

**Aid in the Crosshairs:
Civil-Military Relations in Afghanistan**

April 2009

SUMMARY

In 2007, CCIC contributed to a research report on civil-military relations in Afghanistan commissioned by the British Agencies in Afghanistan Group (BAAG) and the European Network of Agencies in Afghanistan (ENNA) entitled *Afghan Hearts, Afghan Minds: Afghan Perceptions on Civil-Military Relations*.¹ This briefing note integrates findings from the Afghanistan-based research and subsequent interviews with Canadian government officials and Canadian non-governmental organizations (NGOs).

1. INTRODUCTION

Peace in Afghanistan will not be achieved through military means alone. There is near unanimous agreement, including by Prime Minister Harper and the Obama Administration, that development and diplomacy are integral to building peace and improving stability. Given the growing calls for development and humanitarian assistance, Canada must ensure its strategy in Afghanistan creates the conditions necessary for civilian aid workers to effectively operate.

Asymmetric attacks in Afghanistan's south and increasingly in the northern and western regions combined with attacks against aid organizations has rendered an already difficult environment even more treacherous to navigate for aid agencies.² In addition to general criminality, suspicion by anti-government groups including the Taliban and Hezb-i-Islami that civilian aid workers are collaborating with, or spying for, international military forces (IMF) has increased risk for aid agencies.

Given the increasing attacks against aid organizations, the Canadian government and NATO allies must ensure military strategies are not undermining the effectiveness of humanitarian and development assistance. Maintaining clear distinctions between aid and military activities, adhering to civil-military guidelines, and looking beyond Kandahar are examples where the Canadian government's leadership could help aid agencies operate more effectively. Without more concerted efforts to create conditions for effective humanitarian and development work to occur, Afghanistan will continue to face massive challenges in reducing poverty, easing humanitarian crisis, and ultimately building peace and stability.

¹ *Afghan Hearts, Afghan Minds: Afghan Perceptions on Civil-Military Relations* (2008) available on the BAAG website: <http://www.baag.org.uk/publications/reports.htm>. The report is based on research conducted primarily in Khost and Paktia provinces and is informed by the research team's work in Helmand, Uruzghan, and central and northern Afghanistan. Due to insecurity the team was unable to conduct research in Kandahar province.

² *The situation in Afghanistan and its implications for international peace and security*, Report of the Secretary-General (Sept 2008): <http://daccessdds.un.org/doc/UNDOC/GEN/N08/511/79/PDF/N0851179.pdf?OpenElement>.

2. SUMMARY OF RECOMMENDATIONS

To the Prime Minister:

1. Call for a strengthened civilian strategy in Afghanistan with like-minded international allies and the Afghan government, focusing on humanitarian access, development effectiveness, and peace-building and reconciliation.

To the Privy Council Office:

2. Evaluate the effectiveness of geographic earmarking of aid commitments in Afghanistan and consider replacing the current commitment of 50 per cent of aid to be allocated for Kandahar province until 2011 with needs-based commitments nationally, coordinated with the Afghan government and other donor agencies.
3. Adopt the principles established in the Canadian and Afghan civil-military guidelines and Protection of Civilian norms in current policies and post 2011 policies being developed.

To the Minister of International Cooperation:

4. Advocate strongly in Canadian, Afghan, and international fora that development and humanitarian aid policies and programs be Afghan-led, needs-based, with priorities determined through effective consultations with Afghan and international counterparts, and separate from the pursuit of military objectives and operations.
5. Increase funding for independent humanitarian assistance to be provided through the new Office for the Coordination of Humanitarian Affairs (OCHA), the Red Cross Movement, and civil society organizations.
6. Initiate a dialogue with the UN, Ministers from other ISAF countries, and Afghan and international NGOs, on the application of civil-military guidelines to contexts of protracted insecurity, particularly in planning for Canada's post 2011 aid strategy.
7. Identify in the quarterly reports tabled to the Special Cabinet Committee on Afghanistan the CIMIC projects that will be classified as Official Development Assistance as defined by the OECD rules and *Canada's Official Aid Accountability Act*.

