



## **The war in Afghanistan, A story of a failed state**

Memorandum presented to the:

**Public hearing on  
The war in Afghanistan and by the militarization  
of Canada's foreign policy**

**For  
The withdrawal of Canadian troops from Afghanistan!**

Organized by:

**Collectif Échec à la guerre**



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## Introduction

The huge rally which took place in Montreal on February 13<sup>th</sup>, 2001 refusing the war on Iraq was the alarming point for the Canadian Government at this time, and all other following government.

At this day when more than 250 thousands went into the street of Montreal on -25° (-40 with the windshield), the Canadian Government had been forced to refuse the participation in the destruction and the invasion of Iraq, the killing of almost one million and the triggering of one of the worst sectarian violence.

While the war on Iraq was a very clear violation of the international law and a real aggression against innocent people, the war on Afghanistan was not that clear, at least for the public.

In the case of Afghanistan, 9/11 was used very well to force the world to accept the aggression of the super power against one of the poorest and unarmed people.

In both cases it is a special interest group controlling the super power used it to achieve their agenda and to deliver the message clear to the world, it is the new era.

The invasions of Iraq and Afghanistan were both illegal under international law, in that neither received Security Council approval.

The U.S. invasion of Afghanistan had never been endorsed by the Security Council. The Security Council resolution at that time called for the perpetrators of 9/11 to be brought to justice through judicial system, not war.

But after invading Afghanistan and toppling the government, Washington won UN authorization for the new government it installed, and for its ongoing intervention through NATO.

If the war on Iraq is legal, so is the war on Afghanistan, but how did Canada get Involved?



## How Did Canada Get Involved?

While the Canadian Government did hear the people in Iraq War, the wrapping of the Afghanistan War with the UN blessing gave the Canadian Government the reason to accept the present of the Canadian sons and daughters on Afghanistan after the invasion and the appointing of the Pro-USA government.

Canadians and Quebecers have been deceived in the Afghanistan issue, they thought that the mission over there is a real peaceful mission and all Afghani people are happy for it, time been used to heal the failure on Bosnia and Rwanda missions, that was shadowed by the military incompetent and racist nature of the forces.

At the same time the US did not forget the negative respond from Canada to its war on Iraq, so come to Afghanistan to pay the price.

On February 2<sup>nd</sup>, 2002 it was Canada's first contribution to the USA invasion of Afghanistan by sending 800 of its troops to Kandahar. That was four months before the appointing of the Afghani President, Hamid Karzai in June 2002.

In July 2003, Canada evacuated its troops from Kandahar and sent 1800 to Kabul, from where they moved back to Kandahar in August 5th 2005 for a construction mission. It is during that period of time that they took full responsibility of the region few months later.

And while the war in Afghanistan has been lost since October 2001, the Conservative government is seeking to obtain a new mandate to extend the Canadian military interventions until February 2011, without taking into consideration Afghanistan's reality.



## Afghanistan Reality!

The invasion and the intervention in Afghanistan have been built on lies and forged stories, including but not limited to: Democratisation, Freedom of choice, Liberation of women, those issue that has not been achieved and could not be achieved by force.

People's rights would be achieved only through the people movement themselves. What we are witnessing in Afghanistan as a result of this continuous invasion is nothing but humiliation.

Various reports from independent sources, among them Amnesty International, doctors without borders and several independent media outlets, stated that Afghanistan is in very serious critical points, while the appointed government does not control but Kabul, the capital, each single region is controlled by one of the factions.

In addition to this broken country and broken people; the result of this invasion results in:

1. High number of casualty especially within the civilian and the women and children.
2. Shorts of medication and basic food supply specially for infants.
3. Unprecedented increase in prostitution.
4. Cultivation of Opium, where Afghanistan became number one supplier on the illegal market.
5. The highest rate of torture licensed by our silence that makes the stories coming from Afghanistan are very close to those of Abu Ghraib prison and Guantanamo Bay.

The huge problem is located within the refusal of the Canadian Government to give the Canadian civil society room to participate in a real aid to the Afghani people. In contrary to this, the Canadian Government insists that all aid have to go through the Army.

