineteenth centuries, they first appeared as a set of brief, cohesive, written principles – ‘simply expressed and essential to the successful conduct of war’ – in the twentieth century, and were referred to as the ‘principles of war’. The principles are a condensation of the military wisdom of great historical commanders including Alexander the Great, Julius Caesar, Hannibal, Napoleon and Clausewitz, which first appeared as a

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comprehensive set of guidelines for military success in the 1920s and 1930s, particularly in the writings of military theorist John F. C. Fuller following the First World War. Many debates have raged over the guidelines since then, with some of the principles being modified, removed, added to, or qualified. However, in essence the nine principles remain rather inviolate to the present day. Indeed, nine internationally-recognised ‘principles of war’ exist today, that together serve as fundamental guidelines, aides, frames of reference, or points for consideration during the planning phase of any military operation. These are: (1) Objective; (2) Offensive; (3) Mass; (4) Economy of Force; (5) Maneuver; (6) Unity of Command; (7) Security; (8) Surprise; and (9) Freedom of Action - otherwise referred to as ‘Mobility’ or ‘Simplicity’ (Glenn, *op. cit.*, pp. 1-3, 5-6).

Although these principles were once considered only to apply to conventional war, over the past decades scholars and practitioners have begun to apply the principles to non-conventional military campaigns, a broad category known in the U.S. as ‘Operations-Other-Than-War’ (OOTW). Indeed, since the principles of war are generally regarded as ‘common-sense propositions’ and a universally applicable ‘working tool for analysis’, they are now regarded as applicable wherever military force must be applied to obtain strategic objectives. This signifies that the principles are considered as applicable to a range of military warfare: as important for the success of conventional wars as to irregular, low-intensity wars, or OOTWs such as peacekeeping and counter-insurgency campaigns. As Josiah A. Wallace has argued in reference to the latter, the principles are an ‘excellent device for the commander to use in analyzing all aspects of his counterinsurgency plans. If his plans conform to the principles of war, he is on firm ground’(cited in Glenn, *op. cit.*, p. 5).

<sup>61</sup> G.S. Corn, ‘Multi-National Operations, Unity of Effort, and the Law of Armed Conflict’, *Program on Humanitarian Policy and Conflict Research (HPCR) Harvard University, Working Paper Series: International Humanitarian Law and Contemporary Conflicts*, p. 2,  
<http://reliefweb.int/sites/reliefweb.int/files/resources/84B588812CF91A754925762E00194C41-Harvard May2009.pdf>, (accessed May 14, 2010).

<sup>62</sup> United States Department of Defense (U.S. DoD), *Joint Publication 3-0: Joint Operations*, 11 August 2011, p. A-2, [http://www.dtic.mil/doctrine/new\\_pubs/jp3\\_0.pdf](http://www.dtic.mil/doctrine/new_pubs/jp3_0.pdf), (accessed 6 June 2009).

<sup>63</sup> Glenn, *op. cit.* p. 10.

<sup>64</sup> Rice, *op. cit.*, p. 11.

<sup>65</sup> *Ibid.*, p. 9.

<sup>66</sup> *Ibid.*; Glenn, *op. cit.* p. 9.

<sup>67</sup> Rice, *op. cit.*, p. 1.

<sup>68</sup> Riscassi, R.W., ‘Principles for Coalition Warfare’, *Joint Forces Quarterly*, no. 1, (Summer) 1993, p. 67, [www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA528818](http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA528818) (accessed 6 June 2009).

<sup>69</sup> Rice, *op. cit.*, p. 9.

<sup>70</sup> Glenn, *op. cit.* p. 10.

<sup>71</sup> Figure A1-4 ‘Principles of Multinational Unity of Effort’, In Artificial Intelligence Applications Institute (AIAI) of the University of Edinburgh, *Multinational Standing Operating Procedures (MNF SOP)*, 6<sup>th</sup> working draft, ‘Chapter A-1: ‘Introduction - Asia-Pacific Shared Interests, MNF SOP Objectives, Applicability, and MNF Considerations’, 10 April 2002, pp. A1 C-3, [www.aiai.ed.ac.uk/project/coax/demo/2002/mpat/SOP/A1.DOC](http://www.aiai.ed.ac.uk/project/coax/demo/2002/mpat/SOP/A1.DOC) (accessed 20 January 2009).

<sup>72</sup> Glenn, *op. cit.* p. 9-10; H. Nuzum, ‘Shades of CORDS in the Kush: The False Hope of “unity of effort” in American Counterinsurgency’, *Strategic Studies Institute* (23 April, 2010), p. x, <http://www.strategicstudiesinstitute.army.mil/pubs/display.cfm?pubid=981>, (accessed 25 June 2013)

<sup>73</sup> Glenn, *op. cit.* p. 9.

<sup>74</sup> T.J. Pudas, ‘Preparing Future Coalition Commanders’, *Joint Forces Quarterly (JFQ)*, (Winter) 1993-1994, p. 45, <http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA528835>, (accessed 25 June 2013)

<sup>75</sup> United States Air Force, ‘The Principles of War’, *The Air University – The Intellectual and Leadership Centre of the Air Force*, 1997, <http://www.au.af.mil/au/awc/awcgate/prinwar.htm>, (accessed 25 June 2013).

<sup>76</sup> Nuzum, *op. cit.*

<sup>77</sup> Pudas, *op. cit.*, p. 41.

<sup>78</sup> ‘Chapter A-1: ‘Introduction - Asia-Pacific Shared Interests, MNF SOP Objectives, Applicability, and MNF Considerations’, *op. cit.*

<sup>79</sup> Rice, *op. cit.*, p. 9.

<sup>80</sup> *Ibid.*

<sup>81</sup> *Ibid.*

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<sup>82</sup> ‘Chapter A-1: ‘Introduction - Asia-Pacific Shared Interests, MNF SOP Objectives, Applicability, and MNF Considerations’, *op. cit.*

<sup>83</sup> *Ibid.*

<sup>84</sup> M. A. Canna (LTCOL), ‘Key Characteristics Effecting Command and Control for Multinational Operations Involving United States Military Forces’, A Research Report Submitted to Air Force Fellows, CADRE/AR, Air University Maxwell Air Force Base, Alabama, March 2004, pp. 50-51.

<sup>85</sup> Glenn, *op. cit.*

<sup>86</sup> Pudas, *op. cit.*

<sup>87</sup> Canna, ‘Key Characteristics Effecting Command and Control for Multinational Operations Involving United States Military Forces’, *op cit.*, pp. 50-51.

<sup>88</sup> Glenn, *op. cit.* p. 10.

<sup>89</sup> *Ibid.*

<sup>90</sup> *Ibid.*

<sup>91</sup> G.S. Corn, ‘Multi-National Operations, Unity of Effort, and the Law of Armed Conflict’, *Program on Humanitarian Policy and Conflict Research (HPCR) Harvard University, Working Paper Series: International Humanitarian Law and Contemporary Conflicts*, p. 2, [http://reliefweb.int/sites/reliefweb.int/files/resources/84B588812CF91A754925762E00194C41-Harvard\\_May2009.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/84B588812CF91A754925762E00194C41-Harvard_May2009.pdf), (accessed May 14, 2010).

<sup>92</sup> Pudas, *op. cit.*, p. 43.

<sup>93</sup> USDOD, ‘The Dictionary of Military Terms’, 2009, *op. cit.* p. 360

<sup>94</sup> R. Lane (MAJGEN). ‘The Command, Leadership and Management Challenges of Contemporary Multinational Command’, *Royal United Services Institute (RUSI) Journal*, vol. 151, 2006, pp. 30-34.

<sup>95</sup> Marich, *op. cit.* p. 12; Corn, *op. cit.* p. 2.

<sup>96</sup> Marich, *ibid.*, p. 13.

<sup>97</sup> Marich, *ibid.*, pp. 13-14.

## Chapter 2

<sup>1</sup> New Zealand Defence Force (NZDF), Directorate of Legal Services, ‘11.0 Rules of Engagement’, in *NZDF Operational Law Companion*, May 1999, paragraph 11.2, p. 11-1.

<sup>2</sup>*Ibid.*, paragraphs 11.3-11.8, p. 11-1; ‘Georges Clemenceau Quotes’, *ThinkExist.Com*, [http://thinkexist.com/quotation/war\\_is\\_much\\_too\\_serious\\_a\\_matter\\_to\\_trust\\_to/533942.html](http://thinkexist.com/quotation/war_is_much_too_serious_a_matter_to_trust_to/533942.html), (accessed 9 November 2009).

<sup>3</sup> NZDF, ‘11.0 Rules of Engagement’, *op. cit.*, paragraph 11.9, p. 11-1.

<sup>4</sup> The Geneva Conventions include the following international legal treaties: *Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field* (1864); *Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armies at Sea* (1906); *Geneva Convention relative to the Treatment of Prisoners of War* (1929); *Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field* (1949); *Geneva Convention (II) for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea* (1949); *Geneva Convention (III) Relative to the Treatment of Prisoners of War* (1949); *Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War* (1949); *Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I)* (1977); *Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II)* (1977); *Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Adoption of an Additional Distinctive Emblem (Protocol III)* (2005).

<sup>5</sup> *Ibid.*, paragraph 11.3, p. 11-1.

<sup>6</sup> NZDF BRIG Roger Mortlock (Ret’d), Personal communication with Regeena Kingsley, 3 November 2009, Centre for Defence & Security Studies (CDSS), Massey University, Palmerston North, New Zealand.

<sup>7</sup> NATO Standardization Agency (NSA), *Glossary of Terms and Definitions (English and French)*, AAP-6(2008), 2008, p. 2-R-10, <http://www.fas.org/irp/doddir/other/nato2008.pdf>, (accessed 6 January 2011); NATO Partnership for Peace (PfP), ‘Rules of Engagement in Multinational Operations against Terrorism’, Generated

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from a PfPLMS 0.2 learning object, *NATO Partnership for Peace Forum* (PfP ADL-WG, 2006), p. 1, <http://fpfdev.ethz.ch/SCORMcontent/112363/scos/5/index.pdf>, (accessed 8 October 2009).

This definition was agreed upon by NATO and entered both NATO's lexicon and its official 'Glossary of Terms' on 1 January 1973 (NATO Standardization Agency (NSA), *Glossary of Terms and Definitions (English and French)*, AAP-6(2008), *ibid.*, p. II, 2-R-10).

This 'NATO Agreed' definition is also currently adhered to and in use within the United States military (a NATO nation), but also interestingly within the Australian Defence Force (a non-NATO nation), and can be viewed within these nations official Glossary of Terms publications (for example: U.S. Department of Defense (U.S. DoD), *The Dictionary of Military Terms*, Joint Pub 1-02, New York, Skyhorse Publishing, 2009, p. 477; and Australian Department of Defence, *ADFP 101 Glossary*, *Australian Defence Force Publication- Staff Duties Series*, Canberra, 2009, p. R-11).

<sup>8</sup> AIRCDRE Greg Elliott, Official communication to Regeena Kingsley via the New Zealand Embassy in Washington D.C., [Email], 26 August 2010, Washington D.C., United States; LTCOL Justin S. Emerson, Personal correspondence with Regeena Kingsley, [Letter], 3 September 2009, Headquarters New Zealand Defence Force, Wellington.

<sup>9</sup> A. Heywood, *Key Concepts in Politics*, New York, Palgrave Macmillan, 2000, p. 208.

<sup>10</sup> A. Heywood, *Politics*, (3<sup>rd</sup> ed.), New York, Palgrave Macmillan, 2007, pp. 252, 452.

<sup>11</sup> UNSC resolutions require a majority vote among the fifteen sitting members of the Security Council at any one time, and no vetoes by the five permanent members (J. Goldstein & J. Pevehouse, *International Relations*, (4<sup>th</sup> ed.), USA: Pearson International Edition, 2008, p. 225; 'Member States – Growth in UN Membership, 1945-present', *Official Website of the United Nations*, <http://www.un.org/en/members/growth.shtml>, (accessed 28 October 2009).

<sup>12</sup> Goldstein & Pevehouse. *ibid.*, p. 227.

<sup>13</sup> Heywood, *Key Concepts in Politics*, 2000, *op. cit.*, p. 29; Heywood, *Politics* (3<sup>rd</sup> ed.) 2007, *op. cit.*, p. 219.

<sup>14</sup> A Status of Armed Forces Agreement (SOFA) refers to a binding political treaty drawn up to define the legal 'status' of armed forces operating in the territory of another State. It reaffirms the historic 'Law of the Flag' principle, whereby armed soldiers of a friendly State in the territory of another State were subject to the laws of their own national flag, rather than the laws of the foreign lands through which they passed. Though this is a widely recognised principle under international law, it is now customary for States to enter into SOFAs with the host State (or 'forum State') before deploying or stationing troops to that territory to 'govern the relationship between military forces of a state and the civilian authorities of a foreign state in which they are located or through which they are passing'.

The content of SOFAs can vary markedly depending on the circumstances surrounding the deployment and the activity to be engaged in. For instance, there are four different types of SOFA: peacetime or 'training' SOFA; UN or peacekeeping SOFA; operational SOFA; and Special Purpose SOFA. The principal purpose of a SOFA does not vary, however, in that it delineates the respective rights and obligations of both Parties to the treaty in terms of legal jurisdiction. Usually this means that the host State will restrict or waive its inherent right 'to exercise jurisdiction over all persons found within its borders regardless of whether they are in the service of a foreign armed force or not'. The incoming State is granted 'sovereign immunity', meaning that it 'is not subject to the jurisdiction of a foreign court in respect of acts which it or its instrumentalities do in the forum state in the exercise of its sovereignty as a state (e.g. military and diplomatic activities)'. The incoming State will for its part, while acknowledging respect for the local law and customs, agree to impose upon itself certain obligations: (1) to exercise criminal and disciplinary jurisdiction over its armed forces; (2) to regulate this criminal jurisdiction in respect of specified classes of offenses; (3) to make modifications or exemptions to domestic law relating to the force (such as taxation, customs, vehicle licensing) as necessary; and (4) to establish a claims regime for the resolution of civilian claims against the force for damaged property. SOFAs may additionally cover a wide range of issues and even devise solutions for theoretical scenarios, such as the resolution of potential disputes between the States (NZDF Law manual (New Zealand Defence Force (NZDF), Directorate of Legal Services, '14.0 The Legal Status of Armed Forces in the Territory of a Foreign State', in *NZDF Operational Law Companion*, May 1999, paragraphs 14.0, 14.2, 14.5, 14.11, 14.12, 14.21, 14.23, 14.32, 14.33, 14.43, 14.46, pp. 14-i-14-ii, 14-1-14-6 [\*For written NZDF authorisation permitting the use of these sections within the NZDF *Operational Law Companion*, refer to p. xxiii-xxxiv of Volume I]).

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<sup>15</sup> LTCOL Justin S. Emerson, Personal correspondence with Regeena Kingsley, *op. cit.*

<sup>16</sup> *Ibid.*

<sup>17</sup> *Ibid.*

<sup>18</sup> *Ibid.*

<sup>19</sup> NZDF LTCOL Andrew Shaw, Interviewed by Regeena Kingsley, 23 November 2009, NZDF Command & Staff College, Trentham Military Camp, Wellington, New Zealand.

<sup>20</sup> Strekalov, Alexey (LTCOL), ‘Drafting ROE for Multinational Operations: EAPC/PfP Workshop: Towards Legal Interoperability Between Multinational Forces’, (Lucerne, Switzerland, 23-25 September 2002), *NATO Partnership for Peace Forum*, <http://pforum.isn.ethz.ch/docs/Strekalov.doc>, (accessed 8 October 2009)

<sup>21</sup> *Ibid.*; Strekalov, *op. cit.*

<sup>22</sup> New Zealand Defence Force (NZDF), Directorate of Legal Services, ‘Annex A to Rules of Engagement, Draft-Rules of Engagement Manual for the New Zealand Defence Force’, ‘11.0 Rules of Engagement’, in *NZDF Operational Law Companion*, May 1999.

<sup>23</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 1; NZDF, ‘Annex A to Rules of Engagement’, *ibid.*

<sup>24</sup> NZDF, ‘Annex A to Rules of Engagement’, *ibid.*

<sup>25</sup> United States Department of Defense (U.S. DoD), Joint Chiefs of Staff Publication, *Joint Publication 1-04: Legal Support to Military Operations*, 17 August 2011, p. II-12, [http://www.dtic.mil/doctrine/new\\_pubs/jp1\\_04.pdf](http://www.dtic.mil/doctrine/new_pubs/jp1_04.pdf), (accessed 21 April 2015).

<sup>26</sup> *Ibid.*

<sup>27</sup> *Ibid.*

<sup>28</sup> *Ibid.*

LOAC is one field, within the vast body of International Law (IL) governing all international relations, that is concerned with armed conflict. It governs the existence and conduct of all armed conflict and military occupation, whether or not war has been formally recognised. LOAC is comprised of: (1) international treaties, agreements, pacts, conventions and protocols; (2) international custom (or CIL); (3) common principles of law generally recognized by civilized nations; (4) judicial decisions of international courts; and (5) the writings of legal experts. While LOAC is concerned with both *jus ad bellum*, law relating to the right of States to use force under international law, it chiefly consists of *jus in bello*, law which governs the conduct of States and individuals while engaged in an armed conflict. For instance, much of LOAC concerns: the means and methods of warfare; the protection of the victims of armed conflict; the punishment of those responsible for crimes against international law during a conflict; the protection of the environment from the widespread and long-term effects of war; child soldiers; and the prevention, suppression and punishment of the crime of torture, genocide, and crimes against humanity. In this way it often overlaps with the principles contained within International Human Rights Law (IHRL) relating to the protection of human beings by the authorities of the State. LOAC holds universal jurisdiction and presides over military conduct in both war and peacetime, including all the various stages in-between. States who have ratified treaty law relating to armed conflict are legally obligated to comply with it, in addition to accepted practices of CIL, and must be careful to honour LOAC in all their military dealings (J. Derbyshire (MAJ), ‘149.335: Introduction to LOAC’, in ‘Section One: Introduction to LOAC and Historical Development’, *149.335 Law of Armed Conflict*, Centre for Defence Studies, Massey University College of Humanities and Social Sciences, Palmerston North, New Zealand, 2008, pp. 5-7, 14-15).

CIL refers to practices in warfare that are so consistently upheld and adhered to by a majority of States on the world stage that they have become generally regarded as law. Instead of solely national interest, States comply with the practice out of a sense of legal obligation. CIL is considered binding on all states regardless of whether or not the practices have been enshrined in international treaties or, if the practice is already within international legislation, whether all or a majority of States have signed on to them. However, CIL is founded on general, rather than unanimous, agreement. This means that in rare instances where a State has consistently objected to a particular practice, that principle of customary law is not considered binding for that particular state. Nearly all of the major principles of LOAC as well as associated treaty law are now considered CIL, notably the prohibition against genocide and the 1949 Geneva Conventions and the Hague Convention IV (Hague Convention relative to the Laws and Customs of War on Land of 18 October 1907). Because CIL is based on historical experience and general consensus, it is continually changing as conflict evolves, meaning that ‘the legal obligations of States may change without any formal notification’ at all (Derbyshire, ‘149.335: Introduction to LOAC’, in ‘Section One: Introduction to LOAC and Historical Development’, *op. cit.*, pp. 13-14, 16).

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<sup>29</sup> U.S. DoD, *Joint Publication 1-04: Legal Support to Military Operations*, *op. cit.*, p. II-9.

<sup>30</sup> U.S. DoD, *Joint Publication 1-04: Legal Support to Military Operations*, *ibid.*, p. II-9, II-11.

<sup>31</sup> NZDF, ‘11.0 Rules of Engagement’, *op. cit.*, paragraph 11.20, p. 11-2; U.S. DoD, *Joint Publication 1-04: Legal Support to Military Operations*, *ibid.*, p. II-12.

<sup>32</sup> NZDF, ‘Annex A to Rules of Engagement’, *op. cit.*

<sup>33</sup> NZDF, ‘11.0 Rules of Engagement’, *op. cit.* 11.19-20, pp. 11-2, 11-3.

As the NZDF legal manual states in a warning to Legal Officers (LOs) involved in the process: ‘The LO should, therefore, never draft ROE in isolation. It is essential to obtain concise instruction as to the concept of operation. If you include a constraint (for political requirement’s sake) in ROE it will, in all probability, be considered as a **legal** constraint. The commander and all under him may labour under that misapprehension to their own personal cost, and at the expense of the mission’ [original emphasis] (*Ibid.*, paragraph 11.23, pp. 11-3).

<sup>34</sup> NZDF, ‘Annex A to Rules of Engagement’, *op. cit.*; NZDF LTCOL Andrew Shaw, Interviewed by Regeena Kingsley, *op. cit.*

<sup>35</sup> NZDF LTCOL Andrew Shaw, Interviewed by Regeena Kingsley, *ibid.*

<sup>36</sup> U.S. DoD, *Joint Publication 1-04: Legal Support to Military Operations*, *op. cit.*, p. II-12, II-13.

<sup>37</sup> NZDF LTCOL Andrew Shaw, Interviewed by Regeena Kingsley, *ibid.*; U.S. DoD, *Joint Publication 1-04: Legal Support to Military Operations*, *ibid.*, p. II-9, II-12.

<sup>38</sup> NZDF, ‘Annex A to Rules of Engagement’, *op. cit.*

<sup>39</sup> Strekalov, *op. cit.*

<sup>40</sup> NZDF, ‘Annex A to Rules of Engagement’, *op. cit.*

<sup>41</sup> *Ibid.*

<sup>42</sup> *Ibid.*

<sup>43</sup> Strekalov considers close cooperation at this stage of ROE formulation, between national civilian and military lawyers with those of other donor nations to a PSO, to be ‘vitally important for better cooperation in multinational operations’, along with national and international consultation with experienced professional officers (Strekalov, *op. cit.*).

<sup>44</sup> Strekalov, *op. cit.*

<sup>45</sup> Strekalov, *op. cit.*

<sup>46</sup> NZDF LTCOL Andrew Shaw, Interviewed by Regeena Kingsley, *op. cit.*

<sup>47</sup> *Ibid.*

<sup>48</sup> *Ibid.*

<sup>49</sup> *Ibid.*; U.S. DoD, *Joint Publication 1-04: Legal Support to Military Operations*, *op. cit.*, p. II-14.

<sup>50</sup> NZDF LTCOL Andrew Shaw, Interviewed by Regeena Kingsley, *ibid.*

<sup>51</sup> Strekalov, *op. cit.*

<sup>52</sup> NZDF, ‘Annex A to Rules of Engagement’, *op. cit.*

<sup>53</sup> Once the deployment has taken place and the operation brought to a close, it is common in this post-deployment stage for the operational ROE to be analysed and assessed with the benefit of hindsight and with an eye to future PSO engagements. At the national level, feedback will be gathered from the contingent involved, their experiences analysed, and recommendations taken for improvements in ROE generally, as well as for the specific PSO or type of PSO. This feedback will be translated into proposals for future changes in ROE, which will be analysed and, ideally, integrated into military thinking at national defence headquarters for the benefit of future contingents sent to future PSOs. In order to take full advantage of ROE suggestions, this post-operational ROE development will often be carried out jointly among the services. The process may also benefit from interaction between the national defence headquarters and those of other nations involved in the PSO, since exchanges in information and experience will help to build the largest picture possible of the real effectiveness and ramifications of the imposed ROE on tactical operations on the ground (Strekalov, *op. cit.*).

<sup>54</sup> NZDF LTCOL Andrew Shaw, Interviewed by Regeena Kingsley, *op. cit.*

<sup>55</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 2; NZDF, ‘Annex A to Rules of Engagement’, *op. cit.*

<sup>56</sup> NZDF, ‘Annex A to Rules of Engagement’, *op. cit.*

<sup>57</sup> *Ibid.*

<sup>58</sup> *Ibid.*

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<sup>59</sup> *Ibid.*

<sup>60</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 2.

<sup>61</sup> NZDF, ‘Annex A to Rules of Engagement’, *op. cit.*

<sup>62</sup> *Ibid.*; NZDF, ‘11.0 Rules of Engagement’, *op. cit.*, paragraph 11.17, p. 11-2.

<sup>63</sup> NZDF, ‘11.0 Rules of Engagement’, *op. cit.*, paragraph 11.14, p. 11-2.

<sup>64</sup> *Ibid.*

<sup>65</sup> *Ibid.*, paragraph 11.17, p. 11-2.

<sup>66</sup> *Ibid.*

<sup>67</sup> *Ibid.*, paragraph 11.13, p. 11-2.

<sup>68</sup> MAJ Jane Derbyshire, Personal communication with Regeena Kingsley, 18 November 2009, Centre for Defence & Security Studies (CDSS), Massey University, Palmerston North, New Zealand.

It is possible not to breach ROE and still be prosecuted for a crime, if for instance, the amount of force used in self-defence was unjustifiable (*ibid.*)

<sup>69</sup> *Ibid*

<sup>70</sup> *Ibid*

<sup>71</sup> *Ibid.*; J. Derbyshire, ‘149.335: Prevention and punishment of breaches of LOAC’, in ‘Section Twelve: International Criminal Court and Enforcement’, *149.335 Law of Armed Conflict*, Centre for Defence Studies, Massey University College of Humanities and Social Sciences, Palmerston North, New Zealand, 2008, p. 15.

<sup>72</sup> NZDF BRIG Roger Mortlock (Ret’d), Personal communication with Regeena Kingsley, *op. cit.*; Derbyshire, 149.335 Prevention and punishment of breaches of LOAC, *op. cit.*, pp. 8, 14.

<sup>73</sup> Derbyshire, ‘149.335 Prevention and punishment of breaches of LOAC’, *op. cit.*, p. 15.

Though ‘imprisonment for life’ under NZ Law actually equates to a minimum period of only 10 years, or 17 years if the offence involved ‘a high level of brutality, cruelty, depravity, or callousness’. (*Ibid*)

<sup>74</sup> *Ibid.*, p. 16.

<sup>75</sup> MAJ Jane Derbyshire, Personal communication with Regeena Kingsley, *op. cit.*

<sup>76</sup> NZDF BRIG Roger Mortlock (Ret’d), Personal communication with Regeena Kingsley, *op. cit.*; MAJ Jane Derbyshire, Personal communication with Regeena Kingsley, *ibid*.

Within *ad hoc* tribunals, prosecution will proceed and punishments be meted out according to the specific statutes drawn up by the UNSC at the creation of the tribunal (Derbyshire, ‘149.335 Prevention and punishment of breaches of LOAC’, *op. cit.*, p. 17).

In addition, handover of an accused to the ICC can only occur on the condition that: (1) the accused is not under the age of 18; and (2) the State has not chosen to ‘opt out’ from the provisions on war crimes within the Statute, involving an opt-out period of seven years (Derbyshire, ‘149.335 Prevention and punishment of breaches of LOAC’, *op. cit.*, p. 7).

<sup>77</sup> *Ibid.*

<sup>78</sup> MAJ Jane Derbyshire, Personal communication with Regeena Kingsley, *op. cit.*; Derbyshire, 149.335 Prevention and punishment of breaches of LOAC, *op. cit.*, p. 7.

<sup>79</sup> Derbyshire, ‘149.335 Prevention and punishment of breaches of LOAC’, *op. cit.*, p. 17.

<sup>80</sup> Certainly both will bear criminal responsibility for breaches of LOAC. All persons in the armed forces have individual criminal responsibility if they: (a) plan, instigate, order, or commit a crime at international law; or (b) aid and abet the planning, preparation or execution of a crime at international law. A commander has the additional command responsibility of being held accountable for any breaches of LOAC which he or she: (a) commits personally; (b) orders; (c) inadvertently allows to take place under his or her effective control where (1) the commander knew or ought to know that their forces were committing or about to commit a crime, or alternatively, (2) where the commander failed to take all necessary and reasonable steps within his or her power to either suppress the breach or cause it to be investigated and prosecuted (J. Derbyshire (MAJ), ‘Section Two: Basic Principles of LOAC, NZDF Code of Conduct and Command Responsibility’, *149.335 Law of Armed Conflict*, Centre for Defence Studies, Massey University College of Humanities and Social Sciences, Palmerston North, New Zealand, 2008, pp. 5-6).

