Norwegian Ministry of Foreign Affairs and
Ministry of Defence

Official Norwegian Reports NOU 2016: 8

A Good Ally: Norway in Afghanistan 2001–2014

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To the Minister of Foreign Affairs and Minister of Defence

On 21 November 2014 an independent commission (The Norwegian Commission on Afghanistan) was established by Royal decree. Its task was to evaluate and extract lessons from Norway's civilian and military involvement in Afghanistan during the period 2001–2014

The commission hereby submits its report. The commission is unanimous in its recommendations.

Oslo, 6 June 2016

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Preface to the English edition

This English translation of the report of the Norwegian Commission on Afghanistan is the result of the work of Ms. Carol Eckmann, Mr. Darren McKellep and Ms. Alison Coulthard of Oversetteralliansen, in cooperation with head of secretariat Dr. Paal Sigurd Hilde and commission members Prof. Gunhild Hoogensen Gjørv, Dr. Gro Nystuen and Dr. Astri Suhrke. Ms. Pauline Savage copy-edited the translated document with support from commission member Prof. Mats Berdal. The commission is grateful to the above-mentioned for their efforts.

Some adjustments have been made to the Norwegian version. Most notably, the figures with timelines have been removed from chapters 3, 7 and 8. Several minor errors have been corrected and small adjustments made to the text in some chapters, including the addition and deletion of footnotes.

Great care has been taken to produce a fluent English text that remains faithful to the Norwegian original. However, the Norwegian document, which was approved by all commission members, remains the authoritative version.

Oslo, February 2018

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Chapter 1
Summary

Despite more than fifteen years of international effort, the situation in Afghanistan remains discouraging. Militant Islamist groups still have a foothold in parts of the country and the Taliban are stronger now than at any time since 2001. Ongoing hostilities continue to undermine the potential for economic and social development, threaten to reverse whatever progress has been achieved and weaken the opportunity to build a stable, functioning, democratic government. Political and social changes initiated externally have been supported by Afghan reformist groups, but have met resistance from conservative, religious and nationalist forces and various local powerbrokers.

Overall, Norway's contribution did not make a significant difference to the international mission in Afghanistan. There were clear limits for what could be achieved in the situation, although there was some scope for independent action on Norway's part. Norway pursued its own priorities to the extent that it could, but made little attempt to influence the approach of its allies.

The Norwegian government had three overarching objectives for its engagement in Afghanistan, presenting it as a battle fought together *with* the US and NATO, *against* international terror and *for* a better Afghanistan. The first and most important objective throughout was the Alliance dimension: to support the US and safeguard NATO's continued relevance. Norway largely achieved the objective of confirming its role as a solid and reliable ally. The second objective was to support the international fight against terror by preventing Afghanistan from once again becoming a safe haven for international terrorist activities. The 'war on terror' was controversial and this objective was only partially achieved. The third objective was to help build a stable and democratic Afghan state through long-term development cooperation and peace diplomacy. This objective was not reached. Afghanistan's formally democratic institutions are fragile and the war continues. International and Norwegian aid produced results in certain areas, such as health and education. However, Afghanistan has become one of the world's most aid-dependent countries and the influx of aid has contributed to widespread corruption.

Three aspects of the engagement have stood out as most central to the Norwegian effort. The first of these, which was the largest and most high-profile aspect, was the involvement in Faryab province in northern Afghanistan. The second was the joint activities of the Norwegian special forces and the Norwegian Intelligence Service, whose engagement in Kabul beginning in 2007 was particularly important. The last aspect was an active pursuit by Norway of diplomatic efforts to promote a political solution to the conflict. Neither Norwegian attempts nor those of others to negotiate a settlement were successful, but Norway established contact with the Taliban at an early stage and influenced thinking in favour of a negotiated solution to the conflict. Both Norway's peace diplomacy in this area and the activities of the Norwegian special forces and Intelligence Service played a particularly important role in strengthening Norwegian relations with the US.

Norway's involvement in Afghanistan was challenging. It entailed great risk to deployed personnel, as well as extensive expenditure of civilian and military resources. Given the difficult circumstances, Norwegian civilian and military personnel performed well.

1.1 Policy frameworks and costs

The international military presence in Afghanistan from 2001 had a legal basis in the right of self-defence (Operation Enduring Freedom, OEF), a mandate from the UN Security Council (International Security Assistance Force, ISAF) and, subsequently, the consent of Afghan authorities. Legal issues relating to the classification of the conflict in its various phases, the use of military force against criminals and the treatment of pris-

oners have, however, been problematic. At times, there has been uncertainty as to which international legal frameworks were applicable.

The international effort, including Norway's, to only a small degree incorporated an understanding of Afghanistan and local conditions, culture and patterns of conflict. State-building assisted by external actors – based on large-scale military activities, massive monetary transfers and weak local institutions – has proven very demanding. In Afghanistan, a society that by 2001 had already endured 23 years of war, it ultimately proved impossible.

The conflict and the international operation have been costly. The people of Afghanistan have suffered greatly. The number of civilians killed has increased year on year. Though there are no reliable figures for the human or monetary costs between 2001 and 2014, it is estimated that the number of people killed may exceed 90,000, including 3,496 international soldiers, over 23,000 Afghan military and police personnel, possibly 35,000 insurgents and nearly 30,000 Afghan and international civilians. The total related international military expenditure is estimated at more than USD 700 billion and international development aid at USD 57 billion.

The Norwegian contribution accounted for a very small proportion of the total resources spent and has correspondingly done little to change the country's overall development since 2001. Over 9,000 Norwegian military personnel served in Afghanistan from 2001 to 2014. Ten Norwegian soldiers lost their lives and many were seriously wounded. The Norwegian fatalities are named in Attachment 1. Norway spent roughly NOK 20 billion (USD 3.16 billion[1]) during this period, of which some NOK 11.5 billion (USD 1.83 billion) was for military purposes and NOK 8.4 billion (USD 1.33 billion) for civilian purposes. This amounted to approximately 0.26 per cent of the total international military expenditure and 2.3 per cent of the total official development assistance (ODA) contribution.

1.2 Three overarching objectives

The objectives and approaches employed in the Afghanistan operations have at times been internally inconsistent or contradictory. This helps to explain why objectives have only been partially achieved. Military considerations drove the agenda for state-building and development aid. The international coalition's strategy for combatting terror and insurgency prioritised short-term security goals, which enabled local power structures that were corrupt and abusive to become further entrenched. Moreover, the extensive international military presence generated a sense of occupation among some segments of the Afghan population, thereby strengthening the very groups that the military forces were combatting. These conditions also had ramifications for Norway's engagement.

As noted above, Norway had three overarching objectives for its activities in Afghanistan. These were achieved with varying degrees of success.

1.2.1 Relations with the US and NATO

The US has been the primary driving force in Afghanistan by virtue of its political weight and vast military and financial contributions. NATO as an organisation has not exercised active leadership, but the Alliance has played an important supportive role for the US in terms of force generation, has served as a forum for discussing strategy and has helped to confer international legitimacy on the operation. Overall, the various strategies and operational measures put forward by the US and NATO have not achieved the desired results on the ground.

The Norwegian military contribution did not influence the big picture in Afghanistan. The most important objective for Norway, however, was to maintain good relations with the US and help to ensure NATO's relevance. In the autumn of 2001 there was broad-based political agreement in Norway to show solidarity with the US after the 11 September terror attacks. This domestic consensus lasted for the most part throughout the entire period until 2014. 'In together, out together' became the guiding principle for Norwegian efforts and, accordingly, the Norwegian military contributions were designed to demonstrate that Norway was a reliable and loyal ally. Decisions made by Norway to limit its role, such as not deploying to southern Afghanistan, did not have serious or lasting consequences for its relations with the coalition or its standing in NATO.

1.2.2 International coalition against terror

In addition to providing support to its most important ally, Norway decided early on to priori-

[1] Using an exchange rate of 6.3 NOK per 1 USD, an estimated average for the period.

tise the US-led 'war on terror', which was triggered by the attacks on the US on 11 September 2001. The government's objectives were twofold: to participate in a combined international effort against a common threat and to defend its own national security.

The 'war on terror' quickly became controversial, however. The US intervention in Iraq in 2003, combined with repeated revelations about torture, abuse and violations of human rights in both Iraq and Afghanistan, provoked criticism, including in Norway. This was one reason why the second Bondevik Government chose to prioritise ISAF over OEF, and why the second Stoltenberg Government, which came to power in 2005, terminated Norway's participation in OEF.

1.2.3 State-building and development

Similar to the contributions of other countries to Afghanistan, a primary objective behind Norway's development assistance was to support the goal of building a democratic and, in the long term, well-functioning and economically independent Afghan state. ISAF's role was to provide the security that would allow for state-building. Norwegian military efforts within ISAF must therefore also be seen as part of the state-building project.

In comparison to the situation in 2001, when much of Afghanistan lay in ruins after decades of civil war, by the end of 2014 the international and Norwegian contributions could point to some positive results, particularly in the areas of health and education. However, when compared to the stated ambition of achieving peaceful democratic development, the results were nevertheless disappointing, not least when considering the significant resources invested in the project. The war continued with growing intensity, threatening to undo the results achieved.

Norway focused on three priority areas in its development cooperation: education, governance and rural development. In addition, Norway emphasised cross-cutting issues such as women, peace and security, as well as corruption and human rights. Within the limits imposed by the situation, Norway was able to achieve some results. However, criticism relating to a lack of coordination and the inadequate building of capacity at the local level also applies to Norway, despite Norwegian efforts to promote Afghan ownership and better coordination in international development assistance.

Norway's policy of a clear separation between civilian and military activities is, in principle, well founded in the desire to safeguard development aid projects from the armed conflict. This approach requires a high level of coordination, however, and the mechanisms for this were not adequately developed.

1.3 Three key areas

Three elements of Norway's engagement in Afghanistan stand out: the effort in Faryab, special forces and intelligence, and peace diplomacy.

1.3.1 Faryab province

The Norwegian-led Provincial Reconstruction Team (PRT) in Faryab was Norway's largest and most high-profile military contribution in Afghanistan. The province also received extensive Norwegian development assistance. The intention of the PRT model was to strengthen the Afghan central government's control in the provinces and to promote state-building and development. This task proved difficult, if not impossible. Norway's scope for independent action was limited, and what efforts they were able to make did not change the general developments in the province.

Norwegian authorities did not even manage to fully utilise the opportunities that did present themselves, although initiatives were taken at the local level. The Norwegian presence was insignificant, given the size of the province, and no cohesive Norwegian strategy was developed. It should be noted, however, that there were allies who invested greater resources in the other provinces and they were no more successful.

The Norwegian separation of civilian and military activities was not consistent with the strategy of counter-insurgency (COIN) operations, which from 2008 guided ISAF's approach to military and civilian cooperation. In the absence of clear guidelines, Norwegian PRT commanders were largely on their own in developing and conducting operations in Faryab. A training and mentoring project for local security forces was conducted, but it is uncertain how effective these efforts were. In general, however, the PRT model that became the ISAF instrument for stabilising the provinces did not measure up to expectations.

Many of the development projects appear to still be in place, particularly those with support from the local community. Their sustainability depends, however, on political developments and the security situation. Out of 117 Norwegian-funded schools in the province, the Commission

has received information regarding 77. As of the spring of 2016, activity was registered at 68 schools, with a total of approximately 50,000 pupils, of which 30,000 are girls.

1.3.2 Special forces and the Intelligence Service

The Norwegian special forces and the Intelligence Service developed close cooperation in Afghanistan. Together they made important contributions to the fight against terror and towards state-building. Their efforts came to be highly valued by the US and NATO, and they thus proved to be an important security policy instrument. Special forces activities in Kabul from 2007 were particularly important. The special forces were able to carry out clearly defined missions that focused on safeguarding Kabul and building up the Afghan Crisis Response Unit 222 (CRU 222), which today shares responsibility for maintaining security in the city.

Cooperation in Afghanistan reinforced Norway's cooperation with the US on intelligence, counter-terror and other special forces operations at the strategic, operational and tactical level.

1.3.3 Norwegian peace diplomacy

Norway's engagement in peace diplomacy helped to put dialogue between the parties on the agenda and led to close contact with Afghan authorities and the US. This involvement thus also benefitted Norway's foreign and national security policy. Over time, it became increasingly clear to many of the allies that a political solution to the conflict was necessary. By 2007 Norway had already begun paving the way for negotiations with the Taliban, in consultation with the Afghan president Hamid Karzai. Norway also actively worked towards influencing the internal processes in Washington until 2011, when the US first became open to the possibility of negotiating with the Taliban. Norway facilitated contact between the parties and conducted high-level meetings with the Taliban leadership, with a view to setting up Afghan peace talks.

Nonetheless, peace diplomacy yielded no concrete results. The motivations of the parties to the conflict and the countries in the region to either pursue armed offensives or seek negotiations changed over time in keeping with the evolving political dynamics in the region. There was little interest among coalition partners in negotiation in the early years when the Taliban were relatively weak. In later years, however, the desire for negotiation gained momentum as Taliban military capability and power increased. Though no breakthrough in peace negotiations resulted, Norwegian peace diplomacy nevertheless encouraged the idea of a negotiated peaceful settlement and established a network of contacts. Norway also participated in the Istanbul Protocol in an attempt to foster greater understanding between affected countries in the region.

1.4 Lessons learned

- As was the case in Afghanistan, future Norwegian involvement in conflict areas and fragile states will be conducted as part of international efforts in which others will set the overall framework. In principle Norway will always be free to choose not to take part. Such a choice may be difficult, however, when requests to participate come from NATO or the US, or when the UN asks for contributions towards enforcement measures as stipulated in Chapter VII of the UN Charter. The trade-offs entailed in making a choice must be publicly acknowledged and communicated.
- Interventions involving regime change, as in Afghanistan, drain resources and can foster even more conflict. Successful state-building during ongoing armed conflict is near impossible to achieve. International state-building efforts must be based on inclusive political solutions.
- Attempts to achieve a negotiated solution to the conflict must begin early. Norway has wide-ranging experience with such dialogue and is open to conducting talks with all parties. Norway therefore has a special responsibility to take the initiative in promoting negotiations.
- The current system of closed-door briefings for the Enlarged Foreign Affairs and Defence Committee and broad, open reports to the Storting (Norwegian parliament) should be improved. Whenever Norway engages in a conflict area, the government should inform the Storting more systematically of the intended objectives, means, anticipated results and experience as it goes along. Institutionalising such procedures will also provide a better foundation for an informed debate.
- Norwegian authorities must improve mechanisms for coordinating Norwegian activities in operations in conflict areas and fragile states. It is essential to establish a high-level coordina-

tion unit with responsibility for developing strategies and action plans, which must be approved at the political level. The activities of the coordination unit must have a greater strategic focus than was the case under the State Secretary Committee for Afghanistan. The unit must engage in a dialogue with relevant partners.

- Norway should not assume responsibility for integrated activities (state-building, development and security) on a large scale. Norway should instead be developing specialised expertise in areas where long-term needs are identified and clear roles are stipulated, within the framework of broader international, unified efforts.
- The Ministry of Defence and armed forces leadership must take an active role in formulating the mission to be carried out by Norwegian military commanders in international operations. This is particularly important in situations where the Norwegian approach deviates from guidelines in the international operation.
- The quality and impact of Norwegian development aid, as well as the administrative capacity required for effectively delivering it, must be given greater attention than is currently the case. The experience of Afghanistan indicates that a large volume of aid should not be an end in itself.

In Chapter 14 the Commission presents a number of further lessons learned.

Chapter 2
Introduction

In a letter to the UN Secretary-General dated 7 October 2001, the US stated that al-Qaeda had played a central role in the terror attacks of 11 September 2001.[1] The letter also stated that al-Qaeda was supported by the Taliban regime in Afghanistan and that the Taliban had refused to withdraw its support. In accordance with the article under the UN Charter on the right of individual and collective self-defence, the US and the UK launched military operations against both organisations. The military operation to combat al-Qaeda and remove the Taliban was soon expanded to an extensive international military and civilian engagement to build a new Afghan state. Military involvement continued in this form until 31 December 2014, when Afghan authorities took over the main responsibility for their own national security.

For Norway, the engagement in Afghanistan came to be its most comprehensive and costly international engagement since WWII, although the Norwegian contribution comprised only a small proportion of the overall international effort.

On 21 November 2014 the Norwegian government appointed a commission 'to evaluate and extract lessons from Norway's civilian and military involvement in Afghanistan during the period 2001–2014'.[2] The Norwegian Commission on Afghanistan carried out its activity for a year and a half, from 1 January 2015 to 1 June 2016. Two objectives have guided the Commission's efforts: first, to map all parts of the Norwegian engagement during the period and obtain the greatest possible insight into decisions taken by the Norwegian authorities in relation to these activities; second, to identify lessons that may contribute to the planning, organisation and implementation of future Norwegian contributions to international operations, civilian and military alike.

2.1 The Commission's analysis

The Norwegian government had three explicit, overarching objectives for its engagement in Afghanistan. The first and most important objective was the Alliance dimension: to support the US and help to safeguard NATO's relevance. The second objective was to help to combat international terror by preventing Afghanistan from once again becoming a safe haven for international terror activities. The third was to help to build a stable and democratic Afghan state by providing development aid and promoting a political solution to the conflict. Norwegian authorities portrayed the engagement in Afghanistan as a battle fought together *with* the US and NATO, *against* international terror and *for* a better Afghanistan.

The Commission assesses the various aspects of Norway's involvement against the backdrop of these objectives, by asking to what extent did Norwegian civilian and military efforts contribute to achieving these. Three elements of the Norwegian engagement stand out: the activities in Faryab province; the individual and joint efforts of the Norwegian special forces and Norwegian Intelligence Service; and Norwegian peace diplomacy efforts.

The historical overview focuses on the decision-making processes. The Commission has sought to identify important crossroads and to explain why some decisions were taken as opposed to others, as well as the degree to which there were genuine choices at hand. The Commission also assesses ramifications and identifies lessons learned with regard to future operations.

Given the breadth and comprehensiveness of the mandate, it has not been possible for the Commission to assess every task or factor in detail. The Commission has focused on presenting a cohesive picture of Norway's efforts in a Norwe-

[1] Letter dated 7 October 2001 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council', *S/2001/946*, 7 October 2001.

[2] The mandate of the Norwegian Commission on Afghanistan, presented in Appendix A.

gian and international context. The Commission recommends that consideration is given to initiating further studies and assessments of specific factors within both civilian and military activities.

Central to the Commission's review has been the question of Norway's scope for independent action. Although there were significant constraints on Norway's room for manoeuvre, there was also some cope for promoting specific ideals and interests. The limitations and opportunities inherent in this space will be an important consideration for all participants in this type of engagement, but will be especially critical for a small country. What opportunities did Norway have to shape and influence decisions concerning the international efforts? Were there contexts in which there was room for independent action that Norway did not exploit?

The Commission's analysis is based on two premises:

- Norway's involvement must be understood in a broader international and Afghan context.
- A retrospective analysis must distinguish between the opportunities that can be seen in hindsight and those that were viewed as possible at the actual point in time.

2.2 The Commission's work and sources

The Commission has held 21 plenary meetings. All or a subset of the Commission's members have visited Kabul, Washington, New York, Brussels and London. Hearings and interviews/talks with more than 330 persons have been held. These include current and former political leaders in Afghanistan and Norway, military officers, veterans and representatives of the civil service in Norway and several other countries, and representatives of NATO, the UN, non-governmental organisations and research institutions. The Commission has taken a broad approach to the hearings and has sought to ensure that as many relevant institutions and stakeholders as possible have been heard. None of the individuals consulted is named in this text, but a list is provided in Appendix B.

The Commission was granted wide-ranging access to comprehensive and, in part, classified written source material from, for example, Norway's National Archives, the Norwegian Ministry of Foreign Affairs, the Norwegian Agency for Development Cooperation (Norad), the Norwegian Ministry of Defence and the Norwegian armed forces, as well as from NATO and the UN. There has been such a great volume of source material that the Commission has had to prioritise certain parts of it. The Commission was also granted access to cabinet documents from the second Bondevik Government (2001–2005), the second Stoltenberg Government (2005–2013) and the Solberg Government (2013–2014), but did not have access to the minutes of cabinet conferences and of meetings of the Cabinet Subcommittee.[3] Some members of the Commission have had access to the minutes of meetings of the Enlarged Foreign Affairs Committee and, from 2009, of the Enlarged Foreign Affairs and Defence Committee.

The Commission was also given several classified briefings. Some of the material is sensitive, since it pertains to ongoing activity and may entail a risk to persons who have had certain roles. Certain aspects of the Intelligence Service's working methods must also be kept confidential.

The restrictions on access to information pose a problem. Viewed in the context of the overall access to information from written and oral sources, however, the Commission does not feel that these restrictions have had an impact on its reconstruction, analysis and conclusions.

The Commission's efforts have been greatly aided by three research assistants: Vårin Alme (for the entire period the Commission worked), Inga Nesheim (spring and summer 2015) and Ida Maria Oma (spring 2015). All graphics were designed by nyhetsgrafikk.no.

It is difficult to obtain reliable statistics in a war-torn country such as Afghanistan. Therefore, most of the figures in this Official Norwegian Report are uncertain. There is also uncertainty regarding the figures on Norwegian activities. The reason for this is partly because no statistics or overviews were recorded and also because it is difficult to compile an overview from detailed, complex quantitative data.

The Commission has asked Integrity Watch Afghanistan (Kabul), the Christian Michelsen Institute (Bergen) and the Royal United Services Institute (London) to compile some smaller reports and surveys. These reports will be made available electronically.

The Commission wishes to thank all those taking part in the hearings for their candour. The Commission has been very well received by the contracting authorities and all the others it has

[3] In Norwegian 'regjeringens underutvalg'. The Subcommittee consisted of the heads of the coalition parties.

contacted in its efforts, both in Norway and abroad. The Royal Norwegian Embassies in Kabul, Washington and London, as well as the delegations to NATO, the UN and the EU, organised valuable activities for the Commission.

Special thanks are due the Afghan authorities and everyone with whom the Commission met in Kabul in November 2015.

2.3 Structure of the report

The Commission's report consists of three parts. *Part I: Historical Overview* discusses the main features of Norway's engagement in Afghanistan as part of a larger, international effort. It tells the 'big story', in which the Commission discusses the developments in Afghanistan and in the international and Norwegian activities.

In *Part II: Topics* the Commission examines nine selected topics relating to Norway's engagement. Here the Commission discusses in more detail the 'small stories' within the big one. Even in this more thorough discussion, the Commission was not able to cover every aspect of the Norwegian engagement.

In *Part III: Reflections* the Commission summarises its assessments of the Norwegian engagement as part of the international effort. In this section the Commission discusses experience gained and lessons learned.

Part I
Historical Overview

Chapter 3
Afghanistan, the international community and Norway, 2001–2014

On 11 September 2001 nineteen al-Qaeda terrorists attacked iconic landmarks in the US. Nearly 3,000 people were killed, sending shock waves throughout the US and the rest of the world. Uncertainty and the fear of more attacks gripped much of the world in the weeks that followed. The following day, US President George W. Bush announced that the American people were at war. The enemy was not only those who had planned and carried out the attacks, he said, but also those who harboured them. Although no Afghans were directly involved in the acts, Afghanistan became the prime target of the US-led 'war on terror'.

Bush's declaration was the prologue to a massive international civilian and military engagement in Afghanistan, with the US exerting the most influence on the agenda. Norway's contributions comprised only a small part of the overall effort, and thus Norway largely had to work within a framework set by others. Nevertheless, there was some scope for independent action in designing its civilian and military contributions.

This chapter presents a general overview of the engagement in Afghanistan in the period 2001–2014, outlining the evolution of the broader international effort within which Norway's activities unfolded. The purpose is to contextualise the Norwegian engagement, with a focus on important choices the government made.

The Commission has divided the international engagement from 2001 to 2014 into four partially overlapping phases: an initial build-up phase with a 'light footprint' (2001–2003); a second phase with growing ambitions for state-building (2002–2006); a third phase dominated by increasing resistance (2006–2011); and a fourth phase of preparing for withdrawal by transferring responsibility to Afghan authorities (2010–2014). This division is based on a relatively widely accepted understanding of the changes in the approach to Afghanistan by the international community, and by the US in particular.

3.1 Norwegian objectives

The Norwegian government had three explicit, overarching objectives for its engagement in Afghanistan. The first and most important of these throughout was the Alliance dimension: to support the US and safeguard NATO's continued relevance. The second objective was to help to prevent Afghanistan from once again becoming a safe haven for international terror activities. The third objective was to help to build a stable and democratic Afghan state through long-term development cooperation and to promote a peaceful solution to the conflict. The emphasis on each objective varied over time. Overall, the Norwegian authorities presented the engagement in Afghanistan as a battle fought together *with* the US and NATO, *against* international terror and *for* a better Afghanistan.

Supporting the US and NATO was the most important objective during the Norwegian engagement. This was especially evident in the decisions taken by the Norwegian authorities regarding military contributions. However, Alliance commitments and Norway's bilateral relations with the US were also important factors in shaping Norwegian civilian efforts in both development assistance and peace diplomacy.

Early in the conflict, the Norwegian authorities gave high priority to supporting the US-led 'war on terror'. This was in response to concerns about new attacks, possibly on Norway, and a strong sense of the need to show solidarity with the US, Norway's foremost ally. After the military actions of 2001–2003 drove al-Qaeda and the Taliban leadership out of Afghanistan, there was less danger of the country once again becoming a safe haven. As a result, the focus on combatting international terror became too narrow a basis for justifying the continuation of a comprehensive Norwegian engagement in Afghanistan.

Figure 3.1 Map of Afghanistan and its provinces

The 'war on terror' quickly became controversial, partly because it was presented as a war on an unknown enemy without boundaries in time or place. The US attack on Iraq in 2003 eroded some of the initial sympathy for and solidarity with the US. Revelations of prisoner abuse at Bagram and other bases in Afghanistan, the establishment of the Guantánamo Bay detention camp in Cuba and prisoner abuse at Abu Ghraib in Iraq provoked further debate about the American methods being employed.

The security situation in Afghanistan in 2002–2003 appeared to stabilise fairly quickly. The Norwegian government began to attach greater importance to its third objective, state-building and civilian development. This objective became particularly important for the second Stoltenberg government, a coalition of the Labour, Socialist Left and Centre parties. In 2006 this government launched what it called a *taktskifte* (literally, 'change of pace') – a revised approach that emphasised the need for a significantly stronger Norwegian civilian effort in helping to build a democratic, independent Afghan state. When the security situation deteriorated dramatically towards the end of the period the Commission is assessing, despite the comprehensive international development aid programmes and military engagement, ambitions for the state-building project were reduced.

3.2 History and Afghanistan in 2001

For more than a thousand years, Afghanistan has been part of multiple civilisations with origins in, among others, Buddhist, Persian and Turkish cultures. The borders of today's Afghanistan were drawn in the late 1800s, based on the economic and strategic interests of the Russian and British empires. Many Afghan leaders have subsequently proven skilful at using the country's strategic significance to garner external political and financial support. Historically, revenues from foreign sources have been more valuable to the public finances than mobilising local resources.

The country emerged as a more prominent global political player after WWII. Afghan authorities capitalised on the rivalries between superpowers by playing both sides to gain economic and

political support. Eventually, Afghanistan itself was drawn into the Cold War, with serious ramifications for the country. The Soviet Union's invasion in December 1979 triggered a war lasting until February 1989 – nearly a whole decade. Throughout the course of these years, Afghanistan became an important stage for the power struggle between the US and the Soviet Union. The US provided weapons, money and equipment to Afghanistan via Pakistan to ensure that Afghan guerrilla warfare against Soviet forces was as effective as possible. With the dissolution of the Soviet Union in 1991, Soviet financial contributions to Afghanistan's President Mohammad Najibullah ceased and the Communist government collapsed.

But the victors of the coup – known as the *mujahideen* (people engaged in Jihad, a struggle) – could not agree on power-sharing in the country. A new, brutal civil war erupted in Afghanistan, pitting shifting alliances and ethnicities against one another.

The lawlessness in many parts of the country resulting from this war was the backdrop to the Taliban's gradual takeover of power from the mid-1990s. Much of the country's infrastructure lay in ruins and the people had little trust in their political leaders. Many felt that the Taliban regime offered more security than they had experienced during the *mujahideen* period (1992–1996). The Taliban's brutality, however, made the group unpopular with parts of the population, especially those in urban areas. The regime's leadership was condemned internationally, particularly for its human rights violations (its treatment of women and inhumane enforcement of criminal law) and for harbouring international terrorists.[1] When the regime was toppled in 2001, Afghanistan was an impoverished, isolated country, with little in the way of functioning infrastructure or government administration.

Within a national context the Taliban's main opponents had been the Northern Alliance. While the Taliban had their strongest backing among rural Pashtuns in the south and east, the Northern Alliance found its primary support among other ethnicities, such as Hazaras, Tajiks and Uzbeks. These factions were led by warlords with different regional power bases and interests, but who presented a united front against the Taliban. During the Taliban period the Northern Alliance had cultivated relations with several foreign governments, including that of the US. After the withdrawal of the Soviet Union in 1989, however, the US did not much involve itself in Afghanistan. In the autumn of 2001 the Northern Alliance leaders had control over just a fraction of the country, mostly in the northeast. The alliance was further weakened when its main leader, Ahmad Shah Massoud, was assassinated by al-Qaeda just two days before the attacks on the US in September 2001.

The American attack on the Taliban regime in Afghanistan in October 2001 was not intended to be an invasion with large military units. Seeking to avoid the Soviet mistake of being drawn deeply into Afghan conflicts, the US authorities wanted a brief offensive with few forces and thus made the Northern Alliance their main ally. A large cash injection from the US government enabled significant militia forces to mobilise quickly. With support from the CIA, US air power and special forces, the militia captured first Kabul and then Kandahar. The Bonn conference in December 2001 formalised the new balance of power in Afghanistan and gave the Northern Alliance control of the most important government ministries.

3.3 First phase: the build-up – OEF and a 'light footprint'

The first phase (2001–2003) was marked by the US-led 'war on terror' and the military operations to defeat al-Qaeda and the Taliban. The political pillar of the Bonn Agreement supported the establishment of an interim Afghan administration and a *Loya Jirga* (Grand Assembly) that would elect a new national head of state and a transitional government, the Afghan Transitional Authority. The Assembly convened in June 2002 and elected Hamid Karzai as president.