To the Minister of Foreign Affairs:

8. Ensure that Canada's policies and statements on Afghanistan are consistent with protection of civilian principles including maintaining clear demarcations between civilian aid workers and military forces.

9. Establish benchmarks outlining the steps Canada will take to transition out of the K-PRT by 2011 indicating whether the transition will be to Afghan civilian leadership or another NATO country.
10. Provide funding to the United Nations Assistance Missions in Afghanistan (UNAMA) to increase the number of UNCMCoord Officers in the provinces.

To the Minister of National Defence:

11. Advocate robustly in Afghan and International fora for all international and Afghan security forces to immediately comply with the Afghanistan civil-military guidelines, to the greatest extent possible adhering to clear demarcations between military operations and humanitarian and development aid.
12. Call upon the Department of National Defence to ensure Canadian Forces are trained on *The Guidelines for the Interaction and Coordination of Humanitarian Actors and Military Actors in Afghanistan* prior to deployment.
13. Report on all CIMIC activities funded by Canada identifying results achieved in reports tabled to the Special Cabinet Committee on Afghanistan.

3. GROWING INSECURITY FOR AID ORGANIZATIONS

According to UN figures, there were at least 120 attacks against aid workers in 2008 resulting in 30 deaths and 92 abductions.³ According to UNICEF, there were 256 attacks against schools resulting in 58 deaths and 46 injuries in 2008.⁴ Afghan Ministry of Education officials are reported as estimating more than 600 schools in the south to be closed because of insecurity and threats with up to 300,000 students unable to attend school.⁵ Beyond the obvious numbers of dead and injured, these attacks and threats reveal significant setbacks in development progress.

According to the *Afghan Hearts, Afghan Minds* research, NGO staff report an increase in raids by anti-government elements looking for proof of links to international military forces (IMF). For example, an NGO office in Ghazni province was raided by intruders searching for evidence of links with US-led Coalition Forces. Reports from NGOs in the east also indicate that Hezb-i-Islami Gulbuddin (HIG) and Taliban elements are raiding NGO offices specifically searching for evidence of contact with PRTs and IMF, especially US-led Coalition Forces.⁶

Inappropriate action by IMF in interacting too closely with aid organizations has increased risk for agencies. For example, in February 2007, US forces temporarily took over the offices of

³ *The situation in Afghanistan and its implications for international peace and security*, Report of the Secretary General (Sept 2008) <http://daccessdds.un.org/doc/UNDOC/GEN/N08/511/79/PDF/N0851179.pdf?OpenElement>.

⁴ UNICEF (Nov 2008): http://www.unicef.org/infobycountry/afghanistan_46387.html.

⁵ *Afghanistan: Attacks deprive 300,000 students of education*, IRIN report (Sept 2008): <http://www.irinnews.org/PrintReport.aspx?ReportId=80506>.

⁶ *Afghan Hearts, Afghan Minds: Afghan Perceptions on Civil-Military Relations* (2008) available on the BAAG website: <http://www.baag.org.uk/publications/reports.htm>.

AfghanAid in the Kamdesh district of Nuristan Province. The US forces acted without prior consultation with local authorities and without the consent of AfghanAid. As a result, AfghanAid had to withdraw their operations from the area.⁷ In another instance, interviewees reported that PRT personnel visited an NGO compound shortly after a raid by anti-government groups. The PRT personnel were compiling an incident report. However, having survived the raid by anti-government groups searching for evidence of links to the IMF, the NGO clearly did not want the local PRT or IMF visiting their offices.⁸

In the context of Taliban and HIG attacks against aid agencies, it is all the more pressing for international and Afghan military forces to maintain an appropriate distance from aid actors. CIDA funds a number of aid agencies in Afghanistan. In order for CIDA's financial investments to deliver tangible development benefits, it is imperative that all possible means be taken to ensure aid organizations do not become targets for attack. In the context of insurgency and counter-insurgency conflict where insurgent tactics include blurring combatant and civilian roles, risk for all civilians including aid groups is heightened. Ensuring clear demarcations between military actors and civilians is therefore all the more imperative.