All this could not be compromised for few unneeded schools been presented as the big achievement of the Canadian present, girls and boys in Afghanistan are not in need of well-furnished schools. They need a peaceful life, something we cannot offer them.

The reality in Afghanistan reflected on the situation in Ottawa.



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## What is going on in Ottawa?

In spite of the huge opposition to the mission, where almost 70% of Quebecers refused this mission and 62% calling for the withdrawal of Canadian troops before 2009 and 41% calling for immediate withdrawal, in spite all this, the Canadian Government is going in another direction by calling for expanding the mission.

Ottawa became the centre of the dilemma in Kandahar, where our Government is not able to act in the best interest of the Canadian and Afghani people, the Afghan mission have been managed by the fear of going to pool and by the power struggle within the political parties.

The conservative, the governing party is very clear in its agenda; an agenda could be summarized by monitoring the increase of the military expenditure and the recruitment of our sons and daughters to the army.

At the same time the Liberal party is a divided party that helped in extending the mission to February 2009 and will do more. The division that helped, also, in passing the new so called anti-terrorist law (the certificate security, Bill C-3).

Trying to act as a so called “Responsible Party” the Bloc Quebecois did not survive the illusion of the human face of our army mission in Afghanistan by calling in changing the mission. That illusion that been shared by the main stream in the Liberal Party.

The only party which is representing the people well in this issue is the NDP, where its voice is not heard and the call for the immediate withdraw never gets to convince the other hesitating voices in the BQ and the Liberal.

The stake of this mission is very high; we are listing hear some of its affects

1. We do not know for real the Canadian casualty in this war, we know only the count of the dead bodies, but do we know anything about the injured and the mental and physical damage for our sons and daughters coming back from Afghanistan.
2. No information about the conditions of the families of those returning from the invasion’s mission.



3. The Public has no idea about what is the type of the message passed by the government to our sons and daughters to convince them fighting over there, do they know the reality of this mission? We do not forget the Rwanda story.
4. Our media cover up; is the biggest media scandal in the modern history.
5. We are losing big time our international image and credibility, especially when we see this mission in the light of our positions from other military aggressions, in Iraq, Palestine, Lebanon and others.
6. By doing so we are developing a symptom of hypocrisy when our practices became contradictory to our slogans and publicised agenda.
7. By doing so, we are creating a generation suffering from schizophrenia or double personality.

Because our government does not believe itself, The PM appointed a special committee to study the mission.



## Manley Report

From day one of forming the Manley Commission, it was clear where this mission is heading, it is another attempt by the Conservative Government to justify its participation in this embarrassing mission.

The character of its recommendations will match for sure its formation where the five members of the picked groups are: “John Manley, Canada’s former Deputy Prime Minister and Minister of Foreign Affairs, Derek Burney, former Canadian Ambassador to the United States; Pamela Wallin, former Canadian Consul General in New York City; Paul Tellier, former clerk of the Privy Council; and Jake Epp, former federal Cabinet Minister”.

The outcome of this report was expected especially with US decision to move 3000 of its troops to Afghanistan and its pressure on Germany and other NATO members to participate in the occupation of Afghanistan, a move has been faced with strong opposition from the government and the people of those countries.

One of the important comments on this committee’s report is the abuse of the memory of a Canadian figure as Lester Pearson. That is when John Manley, defended the mission by invoking the name of Canadian peacekeeping hero Lester Pearson.

Since Canadians have tended to associate Afghanistan with torture and a cowboy-style "war on terror," the invocation of Pearson's name was absurd, even ridiculous.

Francis Boyle, professor of international law at the University of Illinois College of Law, argues that Manley's attempt to place Pearson's mantle on the Afghan mission amounts to a "real desecration of (Pearson's) memory and his monumental achievement for world peace."

Boyle says that he's made his students study the UN peacekeeping model devised by Pearson for the Suez Crisis of 1956. "It was the first, and the model for all that came after it ... Pearson richly deserved his Nobel Peace Prize."

But where is our government going?



## Where to go from there?

We are so sure that Afghanistan and many other countries need help to be build, modernized and developed, but occupation forces could not bring freedom and women liberty could not be achieved by killing them.