The main actors, particularly the US and the United Nations Special Representative of the Secretary-General (UN SRSG) for Afghanistan, Lakhdar Brahimi, did not wish to become deeply involved in Afghanistan. The fall of the Taliban regime and the Bonn Agreement gave the Northern Alliance, as well as other warlords and militia leaders with established positions of power, a new opportunity to become part of the political development.[2] Several of these actors had been

[1] The UN Security Council imposed sanctions on the Taliban regime on 15 October 1999 – Resolution 1267 (1999) – and expanded these with Resolution 1333 (2000) on 19 December 2000.

[2] Sten Rynning, *NATO in Afghanistan: The Liberal Disconnect*, Stanford University Press, 2012, pp. 80-83.

accused of serious human rights violations and war crimes. Toward the end of this phase, the US scaled back military operations in Afghanistan and turned more of its attention to the Iraq War, which started with the US invasion in March 2003. Meanwhile, NATO assumed a larger share of responsibility for the military engagement in Afghanistan.

The UN Security Council, on which Norway held a seat as an elected member in the period 2001–2002, reacted quickly to the 11 September attacks on the US. On 12 September Resolution 1368 was adopted unanimously.[3] This resolution confirmed the US right to self-defence, but did not mention Afghanistan. Chapter 10 discusses the basis in international law for the subsequent operations.

NATO also swiftly expressed its support for the US. On 12 September the North Atlantic Council stated that it considered the attack against the US to be an attack on all NATO member countries and, for the first time in Allied history, invoked the Atlantic Charter's collective defence clause, Article 5. The decision was contingent on the attack having come from abroad, which NATO confirmed on 2 October. It was not clear how the Alliance was going to follow up the decision, however, so considerable uncertainty reigned at NATO Headquarters.

President Bush sought a quick, effective operation without the involvement of NATO.[4] The experience of coalition warfare in the Balkans just a few years earlier had shown that collaborating with Allied forces was time-consuming and politically complicated. However, for both political and practical reasons, it was impossible for the US to wage war in Central Asia alone. From a political perspective a greater number of countries supporting the operation brought increased legitimacy. The US had already won the support of the UK and invited other countries to take part in a 'coalition of the willing' if they could contribute militarily. Since Afghanistan is landlocked, all military movements would also be dependent on the consent, and preferably the support, of neighbouring countries.

Figure 3.2 On 11 September 2001 al-Qaeda terrorists hijacked multiple planes and attacked US landmarks. When New York's Twin Towers collapsed, nearly 3,000 people were killed.

Photo: Kelly Guenther/Polaris

The reaction in Norway to the terror attacks against the US was also strong. A few hours after the attacks, Prime Minister Jens Stoltenberg issued a press release extending his condolences to the American people and expressing Norway's willingness to contribute:

> 'This is an attack against the USA and the American people. But it is also an attack against open, democratic society. All democracies now have an obligation to join in an uncompromising struggle against international terrorism.'[5]

Like other countries in Europe, Norway implemented wide-ranging security measures to increase national security in the days following the terror attacks. The diplomatic missions of the Norwegian Ministry of Foreign Affairs around the world reported continually on international reactions to the attacks.

3.3.1 Change of government, decisions to contribute and opening an embassy in Kabul

In the autumn of 2001 there was broad political agreement in Norway to support the US after the attacks of 11 September. The Labour Party gov-

[3] UN Security Council Resolution (hereafter S/RES) no. 1368 (2001), 12 AS September 2001.

[4] Paul Wolfowitz stated the following about NATO's role at a NATO press conference, 26 September 2001: 'We think we had a collective affirmation of support with what they said with Article Five, and if we need collective action we'll ask for it. We don't anticipate that at the moment…We need cooperation from many countries but we need to take it in appropriately flexible ways'. Quoted in Sarah E. Kreps, *Coalitions of Convenience – US Military Interventions after the Cold War,* Oxford: OUP, 2011, pp. 95–96.

[5] Press release 173/2001, 'Statsminister Jens Stoltenberg om terrorangrepene i USA: – En ufattelig katastrofe' [Norway's Prime Minister Jens Stoltenberg on terror attacks in the US: 'An inconceivable disaster'], regjeringen.no, 11 September 2001.

ernment, losers of the Norwegian parliamentary election of 10 September 2001, signalled early on that Norway, as a member of NATO, would contribute to the 'war on terror'. A week after the attacks, outgoing Prime Minister Jens Stoltenberg pledged 'Norway's full support, both politically and practically, to US actions to combat terrorism'.[6]

Meanwhile, there was considerable uncertainty as to how the US would respond and what would be expected militarily from its European allies. In preparation for potential requests from the US, the Norwegian government assessed over the course of a few weeks what kind of military contributions it could make.

On 7 October 2001 the US, together with the UK, launched Operation Enduring Freedom (OEF). President Bush's original plan was a brief military action to find those responsible for the attacks on the US and to deter other regimes that harboured terrorists with international ambitions. At the time, the US had no plans for a comprehensive state-building project.

When Norway's new coalition government, led by Kjell Magne Bondevik, took office on 19 October 2001, the US had not yet requested Norwegian assistance. This new government, too, considered security policy relations with the US and NATO to be of major importance and sought to contribute as quickly as possible. Minister of Defence Kristin Krohn Devold later said, 'It was important to signal our support to the Americans by deploying forces quickly. To be relevant, we needed to be over there by Christmas.'[7]

Concerns began to emerge in the civil service that Norway was late in offering help. In a memorandum to its minister on 15 October, the Ministry of Defence stressed that Norway had a 'very low military profile' in the ongoing international struggle against terror. Several countries, including the UK, France, Canada, Australia and Germany, had already provided or offered forces to OEF. The memorandum stated: 'The low military profile may become a political problem in relations with both NATO and the US, and furthermore may lead to limitation in our access to information about Operation Enduring Freedom.'[8] The first formal US request for Norwegian military contributions came in mid-November and was for air transport for UN humanitarian efforts. At this point, thirteen other countries, ten of them NATO members, had already offered the US specific support for OEF.

On 8 November Prime Minister Bondevik addressed the Storting (Norwegian parliament), portraying the terror attacks against the US as a declaration of war 'against the international rule of law, against international cooperation, against free and open society, against tolerance and against human dignity itself'.[9] He stressed there was a broad political consensus in Norway to support the US 'war on terror'. Internally within the coalition government, however, there were tensions. Minister of Foreign Affairs Jan Petersen and Minister of Defence Kristin Krohn Devold (both from the Conservative Party) saw bilateral relations with the US as a fundamental political priority that made it incumbent upon Norway to contribute militarily to the US as quickly as possible.[10] The Christian Democratic and Liberal parties preferred a more cautious approach. These tensions within the coalition government became palpable two years later when the US asked Norway to contribute to the war effort in Iraq.[11]

On 30 November 2001 the Enlarged Foreign Affairs Committee held a closed meeting in the Storting on potential military contributions to Afghanistan.[12] The Progress and Socialist Left parties stated that the decision to offer forces was so important that the Storting had to debate it in open session. Thus on 5 December Minister of Foreign Affairs Petersen and Minister of Defence Krohn Devold gave an open address to the Storting. As soon as political agreement was reached,

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6 'Motangrep i Norges interesse' [Counterattack in Norway's interest], *Aftenposten*, 18 September 2001.

7 John Inge Hammersmark, *Utviklingen av norske spesialstyrker* [Development of Norwegian special forces], Master's thesis at Norwegian Defence Command and Staff College, 2010, p. 54.

8 Memorandum from the Ministry of Defence II (second department, security policy) to Minister of Defence, 'Mulig norsk ubåtstøtte til stanavformed/stanavforlant' [Possible Norwegian submarine support for STANAVFORMED/STANAVFORLANT], 15 October 2001.

9 Prime Minister Kjell Magne Bondevik, 'Redegjørelse om situasjonen etter terrorangrepene mot USA' [Address on the situation after the terror attacks on the US], regjeringen.no, 8 November 2001.

10 Commission hearing, 19 October 2015.

11 Commission hearing, 21 October 2015.

12 Case processed 30 November 2001 in the Enlarged Foreign Affairs Committee and brought before the Storting […], 'Afghanistan. Mulige norske styrkebidrag.' [Afghanistan: Potential Norwegian military contributions], stortinget.no, 5 December 2001. See also memorandum from the Ministry of Defence to the Minister of Defence, 'Mulige militære bidrag til operasjon enduring freedom/humanitær støtteoperasjon og eventuell internasjonal sikkerhetsstyrke i Afghanistan' [Potential military contributions to operation Enduring Freedom/humanitarian support operation and possible international security force in Afghanistan], 26 November 2001.

the Norwegian armed forces acted quickly and made a variety of high-profile contributions, including a C-130 transport plane and F-16 fighter aircraft, as well as forces with specialities in which Norway had comparative advantage, such as mine-clearing and special forces with winter and high-altitude experience. Norway's military contributions are discussed in Chapters 4 and 5. Although Norway was relatively late in submitting a specific offer in the autumn of 2001, forces were on the ground in Afghanistan quickly once the decision was taken.

While the Norwegian government was discussing military contributions to Afghanistan, the Ministry of Foreign Affairs established the first Norwegian Embassy on Afghan soil in December 2001. (Up to that point, the Norwegian ambassador in Islamabad had dual accreditation to include Afghanistan.)

Natural disasters and the long civil war had left over five million Afghans in need of emergency aid, and emergency stockpiles were at risk of depletion or of being looted. The Norwegian Embassy in Kabul was to assist in dealing with this humanitarian crisis. For many years the Norwegian authorities had been supporting Norwegian NGOs, such as Norwegian Church Aid and the Norwegian Afghanistan Committee, which carried out projects in both Afghanistan and Pakistan. Over the previous two decades, Norway had contributed approximately NOK 1 billion (USD 160 million) in humanitarian aid to Afghanistan, most of which was channelled via the UN. On 12 October 2001 Norway tripled its annual humanitarian assistance to Afghanistan to roughly NOK 300 million (USD 48 million).[13]

Early in 2001 the Norwegian Ministry of Foreign Affairs had agreed to assume the chairmanship in 2002 of the Afghanistan Support Group (ASG), the international donor group for humanitarian efforts. The Embassy was also to assist the Norwegian authorities in performing this task. The ASG chairmanship laid a good foundation for Norway to become an important civilian actor in the reconstruction of Afghanistan.

In its first reports about the opening of the Embassy in December 2001, the Ministry of Foreign Affairs emphasised the need for a long-term political solution in a country with enormous humanitarian needs and unresolved internal conflicts.[14] Chapters 6 and 7 discuss Norway's participation in development aid activities.

Figure 3.3 Prime Minister Kjell Magne Bondevik and Minister of Defence Kristin Krohn Devold on 8 November, before addressing the Storting on the situation in the wake of the terror attacks on 11 September. Norway was prepared to support the US in the 'war on terror'.

Photo: Knut Falch/SCANPIX

3.3.2 The Bonn process: the basis for a new Afghan state

The foundations for a new Afghan state and democratic institutions were laid at a major international conference held in Bonn from 27 November to 5 December 2001 under the auspices of the UN. The conference was attended by representatives from the international community, as well as 25 Afghan delegates from four main political groups, and negotiations began even before the Taliban had been defeated. The Taliban themselves were not invited: after the terror attacks, the US was unwilling to allow their inclusion; nor did the UN make much effort to invite them, due to pressure from the US and assumptions within the UN itself that moderates in the Taliban could be reached at a later juncture.[15] At the time there was also a question as to the extent to which the Taliban as a political movement would survive the military defeat. UN SRSG Lakhdar Brahimi and many others have looked back on this as a missed opportunity to achieve an early political solution.[16]

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13 All figures based on an exchange rate of NOK 6.3/1 USD. Proposition No. 8 (2001–2003) to the Storting on humanitarian aid in connection with the crisis in Afghanistan, regjeringen.no

14 Memorandum from the Ministry of Foreign Affairs HUM section to Minister of Foreign Affairs, 'Afghanistan. Humanitær bistand' [Afghanistan. Humanitarian aid], 1 October 2001.

15 Lakhdar Brahimi, 'A New Path for Afghanistan', *New York Times,* 7 September 2008.

16 Ibid., Commission hearings, 14 January and 29 April 2016.

Norway did not participate directly in the negotiations that led to the Bonn Agreement. Oslo followed the process closely, and Norway's Permanent Mission to the UN in New York had been reporting frequently on developments in preparation for the Bonn conference. The Norwegian authorities paid particularly close attention to the inclusion of traditionally important Norwegian policy areas, such as the rights of women and children.[17] The signed agreement was viewed in Norway and most other countries as a diplomatic breakthrough. The Norwegian Ministry of Foreign Affairs used the success in Bonn as a basis for asking international donors to contribute to the reconstruction of Afghanistan.[18] From the Norwegian government's perspective, state-building would be pivotal if efforts to combat terror were to succeed. The Bonn Agreement's three pillars – institution-building, security and development – clearly expressed the close link between the objectives of state-building and combatting terror.[19]

First pillar: institution-building

UN SRSG Brahimi stressed from the outset that the UN and the international community should have a 'light footprint' in Afghanistan. This meant that the Afghans themselves should lead the reconstruction, with aid from the UN and the international community. Unlike other international state-building projects of the time, such as in East Timor and Kosovo, the UN did not itself head a temporary civilian administration in Afghanistan.

The Bonn Agreement established an interim Afghan administration headed by Hamid Karzai, who was from a prominent Pashtun family in Kandahar. The agreement also stated that an emergency *Loya Jirga* would be convened to elect a new head of state and transitional government. Presidential and parliamentary elections were to be held within two years after the establishment of the transitional government. The assembly called for in the Bonn Agreement convened in June 2002. The international community, and especially the US, exerted heavy influence on the emergency *Loya Jirga*.[20] A number of such assemblies were held in the years that followed, intended to solidify the authorities' legitimacy among the people.

Many Afghan and international decision-makers, including UN SRSG Brahimi, believed that a centrally governed state was the preferable option. There was concern that, without it, local warlords would grow even stronger and, in the worst case, bring about a new civil war. Instead, the warlords were to be incorporated into the central governance apparatus. Information about the serious crimes committed by certain warlords was withheld by the United Nations Assistance Mission in Afghanistan (UNAMA), among others.[21]

It has been pointed out in retrospect that the choice of a centrally governed Afghan state combined with the continued existence of informal power structures gave rise to a number of problems in the state-building process. Former warlords appointed to positions in the government or parliament worked simultaneously to further their own interests and strengthen their alliances in the provinces. This enabled some of the Afghan central government's own members to oppose government policies through political manoeuvres that were beyond the control of the central authorities and international community. The president, too, increasingly manipulated complex national alliances in order to secure his own power base. All this undermined the broader processes of democratisation that the international community and Afghan reformers sought to implement.

Second pillar: security

The Bonn Agreement also had a security pillar. This was realised in the UN Security Council's establishment of the International Security Assistance Force (ISAF) in Resolution 1386 on 20 December 2001. ISAF was placed under UK leadership. The UK had originally accepted command for three months and the plan was for ISAF leadership to rotate between countries willing to assume responsibility. ISAF's mandate was to maintain

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17 Report from Norway's Permanent Mission to the UN, 'SR. Afghanistan. Res. 1419 vedtatt' [Security Council: Afghanistan. Res. 1419 passed], 26 June 2002.

18 Memorandum from the Section on Asian Affairs to the Coordination unit for Security Council, 'Uformelle konsultasjoner i Sikkerhetsrådet 12. juli om Afghanistan ledet av USG Prendergast' [Informal consultations in Security Council 12 July on Afghanistan, led by UN Under-Secretary-General for Political Affairs Prendergast], 12 July 2002.

19 Commission hearing, 13 November 2015.

20 Thomas Ruttig, 'The Failure of Airborne Democracy. The Bonn Agreement and Afghanistan's Stagnating Democratisation', *Afghanistan Analyst Network*, 2012.

21 Aziz Hakimi and Astri Suhrke, 'A Poisonous Chalice: The Struggle for Human Rights and Accountability in Afghanistan', *Nordic Journal of Human Rights*, 31(2) 2013, pp. 202–204.

security in Kabul and its surrounding areas, running in parallel with OEF. Since the Bonn Agreement's political objective was for Afghans to take responsibility for rebuilding the state, it was important for ISAF to assist in building competent Afghan security forces. In practice this did not become ISAF's most important task until 2010–2011; US forces had started training them earlier under OEF.

Third pillar: development

Over 60 countries and twenty international organisations endorsed the Bonn Agreement and the interim Afghan authorities. International donors pledged a total of USD 5.1 billion in development aid in Tokyo in January 2002.[22] The Tokyo conference was the first in a series of annual donor conferences in which the international community and Afghan authorities drew up guidelines and plans for development aid for the state-building project. By that point in time, Afghan Minister of Finance Ashraf Ghani had already sought to increase the amount of development aid that was being channelled through the Afghan government in the hope of strengthening its legitimacy and thereby enhancing stability in the country. Norway, as chair of the Afghanistan Support Group, argued in favour of giving the Afghan government the opportunity to administer the funds to the greatest possible extent. However, due to weak Afghan administrative structures and the desire of international donors for political visibility, nearly 80 per cent of the international aid funding was channelled outside the Afghan national budget. Chapters 6 and 7 discuss Norwegian humanitarian efforts and development aid.

A fragmented international effort

Inadequate coordination between the donor countries and Afghan authorities, weak formal Afghan institutions and the need of donor countries to increase their political visibility led to the fragmentation of international development aid early on. An example of the lack of cohesion in state-building is seen in the approach to the security sector. Five countries assumed responsibility for different sectors of the security structure: the US took charge of building up the Afghan army, while Germany dealt with strengthening the police force; Italy took responsibility for the legal system, the UK for counter-narcotics enforcement, and Japan was in charge of demobilising and reintegrating the armed militia groups. Most of these countries had no particular qualifications for dealing with their allotted sectors and there was little effort to coordinate their activities. Afghan authorities were thus often left out of fundamental processes relating to the building of their own state.

3.4 Second phase: state-building with rising military and civilian ambitions

The second phase (2002–2006) was dominated by political optimism and an increasing level of ambition for state-building in both military and civilian circles. The Norwegian public debate was also positive. The most difficult part of the military action appeared to be over and what now remained was reconstruction. As early as 5 December 2001, before Kandahar had fallen, Minister of International Development Hilde Frafjord Johnson stated in the Storting that 'the US and allies are in the process of winning the war in Afghanistan. Now we must do our best not to lose the peace.'[23]

During this phase NATO assumed responsibility for ISAF and the UN approved the expansion of ISAF to encompass all of Afghanistan. The instrument NATO chose for this expansion was the Provincial Reconstruction Team (PRT). International and Norwegian development aid increased. However, the reality on the ground during this period often belied the optimistic outlook. In 2002 and 2003 both the Norwegian Ministry of Foreign Affairs and the Intelligence Service reported troubling security developments and serious Afghan internal conflicts. These concerns were also shared by diplomats from the US and other countries.[24] After many years of civil war, local Afghans

[22] Co-chairs' Summary of Conclusions, 'The International Conference on Reconstruction Assistance to Afghanistan', mofa.go.jp, 21–22 January 2002; Afghanistan Ministry of Finance, 'Development Report', mofa.gov.af, 2010.

[23] Case discussed 30 November 2001 in the Enlarged Foreign Affairs Committee and brought before the Storting […], 'Afghanistan. Mulige norske styrkebidrag.' [Afghanistan: Potential Norwegian military contributions], stortinget.no, 5 December 2001.

[24] Report from the Embassy in Washington, 'Kampen mot terrorisme, lunsjsamtale med [kan ikke offentliggjøres]' [Combatting terrorism, lunch conversation with (identity cannot be disclosed)], 9 November 2001; reports from the Embassy in Kabul, 'Sikkerhetssituasjonen' [The security situation], 18 August 2002, and the Embassy in Kabul, 'Afghanistan. Situasjonen i Mazar-E-Sharif' [Afghanistan. The situation in Mazar-i-Sharif], 4 June 2002.

had little faith in local powerbrokers and, as it turned out, expectations as to what an international presence could accomplish were unrealistic.

3.4.1 NATO assumes ISAF command, ISAF expands and Norway leads a PRT

When the first Norwegian units began to operate in Afghanistan in January 2002, the US-led coalition had already achieved one of its objectives: the fall of the Taliban regime. The remaining objectives were to find Osama bin Laden, the leader of al-Qaeda, and to ensure that Afghanistan would never again harbour terrorists. Thus, Operation Enduring Freedom continued unabated into the spring and summer of 2002, particularly in southern and eastern Afghanistan. After the US invasion of Iraq in March 2003, however, the US had neither the time nor resources to continue the operation across all of Afghanistan. Meanwhile, NATO was increasingly recognising that rotating the leadership of ISAF was impractical: Turkey needed support from NATO during its command period and it was difficult to get allies to take charge of an operation that was not NATO-led. The leading ISAF-contributing nations of Germany, the Netherlands and Canada thus requested increased NATO involvement in Afghanistan.[25] This was to culminate in NATO taking responsibility for ISAF in August 2003.

In 2002 and 2003 ISAF was still a limited operation comprising roughly 5,000 soldiers, with a mission of stabilisation restricted to Kabul and its immediate environs. Norway's military engagement in Afghanistan in 2002 and the first half of 2003 was concentrated in OEF. The Norwegian contributions to ISAF in the same period were small. The initial Norwegian prioritisation of OEF must be seen in the context of NATO's decision to invoke Article 5: the government had strong national security interests to demonstrate solidarity with the US, its closest NATO ally.

Prior to the meeting on 16 April 2003 of the North Atlantic Council, during which the request for increased NATO involvement was to be discussed, Norway's policy was to support a stronger role for NATO in ISAF. The Norwegian government had been through a difficult domestic political debate on Norway's involvement in the Iraq War. In late autumn 2002 the US Embassy in Oslo had contacted the Norwegian Ministry of Foreign Affairs to request Norwegian military contributions to a war against Iraq. The discussion put relations in the coalition government under strain. The Conservatives believed Norway should contribute, arguing that rejecting such requests could have negative repercussions for relations with the US. The coalition partners, the Christian Democratic and the Liberal parties, and the opposition did not favour participation in an operation that lacked a UN mandate and was perceived as not being in accordance with international law.[26]

The Norwegian government saw NATO's leadership of ISAF as an opportunity to demonstrate NATO's relevance in the face of the unilateralism of the Bush administration and the difficulties in transatlantic relations that had arisen from the Iraq War in 2003. A NATO-led ISAF would enable Norway to contribute the 'war on terror'.[27] Norway therefore reinforced its military contributions in order to strengthen NATO and to try to prevent a 'coalition of the willing' from becoming the most attractive alternative for Washington.

For other European countries, too, contributing forces to a NATO-led, expanded ISAF operation represented an opportunity to maintain good bilateral relations with the US without deploying troops to the war in Iraq. Thus Afghanistan remained a common, relatively uncontroversial project.

According to the Ministry of Defence, NATO leadership of ISAF would make the efforts to promote security in Afghanistan more predictable.[28] The Alliance took on much of the responsibility for promoting stability and peaceful development in Afghanistan. There would no longer be talk of time-limited involvement of certain allies, but of a long-term commitment by all NATO member countries. The Norwegian Delegation to NATO also stressed that a failed NATO operation in Afghanistan would be harmful both for Afghanistan and for the future of the Alliance. The member countries, therefore, had to give high political priority to ISAF and set aside necessary resources for the mission.[29]

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[25] NATO, 'Press lines on NATO decision on support to ISAF', 16 April 2003. At the time, NATO countries were providing 95 per cent of the ISAF force.

[26] Commission hearing, 21 October 2015.

[27] Memorandum from the Ministry of Defence II (security policy) to the Minister of Defence, 'Norges styrkebidrag til operasjonene i Afghanistan' [Norway's military contributions to the operations in Afghanistan], 16 May 2003.

[28] Message from the Ministry of Defence to the Norwegian Delegation to NATO, 'Møte i NATOs råd 11. april 2003 – NATO støtte til ISAF' [Meeting of North Atlantic Council on 11 April 2003 – NATO support for ISAF], 11 April 2003.

Figure 3.4 ISAF headquarters in Kabul.

Photo: Torbjørn Kjosvold/Norwegian Armed Forces

3.4.2 Expansion of ISAF through PRTs

NATO assumed leadership of ISAF on 11 August 2003. At the same time, President Karzai requested an expansion of ISAF's mandate to apply outside the immediate Kabul area. UN SRSG Brahimi, who at the outset had sought a light international footprint, now also believed that ISAF should expand the geographical area of its operations. In many provinces former militia commandants either wrested power or were installed by US forces after the Taliban's fall.[30] Local conflicts made it difficult for humanitarian organisations to gain access to a civilian population in great need of help. A number of NGOs, several of which were Norwegian, sent letters to NATO ambassadors in 2003 and 2004 calling for NATO forces to be deployed out into the provinces of Afghanistan in order to provide security for their work.[31]

The solution was an expansion of ISAF through a number of Provincial Reconstruction Teams (PRTs), which initially were to consist of smaller military units and civilian elements. The main purpose of the PRTs was to help strengthen the Afghan central government's control in the provinces.

Expansion through the PRTs contributed to the fragmentation of the international effort. With an enlarged presence of international forces in the PRTs, the military increasingly set the terms for development aid and some military forces undertook aid activities directly. Each country approached the PRT concept in its own way, and many chose to invest large resources in 'their' respective provinces. As a consequence development efforts were not evenly distributed and often the most conflict-ridden provinces received more aid than the more peaceful areas. This created dissatisfaction and agitation among the populace, undermining the centralisation project supported by the international community. As the PRT structure grew, it minimised the UN footprint, overshadowing civilian efforts and contributing to a more military-oriented leadership of the international engagement. Chapter 8 discusses the PRT structure in more detail.

Norwegian assessments of participation in PRT

The Norwegian authorities sought to influence the shaping of the PRT concept in the North Atlantic Council. The model was only loosely defined, and NATO planned it as a flexible approach that could be adapted to the economic and resource-related requirements and aspirations of the different contributing countries.[32] The Norwegian authorities were concerned that the PRT concept would entail the armed forces carrying out development aid activities.[33] This was not something Norwegian authorities wanted; in their view, reconstruction and aid efforts required specialised competence that the armed forces did not possess.[34] The PRTs could lead to an unwelcome mix of military and civilian roles.[35] This in turn

29 Report from the Norwegian Delegation to NATO, 'Spørsmålet om fremtidig norsk deltakelse i Afghanistan' [The question of future Norwegian parcitipation in Afghanistan], 26 May 2003.

30 As Ahmed Rashid writes, they were 'a cheap and beneficial way to retain US allies in the field who might even provide information about al Qaeda'. Ahmed Rashid, *Descent into Chaos. The U.S. and the disaster in Pakistan, Afghanistan, and Central Asia*, New York: Penguin Group, 2008, p. 129.

31 Report from the Norwegian Delegation to NATO with attached letter from International Crisis Group dated 23 April 2004, 'Afghanistan. ICG oppfordrer NATO-landene til økte bidrag til ISAF' [Afghanistan. ICG encourages the NATO countries to increase contributions to ISAF], 28 April 2004.

32 NATO: 'Broad principles governing the operation of provincial reconstruction teams (PRTs) under a new United Nations Security Council mandate for an expanded ISAF', 14 October 2003.

33 Memorandum from the Ministry of Foreign Affairs, 'Afghanistans politiske dagsorden og NATOs fremtidige rolle' [Afghanistan's political agenda and future role of NATO], 16 September 2003, and Embassy in Kabul, 'NATOs overtagelse av kommandoen over ISAF' [NATO takeover of ISAF command], 13 August 2003.

34 Internal memorandum of the Ministry of Foreign Affairs, 'Afghanistan. Provincial Reconstruction Teams. Eventuell norsk medvirkning' [Afghanistan. Provincial Reconstruction Teams. Possible Norwegian involvement], 17 August 2003; Ida Maria Oma, *Small states and burden-sharing in allied operations abroad – the case of Norway in ISAF*, PhD-dissertation, University of Oslo, 2014, p. 66.

could threaten the security of humanitarian organisations and the humanitarian space (see Chapters 6 and 8). In the summer and autumn of 2003 the Norwegian authorities had been heavily criticised by humanitarian organisations for using development aid funding to finance a Norwegian contingent of military engineers to clear mines in Iraq. At the same time, the Ministry of Foreign Affairs pointed out that the PRT was the most relevant contribution to ISAF in the short term, one reason being that the training of an Afghan army and police force would be dependent on support from the PRTs.[36]

In the autumn of 2003 the Norwegian government advocated a unitary model for the PRTs and for NATO to change the designation to Provincial Stabilisation Teams, which would more accurately represent a process in which the military would provide the stability and security necessary for independent development through civilian efforts.[37] Norway's proposal won the support of several allies, but the concept of the PRT was already well-entrenched in the Alliance. Although the US had first introduced the model within the OEF framework, Germany in particular actively sought agreement to base the expansion of ISAF on the PRT structure. The Norwegian authorities in the end supported this decision.

When the request came for contributions to the PRTs, participation was viewed as part of Norway's obligations to the Alliance.[38] Norway had supported the ISAF expansion, for which the PRTs were a vehicle. The Ministry of Defence asked Norwegian Joint Headquarters to assess logistics capacity and medical services and to carry out threat assessments for several areas where PRTs were located, including Meymaneh, Jalalabad and Ghazni.[39] The armed forces gauged the provinces in the east and south as entailing the highest risk and, based on threat levels and logistics, they recommended participation in the north rather than south.[40]

The Norwegian Ministry of Foreign Affairs was positive about PRT participation, but emphasised the need for a clear separation between military and civilian tasks. An internal memorandum in the Ministry pointed out that, given the choice of contributing to the UK-led PRTs in either Mazar-i-Sharif or Meymaneh, the latter was preferable, since that province faced genuine security challenges.[41] Thus the Norwegian forces would be occupied with military tasks within its area of responsibility and would avoid, in the absence of other tasks, getting involved in development activities.[42] In the summer of 2003 the UK authorities reassured the Norwegian Ministry of Foreign Affairs that they did not consider reconstruction efforts to be a task of PRT military forces.[43] This may have helped to convince the Ministry of the usefulness of the PRT concept and of supporting a UK-led PRT.