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## Chapter 3

<sup>1</sup> NATO Standardization Agency (NSA), *Glossary of Terms and Definitions (English and French)*, AAP-6(2008), 2008, p. 2-C-2, <http://www.fas.org/irp/doddir/other/nato2008.pdf>, (accessed 6 January 2011).

<sup>2</sup> J. Brophy & M. Fisera, “National Caveats” and its impact on the Army of the Czech Republic’, *Univerzita Obrany*, 29 July 2007, [http://www.vabo.cz/stranky/fisera/files/National\\_Caveats\\_Short\\_Version\\_version\\_V\\_29%20JULY.pdf](http://www.vabo.cz/stranky/fisera/files/National_Caveats_Short_Version_version_V_29%20JULY.pdf). (accessed November 18, 2009).

<sup>3</sup> *Ibid.*

<sup>4</sup> ‘International Security Assistance Force (ISAF)’, *Institute for the Study of War (ISW)*, 15 April 2009, <http://www.understandingwar.org>, (accessed 30 June 2009).

<sup>5</sup> D.P. Auerswald & S. M. Saideman, ‘Caveats Emptor: Multilateralism at War in Afghanistan’, a paper presented at the *Annual Meeting of the International Studies Association*, New York, United States, (15-18<sup>th</sup> February) 2009, p. 5, <http://profs-polisci.mcgill.ca/saideman/Caveats%20and%20Afghanistan,%20isa%202009.pdf>. (accessed November 18, 2009).

<sup>6</sup> Unfortunately, a discussion of these political, military, historical and social motivations for government imposition of national caveats on national military forces falls outside the purview of this effectiveness-focused research on the ISAF mission in Afghanistan (refer to pp. 8-9 and also to pp. 107 and 115 of Chapter 5 ‘Research Rationale & Methodology’). However, some of these motivations are discussed briefly within this research on pp. 370-373 and in APPENDIX 12 in relation to Lead Nations Italy and Germany. As these discussions show, it is in fact political will within each national government – rather than these other domestic government pressures – that seems to be the ultimate driving force behind government decisions to impose or remove national caveats from their deployed forces contributed to multinational operations (discussed on pp. 403-404, 410-402 and 422-423).

<sup>7</sup> U.S. Department of Defense, *The Dictionary of Military Terms*, Washington D.C., Skyhorse Publishing, Inc., 2009, p. 80.

<sup>8</sup> Australian Department of Defence, *ADFP 101 Glossary, Australian Defence Force Publication- Staff Duties Series*, Canberra, 2009, p. AL1.

<sup>9</sup> Auerswald & Saideman, ‘Caveats Emptor: Multilateralism at War in Afghanistan’, *op. cit.*, p. 6; NZDF LTCOL Andrew Shaw, Interviewed by Regeena Kingsley, 23 November 2009, NZDF Command & Staff College, Trentham Military Camp, Wellington, New Zealand.

<sup>10</sup> Auerswald & Saideman, ‘Caveats Emptor: Multilateralism at War in Afghanistan’, *op. cit.*, p. 6.

<sup>11</sup> *Ibid.*

<sup>12</sup> AIRCDRE Greg Elliott, Official communication to Regeena Kingsley via the New Zealand Embassy in Washington D.C., [Email], 26 August 2010, Washington D.C., United States.

<sup>13</sup> Auerswald & Saideman, ‘Caveats Emptor: Multilateralism at War in Afghanistan’, *op. cit.*, p. 6.

<sup>14</sup> AIRCDRE Greg Elliott, Official communication to Regeena Kingsley, *op. cit.*; LTCOL Justin S. Emerson, Personal correspondence with Regeena Kingsley, [Letter], 3 September 2009, Headquarters New Zealand Defence Force, Wellington.

<sup>15</sup> AIRCDRE Greg Elliott, Official communication to Regeena Kingsley, *op. cit.*; LTCOL Justin S. Emerson, Personal correspondence with Regeena Kingsley, *ibid.*

<sup>16</sup> LTCOL Nick Gillard, Interviewed by Regeena Kingsley, 1 September 2010, New Zealand High Commission, London, United Kingdom.

<sup>17</sup> *Ibid.*

<sup>18</sup> *Ibid.*

<sup>19</sup> *Ibid.*

<sup>20</sup> *Ibid.*

<sup>21</sup> AIRCDRE Greg Elliott, Official communication to Regeena Kingsley, *op. cit.*

<sup>22</sup> LTCOL Nick Gillard, Interviewed by Regeena Kingsley, *op. cit.*

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In fact, Gillard found that communication itself between neighbouring force contingents within the ISAF operation was difficult, due to complex communication procedures within the mission. During his time as Chief of Staff and a tactical commander at the New Zealand-led PRT, Gillard found that it was ‘bloody hard’ to communicate with the neighbouring Hungarian contingent in Baghlan Province (RC-North). As he states, there was: ‘An inability to talk through various command chains and communications channels...We could talk through certain NETs [Networks] and certain secret level IT systems, but it wasn’t an easy thing to do...The procedures were difficult’. This difficulty was greatly increased, furthermore, if forces were attempting to communicate with neighbouring contingents while physically deployed out on the ground, rather than from Bamyan headquarters (LTCOL Nick Gillard, Interviewed by Regeena Kingsley, *ibid.*).

<sup>23</sup> MAJ Terrence M. Brown, Official communication to Regeena Kingsley via the New Zealand Embassy in Washington D.C., [Email], 26 August 2010, Washington D.C., United States.

<sup>24</sup> Auerswald & Saideman, ‘Caveats Emptor: Multilateralism at War in Afghanistan’, *op. cit.*, p. 6.

<sup>25</sup> Cited in Auerswald & Saideman, *ibid.*, p. 6; MAJ Steve Challies, Interviewed by Regeena Kingsley, 1 December 2009, Centre for Defence & Security Studies (CDSS), Palmerston North, New Zealand.

<sup>26</sup> MAJ Steve Challies, Interviewed by Regeena Kingsley, *ibid.*

<sup>27</sup> Footnote 15, in D.P. Auerswald & S. M. Saideman, ‘NATO at War: Understanding the Challenges of Caveats in Afghanistan’, a paper prepared for presentation at the *Annual Meeting of the American Political Science Association*, Toronto, Canada, (2-5<sup>th</sup> September) 2009, p. 7,

[www.aco.nato.int/resources/1/documents/NATO%20%at%20War.pdf](http://www.aco.nato.int/resources/1/documents/NATO%20%at%20War.pdf), (accessed 18 March 2013).

<sup>28</sup> Brophy & Fisera, “National Caveats” and its impact on the Army of the Czech Republic’, *op. cit.*

<sup>29</sup> Auerswald & Saideman, ‘Caveats Emptor: Multilateralism at War in Afghanistan’, *op. cit.*, p. 2.

<sup>30</sup> *Ibid.*

<sup>31</sup> New Zealand Defence Force (NZDF), Directorate of Legal Services, ‘Annex A to Rules of Engagement, Draft-Rules of Engagement Manual for the New Zealand Defence Force’, ‘11.0 Rules of Engagement’, in *NZDF Operational Law Companion*, May 1999.

<sup>32</sup> *Ibid.*

The NZDF *Operational Law Companion* indicates that where force must be used against persons *not* declared Enemy in the course of operations, minimum force only is to be used. These persons include: other belligerent parties; bandits; criminals; terrorists; saboteurs; protestors; persons seeking to obstruct operations; mobs, rioters and groups of people rushing the armed force to obtain food or political asylum; and foreign forces acting contrary to the sovereign interests of the armed force (*Ibid.*).

<sup>33</sup> NATO Partnership for Peace (PfP), ‘Rules of Engagement in Multinational Operations against Terrorism’, Generated from a PfPLMS 0.2 learning object, *NATO Partnership for Peace Forum* (PfP ADL-WG, 2006), p. 1, <http://pfpdev.ethz.ch/SCORMcontent/112363/scos/5/index.pdf>, (accessed 8 October 2009)

<sup>34</sup> To illustrate, consider the definition provided by the U.S. in comparison with that issued by the NZDF. In the United States a *hostile act* is regarded as ‘an attack or other use of force against US forces’ in addition to ‘force used directly to preclude or impede the mission or duties of US forces’, whereas *hostile intent* is defined as ‘the threat of imminent use of force against US forces’ and ‘also the threat of force to prevent or impede the mission or duties of US forces’. In New Zealand, by contrast, a *hostile act* is defined as: ‘an attack or any other use of force direct by any person or foreign force against: (a) New Zealand and any area for the defence of which New Zealand is responsible; (b) New Zealand’s interests, whether in New Zealand or elsewhere; (c) any State, or the armed forces of any state with whom New Zealand is in a collective security arrangement; (d) any member of the New Zealand Armed Forces; (e) any person whom it is the duty of the New Zealand Armed Forces to defend; and (f) any property or equipment, the loss of which will significantly impede the safe conduct of operations (NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 3; NZDF, ‘Annex A to Rules of Engagement’, *op. cit.*).

<sup>35</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 3; NZDF, ‘Annex A to Rules of Engagement’, *op. cit.*

<sup>36</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *ibid.*, p. 3; NZDF, ‘Annex A to Rules of Engagement’, *ibid.*

<sup>37</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *ibid.*, p. 3.

<sup>38</sup> NZDF, ‘Annex A to Rules of Engagement’, *op. cit.*

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<sup>39</sup> Further still, a national armed force is permitted to additionally use force in aid of armed forces of any other UN Member-State being attacked or under threat of an armed attack, with whom the nation has a collective security arrangement (NZDF, ‘Annex A to Rules of Engagement’, *ibid.*). Quite plausibly then, self-defence on the part of another state’s armed force may occur on the sovereign national territory of either country, or in foreign territory where both armed forces are operating, for instance where both contingents are deployed to a theatre of war as part of a multinational operation.

<sup>40</sup> NZDF, ‘Annex A to Rules of Engagement’, *ibid.*

<sup>41</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 3.

<sup>42</sup> *Ibid*

<sup>43</sup> NZDF, ‘Annex A to Rules of Engagement’, *op. cit.*

<sup>44</sup> *Ibid.*

<sup>45</sup> *Ibid.*

<sup>46</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 3.

<sup>47</sup> *Ibid.*

<sup>48</sup> NZDF, ‘Annex A to Rules of Engagement’, *op. cit.*

<sup>49</sup> For example, U.S. ROE make the same provision for the first option of self-defence employing low-level force, indicating to commanders that: ‘if time and circumstances permit, a threatening unit or person should be warned and given the opportunity to withdraw or cease threatening actions’ [original emphasis] (NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 3).

<sup>50</sup> *Ibid.*

<sup>51</sup> J. Derbyshire (MAJ), ‘Section Two: Basic Principles of LOAC, NZDF Code of Conduct and Command Responsibility’, *149.335 Law of Armed Conflict, Centre for Defence Studies*, Massey University College of Humanities and Social Sciences, Palmerston North, New Zealand, 2008, p. 3; J. Derbyshire (MAJ), ‘149.335: Basic Principles of LOAC’, in ‘Section Two: Basic Principles of LOAC, NZDF Code of Conduct and Command Responsibility’, *149.335 Law of Armed Conflict, Centre for Defence Studies*, Massey University College of Humanities and Social Sciences, Palmerston North, New Zealand, 2008, p. 7.

While the body of LOAC governing the conduct of armed conflict has been developed to reduce as much as possible the suffering, loss and damage caused by armed conflict, it has also been drafted with the intent of enhancing military efficiency. For instance, by safeguarding the rights of the wounded, sick and shipwrecked (those *hors de combat*), Prisoners of War (PWs), detainees, and civilians, it is believed that a smoother and easier return to peace will be made possible in the theatre of conflict at the cessation of hostilities (Derbyshire, ‘Section Two: Basic Principles of LOAC, NZDF Code of Conduct and Command Responsibility’, p. 5).

<sup>52</sup> Derbyshire, ‘Section Two: Basic Principles of LOAC, NZDF Code of Conduct and Command Responsibility’, *op. cit.*, p. 3; Derbyshire, ‘149.335: Basic Principles of LOAC’, *op. cit.*, p. 7.

<sup>53</sup> Derbyshire, ‘Section Two: Basic Principles of LOAC, NZDF Code of Conduct and Command Responsibility’, *op. cit.*, p. 2; Derbyshire, ‘149.335: Basic Principles of LOAC’, *op. cit.*, p. 7.

<sup>54</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 3.

<sup>55</sup> Derbyshire, ‘Section Two: Basic Principles of LOAC, NZDF Code of Conduct and Command Responsibility’, *op. cit.*, p. 3.

<sup>56</sup> Derbyshire, ‘149.335: Basic Principles of LOAC’, *op. cit.*, p. 7.

<sup>57</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 3.

<sup>58</sup> Derbyshire, ‘Section Two: Basic Principles of LOAC, NZDF Code of Conduct and Command Responsibility’, *op. cit.*, p. 4; Derbyshire, ‘149.335: Basic Principles of LOAC’, *op. cit.*, p. 9.

Especially inevitable in scenarios where the Enemy station themselves in close proximity to civilian objects or use civilians as human-shields (Derbyshire, ‘Section Two: Basic Principles of LOAC, NZDF Code of Conduct and Command Responsibility’, *ibid.*, p. 4).

<sup>59</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 3; Derbyshire, ‘Section Two: Basic Principles of LOAC, NZDF Code of Conduct and Command Responsibility’, *ibid.*, p. 4.

<sup>60</sup> S. M. Womack (LTCOL.), ‘Rules of Engagement in Multinational Operations’, *Marine Corps Gazette*, Vol. 80, no. 2, February 1996, p. 22.

<sup>61</sup> *Ibid.*

<sup>62</sup> *Ibid.*

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- <sup>63</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 3.
- <sup>64</sup> *Ibid.*
- <sup>65</sup> *Ibid.*
- <sup>66</sup> M. DeLong (LTGEN) & N. Lukeman, ‘Welcome to CentCom’, *A General Speaks Out: The Truth about the Wars in Afghanistan and Iraq*, St. Paul: MBI Publishing Company LLC, 2007, p. 11.
- <sup>67</sup> *Ibid*
- <sup>68</sup> DeLong & Lukeman, ‘Welcome to CentCom’, *op. cit.*, p.10-11; ‘Homeland Security: USS Cole bombing’, *GlobalSecurity.Org*, [http://www.globalsecurity.org/security/profiles/uss\\_cole\\_bombing.htm](http://www.globalsecurity.org/security/profiles/uss_cole_bombing.htm), (accessed 4 March 2010).
- <sup>69</sup> DeLong & Lukeman, ‘Welcome to CentCom’, *op. cit.*, p.10-11
- <sup>70</sup> *Ibid.*
- <sup>71</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 4.
- <sup>72</sup> NZDF, ‘Annex A to Rules of Engagement’, *op. cit.*; D.P. Auerswald & S.M. Saideman, ‘Caveats Emptor: Multilateralism at War’, *op. cit.*, p. 5.
- <sup>73</sup> MAJ Steve Challies, Interviewed by Regeena Kingsley, *op. cit.*
- <sup>74</sup> New Zealand Defence Force (NZDF), Directorate of Legal Services, , ‘11.0 Rules of Engagement’, in *NZDF Operational Law Companion*, May 1999, paragraph 11.2, p. 11-1; NZDF, ‘Annex A to Rules of Engagement’, *op. cit.*
- <sup>75</sup> DeLong & Lukeman, ‘Prologue’, *A General Speaks Out: The Truth about the Wars in Afghanistan and Iraq*, St. Paul: MBI Publishing Company LLC, 2007, pp. xxi-xxii.
- <sup>76</sup> *Ibid.* p. xxi, xxiii.
- <sup>77</sup> *Ibid.*, p. xxii.
- <sup>78</sup> *Ibid.*, pp. xxi-xxiiii.
- <sup>79</sup> *Ibid.*, pp. xxiii-xxiv
- <sup>80</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 4.
- <sup>81</sup> *Ibid.*
- <sup>82</sup> NZDF, ‘Annex A to Rules of Engagement’, *op. cit.*; Auerswald & Saideman, ‘Caveats Emptor: Multilateralism at War’, *op. cit.*, p. 5.
- <sup>83</sup> MAJ Steve Challies, Interviewed by Regeena Kingsley, *op. cit.*
- <sup>84</sup> *Ibid.*
- <sup>85</sup> *Ibid.*
- <sup>86</sup> *Ibid.*
- <sup>87</sup> Related by MAJGEN Tim Grant, Commander of the Canadian contingent in Bosnia, in Auerswald & Saideman, ‘NATO at War: Understanding the Challenges of Caveats in Afghanistan’, *op. cit.*, p. 17.
- <sup>88</sup> Auerswald & Saideman, ‘Caveats Emptor: Multilateralism at War’, *op. cit.*, p. 5-6.
- <sup>89</sup> MAJ Steve Challies, Interviewed by Regeena Kingsley, *op. cit.*
- <sup>90</sup> *Ibid.*
- <sup>91</sup> *Ibid.*
- <sup>92</sup> LTCOL Nick Gillard, Interviewed by Regeena Kingsley, *op. cit.*
- <sup>93</sup> MAJ Steve Challies, Interviewed by Regeena Kingsley, *ibid.*
- <sup>94</sup> LTCOL Nick Gillard, Interviewed by Regeena Kingsley, *op. cit.*
- <sup>95</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 4.
- <sup>96</sup> *Ibid.*

## Chapter 4

<sup>1</sup> NATO Standardization Agency (NSA), *Glossary of Terms and Definitions (English and French)*, AAP-6(2008), 2008, p. 2-R-10, <http://www.fas.org/irp/doddir/other/nato2008.pdf>, (accessed 6 January 2011); NATO Partnership for Peace (PfP), ‘Rules of Engagement in Multinational Operations against Terrorism’, Generated from a PfPLMS 0.2 learning object, *NATO Partnership for Peace Forum* (PfP ADL-WG, 2006), p. 1, <http://pfpdev.ethz.ch/SCORMcontent/112363/scos/5/index.pdf>, (accessed 8 October 2009).

<sup>2</sup> New Zealand Defence Force (NZDF), Directorate of Legal Services, ‘11.0 Rules of Engagement’, *NZDF Operational Law Companion*, May 1999, paragraph 11.10, 11.21-22, pp. 11-1, 11-3.

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<sup>3</sup> *Ibid.*, paragraphs 11.10, p. 11-1.

<sup>4</sup> New Zealand Defence Force (NZDF), Directorate of Legal Services, ‘Annex A to Rules of Engagement, Draft-Rules of Engagement Manual for the New Zealand Defence Force’, ‘11.0 Rules of Engagement’, in *NZDF Operational Law Companion*, May 1999.

<sup>5</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 1, <http://pfpdev.ethz.ch/SCORMcontent/112363/scos/5/index.pdf>, (accessed 8 October 2009)

Where *command* may be regarded as legal authority, by virtue of rank, assignment or appointment, to direct, coordinate and control armed forces; and *control* as the authority exercised by a commander, or person of authority, over part of the activities of subordinate organisations or other organisations *not normally* under his command, involving the oversight, direction and coordination of forces towards the implementation of orders and directives issued from a higher authority. It is important to note that though used together, the two terms are not synonymous (New Zealand Defence Force (NZDF), Headquarters New Zealand Defence Force (HQNZDF), ‘Chapter One: Introducing Command in the New Zealand Defence Force’, *Command and Control in the New Zealand Defence Force – NZDDP – 00.1, New Zealand Defence Doctrine Publication*, Wellington, 2008, pp.1-1,1-4; New Zealand Defence Force (NZDF), Headquarters New Zealand Defence Force (HQNZDF), ‘Glossary and Acronyms’, *Foundations of New Zealand Military Doctrine – NZDDP-D 2004, New Zealand Defence Doctrine Publication*, Wellington, 2004, pp. G-3, G-4).

<sup>6</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 2.

<sup>7</sup> *Ibid.*

<sup>8</sup> Own translation from the German: ‘...dass der Krieg nicht bloß ein politischer Akt, sondern ein wahres politisches Instrument ist, eine Fortsetzung des politischen Verkehrs, ein Durchführen desselben mit anderen Mitteln...die politische Absicht ist der Zweck, der Krieg ist das Mittel, und niemals kann das Mittel ohne Zweck gedacht werden’ (C. von Clausewitz, ‘Erster Teil. Erstes Buch’, *Vom Kriege – Hinterlassenes Werk, Ungekürzter Text*, Berlin, Ullstein Buchverlage GmbH & Co. KG., 1999, p. 45.)

Karl von Clausewitz (1780-1831) was a Prussian military commander who took part in seven campaigns against Napoleonic French forces in Europe during the late 18<sup>th</sup> and early 19<sup>th</sup> century. As an intellectual and philosopher, educated at the prestigious Prussian Military Academy, he later became a military instructor, strategist and philosopher of great renown whose ideas were recorded in a number of German works including his most famous three-volume work entitled *Von Krieg* (‘On War’). Following his death, Clausewitz’s treatises on war were published and quickly became the most influential texts on military thinking. *Von Krieg* is still considered today to be the single most important work ever written on military strategy and the theory of warfare.

<sup>9</sup> NZDF, ‘11.0 Rules of Engagement’, *op. cit.*, paragraph 11.11, p. 11-2.

<sup>10</sup> Original italics. *Ibid.*, paragraph 11.12, p. 11-2.

<sup>11</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 2.

<sup>12</sup> This is especially apt considering Clausewitz’s argument that all wars in their natural state tend towards escalation. As he states on this one dimension weighing-in on the process of war: ‘*War is an act of force, and there is no logical limit to the application of that force. Each side, therefore compels the other to follow suit; a reciprocal action is started which must lead, in theory, to extremes*’ (Clausewitz, Carl von. ‘Book One: On the Nature of War’, *On War*. Princeton, Princeton University Press, 1984. p. 77).

<sup>13</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 1; R. Bowyer. *Dictionary of Military Terms* (3<sup>rd</sup> ed.), London, A & C Black Publishers Ltd, 2008, p. 210.

<sup>14</sup> Rules of Engagement in Multinational Operations against Terrorism, *ibid.*, p. 2.

<sup>15</sup> The seven principles of command include: (1) unity of command; (2) chain of command; (3) continuity of command; (4) delegation of authority; (5) span of control; (6) freedom of action; and (7) control of scarce resources.

<sup>16</sup> HQNZDF, ‘Glossary and Acronyms’, *op. cit.*, p. G-9; T. T. Lupfer, ‘Tactics’, in Margiotta, F.D. (Col.)(ed.), *Brassey’s Encyclopedia of Land Forces and Warfare*, Washington, Brassey’s, Inc., 1996, p. 1023.

<sup>17</sup> HQNZDF, ‘Glossary and Acronyms’, *op. cit.*, p. G-11; Bowyer, Dictionary of Military Terms, *op. cit.*, p. 239; ‘Tactics’, *op. cit.*, pp. 1023-1024.

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- <sup>18</sup> NATO PfP, 'Rules of Engagement in Multinational Operations against Terrorism', *op. cit.*, p. 2.
- <sup>19</sup> M. DeLong (LTGEN) & N. Lukeman. 'Prologue', *A General Speaks Out: The Truth about the Wars in Afghanistan and Iraq*, St. Paul: MBI Publishing Company LLC, 2007, p. xxii
- <sup>20</sup> HQNZDF, 'Glossary and Acronyms', *op. cit.*, p. G-9.
- <sup>21</sup> NATO PfP, 'Rules of Engagement in Multinational Operations against Terrorism', *op. cit.*, p. 2.
- <sup>22</sup> NZDF, 'Annex A to Rules of Engagement', *op. cit.*
- <sup>23</sup> NZDF, '11.0 Rules of Engagement', *op. cit.*, p. 11-2; NZDF, 'Annex A to Rules of Engagement', *op. cit.*
- <sup>24</sup> NZDF, '11.0 Rules of Engagement', *op. cit.*, p. 11-2; NZDF, 'Annex A to Rules of Engagement', *op. cit.*
- <sup>25</sup> 'Prologue', *op. cit.*, p. xxii.
- <sup>26</sup> NZDF, '11.0 Rules of Engagement', *op. cit.*, paragraph 11.2, p. 11-1.
- <sup>27</sup> *Ibid.*, 11.13-11.14, p. 11-2.
- <sup>28</sup> C. Bassford, 'Clausewitz and His Works', *Paper for the U.S. Army War College*, 2008, <http://www.clausewitz.com/readings/Bassford/Cworks/Works.htm#Politik>, (accessed 9 November 2009).
- <sup>29</sup> Clausewitz, ('Betrachtungen über einen künftigen Kriegsplan gegen Frankreich' (c.1830), in *Moltkes Militärische Werke*, Teil I: Militärische Korrespondenz, Teil 4 (Berlin, 1902), p. 181-197), cited in Bassford, 'Clausewitz and His Works', *ibid.*
- <sup>30</sup> Bassford, 'Clausewitz and His Works', *ibid.*
- <sup>31</sup> Dwight Eisenhower, 'The Papers of Dwight D. Eisenhower: The War Years III', pp. 1420-1424, cited in L. March (LTCOL), 'Enhancing Command and Control in Multinational Operations', *U.S. Army War College, Carlisle Barracks*, 2002, pp. 11-12, <http://www.dtic.mil/cgi-bin/GetTRDoc?Location=U2&doc=GetTRDoc.pdf&AD=ADA404313> (accessed May 14, 2010).
- <sup>32</sup> U.S. Department of Defence, (U.S. DoD), Joint Chiefs of Staff Publication, *Joint Publication 3-16: Joint Doctrine for Multinational Operations*, 16 July 2013, p. I-10, [http://www.dtic.mil/doctrine/new\\_pubs/jp3\\_16.pdf](http://www.dtic.mil/doctrine/new_pubs/jp3_16.pdf), (accessed 6 June 2009).
- <sup>33</sup> *Ibid*
- <sup>34</sup> 'Chapter A-1: 'Introduction - Asia-Pacific Shared Interests, MNF SOP Objectives, Applicability, and MNF Considerations', in *Multinational Standing Operating Procedures (MNF SOP)*, 6<sup>th</sup> working draft, Artificial Intelligence Applications Institute (AIAI) of the University of Edinburgh, 10 April 2002, pp. A1 B-1, A1 B-2., [www.aiai.ed.ac.uk/project/coax/demo/2002/mpat/SOP/A1.DOC](http://www.aiai.ed.ac.uk/project/coax/demo/2002/mpat/SOP/A1.DOC) (accessed 20 January 2009).
- <sup>35</sup> M. A. Canna (LTCOL), 'Key Characteristics Effecting Command and Control for Multinational Operations Involving United States Military Forces', A Research Report Submitted to Air Force Fellows, CADRE/AR, Air University Maxwell Air Force Base, Alabama, March 2004, pp. 50-51.
- <sup>36</sup> A perspective argued by Sir Paul Lever, Chairman of the Royal United Services Institute (RUSI), and General Jack Deverell, a former Commander-in-Chief in NATO's Allied Forces North (AFNORTH) command, to a House of Commons Panel assessing British participation within the ISAF and the issue of national caveats within the mission (United Kingdom House of Commons (U.K. HoC), Defence Committee, *The Future of NATO and European Defence, Ninth Report of Session 2007-2008*, 20 March 2008, pp. 37-38, <http://www.publications.parliament.uk/pa/cm200708/cmselect/cmdfence/111/111.pdf>, (accessed 31 January 2013).
- <sup>37</sup> NZDF BRIG Roger Mortlock (Ret'd), Personal communication with Regeena Kingsley, 3 November 2009, Centre for Defence & Security Studies (CDSS), Massey University, Palmerston North, New Zealand.
- <sup>38</sup> *Ibid.*
- <sup>39</sup> A Belgian military unit, forming part of the UNAMIR mission to Rwanda in 1994, had been stationed at the *École Technique Officielle* (ETO) at Kicukiro, a suburb of Kigali, when the Rwandan genocide began. With the commencement of widespread massacres of the Tutsi population by the minority Hutu population, at least 2,000 civilians sought refuge at the ETO compound and the protection provided by the presence of the UN peacekeepers. However, the Belgian unit were restrained by both a limited UNAMIR mandate, which authorised UNAMIR only to contribute to the security of Kigali through supporting the local gendarmerie, and restrictive ROE that ordered them 'not to fire until fired upon'. Indeed, a request made by the UNAMIR Force Commander to UN headquarters, in the weeks leading up to the massacres, to expand the existing ROE and give UNAMIR a more active role allowing the mission 'to act, and even to use force, in response to crimes against humanity and other abuses' was ignored. The maintenance of public security was considered the domain of the Rwandan authorities alone. When Hutu forces, comprised of the *Interahamwe* militia and Rwandan military soldiers, surrounded the ETO compound with the clear intent of slaughtering the Tutsis sheltering inside, a French contingent arrived to evacuate the French expatriates. Then both the French and Belgian contingents left, allowing the men, women and children to be massacred. Having failed to prevent the killing of an

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estimated 20,000 civilians, the Belgian government subsequently decided to withdraw all Belgian forces from Rwanda and the UNAMIR operation – leaving all its weapons and equipment behind – and pressed for UNAMIR itself to be disbanded. Dallaire, the UNAMIR Force Commander later described the Belgian withdrawal as a ‘terrible blow to the mission’. Six years later in February 2010, the French admitted that it also had made ‘grave errors of judgment’ in its response to the Hutu slaughter in 1994, errors in appreciation and political errors that resulted in ‘absolutely tragic consequences’. Indeed, as the independent report into the 1994 Rwandan genocide reported: ‘The international community did not prevent the genocide, nor did it stop the killing once the genocide had begun’ (United Nations Security Council (UNSC), *S/1999/1257 Report of the Independent Inquiry into the actions of the United Nations during the 1994 Genocide in Rwanda*, 15 December 1999, pp. 3, 8, 9, 14, 16, 18, 19, 20, <http://www.un.org>, (accessed 19 June 2008); B. Crumley, ‘France’s Belated Mea Culpa on Rwanda’, *TIME Magazine*, 26 February 2010, <http://www.time.com>, (accessed 2 March 2010)).