Based on many politicians and political analyst reports and based on our analysis; we believe that Afghanistan will not achieve it stability unless its people come together and achieve their own dream of their own democracy and liberty through:

1. Establishing an agreement of a period of 6 months ceasefire.
2. Starting on the first day of ceasefire a real and full negotiation between all factions in the Afghani society under the supervision of civilian and legal expert from the UN and the OIC (Organization of the Islamic Conference).
3. Establishing police forces from the UN and OIC to take over the control of the security and policing in Afghanistan.
4. A Full withdraw of all foreigner forces from Afghanistan include the Canadian forces within this 6 months period.
5. That the policing force been given a mandate to end within 12 months period to establish an agreement for governing share and reconciliation.

This full plan is not depending on Canada only, so Canada should submit this plan with a notice of withdraw within 3 months from one side if the plan is not accepted or within 6 months if the plan has been accepted.

This is the only solution for the Afghanistan failed story, but the bigger question will remain:

- What is our role in the international arena?
- What Canada and Canadian really would do to help the world peace and justice?
- Are we going to be an independent country or a follower for the super power in its unjust positions from everything on earth?
- What is our role to play within NATO and what is the purpose of NATO and our membership in this club of countries?

**The answers are within the questions, but are we going to succeed?**



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## Is it a story of two failed states?

Afghanistan became a failed state where its government does not control more than the capital Kabul, if it is able to control it. Where the occupation forces are running all over the country killing innocent civilians, children and women not achieving any progress in any direction, not achieving but only keeping the Natural Gas running to supply USA with its need from its appointed president.

Canada is approaching Afghanistan experience by failing to export its democracy and importing from Afghanistan the failure and isolation of its government within the presidential palace by refusing to listen to the Canadian people and sharing Mr. Karzai isolation.

The legitimacy of NATO and its presence in Afghanistan with another 13,000 U.S. troops under direct U.S. command, is questionable. Because this means that all troops serving in Afghanistan are under the command of George W. Bush.

But in urging Canadians to keep fighting over there, they try to link this occupation mission to the name Lester B. Pearson instead of directly linking it to George W. Bush.

Canada is standing on a cross line where it could help in achieving real progress in Afghanistan by leading the peace initiative or join Afghanistan to become the twin failed states.



## Annex 1: America's great game

By: [John Pilger](#)

Published 10 January 2008

The US and Britain claim defeating the Taliban is part of a "good war" against al-Qaeda. Yet there is evidence the 2001 invasion was planned before 9/11

"To me, I confess, [countries] are pieces on a chessboard upon which is being played out a game for dominion of the world." - Lord Curzon, viceroy of India, speaking about Afghanistan, 1898

<http://www.newstatesman.com/200801100021>

I had suggested to Marina that we meet in the safety of the Intercontinental Hotel, where foreigners stay in Kabul, but she said no. She had been there once and government agents, suspecting she was Rawa, had arrested her. We met instead at a safe house, reached through contours of bombed rubble that was once streets, where people live like earthquake victims awaiting rescue.

Rawa is the Revolutionary Association of the Women of Afghanistan, which since 1977 has alerted the world to the suffering of women and girls in that country. There is no organisation on earth like it. It is the high bar of feminism, home of the bravest of the brave. Year after year, Rawa agents have travelled secretly through Afghan istan, teaching at clandestine girls' schools, ministering to isolated and brutalised women, recording outrages on cameras concealed beneath their burqas. They were the Taliban regime's implacable foes when the word *Taliban* was barely heard in the west: when the Clinton administration was secretly courting the mullahs so that the oil company Unocal could build a pipeline across Afghanistan from the Caspian.

Indeed, Rawa's understanding of the designs and hypocrisy of western governments informs a truth about Afghanistan excluded from news, now reduced to a drama of British squaddies besieged by a demonic enemy in a "good war".

When we met, Marina was veiled to conceal her identity. Marina is her *nom de guerre*. She said: "We, the women of Afghanistan, only became a cause in the west following 11 September 2001, when the Taliban suddenly became the official enemy of America. Yes, they persecuted women, but they were not unique, and we have resented the silence in the west over the atrocious nature of the western-backed warlords, who are no different. They rape and kidnap and terrorise, yet they hold seats in [Hamid] Karzai's government. In some ways, we were more secure under the Taliban. You could cross Afghan istan by road and feel secure. Now, you take your life into your hands."