On 6 May 2004 the Norwegian government announced that Norway would be contributing up to 30 soldiers to the UK-led PRT in Meymaneh, Faryab province.[44]

Norway takes over the PRT in Faryab

In 2003 the US had already begun to call upon allies to assume leadership responsibility for a

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35 Commission hearings, 18 May, 19 October and 28 October 2015. Report from the Embassy in Kabul, 'NATOs overtagelse av kommandoen over ISAF' [NATO takeover of ISAF command], 13 August 2003.

36 Internal memorandum of the Ministry of Foreign Affairs, 'Afghanistan. Provincial Reconstruction Teams. Eventuell norsk medvirkning' [Afghanistan. Provincial Reconstruction Teams. Possible Norwegian involvement], 17 August 2003.

37 Report from Norwegian Delegation to NATO, 'Foran ministermøtene i NATO: en Allianse i forandring. For mange utfordringer på samme tid?' [Prior to the NATO minister meetings: an Alliance in change. Too many challenges at once?], 25 November 2003; message from Ministry of Foreign Affairs to Norwegian Delegation to NATO, 'Afghanistan. Utvidet NATO-rolle. Instruks' [Afghanistan. Expanded NATO role. Instructions], 8 October 2003; Commission hearing, 12 November 2015.

38 Commission hearings, 19 October and 12 November 2015. Memorandum from the Ministry of Defence II (security policy) to the Ministry of Defence III (third department, defence policy), 'Strategi i Afghanistan 2006–2007' [Strategy in Afghanistan 2006–2007], 2 February 2005.

39 Message from the Ministry of Defence to Norwegian Joint Headquarters, 'ISAF – PRT', 15 January 2015.

40 Report from the Ministry of Foreign Affairs, 'Afghanistan. Provincial Reconstruction Teams. Eventuell norsk medvirkning. Innspill' [Afghanistan. Provincial Reconstruction Teams. Possible Norwegian involvement. Input], 17 August 2003; Ministry of Foreign Affairs, 'Afghanistan. NATOs rolle. Norske holdninger' [Afghanistan. NATO's role. Norwegian viewpoints], 10 September 2003.

41 Internal memorandum from the Ministry of Foreign Affaris, 'Britisk, norsk og finsk PRT i Meymaneh – sivilt bidrag' [UK, Norwegian and Finnish PRT in Meymaneh – civilian contribution], 8 March 2004.

42 Report from the Embassy in Kabul, 'Sikkerhetssituasjonen i det nordlige Afghanistan og det britiske PRTs rolle – briefing for NATO-kretsen på den britiske ambassaden' [The security situation in northern Afghanistan and the UK-led PRT's role – briefing for NATO member countries at UK Embassy], 15 October 2003.

43 Report from the Embassy in London regarding PRT in Afghanistan, 17 July 2003.

44 Ministry of Defence press release 14/2004 'Norge styrker innsatsen i Afghanistan' [Norway strengthens its efforts in Afghanistan], 6 May 2004.

PRT. On several occasions in 2003, the EU Special Representative in Afghanistan Francis Vendrell and UN SRSG Brahimi also called for Norway to take responsibility for one of the PRTs. The Norwegian Ministry of Defence advised against this, as it would entail large costs in the form of personnel and materiel. Any future involvement in PRTs should, it said, be limited to participating in a unit that was under another country's command.[45]

In September 2004 the UK contacted the Norwegian authorities to propose that Norway assume responsibility for the PRT in Meymaneh. The ISAF expansion was fully underway, new PRTs had been established and the UK authorities were preparing to transfer soldiers and materiel to the south. Norway's military leadership remained critical of taking on such a responsibility, as it was not something Norway had ever attempted before and this, together with the cost, would make it very difficult to provide adequate forces for a PRT. Although the security situation in the north in 2004 was considered to be better than that in Kabul, Norwegian Joint Headquarters stressed that this could change if the establishment of a PRT began to challenge 'conditions regarding smuggling, narcotics production and the power structures of local warlords'.[46] Having individual responsibility for a province would make it difficult for Norway to withdraw from the mission, should this become necessary.[47] Joint Headquarters instead recommended continuing the efforts in Kabul, as discussed in Chapter 4.[48]

Despite the military's clearly expressed view, the government decided that Norway would take command of the PRT in Meymaneh. Norway's initial force was a smaller military outfit than Joint Headquarters had recommended. The view of the Ministry of Defence was that Norway would have to 'contribute constructively to the expansion of ISAF by participating in a PRT and to other capacities needed for NATO to succeed'.[49] By taking leadership of a PRT, Norway could demonstrate its clear support for NATO.[50] The desire to maintain good bilateral relations with the UK also played a part in the decision.[51]

The requests to take over a PRT coincided with Norway's developing plans to pull out of OEF and concentrate its efforts on ISAF.[52] It would have been possible at the end of 2003, once the Norwegian special forces had been withdrawn (see Chapter 5), to interpret Norway's efforts as diminishing. Contributing forces to a PRT was a means of remedying this.

3.4.3 Change of government

The 2005 parliamentary election in Norway led to a change of government, with a new coalition headed by Jens Stoltenberg that consisted of the Labour Party, the Socialist Left Party (SV) and the Centre Party. With the Socialist Left now in government rather than in opposition, some of the more heated public criticism of Norwegian military involvement in Afghanistan subsided. This was one reason as to why no serious objections were raised regarding governmental support for participation in ISAF and for NATO, even though opinion polls showed that the public was divided on whether Norway should remain engaged militarily in Afghanistan (see Chapter 11).

Norway's military participation in Afghanistan was a source of internal discord within the Socialist Left and of tensions within the second Stoltenberg government. When in opposition the Socialist Left had criticised OEF and what the party termed a US 'war of aggression' in Afghanistan. It had, however, supported ISAF's stabilisation mandate. As part of the government coalition, the party therefore demanded that all Norwegian military activity be under ISAF. The phasing out of OEF contributions was formally set out in the new government's policy platform, known as the Soria

45 Memorandum from the Ministry of Defence II (security policy) to the Minister of Defence, 'Norges styrkebidrag til operajsonene i Afghanistan' [Norway's military contributions to the operations in Afghanistan], 16 May 2003.

46 Report from Norwegian Joint Headquarters to the Ministry of Defence, 'Forsvarsstabens vurdering av satsningsområde i Afghanistan' [Joint Headquarters assessment of area in Afghanistan], 27 August 2004.

47 Report from Norwegian Joint Headquarters to the Ministry of Defence, 'Forsvarsstabens presisering av forhold ved overtakelse av PRT Maymane' [Joint Headquarters clarification of conditions for taking over PRT Meymaneh], 12 November 2004.

48 Report from Norwegian Joint Headquarters to the Ministry of Defence, 'Forsvarsstabens vurdering av satsningsområde i Afghanistan' [Joint Headquarters assessment of area in Afghanistan], 27 August 2004.

49 Memorandum from the Ministry of Defence II (security policy) to the Ministry of Defence III (defence policy), 'Strategi i Afghanistan 2006–2007' [Strategy in Afghanistan 2006–2007], 2 February 2005.

50 Memorandum from the Ministry of Defence II (security policy) to the Minister of Defence, 'Sivil innsats i norskledet PRT i Meymaneh' [Civilian efforts at Norwegian-led PRT in Meymaneh], 20 December 2004; Oma, 2014, p. 81.

51 Oma, 2014, p. 79.

52 Memorandum from Norwegian Joint Headquarters to the Ministry of Defence, 'Informasjon om provinsial reconstruction team (PRT) i Afghanistan, og vurdering av eventuell norsk deltakelse' [Information on provincial reconstruction team (PRT) in Afghanistan, and assessment of potential Norwegian participation], 29 August 2003.

Moria declaration. The controversial aspects of how the US conducted international counter-terror were among the reasons why the second Stoltenberg government decided to terminate Norway's involvement in OEF.[53]

This was not a difficult decision for the government to reach. In practice the Norwegian authorities had increasingly focused more activity towards ISAF before the change of government in 2005. Despite reports from the Norwegian Embassy in Washington prior to the change of government that the US administration would express disappointment if Norway were to pull out of OEF in Afghanistan and Iraq, in actuality these decisions had little impact on bilateral relations.[54]

3.5 Third phase: insurgency escalates, a comprehensive approach and Norway's 'revised approach'

In the third phase (2006–2011) it became clear that the Taliban had once again built up significant military capacity with support from parts of Pakistan's security force. ISAF's expansion into southern and eastern Afghanistan was met with unexpectedly fierce opposition. Back in 2002–2004, US counter-terror operations in cooperation with local Afghan partners had already triggered resistance, which intensified in the years that followed.[55] A lack of coordination between civilian actors, combined with ever-larger sums of development aid, was creating serious problems of corruption and parallel bureaucratic power structures. The situation deteriorated as time went on. The UN remained marginalised and its activities were, in practice, constrained by the military agenda. Presidential and parliamentary elections were tainted by electoral fraud and deepened the growing pessimism among the Afghan population and international community alike. NATO began promoting a 'comprehensive approach' to involve more civilian resources and to limit expectations for the outcomes of purely military operations. Norway also intensified its civilian effort. The years from 2009 to 2011 were characterised by a surge in both military and civilian activity, inspired by US experiences in Iraq.

The expansion of ISAF's area of operations and the increased numbers of international and Afghan soldiers raised the level of conflict, first in the south and east and later in the north as well. The Taliban developed a parallel shadow structure of governors in the provinces. NATO called the escalating resistance to allied forces an 'insurgency'. Many Pashtuns in the south believed they were fighting an occupation by foreign forces. Furthermore, local conflicts were easily linked to the increasingly complex national conflict and given an ideological spin.[56]

The insurgency had support from neighbouring Pakistan. The Pakistani authorities wanted a regime in Kabul that they could influence, even if that regime also caused trouble on the Pakistani side of the border. Despite its complicated relationship with the Taliban, Pakistan therefore sought to keep the movement as a political actor. The Taliban used Pakistan as its main hub for strategic planning and training. More and more diplomats, journalists and decision-makers began to believe that the key to resolving the insurgency in Afghanistan lay in Pakistan. The Pakistani authorities and military still viewed Afghanistan as a strategic area where Pakistani forces could retreat in case of a war against India, and they disliked the increasing Indian presence in Afghanistan. The length of the Afghanistan-Pakistan border also made it easy for insurgents to cross without being apprehended.

As violence escalated and ISAF sustained ever more casualties, the US and NATO could no longer ignore Pakistan. In 2007 NATO discussed regional issues, with an emphasis on how to improve cooperation with Pakistan.[57] Pakistan was a nuclear power where elected officials did not necessarily have control of the insurgents or parts of the government administration. Thus it was difficult for the US and its allies to gauge how far Pakistan could be pressured before risking further destabilisation in the country. In the North

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53 Minister of Foreign Affairs' address to the Storting, 'Utenrikspolitisk redegjørelse av utenriksministeren' [Foreign policy address by Minister of Foreign Affairs], regjeringen.no, 8 February 2006.

54 Message from the Embassy in Washington, 'USA. Norge etter regjeringsskiftet. Irak, Afghanistan' [US. Norway after the change of government. Iraq, Afghanistan], 18 October 2005.

55 Astri Suhrke, *Eksperiment Afghanistan. Det internasjonale engasjement etter Taliban-regimets fall* [Experiment Afghanistan: The international engagement after the Taliban regime's fall], Oslo: Spartacus Forlag, 2011; Alex van Linschoten and Felix Kuehn, *An Enemy We Created –The Myth of the Taliban/Al Qaeda Merger in Afghanistan, 1970-2010*, London: Hurst & Co, 2014.

56 Mike Martin, *An Intimate War. An Oral History of the Helmand Conflict*, London: Hurst, 2014.

57 Report from the Norwegian Delegation to NATO, 'NATO, Afghanistan. Den regionale dimensjonen' [NATO, Afghanistan: the regional dimension], 14 July 2008.

Atlantic Council, Norway supported regional cooperation, which also included Iran.[58]

3.5.1 Comprehensive approach

In the spring and summer of 2006, ISAF carried out its first lengthy offensive operation, Operation Mountain Thrust.[59] The operation's objective was to drive out the insurgents and prepare the ground for ISAF to stabilise the area.[60] The operation lasted several months, encompassing a number of southern and eastern provinces. Several hundred insurgents were killed, but the effect was short-lived. The Taliban demonstrated a strong ability to withstand losses and to recruit new forces, including from among local inhabitants.

It was becoming more and more clear that economic and social development, along with a well-functioning government administration, were preconditions for success in defeating the Taliban. This was not a new insight. The importance of coordination between the civilian and military efforts for a successful outcome in Afghanistan was set out in the Bonn Agreement. Up to this point, however, it had been difficult to achieve, and international activities were, at times, internally conflicting. The UN Disarmament, Demobilisation and Reintegration (DDR) programme and the work on transitional justice, for instance, were in part undermined by the US arming of militias and warlords in order to fight the Taliban.

A 'comprehensive approach' was one of the main topics at the NATO summit in Riga in November 2006. The previous April, Norway had supported a Danish proposal for better coordination of civilian and military measures.[61] The proposal argued that the planning and execution of NATO military operations needed to include close consultation and coordination with other international actors, including the UN, the EU and NGOs. Norway's position was distinct from that of Denmark in that it placed priority on protecting humanitarian space and emphasised coordination not *by* NATO, but *between* NATO and various civilian organisations such as the UN and the EU. It was a stated Norwegian wish that NATO should not develop a strong, separate civilian dimension.[62]

The US eventually sided with this position. The declaration from the 2006 Riga summit stated that a 'comprehensive approach' was necessary, but did not specify how the Alliance should achieve this. The debate within NATO over a comprehensive approach revolved largely around relations between itself and the EU and UN respectively. The US, France and especially Turkey had different ideas about how close the cooperation with the EU should be. At the 2008 summit in Bucharest, NATO approved a framework for a comprehensive approach that was the product of internal compromises and that entailed far less commitment than the view promoted by Norway in 2006. The comprehensive approach, as it stood in 2008, mainly addressed the internal organisation of NATO rather than its relations to other external actors such as the UN and the EU.

Parallel to NATO's internal attempts to coordinate civilian and military tasks, the international community in Afghanistan sought to introduce the position of a high-level coordinator for the overall effort. President Karzai was against this, fearing that such a position would undermine Afghan ownership of the state-building process and the president's legitimacy among his people. The alternative was to strengthen UNAMA's coordinating role. UN Security Resolution 1806 of March 2008 set the stage for further expansion of UNAMA's responsibility for coordinating civilian efforts and for greater cooperation with ISAF. UNAMA was charged with assisting Afghan authorities in coordinating the activities of international donors in accordance with national development plans, such as the Afghanistan National Development Strategy (ANDS), and through coordination mechanisms such as the Joint Coordination and Monitoring Board (JCMB). See Chapter 6 for further discussion.

The Norwegian diplomat Kai Eide headed UNAMA in this restructuring phase. His task proved to be a very difficult one. Internal bureaucracy and political wrangling in the UN tied up scarce personnel resources at the UNAMA office

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58 Ibid.

59 Suhrke, 2011, p. 62.

60 Ibid.

61 Title of proposal was 'Concerted Planning and Action (CPA) – non-paper on possible ways ahead'. Report from Ministry of Foreign Affairs to Norwegian Delegation to NATO, 'Instruks vedr. dansk non-paper om sivil–militært samarbeid' [Instructions regarding Danish non-paper on civil–military cooperation], 3 April 2006.

62 Report from the Ministry of Foreign Affairs to the Norwegian Delegation to NATO, 'Instruks vedr. dansk non-paper om sivil-militært samarbeid' [Instructions regarding Danish non-paper on civil–military cooperation], 3 April 2006; from the Norwegian Delegation to NATO to the Ministry of Foreign Affairs, 'Dansk anmodning om norsk støtte til initiativ om samordning av Natos innsats i operasjoner med andre aktører' [Danish request for Norwegian support for initiative on coordinating NATO activity in operations with other actors], 23 March 2006.

in Kabul.[63] In addition, the number of actors to be coordinated was vast. The JCMB functioned poorly as a coordination mechanism. The donors primarily attended to their national priorities and desire for political visibility rather than demands for joint coordination under UN and Afghan authorities. The US was particularly sceptical of the UN's role. Even Afghan authorities considered ISAF, not UNAMA, to be the most important international decision-maker.[64] UNAMA stood in the crossfire between President Karzai and ISAF on issues regarding the exercise and control of military planning. It was difficult for UNAMA to strike a balance and, in practice, it became marginalised in the face of ISAF and US dominance. At the time, the Afghan government, UNAMA and ISAF had agreed to coordinate efforts in selected districts, but the problems in cooperation between these organisations undermined this ambition.

3.5.2 'Revised approach' ('taktskiftet')

Norway used the growing international attention on civilian efforts to showcase and promote the Norwegian civilian engagement. It became especially important to focus on the civilian effort at a time when the military campaign was failing. This was also the case within the coalition government, where the Socialist Left was dealing with agitation within its ranks over the war in Afghanistan. In his address to the Storting on 24 October 2006, Minister of Foreign Affairs Jonas Gahr Støre argued that a *taktskifte* ('change of pace') was called for in the international and the Norwegian effort.[65] A comprehensive strategy was needed that placed security, development and institution-building in the same overall context, together with the objective of promoting Afghan ownership. The Norwegian authorities attached particular importance to the UN's coordinating role and contributed financial support to the establishment of new humanitarian positions at the UNAMA office in Kabul.[66] In addition to maintaining Norway's military contribution, the civilian contribution was to be increased.[67] The government's signals regarding a revised approach were well-received by the political opposition in Norway.

As part of this revised approach to the civilian effort, the Norwegian authorities continued to increase development aid to Afghanistan. Eventually it became a stated government objective that financial expenditure for Norway's civilian support should equal that for military operations in Afghanistan.[68] In December 2007 the coalition government decided to increase its total development aid to Afghanistan to NOK 750 million (USD 119 million) annually, starting in 2008 and originally intended to apply for a period of five years. In contrast to the military effort, where disagreement reigned from the start, the government was easily able to agree on an increase in civilian funding. The decision was politically motivated and was not founded on assessments of the recipients' ability to make proper use of the aid or of the Norwegian authorities' capacity to administer it. Chapter 6 discusses the decision-making process and impacts of this increase in development aid.

A need also arose for better coordination between the different elements of Norway's military and civilian engagement in Afghanistan. This became particularly important after Norway took command of the PRT in Faryab in 2005.[69] In early 2006 the coalition government established the State Secretary Committee for Afghanistan, also known as the Afghanistan Forum, whose objective was to coordinate Norway's Afghanistan policy. Members of the committee were the state secretaries of the Ministry of Defence, Ministry of Foreign Affairs (from both the foreign affairs and international development sides), Office of the Prime Minister and Ministry of Justice.[70]

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63 Kai Eide, *Høyt Spill om Afghanistan*, [*High Stakes in Afghanistan*], Oslo: Cappelen Damm, 2010, p. 46; Commission hearing, 12 November 2015.

64 Rynning, 2012, p. 139.

65 Minister of Foreign Affairs' address to the Storting, 'Afghanistan. Norsk engasjement' [On the situation in Afghanistan and Norway's contribution], regjeringen.no, 24 October 2006.

66 Ministry of Foreign Affairs email, 'Afghanistan. Norsk støtte til UNAMAs humanitære koordineringskapasitet' [Afghanistan. Norwegian support for UNAMA's humanitarian coordination capacity], 11 January 2007.

67 Minister of Foreign Affairs' address to the Storting, 'Afghanistan. Norsk engasjement' [On the situation in Afghanistan and Norway's contribution], regjeringen.no, 24 October 2006.

68 'Bruker én milliard på Afghanistan-krigen' [Spending NOK 1 billion on Afghanistan war], article in Norwegian newspaper *Aftenposten,* 16 October 2011.

69 Liland Committee, 'Norsk helhetlig innsats i Afghanistan' [Norwegian comprehensive effort in Afghanistan], 2010.

70 Commission hearings, 28 October and 14 December 2015 and memorandum from the Ministry of Foreign Affairs to State Secretary Forum, 'Statssekretærutvalget for Afghanistan. Reise 2011' [State Secretary Forum for Afghanistan: 2011 trip], 14 July 2007; Ministry of Foreign Affairs 'Statssekretærbesøk til Afghanistan 26.–30. september' [State Secretary visit to Afghanistan 26–30 September], 20 May 2007 and memorandum from the Ministry of Foreign Affairs, 'Statssekretærutvalget for Afghanistan' [State Secretary Forum for Afghanistan], 11 December 2013.

A key component of the attempt to achieve a comprehensive approach in Norway was maintaining the principle of separation between military and civilian activities. The State Secretary Committee for Afghanistan, also called the Afghanistan Forum, held regular meetings and took several trips to Afghanistan up until January 2013, but it functioned mainly as a forum for information-sharing and less as an arena for discussing how to strengthen coordination between the different areas.[71]

3.5.3 Controversy over contributing in the south

The expansion of its mission in 2006 to include southern and eastern Afghanistan meant that ISAF, too, became part of the war effort. This affected Socialist Left support for Norwegian participation in ISAF. The apparent political agreement on concentrating military effort in the north gave way in 2006 to a debate as to whether Norway should participate in the south. Like most other NATO member countries, Norway was repeatedly encouraged, as well as more directly requested, to deploy forces to the south, where allies such as the UK, the US, the Netherlands, Denmark and Canada were sustaining heavy losses.

In the summer of 2006 the Ministry of Defence received several requests from NATO to transfer the Norwegian quick reaction force (QRF) from the north to the south. Based on consultation with the military, the Ministry recommended against complying, on the grounds that Norway needed this force in the north.[72] The Norwegian QRF provided daily support to the PRTs in northern Afghanistan, and the Ministry believed that the unit's absence would weaken the PRTs' capability to assist in stabilising the provinces. In addition, the QRF provided important support for Afghan security forces. The military and the Ministry further stressed that Norway had few forces and that it was important to concentrate them in a single area.

From the outset, Norway had declared that – unlike many ISAF countries – it had no national caveats restricting the use of Norway's military contributions throughout Afghanistan.[73] NATO headquarters, however, perceived Norway's most recent position as precisely that: a caveat on certain ways of using the Norwegian forces formally assigned to the ISAF Commander (COMISAF). ISAF was facing a combination of geographical expansion, a shortage of forces and a worsening security situation, and COMISAF therefore needed complete flexibility to relocate forces wherever needed. Norway's caveat was viewed as a complicating factor in planning Alliance operations, so NATO asked Norway to withdraw it.[74]

The perception within NATO that Norway was saying one thing and doing another was politically detrimental to the Norwegian government. In the view of the Ministry of Defence, repeated refusals to accommodate requests for military contributions in the south could erode NATO faith in the Norwegian authorities. Reports from the Norwegian Delegation to NATO also reflect frustration among Norwegian diplomats at not having clear answers for allies who found Norway's position confusing.[75] The Ministry of Defence thus recommended that Norway attach a *formal* caveat to the QRF. This would provide clarity for the Alliance and COMISAF would also know what he was dealing with.[76] Since NATO would see a formal caveat in a negative light, the Ministry recommended offering other kinds of forces to compensate for rejecting the relocation of the Norwegian QRF.[77]

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71 Commission hearings, 28 October and 14 December 2015.

72 Memorandum from the Minister of Defence to the coalition government's committee of party leaders, 'Spørsmål om norske bidrag til Sør-Afghanistan' [Issues regarding Norwegian countributions to southern Afghanistan], 14 September 2006; memorandum from the Ministry of Defence II (security policy) to the Minister of Defence, 'Regjeringsbehandling av bruk av hurtigreaksjonsstyrken i Nord-Afghanistan' [The government's decision on use of the quick reaction force in northern Afghanistan], 7 November 2006.

73 Memorandum from the Ministry of Defence II (security policy) to Minister of Defence, 'Regjeringsbehandling av bruk av hurtigreaksjonsstyrken i Nord-Afghanistan' [The government's decision on use of the quick reaction force in northern Afghanistan], 7 November 2006.

74 Letter from SACEUR to Norwegian Ambassador to NATO, 'ISAF CAVEATS', 20 October 2006.

75 Memorandum from the Ministry of Defence II (security policy) to Minister of Defence, 'Brev fra SACEUR angående begrensninger på styrkebidrag' [Letter from Supreme Allied Commander Europe (SACEUR) regarding limitations on military contributions], 25 October 2006.

76 Memorandum from the Ministry of Defence II (security policy) to the Minister of Defence, 'Regjeringeins sikkerhetsutvalg – håndnotater', utkast [The Government's Security Council – background notes, draft], 15 November 2006. [The Government's Security Council – background notes], 15 November 2006. 'Regjeringens sikkerhetsutvalg – håndnotater' [The Government's Security Council – background notes], 15 November 2006.

77 Memorandum from the Ministry of Defence II (security policy) to Minister of Defence, 'Regjeringsbehandling av bruk av hurtigreaksjonsstyrken i Nord-Afghanistan' [The government's decision on use of the quick reaction force in northern Afghanistan], 7 November 2006; memorandum from the Ministry of Defence II (security policy) to state secretary, 'Afghanistan. Norske militære bidrag' [Afghanistan: Norwegian military contributions], 8 December 2006.

Overview of the security situation in Afghanistan

Until 2011, the intensity of the conflict increased in line with the increase in the number of Afghan and international troops in the field. After the international withdrawal, the conflict escalated further. The civilian damage increased.

Security incidents 2008-2015

YEAR	TOTAL	Insurgents	Afg. forces	Int. forces
2008	9650	5714	3101	835
2009	13 247	8031	4106	1110
2010	21 155	13 020	5752	2383
2011	26 679	14 635	7033	5011
2012	20 228	10 896	7156	2176
2013	24 272	15 324	7521	1427
2014	26 064	17 233	8130	701
2015	26 425	18 958	7213	254

Source: International NGO Safety Office (INSO). INSO gathers information about security incidents from a range of sources in Afghanistan. The numbers are indicative.

Civilians killed and injured 2008—2015

	TOTAL	Killed	Injured
2008		N.A.	2118	N.A.
2009	5968	2412	3556
2010	7162	2794	4368
2011	7842	3133	4709
2012	7590	2769	4821
2013	8638	2969	5669
2014	10 534	3701	6833
2015	11 002	3545	7457

Source: UNAMA and OHCHR Afghanistan – Annual Report 2015 – Protection of civilians in armed conflict, February 2016

Number of Afghan security forces 2005-2014

	TOTAL
2005	65 000
2006	83 000
2007	102 260
2008	144 000
2009	190 000
2010	243 000
2011	305 000
2012	335 000
2013	332 000
2014	352 000

Sources: Reports to Security Council from Secretary General, from November 2004 to December 2008; NATO, Media Backgrounder ANSF, 2010 and 2012

Number of ISAF soldiers 2007-2014

	TOTAL	USA	Great Britain	Germany	Other	Norwegian soldiers
2007	33 000	14 750	6500	3000	8250	500
2008	47 600	17 790	8380	3220	17 790	420
2009	64 500	29 950	9000	4050	21 015	485
2010	119 819	78 430	9500	4590	26 799	500
2011	130 697	90 000	9500	5000	25 769	428
2012	129 469	90 000	9500	4701	24 753	515
2013	87 207	60 000	7700	4400	14 996	111
2014	44 299	30 700	3936	2250	7347	66

Source: NATO ISAF Placemats, force levels in July/August 2007-2014. These are the forces assigned to ISAF and may be lower than the total number of soldiers in the area of operation.

Figure 3.5 Overview of the security situation in Afghanistan

The deployment of special forces or F-16 to southern Afghanistan was suggested.[78]

In September 2006 the UK asked for Norwegian contributions to Helmand province in the south, where their forces were engaged in fierce combat. This request was the prelude to the most serious internal conflict in the coalition government regarding military contributions to the south.[79] The Chief of Defence felt that the Norwegian special forces would be a relevant contribution – they had the capacity NATO was requesting and were available – and so advocated their deployment.[80] The Labour and Centre parties viewed contributions to the south as a reasonable obligation to the Alliance and most of the opposition parties shared the same position.

Among the Socialist Left, however, there was great unwillingness to deploy forces to join what they considered to be a war of aggression in the south. At the time, the party had just endured a defeat to its environmental agenda for a full-scale CO_2 capture and storage facility at the Mongstad natural gas-fired power plant. Many believed the Socialist Left should have left the government in protest over this decision. Therefore, the UK request to deploy soldiers to the south, which attracted widespread attention in the media and within the Socialist Left, became a pivotal issue for them.[81] It would cause substantial strain to remain in the government if it was forced to accept yet another defeat. On 18 October 2006 the government announced that Norway would not be accommodating NATO's request to deploy forces to the south. Norwegian media portrayed this as a great victory for the Socialist Left.[82] The Labour Party emphasised that the decision was not taken on the basis of principle, but rather on an overall assessment of the Norwegian effort. Later that same year, a government document stressed that Norway in principle still attached no caveats to military contributions to ISAF.[83]

The government's discussion on deploying forces to the south did not end there, however. In the spring of 2007 the Norwegian authorities received several requests for military contributions to the south, including one to relieve Dutch forces in Uruzgan province, where the Netherlands led a PRT. The Ministry of Defence advised against this, citing operational considerations such as incompatibility between the Norwegian guidelines for civil–military separation of activities and the Dutch PRT approach.[84] Later that year, further requests were made for military contributions to Uruzgan.[85] Now the Ministry strongly recommended accommodating the request. Within the government, the Socialist Left vehemently, and successfully, opposed this. Although no formal decision was taken to introduce caveats based on principle, in the autumn of 2007 the internal debate on military contributions to the south ceased. The decision to continue with the special forces contribution in Kabul that same year – which the Socialist Left also wanted to terminate – may have eased the pressure from NATO requests for contributions to the south.

The government's decision to decline the allied requests for contributions to the south fuelled criticism from the political opposition. Many believed that Norway was damaging bilateral relations with its most important allies, especially the US and UK. However, the Commission has found no evidence that the decision had any significant ramifications for bilateral ties, but the Norwegian refusal did entail some short-lived friction at the political level in relations with the UK and the US.[86] The Norwegian view was that US authorities quickly put the issue behind them, while the displeasure of the UK authorities appeared to be somewhat more long-lived. The

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78 Memorandum from the Ministry of Defence II (security policy) to the Minister of Defence, 'Bruk av hurtigreaksjonsstyrken' [Use of the quick reaction force], 30 October 2006.