<sup>40</sup> During the Bosnian War of 1995, moreover, the UN designated the areas of Sarajevo, Gorazde and Srebrenica in eastern Bosnia as ‘safe havens’ – areas in which Bosnian refugees fleeing the fighting could find sanctuary and refuge. In Srebrenica, Dutch armed forces were deployed to the area to protect it from attack. However in July Bosnian Serb forces under the command of General Ratko Mladic easily overwhelmed the Dutch peacekeepers, lightly armed and bound by restrictive ROE as they were, and overran the safe haven. Approximately 7,000 men and boys were slaughtered, their bodies concealed in 32 mass graves. Indeed, this act of ‘liquidation’ was the final stage of ‘Operation Krivaja’, through which Bosnian Serb forces hoped to forcibly create an ‘ethnically pure’ Serbian state. Local police forces as well as Serb rebels from neighbouring Croatia took part in the massacre, which is now considered ‘the worst atrocity committed in Europe since World War II (J. Goldstein & J. Pevehouse, *International Relations* (4<sup>th</sup> ed.), USA: Pearson International Edition, 2008, p. 29; ‘Bosnia-Herzegovina Timeline’, *BBC News*, [http://news.bbc.co.uk/1/hi/world/europe/country\\_profiles/1066981](http://news.bbc.co.uk/1/hi/world/europe/country_profiles/1066981), (accessed 5 May 2008); N. Wood, ‘Bosnian Serbs Admit Responsibility for the Massacre of 7,000’, *New York Times*, 12 June 2004, <http://www.nytimes.com/2004/06/12/world/bosnian-serbs-admit-responsibility-for-the-massacre-of-17000.htm>, (accessed 13 March 2010)).

<sup>41</sup> ‘NATO Operations and Missions: Terminated missions and operations’, North Atlantic Treaty Organization, 18 October 2013, from [http://www.nato.int/cps/en/natolive/topics\\_52060.htm](http://www.nato.int/cps/en/natolive/topics_52060.htm), (accessed 17 May 2014).

<sup>42</sup> *Ibid.*

<sup>43</sup> ‘Timeline: Break-up of Yugoslavia’, *BBC News*, <http://news.bbc.co.uk/2/hi/europe/4997380.stm>, (accessed 8 March 2010)

<sup>44</sup> S. M. Saideman, ‘CIPS Policy Brief #6: Caveats, Values and the Future of NATO Peace Operations’, October 2009, *University of Ottawa Centre for International Policy Studies*, p. 1, <http://cips.uottawa.ca/publications/caveats-values-and-the-future-of-nato-peace-operations/>, (accessed 5 June 2013).

<sup>45</sup> Related by MAJGEN Tim Grant, Commander of the Canadian national contingent in Bosnia. Footnote 40 in D.P. Auerswald & S. M. Saideman, ‘NATO at War: Understanding the Challenges of Caveats in Afghanistan’, a paper prepared for presentation at the *Annual Meeting of the American Political Science Association*, Toronto, Canada, (2-5<sup>th</sup> September) 2009, p. 7, [www.aco.nato.int/resources/1/documents/NATO%20%at%20War.pdf](http://www.aco.nato.int/resources/1/documents/NATO%20%at%20War.pdf) (accessed 18 March 2013); Caveats, Values and the Future of NATO Peace Operations, *op. cit.*, p. 1.

<sup>46</sup> *Ibid.*

<sup>47</sup> ‘Kosovo: Failure of NATO, U.N. to Protect Minorities’, *Human Rights Watch (HRW)*, 26 July 2004, <http://www.hrw.org/en/news/2004/07/26/kosovo-failure-nato-un-protect-minorities>, (accessed 13 March 2010); International Crisis Group, ‘Collapse in Kosovo - Europe Report No. 155’, 22 April 2004, <http://www.crisisgroup.org/home/index.cfm?id=2627&1=1>, (accessed 1 December 2009); N. Wood, ‘Kosovo Smolders After Mob Violence’, *The New York Times*, 24 March 2004, <http://www.nytimes.com/2004/03/24/world/kosovo-smolders-after-mob-violence.html>, (accessed 13 March 2010); ‘Riots in Mitrovica, March 17-18’, *News from Kosovo: March Pogrom, Website of the Serbian Orthodox Diocese of Raska and Prizren*, [http://www.kosovo.net/news\\_pogrom.html](http://www.kosovo.net/news_pogrom.html), (accessed 13 March 2010).

<sup>48</sup> Modified from a KFOR map provided by United States Army, ‘Defense Visual Information Center’, *The official Homepage of the United States Army* [online map], <http://www.army.mil/cmh/books/AMH-V2/AMH%20V2/map30b.jpg>, (accessed 9 March 2010); and a map of the worst attacks provided by *News from*

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*Kosovo: March Pogrom, Website of the Serbian Orthodox Diocese of Raska and Prizren* [online map with photographs], [http://www.kosovo.net/news\\_pogrom.html](http://www.kosovo.net/news_pogrom.html), (accessed 13 March 2010).

<sup>49</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 2.

<sup>50</sup> *Ibid.*, p. 1.

<sup>51</sup> Strekalov, Alexey (LTCOL), ‘Drafting ROE for Multinational Operations: EAPC/PfP Workshop: Towards Legal Interoperability Between Multinational Forces’, (Lucerne, Switzerland, 23-25 September 2002), *NATO Partnership for Peace Forum*, <http://pforum.isn.ethz.ch/docs/Strekalov.doc>, (accessed 8 October 2009)

<sup>52</sup> J. Garamone. ‘U.S. Wants More Robust Rules of Engagement in Afghanistan’, *American Forces Press (AFP) Service*, 7 October 2005, <http://www.defenselink.mil/news/newsarticle.aspx?id=18122>, (accessed 26 January 2009).

<sup>53</sup> U.S. DoD, *Joint Publication 3-16: Joint Doctrine for Multinational Operations*, *op. cit.*, p. III-19.

<sup>54</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 2.

<sup>55</sup> *Ibid.*

<sup>56</sup> *Ibid.*, p. 3.

<sup>57</sup> NZDF, ‘11.0 Rules of Engagement’, *op. cit.*, p. 11-2.

<sup>58</sup> NATO PfP, ‘Rules of Engagement in Multinational Operations against Terrorism’, *op. cit.*, p. 2.

<sup>59</sup> *Ibid.*

<sup>60</sup> *Ibid*

<sup>61</sup> NZDF, ‘11.0 Rules of Engagement’, paragraph 11.18, p. 11-2.

<sup>62</sup> MAJ Steve Challies, Interviewed by Regeena Kingsley, 1 December 2009, Centre for Defence & Security Studies (CDSS), Palmerston North, New Zealand.

<sup>63</sup> Rules of Engagement in Multinational Operations against Terrorism, *op. cit.*, p. 2.; MAJ Steve Challies, Interviewed by Regeena Kingsley, *ibid.*

<sup>64</sup> Rules of Engagement in Multinational Operations against Terrorism, *ibid.*, p. 4.

<sup>65</sup> *Ibid*

<sup>66</sup> *Ibid*

<sup>67</sup> *Ibid.*, p.2

<sup>68</sup> Marich, *op. cit.*, p. 23.

## Chapter 5

<sup>1</sup> Auerswald & Saideman. ‘Caveats Emptor: Multilateralism at War in Afghanistan’, p. 6.

<sup>2</sup> *Ibid.*

<sup>3</sup> See David J. Kilcullen’s ‘Countering Global Insurgency’, *Journal of Strategic Studies*, vol. 28, no. 4, (August) 2005, pp. 597-617 and ‘Counter-insurgency Redux.’ *Survival*, vol. 48, no. 4, (Winter) 2006, pp. 111-112.

<sup>4</sup> For example: M. A. Canna (LTCOL), ‘Key Characteristics Effecting Command and Control for Multinational Operations Involving United States Military Forces’, A Research Report Submitted to Air Force Fellows, CADRE/AR, Air University Maxwell Air Force Base, Alabama, March 2004, pp. 1-72;

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<sup>5</sup> U.S. Department of Defence (U.S. DoD), Joint Chiefs of Staff Publication, *Joint Publication 3-0: Joint Operations*, 11 August 2011, pp. i-xxii, I-1-GL-18, [http://www.dtic.mil/doctrine/new\\_pubs/jp3\\_0.pdf](http://www.dtic.mil/doctrine/new_pubs/jp3_0.pdf), (accessed 6 June 2009); U.S. Department of Defence (U.S. DoD), Joint Chiefs of Staff Publication, *Joint Publication 3-16: Joint Doctrine for Multinational Operations*, 16 July 2013, p. GL-4, [http://www.dtic.mil/doctrine/new\\_pubs/jp3\\_16.pdf](http://www.dtic.mil/doctrine/new_pubs/jp3_16.pdf), (accessed 6 June 2009); Strekalov, A., (LTCOL), ‘Drafting ROE for Multinational Operations: EAPC/PfP Workshop: Towards Legal Interoperability Between Multinational Forces’, (Lucerne, Switzerland, 23-25 September 2002), *NATO Partnership for Peace Forum*, <http://pforum.isn.ethz.ch/docs/Strekalov.doc>, (accessed 8 October 2009).

<sup>6</sup> ‘Failure to Protect: Anti-Minority Violence in Kosovo, March 2004’, *Human Rights Watch (HRW)*, July 2004, Volume 16, no. 6 (D), p. 3.

<sup>7</sup> D.P. Auerswald, S.M. Saideman & M.J. Tierney, ‘Caveat Emptor! National Oversight and Military Operations in Afghanistan’, a paper presented at a conference of the *American Political Science Association*, Chicago, United States, (September) 2007, pp. 1-25.

<sup>8</sup> *Ibid.*, p. 2.

<sup>9</sup> D.P. Auerswald & S.M. Saideman, ‘NATO at War: Understanding the Challenges of Caveats in Afghanistan’, a paper prepared for presentation at the *Annual Meeting of the American Political Science Association*, Toronto, Canada, (2-5<sup>th</sup> September) 2009, pp. 1-39, [www.aco.nato.int/resources/1/documents/NATO%20%at%20War.pdf](http://www.aco.nato.int/resources/1/documents/NATO%20%at%20War.pdf), (accessed 18 March 2013).

<sup>10</sup> D.P. Auerswald & S.M. Saideman, ‘Caveats Emptor: Multilateralism at War in Afghanistan’, a paper presented at the *Annual Meeting of the International Studies Association*, New York, United States (15-18<sup>th</sup> February) 2009, pp. 1-41, <http://profs-polisci.mcgill.ca/saideman/Caveats%20and%20Afghanistan,%20isa%202009.pdf>, (accessed November 18, 2009).

<sup>11</sup> Auerswald & Saideman, ‘NATO at War: Understanding the Challenges of Caveats in Afghanistan’, *op. cit.*, p. 33.

<sup>12</sup> *Ibid.*, p. 2.

<sup>13</sup> *Ibid.*, pp. 3, 33.

<sup>14</sup> S. M. Saideman, ‘CIPS Policy Brief #6: Caveats, Values and the Future of NATO Peace Operations’, October 2009, *University of Ottawa Centre for International Policy Studies*, p. 1, <http://cips.uottawa.ca/publications/caveats-values-and-the-future-of-nato-peace-operations/>, (accessed 5 June 2013).

<sup>15</sup> *Ibid.*, p. 1.

<sup>16</sup> *Ibid.*, p. 3.

<sup>17</sup> J. Brophy & M. Fisera, “National Caveats” and its impact on the Army of the Czech Republic’. *Univerzita Obrany*, 29 July 2007, [http://www.vabo.cz/stranky/fisera/files/National\\_Caveats\\_Short\\_Version\\_version\\_V\\_29%20JULY.pdf](http://www.vabo.cz/stranky/fisera/files/National_Caveats_Short_Version_version_V_29%20JULY.pdf), (accessed November 18, 2009).

<sup>18</sup> *Ibid.*, p. 1.

<sup>19</sup> R. Bomont, ‘Les « caveats »: Un concept d’engagement à géométrie variable au sein des coalitions est-il viable?’, *École de Guerre*, June 2010, pp. 1-8, [http://www.ecoledeguerre.defense.gouv.fr/IMG/pdf/CF-Bomont\\_Caveats.pdf](http://www.ecoledeguerre.defense.gouv.fr/IMG/pdf/CF-Bomont_Caveats.pdf), (accessed 7 February 2013).

<sup>20</sup> *Ibid.*, p. 2.

<sup>21</sup> «Sources de faiblesse de la coalition» and «Véritables freins à l’efficacité opérationnelle» (Bomont, *ibid.*).

<sup>22</sup> « La diversité des comportements, des objectifs ou des moyens mis en oeuvre par les contingents peuvent constituer autant de sources de faiblesse. Il est nécessaire de prendre en compte ces différences qui peuvent représenter une vulnérabilité pour l’ensemble de la force» (Bomont, *ibid.*).

<sup>23</sup> Bomont, *ibid.*, p. 8.

<sup>24</sup> «Il y a un temps pour faire la paix, il y a un temps pour faire la guerre. Il faut parfois tenter de faire les deux à la fois, mais pas à moitié» (Pierre Servent, cited in Bomont, *ibid.*).

<sup>25</sup> P. D. Thruelsen, ‘NATO in Afghanistan - What Lessons Are We Learning, and Are We Willing to Adjust?’, *Danish Institute for International Affairs (DIIA)*, 2007 (14), pp. 1-52, <http://subweb.diis.dk/sw45914.asp>, (accessed 20 June 2009).

<sup>26</sup> *Ibid.*, pp. 19-22.

<sup>27</sup> To exemplify, see the following examples below, grouped respectively by subject-area:

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## Chapter 6

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## Chapter 7

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<sup>2</sup> Cited in United States Library of Congress, Morelli & Belkin. *ibid.*, p. 22.

<sup>3</sup> J. Miranda-Calha (Portugal), General Rapporteur, ‘Draft General Report: Lessons Learned from NATO’s Current Operations 061 DSC 06 E’, *NATO Parliamentary Assembly* 17 March 2006, <http://www.nato-pa.int/default.asp?SHORTCUT=997.2-3..>, (accessed 14 December 2011).

<sup>4</sup> ‘ISAF’, *GlobalSecurity.Org*, 2011, [www.globalsecurity.org/military/ops/isaf-intro.htm](http://www.globalsecurity.org/military/ops/isaf-intro.htm), (accessed 1 November 2011).

<sup>5</sup> *Ibid.*

<sup>6</sup> United States Department of Defense (U.S. DoD), The Pentagon, *Report on Progress toward Security and Stability in Afghanistan - Report to Congress in accordance with section 1230 of the National Defence Authorization Act for Fiscal Year 2008 (Public Law 110-181), as amended*, April 2010, p. 15, [http://www.Defense.gov/pubs/pdfs/Report\\_Final\\_SecDef\\_04\\_26\\_10.pdf](http://www.Defense.gov/pubs/pdfs/Report_Final_SecDef_04_26_10.pdf), (accessed 14 January 2013).

<sup>7</sup> United States Library of Congress, Morelli & Belkin, *op. cit.*, p. 22.

<sup>8</sup> *Ibid.*, *op. cit.*, pp. 17, 22.

<sup>9</sup> ‘ISAF’, *GlobalSecurity.Org*, *op. cit.*

<sup>10</sup> United States Library of Congress, Morelli & Belkin, *op. cit.*, pp. 17, 22.

<sup>11</sup> *Ibid.*, p. 22

<sup>12</sup> ‘ISAF’, *GlobalSecurity.Org*, *op. cit.*

<sup>13</sup> Cited in United States Library of Congress, Morelli & Belkin, *op. cit.*, p. 17.

<sup>14</sup> *Ibid.*

<sup>15</sup> *Ibid.*

<sup>16</sup> *Ibid.*

<sup>17</sup> *Ibid.*, pp. 17-18.

<sup>18</sup> *Ibid.*, p. 18.

<sup>19</sup> *Ibid.*, p.18

<sup>20</sup> S. M. Maloney, ‘Conceptualizing the War in Afghanistan: Perceptions from the Front, 2001-2006’. *Small Wars and Insurgencies*, Vol. 18(1) March 2007, p. 28.

<sup>21</sup> Miranda-Calha, Draft General Report: Lessons Learned from NATO’s Current Operations 061 DSC 06 E

<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*

<sup>25</sup> D. W. Barbo (LTGEN, Ret’d), ‘Fighting “The Other War”:Counterinsurgency Strategy in Afghanistan, 2003-2005’, *Military Review*, 2007, September-October, p. 43.

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<sup>26</sup> ‘ISAF’, *GlobalSecurity.Org*, *op. cit.*; United States Library of Congress, Morelli & Belkin, *op. cit.*, p. 22.

Within months of this decision, the Bush Administration created a new U.S. command and control headquarters to replace the former U.S. CFC-A that had become obsolete in late 2006, following expansion of the NATO-led ISAF throughout Afghanistan. The new headquarters – U.S. Forces-Afghanistan (USFOR-A) – was intended to better manage U.S. forces and improve unity of effort and effectiveness, by placing a single commander over all U.S. forces operating within the two ISAF and OEF operations. This commander would be at the head of the two separate command chains but subordinate to U.S. CENTCOM (U.S DoD, ‘Defense Department Activates U.S. Forces-Afghanistan’, 6 October, 2008, <http://www.defense.gov/releases/release.aspx?releaseid=12267>, (accessed 30 November 2011).

While the change seemed to confirm the separateness of the two mandated ISAF and OEF operations being conducted within Afghanistan, it did not resolve the issue of a dual-hatted U.S. commander. Indeed, the first U.S. Commander to assume the post, General David D. McKiernan, became at the same time commander of U.S. forces within OEF (excluding counter-terrorist Special Forces operations which were commanded and controlled by CENTCOM) and the commander of U.S. forces within ISAF – and following the transition of ISAF’s mission into a COIN campaign resulting in a preference for a U.S. commander – the overall commander of the entire ISAF operation (the COMISAF under NATO’s chain of command).

<sup>27</sup> D.J. Kilcullen, ‘Counter-insurgency Redux’, *Survival*, vol. 48, no. 4, (Winter) 2006, p. 111-112; NATO Standardization Agency (NSA), *Glossary of Terms and Definitions (English and French)*, AAP-6(2008), 2008, p. 2-C-18, <http://www.fas.org/irp/doddir/other/nato2008.pdf>, (accessed 6 January 2011).

This NATO definition, first published in 1973, remains intact among NATO publications to the present day, and may be found within official government publications from countries such as the U.S., UK, France and Australia, including the U.S. COIN Manual of 2006 (NSA, *Glossary of Terms and Definitions (English and French)*, AAP-6(2008), *ibid.*, p. 2-C-18; United States (U.S.), Headquarters Department of the Army, *FM 3-24 Counterinsurgency*, 15 December 2006, p. 1-1, <http://www.cfr.org/publication/12257/>, (accessed 29 January 2009); United Kingdom (U.K.), *Glossary of Joint and Multinational Terms and Definitions: Joint Doctrine Publication 0-01.1*, 2006, p. C-26, <http://www.mod.uk/NR/rdonlyres/E8750509-B7D1-4BC6-8AEE-8A4868E2DA21/0/JDP0011Ed7.pdf>, (accessed 5 January 2011); Department of Defence, *ADFP 101 Glossary, Australian Defence Force Publication- Staff Duties Series*, Canberra, 2009, p. C-18.

The French have also adopted an exact translation of this English definition for counter-insurgency or ‘contre-insurrection’: ‘Mesure militaires, paramilitaires, politiques, économiques, psychologiques ou civiles destinées à combattre les menées insurrectionnelles’ (cited in NATO Standardization Agency (NSA), *NATO Glossary of Terms and Definitions (English and French)*, AAP-6(2010), 2010, p. 3-C-20, <http://www.scribd.com/doc/40014713/NATO-AAP-6-NATO-Glossary-of-Terms-and-Definitions-English-and-French-2010>, (accessed 6 January 2011)).

<sup>28</sup> D.J. Kilcullen, ‘Counterinsurgency in Iraq: Theory and Practice, 2007’. A presentation given at the *Small Wars Center of Excellence Counterinsurgency Seminar 07*, Quantico, VA, 26 September 2007, <http://smallwarsjournal.com/documents/COINSeminarSummaryReport.doc>, (accessed 5 January 2011).

<sup>29</sup> U.S. Headquarters Department of the Army, *FM 3-24 Counterinsurgency*, *op. cit.*, p. 1-1.

<sup>30</sup> Kilcullen, ‘Counterinsurgency in Iraq: Theory and Practice, 2007’, *op. cit.*

<sup>31</sup> *Ibid.*

<sup>32</sup> U.S. Headquarters Department of the Army, *FM 3-24 Counterinsurgency*, *op. cit.*, p. 1-2.

<sup>33</sup> Kilcullen, ‘Counterinsurgency in Iraq: Theory and Practice, 2007’, *op. cit.*

<sup>34</sup> Cited in ‘Iraqi Insurgents Learning from Lawrence’, *Small Wars Journal, Small Wars Council – Historians [web blog]*, <http://council.smallwarsjournal.com/showthread.php?t=5330>, (accessed 5 January 2011).

<sup>35</sup> D. Galula, ‘Counterinsurgency Warfare: Theory and Practice’. Westport, Connecticut, Praeger Publishers, 2006, p. 4; Kilcullen, ‘Counterinsurgency in Iraq: Theory and Practice, 2007’, *op. cit.*

<sup>36</sup> Figure 1-2. Support for an insurgency, U.S. Headquarters Department of the Army, *FM 3-24 Counterinsurgency*, *ibid.*, pp. 1-20.

<sup>37</sup> U.S. Department of Defence FM 3-24, cited in D.J. Kilcullen, ‘Counterinsurgency in Iraq: Theory and Practice, 2007’, *ibid.*

<sup>38</sup> Galula, Counterinsurgency Warfare: Theory and Practice, *op. cit.*

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<sup>39</sup> B. Reeder, ‘Book Summary of Counterinsurgency Warfare: Theory and Practice by David Galula’, *Conflict Research Consortium, The Conflict Resolution Information Source*, <http://www.crinfo.org/booksummary/10672/>, (accessed 6 January 2011).

<sup>40</sup> D. Galula, Counterinsurgency Warfare: Theory and Practice, *op. cit.*, p. 5.

<sup>41</sup> Kilcullen, ‘Counterinsurgency in Iraq: Theory and Practice, 2007’, *op. cit.*

<sup>42</sup> *Ibid.*

<sup>43</sup> U.S. Headquarters Department of the Army, *FM 3-24 Counterinsurgency*, *op. cit.*, p. 1-1.

<sup>44</sup> C.S. Gray, ‘Irregular Warfare: One Nature, Many Characters’, *Strategic Studies Quarterly (SSQ)*, (Winter) 2007, pp. 48-49, 50; D. Ucko, ‘US counterinsurgency in the information age’, *Jane’s Intelligence Review*, vol. 17, issue 12, (December 2005), p. 10; P. Melshen, ‘Mapping Out a Counterinsurgency Campaign Plan: Critical considerations in Counterinsurgency Campaigning’, *Small Wars & Insurgencies*, vol. 18, no. 4, (December) 2007, p. 669.

<sup>45</sup> Kilcullen, ‘Counterinsurgency in Iraq: Theory and Practice, 2007’, *op. cit.*

<sup>46</sup> *Ibid.*

<sup>47</sup> *Ibid.*

<sup>48</sup> Cited in Kilcullen, D.J., ‘Counterinsurgency in Iraq: Theory and Practice, 2007’, *ibid.*

<sup>49</sup> Kilcullen, ‘Counterinsurgency in Iraq: Theory and Practice, 2007’, *ibid.*

<sup>50</sup> *Ibid.*

<sup>51</sup> *Ibid.*

<sup>52</sup> *Ibid.*

<sup>53</sup> *Ibid.*

<sup>54</sup> *Ibid.*

<sup>55</sup> J. Kiszely, ‘Learning about Counter-Insurgency’, *Royal United Services Institute (RUSI) Journal*, December 2006, p. 16, <http://www.rusi.org/publication/journal/ref:A4587F6831E1A6>, (accessed 11 March 2009).

<sup>56</sup> D. Galula, *Counter-Insurgency Warfare: Theory and Practice*, 1964, cited in Kilcullen, ‘Counterinsurgency in Iraq: Theory and Practice, 2007’, *op. cit.*

<sup>57</sup> *Ibid.*

<sup>58</sup> Barno, Fighting “The Other War”, *op. cit.*, p. 42.

<sup>59</sup> *Ibid.*

<sup>60</sup> *Ibid.*

<sup>61</sup> *Ibid.*, p. 35.

<sup>62</sup> Barno, Fighting “The Other War”, *op. cit.*, p. 42.

<sup>63</sup> *Ibid.*, p. 43.

<sup>64</sup> A. H. Cordesman. ‘Shape, Clear, Hold, and Build: The Uncertain Metrics of the Afghan War’, *Center for Strategic & International Studies (CSIS)*, Burke Chair in Strategy, 3 December 2009, pp. 58, 64- 65, [http://csis.org/files/publication/091201\\_afghan\\_metrics\\_0.pdf](http://csis.org/files/publication/091201_afghan_metrics_0.pdf), (accessed 9 April 2010).

<sup>65</sup> U.S. DoD, *The Dictionary of Military Terms*, (Joint Pub 1-02), New York, Skyhorse Publishing, 2009, p. 515.