Humanitarian access negotiations with anti-government groups have been hurt by the rise of a new generation of Taliban and HIG combatants. Younger combatants or foreign combatants without previous interaction with aid agencies, or strong links to the local community, are changing political and social dynamics at the local level. Lack of influence from communities over new actors makes humanitarian access negotiations all the more difficult.

NGO interviewees in the *Afghan Hearts, Afghan Minds* report cite instances of humanitarian access negotiations with anti-government groups leading to hostile behaviour from IMF. Concerns that that ISAF and OEF forces are not sufficiently verifying intelligence to ensure they are not wrongly targeting individuals based on false or misleading reports has been mentioned by a number of sources.⁹

Canada has been strong advocate of the protection of civilians agenda and has committed to making needs-based humanitarian action a priority in Afghanistan. In response to the growing trend in targeting of humanitarian workers Canada has called for the safety of aid to be a priority and for parties to conflict to respect the neutrality, impartiality and independence of humanitarian workers so that they can continue to assist vulnerable women, men and children.¹⁰ As a long-time champion of the protection of civilians agenda the Canadian government should ensure its mission in Afghanistan is consistent with civilian protection norms, including promoting humanitarian access and protection for humanitarian workers.

⁷ Ibid. See pg. 33.

⁸ Ibid.

⁹ In addition to *Afghan Hearts, Afghan Minds*, this was stated repeatedly in interviews with Afghan and International NGOs in interviews held in January 2008.

¹⁰ Statement to the Security Council Open Debate on the Protection of Civilians in Armed Conflict, Ambassador John McNee, Permanent Representative of Canada to the United Nations (14 January 2009).

Recommendations

- ❑ The Minister of International Cooperation should advocate strongly in Canadian, Afghan, and international fora that development and humanitarian aid policies and programs be Afghan-led, needs-based, with priorities determined through effective consultations with Afghan and international counterparts, and separate from the pursuit of military objectives and operations.
 - CIDA should increase funding for independent humanitarian assistance to be provided through the new Office for the Coordination of Humanitarian Affairs (OCHA), the Red Cross Movement, and civil society organizations.
- ❑ The Minister of Foreign Affairs should ensure that Canada's policies in Afghanistan are consistent with protection of civilian principles including maintaining clear demarcations between civilian aid workers and military forces.
- ❑ The Minister of Defence should advocate robustly in Afghan and International fora for all international and Afghan security forces to immediately comply with the Afghanistan civil-military guidelines, to the greatest extent possible adhering to clear demarcations between military operations and humanitarian and development aid.

4. THE KANDAHAR PRT AND CIMIC ACTIVITIES

The Kandahar Provincial Reconstruction Team (KPRT) led by Canada is one of twenty-six PRTs in Afghanistan. The KPRT's main function is to support reconstruction efforts in line with the priorities of the Afghanistan Compact and Afghan National Development Strategy. Of the 350 people stationed with the PRT, the vast majority are armed military personnel tasked with force protection for the PRT including during visits into surrounding villages (outside the PRT).

Development related activities of the PRT undertaken by CIDA Officers include coordinating and planning large-scale development projects with multilateral stakeholders. As well, CIDA Officers work with Civil-Military Cooperation (CIMIC) Officers responsible for undertaking CIMIC projects often through Afghan NGOs or contractors. At present there are nine CIDA Officers and 20 CIMIC Officers. In effect, it is the CIMIC officers stationed at the KPRT who are responsible for interacting directly with Afghan civilians since civilian KPRT representatives such as CIDA and DFAIT staff are forbidden from leaving the PRT compound.¹¹