The reason the United States gave for invading Afghanistan in October 2001 was "to destroy the infrastructure of al-Qaeda, the perpetrators of 9/11". The women of Rawa say this is false. In a rare statement on 4 December that went unreported in Britain, they said: "By experience, [we have found] that the US does not want to defeat the Taliban and al-Qaeda, because then they will have no excuse to stay in Afghanistan and work towards the realisation of their economic, political and strategic interests in the region."

The truth about the "good war" is to be found in compelling evidence that the 2001 invasion, widely supported in the west as a justifiable response to the 11 September attacks, was actually planned two months prior to 9/11 and that the most pressing problem for Washington was not the Taliban's links with Osama Bin Laden, but the prospect of the Taliban mullahs losing control of Afghan istan to less reliable mujahedin factions, led by warlords who had been funded and armed by the CIA to fight America's proxy war against the Soviet occupiers in the 1980s. Known as the Northern Alliance, these *mujahedin* had been largely a creation of Washington, which believed the "jihadi card" could be used to bring down the Soviet Union. The Taliban were a product of this and, during the Clinton years, they were admired for their "discipline". Or, as the *Wall Street Journal* put it, "[the Taliban] are the players most capable of achieving peace in Afghanistan at this moment in history".

The "moment in history" was a secret memorandum of understanding the mullahs had signed with the Clinton administration on the pipeline deal. However, by the late 1990s, the Northern Alliance had encroached further and further on territory controlled by the Taliban, whom, as a result, were deemed in Washington to lack the "stability" required of such an important client. It was the consistency of this client relationship that had been a prerequisite of US support, regardless of the Taliban's aversion to human rights. (Asked about this, a state department briefer had predicted that "the Taliban will develop like the Saudis did", with a pro-American economy, no democracy and "lots of sharia law", which meant the legalised persecution of women. "We can live with that," he said.)

By early 2001, convinced it was the presence of Osama Bin Laden that was souring their relationship with Washington, the Taliban tried to get rid of him. Under a deal negotiated by the leaders of Pakistan's two



Islamic parties, Bin Laden was to be held under house arrest in Peshawar. A tribunal of clerics would then hear evidence against him and decide whether to try him or hand him over to the Americans. Whether or not this would have happened, Pakistan's Pervez Musharraf vetoed the plan. According to the then Pakistani foreign minister, Niaz Naik, a senior US diplomat told him on 21 July 2001 that it had been decided to dispense with the Taliban "under a carpet of bombs".

Acclaimed as the first "victory" in the "war on terror", the attack on Afghanistan in October 2001 and its ripple effect caused the deaths of thousands of civilians who, even more than Iraqis, remain invisible to western eyes. The family of Gulam Rasul is typical. It was 7.45am on 21 October. The headmaster of a school in the town of Khair Khana, Rasul had just finished eating breakfast with his family and had walked outside to chat to a neighbour. Inside the house were his wife, Shiekra, his four sons, aged three to ten, his brother and his wife, his sister and her husband. He looked up to see an aircraft weaving in the sky, then his house exploded in a fireball behind him. Nine people died in this attack by a US F-16 dropping a 500lb bomb. The only survivor was his nine-year-old son, Ahmad Bilal.

"Most of the people killed in this war are not Taliban; they are innocents," Gulam Rasul told me. "Was the killing of my family a mistake? No, it was not. They fly their planes and look down on us, the mere Afghan people, who have no planes, and they bomb us for our birthright, and with all contempt."

There was the wedding party in the village of Niazi Qala, 100km south of Kabul, to celebrate the marriage of the son of a respected farmer. By all accounts it was a wonderfully boisterous affair, with music and singing. The roar of aircraft started when everyone was asleep, at about three in the morning. According to a United Nations report, the bombing lasted two hours and killed 52 people: 17 men, ten women and 25 children, many of whom were found blown to bits where they had desperately sought refuge, in a dried-up pond. Such slaughter is not uncommon, and these days the dead are described as "Taliban"; or, if they are children, they are said to be "partly to blame for being at a site used by militants" - according to the BBC, speaking to a US military spokesman.