<sup>66</sup> NATO, ‘NATO’s Role in Afghanistan – Leading the International Security Assistance Force (ISAF)’, *op. cit.*

<sup>67</sup> *Ibid.*

<sup>68</sup> *Ibid.*

<sup>69</sup> *Ibid.*

<sup>70</sup> *Ibid.*

<sup>71</sup> *Ibid.*; LTCOL Nick Gillard, Interviewed by Regeena Kingsley, 1 September 2010, New Zealand High Commission, London, United Kingdom.

Indeed, the ANP have been trained to perform dual paramilitary and community policing roles. LTCOL Nick Gillard has described the process by which ANP units were trained in these two roles at the New Zealand-led PRT in Bamyan Province, RC-East. First of all, New Zealand ISAF forces trained ANP units in ‘basic paramilitary skills they needed – how to fire their weapon effectively, how to do basic section-level drills, how to fight’. U.S. Military Police deployed from RC-East Headquarters then took the training a step further and taught the ANP units community policing – in Gillard’s words ‘how to be a copper’ – with training on how to run a police organisation and conduct criminal investigations. In addition, U.S. forces also provided Afghan police personnel with specialist training, for instance in setting up check-points and conducting building and vehicle searches. As Gillard explains, the Military Police ‘could give them extra nuances into the world of the criminal, as opposed to the world of the soldier’ (LTCOL Nick Gillard, Interviewed by Regeena Kingsley, *ibid.*).

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<sup>72</sup> NATO, ‘NATO’s Role in Afghanistan – Leading the International Security Assistance Force (ISAF)’, *ibid.*

<sup>73</sup> *Ibid.*

<sup>74</sup> *Ibid.*

<sup>75</sup> *Ibid.*

<sup>76</sup> *Ibid.*

<sup>77</sup> *Ibid.*

<sup>78</sup> *Ibid.*; C. Scott, ‘Assessing ISAF: A Baseline Study of NATO’s Role in Afghanistan’, *British American Security Information Council (BASIC)*, March 2007, p. 3,  
<http://www.basicint.org/sites/default/files/afghanistan.pdf>, ( 12 April 2009).

<sup>79</sup> NATO, ‘NATO’s Role in Afghanistan – Leading the International Security Assistance Force (ISAF)’, *op. cit.*

<sup>80</sup> *Ibid.*

<sup>81</sup> *Ibid.*

<sup>82</sup> *Ibid.*

<sup>83</sup> *Ibid.*

<sup>84</sup> *Ibid.*

<sup>85</sup> UN Resolutions: R 1563 (2004), 1623 (2005), 1707 (2006), 1776 (2007), 1833 (2008).

As a general rule these extra functions are conducted by additional national force contingents from TCNs, which have been volunteered and deployed to the ISAF for this express purpose. These contingents are usually withdrawn to their home countries on either the completion of their specific task(s) or the end of their assigned rotation.

<sup>86</sup> NATO, ‘NATO’s Role in Afghanistan – Leading the International Security Assistance Force (ISAF)’, *op. cit.*

<sup>87</sup> United States Department of Defense (U.S. DoD), The Pentagon, *Report on Progress toward Security and Stability in Afghanistan - Report to Congress in accordance with the 2008 National Defence Authorization Act (Section 1230, Public Law 110-181)*, January 2009, p. 17,  
[http://www.defense.gov/pubs/OCTOBER\\_1230\\_FINAL.pdf](http://www.defense.gov/pubs/OCTOBER_1230_FINAL.pdf), (accessed 14 January 2013).

<sup>88</sup> *Ibid.*

<sup>89</sup> UN Resolutions: R 1563 (2004), 1623 (2005), 1707 (2006), 1776 (2007), 1833 (2008).

For instance, an additional ‘tenth’ task or area was added to the ISAF’s menu of activities: the management of ANA ammunitions depots and supporting the development of stockpile management capabilities in order to improve physical security within Afghanistan. This task, approved by the GIORA in 2008 and supported as a NATO Trust Fund project, was led by three contributing ISAF nations – Belgium, Canada and Luxembourg – with the cooperation of the NATO Maintenance and Supply Agency (NAMSA) (NATO, ‘NATO’s Role in Afghanistan – Leading the International Security Assistance Force (ISAF)’, *op. cit.*).

<sup>90</sup> U.S. DoD, *Progress toward Security and Stability in Afghanistan*, January 2009, *ibid.*, pp. 17-19.

<sup>91</sup> *Ibid.*

<sup>92</sup> *Ibid.*

<sup>93</sup> *Ibid.*

<sup>94</sup> Created using pictures taken from U.S. DoD, *Progress toward Security and Stability in Afghanistan*, January 2009, *ibid.*, pp. 17, 19, 22, 24.

<sup>95</sup> International Security Assistance Force (ISAF), ‘ISAF Placemat’, *About ISAF – Troop Numbers and Contributions*, 29 January 2007, <http://www.isaf.nato.int/>, (accessed 20 February, 2013).

<sup>96</sup> ‘ISAF Mission Statements January 2007 – January 2011’, in ISAF, ‘ISAF Placemat’, 29 January 2007-3 February 2011, *ibid.*

Interestingly, the ISAF mission statement did not in fact change in substance until the tenure of COMISAF General Petraeus in February 2011. Under his command, the mission statement alters to the following: ‘Mission: NATO-ISAF aims to prevent Afghanistan from once again becoming a haven for terrorists, to help provide security, and to contribute to a better future for the Afghan people. NATO-ISAF, as part of the overall International Community effort and as mandated by the United Nations Security Council, is working to create the conditions whereby the Government of Afghanistan is able to exercise its authority throughout the country.

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To carry out its mission, ISAF conducts population-centric counterinsurgency operations in partnership with the ANSF and provides support to the Government and International Community in Security Sector Reform, including mentoring, training and operational support to the ANA and the ANP. NATO-ISAF key priorities in Afghanistan are: (1) Protect the Afghan people; (2) Build the capacity of the Afghan Security Forces so they can take lead responsibility for security in their own country; (3) Counter the insurgency and (4) Enable the delivery of stronger governance and development' (ISAF, 'ISAF Placemat', *About ISAF – Troop Numbers and Contributions*, 3 February 2011- 19 February 2013, <http://www.isaf.nato.int/>, (accessed 20 February, 2013).

<sup>97</sup> *Ibid.*, 13 February 2009, 16 June 2009, 1 October 2009, 1 February 2010.

<sup>98</sup> *Ibid.*; NATO' role in Afghanistan, *op. cit.*

<sup>99</sup> ISAF, 'ISAF Placemat', 5 March 2010, 6 July 2010, 15 November 2010, 3 February 2011, *op. cit.*

<sup>100</sup> *Ibid.*, 3 February 2011, 6 January 2012, 3 December 2012, 19 February 2013.

<sup>101</sup> LTCOL Nick Gillard, Interviewed by Regeena Kingsley, *op. cit.*

In fact there have been some difficulties between ISAF forces and a number of Non-Government Organisations (NGOs) conducting R&D activities within Afghanistan during the course of the mission. This is because many of the NGOs insist on being 'neutral' participants within the conflict between pro-Government ISAF forces and anti-Government Taliban and other insurgents. As such, NGO personnel have often strongly objected to cooperating with or working alongside military forces, to the point of not allowing ISAF military personnel to assist in the same R&D projects, regardless of ISAF forces' expanded non-military role in the context of COIN stability operations.

<sup>102</sup> 'Afghan War Order of Battle'. *eNotes*,

[http://www.enotes.com/topic/Afghan\\_War\\_order\\_of\\_battle#Regional\\_Command\\_North](http://www.enotes.com/topic/Afghan_War_order_of_battle#Regional_Command_North), (accessed 18 July 2012).

The COMISAF's other two subordinate commands include: (1) Special Operations Forces (SOF) command; and (2) NATO Training Mission-Afghanistan (NTM-A)/Combined Security Transition Command-Afghanistan (CSTC-A) command (Afghan War order of battle, *op. cit.*).

<sup>103</sup> *Ibid.*

<sup>104</sup> *Ibid.*

<sup>105</sup> *Ibid.*

<sup>106</sup> ISAF, *About ISAF - Mission*, 2009, <http://www.isaf.nato.int/mission.html>, (accessed 1 December 2009).

<sup>107</sup> LTCOL Nick Gillard, Interviewed by Regeena Kingsley, *op. cit.*

<sup>108</sup> *Ibid.*

<sup>109</sup> W. Morgan. 'Afghanistan Order of Battle: Coalition Combat Forces in Afghanistan', *Institute for the Study of War (ISW)*, June 2012, [http://www.understandingwar.org/sites/default/files/AfghanistanOrbat\\_July2012.pdf](http://www.understandingwar.org/sites/default/files/AfghanistanOrbat_July2012.pdf), (accessed 18 July 2012).

<sup>110</sup> *Ibid.*

<sup>111</sup> ISAF, 'ISAF Placemat', 1 February 2010 – 3 February 2011, *op. cit.*

<sup>112</sup> *Ibid.*, 3 February 2011; Afghan War order of battle, *op. cit.*

<sup>113</sup> Morgan, 'Afghanistan Order of Battle', *op. cit.*,

<sup>114</sup> ISAF, *Mission*, *op. cit.*

<sup>115</sup> U.S. DoD, *Progress toward Security and Stability in Afghanistan*, January 2009, *op. cit.*, p. 18.

<sup>116</sup> *Ibid.*

<sup>117</sup> *Ibid.*

<sup>118</sup> *Ibid.*

These kinetic operations are supported by stability operations, moreover, to further reduce insurgent capacity. These include 'reconciliation' programmes which provide incentives to insurgents to lay down their arms and integrate peacefully back into Afghan society, and on-going governance, R&D and humanitarian aid projects which demonstrate to the local populace 'the inability of the Taliban or insurgents to provide meaningful public services, further discouraging popular support for the insurgents and diminishing the capacity to achieve their goals'. In terms of reconciliation, the ISAF supports GIRoA-led efforts to reconcile insurgents who cease fighting, accept the Afghan Constitution, break with al-Qaida, and receive no power-sharing, government jobs, or protected territory in return. The offer of reconciliation can sow internal division within the insurgency between moderates and hardliners, erode insurgent morale, and degrade insurgent capabilities by depriving the

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insurgency of the manpower and leadership of insurgents who reconcile (U.S. DoD, *Progress toward Security and Stability in Afghanistan*, January 2009, *op. cit.*, p. 18.).

<sup>119</sup> *Ibid.*, p. 19.

<sup>120</sup> *Ibid.*

<sup>121</sup> *Ibid.*, p. 26.

<sup>122</sup> ISAF, Mission, *op. cit.*

<sup>123</sup> U.S. DoD, *Progress toward Security and Stability in Afghanistan*, January 2009, *op. cit.*, p. 18.

<sup>124</sup> *Ibid.*, pp. 18-19.

These are supported ‘ministerial advisory’ stability operations, whereby ISAF forces ‘ensure that the responsible government ministries and offices at all levels have the training, education, institutions, and supporting legislation to sustain and lead those forces’ (U.S. DoD, *Progress toward Security and Stability in Afghanistan*, *op. cit.*, January 2009, pp. 18-19).

<sup>125</sup> LTCOL Nick Gillard, Interviewed by Regeena Kingsley, *op. cit.*

<sup>126</sup> ISAF, Mission, *op. cit.*

<sup>127</sup> ‘Provincial Reconstruction Teams (PRTs)’, *GlobalSecurity.Org*,

<http://www.globalsecurity.org/military/ops/oef-prt.htm>, (accessed 18 July 2012)

<sup>128</sup> ISAF, Mission, *op. cit.*

<sup>129</sup> *Ibid.*

<sup>130</sup> LTCOL Nick Gillard, Interviewed by Regeena Kingsley, *op. cit.*

<sup>131</sup> *Ibid.*

<sup>132</sup> *Ibid.*; ISAF, Mission, *op. cit.*

<sup>133</sup> LTCOL Nick Gillard, Interviewed by Regeena Kingsley, *ibid.*

<sup>134</sup> *Ibid.*

<sup>135</sup> ‘Provincial Reconstruction Teams (PRTs)’, *GlobalSecurity.Org*, *op. cit.*; LTCOL Nick Gillard, Interviewed by Regeena Kingsley, *op. cit.*

<sup>136</sup> LTCOL Nick Gillard, Interviewed by Regeena Kingsley, *ibid.*

<sup>137</sup> *Ibid.*

<sup>138</sup> A concept created in 2004 and piloted first in Kandahar, *GlobalSecurity.org*, Provincial Reconstruction Teams (PRTs), *op. cit.*

<sup>139</sup> ‘Provincial Reconstruction Teams (PRTs)’, *GlobalSecurity.Org*, *op. cit.*

<sup>140</sup> *Ibid.*

<sup>141</sup> LTCOL Nick Gillard, Interviewed by Regeena Kingsley, *op. cit.*

<sup>142</sup> *Ibid.*

<sup>143</sup> *Ibid.*

<sup>144</sup> ‘Chapter A-1: ‘Introduction - Asia-Pacific Shared Interests, MNF SOP Objectives, Applicability, and MNF Considerations’, in *Multinational Standing Operating Procedures (MNF SOP)*, 6<sup>th</sup> working draft, Artificial Intelligence Applications Institute (AIAI) of the University of Edinburgh, 10 April 2002, p. A1-B-1, [www.aiai.ed.ac.uk/project/coax/demo/2002/mnat/SOP/A1.DOC](http://www.aiai.ed.ac.uk/project/coax/demo/2002/mnat/SOP/A1.DOC) (accessed 20 January 2009).

## Chapter 8

<sup>1</sup> S. M. Saideman, ‘CIPS Policy Brief #6: Caveats, Values and the Future of NATO Peace Operations’, October 2009, *University of Ottawa Centre for International Policy Studies*, p. 1, <http://cips.uottawa.ca/publications/caveats-values-and-the-future-of-nato-peace-operations/>, (accessed 5 June 2013).

<sup>2</sup> NATO, ‘Resolution 336 on Reducing National Caveats, presented by the Defence and Security Committee’, *NATO Parliamentary Assembly*, 15 November 2005, <http://www.nato-pa.int/default.asp?SHORTCUT=828>, (accessed 14 January 2011).

<sup>3</sup> United Kingdom House of Commons (U.K. HoC), Defence Committee, *The Future of NATO and European Defence, Ninth Report of Session 2007-2008*, 20 March 2008, p. 39, <http://www.publications.parliament.uk/pa/cm200708/cmselect/cmdefence/111/111.pdf>, (accessed 31 January 2013).

<sup>4</sup> *Ibid.*, p. 38.

<sup>5</sup> *Ibid.*

<sup>6</sup> C. Grant (Center for European Reform) and General Sir J. Deverell (Ret'd), (former Commander-in-Chief of NATO Allied Forces North (AFNORTH)), cited in U.K. HoC, *The Future of NATO and European Defence, Ninth Report of Session 2007-2008, op. cit.* p. 38.

<sup>7</sup> North Atlantic Treaty Organisation (NATO), 'The North Atlantic Treaty –Washington D.C., 4 April 1949', *NATO e-Library: Official Texts*, [http://www.nato.int/cps/en/natolive/official\\_texts\\_17120.htm](http://www.nato.int/cps/en/natolive/official_texts_17120.htm), (accessed 28 July 2011).

<sup>8</sup> H. E. Robert, 'NATO Caveats Can Be Made To Work Better for the Alliance', *European Affairs*, vol. 9, no. 1-2, (Winter/Spring) 2008, <http://www.europeaninstitute.org>, (accessed 17 May 2011).

<sup>9</sup> Saideman, Caveats, Values and the Future of NATO Peace Operations, *op. cit.*, p. 2.

<sup>10</sup> Saideman, Caveats, Values and the Future of NATO Peace Operations, *op. cit.*, p. 2.

<sup>11</sup> S. Sloan, 'NATO in Afghanistan', UNISCI Discussion Papers, *Redalyc, Universidad Complutense de Madrid, Espana/University of Madrid*, no.22, (Enero-sin mes/January-March) 2010, pp.34-55.

<sup>12</sup> J. Hale, 'Continuing Restrictions Likely on Some NATO Forces in Afghanistan', *DefenseNews*, 21 September 2009, <http://www.defensenews.com/story.php?i=4286208>, (accessed 23 September 2009).

<sup>13</sup> *Ibid.*

<sup>14</sup> A. H Cordesman, A.A. Burke & D. Kasten, 'Winning in Afghanistan: Creating Effective Afghan Security Forces', *CSIS, Center for Strategic & International Studies*, Working Draft, Burke Chair in Strategy, 6 January 2008, p. 21-22, <http://www.csis.org/burke/reports>, (accessed 1 February 2013).

<sup>15</sup> *Ibid.*

<sup>16</sup> L. Jacobson, 'U.S. had some success in curbing restrictions, but point is mostly moot now', *Tampa Bay Times PolitiFact.Com*, (14 January 2013), <http://www.politifact.com/truth-o-meter/promises/obameter/promise/164/work-to-end-nato-restrictions-on-forces-in-afghani/>, (accessed 23 March 2013).

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<sup>137</sup> United States Department of Defense (U.S. DoD), The Pentagon, *Report on Progress toward Security and Stability in Afghanistan*, *Report to Congress in accordance with section 1230 of the National Defence Authorization Act for Fiscal Year 2008 (Public Law 110-181), as amended and section 1221 of the National Defense Authorizations Act for Fiscal Year 2012 (Public Law 112-81)*, April 2012, p. 28, [http://www.defense.gov/news/1230\\_Report\\_final.pdf](http://www.defense.gov/news/1230_Report_final.pdf), (accessed 14 January 2013); United States Department of Defense (U.S. DoD), The Pentagon, *Report on Progress toward Security and Stability in Afghanistan*, *Report to Congress in accordance with section 1230 of the National Defence Authorization Act for Fiscal Year 2008 (Public Law 110-181), as amended and section 1221 of the National Defense Authorizations Act for Fiscal Year 2012 (Public Law 112-81)*, December 2012, p. 16, [http://www.defense.gov/news/1230\\_Report\\_final.pdf](http://www.defense.gov/news/1230_Report_final.pdf), (accessed 14 January 2013).

## Chapter 9

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<sup>6</sup> U.S. DoD, *Progress toward Security and Stability in Afghanistan*, June 2008, *op. cit.*, p. 13.

<sup>7</sup> U.S. DoD, *Progress toward Security and Stability in Afghanistan*, January 2009, *op. cit.*, p. 30.

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<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*, November 2010, p. 15

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<sup>11</sup> United States Department of Defense (U.S. DoD), The Pentagon, *Report on Progress toward Security and Stability in Afghanistan - Report to Congress in accordance with the 2008 National Defence Authorization Act (Section 1230, Public Law 110-181)*, November 2010, p. 15,  
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<sup>12</sup> *Ibid.*

<sup>13</sup> In fact, caveat information is guarded so closely within NATO – by caveat-imposing TCN and even by newly caveat-free nations – that following the Riga Summit NATO SACEUR Craddock, who was attempting to compile ‘a revised caveats matrix’ following progress at Riga, received responses from only 13 of the 26 NATO allies (U.S. Mission NATO HQ (released by Wikileaks), *Cable 06USNATO720, North Atlantic Council Readout – December 14, 2006, 15 December 2006,* <http://cablegatesearch.net/cable.php?id=06USNATO720&q=afghanistan%20caveat%20hungary%20isaf>, (accessed 22 August 2013)).

<sup>14</sup> It is important to note that, due to the on-going secrecy amongst government sources surrounding this issue of caveat-imposition within the ISAF, one hundred percent accuracy can not be assured. Nevertheless, the vast quantity of information that has been made available on the subject over the past decade has been analysed as vigorously and assiduously as possible, so that the account here provided will be as accurate as the available information will allow.

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<sup>16</sup> S. Biddle, ‘Afghanistan and the Future of Warfare’, *Foreign Affairs*, vol. 82, no. 2, (March/April), 2002, p. 34; M. O’Hanlon, ‘A Flawed Masterpiece’, *Foreign Affairs*, vol. 81, no. 3, (May/June) 2002, p. 49.

<sup>17</sup> U.S. DoD, *Progress toward Security and Stability in Afghanistan*, June 2008, *op. cit.*, p. 13.

<sup>18</sup> United Kingdom House of Commons (U.K. HoC), Defence Committee, *The Future of NATO and European Defence, Ninth Report of Session 2007-2008*, 20 March 2008, p. 38, <http://www.publications.parliament.uk/pa/cm200708/cmselect/cmdfence/111/111.pdf>, (accessed 31 January 2013).

<sup>19</sup> N. Hager, ‘Our Secret War’, *Sunday Star-Times*, 16 February 2003, <http://www.nickyhager.info/our-secret-war/>, (accessed 24 July 2013).

In fact NZ Special Forces – known as Special Air Service (SAS) forces – conducted three tours in Afghanistan from their base at Kandahar Airport under the auspices of the OEF operation (December 2001-December 2002/February-September 2004/June-November 2005), where they conducted counter-terrorist operations against Taliban and Al-Qaeda elements in central and southern Afghanistan (including special reconnaissance operations, direct action, close personal protection, sensitive site exploitation and 20-30 day mounted patrols of between 1000-2000 kilometres along the Afghanistan-Pakistan border using U.S. Humvees and motorbikes). NZ intelligence officers, based at the U.S. OEF headquarters at Bagram Air Base under the rubric of ‘Operation Kiwi Cracker’, also participated in high-tech intelligence operations during 2001, involving the tracking of enemy forces and identifying combat targets. In addition, two NZ non-commissioned officers worked with British OEF forces in providing ‘command and leadership training’ to the ANA in 2004-2005 (Hager, ‘Our Secret War’, *op. cit.*; ‘SAS back in NZ, no plans to return’, *The New Zealand Herald*, 22 November 2005, [http://www.nzherald.co.nz/nz/news/article.cfm?c\\_id=1&objectid=10356420](http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10356420), (accessed 24 July 2013); R. Crosby, *NZSAS: The First Fifty Years*, New Zealand Penguin Group (NZ), 2009, pp. 357, 368; New Zealand Government, *New Zealand Deployments to Afghanistan – Questions and Answers*, 2004, The Official Website of the New Zealand Government,

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<http://www.beehive.govt.nz/Documents/Files/Afghanistan%20extension%20Q%20and%20A.pdf>, 2004,(accessed 24 July 2013).

Between September 2009 – March 2012, NZ SAS forces were again deployed to Afghanistan to operate in Kabul as part of the ISAF operation. In Kabul, NZ SAS personnel engaged in COIN operations for the first time in the course of mentoring the Afghan Police Crisis Response Unit, including during the famous Taliban attack of the Kabul Airport ('New Zealand special air service troops arrive in Afghanistan', 21 September 2009, *Military News*, <http://vlex.cn/vid/zealand-special-air-service-troops-arrive-67557845>, (accessed 24 July 2013); J. Stephenson, 'SAS Afghan location revealed', 4 October 2009, *Stuff.co.nz*, 4 October 2009, <http://www.stuff.co.nz/national/2929276/SAS-Afghan-location-revealed>, (accessed 24 July 2013); New Zealand Defence Force, 'Job well done NZSAS', *News – Media Releases*, 2 April 2012, <http://www.nzdf.mil.nz/news/media-releases/2012/20120403-jwdnzsas.htm>, (accessed 24 July 2013); New Zealand Defence Force , 'ISAF investigation confirms NZSAS fired in self-defence', *News – Media Releases*, 14 January 2011, <http://www.nzdf.mil.nz/news/media-releases/2011/20110117---iicnfisd.htm>, (accessed 24 July 2013); T. Hume, 'Top medal from US for Kiwi SAS commander', 16 January 2011, *Stuff.co.nz*, <http://www.stuff.co.nz/national/4546090/Top-medal-from-US-for-Kiwi-SAS-commander>, (accessed 24 July 2013).

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<sup>21</sup> New Zealand Government, New Zealand Deployments to Afghanistan – Questions and Answers, *op. cit.*

<sup>22</sup> LTCOL Andrew Shaw, Interviewed by Regeena Kingsley, *op. cit.*

In point of fact, between 2003-2005 no other nationalities were based in RC-East except for New Zealand and the United States, causing Shaw to be the only foreign liaison officer (LO) in all of RC-East in 2005. As a result of NZ's caveat-free status, two-way cooperation between U.S. and NZ defence personnel occurred seamlessly throughout these early years. NZ personnel at the PRT were led by a U.S. commander during this period and were reportedly deeply 'appreciative' of U.S. support of their operations. U.S. officials were likewise grateful to have the cooperation of allies with robust rules of engagement in RC-East which, free from geographical or regional caveats, were also able to cross provincial and sector boundaries and conduct specific operations into Day Kundi Province in RC-South. Indeed, Secretary of State Colin Powell would subsequently announce publicly that the U.S. and NZ were 'very, very, very good friends' (LTCOL Andrew Shaw, Interviewed by Regeena Kingsley, *ibid.*; U.S. Embassy Wellington, *Cable 06WELLINGTON911*, *op. cit.*; U.S. Embassy Wellington (released by Wikileaks), *Cable 06WELLINGTON322, Outdated Attitudes Frustate Public Diplomacy Efforts In New Zealand*, 26 April 2006, <http://www.cablegatesearch.net/cable.php?id=06WELLINGTON322>, (accessed 24 August 2013)).

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<sup>29</sup> MAJGEN Tim Grant, cited in Auerswald & Saideman, 'NATO at War: Understanding the Challenges of Caveats in Afghanistan', *ibid.*, p. 17.

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## Chapter 10

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It could be argued that the reduction in caveat numbers that did take place equated simply to the elimination of counter-narcotics caveats, rather than the combat caveats which had become such a source of dissension within the NATO-led ISAF coalition. This is due to the fact that it was at this meeting that NATO officially agreed to modify the ISAF mandate and authorise ISAF forces to take a more active role in combating drug producers and traffickers in support of the Afghan government (U. S. DoD, *Report on Progress toward Security and Stability in Afghanistan*, January 2009, *op. cit.*, pp. 9-10).

This was a significant change in the ISAF mission, which not only added a new counter-narcotics ‘pillar’ or area of activity to the existing COIN strategy, but also led as a matter of course to the elimination of counter-narcotics caveats imposed on ISAF forces by its NATO contributing nations in response to the new enlarged mandate for the mission. From this it can be seen that the counter-narcotics caveats that were imposed by ISAF TCNs in early 2007, as a rejection of an ISAF role in narcotics interdiction, were finally removed in late 2008 as narcotics interdiction subsequently became an accepted part of the ISAF mission’s mandate.

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## Chapter 11

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<sup>78</sup> Modification of a map provided in ISAF, ‘ISAF Placemat’ [online map], June 2009, *op. cit.*

<sup>79</sup> U.S. Embassy Berlin (released by Wikileaks), *Cable 08BERLIN1108, German Out-Of-Area Deployment Update*, 13 August 2008, <http://wikileaks.org/cable/2008/08/08BERLIN1108.html>, (accessed 11 July 2011); ‘German Special Forces in Afghanistan – Not Licensed to Kill’, *Insurgency Research Group*, 20 May 2008, <http://insurgencyresearchgroup.wordpress.com/2008/05/20german-special-forces-in-afghanstan.htm>, (accessed 18 November 2009); D.P. Auerswald & S.M. Saideman, ‘NATO at War: Understanding the Challenges of Caveats in Afghanistan’, a paper prepared for presentation at the *Annual Meeting of the American Political Science Association*, Toronto, Canada (2-5<sup>th</sup> September) 2009, p. 7, [www.aco.nato.int/resources/1/documents/NATO%20%at%20War.pdf](http://www.aco.nato.int/resources/1/documents/NATO%20%at%20War.pdf), (accessed 18 March 2013); U.S. Embassy Rome (released by Wikileaks), *Cable 09ROME177, Getting Italy To Do More In Afghanistan*, 13

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<sup>80</sup> U.S. Embassy Reykjavik, (released by Wikileaks), *Cable 06REYKJAVIK5855, PRT Chachcharan: Plan Afoot to Withdraw Icelandic Mobile Liaison Observation Team from Chaghcharan PRT*, 15 December 2006, <http://wikileaks.org/cable/2006/12/06REYKJAVIK5855.html>, (accessed 12 July 2011); U.S. State Department (released by Wikileaks), *Cable 08STATE63686, U.S.-Iceland Security Dialogue Meeting, April 30*, 12 June 2008, <http://wikileaks.org/cable/2008/06/08STATE63686.html>, (accessed 12 July 2011).