79 Memorandum from the Minister of Defence to the coalition government's committee of party leaders, 'Spørsmål om norske bidrag til Sør-Afghanistan' [Issues regarding Norwegian countributions to southern Afghanistan], 14 September 2006.

80 Memorandum from the Ministry of Defence II (security policy) to the Ministry of Defence III (defence policy), 'Vurdering av innretning på militære bidrag til internasjonale operasjoner og reaksjonsstyrker' [Assessment of military contributions to international operations and quick reaction forces], 1 November 2006.

81 'Norge sier nei til NATO' [Norway Says No to NATO], article in Norwegian newspaper *VG,* 18 October 2006; Commission hearings, 18 May, 21–23 June and 12 November 2015.

82 'Norge sier nei til NATO' [Norway Says No to NATO], article in Norwegian newspaper *VG,* 18 October 2006.

83 The Commission has had access to memorandums from cabinet meetings and the Government's Security Council.

84 Memorandum from the Ministry of Defence to the Chief of Defence, 'Mulig norsk engasjement i Uruzgan/Sør-Afghanistan' [Potential Norwegian engagement in Uruzgan/southern Afghanistan], 16 March 2007.

85 Memorandum from the Ministry of Defence to the Office of the Prime Minister, 'Samtale mellom Espen Barth Eide og statssekretær i det nederlandske forsvarsdepartementet Cees van der Knaap' [Talks between Espen Barth Eide and State Secretary of Dutch Ministry of Defence Cees van der Knaap], 23 August 2007.

86 Commission hearings, 18 May, 19 October and 13 November 2015.

Commission's UK sources have refuted this, however.[87] In both the military and civil service in the UK it was understood that domestic politics set limitations that were difficult to change. Norway compensated by providing special forces in Kabul, in addition to carrying out an important effort in the north. This softened the impression that Norway was being especially risk-averse or cautious.

In the overall NATO context, Norway's self-imposed caveats did not have long-term repercussions either. Nevertheless, NATO countries active in southern Afghanistan – primarily the US, the UK, Canada, the Netherlands and Denmark – formed an 'inner circle' regarding decisions on Afghanistan. Some of the academic literature has made a point of this.[88] Terminology such as 'a multi-tier NATO' and a distinction between the countries that were 'willing and able' and those that were not have been employed. According to these interpretations, the lack of Norwegian forces in the south relegated Norway to a marginal position in the Alliance. The significance of this distinction is exaggerated, however. The group of countries that were active in the south was important, but it also reflected a specific need for coordination between those countries. Similar groups for the other regional commands quickly arose as well. Norway was an active advocate of establishing a group comprised of the countries contributing forces in northern Afghanistan (RC North group), with Germany at the hub. This group never attained the same standing as the southern group. The significance of the RC South group applied specifically to Afghanistan and did not signal the emergence of any new inner core within NATO in general.

3.5.4 New US strategies: civilian losses, COIN and regional dimensions

The increase in the number of battles from 2006 was accompanied by reports of rising civilian casualties. NATO members were concerned that this would undermine support for ISAF among the Afghan people and in the countries contributing to ISAF.[89] Steadily closer cooperation between OEF and ISAF also led to media portrayal of the two operations as one and the same, despite their having distinct mandates and missions. Many ISAF member countries did not wish to be associated with the US counter-terror operation OEF.[90]

In June 2007 COMISAF General Dan McNeill issued the first tactical directive aimed at reducing the civilian toll.[91] But it was the US airstrike in Azizabad, Shindand, in August 2008 that truly put civilian losses on the international agenda.[92] The incident attracted a great deal of attention, and UNAMA, headed by Kai Eide, harshly criticised the international military engagement.[93] The incident raised awareness in ISAF of the repercussions that civilian casualties had on the operation in the form of increased resistance from the population it had promised to protect.

At the same time, Eide's criticism led to a collapse of UNAMA's balancing act between President Karzai and ISAF. A new initiative was needed, and it came with the inauguration of President Barack Obama in 2009 and a US administration that had not been involved in the strategic choices taken after the September 2001 attacks on the US. This was also an administration that had to answer to a war-weary US public. The new US administration quickly drew up a fresh Afghanistan strategy, presented first in the US, then at the NATO summit in April 2009 and finally at a conference in The Hague in the same month. The strategy focused on winning the Afghan people's trust, promoting state-building, fighting corruption and sealing the border to insurgents. Within this framework, General Stanley McChrystal, who was to assume command of ISAF from June 2009, introduced a new counter-insurgency (COIN) strategy.

McChrystal's approach was not a new one, but it was launched at a time when ISAF needed to burnish its reputation and demonstrate success on the war front. The strategy, approved by NATO in October 2009, was based on core principles of

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87 Commission hearing, 24 April 2015.

88 See e.g. Timo Noetzel and Benjamin Schreer, 'Does a multi-tier NATO matter? The Atlantic alliance and the process of strategic change', *International Affairs*, vol. 85, no. 2, March 2009, pp. 211–226; various chapters in Janne Haaland Matlary and Magnus Petersson (ed.), *NATO's European Allies: Military Capability*, Basingstoke: Palgrave Macmillan, 2013.

89 Message from Norwegian Delegation to NATO, 'NATO. Afghanistan. Sivile tap og forholdet ISAF-OEF' [NATO. Afghanistan. Civilian losses and the ISAF-OEF relationship], 15 May 2007.

90 Human Rights Watch, *The Human Cost – The consequences of Insurgent Attacks in Afghanistan*, April 2007, p. 3.

91 Centre for Civilians in Conflict, *Civilian Harm Tracking: Analysis of ISAF Efforts in Afghanistan*, 2014, p. 3.

92 UNAMA, 'Special representative Kai Eide on civilian casualties caused by military operations in Shindand, UNAMA', unama.unmissions.org, 26 August 2008.

93 Report from the Embassy in Kabul, 'Afghanistan. Sivile drap. Samtale med den amerikanske ambassadør Wood' [Afghanistan. Civilians killed. Interview with US ambassador Wood], 18 September 2008; '76 Civilians Die in Attack by Coalition, Afghans Say', *The New York Times,* 22 August 2008.

modern western thought on COIN. Its main premise was that insurgency is best combatted by convincing the broad majority of the population that their interests, in the long run, are best served if the authorities win. In theory, when the insurgents lose the popular support (which they need for concealment and supplies), they will eventually lose the war.

McChrystal's assessment of the situation in Afghanistan and the new COIN strategy highlighted two flaws in particular that the operation had to overcome in order to succeed: the strength of the insurgents and the lack of public faith in the central Afghan government. ISAF was to redouble its efforts to address both. Rather than letting civilian actors support military operations, the strategy revolved around integrating and coordinating the military operation with other actors in a way that took these weaknesses into account.[94]

The COIN doctrine, however, is based on a critical presumption that was inadequately met in Afghanistan: a counter-insurgency operation will never be better than the regime it supports. If the Afghan authorities were perceived by the people as a larger problem than the Taliban, the western military forces could do little to convince them of the opposite. In retrospect, there are many, particularly in the military in Norway, who have claimed that the inability of civilian actors to establish good governance in Afghanistan undermined the military side of COIN and caused the overall counter-insurgency effort to fail.[95] In other words, the main problem lay with civilian actors who proved themselves incapable of carrying out their part of COIN. Others say that the relatively short-term, externally driven state-building upon which COIN was predicated was impossible to implement and thus the doctrine as a whole was unachievable in practice.[96] Studies have concluded that short-term development aid efforts carried out by or in close collaboration with military forces have not had the anticipated stabilising or trust-building effect.[97] Instead, such aid often fans the flames of local conflicts, rekindles old conflicts or ignites new ones. The belief that international actors with little knowledge of local power alliances or local political economy could win the people's trust on behalf of a central government that had next to no legitimacy among its people was misguided from the outset.[98] The studies recommended, among other things, better coordinated and less comprehensive stabilisation activities in areas that require deep insight into local political and legal realities.

In addition, the insurgents had external support, particularly from Pakistan. This further weakened the foundation for successful counter-insurgency efforts based on the criteria described above. But the COIN strategy did help to achieve some positive results: greater focus on the population's views made military commanders more aware of the significance of civilian casualties. ISAF tactical directives placed restrictions on the use of air power and searches in private residences, which helped to reduce the number of civilians killed by international and Afghan forces.[99] This shift in military activity was part of McChrystal's broader initial assessment and the desire for an integrated campaign in which military operations would be framed in a larger diplomatic context.

The close link between civilian and military instruments clashed with Norway's policy. The 'Norwegian approach' stipulated a clear separation between civilian and military activities, something that was to be compensated for through close coordination of both activities, without one setting the terms for the other. This became an important political guideline in Faryab.

COIN was formally introduced and approved at a meeting of NATO defence ministers in Slovakia on 23 October 2009.[100] Evidence suggests that Norway and other allies were unapprised of the fact that COIN would be on the agenda.[101] COIN was introduced as an initiative by the US and it had already been implemented by the new COMISAF. Although the Norwegian authorities approved COIN on a strategic level at the meeting, in practice they declined to carry out COIN activities on the ground. This meant that Norway

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94 http://media.washingtonpost.com/wp-srv/politics/documents/Assessment_Redacted_092109.pdf?sid=ST2009092003140. The Commission has viewed the original NATO document.

95 Commission hearing, 19 June 2015.

96 Commission hearing, 2 September 2015.

97 Paul Fishstein and Wilder, 'Winning Hearts and Minds? Examing the Relationship between Aid and Security in Afghanistan', Feinstein International Center, January 2012.

98 Karl W. Eikenberry, 'The Limits of Counterinsurgency Doctrine in Afghanistan', *Foreign Affairs,* September/October 2013: "Protect the population' makes for a good bumper sticker, but it raises the question: Protect it from whom and against what? It certainly meant protecting the Afghan people from marauding Taliban insurgents. But what about criminal narco-traffickers, venal local police chiefs, or predatory government officials?'

99 Kai Eide, *Afghanistan and the US – Between partnership and occupation*, PRIO, 2015, p. 26.

100 Rynning, 2012, p. 62.

101 Commission hearing, 18 May 2015.

Figure 3.6 General Stanley McChrystal assumed ISAF command in June 2009 and introduced COIN, a new counter-insurgency plan. He is seen here at a November 2009 meeting with Norwegian Minister of Foreign Affairs Jonas Gahr Støre.

Photo: Ministry of Foreign Affairs

was not following the ISAF counter-insurgency strategy in Faryab, and thus the Norwegian PRT leadership was squeezed between the ISAF chain of command and Norwegian political guidelines. Chapter 8 discusses this in more detail.

Parallel to the introduction of COIN, McChrystal requested an increase in the military effort. This could be seen as paradoxical, given the importance ISAF was now attaching to civilian efforts in the stabilisation of Afghanistan. President Obama was willing to increase troop numbers significantly and to employ more drones and special forces. He balanced this by setting a specific date for drawdown and withdrawal. Obama's new strategy stressed the objectives of the Bonn Agreement to promote the responsibility of Afghans for their own development. Instead of relying on a long-term presence based on a comprehensive civil–military strategy, Obama chose a shorter transitional phase, when responsibility for security would be transferred to the Afghans. This decision was one of the factors that led ISAF to intensify its war effort in the time that was left. The downscaling of ambitions for state-building began in 2009. In November 2010 these were formalised at the NATO summit in Lisbon with the decision to terminate ISAF by the end of 2014.

Obama's strategy was in lieu of the politically impossible alternative: a strong US presence for an open-ended period. The truncated amount of time undermined McChrystal's approach, as well as the faith of Afghans in the international community's long-term commitment to their country. Obama's announcement of the exit strategy was viewed by many as a strategic blunder that gave the enemy the upper hand. The Afghan people had little confidence that the government in Kabul could stop the Taliban on its own.

3.5.5 Pakistan and regional dimensions

Alongside the new counter-insurgency strategy, newly appointed US Special Representative for Pakistan and Afghanistan Richard Holbrooke presented an approach in the spring of 2009 that emphasised the interconnections between developments in Afghanistan and Pakistan. The US 'Af-Pak' strategy emphasised that both Pakistan and other countries in the region had influence in Afghanistan, but it laid out few specifics as to how the downward-spiralling security situation should be handled.[102] Both Pakistan and Afghanistan were highly sceptical of the new US scheme.[103] It became difficult for the US to adhere to its stated intention of Afghan ownership while at the same time seeking a tighter grip on the region's political development. After harsh criticism from its own ranks (including the US Congress), Pakistani authorities and others, the Obama administration stopped using the term 'Af-Pak'.[104] The shift in US policy, however, did focus greater international attention on the significance of the regional dimension, not least the existence of Taliban bases in Pakistan.

Like many other countries, Norway appointed a special representative for Afghanistan and Pakistan who could participate in the group headed by Richard Holbrooke.[105] The Norwegian Ministry of Foreign Affairs had emphasised from the start of the international engagement that Afghanistan's neighbours, including Pakistan, were crucial to peaceful development.[106]

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[102] Norwegian Delegation to NATO, 'Afghanistan. Rådsmøte med Richard Holbrooke' [Afghanistan. Council meeting with Richard Holbrooke], 24 March 2009.

[103] Norwegian Embassy in Washington, 'Pakistanske og afghanske delegasjoner i Washington, samtaler med [kan ikke offentliggjøres]' [Pakistani and Afghan delegations in Washington, talks with (identity cannot be disclosed)], 4 March 2009.

[104] For a review of how different groups received the strategy, see Aprajita Kashyap, 'Af-Pak strategy – a survey of literature', *IPCS Special Report*, July 2009. The term was used in Norway as well – e.g. already in 2008 the Ministry of Foreign Affairs had a section called the Af-Pak section.

[105] The UK also promoted this approach. See Sherard Cowper-Coles, *Cables from Kabul: The Inside Story of the West's Afghanistan Campaign*, London: Harper Press, 2012, Chapter 21 in particular.

[106] Commission hearing, 17 August 2015.

In 2008 the Ministry established a Section for Afghanistan and Pakistan to coordinate policy vis-à-vis the two countries and to strengthen regional expertise.[107] From 2009 it began a more systematic review of the need for a strategic approach to the regional dimension and the possibility of a Norwegian role in a broader regional political process. It sought to obtain an overview of regional cooperation projects, commissioned research reports on the regional dimension and organised several seminars in the region for employees posted to the embassies and in the Ministry in Oslo.[108]

The suggestions for Norwegian regional engagement included serving in an advisory capacity on regional dimensions in Afghan energy policy, promoting cooperation between the region's civil society actors (e.g. journalists and human rights activists), facilitating religious dialogue and promoting the importance of the regional dimension, such as in the discussion about UNAMA's mandate.[109] Norway's engagement in a regional context is discussed in Chapter 9.

3.5.6 Elections and increased doubt about the democratic project

Relations between President Karzai and western leaders, particularly President Obama, gradually deteriorated. This was due in part to Karzai's pressured situation on his home turf, with deepening domestic criticism of his leadership style and his dependence on western support. The growing civilian casualties meant additional strain. More and more Afghans came to view the international presence as a form of occupation. Doubts as to whether a successful state-building project was even possible spread among the countries engaged in military and civilian activities in Afghanistan.

Every election in Afghanistan has involved major security challenges, practical problems and accusations of rigging and fraudulent electoral institutions. Some have asked why so many resources were invested in elections before institutions that could foster democratic development were in place. Elections were a key component of the Bonn Agreement. They took place quickly and the very fact that they were held at all added to the impression that development was proceeding in the right direction. Many western governments viewed it as politically untenable not to hold them in such an ambitious state-building project. Elections were considered the litmus test for success and donors were therefore generous in their financial support. In fact, a great deal of international capital and energy was tied up in the elections.

In a setting with unclear electoral rules and a resistance by Karzai to election reform, electoral institutions that were supported by international donors were exploited by political actors to manipulate election results in their own favour. The UN and other international actors were caught up in these complex power struggles and the UN was forced into negotiating between various candidates. Thus, electoral processes driven by a western, short-term agenda exacerbated ethnic lines of conflict and eventually increased distrust in both the international community and in elections per se. The Norwegian authorities, like many other international authorities, were largely spectators to the abuse of the electoral rules by Afghan actors. The Norwegian Embassy in Kabul reported on these conditions and participated in many donor meetings and coordination meetings to find ways to seek solutions. In the end, however, only the US could impose any requirements.[110]

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[107] Memorandum from the Ministry of Foreign Affairs to the Minister of Foreign Affairs, 'Opprettelsen av en Afghanistan/Pakistan-seksjon og en Asia-seksjon i departementet' [Establishing an Afghanistan/Pakistan section and an Asia section in the ministry], 21 August 2008.

[108] See e.g. Kristian Berg Harpviken, *Afghanistan in a Neighbourhood Perspective: General Overview and Conceptualisation*, PRIO, 2010.

[109] Ibid., report from the Embassy in Kabul, 11 February 2010; Memorandum from the Ministry of Foreign Affairs, 'Afghanistan. Regional dialog. Konferanse i Istanbul. Møte i Oslo' [Afghanistan. Regional dialogue. Conference in Istanbul. Meeting in Oslo], 15 September 2011; Decision memorandum from the Ministry of Foreign Affairs, 'Center for International Cooperation (CIC) Afghanistan Regional Program. Bridge Funding', 10 December 2012; Ministry of Foreign Affairs, 'Søknad [Application] - Energy Charter Secretariat – Regional Electricity Cooperation in Central and South Asian Countries - Kazakhstan, Kyrgysztan, Tajikistan, Turkmenistan, Uzbekistan, Afghanistan, Pakistan', 20 February 2009.

[110] Reports from Norwegian Embassy in Kabul 'Afghanistan. Valg og vetting; økende misnøye i sivilt samfunn' [Afghanistan. Elections and vetting; growing dissatisfaction in civilian society], 5 July 2009; 'Afghanistan. Er valg og forsoning forenlig?' [Afghanistan. Are elections and reconciliation compatible?], 3 May 2013; 'Vedr. Afghanistan. Valg. Alvorlig situasjon etter offentliggjøring av foreløpig valgresultat' [Re: Afghanistan. Election. Serious situation after announcement of preliminary election results], 8 July 2014.

3.6 Fourth phase: Afghan ownership, exit strategy and attempts at reconciliation

In the *fourth phase (2010–2014)* the international community tempered its ambitions. Serious fatigue was affecting many allied forces. The populations of ISAF-contributing countries were weary of war and the 2008 financial crisis in Europe had led to major cutbacks in European national budgets. These factors, along with President Obama's decision to gradually withdraw troops up to the termination of ISAF in 2014, led to accelerated efforts to build up Afghan security forces. These personnel were to take responsibility for safeguarding security in their country, thereby facilitating further state-building.

The donor-country meetings in London and Kabul in the summer of 2010, together with the NATO summit in Lisbon in November of the same year, marked the start of the *transition process*. This process was intended to transfer responsibility for Afghan security and development to Afghan authorities. The NATO members and ISAF countries decided to terminate ISAF at the end of 2014. The US stressed the importance of a 'strategic partnership' established through more formalised cooperation with Afghan authorities.[111] Even though the declaration from the NATO summit in Lisbon stated that ISAF's drawdown should be based on certain criteria and not the pressure of time, the primary factor driving the process was the ISAF termination date set by the US.

Building up the competence and abilities of Afghan authorities, both militarily and on the civilian side, was the main focus at meetings held by the NATO defence minister and at the major donor conferences. This was nothing new: the Bonn Agreement of 2001 stressed the importance of Afghan ownership with regard to security; NATO's role in training the Afghan security forces had been highlighted as an Alliance priority at the Riga summit in 2006; and at the summit in Bucharest two years later, the Alliance had once again agreed that training Afghan forces was a key priority. Nonetheless, large-scale training processes were not started in earnest until President Obama had set a withdrawal date and the US itself took the main responsibility for it. Among other activities, NATO launched its own training effort, Training Mission – Afghanistan (NTM-A), which took over most of the US training programme, Combined Security Transition Command – Afghanistan (CSTC-A). Time constraints did not allow for adequate transfer of knowledge and training, including on the civilian side. The general level of education in Afghanistan is low. Many of the recruits were illiterate, making training even more difficult. Success soon came to be measured in the number of soldiers, and the training for the common soldier lasted only a few weeks (see Chapter 8).

3.6.1 Norwegian exit

In his 2010 address to the Storting on Afghanistan, Minister of Foreign Affairs Støre emphasised the need for realistic expectations and a long-term civilian presence. Norwegian objectives for Afghanistan's development were tempered. Minister Støre said that since the Norwegian authorities had been regularly pointing out the many challenges to be faced in Afghanistan throughout the engagement period, the changes entailed in Obama's exit strategy presented no big surprises. Norwegian policy continued much as before, with some adjustments. The major changes were primarily on the military side, involving the gradual withdrawal of Norwegian soldiers.

The Norwegian military drawdown in this period was carried out in two rounds. The first, in 2010–2011, saw a reduction in Norwegian participation in combat operations. This was in keeping with ISAF plans and was the result of a new distribution of tasks to Latvian forces in the PRT. It also reflected Norway's desire to take fewer risks. In 2010 five Norwegian soldiers lost their lives in Faryab. This was half the total number of Norwegian fatalities for the entire engagement in Afghanistan. Norwegian presence in the unstable Ghormach district was also withdrawn. During this time, the Norwegian military emphasised mentoring and training of the Afghan security forces.[112]

The second round of military withdrawal, which took place in 2012–2014, was mainly a geo-

[111] Norwegian Embassy in Washington, 'USA. Høyprofilert besøk av president Karzai til Washington 10–14 mai' [US. High-profile visit of President Karzai to Washington 10–14 May], 10 May 2010 and memorandum from the Ministry of Defence to the Minister of Defence, 'Kabul-konferansen den videre prosessen for afghansk ansvarsovertakelse' [Kabul conference: the process ahead for Afghan takeover of responsiblity], 6 August 2006.

[112] Memorandum from the Ministry of Defence to the Minister of Defence, 'Afghanistan. Rammeverk for overføring av ansvaret til afghanske sikkerhetsstyrker' [Afghanistan. Framework for transfer of responsibility to Afghan security forces], 6 May 2014.

graphical drawdown, first from Faryab and then from Mazar-i-Sharif. Norway's military presence was limited to Kabul from the summer of 2014. As was the case in many other PRTs, the Norwegian withdrawal from Faryab was carried out more in response to time pressure than to the suitability of the conditions themselves. Nor did Norway have any desire to remain alone in 'its' province if the surrounding PRTs were shut down.

The Norwegian PRT in Meymaneh, Faryab, was disbanded on 1 October 2012. Norway's principal remaining contribution in 2014 was the special forces in Kabul. The police advisory team in Mazar-i-Sharif was disbanded in mid-2014, at which time the Norwegian Camp Nidaros was closed down. A small national command and support element was transferred from Mazar-i-Sharif to Kabul in the first half of 2014 and Norwegian forces continued to train Afghan security forces in Kabul throughout 2015. In addition, Norway contributed various small-scale support functions. When the ISAF operation was terminated at the end of 2014, it was succeed by the Resolute Support Mission (RSM). Norway provided roughly 75 personnel to RSM, with activities concentrated in the Kabul area.

It was important for the Norwegian authorities to stress that even though the military effort was being curtailed, the civilian effort was to be maintained at the same level. Norway committed to providing long-term development aid in the strategic partnership agreement it signed with Afghanistan in 2013. The agreement included a Norwegian pledge to maintain its allocation of NOK 750 million (USD 119 million) in aid annually until 2017, while Afghan authorities took on a greater responsibility for the administrative follow-up of Norwegian development assistance in Afghanistan. Chapters 6 and 7 describe this in more detail. It was important to signal the political will to assist Afghanistan in order to prevent further political instability in the country. There were concerns, however, regarding how civilian support could continue if Afghan security forces were not capable of providing protection. Although Norway's development aid allocation remained at NOK 750 million (USD 119 million) after 2014, the Ministry of Foreign Affairs began planning for reduction of its embassy staff as early as 2011.

The withdrawal of international troops was the backdrop for the downsizing also of most of the international embassies, including Norway's. The Ministry of Foreign Affairs reduced the size and competence of the staff on the ground, as discussed in Chapter 6. This made it even more difficult to follow up Norwegian-funded projects and programmes and to influence the development aid agenda at the local level. It also meant reduced Norwegian engagement in Kabul. Afghanistan was no longer being given political priority in Norway or in other western countries, and other security policy challenges, particularly in the Middle East, took precedence on the political agenda.

Figure 3.7 On 11 September 2012 Brigadier General Noor Mohammad Hamid, Chief of Defence Harald Sunde, Minister of Foreign Affairs Espen Barth Eide and Governor Ahmed Faizal Begzaad signed an agreement for the Afghan takeover of the Norwegian-led PRT camp in Meymaneh, Faryab province.

Photo: Stian Lysberg Solum/Norwegian Armed Forces

The transition period gave Norwegian authorities an opportunity to refine mechanisms and processes for a political dialogue between the Taliban and the Afghan government. Norway had been working since 2007 to facilitate a potential peace process. This is described in more detail in Chapter 9. After the January 2010 London conference and ahead of the Kabul conference in June of the same year, Minister of Foreign Affairs Støre called upon the British, French, Dutch, German, Danish, Icelandic, Swedish, Turkish and Finnish foreign ministers to establish a dialogue with Afghan authorities and regional actors towards peace.[113] He asked the UN to lead this effort while the Norwegian authorities worked behind the scenes. The Afghan High Peace Council, consisting of leading warlords, tribal leaders and others who had agreed to negotiate with insurgents, was associated with many, albeit mostly failed, attempts to bring the parties to the table. At this

[113] Ministry of Foreign Affairs, 'Afghanistan. Letter from Minister of Foreign Affairs Jonas Gahr Støre' dated 17 March 2010.

point, peace talks were also a subject that Norwegian diplomats brought up frequently with the US administration. In 2010 the signals from the US were mixed, but in the wake of a counter-insurgency strategy that did not work and a war-weary public at home, US authorities became increasingly interested in finding a negotiated end to the conflict.[114]

The rest of Norway's civilian effort in the period was largely focused on consolidating an aid portfolio that was spread across very many areas. In addition, Norwegian diplomats were working to concentrate activities in order to strengthen the control of Afghan authorities over aid funds. In the lead-up to the Tokyo (II, see chapter 6) donor conference in 2012, Norwegian diplomats sought a greater role for Afghan authorities in designing a joint plan for future development aid than had been the case at previous conferences of this nature. The agreement reached in Tokyo stressed mutual obligations between the Afghan authorities and international donors more widely than before. The Afghan authorities committed to implementing reforms in free elections, public financial management, the banking sector, women's and human rights, and development. In return international donors were to ensure better aid effectiveness and donor coordination by channelling 50 per cent of aid funding through the Afghan national budget and 80 per cent of their aid in accordance with Afghan national priorities.[115]

3.7 Afghanistan at the end of 2014

2014 marked the conclusion of the transition process. ISAF was terminated at the end of the year and responsibility formally transferred to Afghan security forces. The new NATO-led Resolute Support Mission (RSM) was to train, advise and assist Afghan forces, but not participate in combat. Afghan forces themselves were now responsible for security.

From a peak of 130,000 ISAF troops in 2011, roughly 12,000 RSM soldiers remained. International strategic and operational support for Afghan security forces was also substantially reduced from January 2015 onwards. However, the security forces at the end of 2014 were marked by weak leadership, corruption, inadequate funding and divisions based on ethnicity or interest group solidarity. The security sector was still politicised, with unclear distinctions between militias and official Afghan security forces.[116] Corruption cheated many soldiers out of their pay and added to problems of desertion and defection to insurgency forces. Coupled with the high casualty rate, this weakened the will to fight and raised questions about future recruitment.[117] Yet Afghan security forces have made significant progress at the tactical level, despite being poorly equipped. Certain units, such as the Crisis Response Unit 222 (CRU 222) discussed in Chapter 5, function well, although their leadership structure and logistics are fragile.

In 2014 the insurgency was stronger than at any time since 2001. The Taliban carried out large-scale ground offensives and increased their territorial control. At the same time, however, the insurgency was becoming steadily more fragmented, with different local and international groups participating. The UN counted over 10,000 killed or wounded civilians in 2015, the highest tally since the UN began keeping statistics in 2008.[118] In 2015 over 150,000 Afghans fled the country due to high levels of conflict or threats, and over 800,000 Afghans were listed as internally displaced.[119] According to a survey carried out by the Asian Foundation, two out of three Afghans said they feared for their own safety.[120]

In 2014 Afghanistan held its third presidential election since 2001. Afghans were entirely responsible for all aspects of the election, including security. As with previous elections, this one was also

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[114] Norwegian Embassy in Washington, 'USA. Møte med Ambassadør Kalidzad om Afghanistan/Pakistan' [US. Meeting with Ambassador Kalidzad on Afghanistan/Pakistan], 20 September 2010; 'Afghanistan. Møte med National Security Council' [Afghanistan. Meeting with National Security Council], 10 November 2010; 'USA. Høyprofilert besøk av president Karzai til Washington 10–14 mai' [US. High-profile visit of President Karzai to Washington 10–14 May], 10 May 2010; memorandum from the Ministry of Defence to the Minister of Defence, 'Kabul-konferansen – den videre prosessen for afghanske ansvarsovertakelse' [The Kabul conference – the process ahead for Afghan takeover of responsibility], 6 August 2006.

[115] The strategy builds upon the previous Afghan National Development Strategy (ANDS) and National Priority Programmes (NPPs), drawn up for the 2010 conferences in London and Kabul.

[116] Antonio Giustozzi & Peter Quentin, *The Afghan National Army: Sustainability Challenges beyond Financial Aspects*, Afghanistan Research and Evaluation Unit, February 2014, p. 37.

[117] Ibid., p. 1.

[118] UNAMA & OHCHR, *Afghanistan – Annual Report 2014 Protection of Civilians in Armed Conflict*, February 2015.

[119] UNHCR, *Afghanistan Monthly IDP Update*, December 2014.