#### Return of opium

The British military have played an important part in this violence, having stepped up high-altitude bombing by up to 30 per cent since they took over command of Nato forces in Afghanistan in May 2006. This translated to more than 6,200 Afghan deaths last year. In December, a contrived news event was the "fall" of a "Taliban stronghold", Musa Qala, in southern Afghanistan. Puppet government forces were allowed to "liberate" rubble left by American B-52s.

What justifies this? Various fables have been spun - "building democracy" is one. "The war on drugs" is the most perverse. When the Americans invaded Afghanistan in 2001 they had one striking success. They brought to an abrupt end a historic ban on opium production that the Taliban regime had achieved. A UN official in Kabul described the ban to me as "a modern miracle". The miracle was quickly rescinded. As a reward for supporting the Karzai "democracy", the Americans allowed Northern Alliance warlords to replant the country's entire opium crop in 2002. Twenty-eight out of the 32 provinces instantly went under cultivation. Today, 90 per cent of world trade in opium originates in Afghanistan. In 2005, a British government report estimated that 35,000 children in this country were using heroin. While the British taxpayer pays for a £1bn military super-base in Helmand Province and the second-biggest British embassy in the world, in Kabul, peanuts are spent on drug rehabilitation at home.

Tony Blair once said memorably: "To the Afghan people, we make this commitment. We will not walk away. . . [We will offer] some way out of the poverty that is your miserable existence." I thought about this as I watched children play in a destroyed cinema. They were illiterate and so could not read the poster warning that unexploded cluster bombs lay in the debris.

"After five years of engagement," reported James Fergusson in the *Independent* on 16 December, "the [UK] Department for International Development had spent just £390m on Afghan projects." Unusually, Fergusson has had meetings with Taliban who are fighting the British. "They remained charming and courteous throughout," he wrote of one visit in February. "This is the beauty of *malmastia*, the Pashtun tradition of hospitality towards strangers. So long as he comes unarmed, even a mortal enemy can rely on a kind reception. The opportunity for dialogue that *malmastia* affords is unique."

This "opportunity for dialogue" is a far cry from the surrender-or-else offers made by the government of Gordon Brown. What Brown and his Foreign Office advisers wilfully fail to understand is that the tactical victory in Afghanistan in 2001, achieved with bombs, has become a strategic disaster in south Asia.

Exacerbated by the assassination of Benazir Bhutto, the current turmoil in Pakistan has its contemporary roots in a Washington-contrived war in neighbouring Afghanistan that has alienated the Pashtuns who inhabit much of the long border area between the two countries. This is also true of most Pakistanis, who, according to opinion polls, want their government to negotiate a regional peace, rather than play a prescribed part in a rerun of Lord Curzon's Great Game.



## Annex 2: NATO Genocide in Afghanistan

JURIST Contributing Editor Ali Khan\*

<http://jurist.law.pitt.edu/forumy/2008/01/nato-genocide-in-afghanistan.php>

JURIST Contributing Editor Ali Khan of Washburn University School of Law says that in the name of the "war of terror," NATO forces in Afghanistan are committing genocide by systematically hunting down and destroying the Taliban, a puritanical Islamic group, contrary to the terms of the Convention on the Prevention and Punishment of the Crime of Genocide...

Sloganeers, propagandists and politicians often use the word "genocide" in ways that the law does not permit. But rarely is the crime of genocide invoked when Western militaries murder Muslim groups. This essay argues that the internationally recognized crime of genocide applies to the intentional killings that NATO troops commit on a weekly basis in the poor villages and mute mountains of Afghanistan to destroy the Taliban, a puritanical Islamic group. NATO combat troops bombard and kill people in Taliban enclaves and meeting places. They also murder defenseless Afghan civilians. The dehumanized label of "Taliban" is used to cloak the nameless victims of NATO operations. Some political opposition to this practice is building in NATO countries, such as Canada, where calls are heard to withdraw troops from Afghanistan or divert them to non-combat tasks.