<sup>81</sup> H. Smith, ‘U.S. Seeks Sweeping Changes in Command Structure for Afghanistan’, *The Captain’s Journal* [web blog], 18 September 2008, <http://www.captainsjournal.com/2008/09/18/us-seeks-sweeping-changes-in-command-structure-for-afghanistan/>, (accessed 25 June 2010); H. Smith ‘The Cult of Special Forces’, *The Captain’s Journal* [web blog], 14 September 2008, <http://www.captainsjournal.com/2008/09/14/the-cult-of-special-forces/>, (accessed 25 June 2010).

<sup>82</sup> J. Hammett (MAJ), ‘We Were Soldiers Once...The Decline of the Royal Australian Infantry Corps?’, *Australian Army Journal*, vol. v, no. 1, (Autumn) 2008, p. 42,

[http://www.abc.net.au/mediawatch/transcripts/0817\\_journal.pdf](http://www.abc.net.au/mediawatch/transcripts/0817_journal.pdf) (accessed 25 June 2010).

<sup>83</sup> *Ibid.*, p. 42, 44.

This is a situation discussed at length by MAJ Jim Hammett in an article published in the *Australian Army Journal* and entitled: ‘We Were Soldiers Once...The Decline of the Royal Australian Infantry Corps?’ . According to Hammett: ‘The current generation of Infantrymen, despite their youth, are well aware of the ‘barren years’; some two and a half decades of peacetime soldiering and exercises that was the lot of the Army between Vietnam and the 1999 deployment of INTERFET to East Timor. Certainly, the Infantry Corps has benefited from recent operational experience, however, the Corps has yet to be called on to demonstrate its full potential or capability in performance of its primary role, namely seeking out the enemy and engaging in close combat. There are indicators that the feelings of angst prevalent within the Infantry Corps have festered to the point of public dissent and critical questioning of the Corps’ *raison d’être*. This is reflected not only by questions posed to our leadership (including the Minister for Defence and the Chief of Army) across three theatres of operation, but also by recent articles published in mainstream media. Furthermore, anecdotal evidence would suggest that disillusionment regarding the employment and future of the Infantry Corps has been a significant contributing factor to the discharge of personnel from the Corps...The Infantry have not been tasked with conducting offensive action since Vietnam; Special Forces have been engaged in combat operations almost continuously since 2001. When comparing the role of the Infantry with that of Special Operations Forces (SOF), in contrast to the nature of deployments, the logical deduction is that either the role of the Infantry is now defunct, or that only SOF are considered capable of the role’ (J. Hammett (MAJ), ‘We Were Soldiers Once...The Decline of the Royal Australian Infantry Corps?’, *Australian Army Journal*, vol. v, no. 1, (Autumn) 2008, pp. 40-42, [http://www.abc.net.au/mediawatch/transcripts/0817\\_journal.pdf](http://www.abc.net.au/mediawatch/transcripts/0817_journal.pdf) (accessed 25 June 2010)).

<sup>84</sup> Auerswald & Saideman, ‘NATO at War: Understanding the Challenges of Caveats in Afghanistan’, *op. cit.*, pp. 14-15.

<sup>85</sup> U.S. Embassy Berlin (released by Wikileaks), *Cable 08BERLIN1387, Germany: Bundestag Set To Renew A Beefed-Up ISAF Mandate And A Scaled-Down OEF Counterpart*, 10 October 2008, <http://wikileaks.org/cable/2008/10/08BERLIN1387.html>, (accessed 11 July 2011).

<sup>86</sup> U.S. Embassy Lisbon, (released by Wikileaks), *Cable 08LISBON35, Portugal’s ISAF Caveats*, 7 January 2008, [http://www.wikileaks.org/plusd/cables/08LISBON35\\_a.html](http://www.wikileaks.org/plusd/cables/08LISBON35_a.html), (accessed 9 October 2013).

<sup>87</sup> J. de Hoop Scheffer, ‘Press point with NATO Secretary General, Mr. Jaap de Hoop Scheffer and Mr. Soren Jessen-Petersen, Special Representative of the UN Secretary General in Kosovo’, *NATO online Library*, <http://www.nato.int/docu/speech/2004/s040917a.htm>, (accessed 1 December 2009); U.S. Embassy Oslo (released by Wikileaks), *Cable 06OSLO627, Norway Will Look Again At ISAF Caveats*, 15 May 2006, <http://cablegatesearch.net/cable.php?id=06OSLO627&q=national-caveat%20norway>, (accessed 22 September 2011); U.S. Embassy Berlin (released by Wikileaks), *Cable 08BERLIN1604, Germany/Afghanistan: November 26-27 Meeting of ISAF RC-North Chiefs Of Defense In Berlin*, 1 December 2008, <http://wikileaks.org/cable/2008/12/08BERLIN1604.html>, (accessed 11 July 2011); ‘US Army (USA) Captain (CPT) Edward Delatejera (right) of the Combined Joint Task Force 76 (CJTF76) Quick Reaction Force (QRF) meets with Portuguese Soldiers from the International Security Assistance Force (ISAF)’, *OPA – Online Public Access*, 10 September 2005, <http://research.archives.gov/description/6657360>, (accessed 9 October 2013); United States Central Command Headquarters (U.S. CENTCOM) ‘Portugal’, 16 August 2006,

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<sup>88</sup> U.S. Embassy Bratislava (released by Wikileaks), *Cable 09BRATISLAVA497, Das Quanrud in Slovakia*, 27 November 2009,  
<http://cablegatesearch.net/cable.php?id=09BRATISLAVA497&q=afghanistan%20caveat%20slovakia>, (accessed 18 July 2013).

<sup>89</sup> S.M. Saideman, ‘CIPS Policy Brief #6: Caveats, Values and the Future of NATO Peace Operations’, October 2009, *University of Ottawa Centre for International Policy Studies*, p. 1,  
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<sup>90</sup> *Ibid.*

<sup>91</sup> Hale, ‘Continuing Restrictions Likely on Some NATO Forces in Afghanistan’, *op. cit.*

<sup>92</sup> Hale, ‘Continuing Restrictions Likely on Some NATO Forces in Afghanistan’, *ibid.*; Garamone, ‘U.S. Wants More Robust Rules of Engagement in Afghanistan’, *op. cit.*; Boot, ‘Proactive Self-Defense’, *op. cit.*; Mokesift ‘Rorke’s Drift’ unit of medics and engineers holds out Taliban, *op. cit.*; Brophy & Fisera, ““National Caveats” and it’s impact on the Army of the Czech Republic”, *op. cit.*; Mr. Mark Lancaster (North-East Milton Keynes, Con.), cited in U.K. HoC, *Hansard Debates for 30 Nov 2006*, *op. cit.*; U.K. HoC, *UK Operations in Afghanistan: Thirteenth Report of Session 2006-07*, *op. cit.*, p. 18; Auerswald & Saideman, ‘NATO at War: Understanding the Challenges of Caveats in Afghanistan’, *op. cit.*; U.S. Embassy Helsinki (released by Wikileaks), *Cable 08HELSINKI155, Thoughts on Finland As I Depart Post*, 7 April 2008,  
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<sup>93</sup> Hale, ‘Continuing Restrictions Likely on Some NATO Forces in Afghanistan’, *op. cit.*; Auerswald & Saideman, ‘Caveats Emptor: Multilateralism at War’, *op. cit.*, p. 7.

<sup>94</sup> U.S. State Department (released by Wikileaks), *Cable 09STATE31102, Requesting Specific Contributions to Afghanistan*, 1 April 2009, <http://wikileaks.org/cable/2009/04/09STATE31102.html>, accessed 12 July 2012.

<sup>95</sup> Auerswald & Saideman, ‘NATO at War: Understanding the Challenges of Caveats in Afghanistan’, *op. cit.*, p. 14.

<sup>96</sup> Etienne de Durand, cited in Hale, ‘Continuing Restrictions Likely on Some NATO Forces in Afghanistan’, *op. cit.*

<sup>97</sup> S.M. Saideman, ‘CIPS Policy Brief #6: Caveats, Values and the Future of NATO Peace Operations’, October 2009, *University of Ottawa Centre for International Policy Studies*, p. 2,  
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<sup>98</sup> ‘FACTBOX – Restrictions on NATO troops in Afghanistan’, *op. cit.*

<sup>99</sup> Auerswald & Saideman, ‘Caveats Emptor: Multilateralism at War’, *op. cit.*, p. 8; Brophy & Fisera, ““National Caveats” and it’s impact on the Army of the Czech Republic”, *op. cit.*

<sup>100</sup> Modification of a map provided in ISAF, ‘ISAF Placemat’ [online map], June 2009, *op. cit.*

<sup>101</sup> R. Beste, K. von Hammerstein & A. Szandar, ‘The Discount War: ISAF is Failing in Effort to Secure Afghanistan on the Cheap’, *Spiegel Online*, 10 October 2007,  
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<sup>102</sup> Garamone, ‘U.S. Wants More Robust Rules of Engagement in Afghanistan’, *op. cit.*

<sup>103</sup> ‘FACTBOX – Restrictions on NATO troops in Afghanistan’, *op. cit.*; Auerswald & Saideman, ‘NATO at War: Understanding the Challenges of Caveats in Afghanistan’, *op. cit.*, pp. 28-29.

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<sup>107</sup> U.S. Embassy Reykjavik, (released by Wikileaks), *Cable 06REYKJAVIK5855, PRT Chachcharan: Plan Afoot to Withdraw Icelandic Mobile Liaison Observation Team from Chaghcharan PRT*, 15 December 2006, <http://wikileaks.org/cable/2006/12/06REYKJAVIK5855.html>, (accessed 12 July 2011);

<sup>108</sup> U.S. Embassy Ankara (released by Wikileaks), *Cable 09ANKARA1472, SceneSetter: Your Visit to Turkey*, 13 October 2009, <http://www.cablegatesearch.net/search.php?q=09ankara1472>, (accessed 12 July 2011); Auerswald & Saideman, ‘Caveats Emptor: Multilateralism at War’, *op. cit.*, p. 7; J. Miranda-Calha (Portugal), General Rapporteur, ‘Draft General Report: Lessons Learned from NATO’s Current Operations 061 DSC 06 E’, *NATO Parliamentary Assembly*, 17 March 2006, <http://www.nato-pa.int/default.asp?SHORTCUT=997.2-3.>, (accessed 14 December 2011).

<sup>109</sup> Auerswald & Saideman, ‘Caveats Emptor: Multilateralism at War’, *op. cit.*, p. 7.

<sup>110</sup> U.S. Embassy Ankara, *Cable 09ANKARA1472, op. cit.*

<sup>111</sup> C. Karp & R. Ponzio, ‘Chapter 12: NATO, SSR and Afghanistan’ in Law, D. (ed.), *Intergovernmental Organisations and Security Sector Reform*, Geneva, Geneva Centre for the Democratic Control of Armed Forces (DCAF), 2007, p. 227.

<sup>112</sup> U.S. Embassy Vilnius (released by Wikileaks), *Cable 05VILNIUS837, GOL: ISAF Mandate Adequate, As Is; Concerns about Counter Narcotics Mission*, 11 August 2005, <http://wikileaks.org/cable/2005/08/05VILNIUS837.htm>, (accessed 22 September 2011); Auerswald &

Saideman, ‘NATO at War: Understanding the Challenges of Caveats in Afghanistan’, *op. cit.*, p. 28; U.S. Embassy Ankara, *Cable 09ANKARA1472, op. cit.*; U.S. Embassy Kabul, *Cable 09KABUL1239, op. cit.*; U.S. Embassy Budapest (released by Wikileaks), *Cable 09BUDAPEST749, Update for FY10 1206 Funds Request for Hungarian Special Forces Capability Development*, 14 October 2009, <http://wikileaks.org/cable/2009/10/09BUDAPEST749.html>, (accessed 22 September 2011); U.S. Embassy The Hague (released by Wikileaks), *Cable 07THEHAGUE125, Netherlands/Afghanistan: Dutch Views Leading Up To NATO Ministerials*, 24 January 2007, <http://wikileaks.org/cable/2007/01/07THEHAGUE125.html>, (accessed 11 July 2011); U.S. DoD, *Progress toward Security and Stability in Afghanistan*, April 2010, *op. cit.*, p. 18; A. de Borchgrave, ‘Commentary: NATO Caveats’, *United Press International (UPI)*, 10 July 2009, [http://www.upi.com/Top\\_News/Analysis/de-Borchgrave/2009/07/10/Commentary-NATO-caveats/UPI-47311247244125/](http://www.upi.com/Top_News/Analysis/de-Borchgrave/2009/07/10/Commentary-NATO-caveats/UPI-47311247244125/), (accessed 7 October 2009); C. Karp. & R. Ponzio, ‘Chapter 12: NATO, SSR and Afghanistan’ in Law, D. (ed.), *Intergovernmental Organisations and Security Sector Reform*, Geneva, Geneva Centre for the Democratic Control of Armed Forces (DCAF), 2007, p. 226.

<sup>113</sup> U.S. Embassy Kabul, *Cable 09KABUL1239, op. cit.*; Auerswald & Saideman, ‘NATO at War: Understanding the Challenges of Caveats in Afghanistan’, *op. cit.*, p. 28.

<sup>114</sup> U.S. Embassy Vilnius, *Cable 05VILNIUS837, op. cit.*; U.S. Embassy Budapest (released by Wikileaks), *Cable 09BUDAPEST749, Update for FY10 1206 Funds Request for Hungarian Special Forces Capability Development*, 14 October 2009, <http://wikileaks.org/cable/2009/10/09BUDAPEST749.html>, (accessed 22 September 2011)

<sup>115</sup> U.S. Embassy Berlin (released by Wikileaks), *Cable 08BERLIN1255, Germans Remain Wary About Expanding ISAF’s Authority on Counternarcotics*, 12 September 2008, <http://wikileaks.org/cable/2008/09/08BERLIN1255.html>, (accessed 22 September 2011); U.S. Embassy Berlin (released by Wikileaks), *Cable 08BERLIN1387, Germany: Bundestag Set To Renew A Beefed-Up ISAF Mandate And A Scaled-Down OEF Counterpart*, 10 October 2008, <http://wikileaks.org/cable/2008/10/08BERLIN1387.html>, (accessed 11 July 2011).

<sup>116</sup> Shared by a LTGEN Andrew Leslie of the Canadian Army, a deputy COMISAF now serving as both the Chief of Canada’s Land Staff and the Commander of the Canadian Army, cited in D.P. Auerswald, & S.M. Saideman, ‘Caveats Emptor: Multilateralism at War in Afghanistan’, a paper presented at the *Annual Meeting of the International Studies Association*, New York, United States, (15-18<sup>th</sup> February) 2009, p. 8, <http://profs-polisci.mcgill.ca/saideman/Caveats%20and%20Afghanistan,%20isa%202009.pdf>. (accessed November 18, 2009); Auerswald & Saideman, ‘NATO at War: Understanding the Challenges of Caveats in Afghanistan’, *op. cit.*, p. 9.

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Greece does not enjoy good bilateral relations with Turkey. The latter country was once an historical enemy and invader of Greek territory, and Greece continues to nurse what American diplomats describe as an ‘obsession with Turkey’. Indeed, Turkey is described as the ‘900-pound gorilla of Greek politics’ affecting all aspects of Greek politics, particularly its military policies. Greece has been so focused in Turkey in its political affairs that the habit has even been described as a ‘traditional obsession with the Turkish “threat”’. More recently, relations between Greece and Turkey have deteriorated over Athens claim that the Turkish government consistently refuses to act according to the letter and spirit of international law and treaties, having laid unilateral claim to portions of Greek airspace as well as its oceanic continental shelf. The two nations are also divided by opposing views over how, and by whom, Cyprus should be governed. The rivalry between the two nations has impacted negatively on Greek contributions to the ISAF mission, since Greece considers that it must always have Greek troops deployed and ready to protect the homeland from the Turks. As a Greek NATO representative once stated to NATO: ‘If you could guarantee us protection against the Turks, we could do a lot more in Afghanistan and on NATO transformation’. The rivalry has also had an effect within the ISAF mission itself, by way of caveat restrictions. As one U.S. diplomat summarised the resultant situation in 2008: ‘While the probability of any major military confrontation is remote, much time and energy is spent in the military stand-off with Turkey. Both sides are unable to resist the frequent temptation to poke the other in the eye.’ In evidence of this, Turkey is the only ISAF TCN to recognise Macedonia by its own constitutional name of ‘the Republic of Macedonia’ (instead of the Athens-approved ‘The Former Yugoslav Republic of Macedonia’), much to the annoyance and chagrin of Greece which hotly contests the use of this name as explained below (U.S. Embassy Athens (released by Wikileaks), *Cable 05ATHENS236, Ambassador's Tour d'Horizon with Greek MOD Spiliopoulos*, 21 January 2005, <http://wikileaks.org/cable/2005/01/05ATHENS236.html>, (accessed 12 July 2011); U.S. Embassy Athens (released by Wikileaks), *Cable 07ATHENS685, My Way: Greece and NATO Transformation*, 4 April 2007, <http://wikileaks.org/cable/2007/04/07ATHENS685.html>, (accessed 12 July 2011); U.S. Embassy Athens, *Cable 08ATHENS469, op. cit.*; ISAF ‘ISAF Placemat’, 2 January 2007-3 December 2012, *op. cit.*).

Greece also has a long-running dispute with Macedonia over the use the latter country’s name. Greece has long considered the use of the term "Macedonia" by their neighbour to the north as an ‘usurpation of their heritage’. According to U.S. State Department cables, the United States helped broker an ‘Interim Accord’ between Greece and Macedonia over the name issue in 1995, whereby Greece agreed not to object to the use of the name ‘the Former Yugoslav Republic of Macedonia’ (FYROM) until the two countries could decide on a mutually acceptable solution through UN-led negotiations. Interestingly, Macedonia has participated in the ISAF since 2003 under this name, and continues only to be recognised by Greece under this name. In November 2004, when the United States decided to recognise Macedonia by its constitutional name of the Republic of Macedonia in its bilateral relations with the country, a political storm erupted within Greece over the continued use of the term ‘Macedonia’, with 82 per cent of Greek citizens opposing the country’s use of the term. Subsequently at the 2008 NATO summit in Bucharest, Greece blocked the invitation of Macedonia into the NATO Alliance, stating that it could not accept the country’s constitutional name nor allow it to monopolize the word ‘Macedonia’. Greece pledged furthermore to continue to block Macedonia’s membership in NATO until the country chose a name that demonstrated it was only ‘part of Macedonia’, and did not encompass the Bulgarian or Greek Macedonia. Pending a solution to the on-going dispute, it has been extremely difficult for NATO and the United States to persuade the Greek government in Athens to increase its contributions to the ISAF mission, or indeed, other NATO missions (U.S. Embassy Athens, *Cable 08ATHENS313, op. cit.*; U.S. Embassy Athens, *Cable 08ATHENS469, op. cit.*; U.S. Embassy Athens, *Cable 08ATHENS896, op. cit.*).

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- <sup>123</sup> FACTBOX – Restrictions on NATO troops in Afghanistan, *op. cit.*; Hale, ‘Continuing Restrictions Likely on Some NATO Forces in Afghanistan’, *op. cit.*; McNamara, ‘Backgrounder #2347: NATO Allies in Europe Must Do More in Afghanistan’, *op. cit.*; L. Michel & R. Hunter , ‘Keeping our allies on our side in Afghanistan’, *Los Angeles Times*, 27 October 2009, <http://articles.latimes.com/2009/oct/27/opinion/oe-michelhunter27>, (accessed 31 January 2013); Auerswald & Saideman, ‘Caveats Emptor: Multilateralism at War’, *op. cit.*, p. 8.
- <sup>124</sup> D.P. Auerswald & S.M. Saideman, ‘NATO at War: Understanding the Challenges of Caveats in Afghanistan’, a paper prepared for presentation at the *Annual Meeting of the American Political Science Association*, Toronto, Canada, (2-5<sup>th</sup> September) 2009, pp. 8-9 (including footnote 16),  
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- <sup>125</sup> J. Starkey, ‘They came, they saw, then left the Afghan war without a single mission’, *The Scotsman (U.K.)*, 9 October 2008, <http://news.scotsman.com/world/They-came-they-saw-.4573584.jp>, (accessed 14 January 2011).
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<sup>144</sup> Garamone, ‘U.S. Wants More Robust Rules of Engagement in Afghanistan’, *op. cit.*; Boot, ‘“Proactive Self-Defense”’, *op. cit.*

<sup>145</sup> U.S. Embassy Helsinki (released by Wikileaks), *Cable 10HELSINKI36, Finland To Announce Increased Afghan Support At London Conference*, 25 January 2010,

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<sup>146</sup> U.S. Embassy Budapest, (released by Wikileaks), *Cable 09BUDAPEST855, Das Quanrud’s Visit To Budapest*, 1 December 2009,

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<sup>161</sup> U.S. Embassy Berlin, *Cable 09BERLIN431*, *op. cit.*

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<sup>181</sup> ‘International Security Assistance Force (ISAF)’, *Institute for the Study of War, op. cit.*; Hale, ‘Continuing Restrictions Likely on Some NATO Forces in Afghanistan’, *op. cit.*

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<sup>185</sup> Cathy Downes, Personal correspondence with Regeena Kingsley, [Email], 3 September 2009.

<sup>186</sup> *Ibid.*

<sup>187</sup> *Ibid.*

<sup>188</sup> *Ibid.*

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<sup>191</sup> U.S. Embassy Berlin, *Cable 09KABUL1239, op. cit.*

<sup>192</sup> U.S. Embassy Berlin, *Cable 09BUDAPEST771, op. cit.*

<sup>193</sup> *Ibid.*

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<sup>195</sup> *Ibid.*

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<sup>197</sup> *Ibid.*

<sup>198</sup> *Ibid.*

<sup>199</sup> *Ibid.*

<sup>200</sup> *Ibid.*

<sup>201</sup> *Ibid.*

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<sup>203</sup> To exemplify, when a PRT convoy was attacked by insurgents in June 2009 with RPGs and Kalashnikovs, the convoy immediately returned to base and took no further action. Moreover, following the death of two deminers while defusing IEDs, Hungary ceased all commitments to deploying de-mining teams to Afghanistan (*Ibid.*).

<sup>204</sup> D. Levy & V. Small, ‘Afghanistan attack: No pressure on Hungary’, *Stuff.co.nz*, 7 August 2012, <http://www.stuff.co.nz/the-press/national/7429056/Afghanistan-attack-No-pressure-on-Hungary>, (accessed 8 August 2012).

<sup>205</sup> U.S. Embassy Kabul, *Cable 09KABUL1239, op. cit.*

<sup>206</sup> Namely, NZDF Lieutenant Tim O'Donnell.

<sup>207</sup> Levy & Small, ‘Afghanistan attack: No pressure’, *op. cit.*

<sup>208</sup> *Ibid.*

<sup>209</sup> As Key had earlier expressed on the New Zealand position on Afghanistan in 2009: ‘If the world doesn’t get on top of the situation in Afghanistan, the counterfactual is that it will become a bigger hotbed for global terrorism...If you lose control of Afghanistan, you are leaving that country and potentially others exposed as a breeding ground for global terrorism. I can’t see how that’s in New Zealand’s best interests.’ (‘New Zealand premier signals he’s likely to increase Afghanistan troop levels’, *Breaking News 24/7*, 27 July 2009, <http://blog.taragana.com/n/new-zealand-premier-signals-hes-likely-to-increase-Afghanistan-troop-levels.html>, (accessed 7 October 2009).

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## Chapter 13

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<sup>6</sup> T. Noetzel & S. Scheipers, 'Coalition Warfare in Afghanistan: Burden-sharing or Disunity?', *Chatham House, Asia and International Security Programmes ASP/ISP BP 07/01*, October 2007, <http://www.chathamhouse.org/publications/papers/view/108663>, (accessed 17 February 2013) ; United States Senate, Barno, D.W., 'Senate Armed Services Committee Testimony', 26 February 2009, *Senate Report 112-002 – Report on the Activities of the Committee on Armed Services United States Senate 111<sup>th</sup> Congress First and Second Sessions 2009-2010*, U.S. Government Printing Office, <http://www.gpo.gov/fdsys/pkg/CHRG-111shrg53725/html/CHRG-111shrg53725.htm>, (accessed 12 August 2013).

<sup>7</sup> *Ibid.*; U.S. Embassy Kabul (released by Wikileaks), *Cable 07KABUL1032, How Not To Lose The North*, 28 March 2007, <http://wikileaks.org/cable/2007/03/07BERLIN1032.html>, (accessed 11 July 2011).

<sup>8</sup> de Borchgrave, 'Commentary: NATO Caveats', *United Press International (UPI)*, 10 July 2009, [http://www.upi.com/Top\\_News/Analysis/de-Borchgrave/2009/07/10/Commentary-NATO-caveats/UPI-47311247244125/](http://www.upi.com/Top_News/Analysis/de-Borchgrave/2009/07/10/Commentary-NATO-caveats/UPI-47311247244125/), (accessed 7 October 2009).

<sup>9</sup> United States Library of Congress, V. Morelli & P. Belkin, 'NATO in Afghanistan: A Test of the Transatlantic Alliance', *Congressional Research Service (CRS)*, 17 April 2009, p. 32, <http://fpc.state.gov/documents/organization/124771.pdf>, (accessed 20 February 2013).

<sup>10</sup> *Ibid.*

<sup>11</sup> Barno, 'Senate Armed Services Committee Testimony', *op. cit.*

<sup>12</sup> J.J. Lok, 'Growing Anger over National Caveats in Afghanistan', *AviationWeek.com*, 10 October 2007, <http://www.aviationweek.com/aw/blogs/defense/index.jsp>, (accessed 14 January 2011); Barno, 'Senate Armed Services Committee Testimony', *op. cit.*

<sup>13</sup> Member of New Zealand Security Intelligence Service (SIS), [Identity Protected], Personal communication with Regeena Kingsley, 12 June 2009, Wellington New Zealand.

<sup>14</sup> J. Starkey, 'They came, they saw, then left the Afghan war without a single mission', *The Scotsman (U.K.)*, 9 October 2008, <http://news.scotsman.com/world/They-came-they-saw-.4573584.jp>, (accessed 14 January 2011).

<sup>15</sup> *Ibid.*

<sup>16</sup> *Ibid.*

<sup>17</sup> *Ibid.*

<sup>18</sup> *Ibid.*

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<sup>19</sup> D. Wroe, ‘German soldiers too fat to fight the Taliban’, *The Telegraph* (U.K.), 3 December 2008 [http://www.telegraph.co.uk/news/worldnews/europe/germany/3546154/German\\_soldiers\\_too\\_fat\\_to\\_fight.html](http://www.telegraph.co.uk/news/worldnews/europe/germany/3546154/German_soldiers_too_fat_to_fight.html), (accessed 30 March 2011).

With U.S. soldiers forbidden to drink on tours of duty and British forces allowed only small quantities of alcohol when off-duty, the report quickly led to a media furore in Britain with more than one British newspaper decrying that ‘German soldiers are ‘too fat to fight’ Taliban because they drink so much (while our boys go dry)’. ‘Perhaps the soldiers, hamstrung by government-imposed “caveats” that make it very hard for them to do the job they came to Afghanistan to do, simply aren’t motivated to stay in shape?’, asked James Joyner, writing for the *Atlantic Council* (J. Joyner, ‘German Soldiers Too Fat and Drunk to Fight?’, *Atlantic Council*, 4 December 2008, <http://www.acus.org/print/2321>,(accessed 30 March 2011).