[120] The Asian Foundation, *Afghanistan in 2015 – A Survey of the Afghan People*, 17 November 2015, p. 34.

beset by accusations of fraud, as well as major security challenges. After months of impasse between the two principal candidates, Abdullah Abdullah and Ashraf Ghani, the US Secretary of State intervened and put heavy pressure on the parties to agree a solution. Ashraf Ghani's accession to the presidency on 29 September 2014 was the first peaceful transfer of executive power in modern Afghan history. Abdullah Abdullah assumed a newly established position as Chief Executive (effectively, Prime Minister, although this position does not exist in the Afghan constitution).

The 2014 presidential election can be viewed as a step towards democracy. However, it was also an election that once again revealed institutional weaknesses, such as electoral fraud and corruption.[121] The establishment of the National Unity Government prevented political collapse, but at the same time created a new power structure with unclear divisions of responsibility and without a constitutional basis. This immediately resulted in internal power struggles for positions in the government and on policy.[122] It also paved the way for a renegotiation of the principles for power-sharing. According to the 2014 agreement, a *Loya Jirga* would be held in the course of 2016 to decide whether the position of Prime Minister should be constitutionalised, thereby limiting the presidential powers as defined by the constitution adopted in 2004.[123]

Thirteen years of development aid have yielded some results. As pointed out in Chapters 5 and 6, the infrastructure, as well as access to health care services, education and food, was vastly improved by 2014 in comparison to 2001. Life expectancy and literacy skills had increased and maternal and child mortality were significantly lower. Economic growth had lifted many Afghans out of poverty. However, the growth was unequally distributed, and much of it was due to the western presence. The withdrawal of international forces, together with the political instability, led to a dramatic drop in economic growth in 2014 to under two per cent.[124] From the middle of the previous decade to 2014, the proportion of the population living below the poverty line increased from 36 to 39 per cent, and the gap between rich and poor widened.[125] Pressure on the labour market grew, due in part to an extremely young population (half of Afghans are under sixteen years of age). There are still large differences in development and living standards between urban and rural areas, and life in the villages is marked by poor infrastructure and a lack of fundamental services.

In 2014 Afghanistan had an active network of civil society organisations working for human rights and a free press. Women participated in politics, civil society and working life. Progress could be easily derailed, however, and there were concerns throughout Afghan society about the ramifications of the comprehensive international military withdrawal and diminishing aid funding.

Afghanistan at the end of 2014 was still one of the world's most aid-dependent countries. Reduced economic growth further weakened the state's capacity to collect revenues. The abundance of international development aid had created new lines of conflict and elites and gave rise to serious corruption. The formal institutions, including the legal institutions, were weak.

Nearly two years after the end of the period assessed by the Commission, the situation remains highly uncertain. The National Unity Government is fragile and the political opposition is increasingly fragmented but still openly critical. Economic growth remains low, although improved follow-up by the tax and customs authorities has increased revenues. At the same time, some 70 per cent of government expenditure is still financed by international donors.[126] Unemployment is rising and roughly four million young people will be entering the labour market by 2020.[127]

In many parts of Afghanistan the security situation is so difficult that international and local aid workers, diplomats and Afghan government officials cannot reach the people. The Afghan security forces sustain losses daily and are unable to maintain their desired strength. To face the grow-

[121] Noha Coburn, 'Afghanistan: The 2014 Vote and the Troubled Future of Elections', *Chatham House*, March 2015.

[122] Thomas Ruttig, Kate Clark and Obaid Ali, '104 days without a government – and counting: the national mood sours', *Afghanistan Analysts Network,* 9 January 2015.

[123] International Crisis Group, *Afghanistan's political Transition, Crisis Group Asia Report No. 260*, 16 October 2014, p. 2.

[124] William Byrd, 'Economic management in Afghanistan – What Worked, What Didn't, and Why?', *Afghanistan Analyst Network*, January 2015, p. 2.

[125] Central Statistics Organisation, *Afghanistan Living Condition Survey 2013–2014. National Risk and Vulnerability Assessment*, Kabul, 2016, p. xxxi.

[126] UNAMA, *Briefing to the United Security Council by the Secretary-General's Special Representative for Afghanistan, Mr Nicholas Haysom*, 15 March 2016.

[127] Central Statistics Organisation, *Afghanistan Living Condition Survey 2013–2014. National Risk and Vulnerability Assessment*, Kabul, 2016, p. xxix.

Box 3.1 Migration from Afghanistan

In the 1980s and 1990s, Afghans constituted the world's largest group of refugees. Since 2001 over five million refugees have returned to the country. After ten years of international presence, however, out-migration rose once again. In 2015 this was characterised as an 'exodus'; in Europe alone, 213,000 Afghan asylum-seekers were registered in the course of the year, forming the second-largest group after Syrians. In addition to the roughly three million Afghans legally registered in Pakistan and Iran, an estimated 2.5 million Afghans reside illegally in these two neighbouring countries.

Both the ongoing conflict and the lack of economic opportunities are causes of this migration. Most of those who are fleeing the country now are young people or families with poor prospects in Afghanistan. But highly educated Afghans in well-paid positions are also leaving, draining the country of valuable human resources. In the autumn of 2015 Afghan authorities launched a campaign in which President Ghani, together with other prominent leaders including Karzai, asked young people to remain to build their country.

In 2015 over 12,000 Afghans were living in Norway, most of whom were granted residency after 2001. In 2015 another 6,987 Afghans applied for asylum, the highest number ever. Half of these applicants were unaccompanied minors.

Sources: Norwegian Directorate of Immigration (UDI), 'Informasjonsnotat om asylsøkere fra Afghanistan (2015)' [Information memorandum on asylum-seekers from Afghanistan (2015)], 2015; Frud Bezhan, 'Afghanistan Tries To Stem Tide of Migration 'Brain-drain'', Radio Free Europe, 22 September 2015; Thomas Ruttig, 'An 'Afghan Exodus' (1): Fact, figures and trends', Afghanistan Analyst Network, 14 November 2015; International Organization for Migration, *IOM Afghanistan Out-Migration Response*, December 2015.

ing insurgency, the authorities are expanding their cooperation with armed militias.[128] The Taliban have taken control of several areas. Al-Qaeda is still present and the so-called Islamic State (IS or Daesh) has established itself in the country, although its extent is unclear. At the same time, some international actors and Afghan authorities are working to promote dialogue with the Taliban.

[128] General Assembly Security Council, *The situation in Afghanistan and its implications for international peace and security*, 7 March 2016, p. 5.

Part II
Topics

Chapter 4
Norway's military effort

Norway's first military contributions to Operation Enduring Freedom (OEF) were designed to assist in the 'war on terror'. While the task of most Norwegian units in Afghanistan and all Norwegian units in the International Security Assistance Force (ISAF) was to support state-building by helping to safeguard security, promoting state-building was not the primary objective of the Norwegian decision to deploy forces. What was most important was to support the US and NATO.

During the period 2001–2014 many factors influenced Norway's decisions as to which military units to deploy to Afghanistan and for how long. The force requirements for the operations were important. This was weighed against costs and the units' quality, availability, sustainability and security. The Norwegian government in turn evaluated these military and economic assessments in light of Norway's traditional emphasis on close security relations with the US and NATO, as well as against other political interests and considerations.

Norway's military effort may be termed 'contribution warfare', whereby Norway provided various contributions to OEF and ISAF largely without any underlying independent, long-term strategy other than the established national security policy principle that Norway should be a good ally. As discussed in Chapter 3, the strategy underlying the international effort was primarily formulated by Washington, the US Central Command (USCENTCOM) and ISAF headquarters. The Norwegian authorities had views regarding certain aspects of this, but Norway and other smaller-scale contributors mainly limited themselves to furnishing military 'building blocks' for the US-driven strategy that guided the operations. The government remained mostly free to make the choice regarding which building blocks Norway would make available.

This chapter describes the Norwegian military forces that took part in the operations in Afghanistan and that are not covered thematically in Chapters 5 and 8. It deals with Norwegian contributions to OEF and ISAF mainly up to 2006, when Faryab became Norway's primary engagement area, and analyses the factors that played a role in determining the Norwegian contributions.

4.1 Start-up phase: OEF and bilateral requests from the US

The initial phase after 11 September was one of great uncertainty. Like many other NATO allies, Norway at first took a 'wait-and-see' approach. NATO's operational role was as yet undetermined, and it took time before the US made specific requests for military forces to deploy to Afghanistan.

It was clear that a forceful military response to the 11 September attacks would come. There was nothing automatic about *how* the US would respond, however, or whether US authorities would emphasise bringing its allies on board. Nor was it inconceivable that the US would ask to be relieved in other places, such as the Balkans, in order to free up its own resources to combat international terror.

Based on experience from Operation Allied Force against Serbia in 1999, where the general view was that Norway had not been able to provide relevant forces rapidly enough, the Norwegian Chief of Defence, just two days after the 11 September attacks, compiled an initial overview of what Norway could provide militarily *in case* a request should come.[1] It emerged that the military had few forces that could deploy quickly. These were limited to fighter aircraft from the air force rapid reaction force, army infantry units for potential engagement in the Balkans, minesweepers and fast patrol boats for security and guard duties in the Persian Gulf, and special forces,

[1] Commission hearing, 17 September 2015.

explosive ordnance disposal (EOD) and intelligence teams.[2]

The US-led attack on Afghanistan was launched on 7 October 2001. The US had already requested on 3 October 2001 general support from NATO, including intelligence-sharing and overflight permission.[3] The US did not want a NATO operation against Afghanistan, but emphasised its desire for bilateral support from NATO allies. On 30 October the Norwegian authorities received a letter from the US Embassy in Oslo, in which the US authorities thanked Norway in general terms for 'Norway's proactive planning in anticipation of our needs'. The letter also stated that, through military channels, the US had invited Norway to visit USCENTCOM in Tampa for the purpose of identifying possible Norwegian contributions.

In order to further clarify US needs, a Norwegian delegation was sent to Tampa on 5 November. Eighteen countries already had permanent representatives in USCENTCOM and it was clearly expected that Norway, too, would establish a permanent delegation.[4] Norway was participating at this time in the NATO maritime operation Active Endeavour in the eastern Mediterranean Sea and in Operation Eagle Assist, which monitored US airspace with NATO airborne surveillance. Both operations were launched in response to the attacks of 11 September.

The first US request for military contributions from Norway arrived in mid-November. It asked for support for humanitarian efforts, particularly air support, including logistical and airspace control.[5] Norway – in contrast to thirteen other countries, ten of which were NATO member countries – had not yet specified a list of forces it was willing to offer the US.[6]

At that point in time, the Norwegian armed forces were undergoing a demanding restructuring. Proposition no. 45 (2000–2001) to the Storting (Norwegian parliament) of February 2001, 'Restructuring the armed forces 2002–2005', stated that 'the armed forces are facing a profound and persistent structural crisis'.[7] Consequently, military enthusiasm for new, costly operations on foreign soil, in addition to those already taking place in the Balkans, was quite low.

Among the armed forces' most elite units there was also uncertainty as to what the situation required. Colonel Karl Egil Hanevik, who was at that time the commander of one of the units (the Army Ranger Commando) that would be heavily involved in Afghanistan, was initially sceptical about sending Norwegian special forces to Afghanistan:

> 'I had my doubts. No commander wants to endanger his soldiers … I certainly wouldn't be one of those pushing the political and military leadership for deployment to happen.'[8]

The US request for contributions to the UN humanitarian operations thus provided an opportune opening for Norwegian participation.[9] For the Ministry of Defence, however, this was an insufficient demonstration of support in relation to expectations and was therefore a cause for concern. Compared to key allies, Norway was late in offering to contribute. As discussed in Chapter 3, the Department of Security Policy at the Ministry of Defence expressed concern even before the change of government, in a memorandum dated 15 October 2001.[10] In a memorandum dated 22 November 2001 to the new government, this message was conveyed more strongly. The Ministry wrote that the lack of a specific offer of a military

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2 Memorandum from Ministry of Defence II (second department, security policy) to Minister of Defence, 'Møte i regjeringens sikkerhetsutvalg – momenter' [Meeting of the Government's Security Council – main points], 16 September 2001.

3 Message from Norwegian Delegation to NATO to Ministry of Foreign Affairs and Ministry of Defence, 'Terrorisme. Amerikanske anmodninger. Utkast til rådsbeslutninger' [Terrorism. US requests. Draft of Council decisions], 3 October 2001.

4 Memorandum from Ministry of Defence II (security policy) to Minister of Defence, 'Referat fra samtaler med US Central Command, Tampa, Florida, USA' [Summary of talks with US Central Command, Tampa, Florida, US], 8 November 2001.

5 Message from Ministry of Defence to Defence High Command, 'Afghanistan – anmodning fra USA om militære bidrag' [Afghanistan: US request for military contributions], 19 November 2001.

6 Memorandum from Department of Security Policy at Ministry of Foreign Affairs to Secretary General of Ministry of Foreign Affairs, 'Afghanistan. Innmeldte militære bidrag' [Afghanistan. Declared military contributions], 20 November 2001.

7 Proposition no. 45 (2000–2001) to the Storting, p. 6.

8 Quoted in John Inge Hammersmark, 'Utviklingen av norske spesialstyrker' [The development of Norwegian special forces], Master's thesis at Norwegian Defence University College, 2010, p. 52.

9 Memorandum from Defence High Command to Ministry of Defence, 'Afghanistan – anmodning fra USA om mulige militære bidrag til en humanitær operasjon [Afghanistan: US request for potential military contributions to a humanitarian operation], 21 November 2001.

10 Memorandum from Ministry of Defence II (security policy) to Minister of Defence, 'Mulig norsk ubåtstøtte til stanavformed/stanavforlant [Possible Norwegian submarine support for Standing Naval Force Mediterranean (STANAVFORMED)/Standing Naval Force Atlantic (STANAVFORLANT)], 15 October 2001.

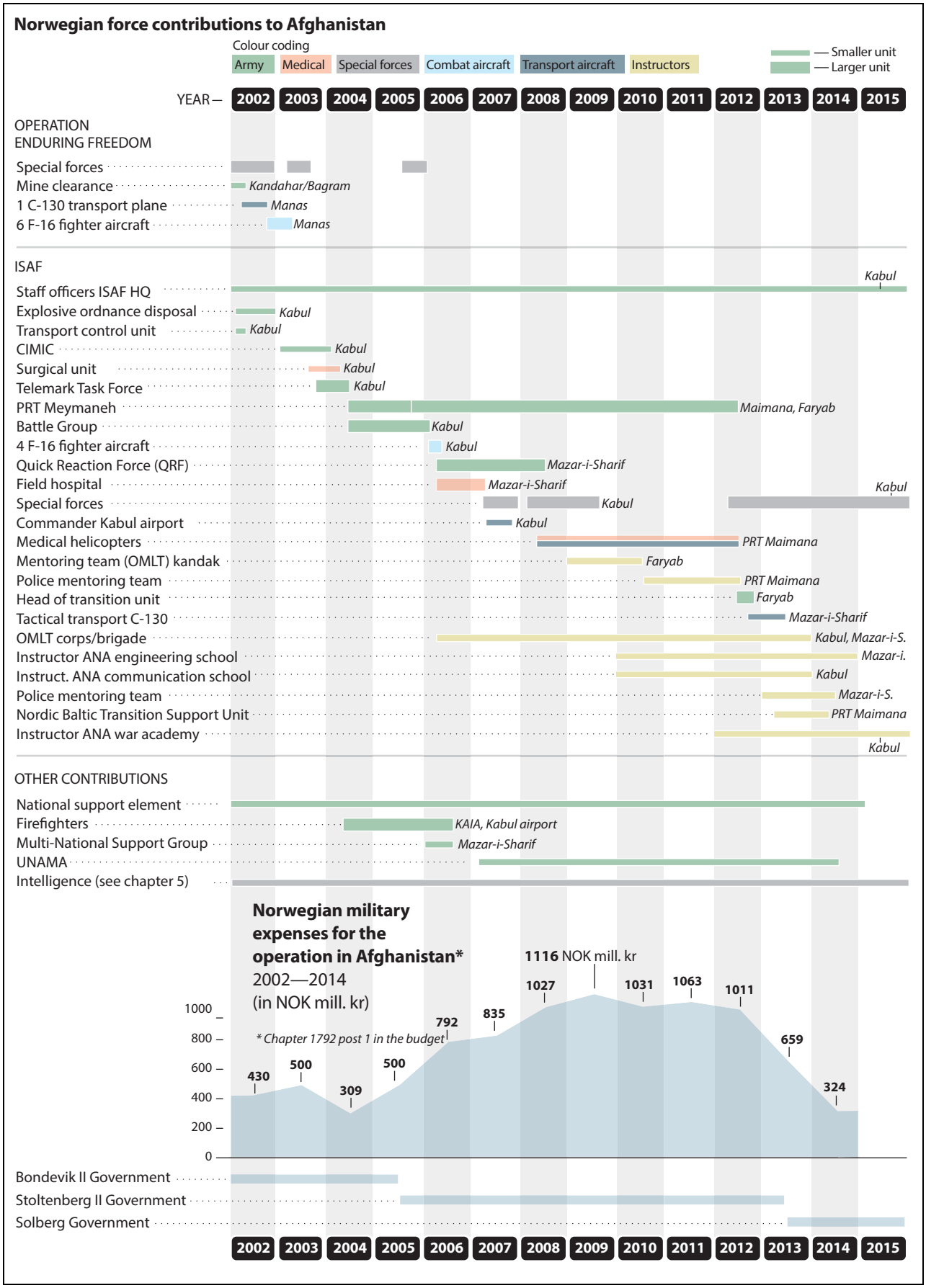

Figure 4.1 Norwegian military contributions to Afghanistan

contribution could pose problems for Norway's security relations with the US. Participating in the humanitarian operation would do little to alter the impression of a low military profile for Norway in the 'war on terror', although the offer to take part would at least show that Norway was able and willing to make relevant contributions.[11] According to the Ministry of Defence, Norway should also make military contributions to OEF.

At the end of November, the commander of OEF and USCENTCOM, General Tommy Franks, verbally asked Norway's representatives to USCENTCOM about potential Norwegian contributions to the operation.[12] The Ministry of Defence recommended that Norway offer relevant and sought-after forces, albeit in a limited scope. The US was unlikely to request Norwegian participation unless Norway first offered to provide relevant contributions.

On 30 November the Bondevik Government agreed that Norway could offer to provide the following to OEF: six F-16 fighter aircraft, four Bell helicopters, one DA-20 electronic warfare aircraft, a small number of EOD personnel and a movement control unit. For the humanitarian support operation, Norway offered one or two C-130 Hercules transport aircraft, some further EOD personnel, a movement control unit and various small engineering units.[13]

On 10 December 2001 USCENTCOM put forward a new informal request for Norwegian military contributions to OEF, this time specifically asking for four F-16 fighter aircraft (later increased to six) potentially to be based in Tajikistan (later changed to Kyrgyzstan), four Bell helicopters potentially based at Bagram, just north of Kabul (which were not sent), up to 65 all-terrain vehicles and specialists in winter operations (a term used as code for special forces).[14] At roughly the same time, Norway lent fifteen armoured Mercedes jeeps to the US.[15]

On 17 December a new verbal request was made to Norway to provide mine clearance units with Norwegian operators to clear the airport at the Bagram base.[16]

The dialogue in the autumn of 2001 between the US and Norway concerning Norwegian contributions was concluded on 20 December when the chargé d'affaires at the US Embassy in Oslo, in a meeting with State Secretary Kim Traavik, reported that US authorities were in the process of accepting Norway's contributions.[17] The forces included four F-16 aircraft, one C-130 plane, special forces and mine clearance personnel.

Decades of war had left Afghanistan riddled with mines, unexploded ordnance and other kinds of leftover explosives. These had to be cleared before forces could operate effectively from Afghan air bases. Norway has a wide range of experience in mine clearing, gained in the Balkans, among other places; the US therefore directly requested this kind of support for OEF. A group of sixteen mine clearance personnel with two Hydrema mine clearing vehicles comprised Norway's first operational unit in Afghanistan. The unit cleared mines and explosives from the Kandahar airfield and then at the Bagram air base.

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11 Memorandum from Ministry of Defence II (security policy) to Minister of Defence, 'Mulige norske militære bidrag til en humanitær operasjon' [Possible Norwegian military contribution for a humanitarian operation], 22 November 2001. The list of contributions outlined by the Ministry of Defence in this memorandum included transport aircraft, advisers for winter training, transport control, an engineering unit and explosive ordnance disposal personnel.

12 Memorandum from Ministry of Foreign Affairs' Department of Security Policy to Minister of Foreign Affairs, 'Norske militære bidrag til den amerikansk-ledete operasjonen i Afghanistan. Amerikansk varsel om henvendelse' [Norwegian military contributions to the US-led operation in Afghanistan. US notification of request], 26 November 2001.

13 Ministry of Defence press release 062/2001, 'Norge tilbyr militære styrker til kampen mot internasjonal terrorisme' [Norway offers military forces to combat international terrorism], 30 November 2001.

14 Memorandum from Ministry of Defence to Office of the Prime Minister, Ministry of Foreign Affairs, Ministry of Defence and Ministry of Justice, 'Afghanistan – uformell anmodning fra amerikanske militære myndigheter om norske styrkebidrag' [Afghanistan: informal request from US military authorities for Norwegian military contributions], 10 December 2001; Recommendation to the Storting No. 6 (2002–2003) *Innstilling fra forsvarskomiteen om finansiering av norsk militær deltakelse i Afghanistan* [*Recommendation from the Standing Committee on Defence on funding of Norwegian military participation in Afghanistan*], 17 October 2002.

15 Memorandum from Ministry of Defence II (security policy) to Minister of Defence, 'Regjeringskonferanse 13. desember 2001 – Orientering om status vedrørende norske militære styrkebidrag til USA i kampen mot terrorisme' (utkast) [Government conference of 13 December 2001: Orientation on status regarding Norwegian military contributions to US to combat terrorism (draft)], 13 December 2001.

16 Message from Ministry of Defence to Defence High Command, 'Muntlig anmodning fra USA om norsk mineryddingskapasitet til Afghanistan' [Verbal request from US for Norwegian mine clearing capacity for Afghanistan], 17 December 2001.

17 Memorandum from Ministry of Foreign Affairs, Department of Security Policy to Secretary General, 'Norske militære bidrag til kampen mot internasjonal terrorisme – møte med den amerikanske ambassaden den 20.12.01' [Norwegian military contribution to combat international terrorism – meeting with the US Embassy on 20 Dec 2001], 20 December 2001.

Figure 4.2 Norway's first operational unit in Afghanistan was an explosive ordnance disposal (EOD) team of sixteen mine clearance personnel with two mine clearing vehicles, shown here at Kandahar airfield.

Photo: Roald Ulvedal/Norwegian Armed Forces

In addition to the mine clearing unit, Norway deployed special forces. Initially sent to Kandahar airfield, their first assignment began 15 January 2002. Norwegian soldiers did not participate actively in combat at that time, but performed long-range special reconnaissance (see Chapter 5).

One C-130 transport plane with roughly 60 support personnel deployed to Kyrgyzstan. Throughout the spring of 2002 the plane logged a total of 194 hours on 38 flight missions, freighting 350 tonnes of cargo. At year's end, six Norwegian F-16 fighter aircraft deployed to the same air base in Kyrgyzstan; altogether they flew 488 missions and used their weapons on three occasions. On 27 January 2003 Norwegian fighter aircraft dropped bombs in combat for the first time since WWII.

In April 2002 Norway relocated its national contingent command (NCC) and national support element (NSE) from Kandahar to Kabul. In the period the Commission has examined, the number of personnel in these support units fluctuated between 30 and 60.[18]

In addition to that mentioned above, the US made further requests for Norwegian contributions to OEF in the autumn of 2001 and the first half of 2002. The Norwegian authorities found they were unable to accommodate some of these, including: contributions to maritime interdiction operations in ocean areas south of Pakistan (denied partly due to unclarified legal issues and potential political complications); armoured patrol vehicles to Yemen (recommended by Minister of Defence Kristin Krohn Devold, but denied because it could have been interpreted as an expansion of Norway's participation in the 'war on terror' and this had not been discussed in the Storting); and six armoured patrol vehicles for President Karzai's US security detail (denied due to lack of funds and because the Ministry of Defence felt that the deployment of fighter aircraft already confirmed Norway's willingness to participate in combatting international terror). There were additional requests for contributions that Norway did not consider itself able to grant at the time, including extension of the C-130 deployment, a new contingent of special forces, Norwegian helicopters for search and rescue operations, and ground forces (one to three companies) for security and guard duty.[19]

4.2 ISAF – NATO and the Alliance engagement

NATO's increasing engagement in Afghanistan represented not only a challenge and an obligation, but also a significant opportunity for the Alliance. The operations in the Balkans in the second half of the 1990s had put NATO under considerable pressure, not least because its member countries had divergent interests in the region. Within NATO there were now hopes that Afghanistan would become an arena in which members could forge closer ties through a joint project, and that it could also become an opportunity for learning and cooperation for new and aspiring NATO member and partner countries.

The Bonn conference in December 2001 further affirmed the need for military contributions. The UK volunteered to lead a multinational stabilisation force that was to be granted a UN mandate and would consist of 3,000–5,000 soldiers. The

[18] In certain years the number of personnel approached 70, but these were not considered part of the ISAF force structure and thus were not included in NATO figures for Norwegian soldiers in Afghanistan. Norway was also represented by liaison and staff officers in a number of headquarters in and outside Afghanistan.

[19] Memorandum from Ministry of Defence II (security policy) to Minister of Defence, 'Oversikt over negativt besvarte anmodninger til 'Enduring freedom", [Overview of denied requests for Operation Enduring Freedom], 1 August 2002.

Figure 4.3 Norway deployed F-16s to both OEF and ISAF. On 27 January 2003, Norwegian fighter aircraft dropped bombs in combat for the first time since WWII.

Photo: Nordetman/Norwegian Armed Forces

force was to be established quickly with relatively large-scale (e.g. battalion-sized) contributions, which made Norwegian participation unfeasible in the short-term.[20] Having chaired the Afghanistan Support Group, which had coordinated international humanitarian aid to Afghanistan during the Taliban regime (see Chapter 6), Norway still sought to show its support by contributing smaller units.[21] On 21 December the Ministry of Defence announced that Norway would deploy an EOD team of roughly fifteen personnel and up to four staff officers to ISAF. In addition, Norway offered a movement control (MOVCON) team of seven to ten persons.[22]

The Ministry of Defence assumed that further requirements for military contributions would emerge after the completion of the initial three-month phase. However, it advised that Norway should refrain from committing any larger and costly contributions to a follow-up force.[23] The Ministry also reasoned that participating with a small force in the first UK-led contingent could lower international expectations for Norway to contribute to the follow-up force with a more substantial, expensive and long-term engagement.[24]

In the summer of 2002 the UK authorities presented a proposal to Norway for the Nordic countries to assume joint leadership of ISAF after Turkey, which had taken over from the UK. The transition from UK to Turkish leadership had been time-consuming, so the UK authorities saw a need to begin the next transition process early.

The Ministry of Foreign Affairs immediately reacted to the UK proposal with interest. A Nordic-led ISAF could help Norway to maintain a strong role in Afghanistan after the conclusion of its chairmanship of the Afghanistan Support Group and its membership of the UN Security Council (see Chapter 3).[25] The Ministry of Defence, however, did not support this proposal. Given the relatively modest Nordic contributions to ISAF, it would not have been an obvious step to

Box 4.1 CIMIC

Civil–Military Cooperation (CIMIC) is a military commander's tool for establishing ties with and building trust among the civilian community around a force presence. The purpose of CIMIC activities is to enhance a force's security of supply and reduce direct threats through trust-building measures. In principle, CIMIC activities are to help meet the logistical and security-related needs of a military force and thus are not the same as conventional development assistance.

20 Memorandum from Ministry of Defence II (security policy) to Minister of Defence, 'Norsk deltagelse i International Security Assistance Mission (ISAM) [sic] i Afghanistan' [Norwegian participation in International Security Assistance Mission (ISAM) in Afghanistan], 14 December 2001.

21 Ibid.

22 Ministry of Defence press release, 'Norge tilbyr bidrag til den internasjonale sikkerhetsstyrken i Afghanistan' [Norway offers contribution to the international security force in Afghanistan], 21 December 2001.

23 Memorandum from Ministry of Defence II (security policy) to Minister of Defence, 'Norsk deltagelse i International Security Assistance Mission (ISAM) i Afghanistan' [Norwegian participation in International Security Assistance Mission (ISAM) in Afghanistan], 14 December 2001.

24 Memorandum from Ministry of Defence II (security policy) to Minister of Defence, 'Regjeringskonferansen 20. desember 2001 – orientering om oppdatering vedrørende norske militære styrkebidrag' [Government conference of 20 December 2001: Orientation on updates to Norwegian contribution of military forces] (draft), 20 December 2001.

25 Memorandum from Ministry of Foreign Affairs' Department of Security Policy to State Secretary, 'Den internasjonale sikkerhetsstyrken i Afghanistan (ISAF). Forslag om nordisk ledelse etter Tyrkia' [The international security force in Afghanistan (ISAF). Proposal for Nordic command after Turkey], 24 June 2002.

Figure 4.4 Norwegian soldiers of the Telemark Task Force, Kabul 2004. CIMIC activity was part of the mission during this period. See Box 4.1.

Photo: Private photograph

assume command of the operation. Due to limited resources, the Ministry of Defence also found it inadvisable to increase Norway's contribution to the level needed for a potential takeover of command.[26] In the event, it was Germany and the Netherlands that assumed the role after Turkey.

In October 2002, as part of German efforts to set up ISAF, the German authorities asked Norway to deploy its Telemark Battalion, or at least a company of it.[27] Norway did not comply with this specific request, as it would have meant a break with the plan to provide only limited contributions. The Ministry of Defence instead offered seven Norwegian staff officers to ISAF headquarters and a CIMIC team of fourteen to sixteen persons.[28]

As the autumn of 2002 progressed, NATO's role in ISAF became an increasingly pertinent question. As noted in Chapter 3, the NATO member countries recognised in the spring of 2003 that the rotating leadership of ISAF was impractical and that NATO should assume a larger role.[29] The leading ISAF contributors – Germany, the Netherlands and Canada – therefore formally requested increased NATO engagement.