### Dehumanization

In almost all NATO nations, the Taliban have been completely dehumanized — a historically-tested signal that perpetrators of the crime of genocide carry unmitigated intentions to eradicate the dehumanized group. Politicians, the armed forces, the media, and even the general public associate in the West the Taliban with irrational fanatics, intolerant fundamentalists, brutal assassins, beheaders of women, bearded extremists, and terrorists. This luminescent negativity paves the way for aggression, military operations, and genocide. Promoting the predatory doctrine of collective self-defense, killing the Taliban is celebrated as a legal virtue. To leave the Taliban in control of Afghanistan, says NATO, is to leave a haven for terrorism.

A similar dehumanization took place in the 16th and 17th centuries when NATO precursors occupied the Americas to purloin land and resources. The killings of native inhabitants were extensive and heartless. Thomas Jefferson, the noble author of the Declaration of Independence, labeled Indians as "merciless savages." President Andrew Jackson pontificated: "What good man would prefer a country covered with forests and ranged by a few thousand savages to our extensive Republic, studded with cities, towns, and prosperous farms." Promoting the predatory doctrine of discovery, the United States Supreme Court later ratified the pilgrims' crimes, holding that "discovery gave an exclusive right to extinguish the Indian title (to land). ([T]he Indians were fierce savages...To leave them in possession of their country was to leave the country a wilderness."

The predators have not changed their stripes a bit. They come, they demonize, they obliterate. They do all this in the name of superior civilization.

### The Facts

The NATO website lists its killings in Afghanistan. These killings are also reported in the world media, often with a shameless tone of gratitude as if NATO forces are engaged in wiping out cannibals. In 2007 alone, NATO helicopters and precision guided munitions bombed and killed over six thousand "Taliban." Read the following recent attacks, which the NATO itself reports, and smell the scent of genocide:

On January 19, 2008, NATO launched a preemptive strike relying on "credible intelligence" that the Taliban were planning to mass on a NATO base. The attack killed two dozen "insurgents" in the Watapoor District of Kunar Province, though the exact number of casualties could not be confirmed because of the rough mountainous region. The world media reported that numerous civilians were killed and 25 bodies were buried in just one mass grave.

On January 12, 2008, NATO forces conducted what it calls a "precise strike" on a compound in Kapsia Province targeting Taliban leaders. NATO claimed that the civilians were cleared from the compound before the attack. The claim is absurd because any removal of civilians from the compound would have alerted the battle-hardened Taliban that an enemy attack was imminent.



On September 20, 2007, NATO forces launched "Operation Palk Wahel" to kill and remove the Taliban from an area in the Upper Gereshk Valley. Numerous civilians were killed. The evidence of the genocide was so obvious that NATO admitted that it "was unaware of civilians in the vicinity of the target and unfortunately it appears that a number of non-combatants were caught in the attack and killed."

The Law

The Convention on the Prevention and Punishment of the Crime of Genocide (entered into force, 1951) is binding on all states including the 26 member states of NATO. The Genocide Convention is jus cogens, the law from which no derogation is allowed. It provides no exceptions for any nation or any organization of nations, such as the United Nations or NATO, to commit genocide. Nor does the Convention allow any exceptions to genocide "whether committed in time of peace or in time of war." Even traditional self-defense - let alone preemptive self-defense, a deceptive name for aggression - cannot be invoked to justify or excuse the crime of genocide.

In murdering the Taliban, NATO armed forces systematically practice on a continual basis the crime of genocide that consists of three constituent elements - act, intent to destroy, and religious group. The crime, as defined in the Convention, is analyzed below:

**Act.** The Convention lists five acts, each of which qualifies as genocide. NATO forces in Afghanistan are committing three of the five acts. They are killing members of the Taliban. They are causing serious bodily harm to members of the Taliban. They are deliberately inflicting on the Taliban conditions of life calculated to bring about their physical destruction in whole or in part. Any of these three acts committed one time constitutes the crime of genocide. NATO combat troops have been committing, and continue to commit, these acts through multiple means and weapons.