<sup>20</sup> Wroe, ‘German soldiers too fat to fight the Taliban’, *op. cit.*

<sup>21</sup> Joyner, ‘German Soldiers Too Fat and Drunk to Fight?’, *op. cit.*

<sup>22</sup> Wroe, ‘German soldiers too fat to fight the Taliban’, *op. cit.*; Joyner, ‘German Soldiers Too Fat and Drunk to Fight?’, *op. cit.*

<sup>23</sup> Starkey, ‘They came, they saw, then left the Afghan war without a single mission’, *op. cit.*

<sup>24</sup> *Ibid.*

<sup>25</sup> P. Dorling & N. McKenzie, ‘Rudd: ‘Scared as hell’’, *Sydney Morning Herald*, 10 December 2010, <http://www.smh.com.au/technology/technology-news/rudd-scared-as-hell-20101209-18ri5.html>, (accessed 17 May 2011)

<sup>26</sup> *Ibid.*

<sup>27</sup> Starkey, ‘They came, they saw, then left the Afghan war without a single mission’, *op. cit.*; Wroe, ‘German soldiers too fat to fight the Taliban’, *op. cit.*; ‘Afghanistan – Timeline’, *BBC News*, 15 March 2011, <http://news.bbc.co.uk/2/hi/1162108.stm>, (accessed 29 August 2011).

<sup>28</sup> Starkey, ‘They came, they saw, then left the Afghan war without a single mission’, *op. cit.*

<sup>29</sup> Barbo, ‘Senate Armed Services Committee Testimony’, *op. cit.*

<sup>30</sup> Casey, T. ‘Terrorism – Afghanistan Update: May 2008’, *CDI Center for Defense Information*, 16 June 2008, <http://www.cdi.org.>, (accessed 17 May 2010)

<sup>31</sup> U.S. Mission NATO HQ (released by Wikileaks), *Cable 08USNATO200, ISAF Commander McNeill Praises Allied Unity, Highlights Remaining Challenges In His Farewell Address*, 6 June 2008, <http://wikileaks.org/cable/2008/06/08USNATO200.html>, (accessed 17 January 2014)

<sup>32</sup> U.S. Embassy Kabul (released by Wikileaks), *Cable 07KABUL2249, PRT Uruzgan: Chora Leaders Speak To Afghan Independent Human Rights Commission*, 12 July 2007, <http://wikileaks.org/cable/2007/07/07KABUL2249.html>, (accessed 11 July 2011)

<sup>33</sup> Created using aspects of two ISAF placemats, ISAF, ‘ISAF Placemat’, 16 June 2009, 16 April 2010, *op. cit.*

<sup>34</sup> U.S. Embassy Berlin (released by Wikileaks), *Cable 09BERLIN1108, Germany: Political Fall-out over Kunduz Air Strikes Contained – For Now*, 10 September 2009, <http://www.wikileaks.ch/cable/2009/09/09BERLIN1108.html>, (accessed 11 July 2011)

<sup>35</sup> Interestingly, even the German Bundeswehr soldiers themselves were reportedly greatly frustrated by their government-imposed restraints in the realm of combat operations, and the ‘mindset’ of German politicians with regard to the mission back in Berlin. Indeed, one U.S. official who visited RC-North in 2010 reported to Washington that: ‘During my talks to German soldiers of all ranks, I was struck by their frustration about the unwillingness of German politicians to be honest about the nature of the German military engagement in northern Afghanistan – i.e., that it does not involve just guarding aid workers and digging wells, but also combat against hard-core insurgents. They complained that while the Bundeswehr and the Afghanistan deployment had evolved over time, the politicians remained stuck in an old mind-set that sees the German public as simply incapable of accepting German soldiers being involved in anything but purely defensive military operations. They thought that support for the mission would actually increase if the German government were more open and honest about what was really going on and what was at stake. They pointed out that while German public opposition to the deployment is high (60-70% favour immediate withdrawal), it is not deeply felt, with other issues like the economy and unemployment ranking much higher on the list of concerns’. As a result of these discussions, the official concluded that the United States should ‘not take at face value traditional assertions about the impossibility of Bundeswehr involvement in military operations’ (U.S. Embassy Berlin (released by Wikileaks), *Cable 10BERLIN138, Maximizing Germany’s Contribution To The Training Of Afghan National*

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*Security Forces*, 1 February 2010, <http://wikileaks.org/cable/2010/02/10BERLIN138.html>, (accessed 11 July 2011).

<sup>36</sup> U.S. Embassy Kabul (released by Wikileaks), *Cable 10KABUL12, Militias in Kunduz; A Tale of Two Districts*, 3 January 2010, <http://wikileaks.org/cable/2010/01/10KABUL12.html>, (accessed 11 July 2011).

<sup>37</sup> U.S. Embassy Kabul (released by Wikileaks), *Cable 09KABUL3366, Kunduz Authorities Turn to Militias as Security Deteriorates*, 19 October 2009, <http://wikileaks.org/cable/2009/10/09KABUL3366.html> (accessed 11 July 2011).

<sup>38</sup> U.S. Embassy Kabul, *Cable 10KABUL12, op. cit.*; U.S. Embassy Berlin, *Cable 10BERLIN138, op. cit.*; U.S. Embassy Berlin (released by Wikileaks), *Cable 10BERLIN8, Media Reaction: U.S., Afghanistan, Iran, Mideast, Iceland, Defense, Economic; Berlin*, 6 January 2010, <https://wikileaks.org/cable/2010/01/10BERLIN8.html> (accessed 11 July 2011).

<sup>39</sup> Cited in United Kingdom House of Commons (U.K. HoC), Foreign Affairs Committee, *Global Security: Afghanistan and Pakistan, eighth report of session 2008-09*,

<http://www.publications.parliament.uk/pa/cm200809/cmselect/cmfaff/302/30205.htm>, (accessed 12 February 2010).

<sup>40</sup> A. Mulrine, ‘In Afghanistan, the NATO-led Force is ‘Underresourced’ For the Fight Against the Taliban’, *U.S. News*, 5 June 2008, <http://www.usnews.com/news/world/articles/2008/06/05/in-afghanistan-the-nato-led-force-is-underresourced-for-the-fight-against-the-taliban>, (accessed 31 May 2015).

<sup>41</sup> Casey, ‘Terrorism – Afghanistan Update: May 2008’, *op. cit.*; U.S. Department of Defense (U.S. DoD), The Pentagon, *Progress toward Security and Stability in Afghanistan - Report to Congress in accordance with the 2008 National Defence Authorization Act (Section 1230, Public Law 110-181)*, January 2009, p. 7, [http://www.defense.gov/pubs/OCTOBER\\_1230\\_FINAL.pdf](http://www.defense.gov/pubs/OCTOBER_1230_FINAL.pdf), (accessed 14 January 2013).

<sup>42</sup> Casey. ‘Terrorism – Afghanistan Update: May 2008’, *op. cit.*; Troops ‘fighting for UK’s future’, *BBC News*, 11 July 2009, [http://news.bbc.co.uk/2/hi/uk\\_news/8145735.stm](http://news.bbc.co.uk/2/hi/uk_news/8145735.stm), (accessed 22 July 2009).

<sup>43</sup> ‘Nato warning over Afghan mission’, *BBC News*, 21 July 2009, [http://news.bbc.co.uk/2/hi/south\\_asia/8160291.stm](http://news.bbc.co.uk/2/hi/south_asia/8160291.stm), (accessed 22 July 2009); A. Cowell, ‘Biden Warns of More ‘Sacrifice’ in Afghanistan’, *The New York Times*, 24 July 2009, <http://www.nytimes.com/2009/07/24/world/europe/24afghan.html>, (accessed 26 July 2009).

<sup>44</sup> Adaption of a diagram presented in I. Livingstone, A. Cheng & S. Gephart, ‘Op-Chart: A Year in Iraq and Afghanistan’, *The New York Times* [online chart], 10 January 2010, <http://www.nytimes.com/2011/01/30/opinion/30casualty-chart.html>, (accessed 11 January 2010).

<sup>45</sup> Dempsey, J. & Austen, I., Many Allies of U.S. Share Pain of Afghan War’s Toll, *The New York Times*, 16 September 2009, <http://www.nytimes.com/2009/09/16/world/asia/16iht-deaths.html>, (accessed 7 October 2009); N. Squires, ‘Afghanistan: six Italians paratroopers killed in Kabul bomb’, *The Telegraph (UK)*, 17 September 2009, <http://www.telegraph.co.uk/news/worldnews/asia/afghanistan/6202856/Afghanistan-six-Italians-paratroopers-killed-in-Kabul-bomb.html>, (accessed 17 February 2014).

<sup>46</sup> The total fatality figures used in this graph were collected from the following sources: Dempsey & Austen, ‘Many Allies of U.S. Share Pain of Afghan War’s Toll’, *op. cit.*; and Squires, ‘Afghanistan: six Italians paratroopers killed in Kabul bomb’, *op. cit.*

<sup>47</sup> Dempsey & Austen, ‘Many Allies of U.S. Share Pain of Afghan War’s Toll’, *op. cit.*

<sup>48</sup> L. Michel & R. Hunter, ‘Keeping our allies on our side in Afghanistan’, *Los Angeles Times*, 27 October 2009, <http://articles.latimes.com/2009/oct/27/opinion/oe-michelhunter27>, (accessed 31 January 2013).

<sup>49</sup> J. Isherwood, ‘Denmark tops Afghan per capita KIA figures’, *Politiken – News in English (Denmark)*, 16 February 2009, <http://politiken.dk/newsinenglish/ECE650209/denmark-tops-afghan-per-capita-kia-figures/>, (accessed 22 July 2014).

<sup>50</sup> *Ibid.*

<sup>51</sup> *Ibid.*

<sup>52</sup> ‘NATO’s military credibility on the line’, *Telegraph.co.uk*, 7 March 2007, <http://www.telegraph.co.uk/news/worldnews/1544820/Natos-military-credibility-on-the-line.html>, (accessed 24 February 2009).

<sup>53</sup> H. de Vreij, ‘Netherlands – first NATO member to leave Afghanistan’, *Radio Nederland Wereldomroep*, 1 August 2010, <http://www.rnw.nl/english/article/netherlands-first-nato-member-leave-afghanistan>, (accessed 4 August 2010)

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<sup>54</sup> Michel & Hunter, ‘Keeping our allies on our side in Afghanistan’, *op. cit.*; P. Wells, ‘NATO Getting Jittery over Canada, Netherlands Leaving Afghanistan’, *Maclean’s Magazine (Canada)*, 6 August 2007, <http://www.thecanadianencyclopedia.com/articles/macleans/nato-jittery-over-canada-netherlands-leaving-afghanistan>, (accessed 4 August 2010).

<sup>55</sup> Harding, T., ‘Do your fair share in Afghanistan, Nato told’, *Telegraph.co.uk*, 10 March 2007, <http://www.telegraph.co.uk/news/worldnews/1545099/Do-your-fair-share-in-Afghanistan.html>, (accessed 26 January 2009).

<sup>56</sup> U.S. Embassy Hague (released by Wikileaks), *Cable 05THEHAGUE1876, Netherlands: Tour D’Horizon With Foreign Minister Bot*, 1 July 2005, <http://wikileaks.org/cable/2005/07/05THEHAGUE1876.html>, (accessed 11 July 2011)

<sup>57</sup> *Ibid.*

<sup>58</sup> U.S. Embassy Hague (released by Wikileaks), *Cable 07THEHAGUE125, Netherlands/Afghanistan: Dutch Views Leading Up To NATO Ministerials*, 24 January 2007, <http://wikileaks.org/cable/2007/01/07THEHAGUE125.html>, (accessed 11 July 2011).

<sup>59</sup> Photos taken from *International Herald Tribune*, [www.iht.com](http://www.iht.com), (accessed 3 February 2009).

<sup>60</sup> F. Ghitis, ‘European Ambivalence Threatens NATO Afghanistan Mission’, *World Politics Review (WPR)*, 29 October 2007, <http://www.worldpoliticsreview.com/articles/print/1276>, (accessed 14 May 2010).

<sup>61</sup> *Ibid.*

<sup>62</sup> U.S. Embassy The Hague (released by Wikileaks), *Cable 07THEHAGUE1729, Netherlands/Afghanistan: Desperately Seeking Someone...*, 19 September 2007, <http://wikileaks.org/cable/2007/09/07THEHAGUE1729>, (accessed 11 July 2011).

<sup>63</sup> *Ibid.*

<sup>64</sup> *Ibid.*

<sup>65</sup> *Ibid.*; U.S. Embassy Hague (released by Wikileaks), *Cable 07THEHAGUE2082, Netherlands/Afghanistan: It’s Official! Two More Years In Uruzgan*, 21 December 2007, <http://wikileaks.org/cable/2007/12/07THEHAGUE2082>, (accessed 11 July 2011); U.S. Embassy Paris, (released by Wikileaks), *Cable 07PARIS4357, President Sarkozy’s First Official Visit to the U.S.: Policy Coordination with a Self-consciously Independent Force*, 26 October 2007, <http://wikileaks.org/cable/2007/10/07PARIS4357.html>, (accessed 12 July 2011); U.S. Embassy The Hague (released by Wikileaks), *Cable 07THEHAGUE2061, Netherlands/Afghanistan: DASD Cagan’s Dec. 12 Visit To The Hague*, 14 December 2007, <http://cablegatesearch.net/cable.php?id=07THEHAGUE2061&q=2008%20afghanistan%20caveat%20isaf>, (accessed 26 July 2013).

<sup>66</sup> U.S. Embassy The Hague (released by Wikileaks), *Cable 07THEHAGUE2082, Netherlands/Afghanistan: It’s Official! Two More Years In Uruzgan*, 21 December 2007, <http://wikileaks.org/cable/2007/12/07THEHAGUE2082>, (accessed 11 July 2011).

<sup>67</sup> U.S. Embassy The Hague (released by Wikileaks), *Cable 09THEHAGUE92, Netherlands/Afghanistan: Getting To Yes Post-2010*, 11 February 2009, <http://wikileaks.org/cable/2009/02/09THEHAGUE92.html>, (accessed 11 July 2011)

<sup>68</sup> *Ibid.*

<sup>69</sup> *Ibid.*

<sup>70</sup> *Ibid.*

<sup>71</sup> *Ibid.*

<sup>72</sup> U.S. Embassy The Hague (released by Wikileaks), *Cable 09THEHAGUE328, Netherlands/SceneSetter; Secretary’s June 10 Bilateral With Defense Minister Van Middelkoop*, 2 June 2009, <http://wikileaks.org/cable/2009/07/09THEHAGUE328.html>, (accessed 11 July 2011)

<sup>73</sup> U.S. Embassy The Hague (released by Wikileaks), *Cable 09THEHAGUE92, Netherlands/Afghanistan: Getting To Yes Post-2010*, 11 February 2009, <http://wikileaks.org/cable/2009/02/09THEHAGUE92.html>, (accessed 11 July 2011); U.S. State Department (released by Wikileaks), *Cable 09STATE31102, Requesting Specific Contributions to Afghanistan*, 1 April 2009, <http://wikileaks.org/cable/2009/04/09STATE31102.html>, accessed 12 July 2012; U.S. Embassy The Hague (released by Wikileaks), *Cable 10THEHAGUE108, Netherlands: Cabinet Falls Over Afghanistan Electioneering*, 20 February 2010, <http://wikileaks.org/cable/2010/02/10THEHAGUE108.html>, (accessed 11 July 2011).

NATO Secretary General Rasmussen considered that a reduction of the Dutch presence in Uruzgan Province ‘would counterbalance years of efforts it undertook to build good relations with local officials and acquire an understanding of the local situation’. Consequently, in December 2009 Rasmussen delivered a ‘stern message’

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to both the Dutch Prime Minister Balkenende and also the Dutch permanent representative at NATO Headquarters for Dutch forces ‘to stay and continue as the lead nation in Uruzgan province’. According to Rasmussen, it seemed ‘contrary to his efforts’ to be asking many NATO countries to overcome obstacles and make difficult decisions, while at the same time allowing the Dutch to withdraw from RC-South. Interestingly, this view was also shared by senior Dutch military commanders themselves, who reportedly did not want to exit Afghanistan and were ‘clearly concerned about being the “odd man out” within NATO as many other countries are stepping up to their commitments’. Following the collapse of the Dutch government, however, the Dutch Chief of Staff reiterated that ‘there’s no way the Dutch forces will stay in Uruzgan...that door is locked’ (U.S. Mission NATO HQ (released by Wikileaks), *Cable 09USNATO563, Rfg: How To Keep The Dutch In Afghanistan*, 3 December 2009, <http://wikileaks.org/cable/2009/12/09THEHAGUE563.html>, (accessed 11 July 2011); U.S. Embassy The Hague (released by Wikileaks), *Cable 09THEHAGUE759, Netherlands/Afghanistan: Cabinet Deliberating – Labor Party Lines Drawn*, 21 December 2009, <http://wikileaks.org/cable/2009/12/09THEHAGUE759.html>, (accessed 11 July 2011).

The American request for an abiding Dutch presence in RC-South was made due to the fact that the U.S. government recognised that the Netherlands ‘consistently’ punched above its weight within the mission and was a true partner in promoting a safe and secure Afghanistan. Indeed, as early as 2006 the American government considered the Netherlands to be ‘one of our staunchest allies in continental Europe, willing to put their credibility, resources, and even troops on the line again and again to support transatlantic objectives’. Three years later in 2009 American estimation of Dutch forces in Afghanistan had risen even further. As one diplomat expressed: ‘The Dutch have been more involved in Afghanistan than many in NATO that have more capabilities. They were part of the initial ISAF forces and continue to contribute vitally important enablers’. However, unlike Rasmussen who ‘was content to let the Dutch continue to feel the political pressure from Allies than offer an exit strategy too early’, American officials recognised that demanding an ongoing Dutch combat presence in Uruzgan past December 2010 was a mistake, one official stating in his report to the State Department in Washington D.C. that: ‘Pushing the government to collapse on this matter is not in our interest...A collapse of the government hurts our chances for Dutch contributions and would delay any prospective Dutch contributions...If Labor pulls the plug on the governing coalition at this time, it would likely make Afghanistan one of the central campaign issues...The new Dutch proposal – maintaining a civilian PRT with protection by another ally, plus troops elsewhere in southern Afghanistan – is better than waiting for a new coalition government that might not give us anything more, and could well give us less’. This counsel seems particularly insightful in light of the subsequent collapse of the Dutch government over the extension issue, and Holland’s subsequent termination of its combat role in Afghanistan (U.S. Embassy The Hague (released by Wikileaks), *Cable 06THEHAGUE2282, Netherlands/SceneSetter: Foreign Minister Bot's 10/23 Washington Visit*, 20 October 2006, <http://wikileaks.org/cable/2006/10/06THEHAGUE2282.html>, (accessed 11 July 2011); U.S. Embassy The Hague, *Cable 09THEHAGUE92, Netherlands/Afghanistan: Getting To Yes Post-2010, op. cit.*; U.S. Embassy The Hague (released by Wikileaks), *Cable 09THEHAGUE731, Netherlands/Afghanistan: Swaying the Dutch*, 4 December 2009, <http://wikileaks.org/cable/2009/12/09THEHAGUE731.html>, (accessed 11 July 2011).

<sup>74</sup> N. Kulish, ‘Dutch Government Collapses Over Its Stance on Troops for Afghanistan’, *The New York Times*, 21 February 2010, [http://www.nytimes.com/2010/02/21/world/europe/21dutch.html?\\_r=0](http://www.nytimes.com/2010/02/21/world/europe/21dutch.html?_r=0), (accessed 3 March 2010).

<sup>75</sup> Dempsey & Austen, ‘Many Allies of U.S. Share Pain of Afghan War’s Toll’, *op. cit.*; U.S. Embassy Kabul (released by Wikileaks), *Cable 08KABUL1492, Canadian Contributions In Afghanistan*, 19 June 2008, <http://wikileaks.org/cable/2008/06/08KABUL1492.html>, (accessed 11 July 2011).

<sup>76</sup> *Ibid.*

<sup>77</sup> Harding, T., ‘Do your fair share in Afghanistan, Nato told’, *Telegraph.co.uk*, 10 March 2007, <http://www.telegraph.co.uk/news/worldnews/1545099/Do-your-fair-share-in-Afghanistan.html>, (accessed 26 January 2009).

<sup>78</sup> U.S. Embassy Ottawa (released by Wikileaks), *Cable 09OTTAWA218, Canada: Re-considering All Options For Its Future Military Role In Kandahar*, 17 March 2009, <http://wikileaks.org/cable/2009/03/09OTTAWA218.html>, (accessed 11 July 2011).

<sup>79</sup> *ibid.*

<sup>80</sup> A. H. Cordesman, ‘Losing the Afghan-Pakistan War? The Rising Threat’, *CSIS Center for Strategic & International Studies*, 14 September 2008, p. 12, [http://csis.org/files/media/csis/pubs/080917\\_afghanthreat.pdf](http://csis.org/files/media/csis/pubs/080917_afghanthreat.pdf), (accessed 25 February 2013).

<sup>81</sup> Cordesman, ‘Losing the Afghan-Pakistan War? The Rising Threat’, *ibid.*

<sup>82</sup> *Ibid.*

<sup>83</sup> J.J. Lok, ‘Growing Anger over National Caveats in Afghanistan’, *AviationWeek.com*, 10 October 2007, <http://www.aviationweek.com/aw/blogs/defense/index.jsp>, (accessed 14 January 2011).

<sup>84</sup> *Ibid.*

<sup>85</sup> *Ibid.*

<sup>86</sup> Miles, D., ‘Gates: NATO Must Increase Assets, Cut Caveats in Afghanistan’, *Small Wars Journal*, 25 October 2007, <http://smallwarsjournal.com/blog/2007/10/print/natio-must-increase-assets-cut-caveats-in-afghanistan.html>, (accessed 18 November 2009); Ghitis, ‘European Ambivalence Threatens NATO Afghanistan Mission’, *op. cit.*

<sup>87</sup> *Ibid.*

<sup>88</sup> ‘National interests hamper NATO in Afghanistan’, *Agence France-Press (AFP) News*, 25 October 2007) <http://afp.google.com/article/ALEqM5h6ru9HsJJNln5oK7YHncRmckmPdA>, (accessed 18 November 2009).

<sup>89</sup> Ghitis, ‘European Ambivalence Threatens NATO Afghanistan Mission’, *op. cit.*; Roberts, K., ‘Gates asks European armies to push politicians on NATO’, *Reuters*, 25 October 2007, <http://www.reuters.com/articlePrint?articleId=USL25597869>, (accessed 18 November 2009).

<sup>90</sup> J. Phillips & L. Curtis, ‘Backgrounder No. 2124 - The War in Afghanistan: More Help Needed’, *The Heritage Foundation*, 17 April 2008, p. 6, *The Heritage Foundation*, <http://www.heritage.org/Research/Reports/2008/04/The-War-in-Afghanistan-More-Help-Needed>, (accessed 26 January, 2009); Parliament of Canada, ‘Afghanistan: European involvement’, *InfoSeries: Parliamentary Information and Research Service*, Publication PRB 07-31E, 7 January 2008, <http://www2.parl.gc.ca/content/lop/researchpublications/prb0731-e.htm.p1-2>, (accessed 7 July 2009).

<sup>91</sup> ‘Canada to withdraw from Afghanistan south in 2011:PM’, *AFP News*, February 21, 2008.

<http://www.afp.com/afpcan/en/>, (accessed 26 January 2009); U.S. Embassy Ottawa (released by WikiLeaks), *Cable 08OTTAWA280, Liberals Clarify Afghanistan No Trigger For Elections*, 22 February 2008, <http://wikileaks.org/cable/2008/02/08OTTAWA280.html>, (accessed 11 July 2011)

<sup>92</sup> Parliament of Canada, ‘Afghanistan: European involvement’, *op. cit.*, p. 2.

<sup>93</sup> *Ibid*

<sup>94</sup> ‘Canada to withdraw from Afghanistan south in 2011:PM’, *op. cit.*; U.S. Embassy Ottawa (released by WikiLeaks), *Cable 08OTTAWA141, PM Harper Seeks Afghan Extension, With Caveats*, 28 January 2008, <http://wikileaks.org/cable/2008/01/08OTTAWA141.html>, (accessed 11 July 2011); U.S. Embassy Ottawa (released by WikiLeaks), *Cable 08OTTAWA280, Liberals Clarify Afghanistan No Trigger For Elections*, 22 February 2008, <http://wikileaks.org/cable/2008/01/08OTTAWA141.html>, (accessed 11 July 2011).

<sup>95</sup> U.S. Embassy Ottawa, *Cable 08OTTAWA141, op. cit.*

<sup>96</sup> R. Synovitz, ‘Afghanistan: France Offers Troops To Bolster ISAF Mission’, *RadioFreeEurope - RadioLiberty*, 3 April 2008, <http://www.rferl.org>, (accessed 7 July 2009); Phillips & Curtis, ‘Backgrounder No. 2124 - The War in Afghanistan: More Help Needed’,, *op. cit.*, pp. 6-7.

This decision by the Sarkozy government was made despite the fact that within France the government was proverbially ‘between a rock and a hard place’, facing intense opposition from the French public opinion as well as from rival political parties. Indeed, according to an opinion poll, 68 per cent of French voters opposed the deployment of any additional troops to Afghanistan at all, while the opposition Socialist Party threatened to submit a motion of no confidence over the President’s decision to deploy the battalion without a Lower House vote on the matter (Synovitz, ‘Afghanistan: France Offers Troops To Bolster ISAF Mission’, *op. cit.*)

<sup>97</sup> In June 2008 the Taliban insurgency – which had grown in both numbers and tactical flexibility – launched a series of attacks in Kandahar Province to retake control of the country: (1) they destroyed cell phone towers to impede communications; (2) infiltrated villages to take reprisals on those cooperating with ISAF; (3) engaged in manifold attacks across the Afghan-Pakistan border, to the great exasperation of Afghan President Karzai and the U.S. in Regional Command East, resulting in a 41 per cent increase in fighting along the border; and (4) worst of all, successfully secured the release of nearly 1,000 prisoners – including 400 Taliban fighters – through a large coordinated attack on a prison facility in Kandahar. In fact, at this point of time, the Taliban insurgency was nationwide improving and adapting its tactical repertoire, and had dramatically increased its use of terrorist tactics. Canadian officials described this period as a ‘rough time’ for Canadian forces, acknowledging that the Taliban prison attack in Kandahar City was a ‘set-back’ which had given the Taliban an information operations advantage, but that Canadian and Afghan security forces were working together to diminish this advantage and to rebuild the prison (Casey, ‘Terrorism – Afghanistan Update: May 2008’, *op. cit.*; ‘Extra UK troops for Afghanistan’, *BBC News*, 16 June 2008, [http://www.bbc.co.uk/go/pr/fr/-/2/hi/uk\\_news/politics/7456551.stm](http://www.bbc.co.uk/go/pr/fr/-/2/hi/uk_news/politics/7456551.stm),( accessed 26 January 2009; U.S. Embassy Ottawa (released by WikiLeaks),

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*Cable 08OTTAWA880, Canada Briefs Key Partners On Afghanistan Priorities*, 27 June 2008, (accessed 11 July 2011) <http://wikileaks.org/cable/2008/06/08OTTAWA880.html>.

<sup>98</sup> U.S. Embassy Ottawa, *Cable 08OTTAWA141, op. cit.*

<sup>99</sup> U.S. State Department, *Cable 09STATE31102, op. cit.*

The request was made because, according to the U.S. government, the Canadian contribution in Afghanistan was both ‘substantial’ and ‘noteworthy’: (1) Canada was a leading troop contributor – the fourth largest after the United States, the United Kingdom and Germany; (2) its troops were deployed in one of Afghanistan’s most dangerous provinces in Kandahar Province, a Taliban stronghold; (3) Canada had remained committed to the mission despite the fact that its personnel suffered frequent casualties in combat operations against the Taliban and that its death toll ranked near the top of the ISAF casualty list; and finally, (4) the country was a major aid donor giving more financial aid to the Afghan mission than any other in its history (U.S. Embassy Kabul, *08KABUL1492, op. cit.*).