Prior to the meeting of the North Atlantic Council on 16 April 2003, which was to discuss the request for increased NATO engagement, Norway decided to support a larger ISAF role for NATO. According to the Ministry of Defence, this would increase predictability in the international community's efforts towards security and stability in Afghanistan. At the same time, it was necessary to be prepared to discuss an exit strategy for the Alliance.[30] NATO assumed command of ISAF in August 2003.

As the Ministry of Defence interpreted the situation, expectations within NATO were for each country to participate more substantially in ISAF than by merely sending staff officers and a CIMIC team.[31] Continuing the CIMIC contingent was still an option. Experience gained from previous NATO force-generation conferences, however, indicated that there was no lack of CIMIC offers and that Kabul already had more than enough CIMIC teams to utilise the project funding set aside. The Ministry of Defence Department of Security Policy therefore notified the Minister of Defence that Norway would have to be prepared to deploy a larger contribution, such as the Telemark Battalion, particularly if Norway were to be asked to take a leadership role in ISAF. The Ministry of Defence now saw advantages to a larger military contribution. The increased involvement would be more politically visible and demonstrate that Norway, too, accepted its share of responsibility in NATO. A larger contribution could also be more readily limited to a finite period (six months), thereby reducing the political pressure from allies for further military contributions from Norway. It was also considered important to preserve the possibility of terminating Norway's involvement in ISAF relatively quickly if and when required.[32]

Despite the escalating engagement in Afghanistan, the NATO force generation process was making slow progress. The Chairman of the Mili-

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26 Memorandum from Ministry of Defence to Ministry of Foreign Affairs, 'ISAF – Forslag om nordisk ledelse etter Tyrkia' [ISAF – Proposal for Nordic command after Turkey], 9 July 2002. At this time, only 18 of ISAF's total 5 192 personnel were Norwegians.

27 Message from Norwegian Embassy in Berlin, 'Foreløpig anmodning fra Tyskland om støtte til ISAF III pr 8 okt. 02' [Preliminary request from Germany for support to ISAF III as of 8 Oct 02], 21 October 2002.

28 Message from Ministry of Defence to Defence High Command/Defence Staff, 'Norske styrkebidrag til ISAF III' [Norwegian military contributions to ISAF III], 20 November 2002.

29 NATO, 'Press lines on NATO decision on support to ISAF', 16 April 2003. At the time, NATO member countries provided nearly 95 per cent of ISAF forces.

30 Message from Ministry of Defence to Norwegian Delegation to NATO, 'Møte i NATOs råd 11. april 2003 – NATO støtte til ISAF' [Meeting of North Atlantic Council 11 April 2003 – NATO support for ISAF], 11 April 2003.

31 Memorandum from Ministry of Defence II (security policy) to Minister of Defence, 'NATO mot større rolle i Afghanistan – konsekvenser for Norge' [NATO moving towards a larger role in Afghanistan – impact on Norway], 13 May 2003.

32 Ibid.

tary Committee characterised the result – the number of forces pledged – as disappointing for the Alliance. Norway's contribution to ISAF still only comprised staff officers and a CIMIC team of fourteen persons.[33] Given ISAF's new significance for NATO and the pressure from member countries, Norway needed to offer a more relevant contribution. The Ministry of Defence assessed this in the summer of 2003.

The armed forces saw this as a useful opportunity to test out a newly established surgical unit in international operations. Such a unit, consisting of roughly 40 persons, would be highly sought-after, as well as relatively low-cost, compared to other forces Norway could have offered.[34]

After undergoing significant restructuring, the Telemark Battalion was declared operational from 1 July 2003. Quick deployment of parts of this unit was favourable from an operational standpoint. An assignment in ISAF would provide valuable experience and the timeframe for a larger Norwegian military contribution could be more easily limited. A mechanised infantry company (of roughly 140 men) to ISAF would be a substantial and visible contribution to the NATO operation in Kabul. The Ministry of Defence reasoned that this could ease the political pressure from allies for additional participation later on.[35] Due to the considerable operational risk and major financial costs involved in having infantry units on the ground in Afghanistan, the Ministry of Defence initially sought to limit the engagement's duration. The Ministry also considered recommending that Norway contribute a battalion staff as well as transport helicopters. In the summer of 2003 Norway offered the surgical unit at the NATO force generation conference.[36]

With the call for convening a *Loya Jirga* (Grand Assembly) in Kabul in December 2003, US pressure on allies for further contributions increased. The Ministry of Defence recommended in October that Norway offer a company to carry out security and guard duty. This would be a high-profile assignment that would demonstrate Norway's ability and willingness to support alliance efforts in Afghanistan.[37] The assignment was also well suited to the Telemark Battalion. The Norwegian Defence Staff stressed, however, that a contribution such as this would only be of operational interest if it was formed as a quick reaction force (QRF).[38] The company (Telemark Task Force) set up quickly in Kabul, and the Norwegian armed forces received orders to plan for the company to continue in a similar role under ISAF for up to a year after completing its assignment relating to the *Loya Jirga*.[39]

In the summer of 2004, the Kabul Multinational Brigade comprised three battalion combat groups, one of which Norway assumed command of after Canada under the name Norwegian Battle Group 3 (BG3). Including the Battle Group headquarters that Norway agreed to provide in August 2004, BG3 was a significant Norwegian contribution.[40]

BG3 headquarters was manned by 40 officers (31 Norwegians, eight Hungarians and one Italian). By Norwegian standards this was a sizeable staff, with features similar to a Norwegian brigade staff.[41] BG3 comprised three manoeuvre units: a Norwegian squadron battle group (a company) from the Telemark Battalion, a Hungarian infantry company and an Italian mountain infantry unit.

BG3 provided valuable command experience for the Norwegian army and was also a contribution which, unlike the PRT, had a structure similar to army units in Norway. The armed forces thus saw it as more militarily relevant.[42] The positive experiences of BG3 were also an influential factor

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33 Memorandum from Ministry of Defence II (security policy) to Minister of Defence, 'ISAF IV – aktuelle norske styrkebidrag' [ISAF IV – potential Norwegian military contributions to consider], 30 May 2003.

34 Ibid.

35 Ibid.

36 Message from Ministry of Defence to Defence High Command, 'Innmelding av kirurgisk enhet til ISAF IV på styrkegenereringskonferanse i NATO 10. juni 2003' [Submission of surgical unit for ISAF IV at NATO force generation conference of 10 June 2003], 10 June 2003.

37 Memorandum from Ministry of Defence III (third department, defence policy) to Minister of Defence, 'Afghanistan – Norsk militær støtte til gjennomføring av grunnlovsforsamling' [Afghanistan – Norwegian military support for carrying out a constitutional assembly], 17 October 2003.

38 Ibid.

39 Message from Ministry of Defence to Norwegian Defence Staff, 'Afghanistan – innmelding av styrke til ISAF – oppdrag for forberedelser' [Afghanistan – submission of forces for ISAF – assignment for preparations], 17 October 2003.

40 Message from Ministry of Defence to Norwegian Defence Staff, 'ISAF BATTLE GROUP HOVEDKVARTER I KABUL' [ISAF battle group headquarters in Kabul], 24 March 2004. BG 3 was battalion-sized, i.e. roughly 500 soldiers. Many of those involved felt that they served a useful purpose as long as they remained in Kabul: 'Not surprisingly, we who were part of Norwegian BG3 believe the unit was a success and that we made a positive difference in Afghanistan.' Lars Lervik, 'Norwegian battlegroup 3/Kabul Multinational Brigade/ISAF: Erfaringer fra multinasjonal bataljonstridsgruppe i Kabul' [Experiences from Norwegian battlegroup 3/Kabul Multinational Brigade/ISAF], *Norsk Militært Tidsskrif [Norwegian Military Journal],* Vol. 176, no. 2, 2006, p. 18.

41 Ibid, p. 13.

42 Ibid, p. 18.

Figure 4.5 Norway eventually chose to concentrate its efforts in northern Afghanistan. The base for the Norwegian quick reaction force (QRF) was Camp Nidaros outside Mazar-i-Sharif.

Photo: Torbjørn Kjosvold/Norwegian Armed Forces

in the army's desire to remain in Kabul rather than assuming a PRT in the north.

4.3 Moving north

It was on the cards that Norway, too, would have to get involved in the PRT concept, that is, support the development and security efforts in the provinces (see Chapter 8). At the meeting of NATO defence ministers in December 2003, US Secretary of Defence Donald Rumsfeld asked Norway directly to participate in establishing new PRTs.[43] In January 2004 a delegation of Norwegian, Swedish and Finnish officials travelled to Afghanistan to assess ways to contribute to the PRT concept. There were many factors to consider, including NATO's expansion plan, the security situation, the force requirements, available forces, whether the units should be placed under ISAF or OEF command, potential partners, Norwegian security policy considerations and visibility.[44]

In essence the choice was between being part of either the British or the German PRT, both in northern Afghanistan. For reasons discussed in Chapter 8, Norway chose the UK-led PRT that was being set up in Meymaneh, together with Finnish forces.[45] The contribution would comprise roughly 30 Norwegians.[46] This force deployed to the PRT in July 2004.

At the same time, the NATO Secretary General signalled expectations that countries such as Norway should not only participate in the PRTs, but should also eventually assume command of one.[47] The Norwegian military leadership was critical of taking on such a responsibility and recommended instead continuing the efforts in Kabul with a brigade command element and a company-sized unit.[48] According to the Norwegian Defence Staff, factors involving budgeting, personnel, security, competencies, materiel and profiling pointed towards continuing to concentrate efforts in Kabul rather than assuming responsibility for a PRT. The military was furthermore concerned that an independent Norwegian responsibility in the north would give rise to expectations that Norway would assume further obligations in the event of the withdrawal from the area of other actors, the UK in particular. Having responsibility for a province could make it difficult to withdraw, should this become necessary. Additionally, the military had no previous experience of mentoring, advising and undertaking reconstruction on foreign soil, while simultaneously dealing with enemy attacks.[49]

The Ministry of Defence did not heed these objections.[50] The Ministry saw it as politically desirable to take a more active role in the ISAF expansion by concentrating Norway's presence in the north, parallel to terminating its presence in

43 Message from Norwegian Delegation to NATO, 'Norsk engasjement i Afghanistan i 2004' [Norwegian engagement in Afghanistan in 2004], 3 December 2003.

44 Message from Norwegian Embassy in Kabul, 'Afghanistan. NATO-ISAF-PST Vurderinger pr 04.02.04' [Afghanistan. NATO-ISAF-PST Assessments as of 04 Feb 04], 4 February 2004.

45 Message from Ministry of Defence to Norwegian Defence Staff, 'ISAF – Oppdrag til Forsvarsstaben' [ISAF: Assignment for the Defence Staff], 8 March 2004.

46 Memorandum from Section for Global Security Issues and Crisis Management to Ministry of Foreign Affairs' Secretary General, 'Norske bidrag til Afghanistan – oversikt' [Norwegian contribution to Afghanistan – overview], 9 March 2004.

47 Message from Norwegian Delegation to NATO, 'Afghanistan, Generalsekretæren minner om sine forespørsler' [Afghanistan, reminder from Secretary General of his requests], 5 May 2004.

48 Message from Norwegian Defence Staff to Ministry of Defence, 'Forsvarsstabens vurdering av satsningsområde i Afghanistan' [Defence Staff assessment of priority areas in Afghanistan], 27 August 2004.

49 Ingrid M. Gjerde, 'Ti år i Afghanistan – ti år for Hæren' [Ten years in Afghanistan – ten years for the Army], in Dag Leraand (ed.), *Intops, norske soldater – internasjonale operasjoner* [INTOPS, Norwegian soldiers – international operations] Oslo: Armed Forces Museum, 2012, p. 316.

50 Message from Ministry of Defence to Norwegian Defence Staff, 'Innledende planleggingsdirektiv – utviklingen av nasjonale bidrag til PRT/ISAF' [Introductory planning directive – development of national contribution to PRT/ISAF], 9 February 2005.

Kabul in the spring of 2006. According to the Ministry, there were several advantages to this. It would directly promote stability in the northern region and indirectly help to expand ISAF's area of responsibility by allowing the UK to move southwards. By assuming command of a PRT, Norway would also signal predictability and a long-term perspective in its military presence. Moreover, the expanded role had the potential to create synergies between military and civilian elements (though this would ultimately prove difficult to do).

The outcome was that in September 2005 Norway assumed command of the PRT in Meymaneh, where Finland and Iceland were also participating, and remained in command until September 2012, when ISAF terminated the operation in Faryab province.

In March 2006, in keeping with the objective to concentrate its efforts in the north and pull out of Kabul, Norway deployed a robust company battle group of roughly 200 troops, including a battalion staff, to Mazar-i-Sharif in order to relieve a UK force. This new company was a QRF under German command in Regional Command North. Norway also provided a medium-sized mobile Role 2 deployable hospital.[51]

The QRF was a relatively strong force, whose day-to-day task was to support the various PRTs in northern Afghanistan when they needed assistance. The assignment in northern Afghanistan featured operations with heavier materiel and larger force sizes, a change from the assignment in Kabul, which had consisted of routine patrols in small units. This operation was important for the recently formed Telemark Battalion, which was now completely comprised of professional soldiers. Norway's modern military had always had career officers, but the professionalisation of soldiers was new and gave rise to some cultural challenges within the military to which Norway was unaccustomed.[52] The conscription-based Armoured Battalion and 2nd Battalion also deployed units consisting of soldiers who had signed shorter-term contracts for service in Afghanistan, and all the remaining units of Brigade North also contributed personnel.

In 2008 the Norwegian QRF in Mazar-i-Sharif was disbanded and its resources transferred to Meymaneh.[53] The reasons behind this were both the attack on the PRT camp ('the Bank') in central Meymaneh in February 2006 (see Chapter 8) and the deteriorating security situation in 2007. The Norwegian authorities sought to ensure that the PRT Meymaneh received its own QRF, which was called a task unit. Thus the Norwegian PRT would no longer be dependent on the German QRF in Regional Command North, which replaced the Norwegian QRF in Mazar-i-Sharif.

An interesting side effect of this reinforcement, however, was that when a robust QRF was added to the PRT, it became tempting to use the force pre-emptively. As it was the PRT's only manoeuvre unit, the question was whether it should be engaged strictly as a QRF (i.e. to react to unforeseen incidents) or tasked with preventing or pre-empting incidents by seeking out insurgents – or used in some combination of the two ways. The PRT chose the preventative/pre-emptive option in order to influence a situation rather than reacting to situations that arose. The irony was that the act of seeking out insurgents may have served to intensify the conflict.

The decision to concentrate its forces in the north did not prevent Norway from deploying four F-16s to Kabul in the spring of 2006 for a three-month period.[54] Up until 2006 ISAF did not have its own fighter aircraft and depended on support from the US-led OEF. The Norwegian F-16s,

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51 Message from Ministry of Defence to Norwegian Joint Headquarters, 'Etableringskostnader forbundet med redeployering av det norske styrkebidraget i Afghanistan fra Kabul til Mazar-i-Sharif – kostnadsestimat' [Establishment costs associated with redeploying the Norwegian military contribution in Afghanistan from Kabul to Mazar-i-Sharif – cost estimate], 7 June 2005; Message from Chief of Defence to Defence Staff, Intelligence Service, Norwegian Joint Headquarters, Norwegian Defence Logistics Org., Inspectors General of the Norwegian Army and Air Force, Training Centre for Joint Logistics and Operational Support, Command and Control Information Systems, Defence Security Agency, Archive Administration, Joint Medical Services, 'Forsvarssjefens (FSJ) operative krav for norske styrkebidrag til Nord-Afghanistan i 2005–06' [Chief of Defence's operational requirements for Norwegian military contributions to northern Afghanistan in 2005–06], 13 December 2005.

52 Arne Opperud, 'Ledelse i strid – spørsmål om krig' [Leadership in combat – Questions about war] in Dag Leraand (ed.), *Intops, norske soldater – internasjonale operasjoner* [INTOPS, Norwegian soldiers – international operations], Oslo: Armed Forces Museum, 2012, p. 330.

53 Message from Norwegian Joint Headquarters to Ministry of Defence, 'Historikk ifm etablering av Infanterienhet/ PRT Meymaneh – FOHKs og HSTs omforente fremstilling' [The history of the establishment of the infantry unit/PRT Meymaneh – Joint Headquarter's and Army Staff's joint account], 5 June 2008.

54 Messages from Ministry of Defence to Norw. egian Joint Headquarters, 'ISAF – Norsk Close Air Support i 2006' [ISAF – Norwegian Close Air Support in 2006], 14 September 2005 and 'Sjef FOHKs operasjonsordre for deployering av F-16 ISAF (operasjon Afghansk Falk)' [Joint HQ Commander's operation orders for deployment of F-16 ISAF (Operation Afghan Falcon)], 18 November 2005.

placed in a Dutch-led unit, were submitted as a response to NATO's stated need for more fighter aircraft due to ISAF's geographical expansion, particularly southwards. The fighter aircraft were meant to demonstrate presence and, if necessary, provide close air support should critical situations on the ground arise, such as the riots outside 'the Bank' in Meymaneh in February 2006.

Concentrating in the north also did not prevent the Norwegian Defence Staff from considering the deployment of the Telemark Battalion to southern Afghanistan under UK command in the spring of 2007 and a reconnaissance (intelligence, surveillance, target acquisition, and reconnaissance, ISTAR) platoon in support of the Netherlands in Uruzgan in the autumn of 2007.[55] Additionally, the Minister of Defence recommended deploying special forces to southern Afghanistan. ISAF had encountered fierce resistance in the south and its operations were in danger of terminating due to insufficient forces. The justifications for deploying Norwegian special forces were that they were available for assignment, had the relevant competencies and materiel, and could assist in the ongoing operations.[56] As discussed in Chapter 3, however, there was no political will to deploy forces to the south in this period.

For the entire period, Norway was represented by staff officers in Kabul, Mazar-i-Sharif and elsewhere, and deployed individuals to various projects for training, teaching and mentoring. In 2007, for the first time, Norway also deployed personnel to the United Nations Assistance Mission in Afghanistan (UNAMA) to serve as, for example, military liaison officers to units in ISAF and the Afghan army. It was in her role of military adviser in UNAMA that Lieutenant Colonel Siri Skare was killed in the Mazar-i-Sharif riots of April 2011.

From 2006 onwards the Norwegian armed forces focused on Faryab, as discussed in Chapter 8. The exception was the special forces in Kabul, discussed in Chapter 5.

4.4 Why these contributions?

Beyond the general security policy consideration of Norwegian membership of NATO, the Commission finds little trace of a long-term strategy underlying Norway's military effort. There was broad consensus that Norway should support the US after 11 September. The Ministry of Defence in particular clearly emphasised this point. But specifically *what* Norway should contribute militarily was for the most part not based on any long-term assessments. This is not surprising, as no one knew how long this operation would last. Not until the expansion of NATO's engagement in 2003, and especially after Norway's takeover of the PRT command in 2005, did it become clear that Afghanistan would be a protracted, demanding project for Norway as well. But even after 2005, the Commission finds no indication of a Norwegian strategy debate at the highest political and military level. There were discussions about which forces Norway should provide, and not least *where* to deploy them, but exactly *what* these forces were intended to achieve, for example in Faryab, was never the subject of detailed discussion. Guidance from ISAF was also vague and, in some periods, in direct contradiction to the Norwegian policy of separation between military and civilian activities, which is examined in Chapter 8.

Norway's contributions were not based on any national strategy beyond the objective to be a good ally. Nevertheless, in retrospect, some clear patterns can be seen in Norwegian policy and practice. The following six factors, in particular, should be mentioned.

First, there were constraints relating to budget, structure and availability of forces that influenced what Norway could offer. Early on in the period in particular, the armed forces were undergoing extensive restructuring that required much attention and major resources. A lengthy, comprehensive Norwegian engagement would have affected this development.[57]

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55 Messages from Ministry of Defence to defence attaché in Paris, 'Norske styrkebidrag til ISAFs utvidelse 2006–2007' [Norwegian military contributions for ISAF expansion 2006–2007], 6 September 2005; from Ministry of Defence III (defence policy) to Chief of Defence, 'Eventuell deployering av hurtig reaksjonsstyrke/TMBN til Sør-Afghanistan mars - oktober 2007 – konsekvenser' [Possible deployment of quick reaction force/Telemark Bn to southern Afghanistan March–October 2007 – impacts], 25 January 2006; from Norwegian Defence Staff to Ministry of Defence, 'ISTAR tropp integrert i NLD 130 ISTAR Bn i Uruzgan, Sør Afghanistan' [ISTAR platoon integrated into Dutch 130 ISTAR Bn in Uruzgan, southern Afghanistan], 27 November 2006.

56 Memorandum from Minister of Defence to the coalition government's committee of party leaders [Norwegian: underutvalget], 'Spørsmål om norske bidrag til Sør-Afghanistan' [Issues regarding Norwegian contributions to southern Afghanistan], 14 September 2006.

57 Memorandum from Ministry of Defence III (defence policy) to Ministry of Defence II (security policy), 'Mulige Afghanistanbidrag – budsjettinndekning' [Potential Afghanistan contributions – budgetary balancing], 3 December 2001.

Figure 4.6 In 2008 Norway deployed a helicopter medical services unit.

Photo: Tom Snedal

Second, the armed forces sought military synergies, that is, to ensure that the effort in Afghanistan would have a positive impact for the defence of Norway as well.[58] Enhanced expertise in international cooperation, combat experience (including from engagements with relatively large forces) and improved equipment would also enhance the military's ability to conduct operations at home. From organisational and materiel standpoints, a considerable dilemma may arise if the military is forced to use a lot of resources on developing a structure abroad that has little national relevance. Time-critical procurements, for example, armoured personnel carriers such as the Iveco and Dingo, can be costly and difficult to adapt for applications in operations, logistics and training back home.[59] There are also security risks involved when units in the field, perhaps lacking adequate technical competence, are forced to improvise to make the materiel perform appropriately.

Third, when it comes to soldiers serving in Afghanistan, the Commission sees a pattern in the desire of the armed forces to distribute both the burden and experience from service in Afghanistan across its various units. The relatively frequent rotations among units and individuals were rarely based on the requirements in Afghanistan, but rather on challenges related to wear and tear on personnel and materiel and on domestic needs relating to personnel policy and competence-building. A dynamic emerged within the military services whereby certain contributions, such as the abovementioned QRF, were considered preferable to deploy in operational terms.

Fourth, the composition of the Norwegian contributions was also influenced by the security situation on the ground. There was significant political concern about inadequate armouring and medical support, which led to time-critical procurements such as the Iveco and Dingo vehicles as mentioned above. Access to Bell 412 military transport helicopters was virtually non-existent in

[58] See e.g. memorandum from Ministry of Defence III (defence policy) to Chief of Defence, 'Vurdering av grensejustering mellom RC W og RC N' [Assessment of border adjustment between RC W and RC N], 21 October 2008, regarding concerns relating to lack of structural similarity between the PRT and 'what we produce for national purposes'.

[59] Gjerde, 2012, p. 319.

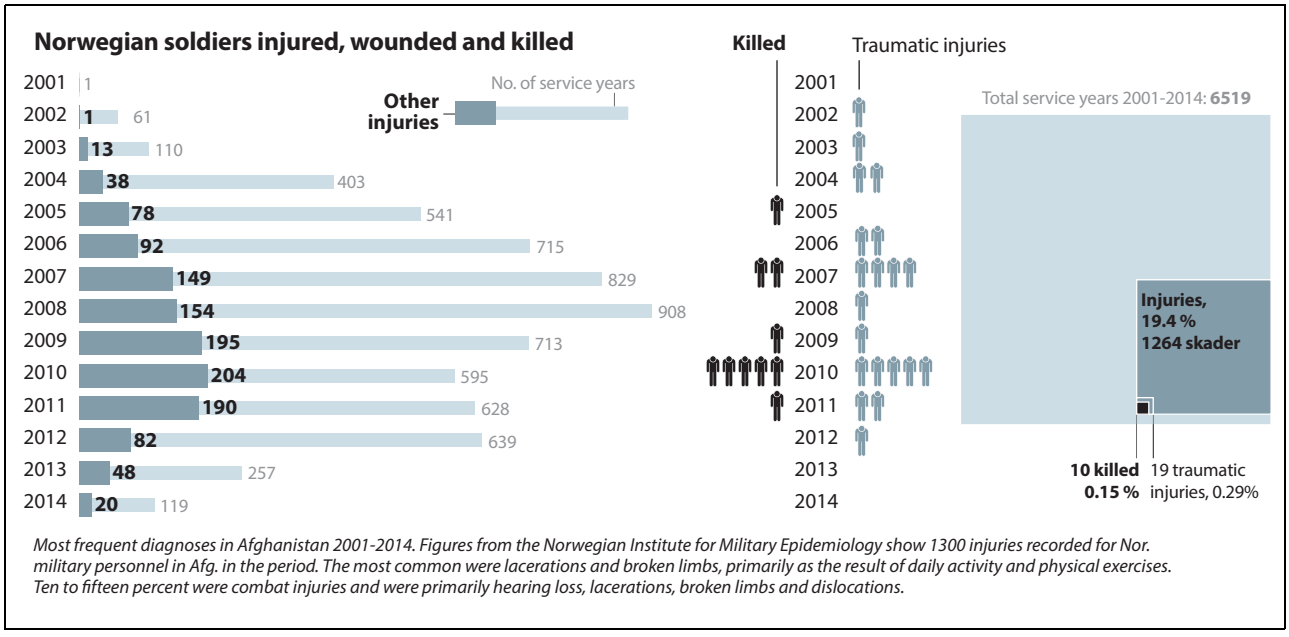

Figure 4.7 Statistics of Norwegians injured, wounded and killed, by year.

Norway from 2008 to 2012, since the helicopters were in Afghanistan.

A fifth factor was the importance that Norwegian authorities attached to providing contributions that were visible within ISAF and NATO. Norway's decision to deploy special forces, for example, was taken not only because they were well-trained for operations in mountainous terrain and in winter conditions, but also because these contributions benefitted Norwegian security policy. The US alone had roughly 30,000 special forces soldiers available in 2001, a figure which has since more than doubled. How many of these operated in Afghanistan is not clear, but regardless, the Norwegian contributions carried more political than military significance. Their purpose was to send a clear message that the US had broad international support in combatting international terror, while at the same time helping to cement and expand Norway's relations with its principal ally.

Finally, the Norwegian military engagement was also influenced by national political currents. As discussed in Chapter 3, the change of government in 2005 made the geographical north–south boundary in Afghanistan a critical factor in determining which contributions Norway would provide.

All told, large segments of the armed forces were involved in Afghanistan in one way or another. The army was the largest contributor of forces. Which elements to deploy, and when, was determined by many different factors and conflicting considerations. No long-term national strategy lay behind the individual contributions; as mentioned above, only in hindsight can we recognise the main patterns that emerged.

4.5 What did the engagement cost?

The armed forces' engagement in Afghanistan has entailed both human and financial costs. Ten members of the armed forces died in the period, twenty were seriously wounded and a large number suffered more minor injuries. Attachment 1 lists the names of the soldiers who were killed and Figure 4.7 is the Joint Medical Services' overview of personnel injured, wounded and killed.

There has also been a psychological toll on armed forces personnel, which is not indicated in Figure 4.7. Experience gained from previous conflicts and operations shows that the number of veterans with mental health problems and reduced capacity to work will increase as these personnel age (see Chapter 12).

Figure 4.8 Funeral procession. Ten members of the Norwegian armed forces were killed in the period 2001–2014.

Photo: Taral Jansen/Norwegian Armed Forces

The engagement also entailed substantial financial costs. Expenditure associated with Norway's military engagements abroad is generally itemised in the National Budget, Chapter 1792, Line Item 01 *Norske styrker i utlandet* ('Norwegian forces abroad'). These are the *additional costs* to the armed forces of having forces stationed abroad. A total of roughly NOK 9.6 billion (USD 1.52 billion) has been transferred via this line item to the operations of ISAF and OEF (see Figure 4.1).[60] Payroll expenses for permanently employed personnel whom the armed forces would have paid regardless are not included. A high proportion of the armed forces' investments and everyday activities are also intended as general preparation for operational activities where it is difficult to differentiate clearly between what is only relevant abroad and what also has relevance at home.

Chapter 1792 does not list costs relating to construction of infrastructure. For instance, nearly NOK 290 million (USD 46 million) was invested in Meymaneh, distributed across a number of projects, some of whose costs were also covered by allies. Neither are costs for the Intelligence Service included under Chapter 1792.

On top of this is all the Afghanistan-related expenditure that is difficult to separate in the accounts from the units' everyday operations. These include expenses relating to training and procurement of materiel with little or no relevance for armed forces at home, additional costs result-

[60] Based on an exchange rate of NOK 6.3/1 USD.

ing from tasks not completed at home while the relevant position holder has been abroad, extra payroll expenses resulting from overtime, veteran care and the like. Such expenses are, in practice, impossible to determine with accuracy, but according to the Ministry of Defence, these are stipulated to be some NOK 640 million (USD 102 million), of which nearly NOK 620 million (USD 98 million) went to the army. This cost estimate is largely based on items under the general heading 'International Operations'.

Finally, there was expenditure relating to Project 2555 *Tidskritiske anskaffelser til militære operasjoner i utlandet* ('Time-critical procurements for military operations abroad'). An expenditure of roughly NOK 1 billion (USD 159 million) was entered under 'Time-critical procurements' of various materiel. Some of this materiel was transported back to Norway and thus serves beyond the Afghanistan engagement, but the Commission does not know exactly how much of it this involves.

The total additional costs relating to the military component of the Afghanistan engagement, meaning costs beyond fixed expenses such as payroll and the like, are calculated at roughly 11.5 billion (USD 1.83 billion). The actual figure is likely to be somewhat higher.

In practical terms, it is impossible to estimate the total financial and human cost of Norway's military engagement in Afghanistan. The impact of the use of these resources, however, is also evident in places other than Afghanistan, for instance, in the form of enhanced military expertise.

4.6 Armed forces in development

A long-term, comprehensive mission such as that in Afghanistan will affect many aspects of the armed forces' development. Certain fundamental aspects of this are discussed here, including the armed forces' ability to learn.

A great deal of learning automatically takes place when teams and units work together in an area of operations and endeavour to adapt to a situation.[61] Many soldiers were deployed to Afghanistan multiple times and brought their experience with them from previous contingents and operations. The informal transfer of knowledge between colleagues and contingents was also considerable and was most effective in small, tight-knit units such as the Intelligence Service and special forces.