**Intent to Destroy.** The crime of genocide is a crime of intent. It must be shown that NATO combat troops and the high command ordering these troops carry the requisite intent to destroy the Taliban. Mere negligent killings do not qualify as genocide. The statements of NATO's Secretary-General Jaap de Hoop Scheffer and those of NATO spokesmen leave no doubt that the NATO conducts military operations to "hunt and destroy" the Taliban. Preemptive strikes to kill the Taliban are sufficient proof that NATO troops and commanding generals have specific intent to destroy as many Taliban members as they can find. The weekly murderous planning and intelligence gathering to locate and eliminate the Taliban leaders and members further demonstrate that the killings in Afghanistan are not negligent, accidental, or by mistake. For all legal purposes, NATO's incessant and deliberate killings of the Taliban are powered with the specific intent to destroy a religious group.

**Religious Group.** The Genocide Convention is far from universal in that it does not protect all groups from genocide. Its protection covers only four groups: national, ethnic, racial and religious. (Political groups are not protected). The Convention does not require the complete eradication of a protected group as a necessary condition for the crime of genocide. Even part destruction of a protected group constitutes the crime. It is no secret that the Taliban are a religious group. (They may also qualify as a national (Afghan) or ethnic (Pushtun) group). The Taliban advocate and practice a puritanical version of Islam. The Convention does not demand that the protected group advocate and practice a form of religion acceptable to the West or the world. The questionable beliefs and practices of a religious group are no reasons to destroy the group. That the Taliban are armed or support terrorism or oppress women are unlawful excuses to commit genocide. (All reasons that Hitler had to murder Jews would be simply irrelevant under the Convention).

The Holding

It may, therefore, be safely concluded that NATO combat troops and NATO commanders are engaged in murdering the Taliban, a protected group under the Genocide Convention, with the specific intent to physically and mentally destroy the group in whole or in part. This is the crime of genocide.

\* Ali Khan is a professor at Washburn University School of Law in Kansas.



## Annex 3: Oxfam warns of humanitarian disaster in Afghanistan

Thursday Jan 31, 2008

[http://news.yahoo.com/s/afp/20080131/wl\\_uk\\_afp/afghanistanbritainaidngooxfam](http://news.yahoo.com/s/afp/20080131/wl_uk_afp/afghanistanbritainaidngooxfam)

LONDON (AFP) - Aid agency Oxfam warned Thursday of the risk of a humanitarian disaster in Afghanistan unless Western countries make a "major change of direction" in their strategy in the violence-scarred country.

In an open letter to Prime Minister Gordon Brown, the group said progress in improving ordinary Afghans' lives was being held back by increasing insecurity.

The flourishing drug trade and related criminality was among major factors threatening progress in the country, where NATO-led forces are struggling against a still-fierce insurgency some six years after the Taliban was ousted.

"As an NGO which has had operations and supported partners in the country for nearly 20 years, we urge you to support a major change of direction in order to reduce suffering and avert a humanitarian disaster," it said.

"There has been undoubted social and economic progress in Afghanistan, but it has been slow and is being undermined by increasing insecurity," wrote Oxfam International's director Barbara Stocking.

Setting out five key recommendations, she underlined the importance of reducing Afghan poverty, which she said was a major element fueling the insurgency.

"Afghans turn to narcotics, criminality, or even militancy, if they cannot feed their families. Military action addresses symptoms, not the underlying causes or conditions," she wrote.

Targetting aid more on rural areas was also important, she said, lamenting that "only a fraction" of international assistance supports agriculture and rural development.

She also singled out lack of coordination as a problem -- an issue highlighted by the withdrawal of diplomat Paddy Ashdown's bid for a new job as the UN's special envoy in the country, after Kabul blocked the move. "Too much aid is slow, wasteful, ineffective or uncoordinated.

"In light of the spreading insurgency and increasing Afghan dissatisfaction with the rate of progress, urgent action is required to achieve greater donor coherence and aid effectiveness," said the Oxfam chief.

The Oxfam warning came after two US reports said that insurgency-wracked Afghanistan will become a failed state if urgent steps are not taken to tackle worsening security and lacklustre reconstruction and governance efforts.

The Atlantic Council of the United States warned that civil sector reform "is in serious trouble," while the Afghanistan Study Group called for a new special envoy to coordinate all aspects of US policy there.