<sup>100</sup> U.S. Embassy Ottawa, *Cable 09OTTAWA218, op. cit.*; U.S. Embassy Ottawa (released by Wikileaks), *Cable 09OTTAWA266, Canada’s Initial Reaction To Specific Requests To Afghanistan*, 3 April 2009, <http://wikileaks.org/cable/2009/04/09OTTAWA266.html>, (accessed 11 July 2011).

<sup>101</sup> *Ibid.*

<sup>102</sup> *Ibid.*; U.S. Embassy Ottawa (released by Wikileaks), *Cable 09OTTAWA940, No Room For Doubt: All Canadian Troops Out of Afghanistan By December 2011*, 9 December 2009, <http://wikileaks.org/cable/2009/12/09OTTAWA940.html>, (accessed 11 July 2011).

<sup>103</sup> *Ibid.*

<sup>104</sup> Mr. Mark Lancaster (North-East Milton Keynes, Con.), cited in United Kingdom House of Commons (U.K. HoC), *Hansard Debates for 30 Nov 2006*, 30 November 2006, 30Nov2006:Column1249, <http://www.publications.parliament.uk/pa/cm200607/cmhsrd/cm061130/debttext/61130-0008.htm>, (accessed 4 August 2010).

<sup>105</sup> United Kingdom House of Commons (U.K. HoC), Defence Committee, *The Future of NATO and European defence, Ninth Report of Session 2007-2008*, 20 March 2008, p. 29, <http://www.publications.parliament.uk/pa/cm200708/cmselect/cmdefence/111/111.pdf>, (accessed 31 January 2013).

<sup>106</sup> Harding, ‘Do your fair share in Afghanistan, Nato told’, *op. cit.*

<sup>107</sup> *Ibid.*

<sup>108</sup> *Ibid.*

<sup>109</sup> ‘Nato’s military credibility on the line’, *op. cit.*

<sup>110</sup> U.K. HoC, *The Future of NATO and European Defence, Ninth Report of Session 2007-2008, op. cit.*, p. 33.

<sup>111</sup> *Ibid.*, p. 36.

<sup>112</sup> Harding, ‘Do your fair share in Afghanistan, Nato told’, *op. cit.*

<sup>113</sup> U.K. HoC, *The Future of NATO and European Defence, Ninth Report of Session 2007-2008, op. cit.*, p. 34.

<sup>114</sup> *Ibid.*, p. 35.

<sup>115</sup> *Ibid.*, pp. 36-37.

<sup>116</sup> R. E. Hunter, ‘NATO Caveats Can Be Made To Work Better for the Alliance’, *European Affairs*, vol. 9, no. 1-2, (Winter/Spring) 2008, <http://www.europeaninstitute.org>, (accessed 17 May 2011).

<sup>117</sup> *Ibid.*

<sup>118</sup> U.K. HoC, *The Future of NATO and European Defence, Ninth Report of Session 2007-2008, op. cit.*, pp. 35-36.

Poland also committed to RC-East 8 helicopters, a mobile training team, and additional support to one PRT, while Germany and Turkey committed additional OMLTs to their own Regional Commands (U.K. HoC, *The Future of NATO and European Defence, Ninth Report of Session 2007-2008, op. cit.*, p. 35-36).

<sup>119</sup> Heinrich, M., ‘NATO forces should drop Afghan ‘caveats’ – commander’, *Reuters*, 2 July 2008, <http://www.reuters.com>, (accessed 18 November 2009).

<sup>120</sup> Troops ‘fighting for UK’s future’, *BBC News*, 11 July 2009, [http://news.bbc.co.uk/2/hi/uk\\_news/8145735.stm](http://news.bbc.co.uk/2/hi/uk_news/8145735.stm), (accessed 22 July 2009).

<sup>121</sup> ‘More troops or Taliban will win, Britain told’, *The Dominion Post (New Zealand)*, 11 August 2008, p. B2.

<sup>122</sup> *Ibid.*, p. B2.

<sup>123</sup> *Ibid*

<sup>124</sup> 'Extra UK troops for Afghanistan', *BBC News*, 16 June 2008, [http://www.bbc.co.uk/go/pr/fr/-/2/hi/uk\\_news/politics/7456551.stm](http://www.bbc.co.uk/go/pr/fr/-/2/hi/uk_news/politics/7456551.stm), (accessed 26 January 2009); 'Afghanistan – Timeline', *BBC News*, 15 March 2011, <http://news.bbc.co.uk/2/hi/1162108.stm>, (accessed 29 August 2011).

<sup>125</sup> 'More troops or Taliban will win, Britain told', *The Dominion Post (New Zealand)*, 11 August 2008, p. B2.

<sup>126</sup> 'Extra UK troops for Afghanistan', *op. cit.*; 'Afghanistan – Timeline', *op. cit.*

<sup>127</sup> U.K. HoC, *The Future of NATO and European Defence, Ninth Report of Session 2007-2008*, *op. cit.*, p. 36.

<sup>128</sup> Heinrich, M., 'NATO forces should drop Afghan 'caveats' – commander', *Reuters*, 2 July 2008, <http://www.reuters.com>, (accessed 18 November 2009).

<sup>129</sup> 'Afghanistan – Timeline', *op. cit.*

<sup>130</sup> Heinrich, 'NATO forces should drop Afghan 'caveats' – commander', *op. cit.*

<sup>131</sup> U.S. Embassy London (released by Wikileaks), *Cable 08LONDON2655, Afghanistan: HMG Supports Elections As Scheduled; Unlikely To Increase Troop Numbers Above Current Deployment*, 22 October 2008, <http://wikileaks.org/cable/2008/10/08LONDON2655.html>, (accessed 11 July 2011).

<sup>132</sup> U.S. Embassy London , *08LONDON2655*, *op. cit.*

<sup>133</sup> Blair, D. & McElroy, D. 'Nato chief says members lack political will for success in Afghanistan', *Telegraph.co.uk*, 21 October, 2008, <http://www.telegraph.co.uk/news/worldnews/asia/afghanistan/3229284>, (accessed 26 January 2009).

<sup>134</sup> R. Norton-Taylor & J. Borger, 'Nato tightens rules of engagement to limit further civilian casualties in Afghanistan', *The Guardian*, 9 September 2008,

<http://www.guardian.co.uk/world/2008/sep/09/nato.afghanistan>, (accessed 12 September 2008).

<sup>135</sup> *Ibid.*

<sup>136</sup> U.S. Embassy Kabul (released by Wikileaks), *Cable 08KABUL3030, Political And Security Situation in Helmand; Spanta And Spenzada Views*, 22 November 2008, <http://wikileaks.org/cable/2008/11/08KABUL3030.html>, (accessed 11 July 2011).

<sup>137</sup> J. H. Campbell & J. Shapiro, 'Afghanistan Index – Tracking Variables of Reconstruction & Security in Post-9/11 Afghanistan', *Brookings Institute*, 24 February 2009, p. 5,

<http://www.brookings.edu/about/programs/foreign-policy/afghanistan-index>, (accessed 12 January 2010)

<sup>138</sup> Norton-Taylor & Borger, 'Nato tightens rules of engagement to limit further civilian casualties in Afghanistan', *op. cit.*

<sup>139</sup> U.S. Embassy London, *Cable 08LONDON2655*, *op. cit.*

<sup>140</sup> U.S. Embassy Kabul, *Cable 08KABUL3030*, *op. cit.*

<sup>141</sup> U.S. DoD, *Progress toward Security and Stability in Afghanistan*, January 2009, *op. cit.*, p. 33.

<sup>142</sup> U.S. Embassy Kabul (released by Wikileaks), *Cable 09KABUL71, Frustrations Continue In Sangin District*, 14 May 2009, <http://wikileaks.org/cable/2009/01/09KABUL71.html>, (accessed 11 July 2011).

<sup>143</sup> *Ibid.*

In a final meeting with UK senior commanders, Governor Mangal berated British efforts in the district, expressing his disgust with British efforts in Sangin and the entire security situation. As one witness recounted, the Governor said: "Stop calling it the Sangin District and start calling it the Sangin Base, all you have done here is built a military camp next to the city. I asked you people to do reconstruction and yet the District Governor remains in the FOB and how can you expect a city to recover if the Bazaar is not in the security zone'. The Governor concluded by saying that he would direct the District Governor to establish a compound in the city and he wanted the PRT to deliver reconstruction, schools, clinics, and roads, with the bazaar being the heart of an economic zone, as it is in Garmsir (*Ibid*).

<sup>144</sup> *Ibid.*

<sup>145</sup> U.S. Embassy Kabul, *Cable 09KABUL71*, *op. cit.*

<sup>146</sup> 'UK Army Chief: More Troops Needed in Afghanistan', *CBS News*, 15 July 2009,

<http://www.cbsnews.com/stories/2009/07/15/ap/europe/main5160698.shtml>, (accessed 22 July 2009).

<sup>147</sup> 'Army head calls for more troops', *BBC News*, 15 July 2009

[http://news.bbc.co.uk/2/hi/uk\\_news/8151244.stm](http://news.bbc.co.uk/2/hi/uk_news/8151244.stm), (accessed 22 July 2009)

<sup>148</sup> J. F. Burns, 'Brown Pledges to Maintain Britain's Afghan Force', *The New York Times*, 5 September 2009, [http://www.nytimes.com/2009/09/05/world/europe/05britain.html?\\_r=0](http://www.nytimes.com/2009/09/05/world/europe/05britain.html?_r=0), (accessed 7 October 2009)

<sup>149</sup> U.S. Embassy Kabul (released by Wikileaks), *Cable 09KABUL2810, UK Prime Minister Brown Visits Helmand; Welcomes ANSF Focus And Seeks Metrics To Measure War Effort*, 16 September 2009, <http://wikileaks.org/cable/2009/09/09KABUL2810.html>, (accessed 11 July 2011).

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<sup>150</sup> Dempsey, J. ‘Europeans Seek to Shift Security Role to Afghan Government’, *The New York Times*, 7 September 2009, <http://www.nytimes.com/2009/09/07/world/europe/07germany.html>, (accessed 8 September 2009); J. F. Burns, ‘Britain Plans to Send 500 More Soldiers to Afghanistan’, *The New York Times*, 15 October 2009, [www.nytimes.com/2009/10/15/world/europe/15britain.html](http://www.nytimes.com/2009/10/15/world/europe/15britain.html), (accessed 15 October 2009); U.S. Embassy Kabul, *Cable 09KABUL2810, op. cit.*

<sup>151</sup> L. Michel & R. Hunter, ‘Keeping our allies on our side in Afghanistan’, *Los Angeles Times*, 27 October 2009, <http://articles.latimes.com/2009/oct/27/opinion/oe-michelhunter27>, (accessed 31 January 2013).

<sup>152</sup> J. F. Burns, ‘Britain Plans to Send 500 More Soldiers to Afghanistan’, *The New York Times*, 15 October 2009, [www.nytimes.com/2009/10/15/world/europe/15britain.html](http://www.nytimes.com/2009/10/15/world/europe/15britain.html), (accessed 15 October 2009).

<sup>153</sup> U.S. Embassy London (released by WikiLeaks), *Cable 09LONDON2639, Afghanistan: UK Will Say No To A Request For More Troops Beyond The 1,200 Already Promised*, 24 November 2009, <http://wikileaks.org/cable/2009/11/09LONDON2639.html>, (accessed 11 July 2011).

<sup>154</sup> *Ibid.*

<sup>155</sup> *Ibid.*

<sup>156</sup> *Ibid.*

<sup>157</sup> ‘Afghanistan, Who is Pulling Their Weight’, *Think Defence*, 9 December 2009, <http://www.thinkdefence.co.uk/2009/12/afghanistan-who-is-pulling-their-weight/>, (accessed 26 November 2010).

<sup>158</sup> *Ibid.*

## Chapter 14

<sup>1</sup> LTGEN David W. Barno (Ret’d), Interviewed by Regeena Kingsley, 26 August 2010, Center for a New American Security (CNAS), Washington D.C., United States.

<sup>2</sup> As Clancy & Crossett stated on this new predicament for traditional military forces in 2007: ‘Our tools, models, and even the methodologies for assessing success are biased toward measuring physical effects on near-peer forces, played out over the days or months of a maneuver and attrition campaign...There is little foundational understanding of what success means in irregular warfare that will assist analysts in interpreting operational effectiveness...We do not yet possess a framework within which we might interpret success or failure against insurgency or terrorism operations. Nor do we have a solid set of measures of effectiveness (MOEs) with which to frame an understanding of the raw data’ (J. Clancy & C. Crossett, ‘Measuring Effectiveness in Irregular Warfare’, *Parameters*, (Summer 2007, p. 88).

<sup>3</sup> D. E. Sanger, E. Schmitt & T. Shanker, ‘White House Has Difficulty Measuring Afghan Progress’, *New York Times*, 7 August 2009, <http://www.nytimes.com/2009/08/07/world/asia/07policy.html?r=1&ref=global-home>, (accessed 27 August 2009); ‘Editorial: Measuring Success in Afghanistan’, *The New York Times*, 7 June 2009, <http://www.nytimes.com/2009/06/08/opinion/08mon1.html?r=0>, (accessed 8 July 2009).

<sup>4</sup> Sanger, Schmitt & Shanker, ‘White House Has Difficulty Measuring Afghan Progress’, *op. cit.*

<sup>5</sup> U.S. Department of Defense, The Pentagon (U.S. DoD), *The Dictionary of Military Terms*, Joint Pub 1-02, New York, Skyhorse Publishing, 2009, p. .576.

<sup>6</sup> Figure A1-4 ‘Principles of Multinational Unity of Effort’, ‘Chapter A-1: Introduction - Asia-Pacific Shared Interests, MNF SOP Objectives, Applicability, and MNF Considerations’, in *Multinational Standing Operating Procedures (MNF SOP)*, 6<sup>th</sup> working draft, Artificial Intelligence Applications Institute (AIAI) of the University of Edinburgh, 10 April 2002, pp. A1 C-3, [www.aiai.ed.ac.uk/project/coax/demo/2002/mpat/SOP/A1.DOC](http://www.aiai.ed.ac.uk/project/coax/demo/2002/mpat/SOP/A1.DOC) (accessed 20 January 2009).

<sup>7</sup> ‘U.S. War in Afghanistan’ [Interactive Timeline], *Council of Foreign Relations (CFR)*, [http://www.cfr.org/afghanistan/us-war-afghanistan/p\\_20018](http://www.cfr.org/afghanistan/us-war-afghanistan/p_20018), (accessed 17 January 2013).

<sup>8</sup> ‘International Security Assistance Force (ISAF)’, *Institute for the Study of War (ISW)*, 15 April 2009, <http://www.understandingwar.org>, (accessed 30 June 2009).

<sup>9</sup> Blair, D., ‘General criticises Afghanistan Troop restrictions’, *Telegraph.co.uk*, 3 March 2008, <http://www.telegraph.co.uk/news/worldnews/1580572/General-criticises-Afghanistan-troop-restrictions.htm>, (accessed 18 November 2009); M. Heinrich, ‘NATO forces should drop Afghan ‘caveats’ – commander’, *Reuters*, 2 July 2008, <http://www.reuters.com>, (accessed 18 November 2009).

<sup>10</sup> U.S. Mission NATO HQ (released by WikiLeaks), *Cable 09USNATO511, Corrected Copy: U.S. Team Consults With ISAF Partners On Afghanistan*, 10 November 2009, <http://cablegatesearch.net/cable.php?id=09USNATO511&q=afghanistan%20caveat%20france%20isaf>, (accessed 18 July 2013).

<sup>11</sup> *Ibid.*

<sup>12</sup> *Ibid.*

<sup>13</sup> *Ibid.*

<sup>14</sup> *Ibid.*

<sup>15</sup> H.E. Robert, ‘NATO Caveats Can Be Made To Work Better for the Alliance’, *European Affairs*, vol. 9, no. 1-2, (Winter/Spring) 2008, <http://www.europeaninstitute.org>, (accessed 17 May 2011).

<sup>16</sup> D. Abshire, ‘In Afghanistan, NATO is fighting for its life’, *NATO Source, Atlantic Council in the United States*, 18 December 2009, <http://www.acus.org/natosource/afghanistan-nato-fighting-its-life>, (accessed 27 March 2013).

<sup>17</sup> A. H. Cordesman. ‘Shape, Clear, Hold, and Build: The Uncertain Metrics of the Afghan War’, *Center for Strategic & International Studies (CSIS)*, Burke Chair in Strategy, 3 December 2009, pp. 60-61, [http://csis.org/files/publication/091201\\_afghan\\_metrics\\_0.pdf](http://csis.org/files/publication/091201_afghan_metrics_0.pdf), (accessed 9 April 2010).

<sup>18</sup> A. H. Cordesman, ‘More troops, fewer caveats. Let’s get serious - What should be an integrated civil-military effort in Afghanistan is instead a wasteful mess. This is how we can fix it’. *The Times*, 10 August 2009, [http://www.timesonline.co.uk/tol/comment/columnist/guest\\_contributors/article6789.html](http://www.timesonline.co.uk/tol/comment/columnist/guest_contributors/article6789.html), (accessed 14 January 2011)

<sup>19</sup> Cordesman, ‘Shape, Clear, Hold, and Build: The Uncertain Metrics of the Afghan War’, *op. cit.*, p. 11.

<sup>20</sup> *Ibid.*

<sup>21</sup> Created using a table displayed in ‘International Security Assistance Force (ISAF), ‘ISAF Placemat’, *About ISAF – Troop Numbers and Contributions*, 3 December 2012, <http://www.isaf.nato.int/>,(accessed 20 February 2013).

<sup>22</sup> Created using ‘ISAF Placemat’ maps combined with the caveat data gathered during the course of this research (International Security Assistance Force (ISAF), ‘ISAF Placemat’ [online maps], *About ISAF – Troop Numbers and Contributions*, 13 February 2009, 1 October 2009, <http://www.isaf.nato.int/>, (accessed 20 February 2013)).

<sup>23</sup> List of TCN force units compiled from: (1) ISAF Placemat documentation (ISAF, ‘ISAF Placemat’, 2 January 2007 – 3 December 2012, *Official Website of the International Security Assistance Force*, *op. cit.*); (2) information revealed in WikiLeaks Cables between the U.S. State Department and its various embassies around the world (U.S. Embassy & U.S. Mission NATO HQ cables, 2006-2012); (3) North Atlantic Treaty Organization (NATO), ‘Fact Sheet: NATO’s Operational Mentor and Liaison Temas (OMLTs) October 2009’, October 2009, <http://www.nato.int/isaf/topics/factsheets/omlt-factsheet.pdf>, (accessed 1 November 2013); and (4) Republic of Albania Ministry of Defence, ‘Afghanistan, ISAF Operations led by NATO’, 2012, [http://www.mod.gov.al/eng/index.php?option=com\\_content&view=article&id=899:afghanistan&catid=103&Itemid=667](http://www.mod.gov.al/eng/index.php?option=com_content&view=article&id=899:afghanistan&catid=103&Itemid=667), (accessed 1 November 2013).

<sup>24</sup> United States Department of Defense (U.S. DoD), *Joint Publication 3-0: Joint Operations*, 11 August 2011, p. A-2, [http://www.dtic.mil/doctrine/new\\_pubs/jp3\\_0.pdf](http://www.dtic.mil/doctrine/new_pubs/jp3_0.pdf), (accessed 6 June 2009).

<sup>25</sup> Modification of a map provided in International Security Assistance Force (ISAF), ‘ISAF Placemat’ [online map], *About ISAF – Troop Numbers and Contributions*, 16 June 2009, <http://www.isaf.nato.int/>. (accessed 20 February 2013).

<sup>26</sup> LTCOL Nick Gillard, Interviewed by Regeena Kingsley, 1 September 2010, New Zealand High Commission, London, United Kingdom.

<sup>27</sup> *Ibid.*

<sup>28</sup> *Ibid.*

<sup>29</sup> *Ibid.*

<sup>30</sup> *Ibid.*

<sup>31</sup> Cited in H. Smith, ‘U.S. Seeks Sweeping Changes in Command Structure for Afghanistan’, *The Captain’s Journal* [web blog], 18 September 2008, <http://www.captainsjournal.com/2008/09/18/us-seeks-sweeping-changes-in-command-structure-for-afghanistan/>, (accessed 25 June 2010).

<sup>32</sup> Modification of a map provided in ISAF, ‘ISAF Placemat’ [online map], 16 June 2009, *op. cit.*

<sup>33</sup> A. de Borchgrave, ‘Commentary: NATO Caveats’, *United Press International (UPI)*, 10 July 2009, [http://www.upi.com/Top\\_News/Analysis/de-Borchgrave/2009/07/10/Commentary-NATO-caveats/UPI-47311247244125/](http://www.upi.com/Top_News/Analysis/de-Borchgrave/2009/07/10/Commentary-NATO-caveats/UPI-47311247244125/), (accessed 7 October 2009); Joyner, J., ‘Afghanistan Caveats Coming to End?’, *Atlantic Council in the United States*, 10 July 2009, [http://www.acus.org/new\\_atlanticist/afghanistan-caveats-coming-end](http://www.acus.org/new_atlanticist/afghanistan-caveats-coming-end), (accessed 30 March 2011).

<sup>34</sup> LTGEN David W. Barno (Ret’d), Interviewed by Regeena Kingsley, *op. cit.*

<sup>35</sup> United States Senate, Barno, D.W., ‘Senate Armed Services Committee Testimony’, 26 February 2009, *Senate Report 112-002 – Report on the Activities of the Committee on Armed Services United States Senate 111<sup>th</sup> Congress First and Second Sessions 2009-2010, U.S. Government Printing Office*, <http://www.gpo.gov/fdsys/pkg/CHRG-111shrg53725/html/CHRG-111shrg53725.htm>, (accessed 12 August 2013).

<sup>36</sup> J. Foust, ‘German is ISAF’s Weakest Link’, *Atlantic Council*, 9 September 2009,

[http://www.acus.org/new\\_atlanticist/germany-isafs-weakest-link](http://www.acus.org/new_atlanticist/germany-isafs-weakest-link), (accessed 30 March 2011).

<sup>37</sup> *Ibid.*

<sup>38</sup> *Ibid.*

<sup>39</sup> U.S. Embassy Kabul (released by WikiLeaks), *Cable 06KABUL725, ISAF Response To Anti-Cartoon Riots: “Restraint”, Reliance on ANP, And Gaps In Capability*, (17 February 2006)

<http://cablegatesearch.net/cable.php?id=06KABUL725&q=faryab%20prt>, (accessed 9 October 2013).

<sup>40</sup> *Ibid.*

<sup>41</sup> Map created from a close-crop of an unclassified ISAF Map of Afghanistan (*Afghanistan ISAF RC and PRT Locations*), NATO HQ, SITCEN Geo Section [online map], 22 October 2009, <http://www.isaf.nato.int>, (accessed 1 December 2009)), combined with elements of a map provided in ISAF, ‘ISAF Placemat’ [online map], 23 July 2009, *op. cit.*

<sup>42</sup> U.S. Embassy Rome (released by WikiLeaks), *Cable 09ROME177, Getting Italy To Do More In Afghanistan, 13 February 2009*, <http://cablegatesearch.net/cable.php?id=09ROME177&q=caveat%20france%20isaf>, (accessed 26 July 2013).

<sup>43</sup> U.S. Embassy Kabul, *Cable 06KABUL725, op. cit.*

<sup>44</sup> *Ibid.*

<sup>45</sup> *Ibid.*

<sup>46</sup> U.S. Embassy Kabul (released by WikiLeaks), *Cable 06KABUL544, Violent Protests Continue Into Second Day*, 7 February 2006, <http://cablegatesearch.net/cable.php?id=06KABUL544&q=faryab%20prt>, (accessed 9 October 2013).

<sup>47</sup> *Ibid.*

<sup>48</sup> *Ibid.*; U.S. Embassy Kabul, *Cable 06KABUL725, op. cit.*

<sup>49</sup> U.S. Embassy Kabul, *Cable 06KABUL725, op. cit.*

<sup>50</sup> United States Library of Congress, V. Morelli & P. Belkin, ‘NATO in Afghanistan: A Test of the Transatlantic Alliance’, *Congressional Research Service*, 17 April 2009, pp. 16-17, <http://www.fas.org/sgp/crs/row/RL33627.pdf>, (accessed 8 November 2011).

<sup>51</sup> U.S. Embassy Kabul, *Cable 06KABUL725, op. cit.*; United States Library of Congress, Morelli & Belkin, *op. cit.*

<sup>52</sup> U.S. Embassy Kabul, *Cable 06KABUL725, op. cit.*

<sup>53</sup> *Ibid.*

<sup>54</sup> *Ibid.*; United States Library of Congress, Morelli & Belkin, *op. cit.*, pp. 16-17.

<sup>55</sup> U.S. Embassy Kabul, *Cable 06KABUL725, op. cit.*

<sup>56</sup> *Ibid.*

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## Chapter 15

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<sup>24</sup> U.S. Mission NATO HQ (released by Wikileaks), *Cable 08USNATO200, ISAF Commander McNeill Praises Allied Unity, Highlights Remaining Challenges In His Farewell Address*, 6 June 2008, <http://wikileaks.org/cable/2008/06/08USNATO200.html>, (accessed 17 January 2014).

<sup>25</sup> Since its founding in 1947, Pakistan has always had a vested interest in developments within the country on its western flank – a perceived counterweight in its obsessive rivalry with India. Following the withdrawal of the Soviets from Afghanistan in 1989, Pakistan sought a Pashtun-dominated Afghan government that would not only be receptive to Pakistan influence but also be active in furthering Pakistan’s national and regional interests. As a result, Pakistan’s covert ISI has had a long history of cooperation with both the Taliban and Al-Qaeda. Indeed, Pakistan played a critical role in the creation of the Taliban in the first instance, being largely comprised of Pakistani students from the Islamic Madrassah schools along the border regions who had been dispatched by Pakistan over the border into Afghanistan. Consequently, ‘the Taliban’ movement has always been in essence a *de facto* Pakistan militia – staffed, guided and assisted by Pakistan – while operating under the rubric of a native Afghan movement. As an Afghan teacher once stated to a foreign journalist: ‘The Taliban are the slaves of foreigners. They work for their masters. They want to destroy the foundation of this country’. Indeed, the leader of the Taliban, Mullah Omar, was reportedly living under ISI protection in Quetta and then Karachi into 2009, a report lent further credence by the location and seeming protection of Al-Qaeda leader, Bin Laden, in the Pakistan town of Abbottabad until the time he was killed by U.S. Special Forces in May 2011. In terms of Al-Qaeda, moreover, the ISI-Bin Laden relationship is one that has extended back nearly 4 decades to the Afghan-Soviet War. During the late 1990s the ISI colluded with Osama bin Laden by not only reportedly facilitating his introduction to the Taliban – an introduction leading to the Taliban-Al-Qaeda nexus that led to a series of terrorist attacks around the world not least 9/11, but also furthering Bin Laden’s influence in Afghanistan and establishing some of his terrorist training camps (C. Zissis, ‘Pakistan’s Broken Border’, *Council on Foreign Relations*, 29 January 2007, <http://www.cfr.org/publication/12486> (accessed 26 August 2008); ‘Episode 5’, ‘Ross Kemp - Back on the Frontline’, dir. Southan Morris, U.K., *Television Channel Sky 1, British Sky Broadcasting* (216 mins), 2011 [DVD]; E. Lake, S. Carter & B. Slavin, ‘Exclusive: Taliban chief hides in Pakistan’, 20 November 2009, *The Washington Post*, <http://www.washingtontimes.com/news/2009/nov/20/taliban-chief-takes-cover-in-pakistan-populace/?page=all>, (accessed 3 February 2014) ; S. Gregory, ‘The ISI and the War on Terrorism’, *Studies in Conflict & Terrorism*, vol. 30, no. 12, 2007, pp. 1019-1020).