CIMIC projects often entail undertaking or funding small scale projects as a means of winning over the confidence of the community, as such, these projects can look very similar to aid or reconstruction work. While CIMIC activities can be beneficial in the short term (if implemented well), for example, by providing small scale infrastructure projects, they are still nevertheless part of counter-insurgency or military strategy, be it non-kinetic. CIMIC Officers visiting local communities are accompanied by military teams consisting of a commanding officer and up to

¹¹ See CCIC's Background on the KPRT (April 2009).

fifteen soldiers who function as force protection. Not only is the visible armed military presence of CIMIC teams obvious, but CIMIC officers themselves are military personnel and legally defined as combatants. Further, CIMIC team's visits are short term and not conducive to long-term capacity building, development or reconstruction. At present, although CIMIC activities appear to be funded through CIDA and DND the extent to which CIMIC activities can be categorized as Official Development Assistance consistent with the OECD rules and Canada's Official Development Assistance Accountability Act is unclear.

NGOs participating in the *Afghan Hearts, Afghan Minds* research expressed concern regarding the practice of funding local NGOs to implement CIMIC projects.¹² While these findings are not specific to Kandahar they have relevance for the way in which CIMIC projects are implemented through the KPRT. The report reveals that the short term funding for CIMIC activities has led to inadequate attention to the organizational development, capacity building, and safety and security needs of local NGO staff implementing CIMIC work. Despite the security risks, Afghan NGOs (ANGOs) are willing to work with IMF on CIMIC activities, largely because funding opportunities are more accessible through PRTs than standard donor funding with burdensome reporting and monitoring requirements.

The collaboration of ANGOs to implement CIMIC activities can have dangerous implications as both INGOs and ANGOs are increasingly perceived as aligned with IMF. Reports that ANGOs are becoming more suspicious of each other as they compete for funding are also cause for concern.¹³ Negative impacts on local socio-political dynamics including conflicts and tensions arising from tribal policies/practices that favour some tribes to either implement, or benefit from CIMIC projects, have also been raised as current problems which could escalate if left unaddressed.

Lastly, with regard to the KPRT, Canada has followed trends towards 'civilianizing' PRTs, including by placing the KPRT under civilian leadership of the Representative of the Government of Canada in Kandahar (ROCK). While this is a welcome step, the PRT is nevertheless intrinsically a military structure with an overwhelming military presence and serving military objectives. As such, the extent to which the PRT can be 'civilianized' is viewed sceptically by many civil society organizations. According to UN reports, ISAF has initiated a review of PRTs with the aim of transitioning PRTs to civilian Afghan leadership. Given that the mandate for Canadian troop contributions ends in 2011, the Canadian government should make clear its transition plan from the KPRT.

Recommendations

- The quarterly reports to the Special Cabinet Committee on Afghanistan established by recommendation of the Independent Panel on Afghanistan should report on all CIMIC activities funded by Canada.
 - To this end, the reports should identify whether CIMIC projects can be classified as

¹² *Afghan Hearts, Afghan Minds: Afghan Perceptions on Civil-Military Relations* (2008) available on the BAAG website: <http://www.baag.org.uk/publications/reports.htm>.

¹³ Ibid.

Official Development Assistance as defined by the OECD DAC rules and *Canada's Official Aid Accountability Act*.

- ❑ The Minister of Foreign Affairs should establish benchmarks outlining the steps Canada will take to transition out of the K-PRT by 2011 indicating whether the transition will be to Afghan civilian leadership or another NATO country.

5. TRAINING, GUIDELINES, AND DIALOGUE ON CIVIL-MILITARY RELATIONS

The Afghanistan Civil-Military Working Group chaired by the Agency Coordinating Body for Afghan Relief (ACBAR) based in Kabul includes donors, UN, ISAF, and Coalition Forces representatives. The group provides a space for dialogue between civilians and military officers with an explicit condition that information disclosed is not used for intelligence purposes.