When it comes to the more systematised and institutionalised learning process for transferring experience and the ability to adapt, the armed forces have developed various types of tools. Some of these involve systems for data capture and formalised reporting routines, or the dissemination of newly acquired knowledge through the development of doctrine and handbooks, or training and teaching plans.[62] In addition to the formalised methods, the armed forces promote direct transfer of experience and knowledge: soldiers about to deploy have the opportunity to speak with those who are currently or have been in the operation.

Although there is much good work being carried out in these fields, there is reason to believe that the armed forces still need to do more. For example, the armed forces' internal audit report concluded the following about management of lessons learned: 'All this indicates that the armed forces do not prioritise being a learning organisation. A likely consequence is that the armed forces will not be able to implement the continuous improvement required, for example, to free up resources for enhancing operational capability, and that processes dependent on properly functioning management of lessons learned will not achieve their purpose.'[63]

Organised management of lessons learned is difficult, particularly for large, complex organisations such as the armed forces. It is especially challenging in dynamic, complicated situations such as in Afghanistan, which is so different from Norwegian society in terms of politics, culture and history. Most of the learning and adaptation that has occurred applies to the practical and tactical levels. Information that has emerged in the Commission's hearings shows that the armed forces developed a significant ability to adapt in relation to weaponry, protective and safety equipment, clothing, provisions, medical services and modus operandi during the period dealt with in this report. There is less to suggest that the level

[61] See Kari Ann Sløveren, 'Krisehåndtering i Forsvaret. Lærer vi av erfaring?' [Crisis management in the armed forces. Do we learn from experience?] Norwegian Defence Command and Staff College, *Militære studier [Military Studies],* no. 5, 2014, p. 17.

[62] See *System for Operativ erfaringshåndtering i Forsvaret*, Ferdaball (Armed forces lessons learned database), Norwegian Defence Staff/Operations department, 2013.

[63] Armed forces internal audit, 'Revisjonsrapport nr 6/2014' [Audit report no. 6/2014], February 2015, p. 29.

Figure 4.9 Norwegian soldiers patrolling the streets of Meymaneh

Photo: Per Arne Juvang/Norwegian Armed Forces

of knowledge and reflection on operations and strategy has increased to the same extent.

The armed forces have a poorly developed system for managing and generating this kind of complex, situation-dependent knowledge. The structures and procedures around *Ferdaball*, the Norwegian armed forces 'lessons learned' database, provide a starting point for learning, but it is difficult to find good examples where experience has been collected and analysed in a way that makes the findings applicable and relevant for policy development and strategy design.[64] Moreover there are no established procedures for ongoing assessment and calibration of political and bureaucratic structures for strategy formulation in Norway. The kind of conceptual and abstract thinking needed to process political and strategic experiences is different from that needed to process experience in combat tactics. Nor is the transfer value equally direct or tangible. Even though strategic and political learning is difficult, the military should strive to design routines and procedures that promote it.

A focus on learning, as well as developing the ability to adapt and improve, involves more than just understanding what is relevant for future use. Another critical factor is the ability to identify counterproductive ways of thinking and acting. Two pitfalls are important to avoid in this context. First, the armed forces must not focus *overly* much on lessons learned from Afghanistan, to the extent that they tailor the materiel, operational practices and military culture to conducting the types of missions they carried out in Afghanistan. There is no guarantee that the same forces and skills will be relevant for future operations. The nature of the ISAF operation was relatively static with an outsized command structure, which may not be the case in the next operation. As Colonel Ingrid Gjerde, a former contingent commander in Afghanistan, wrote: 'The next large-scale international operation in which Norway participates will be of a different character than ISAF. We should therefore be conscious of this in applying our experiences when further developing the armed forces.'[65]

The second pitfall is allowing military needs at home to override what is required abroad. Carrying out complex land operations with an eye to the competence- and character-building effect of individual soldiers may be useful for needs at home, yet may be at odds with the optimal conduct of the overall mission and lead to greater risk of combat situations.

A related subject is the extent to which individual contingents have developed a culture where it was important to seek out and engage the enemy in the course of the contingent's tour of duty. Particularly in 2010, several Norwegian media outlets wrote about individual soldiers who said that they enjoyed being in combat and taking lives, an attitude that displeased the Ministry of Defence and military leadership in Oslo. Frustration among some soldiers at never experiencing 'troops in contact' (TIC) situations before returning home can serve as motivation to actively seek out combat, even though it may interfere with achieving strategic-level objectives. This was also pointed out by some veterans themselves: 'The paradox is that all the shooting is what gets the attention,' said Tor. 'Exaggerating somewhat, one could say that we hand out medals and awards to soldiers when there is shooting, not when we complete our task in peace and harmony like we are supposed to.'[66] This was a widely held view also among soldiers in the field. The many times soldiers successfully completed assignments with minimal or no use of force was often given less notice, although decorations were awarded also for deeds during such assignments.

Underlying the discussion of whether a negative culture existed in some contingents and units is a more fundamental question: how can the armed forces find a balance between fostering a

[64] Torunn Laugen Haaland, 'The Limits to Learning in Military Operations: Bottom-up Adaptation in the Norwegian Army in Northern Afghanistan, 2007-2012', *Journal of Strategic Studies*, no. 39 (2016), pp. 999-1022.

[65] Gjerde, 2012, p. 322.

[66] Quoted from Malin Stensønes, *På våre vegne [On Our Behalf]*, Oslo: Aschehoug, 2012, p. 171.

willingness to take risks and take offensive action – which is necessary in battle – and the restraint needed to succeed in other kinds of operations?

Experience gained in Afghanistan also raised awareness about what is required at the tactical level. Considerable expertise and experience are required to operate effectively in complex combat situations. This led to the establishment of a non-commissioned officer corps in Norway, which in 2015 became the last NATO member country to introduce a designated career path for military specialists. The scheme means that military employees are now grouped into two main categories, the officer corps (OF) and the specialist corps (other ranks, OR).

Fighting an insurgency demands a type of adaptation that does not necessarily involve seeking out battlefield confrontations. Situations *may* also arise that call for offensive action and the willingness to take risks. The adversaries in Afghanistan, however, were not a conventional army to be defeated with conventional methods. The perception of the enemy was complex and subject to rapid change. Knowing when and how to engage the enemy in battle required an in-depth understanding of local power dynamics. The Intelligence Service analyses of the situation in Faryab stressed how quickly power was changing hands and how local actors abused official positions for personal gain. In conditions such as these, creating stability by supporting local authorities was challenging. Too offensive or defensive an approach could work against the intent to both strengthen the central authorities' control and engender trust among the local population.

4.7 Summary

To sum up, the Norwegian armed forces contributions to the operations in Afghanistan were substantial, but the engagement was directed mostly by ongoing assessments of needs, what Norway could offer and safety considerations for personnel, as opposed to any comprehensive Norwegian strategy for contributions. In certain periods, particularly post-2006, Norwegian political authorities were concerned about the worsening security situation in the north and took countermeasures such as moving the QRF from Mazar-i-Sharif to Meymaneh and deploying a unit for helicopter medical services. These measures, however, were more reactions to hostile incidents than the product of any crafted strategy. The most important objective for Norway was to be involved in supporting NATO and especially the US. Strategy beyond this was mostly developed by the US and NATO.

Most of the actions of the Norwegian units at the tactical level were decided by on-site commanders in Afghanistan. This was particularly true in Faryab province, as discussed in Chapter 8.

The armed forces effort in Afghanistan had many positive impacts on Norway's military development, particularly in terms of combat experience and the ability to conduct operations as part of multinational coalitions. The engagement brought the armed forces closer to battlefield combat than at any time since WWII. The armed forces have learned significant lessons from this experience at the individual and unit levels. It is problematic, however, that during the same period, the armed forces lost much of their ability to conduct major joint operations involving all of Norway's military branches in a large force. The weapons technology, organisation and structure that the units practised and equipped themselves for in Afghanistan are not the same as those needed to defend Norway today.

Unlike the other original members of NATO, Norway shares a border with a great power that actively uses military might to influence the politics of its neighbours. This makes for a greater contrast between contribution-based expeditionary warfare and national needs in Norway, compared to, for example, Denmark, the Netherlands or Belgium. The experience of Afghanistan has shown that procurements, training and readiness that are relevant and necessary in one area of operations may not be equally so elsewhere.

Chapter 5
The Norwegian special forces and Intelligence Service

The combined efforts of the Norwegian special forces and the Norwegian Intelligence Service (NIS) were a central component of Norway's military engagement in Afghanistan. These relatively small units contributed significantly to all three of Norway's overarching policy objectives.

First, their activities were instrumental in strengthening relations with the US, other allies and NATO, and were particularly important politically for relations with the US. In practical terms, the activities fostered closer cooperation between the Norwegian special forces and the NIS and their international partners than was the case prior to 2001.

Second, the special forces – with support from intelligence personnel – took part in the 'war on terror' in Afghanistan within the OEF framework. The Norwegian contribution was small and operations were primarily of local or tactical importance, but they had a substantial political impact.

Third, the special forces and the NIS played a significant role in Norway's contribution to state-building in Afghanistan. In this respect, Norway's engagement in Kabul from 2007 onwards was most important, in that it helped to secure Kabul and build up and support the Afghan police Crisis Response Unit 222. Norwegian special forces are still providing support to this unit, which is important for the ability of the Afghan authorities to respond to attacks on the capital Kabul and for the security of the international presence there.

Norway's engagement in Afghanistan has led to changes in the special forces and NIS at home, particularly at the operational and strategic levels. The special forces evolved and grew significantly during the period, and the NIS has been strengthened. For the NIS, the operations in Afghanistan also helped to expand cooperation with the intelligence services of other countries and with the Norwegian Ministry of Foreign Affairs.

In the first section of this chapter, the Commission analyses how the contribution of the special forces developed from an operationally detached but readily available and deployable component in OEF into an important Norwegian contribution in Afghanistan under the International Security Assistance Force (ISAF).

The second section highlights the various roles of the NIS, including support for the Norwegian authorities, ISAF, the Norwegian special forces and other forces in Afghanistan. The last part of this section describes the development of international intelligence cooperation in Afghanistan.

In the third section of this chapter the Commission describes one of the most controversial aspects of the conflict in Afghanistan, the Joint Prioritised Effects List, or 'kill or capture' lists, and assesses Norway's role in this context. The Norwegian special forces and NIS participated in this facet of the ISAF operation from 2007.

5.1 Operation Enduring Freedom (OEF), 2002–2006

For many years the special forces of both the Norwegian army and navy were comprised of small, low-priority units on the fringes of their respective armed service's primary fields of interest, and were at times on the verge of disbandment. Norwegian special forces were not used in UN or other international operations until the 1990s. The first time Norwegian authorities considered deploying them internationally was in 1995 in connection with the NATO evacuation plan for the UN force UNPROFOR in Bosnia and Herzegovina. The development that began in the Balkans in the 1990s gathered momentum in Afghanistan.[1] The potentially most significant turning point for the special forces was not brought about by long-term development in military concept or doctrine,

[1] See e.g. Tor Jørgen Melien's *Våre hemmelige soldater – norske spesialstyrker 1940–2012 [Our Secret Soldiers: Norwegian special forces 1940–2012]*, Oslo: Spartacus, 2012, and Tom Bakkeli's *Krigere og diplomater – på innsiden av Forsvarets spesialkommando [Warriors and Diplomats: Inside the special forces],* Oslo: Kagge, 2013.

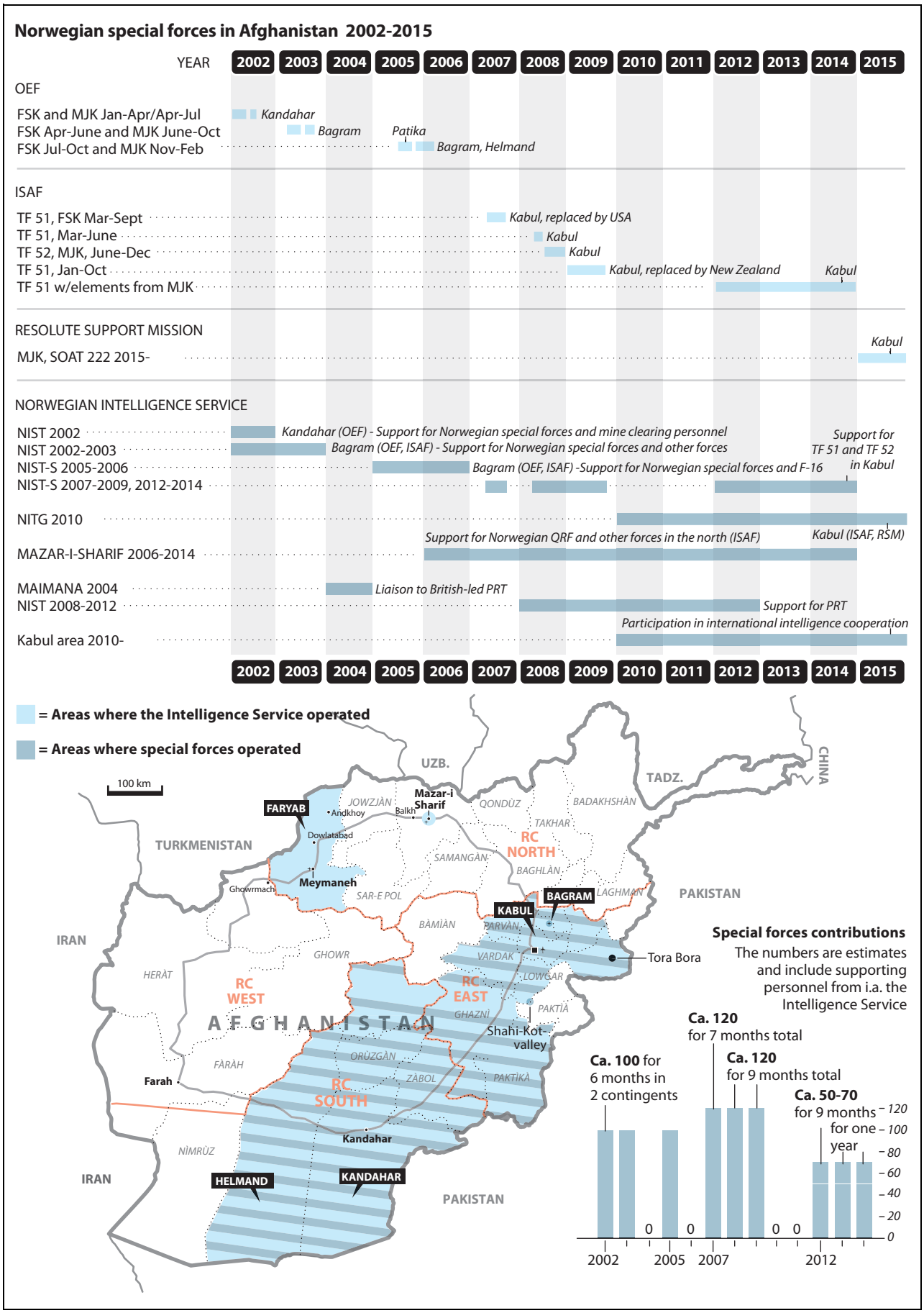

Figure 5.1 Norwegian special forces and NIS in Afghanistan

Box 5.1 Norwegian special forces

Norway has two groups of special forces, the Navy Special Operations Commando (the MJK) and the army's Norwegian Special Operations Commando (the FSK). The army's special forces have traditionally had 'green' missions (carried out by the Army Ranger Commando, the HJK) relating to military operations and 'black' operations (carried out by the FSK) relating to counter-terror missions in support of the national police.

Partly as a result of their dual mission, the army's special forces have changed names several times. In recent years they have been called the Army Ranger Commando (HJK, 1997–2007, when the FSK was part of the HJK) and, subsequently, the Armed Forces Special Operations Commando/Army Ranger Commando (FSK/HJK, 2007–2014) and now the Norwegian Special Operations Commando (FSK, from 2014). Throughout this report the Commission refers to FSK, the name currently used, even where HJK would be formally correct.

Special forces perform three main roles in missions:

- *Special Reconnaissance*: collecting information of strategic or operational value that is difficult to collect by other means.
- *Direct Action*: influencing a situation directly, which may include assaults, sabotage operations, hostage rescues, and so on. Planned strikes require a sound intelligence basis.
- *Military Assistance*: training, practising and training others. Military assistance may be carried out in low-risk missions, but since these assignments entail a more prolonged presence, they may also involve greater risk than direct action.

but rather by the participation of Norwegian observers in the Kosovo Verification Mission in 1998–1999. Norwegians participating in Kosovo were at risk of being taken hostage and, if this happened, it would be a national responsibility to deal with the situation. The Norwegian armed forces had no designated unit for this kind of mission abroad, but the Norwegian Special Operations Commando (the FSK) was the best option available, even though the unit was on constant national readiness.[2] The unit proved useful and was later given other types of missions when NATO entered Kosovo after its 1999 air strikes. In the autumn of 2001 Norway's special forces were an available resource that was in high demand.

The experience gained in the Balkans was also important for the NIS engagement in Afghanistan. Like the special forces, the NIS had never taken part in such operations before. Unlike large intelligence organisations such as the US *Central Intelligence Agency* (CIA) and the UK *Secret Intelligence Service* (SIS or MI6), at the end of the Cold War the NIS had no experience in supporting military units on missions abroad. The Norwegian armed forces deployed units to several, at times high-risk, UN operations. This was particularly the case with the United Nations Interim Force in Lebanon (UNIFIL) in 1978. However, the NIS *was not involved; its focus was on Norway's neighbouring areas*.[3] Not until after the dissolution of the Soviet Union, with the ensuing security implications this had for areas adjacent to Norway, did the *NIS* incorporate support for foreign missions as part of its activity.

After Norway took the political decision in the autumn of 2001 to deploy special forces to Afghanistan, military commanders decided to start by sending a combined special forces unit. It was named the *Norwegian Special Operation Forces Task Group* (NORSOF TG) and both the Norwegian Special Operations Commando and the Norwegian Navy Special Operations Commando participated.

When the Norwegian special forces began their engagement in Afghanistan in 2002, they were employed as tactical units to achieve operational and strategic impact. They had minimal staff and planning capacity, but because of their

[2] John Inge Hammersmark, 'Utviklingen av norske spesialstyrker: symbolikk eller militær nytteverdi?' [Development of Norwegian special forces: Symbolic or Real Military Value?], Master's thesis at Norwegian Defence Command and Staff College (2010), pp. 40–41. FSK denotes here what was known as the 'black' part of army special forces (HJK), not HJK as a whole. See Box 5.1.

[3] Olav Riste and Arnfinn Moland, *Strengt Hemmelig: Norsk etterretningstjeneste 1945–1970 [Top Secret: the Norwegian Intelligence Service 1945–1970]*, Oslo: Scandinavian University Press, 1997.

high skills at the individual soldier level and high readiness, they were a natural instrument to employ. This was a hand-picked unit trained to deal with uncertainty and to operate undercover. For the authorities, the special forces became an asset that they could use to meet political and Alliance expectations regarding Norwegian military contributions.

The Norwegian special forces were deployed to Afghanistan without a clearly formulated mission. The expected procedure was for the tactical force commander to define the unit's tasks through mission dialogue with relevant headquarters in the area of operations. This was a recurring pattern until some time after the Norwegian forces were sent to Kabul in 2007 and is a common feature of other parts of Norway's military contributions as well.

The first contingent of Norwegian special forces, consisting of nearly 70 soldiers, arrived in Kandahar in January 2002. For six months until July 2002, the unit was part of the Combined Joint Special Operations Task Force – South (CJSOTF-S), known as Task Force K-Bar. This group comprised nearly 3,000 special forces troops from eight countries and was directly subordinate to the US Central Command (USCENTCOM) in Florida. Its mission was to assist in the US-led coalition's fight against al-Qaeda, the Taliban and Taliban-affiliated groups in Afghanistan. Norway's special forces did not engage in combat during their first mission. They performed long-range special reconnaissance, including during Operation Anaconda in the spring of 2002 (see Box 5.2).

Box 5.2 Norwegian special forces in Operation Anaconda

Operation Anaconda took place in Shah-i-Kot in Paktia province in March 2002. This was the first major OEF operation in Afghanistan involving conventional forces. Its objective was to defeat a large group of al-Qaeda and Taliban insurgents. The operation involved roughly 2,500 soldiers (including Afghan militia) under US command. They faced an unknown number of insurgents; estimates ranged from a few hundred to a thousand. Both the implementation and outcome of the operation have been criticised in retrospect. Implementation was hindered by logistical problems, as well as difficulties relating to weather, high altitude and leading troops from different types of military units and from multiple countries. It is also unclear how many insurgents were killed and how many may have escaped into Pakistan. The experience of Operation Anaconda led the US to place even greater emphasis on using special forces.

Source: Sean Naylor, *Not a Good Day to Die: The Untold Story of Operation Anaconda*, New York: Berkeley, 2005.

In April 2002, the international special forces groups in Afghanistan were combined into a single unit, the Combined Joint Special Operations Task Force – Afghanistan (CJSOTF-A). Its headquarters was located at Bagram. Norway sent staff officers from both the MJK and the FSK to Bagram for as long as Norwegian forces remained in OEF.

During the six-month deployment, Norwegian forces learned some important lessons. First, inadequate communications systems, together with insufficient formal agreements and certifications, created problems for cooperation among allied forces.[4] Communications posed a national problem as well, for example, satellite communications back to Norway. Second, it became apparent that the FSK and MJK did not operate particularly well together.[5] After 2002 the FSK and MJK were never again deployed jointly on missions, although individual soldiers were exchanged between the units. Differences in training, operational methods and culture proved too great. While one group was more defined by naval combat, in which lower-level leaders often, for practical reasons, have more freedom, the other group was characterised by more precise planning and command and control. While differences of this type mean that units are more flexible because they can accommodate an array of different types of assignments, they can also lead to problems in cooperation. Third, it became evident that the units needed to be more self-sufficient in terms of transport. Fourth, they needed improved capability to direct air strikes.

After the deployment in 2002, Norway's special forces units received the prestigious US Presidential Unit Citation, among other awards for outstanding courage, tactical brilliance and opera-

[4] Hammersmark, p. 53.

[5] Melien, p. 326; Commission hearings and talks with special forces personnel confirm this.

tional excellence.[6] The accolade was bestowed upon all the units that participated in Task Force K-Bar.

The first NIS elements deployed together with the first special forces units. The intelligence troops did not go out in the actual operations, but provided support from the base and rear areas. A smaller number of intelligence officers were to support the forces and maintain contact with the coalition's other intelligence services.

The next mission for the special forces began in March 2003, also in the south, and again there was no clearly delineated mission from home. Establishing a mission dialogue was left to those who were deployed. Part of the background for this mission was that Norway found itself unable to extend its F-16 contribution, primarily for economic reasons.[7] A contribution of special forces was a far less costly alternative and had also been specifically requested by the US.

The general mission was to strengthen the Kabul government by providing security in areas where militant groups were still active. This time the Norwegian force was not meant to participate in offensive operations against the rest of al-Qaeda, but provide reconnaissance and a show of military presence in assigned areas. The force was also to identify which areas were suitable for civilian reconstruction efforts. In practice the mission was divided into two contingents, with the FSK taking the first three months and the MJK the last three.

Due to the politically and operationally sensitive nature of special operations and intelligence activities, it was difficult to achieve a good information flow between cooperating NATO units. The challenge was compounded by the fact that countries view intelligence activities as a national resource. This was also a challenge for Norwegian special forces in OEF. Once it became clear that the forces were exposed to greater risk than necessary due to the restrictive US position on intelligence-sharing, Norwegian Minister of Defence Kristin Krohn Devold raised the issue with her US counterpart.[8] This resulted in an agreement between the Norwegian and US intelligence services on better exchange of information, which simplified and improved their cooperation.

Another measure the Norwegian military took to address these problems was the establishment by the NIS in 2003 of a National Intelligence Support Team (NIST). This was to provide better support to the special forces and ensure that they received the intelligence they needed to the greatest possible extent. This initiated a new form of cooperation between the special forces and the NIS. While it was not uncommon to have intelligence support for a country's own special forces, the Norwegian approach was unique in sending intelligence personnel and equipment into operations along with the special forces units. Furthermore, their secure communications gave them reachback capacity to draw upon intelligence resources located in Norway and in cooperating units. This shortened the lines of communication between intelligence and special forces, allowing for close, effective cooperation – thereby giving the special forces quicker access to the latest intelligence.

The NIST was an analysis unit that compiled information collected from a number of different sources.[9] Using encrypted connections to Norway, the NIST could take advantage of strategic resources for tactical needs in the field and use the NIS as a hub to ensure optimal information flow between coalition members. The NIST also cooperated locally with the coalition's other intelligence units and later with the national intelligence offices of ISAF (see Section 5.3). The NIST could also be equipped with its own intelligence-gathering capability, for example, through signals intelligence. Over time, as more NIST teams were established to support other Norwegian units, the special forces NIST came to be called NIST-S.

Military authorities also stressed that NIST-S intelligence personnel and special forces operations personnel who would be working together should receive joint training prior to the mission.[10] Operations would be more effective if the two categories of personnel could communicate well.

At the tactical level the NIST cooperated with FSK by exchanging liaison officers and presenting targeted intelligence before an operation. The

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6 Ibid., p. 327.

7 The Commission has had access to internal cabinet memorandums.

8 Message from the High Command/joint-service staff to the Ministry of Defence, 'Anbefaling knyttet til eventuell videreføring av styrkebidrag i Afghanistan' [Recommendation relating to continuation of contribution of forces in Afghanistan], 5 May 2003; Commission hearing, 18 March 2015.

9 The NIST concept was originally developed by the US in Iraq in 1991, but within a very different framework.

10 Eirik Kristoffersen, 'A Requirement for a National Intelligence Support Team in Direct Support of Special Operations Forces Task Groups in Multinational Operations', Master's thesis at US Marine Corps Command and Staff College, Quantico, 2009.

MJK used the NIST more actively in mission planning by including NIST analysts during the combat development process, enabling them to assess intelligence requirements on an ongoing basis.[11]

The mission in 2003 was important for the NIS, particularly with respect to the establishment of the NIST and development of close cooperation with the special forces. For the special forces, the operations in 2003 showed that they had learned well from their experience in 2002. Mobility, communications and coordination with aircraft were all improved.

The third special forces mission came in July 2005 when the Norwegian government, in response to a request from the US, decided to send elements of the FSK to Paktia and Zabol provinces. The mission was to collect information, deter insurgent activity through a military presence and provide local security during local and provincial elections in the area. The unit was also tasked with training Afghan security forces.

In November 2005 the MJK took over the mission. After conferring with the US-led special forces headquarters (CJSOTF-A), the MJK was assigned the area of operations in northern Helmand province and in Uruzgan province. There was no overall plan in CJSOTF-A as to how or where the Norwegian contribution should be used. This area was chosen in light of the ongoing expansion of ISAF's area of responsibility. In contrast to original expectations, the area turned out to be very turbulent and the unit had several enemy encounters during the period.[12] Lieutenant Commander Trond André Bolle was posthumously awarded the Norwegian War Cross with Sword, the highest Norwegian military decoration, for his valour and resourcefulness during this mission.[13]

Norwegian special forces participated in OEF in 2002–2006. Overall, there were two valuable areas of experience from this period that they brought with them into ISAF. One was intelligence-driven operations with much closer cooperation between the special forces and the NIS, in which intelligence requirements also helped to shape the operations and not just the other way around. These types of operations required decision-making lower in the chain of command than was typical of military operations. Much of the initiative and risk assessment lay with the local commander rather than with higher command levels.

The other area of experience involved the importance of training Afghan security forces.[14] Although military assistance is one of the special forces' three main mission roles (see Box 5.1), in Afghanistan the Norwegian units had long viewed this dimension with misgiving. It was considered risky to involve poorly trained Afghan forces with uncertain loyalties in the planning and execution of operations. In carrying out the mission, however, the Afghans proved valuable partners. Later, an understanding of the need to train Afghan forces served the special forces well when assigned the task of building up the Afghan Crisis Response Unit in Kabul – something that would turn out to be the most important mission the Norwegian special forces carried out.

Box 5.3 The operations in Helmand province

With hindsight, the MJK's operations in Helmand province in the winter of 2005–2006 may be seen as a watershed: Norwegian military forces proved themselves capable of effectively engaging in combat. The unit was assigned at short notice to this area, which was assessed by ISAF at the time as relatively peaceful. There was considerable scepticism in Norway's military regarding short, rapid deployments without clear objectives. The resistance encountered by the unit in this province proved both fiercer and more long-lasting than during any previous deployments. The squadron operated under extreme threat and on several occasions engaged in direct combat. Despite the difficult conditions, the unit itself concluded that its mission had been very ably accomplished and had provided valuable experience. The unit also highlighted the importance of having its own intelligence capability in the field and of good cooperation with Afghan forces.

11 From an interview with a Norwegian officer, 24 April 2015.

12 Letter from MJK to National Joint Headquarters/Specops: 'Rapport etter MJKs deployering til støtte for OEF 05/06' [Report after MJK's deployment in support of OEF 05/06], 5 May 2006.

13 Trond Bolle was killed by a roadside bomb in Faryab province in June 2010.

14 Melien, p. 334

5.2 International Stabilisation Assistance Force (ISAF), 2007–2014

As discussed in Chapter 3, key allies put considerable pressure on Norway in 2006 and 2007 to send forces into southern Afghanistan. The request from NATO to contribute special forces to Kabul thus came at an opportune time for the Norwegian authorities, who for political reasons did not wish to send forces to the south.[15]

Given the government's political wish to concentrate Norwegian efforts in the north, and in Faryab province in particular, the question arises as to why Norwegian special forces were not deployed to the north.[16] This point was raised in 2008 and at other times. It was determined that the lack of necessary infrastructure would prevent the special forces from operating effectively in the north. Nor was it desirable for Norwegian special forces to be commanded nationally in the PRT's area, thereby leading to the impression that they operated 'parallel to' ISAF. The conclusion was that the special forces would be most useful in Kabul, and that it was there that their efforts would be most visible and valued in ISAF.[17]

In March 2007 an FSK squadron shipped out to Kabul under the name Task Force 51 (TF 51). Once again the mission was somewhat unclear, but related to securing the provision of humanitarian aid to the capital and protecting the country's fragile political institutions. The unit was commanded directly by ISAF headquarters and not subordinate to an ISAF regional command.[18] TF 51 (FSK) and later Task Force 52 (TF 52, the name chosen by the MJK) reported directly to the international Special Operations Command and Control Element (SOCCE), located at ISAF headquarters in Kabul.