Southern Afghanistan has seen the worst violence since the Taliban were ousted from power in the US-led invasion in 2001 after the September 11 attacks masterminded by Al-Qaeda, whose leaders were given sanctuary by the Taliban



## Annex 4: Government Panel Gets It Wrong on Afghanistan Report on Afghanistan the latest example of Ottawa hiding the truth from Canadians

Published on Sunday, January 27, 2008

by Eric Margolis\*

<http://www.commondreams.org/archive/2008/01/27/6653/>

The report on Afghanistan delivered Monday by the Manley panel was deeply disappointing. Its totally predictable findings could have been written without the panel of instant Afghan experts wasting millions of tax dollars.

This whitewash was designed to provide political cover for the Harper government, which has hung its hat on the failing war in Afghanistan, and provide it an escape hatch if the kabob hits the fan. It's the latest example of the Liberals pathetic failure to demand Ottawa answer tough questions about the mess in Afghanistan.

Most disturbing, the report claimed continued military operations in Afghanistan, which has so far cost 79 Canadians dead and untold billions, were necessary to "enhance" Canada's international influence. Two days later, another Canadian soldier died in action.

As one who spends half his time abroad, I can attest that Canada's military role in Afghanistan is virtually unknown to Americans, save occasional pats on the back to the Harper government from Bush administration officials. Many Americans can't find Canada, never mind Afghanistan, on the map.

In Europe and Asia, most people regard the Afghanistan conflict as a 19th century-style colonial war over future oil pipeline routes, and NATO's role there the result of severe arms-twisting by Washington. That's why most NATO troops are kept out of combat.

Canada's position as one of the world's most respected, admired nations has nothing to do with its military role in Afghanistan. Quite the contrary.

### RASH BLUNDER

Ottawa's rash blunder into a tribal civil war in Afghanistan, and one-sided policy in the Mideast, have put Canada squarely in the gun sights of violent anti-western groups, and make it appear an eager spear carrier in the Bush/Cheney wars in the Muslim world. Every bombed Afghan village breeds new enemies for Canada.

Ottawa is hiding the full truth about Afghanistan from Canadians. Our flag-waving media has further obscured the facts.

When did we last see a report filed from the side of the Taliban and its growing number of allies?

The report's claim that Afghanistan's U.S.-imposed regime is "democratic" is absurd. CIA "asset" Hamid Karzai was installed by Washington and is kept in power by U.S. troops and a stream of cash payoffs to drug-dealing tribal chiefs. His rigged "election" was supervised by U.S. troops and bought with \$100 bills.

Afghanistan's so-called "national army" is made up of U.S.-paid mercenaries. The "army" does not need more training, as Manley claims. It needs loyalty to a legitimate national government — which does not exist. Half of Afghanistan's population, the Pashtun tribes (source of Taliban), has been largely excluded from political power. Until included, there will be no stability, never mind democracy.

Ominously, the war is spreading into Pakistan. Canada is backing Musharraf's dictatorship in Pakistan while claiming to be fighting for "democracy" in Afghanistan.

The report soft-soaped government corruption. It ignored the 800-lb. gorilla in Kabul: Senior government officials up to their turbans in the heroin trade. Canada, the U.S. and NATO find themselves patrons of the world's leading narcostate, which supplies 90% of the world's heroin and runs on drug money.

The drugs are exported through Pakistan, another key western ally. Taliban eliminated the drug trade before being overthrown.

Most important, Manley's report completely ignored the biggest problem of all. Canada has no political objective in this aimless war beyond making high-ranking Ottawa officials feel self-important at NATO meetings.

The Karzai regime, which rules only Kabul, would not last a week without western troops. There is no prospect of national political consensus until the Taliban and its allies are brought into the process. The reborn Afghan Communist Party is again a dominant influence in Kabul, including running torture prisons to which Canada had, until recently, been sending captives.



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Canada is not being ennobled by this sordid, ugly, drug-fueled war. Its honour and reputation are being injured, its security endangered.

The Manley report is the political equivalent of a subprime mortgage. It does the nation a disservice.

*\* Eric Margolis writes a regular column for the Toronto Sun.*