In fact, according to Maloney, following the overthrow of the Taliban regime in 2001 it was Pakistani propaganda which encouraged the Taliban to regroup and wage guerilla war against the new embryonic Afghan interim government and its international protector, the ISAF. Indeed, official and unofficial ISI support for the Taliban insurgents has reportedly been taking place since 2002, with both active and retired operatives assuming the tribal dress and beard of Mujahideen to provide cash, weapons, and training to the militants. As Boot stated in 2006: ‘Pakistan isn’t just turning a blind eye to Taliban activity. Its Inter-Services Intelligence agency seems to be increasing the amount of training and logistical support it provides to Islamist militants’. Reports include that both the ISI and the Pakistan army have been involved in ferrying militants back and forth to training camps in the FATA region where they receive ‘an excellent education in guerrilla warfare’ – sometimes taught by ISI agents – including in the use and calibration of GPS devices and newly-provided 6-foot Sakar-20 rockets. U.S. intelligence in 2008 indicated that the ISI was providing medical aid, hospital care, intelligence and military strategy to the militants – and furthermore utilising part of America’s \$10 billion Pakistan military aid package to do it. According to NATO reports, only in September 2008 did Pakistan begin to see terrorists and insurgents along the border as potential threats to the security of Pakistan itself, not just Afghanistan, leading to the Pakistan military’s counter-insurgent offensives in the Swat valley – but significantly not to the total cessation of its assistance to insurgents and terrorists operating in Afghanistan (S. M. Maloney, ‘A Violent Impediment: The Evolution of Insurgent Operations in Kandahar Province 2003-07’, *Small Wars & Insurgencies* 19, no. 2, June 2008, p. 23); M. Cole. ‘Killing Ourselves in Afghanistan’, *Salon.com*, 10 March 2008, <http://www.salon.com/news/feature/2008/03/10/taliban/print.html>, (accessed 12 June 2010); M. Boot, ‘Get Serious About Afghanistan’, *Council on Foreign Relations (CFR)*, 4 October 2006, <http://www.cfr.org/publication/11598>, (accessed 4 February 2010); U.S. Mission NATO HQ (released by

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Wikileaks), *Cable 08USNATO347, Readout: September 24 North Atlantic Council Meeting*, 25 September 2008, <http://cablegatesearch.net/cable.php?id=08USNATO347&q=afghanistan%20canberra%20caveats>, (accessed 26 July 2013); U.S. Mission NATO HQ (released by Wikileaks), *Cable 09USNATO30, Readout North Atlantic Council Meeting January 28, 2009, 29 January 2009*, <http://cablegatesearch.net/cable.php?id=09USNATO30&q=afghanistan%20canberra%20caveats>, (accessed 26 July 2013).

<sup>26</sup> D.W. Barno, ‘Senate Armed Services Committee Testimony’, *op. cit.*

<sup>27</sup> *Ibid*

<sup>28</sup> *Ibid.*

<sup>29</sup> LTGEN David W. Barno (Ret’d), Interviewed by Regeena Kingsley, *op. cit.*

<sup>30</sup> Beste, R., von Hammerstein, K. & Szandar, A. ‘The Discount War: ISAF is Failing in Effort to Secure Afghanistan on the Cheap’, *Spiegel Online*, 10 October 2007,

[www.spiegel.de/international/germany/0,1518,druck-510674,00.html](http://www.spiegel.de/international/germany/0,1518,druck-510674,00.html), (accessed 26 January 2009)

<sup>31</sup> *Ibid.*

<sup>32</sup> U.S. Embassy Rome (released by Wikileaks), *Cable 08ROME454, Italy: Pressing Our Priorities With The Next Government Starting Next Week*, 11 April 2008,

<https://www.wikileaks.org/cable/2008/04/08ROME454.html>, (accessed 11 July 2011);

<sup>33</sup> *Ibid.*

<sup>34</sup> Beste, von Hammerstein & Szandar, ‘The Discount War: ISAF is Failing in Effort to Secure Afghanistan on the Cheap’, *op. cit.*

<sup>35</sup> U.S. Embassy Rome, *Cable 08ROME454, op. cit.*

<sup>36</sup> *Ibid.*

<sup>37</sup> U.S. Embassy Rome (released by Wikileaks), *Cable 09ROME177, Getting Italy To Do More In Afghanistan, 13 February 2009*, <http://cablegatesearch.net/cable.php?id=09ROME177&q=caveat%20france%20isaf>, (accessed 26 July 2013).

<sup>38</sup> *Ibid.*

<sup>39</sup> U.S. Embassy Kabul (released by Wikileaks), *Cable 09KABUL3765, Spanish Ambassador To Deliver MOU For Madrid’s Review, Offers Pessimistic View Of Afghanistan*, 24 November 2009, <http://cablegatesearch.net/cable.php?id=09KABUL3765&q=afghanistan%20caveat%20isaf%20spain>, (accessed 18 July 2013)

<sup>40</sup> *Ibid.*

<sup>41</sup> *Ibid.*

According to the Spanish Ambassador, ‘a marginally larger investment in western Afghanistan only three years ago against much smaller enemy forces would have made a solution to the conflict possible’. Now, however, an ISAF troop increase, ‘no matter what size, would not solve the problems of the insurgency’ in RC-West. Indeed, Molina went further, comparing the whole ISAF mission to ‘disturbing a wasp’s nest and then attempting to get it under control by shooting the angry wasps with a pistol’. He additionally made the alarming remark that, despite participating in the mission for over eight years, Spain did not really know why they were in Afghanistan, arguing that ‘no one has been able to answer the question of, “What we are doing in Afghanistan?” in the last eight years’ (*Ibid*).

<sup>42</sup> *Ibid.*

<sup>43</sup> LTGEN David W. Barno (Ret’d), Interviewed by Regeena Kingsley, *op. cit.*

<sup>44</sup> Kilcullen, D.J., ‘Counterinsurgency in Iraq: Theory and Practice, 2007’. A presentation given at the *Small Wars Center of Excellence Counterinsurgency Seminar 07*, Quantico, VA, 26 September 2007, <http://smallwarsjournal.com/documents/COINSeminarSummaryReport.doc>, (accessed 5 January 2011)..

<sup>45</sup> Cordesman, A. H., ‘More troops, fewer caveats. Let’s get serious - What should be an integrated civil-military effort in Afghanistan is instead a wasteful mess. This is how we can fix it’. *The Times*, 10 August 2009, [http://www.timesonline.co.uk/tol/comment/columnist/guest\\_contributors/article6789.html](http://www.timesonline.co.uk/tol/comment/columnist/guest_contributors/article6789.html), (accessed 14 January 2011)

<sup>46</sup> LTGEN David W. Barno (Ret’d), Interviewed by Regeena Kingsley, *op. cit.*

<sup>47</sup> G. Bruno & M. G. Mullen, ‘Nonmilitary Commitments Needed from NATO in Afghanistan’, *Council on Foreign Relations (CFR)*, 3 April 2009, <http://www.cfr.org/afghanistan/nonmilitary-commitments-needed-nato-afghanistan/p19027>, (accessed 7 April 2009).

<sup>48</sup> Cited in Bruno & Mullen, ‘Nonmilitary Commitments Needed from NATO in Afghanistan’, *op. cit.*

<sup>49</sup> Barno, ‘Senate Armed Services Committee Testimony’, *op. cit.*

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<sup>50</sup> *Ibid.*

<sup>51</sup> P. Dorling & N. McKenzie, ‘Rudd: ‘Scared as hell’’, *Sydney Morning Herald*, 10 December 2010, <http://www.smh.com.au/technology/technology-news/rudd-scared-as-hell-20101209-18ri5.html>, (accessed 17 May 2011).

<sup>52</sup> J. Massola, ‘Organising folk dancing festivals’, *The Australian*, 10 December 2010, <http://www.theaustralian.com.au/national-affairs/capital-circle/organising-folk-dancing-festivals/story-fn59nqgy-1225968741498>, (accessed 3 April 2013).

<sup>53</sup> LTGEN David W. Barno (Ret’d), Interviewed by Regeena Kingsley, *op. cit.*

<sup>54</sup> J. Miranda-Calha (Portugal), General Rapporteur, ‘Draft General Report: Lessons Learned from NATO’s Current Operations 061 DSC 06 E’, *NATO Parliamentary Assembly*, 17 March 2006, pp. 2-3, <http://www.nato-pa.int/default.asp?SHORTCUT=997.2-3..>, (accessed 14 December 2011).

<sup>55</sup> ‘Editorial: Measuring Success in Afghanistan’, *The New York Times*, 7 June 2009, <http://www.nytimes.com/2009/06/08/opinion/08mon1.html?r=0>, (accessed 8 July 2009).

<sup>56</sup> ‘Chapter A-1: ‘Introduction - Asia-Pacific Shared Interests, MNF SOP Objectives, Applicability, and MNF Considerations’, in *Multinational Standing Operating Procedures (MNF SOP)*, 6<sup>th</sup> working draft, Artificial Intelligence Applications Institute (AIAI) of the University of Edinburgh, 10 April 2002, pp. A1 B-1, A1 B-2., [www.aiai.ed.ac.uk/project/coax/demo/2002/mpat/SOP/A1.DOC](http://www.aiai.ed.ac.uk/project/coax/demo/2002/mpat/SOP/A1.DOC) (accessed 20 January 2009).

<sup>57</sup> LTGEN David W. Barno (Ret’d), Interviewed by Regeena Kingsley, *op. cit.*

<sup>58</sup> S. Maloney, cited in P. Reid, ‘Visit Report: Major General (Rtd) Piers Reid, Short Leave to the United States of American 1-11 April 2009, The Society for Military History Conference’, 20 April 2009, *Centre for Defence & Security Studies*, Massey University, New Zealand.

<sup>59</sup> D.P. Auerswald & S.M. Saideman, ‘Caveats Emptor: Multilateralism at War in Afghanistan’, a paper presented at the *Annual Meeting of the International Studies Association*, New York, United States, (15-18<sup>th</sup> February) 2009, p. 5, <http://profs-polisci.mcgill.ca/saideman/Caveats%20and%20Afghanistan,%20isa%202009.pdf>. (accessed November 18, 2009).

<sup>60</sup> ‘Episode 1’, ‘Ross Kemp - Back on the Frontline’, 2011 [DVD], *op. cit.*

<sup>61</sup> S. Maloney, cited in Reid, ‘Visit Report: Major General (Rtd) Piers Reid, Short Leave to the United States of American 1-11 April 2009, The Society for Military History Conference’, *op. cit.*

<sup>62</sup> S. McNamara, S., ‘Backgrounder #2347: NATO Allies in Europe Must Do More in Afghanistan’, *The Heritage Foundation*, 3 December 2009, <http://www.heritage.org/research/reports/2009/12/nato-allies-in-europe-must-do-more-in-afghanistan>, (accessed 26 July 2010).

<sup>63</sup> Cordesman, ‘Shape, Clear, Hold, and Build: The Uncertain Metrics of the Afghan War’, *op. cit.*, p. 2.

<sup>64</sup> Blair, D. ‘Nato faces toughest test since Cold War as Afghanistan troubles deepen’, *Telegraph.co.uk*, 1 April, 2008. <http://www.telegraph.co.uk/news/worldnews/1583411/Nato-faces-toughest-test-since-cold-war.htm>, (accessed 26 January 2009)

<sup>65</sup> Cited in Blair, ‘Nato faces toughest test since Cold War as Afghanistan troubles deepen’, *op. cit.*

<sup>66</sup> ‘Episode 5’, ‘Ross Kemp - Back on the Frontline’, 2011 [DVD], *op. cit*

<sup>67</sup> *Ibid.*

‘Education is the foundation of a country,’ another surviving senior teacher continued. ‘So if you destroy a country’s foundation...then you will destroy the whole country. If a country’s foundation is not destroyed then the country will not be destroyed. The Taliban’s purpose is to destroy this country’s foundation’ (‘Episode 5’, ‘Ross Kemp - Back on the Frontline’, 2011 [DVD], *ibid.*)

<sup>68</sup> Barno, ‘Senate Armed Services Committee Testimony’, *op. cit.*

<sup>69</sup> ‘Chapter A-1: Introduction - Asia-Pacific Shared Interests, MNF SOP Objectives, Applicability, and MNF Considerations’, in *Multinational Standing Operating Procedures (MNF SOP)*, *op. cit.*, pp. A1 B-1, A1 B-2.

<sup>70</sup> LTGEN David W. Barno (Ret’d), Interviewed by Regeena Kingsley, *op. cit.*

<sup>71</sup> *Ibid.*

<sup>72</sup> U.S. Embassy Kabul (released by Wikileaks), *Cable 08KABUL3025, Kunduz Governor Nervous As Security Trends Negative*, 10 November 2008, <http://wikileaks.org/cable/2008/11/08BERLIN3025.html>, (accessed 11 July 2011).

<sup>73</sup> *Ibid.*

<sup>74</sup> *Ibid.*

<sup>75</sup> U.S. Embassy Kabul (released by Wikileaks), *Cable 07KABUL1032, How Not To Lose The North*, 28 March 2007, <http://wikileaks.org/cable/2007/03/07BERLIN1032.html>, (accessed 11 July 2011); U.S. Embassy Berlin

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(released by WikiLeaks), *Cable 09BERLIN1108, Germany: Political Fall-out over Kunduz Air Strikes Contained – For Now*, 10 September 2009, <http://www.wikileaks.ch/cable/2009/09/09BERLIN1108.html>, (accessed 11 July 2011); U.S. Embassy Helsinki (released by WikiLeaks), *Cable 10HELSINKI73, Afghanistan: MOD on RC-North Changes, Political Support*, 26 February 2010, <https://wikileaks.org/cable/2010/02/10HELSINKI73.html>, (accessed 11 July 2011).

<sup>76</sup> J. Dempsey, ‘Europeans Seek to Shift Security Role to Afghan Government’, *The New York Times*, 7 September 2009, <http://www.nytimes.com/2009/09/07/world/europe/07germany.html>, (accessed 8 September 2009).

<sup>77</sup> U.S. Embassy Kabul (released by WikiLeaks), *Cable 07KABUL1032, How Not To Lose The North*, 28 March 2007, <http://wikileaks.org/cable/2007/03/07BERLIN1032.html>, (accessed 11 July 2011).

<sup>78</sup> Dempsey, ‘Europeans Seek to Shift Security Role to Afghan Government’, *op. cit.*

<sup>79</sup> J. Foust, ‘German is ISAF’s Weakest Link’, *Atlantic Council*, 9 September 2009, [http://www.acus.org/new\\_atlanticist/germany-isafs-weakest-link](http://www.acus.org/new_atlanticist/germany-isafs-weakest-link), (accessed 30 March 2011).

<sup>80</sup> U.S. Embassy Berlin, *Cable 09BERLIN1108, op. cit.*

<sup>81</sup> *Ibid.*

<sup>82</sup> Dempsey, ‘Europeans Seek to Shift Security Role to Afghan Government’, *op. cit.*

<sup>83</sup> Miranda-Calha, ‘Draft General Report: Lessons Learned from NATO’s Current Operations 061 DSC 06 E’, *op. cit.*, p. 3.; ‘Q&A: ISAF troops in Afghanistan’, *BBC News*, 19 August 2008, [http://news.bbc.co.uk/2/hi/south\\_asia/7228649.stm](http://news.bbc.co.uk/2/hi/south_asia/7228649.stm), (accessed 22 August 2008).

<sup>84</sup> Miranda-Calha, ‘Draft General Report: Lessons Learned from NATO’s Current Operations 061 DSC 06 E’, *ibid.*, p. 3.

<sup>85</sup> *Ibid.*

<sup>86</sup> *Ibid*

<sup>87</sup> LTGEN David W. Barno (Ret’d), Interviewed by Regeena Kingsley, *op. cit.*

<sup>88</sup> *Ibid.*

<sup>89</sup> Cordesman, ‘Losing the Afghan-Pakistan War? The Rising Threat’, *op. cit.*, p. 50.

<sup>90</sup> From the outset, Maloney considers that there has existed ‘enormous cultural gulfs’ between the ISAF allies and the native Afghan population – and even between different national contingents within the ISAF itself. In many respects Afghanistan is a country that harkens back to a medieval era. Loyalties to family, tribe and religion are paramount, while a warrior-culture among Afghan men is imbibed and fostered from childhood. Due to constant internecine conflict between Afghan tribes throughout the land’s history, moreover, the Afghan population have honed this warrior culture into a preeminent skill for Afghan men, with all males raised to be: fierce and courageous in battle; to continually perfect their martial skills; and to carry a weapon at all times. Consequently, in contrast with twenty-first century Western society, Afghanistan is ‘a seventh century country armed with Kalashnikovs’. Due to the Arab Islamic conquest of the region in 632-732, moreover, 99% of the total population of Afghanistan – some 33.3 million of 33.6 million people across the six main ethnic groups or subsets of tribes – are Muslim (predominantly Sunni Muslim). Religion is therefore one of the most powerful forces existing today to unite Afghan peoples (C. Allen, *God’s Terrorists: The Wahhabi Cult and the Hidden Roots of Modern Jihad*, Cambridge, Da Capo Press, 2006, p. 291; S. Maloney, cited in Reid, ‘Visit Report: Major General (rtd) Piers Reid, Short Leave to the United States of American 1-11 April 2009, The Society for Military History Conference’, *op. cit.*; S. Tanner, *Afghanistan: A Military History from Alexander the Great to the Fall of the Taliban*, Cambridge, United States, Da Capo Press, 2007, pp. 76, 143; U.S. Central Intelligence Agency (U.S. CIA), ‘Afghanistan’, CIA – The World Factbook, 2009, <https://www.cia.gov/library/publications/the-world-factbook/geos/af.html>, (accessed 1 April 2009).

This has also had important implications with regard to attitudes towards, and the treatment of, women in Afghan society. Under Taliban rule and the enforcement of their particular brand of Sharia Law, the treatment of Afghan females – both adult and child – deteriorated to shocking and horrific levels of oppression, brutality and abuse. To exemplify, women were forbidden from: (1) being physically visible to the public (faces and flesh was covered in the all-encompassing ‘burqa’, while windows of houses were blackened to prevent them from being seen through windows); (2) leaving the house without a male relative; (3) singing or participating in musical expression; (4) attending school or receiving an education in any form; (5) receiving medical care from either male or female medical doctors or nurses (female doctors and nurses were forbidden from practicing, while male doctors were forbidden from ever talking to or touching a female – much less treating her); (6) laughing, or talking above a whisper; (7) wearing make-up, or (8) even from wearing white socks or shoes on their feet (white is the colour of the Taliban flag), among many, many other restrictions. In short, women

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became faceless, anonymous, second-class citizens – considered almost subhuman – under the Taliban. In many cases the breach of any of these restrictions resulted in prison or public execution by tyrannical Taliban soldiers. As one journalist wrote of the human rights abuses committed by the Taliban during the early days of their rule in Afghanistan: ‘The Taliban have plunged millions of Afghans into a new chapter of brutality that echoes the harshness of Afghanistan’s distant past’. Even with the new freedoms for women experienced under the new Afghan government since 2001, however, conservative cultural norms still prevail with regard to the treatment of women in Afghan society (while Taliban insurgents seek to restore their former oppressive rule over women). These conservative norms stem from the Pashtun tribal honour code – ‘Pushtanwali’ – in which male honour is measured by the degree of control exerted by Afghan men over women. Indeed, Pushtanwali is strong within Afghan culture, especially in the southeastern crescent of Afghanistan where the Pashtun ethnicity predominates, to the point in fact that it is even considered to trump Islamic beliefs (V. Liebl, ‘Pashtuns, Tribalism, Leadership, Islam and Taliban: A Short View’, *Small Wars & Insurgencies*, vol. 18, no. 3, (September) 2007, p. 492; B.R. Rubin, ‘Brief 28: Identifying Options and Entry Points for Disarmament, Demobilization, and Reintegration in Afghanistan’, *Bonn International Center for Conversion (B.I.C.C.)*, p. xvii, [www.bicc.de/uploads/ttx\\_bicctools/brief28.pdf](http://www.bicc.de/uploads/ttx_bicctools/brief28.pdf), (11 June 2009); Tanner, *ibid.*, pp. 113, 284; J. F. Burns, ‘The Fiercely Faithful – A Special Report: From Cold War, Afghans Inherit Brutal New Age’, 14 Feb, 2006, *The New York Times*, <http://www.nytimes.com/1996>, (accessed 28 April 2009).

<sup>91</sup> J.J. Lok, ‘Growing Anger over National Caveats in Afghanistan’, *AviationWeek.com*, 10 October 2007, <http://www.aviationweek.com/aw/blogs/defense/index.jsp>, (accessed 14 January 2011).

<sup>92</sup> United Kingdom House of Commons (U.K. HoC), Foreign Affairs Committee, *Global Security: Afghanistan and Pakistan, eighth report of session 2008-09*, <http://www.publications.parliament.uk/pa/cm200809/cmselect/cmfaff/302/30205.htm>, (accessed 12 February 2010).

<sup>93</sup> Lok, ‘Growing Anger over National Caveats in Afghanistan’, *op. cit.*

<sup>94</sup> In 2007, for instance, the German government publicly denounced the use of air strikes amongst ‘U.S.-led forces’, arguing that its own model of nation-building was a preferable solution to fighting insurgents directly, and would ultimately lead to stability and security in Afghanistan since ‘development will result in the wholesale rejection of the Taliban’. Many questioned, however, whether this approach was one motivated more by vision or risk-aversion. Indeed, the German comments seemed singularly obnoxious from a country unwilling to send troops to the more volatile regions in the Afghan south and east, where more troops were so desperately needed. As Joerg Wolf stated in the *Atlantic Review*: ‘Such talk is cheap and inappropriate for the defense minister of a country that refuses to send combat troops to southern Afghanistan. If there would be more troops in southern Afghanistan, then many civilian casualties could be avoided...less ground troops mean more air strikes’. The issue led one European journalist, writing for Belgian newspaper *WSI Brussels*, to comment that ‘watching NATO carry out their missions in Afghanistan is almost like watching a failed team-building exercise’. ‘It seems to be increasingly popular for NATO members like France, the Netherlands and Germany,’ wrote Czwarino, ‘some who work under “national caveats” which allow them to avoid deploying troops to some of Afghanistan’s most hostile regions, to make a cottage industry out of telling others how to do the job’ (M. Czwarino, ‘Team Nato: Divided We Stand’, *World Security Institute (WSI) Brussels-Belgium*, 23 May 2007, <http://wsibrusselsblog.org/?p=28>, (accessed 24 February 2009).

<sup>95</sup> J. H. Campbell & J. Shapiro, ‘Afghanistan Index – Tracking Variables of Reconstruction & Security in Post-9/11 Afghanistan’, *Brookings Institute*, 24 February 2009, p. 5, accessed 12 January 2010, from <http://www.brookings.edu/about/programs/foreign-policy/afghanistan-index>.

<sup>96</sup> A recreated graph using information taken from Campbell & Shapiro, ‘Afghanistan Index – Tracking Variables of Reconstruction & Security in Post-9/11 Afghanistan’, *op. cit.*, p. 5.

<sup>97</sup> Campbell & Shapiro, ‘Afghanistan Index – Tracking Variables of Reconstruction & Security in Post-9/11 Afghanistan’, *op. cit.*, p. 5.

Professor Roberts has suggested that a number of factors have led to these high civilian casualties as a result of air strikes, namely: ‘a shortage of ground forces, different approaches of individual commanders, poor intelligence, the heat of battle, weapons malfunction, the co-location of military targets and civilians, and the frayed relationship between ground and air forces operating in Afghanistan’ (U.K. HoC, ‘Global Security: Afghanistan and Pakistan, eighth report of session 2008-09’, *op. cit.*).

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<sup>98</sup> Campbell & Shapiro, ‘Afghanistan Index – Tracking Variables of Reconstruction & Security in Post-9/11 Afghanistan’, *op. cit.*, p. 5.

<sup>99</sup> U.S. Embassy Berlin, *Cable 09BERLIN1108*, *op. cit.*

<sup>100</sup> Cordesman, ‘Losing the Afghan-Pakistan War? The Rising Threat’, *op. cit.*, p. 50; U.K. HoC, ‘Global Security: Afghanistan and Pakistan, eighth report of session 2008-09’, *op. cit.*

<sup>101</sup> *Ibid.*

<sup>102</sup> C. Mackay, ‘Afghan Govt demands new rules of engagement’, *ABC News*, 26 August 2008, <http://www.abc.net.au/news/stories/2008/08/26/2346361.htm>, (accessed 19 September 2008).

<sup>103</sup> U.S. Embassy Berlin, *Cable 09BERLIN1108*, *op. cit.*; J. Dempsey, ‘Europeans Seek to Shift Security Role to Afghan Government’, *The New York Times*, 7 September 2009, <http://www.nytimes.com/2009/09/07/world/europe/07germany.html>, (accessed 8 September 2009).

<sup>104</sup> Foust, ‘German is ISAF’s Weakest Link’, *op. cit.*

<sup>105</sup> U.S. Embassy Berlin, *Cable 09BERLIN1108*, *op. cit.*; Dempsey, ‘Europeans Seek to Shift Security Role to Afghan Government’, *op. cit.*; Foust, ‘German is ISAF’s Weakest Link’, *op. cit.*

<sup>106</sup> Dempsey, ‘Europeans Seek to Shift Security Role to Afghan Government’, *op. cit.*

<sup>107</sup> U.K. HoC, ‘Global Security: Afghanistan and Pakistan, eighth report of session 2008-09’, *op. cit.*

<sup>108</sup> Lok, ‘Growing Anger over National Caveats in Afghanistan’, *op. cit.*

<sup>109</sup> ‘Episode 1’, ‘Ross Kemp - Back on the Frontline’, 2011 [DVD], *op. cit.*; U.K. HoC, ‘Global Security: Afghanistan and Pakistan, eighth report of session 2008-09’, *op. cit.*

<sup>110</sup> Cited in U.K. HoC, ‘Global Security: Afghanistan and Pakistan, eighth report of session 2008-09’, *op. cit.*

<sup>111</sup> U.K. HoC, ‘Global Security: Afghanistan and Pakistan, eighth report of session 2008-09’, *op. cit.*

<sup>112</sup> H. Smith, ‘How Fast Can NATO Surrender to the Taliban?’, *The Captain’s Journal* [web blog], 17 February 2009, <http://www.captainsjournal.com/2009/02/17/how-fast-can-nato-surrender-to-the-taliban>, (accessed 25 June 2010).

<sup>113</sup> *Ibid.*

<sup>114</sup> *Ibid.*

<sup>115</sup> *Ibid.*

<sup>116</sup> *Ibid.*

<sup>117</sup> U.S. Embassy Rome (released by Wikileaks), *Cable 08ROME454, Italy: Pressing Our Priorities With The Next Government Starting Next Week*, 11 April 2008,

<https://www.wikileaks.org/cable/2008/04/08ROME454.html>, (accessed 11 July 2011); U.S. Embassy Rome (released by Wikileaks), *Cable 08ROME1406, SceneSetter For Your December 3 Visit To Rome*, 19 November 2008, <http://wikileaks.org/cable/2008/11/08ROME1406.html>, (accessed 11 July 2011).

<sup>118</sup> Smith, ‘How Fast Can NATO Surrender to the Taliban?’, *op. cit.*

<sup>119</sup> D. Filkins and A. B. Ellick, ‘Poll Shows Drop of Karzai as Afghan Leader’, *The New York Times*, 15 June 2009, <http://www.nytimes.com/2009/06/16/world/asia/16afghan.html> (25 June 2009), (accessed 16 June 2009).

<sup>120</sup> Campbell & Shapiro, ‘Afghanistan Index – Tracking Variables of Reconstruction & Security in Post-9/11 Afghanistan’, *op. cit.*, p. 36.

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## Conclusion

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