In May 2008, the Afghanistan Civil-Military Working Group approved a set of guidelines called *The Guidelines for the Interaction and Coordination of Humanitarian Actors and Military Actors*. The Guidelines call on international military forces to:

- ❑ Observe international law and human rights.
- ❑ Respect the neutrality and independence of humanitarian actors.
- ❑ Provide assistance *in extremis* and when requested by the Government.
- ❑ Take special measures to protect women and girls from gender-based violence and promote United Nations Security Council Resolution 1325 on Women, Peace and Security.
- ❑ Recognize that counter-insurgency operations dubbed COIN operations should not be called humanitarian.

In 2003, Canada developed its *Guidelines on Humanitarian Action and Civil-Military Coordination* to inform the doctrine and operations of the Canadian Forces with respect to humanitarian response and civil-military issues.¹⁴ Both the Canadian and Afghanistan Guidelines closely mirror the two main UN Guidelines: the *Oslo Guidelines on The Use of Military and Civil Defence Assets In Disaster Relief* (1994), and, the *Guidelines on the Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies* (2003), better known as the *MCDA Guidelines*.

According to Canadian government officials, the Canadian Guidelines are distributed to senior Canadian military commanders as well as civilians prior to deployment. Interviewees stated that presently, knowledge about the Guidelines among Canadian officers and civilians has improved from initial deployments when knowledge was admittedly limited. The Guidelines are said to be part of the Canadian Forces' emerging doctrine to serve as key principles for their interaction with humanitarian NGOs.

¹⁴ In interviews with DND and DFAIT representatives, the word "doctrine" was specifically used, although this should not be taken to imply that the Guidelines are policy canon that the military are involuntarily obliged to follow.

The Afghanistan and Canadian Guidelines are non-binding principles. Breaches of the Afghanistan civil-military guidelines by both NGOs and IMF are already reported.¹⁵ Unfortunately, one of the main fora to ensure consistency with the Guidelines, the Civil-Military Working Group, suffers from inconsistent participation from all principles actors including the UN, NGOs, and IMF. The British Agencies in Afghanistan Group (BAAG) and the European Network of NGOs in Afghanistan (ENNA) note that ISAF participation is usually limited to the CIMIC unit (CJ9), while most of the issues discussed need participation of representatives from the other branches of ISAF (particularly planners and strategists – CJ5).¹⁶ The Afghan presence in the Working Group is noted as being particularly poor with ramifications on Afghan staff and NGOs being left out of civil-military discussions. In light of these difficulties, NGOs have indicated the need for more structures, mechanisms, and positions to enable civil-military dialogue. In particular, NGOs have called for increased UN CMCoord capacity and for an independent Office for the Coordination of Humanitarian Affairs (OCHA) with provincial liaison officers to be established.

Recommendations

- ❑ The Prime Minister, the Prime Ministers Office (PMO), and the Privy Council Office (PCO) should adopt the principles established in the Canadian and Afghan civil-military guidelines and Protection of Civilian norms in current policies and post 2011 policies being developed.
- ❑ CIDA, in collaboration with other donors, should fund the new Office for the Coordination of Humanitarian Affairs (OCHA) and encourage the UN to dramatically increase UNCMCoord Officers in the provinces.
- ❑ DND should ensure Canadian Forces are trained on *The Guidelines for the Interaction and Coordination of Humanitarian Actors and Military Actors in Afghanistan*.
- ❑ CIDA, DFAIT, RCMP, and other departments with deployed personnel should also ensure training on the guidelines for civilian staff.

6. BEYOND KANDAHAR: CIVIL-MILITARY RELATIONS AND PROTRACTED INSECURITY

Much of Afghanistan (excluding the south) can be described as a situation of protracted insecurity, affected at different times by varying levels of violence from criminal networks and anti-government groups. Civil-military guidelines are traditionally intended for conflict-affected, post-conflict, or humanitarian crisis situations. The central and northern regions of Afghanistan do not necessarily fall into these former categories.

Most Canadian NGOs are operational in the northern and central areas of Afghanistan. Although these areas can be affected by criminal violence and insurgent attacks, the security situation is somewhat more permissible for undertaking development than in the insurgency-affected south.

¹⁵ *Caught in the Conflict: civilians and the international security strategy in Afghanistan*, Oxfam International (forthcoming).

¹⁶ *Aid and Civil Military Relations*, British Agencies in Afghanistan Group (BAAG) and European Network of NGOs in Afghanistan (ENNA), (2008): http://www.baag.org.uk/downloads/reports/BAAG_ENNA%20Policy%20Briefing%20Paper%20-%20CIVMIL%20Oct%2008.pdf.

However, PRTs, IMF, and Afghan Security Forces are active in these more stable regions and their presence and proximity to development aid organizations can pose similar challenges as IMF proximity with humanitarian agencies operating in the south/east. The national approach to PRTs and reconstruction in Afghanistan has meant that there is no standard approach to PRTs or to civil-military issues in a development (as opposed to humanitarian) context.

To date, Canadian government officials appear to have opted for a hands-off approach to civil-military issues outside Kandahar. Canada's focus of targeting 50% of aid between 2008-2011 in Kandahar Province has increased pressure to fund development and humanitarian work in the south. Given the prospect that Afghanistan will face varying levels of insecurity in the central and northern in the near future, much more needs to be done to work with civil society organizations throughout the country to understand their security risks and identify ways to prevent attacks.

The commitment of more than 50% of Canadian aid to be targeted for Kandahar has also posed challenges for aid agencies who strive to support needs-based programming. Poverty and humanitarian crisis, including food crisis, are affecting the entire country. The practice of major donors allocating funds specifically to the southern provinces where their troops are based has created a disproportionate level of aid to the south to the neglect of poor and vulnerable communities in central and northern regions. Aid groups warn that the continued use of aid funds to areas of strategic security interests in the south is exacerbating the conflict fault-line between the north and south.

Recommendations

- ❑ The Minister of International Cooperation in planning for Canada's post 2011 aid strategy, should initiate a dialogue with the UN, Ministers from other ISAF countries, and Afghan and international NGOs, on the application of civil-military guidelines to contexts of protracted insecurity throughout the country.
- ❑ The Privy Council Office should work with the Minister of International Cooperation to evaluate the effectiveness of geographic earmarking of aid commitments in Afghanistan and consider replacing the current commitment of 50% of aid to be allocated for Kandahar province until 2011 with needs-based commitments nationally and coordinated with the Afghan government and other donor agencies.

7. CONCLUSION

By 2011 the Canadian government will have invested close to \$1.8 billion dollars through the Canadian International Development Agency (CIDA), the Department and Foreign Affairs and International Trade (DFAIT) and other civilian agencies with programs in Afghanistan.¹⁷ At least \$9 billion more will have been spent in defence expenditures.¹⁸ And thousands of

¹⁷ Including incremental costs, see Backgrounder: Cost of the Afghanistan mission 2001-2011, Government of Canada (Feb 2009): http://www.afghanistan.gc.ca/canada-afghanistan/news/nouvelles/2009/2009_02_25a.aspx?lang=eng.

¹⁸ Ibid.

Canadians, through military and civilian efforts, will have contributed to trying to build peace and stability in the war-torn country. How should the Canadian government measure success for these efforts?

True success in Afghanistan will be measured in whether levels of poverty have improved and whether people feel a difference in the quality of life they can provide for their families. Military means can not achieve such results. Peace-building, development and humanitarian assistance are the tools to building the foundations for peace and stability. However, current strategies in Afghanistan too often undermine development and humanitarian effectiveness and places aid and communities at risk. Without more concerted efforts to create conditions for effective humanitarian and development work to occur, including by maintain clear roles between military operations and civilian aid work, Afghanistan will continue to face massive challenges in reducing poverty, easing humanitarian crisis, and ultimately building peace and stability.