For reasons of domestic politics (see Chapter 3), the Norwegian authorities stressed that the force was only to be used in the vicinity of Kabul. This encompassed the six adjacent provinces, including the unstable provinces of Logar and Wardak. The government did leave room, however, for the Norwegian special forces commander to deploy the force to other areas in Afghanistan *in extremis* (i.e. in the event of an emergency).[19] The experience of the attack on the Norwegian PRT camp in Meymaneh in 2006 in particular showed that Norway, too, could have need of rapid reinforcements – and therefore it had to be willing to offer such assistance itself. If, however, the Norwegian special forces were requested to contribute to planned operations outside the vicinity of Kabul, it would require government-level approval from Oslo and the Chief of Defence.

Serving in ISAF involved more armed contact than the special forces' missions in OEF. In July 2007 Special Forces Lieutenant Tor Arne Lau-Henriksen was killed in action, Norway's first special forces soldier to be killed since WWII. It was also during this period that Norwegian forces began to train a security force from the Afghan police.

Several of the operations during the special forces' Kabul deployments are described in publicly available literature.[20] In brief, the operations were to collect information on and arrest bomb makers and insurgent leaders suspected of planning terror attacks. Norwegian special forces also participated in countering a number of attacks and in hostage rescue operations in and around Kabul, for example, the rescue of hostages at a Qargha Lake hotel outside Kabul in June 2012.[21]

The cooperation launched in 2007 with the Afghan security force that would become Crisis Response Unit 222 (CRU 222) had its origins in signals from ISAF headquarters that there was a need to train a counter-terror force within the Afghan police in Kabul. Initially the Norwegian troops showed little enthusiasm for such a project, as they were more interested in continuing to carry out direct action.[22] Yet the US in particular

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15 See Chapter 3; Lilla Sølhusvik, *Kristin Halvorsen, Gjennomslag [Kristin Halvorsen: Impact],* Oslo: Cappelen Damm, 2012, p. 156

16 Certain individuals from the special forces community served for periods in Faryab, but special forces were never deployed there as a unit.

17 Memorandum from Ministry of Defence, readiness and operations department (FD III) to Chief of Defence, 'Bruk av norske spesialstyrker i nasjonal kontekst i RC-N' [Use of Norwegian special forces in a national context in RC-N], 14 January 2008.

18 Different countries' special forces were used directly under ISAF and as regional task forces. In addition, some of the major players had their own special forces under national command.

19 Memorandum from Ministry of Defence, Security Policy Department (FD II) to Minister of Defence, 'Regjeringsnotat om norske spesialstyrker i Afghanistan – beslutningsprosesser' [Government memorandum on Norwegian special forces in Afghanistan – decision-making processes] 2 March 2007.

20 See e.g. Malin Stensønes, *På Våre Vegne, Soldatberetninger fra Afghanistan [On Our Behalf: Soldiers' Accounts from Afghanistan]*, Oslo: Aschehoug, 2012; Melien, *Våre hemmelige soldater* [Our Secret Soldiers] and Bakkeli, *Krigere og diplomater* [Warriors and Diplomats].

21 'Her stormer norske spesialstyrker gissel-restauranten' [Norwegian Special Forces Storming the Hostage Restaurant], article in Norwegian newspaper *VG*, 22 June 2012.

22 Interview with a Norwegian officer, 10 March 2016.

Figure 5.2 Army Special Forces Commando (HJK) in the south in 2003.

Photo: HJK/Norwegian Armed Forces

put significant pressure on other allies to help to build an Afghan security force, since in the long run this would be the only way to withdraw the international presence in Afghanistan. In keeping with ISAF guidelines, TF 51 therefore needed an Afghan partner – an Afghan *face* – for its operations. A common solution was for the international forces to select units from the Afghan National Army (ANA) and bring them along on operations.[23] The Afghan participation was often mostly symbolic.

When Norwegian forces returned home in September 2007, there were no plans for continuing their cooperation with the CRU. By the time the FSK redeployed to Kabul in March 2008, however, the requirement to bring Afghan forces along on operations had been expanded. Now the aim was not just for operations to have an Afghan face, but for them to be *led* to a greater degree *by Afghans*. The returning Norwegian special forces found that the security force they had trained the autumn before still existed and they thus re-established cooperation with the CRU.

Norwegian special forces trained the CRU for several years on a rotating basis with the US and New Zealand.[24] Initially, as mentioned, western forces were sceptical of involving Afghans in ongoing operations for fear of security leaks, accidents and sabotage. Gradually the western forces came to realise that the Afghans' linguistic skills and local knowledge significantly enhanced operational effectiveness. A turning point for Norway came in June 2008 when the MJK (TF 52) took over the mission in Kabul.[25] Afghan personnel were now increasingly involved with Norwegian special forces in operations. This practice was further expanded and the CRU was soon able to carry out relatively complex operations with Norwegian support. Over time the CRU has improved even more. Thus the training has proven quite successful from a tactical and execution standpoint. There have been a number of challenges, however, relating to logistics, inventory control, budgeting and personnel management. Above all, weak institution-building at the leadership level has made the force prone to corruption and potentially vulnerable in political power struggles.[26]

In addition to its contributions on the ground, Norway has helped on a more strategic level by supplying staff officers to the ISAF command structure and to various special forces headquarters. In 2009 the chief of staff for ISAF's special forces headquarters was Norwegian. Additionally, the design of the staff structure of the CRU and its interaction with the Afghan Ministry of Interior Affairs are largely the result of Norwegian staff efforts over time.[27] The mentors emphasised the need for Afghan authorities themselves to deal with these issues, instead of being furnished with ready solutions from Norway or other allies. A combat unit such as CRU 222 would not be sustainable without an organised leadership capable of performing staff functions such as administration, long-term materiel and resource management, recruitment and other matters.

5.3 Roles of the Norwegian Intelligence Service (NIS)

Providing support to the special forces via NIST-S was the most extensive and resource-intensive part of the Norwegian Intelligence Service (NIS)'s engagement in Afghanistan. But the NIS had a number of other roles as well. Somewhat simplified, these can be categorised into tactical, operational and strategic levels, based on the different needs the NIS services were to fulfil. There is a certain degree of overlap and mutual support

[23] Sean Naylor, *Not a Good Day to Die: The Untold Story of Operation Anaconda*, New York, Berkeley, 2005, p. 370.

[24] At the same time, Norway also trained Latvian special forces. Message from Defence Staff to Ministry of Defence, 'Anbefaling om latvisk deltakelse i norsk spesialstyrkebidrag' [Recommendation for Latvian participation in Norwegian special forces contribution]. 19 March 2012.

[25] Interview with a Norwegian officer, 10 March 2016.

[26] Commission's hearings in Kabul, 1 November 2015.

[27] Interview with Norwegian officers, 10 March 2016.

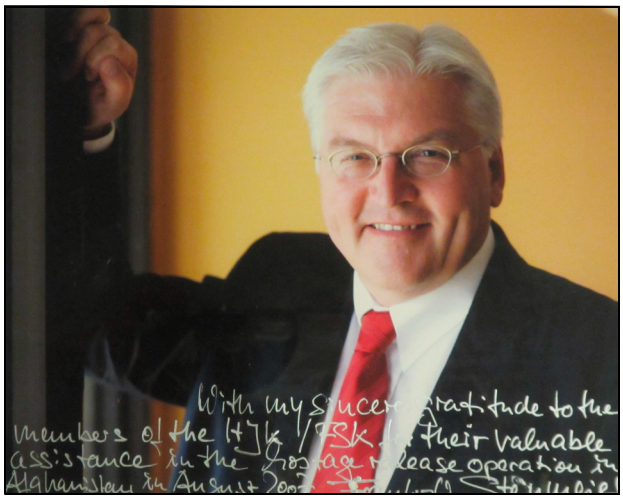

Figure 5.3 In August 2007 a German aid worker was taken hostage in Kabul. A major rescue operation was launched to locate and free the woman. Norwegian personnel from the special forces and Intelligence Service took part in the search and succeeded in identifying an area where the woman was likely to be being held. Afghan security forces searched the area and rescued her. Germany's Federal Minister for Foreign Affairs, Frank-Walter Steinmeier, sent a letter of gratitude to the FSK. The support of the Intelligence Service was equally decisive. The valediction reads: 'With my sincere gratitude to the members of the HJK/FSK for their valuable assistance in the hostage release operation in Afghanistan in August 2007, (signature).'

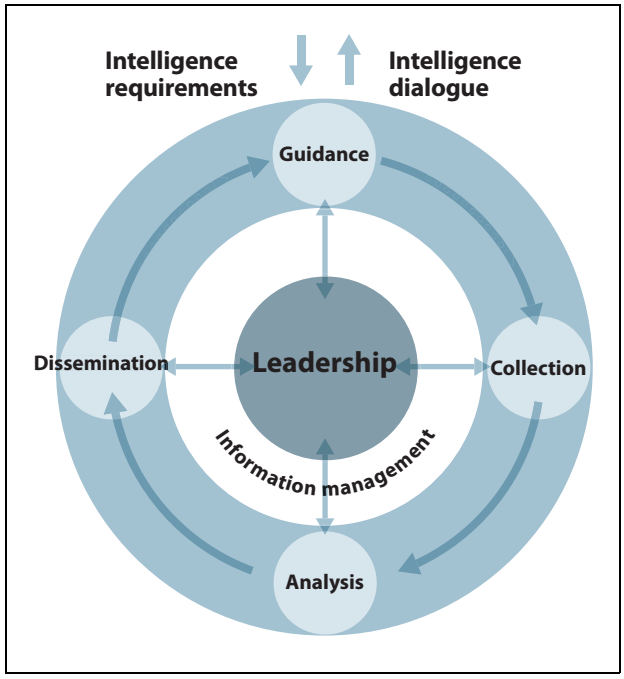

Figure 5.4 The main components of the intelligence process form a continuous cycle.

between the various levels. While the tactical role was, by and large, to provide direct support to Norwegian military units in Afghanistan, the operational role was linked to the contribution by the NIS to the broader intelligence efforts of OEF and ISAF and the operations' general intelligence requirements. The strategic role consisted of NIS contributions to allied cooperation, to the basis for decision-making for Norwegian political and military authorities at home, and to support of Norwegian peace diplomacy.

In trying to understand Norwegian intelligence efforts in Afghanistan, it is important to have a grasp of the entire intelligence process, which encompasses far more than intelligence collection methods. It also comprises identification of requirements, the analytical process and the intelligence products (see Figure 5.4).

Like most of the NATO intelligence community in 2001, the NIS had limited knowledge of Afghanistan. Its ability to collect information on its own in Afghanistan was also limited; basically, the only two means available were open sources and cooperating services. Despite its experience in the Balkans and the restructuring brought about by missions there, the NIS had few resources to send with Norwegian military units.

As the engagement in Afghanistan progressed, the NIS built up its expertise, acquired essential equipment and adapted its organisational structure. This included further strengthening its analytical unit by, for example, recruiting more officers, political scientists, social anthropologists and other social scientists.[28] The fact that the restructuring took time is exemplified by the shift in language training courses at the Norwegian Defence Intelligence School, where the focus had originally been on Russian. Courses in Arabic were introduced in 2004, but Pashto and Dari, the official and most widely spoken languages of Afghanistan, did not follow until 2007.[29] In 2010 the gradual restructuring took another step forward as a result of two organisational changes that, even as the Commission concludes its work, still constitute the framework for NIS activities in the Afghanistan engagement. The first of these

[28] An emphasis on analysts dates back to the 1960s and was by no means new. However, the engagement in the Balkans in the 1990s and in Afghanistan both increased the need for analysts.

[29] Johan Olav Seland, 'Væpnet med gloser' [Armed with Words], article in *Språknytt* magazine 3/2008, pp. 27–30.

was the establishment in Afghanistan of a common administration for all Norwegian intelligence contributions in Afghanistan, the Norwegian Intelligence Task Group – Afghanistan (NITG-A). The second was the establishment by the NIS of Task Force AFPAK in Oslo, designed to coordinate the production of intelligence on Afghanistan and Pakistan.[30] The formation of this group was linked to the Norwegian authorities' increased focus on the two countries, as discussed in Chapter 3.

5.3.1 Tactical level

In Afghanistan the NIS's presence was mainly tied to Norwegian military efforts. The NIS supported the special forces and mine clearance teams at the Kandahar and Bagram airports in 2002–2003 and later the special forces again in Kabul. It then set up a *National Intelligence Cell* (NIC) in Kabul in 2003 and in Mazar-i-Sharif in 2006 to support units from the Norwegian armed forces and the ISAF headquarters stationed there. NICs are NATO-defined units serving as links between a national intelligence service and NATO command.[31] The Norwegian NICs therefore played a role at both the tactical and the operational level. The main task of the NICs was to assist in ensuring that Norwegian commanders had the best possible intelligence basis for their missions. The NICs did this by securing access to intelligence from the entire Intelligence Service and from the NIC offices of other countries, and by providing their own analyses.

The exception to the practice in which the NIS provided tactical support to Norwegian units was its participation in the PRT in Meymaneh, in Faryab province. In 2004, as part of the first Norwegian contribution to the UK-led PRT, the NIS was represented by a liaison officer. However, the task of supporting the UK PRT was assigned to the Norwegian army's intelligence battalion. While the NIS is directly subordinate to the Norwegian Chief of Defence and is a resource for the entire public administration, the intelligence battalion is an army unit that mainly supports land-based operations. As the Commission discusses in Chapter 8, intelligence battalion activities were reinforced after the attack on the PRT in February 2006.

Box 5.4 The ISAF commander's helicopter

In 2007 Norwegian special forces, with support from the Intelligence Service, carried out an operation (Operation Suttung, discussed in Box 5.5) to arrest a Taliban leader in a province outside Kabul. As part of the operation, a unit of Norwegians from the FSK and NIS set up a forward force at a small US base in the area. Their mission was to prepare the action targeting the insurgent leader. The US base was exposed and was attacked almost daily. Analysing the attacks helped the force to map the Taliban's activity in the area, and NIS personnel gradually became able to predict the attacks, which greatly benefitted the US force. The FSK patrol also assisted in repelling attacks on the outpost by calling in air strikes.

At one point, NIS personnel learned that insurgents were planning to shoot down the helicopter of the ISAF commander coming to inspect the US base. The Norwegians immediately notified US commanders at the base, who were able to change the plans. The incident attracted some interest and, among other things, led the US Chairman of the Joint Chiefs of Staff to contact his Norwegian counterpart Sverre Diesen at a NATO meeting to thank him personally for the efforts of the Norwegian unit.

Gradually, closer cooperation developed between Norway's intelligence battalion and the NIS. At the end of 2008 the NIS set up a separate NIST support team affiliated with the PRT camp. This NIST was initially very limited, but task-sharing with the intelligence battalion gradually evolved. The battalion was assigned responsibility for the collection of human intelligence (HUMINT), while the NIS took charge of the technical collection of signals intelligence (SIGINT) through interception of electronic communications.

Together the service and battalion built an extensive intelligence foundation that was valuable to the PRT, Norwegian authorities and ISAF. The Commission has had access to a number of NIS reports, including assessments of the situation in Ghormach. The Commission has no way of determining the accuracy of the information, but

[30] Commission hearing, 24 June 2015.

[31] While NIST is tailored to support the tactical commander, the NIC is the Intelligence Service's forward operational-level representative in the area of operations.

the reports are nuanced analyses of the complex power relationships and matrix of actors in Faryab and Ghormach.

5.3.2 Operational level

Intelligence-sharing in OEF was by conventional means, that is, partially via the OEF chain of command, but to a large extent bilaterally, and primarily with the US. In ISAF the NICs were attached to headquarters in Kabul and later to the regional commands. These became an important means of making nationally collected intelligence available to ISAF. Both through bilateral cooperation and via the NICs, Norwegian data and assessments were made available for use in the planning and execution of OEF and ISAF operations.

But it was in 2010 that the NIS first provided a contribution that was directly targeted towards the operational level in Afghanistan. The increased allied force levels in 2009–2010 included extensive reinforcement of especially US SIGINT capabilities. This build-up formed the foundation for the development of a multinational SIGINT cooperation in Afghanistan, in which Norway took part.[32] The cooperation was independent of ISAF, yet became an important supplier of intelligence to ISAF as well. Overall, signals intelligence was a key source of information for the international military operations.[33]

The scope and significance of the Norwegian contribution to OEF and ISAF must be considered in light of two factors. First, Norway is a small country and its Intelligence Service is correspondingly small in the international context, certainly when compared to the human and technical resources that countries such as the UK, Germany, France and of course the US are able to contribute. Also, the NIS presence in Afghanistan was primarily in cities and areas where Norwegian soldiers were stationed. There was a limited amount of Norwegian-collected and -produced intelligence, and it consisted mainly of data and analysis for the vicinity of Kabul, northern Afghanistan in general, and Faryab in particular. In addition, the NIS deployed only a small number of analysts to serve in the SIGINT cooperation in Afghanistan. Their tasks are described below in the section on JPEL.

5.3.3 Strategic level

The NIS's most important contribution to Norwegian political and military authorities during the Afghanistan operation was the regular written threat assessments, oral orientations at regularly scheduled meetings, and reports on specific topics. At the government level, threat assessments and intelligence reports were promptly incorporated into the basis for meetings of the government's Security Council and cabinet conferences. The Commission does not know the weight the political and military leaders assigned to this intelligence input in their decision-making. It is clear that military leadership and the Ministry of Defence consulted the NIS regularly.

Critics in the US military have asserted that the western intelligence resources in Afghanistan were overly concerned with locating insurgents and bomb makers, while placing too little emphasis on identifying the broader dynamics of the conflict in the Afghan provinces and how this shaped the insurgency.[34] The NIS was clearly aware of this criticism. The Commission discusses NIS reporting of local conflicts in Faryab in Chapter 8.

The relationship between the NIS and the Ministry of Foreign Affairs offers the clearest evidence that the Service's tasks and importance were further developed at the strategic level as a result of the engagement in Afghanistan. Throughout the decade the Ministry expanded its contact with the NIS for a number of reasons. The establishment of a dedicated liaison position in 2001 reflected the need to support Norwegian membership of the UN Security Council in 2001–2002,[35] when Afghanistan was an important matter in Council deliberations, and was part of the development of cooperation between the Ministry of Foreign Affairs and the NIS. This was particularly evident in Norwegian peace diplomacy activity.

As the Commission discusses in Chapter 9, Norway began developing contact with the Taliban as early as 2007. There was great uncertainty surrounding these efforts, including knowing whom the Ministry of Foreign Affairs was actually dealing with. There were elements within and

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[32] For a description in open sources, see Matthew Aid, 'NSA's Foreign SIGINT Partners', 4 September 2014; 'Spying Together: Germany's Deep Cooperation with the NSA', *Spiegel online international*, 18 June 2014.

[33] Rajiv Chandrasekaran, *Little America: The War Within the War for Afghanistan*, New York: Vintage, 2013, 2 p. 277.

[34] See Michael T. Flynn, Matt Pottinger and Paul D. Batchelor, *Fixing Intel: A Blueprint for Making Intelligence Relevant in Afghanistan*, CNAS, 2010.

[35] Minister of Foreign Affairs Espen Barth Eide, 'Etterretning som bidrag til norsk utenrikspolitikk' [Intelligence as a contribution to Norwegian foreign policy], regjeringen.no, 21 November 2012.

Figure 5.5 Norwegian special forces mentored the Afghan Crisis Response Unit 222 (CRU 222) in Kabul.

Photo: Torbjørn Kjosvold/Norwegian Armed Forces

close to the Taliban, as well as among Afghan authorities and the international actors, who opposed dialogue and sought to undermine negotiations by capturing or killing persons involved in talks.

Over time the Ministry and NIS developed cooperation on peace diplomacy, even though at times this close, direct relationship was disliked by bureaucrats at the Ministry of Defence, which had traditionally been the point of contact for NIS support for the other ministries.

5.3.4 Intelligence cooperation in Afghanistan

Traditional cooperation on intelligence, including between NATO countries, has been largely bilateral and based on trust and give-and-take. The most notable exception to this rule is the 'Five Eyes' intelligence alliance between the English-speaking countries of the US, Australia, Canada, New Zealand and the UK. The engagement in Afghanistan helped to change this. The need to secure the best possible protection for national troops and thereby prevent casualties, and to carry out the extensive, intelligence-driven operations, meant that broader cooperation was called for.

Cooperation with international partners has been also important for Norwegian intelligence, all the way back to the establishment of the Armed Forces Intelligence Service during WWII. With the build-up of, for example, the Soviet submarine fleet on the Kola Peninsula from the 1960s, Norwegian territory has been of great interest to the US intelligence community. Signals intelligence was particularly important. Consequently, from as early as 1952, Norwegian intelligence developed close relations with the US National Security Agency (NSA), which has the main responsibility for signals intelligence in the US.[36] 2002 marked 50 years of cooperation between the NIS and the NSA – cooperation that had helped to build Norwegian intelligence expertise and, not least, to build trust between the intelligence communities of the two countries. This provided a strong foundation for further development of relations within a new framework in Afghanistan.

Early on in Norway's engagement in Afghanistan, the lack of intelligence was a problem, as noted above. Inadequate access to intelligence was cited as a challenge by not only the special forces, but also by Norwegian F-16 pilots.[37] Within the framework of OEF, this problem was largely resolved through the agreement with the US.

The need for closer cooperation on intelligence was also clear within ISAF, particularly after the conflict escalated in the period 2006–2007. The national NICs became a platform for much of this cooperation. In 2009 the Afghan Mission Network was launched, which facilitated greater cooperation on intelligence. The network offered a secure data system for the exchange of classified information between national systems and the ISAF data system.

Even with the development of this broader, multinational cooperation, certain countries remained more important partners than others. Germany, responsible for Regional Command North, was naturally an especially key partner for Norway, in addition to the US.

Special forces depended on sound intelligence, especially in connection with direct action. Within ISAF, cooperation that started between intelligence services and special forces in 2008 led in 2009 to the establishment of the *ISAF SOF Fusion Cell,* a dedicated centre for intelligence-sharing.[38] The centre was largely run by the US, but Norwegian special forces were regularly represented. A Norwegian officer headed the centre for a period in 2009.[39] The need for joint efforts also triggered

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[36] The development of this cooperation is described by Riste and Moland, *Strengt Hemmelig [Top Secret]*.

[37] Ferdaball (Armed forces lessons learned database), 'Kontingentrapport F16. Kontingent 2' [Contingent report F-16. Contingent 2], 6 March 2005.

[38] Charles S. Vores, 'Taking the lead in professional growth: The development of a NATO SOF intelligence officer', Master's thesis at US Naval Postgraduate School, pp. 21–23.

[39] Commission hearing, 24 June 2015.

the cooperation on signals intelligence, in which Norway participated from the beginning.

The engagement in Afghanistan has also had more long-term ramifications. The international cooperation on intelligence that emerged in Afghanistan has, much like the cooperation on special forces, not only been transferred from ISAF to its successor, Mission Resolute Support, but has also been imported back into NATO and bilateral relations. In the Commission's view, the Afghanistan engagement has helped to strengthen intelligence cooperation within NATO, as well as the NIS's relations with international partners. The NIS currently participates in a SIGINT cooperation group targeting international terror. The Commission understands that the cooperation within this group has gained greater stature, largely due to the experience from Afghanistan.

5.4 Joint Prioritised Effects List

After September 11, the Joint Special Operations Command (JSOC), which was comprised of the most elite US special forces units, was tasked with tracking down and neutralising the key individuals in the al-Qaeda network. After Operation Anaconda in March 2002, al-Qaeda's top leaders were believed to have fled from Afghanistan. At the same time the US turned its attention to Iraq, which resulted in JSOC deprioritising Afghanistan in favour of Iraq.

In Iraq JSOC became a main player in the war. Here, too, its mission was to track down and neutralise insurgents. Lieutenant General Stanley McChrystal incorporated intelligence analysts more closely into the special forces; the new system improved communication between the special forces and the various units involved in target selection, thereby dramatically increasing operational tempo. Information from a night's operations could immediately be incorporated into preparations for an operation the following night. This process came to be described as industrial in its efficiency.[40] The method was carried over to Afghanistan when JSOC shifted its focus there, and was also used by ISAF.

A key element here were the lists used to identify individuals targeted for capture or killing. These lists became one of the most controversial aspects of the US-led 'war on terror', both in Iraq and in Afghanistan.[41] The processes involved in putting together these lists could be influenced by internal Afghan conflicts and power struggles. Hence, individuals could be reported as Taliban members and placed on the list even if they were not associated with the insurgency. Civilians were at risk during operations if they happened to be in a household or area that was being raided. At times the intelligence basis was too imprecise, with the wrong individuals or households being targeted.[42] It was a weakness of the process that, for a certain period, target selection was driven more by statistics and general network analyses than from any detailed knowledge. This was pointed out by Norwegian forces and others striving for more qualitative assessments.[43] When actors involved in narcotics production and funding of the insurgency became targets for these operations, it brought to the fore other aspects of the rule of law and of how to interpret international humanitarian law. This is dealt with in greater detail in Chapter 10.

Towards the end of the decade, US special forces led a very large number of raids on individuals identified on such target lists.[44] Although ISAF adopted the JSOC approach, ISAF operations comprised only a very small proportion of the overall campaign.[45]

Within ISAF the process became known as the Joint Prioritised Effect List (JPEL), or the 'kill or capture' list.[46] JSOC remained under US command and JSOC operations were executed parallel to but independent of ISAF and OEF operations. It is worth noting that US intelligence and special forces had full knowledge of all ISAF activities, but not vice versa. Norwegian special forces did

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40 Naylor, *Relentless Strike*, pp. 255–66.

41 Anand Gopal, *No Good Men among the Living*, New York: Metropolitan, 2014, pp. 109–11; Chandrasekaran *Little America, pp.* 278–9; Andrew Cockburn, *Kill Chain*, London: Verson, 2015, p. 123.

42 This problem is described in general by the United Nations Assistance Mission in Afghanistan (UNAMA, see Chapter 10) and is underlined by a known case of mistaken identity when a parliamentary candidate was wounded and ten of his entourage killed in 2010 due to incorrect information. Kate Clark, 'Were British Police Involved in Targeted Killings? New report presents fresh evidence', *Afghanistan Analyst Network*, 11 April 2016.

43 Commission hearing, 6 April 2016.

44 Estimates based on figures reported by ISAF indicate roughly 12,000 raids and 4,700 persons killed in the twelve-month period from June 2010 when the 'kill or capture' campaign was intensified. 'The US Kill/Capture Strategy in Afghanistan: Killing Your Way Out of an Insurgency?', Chatham House seminar, 28 June 2011.

45 Commission hearing, 6 April 2016.

46 'Kill or capture' was the list containing the results of JPEL operations. Commission hearing, 6 April 2016.

not participate in such operations outside the ISAF framework.

In simplified terms, the ISAF system functioned as follows: different leaders in the ISAF system, including commanders of special forces contributions via ISAF's Special Operations Command and Control Element (SOCCE) and PRT commanders via the regional commands, were able to nominate persons for the JPEL list.[47] There were stringent requirements for the inclusion of targets on the list; for example, the information had to come from multiple independent intelligence sources. Files containing information on potential targets were reviewed in a comprehensive approval process in which legal and political advisers assessed the grounds and then either confirmed or rejected the nominations. Persons who met the requirements and were added to the list were then categorised according to whether an attempt should be made to arrest them or if they could be eliminated. If no new intelligence on a targeted individual emerged after a certain period of time, the name was automatically deleted from the list. Those who could nominate targets could also recommend the deletion of these from the JPEL list, through the same decision-making chain. Norwegian special forces told the Commission that they deleted several targets from the list in this way.[48]

Several Norwegians, including the commanders of the PRT and special forces, were involved in nominating targets. Several Norwegian officers participated in tasks relating to target selection, among other things, via their positions in the ISAF command structure. The officers were not subject to any caveats imposed by Norway. The number of nominations by Norwegian PRT commanders varied, but the Commission understands that these typically numbered up to five or six nominations per six-month contingent. It is unclear how specific the basis for the nominations was. One source told the Commission that individuals 'of interest' with no proven specific links to the insurgency were also nominated. Norwegian PRT commanders (located in Meymaneh) normally consulted a Norwegian legal adviser attached to the Norwegian National Contingent Command (NCC, located in Mazar-i-Sharif), before submitting a nomination. In addition, nominations were assessed by legal advisers in the ISAF chain of command as part of the JPEL process. Norwegian officers in international leadership positions also often chose, on their own initiative, to consult with Norwegian legal advisers before approving a nomination.[49] As the Commission understands it, the nominations submitted by Norwegian PRT and special forces commanders were exclusively for arrest, not elimination.[50]

Operations in which the PRT or other Norwegian forces participated could also involve actions directed at JPEL targets. For instance, actions towards two JPEL targets were part of the mission in Operation Harekate Yolo II.[51] Norwegian units supported special forces from other countries in such operations, for example, by securing areas where the actions were to take place.[52]

For the special forces stationed in Kabul, actions directed at JPEL targets were an important part of their mission to protect the Afghan capital. Persons clearly representing a documented threat were added to the JPEL list and arrest was attempted.

The Norwegian special forces have stressed to the Commission that they gave priority early on to securing arrest warrants from the Afghan Ministry of Interior Affairs as grounds for their actions. The purpose behind the arrests was to have the detainees tried and judged in an Afghan court. Without due legal process involving arrest warrants and sufficient evidence, this was difficult to accomplish. The problem of corruption further complicated the issue.

The Commission has been in contact with sources that state that Norwegian special forces were critical of the grounds for some of the target lists they received from ISAF. The Norwegian special forces themselves say they were among the first to use the approach known from roughly 2011 as *Evidence Based Targeting (as part of Evidence Based Operations*, EvBO).[53] In war, no proof of guilt is needed prior to attacking a military target. In Afghanistan, however, it proved ineffective to detain an individual without adequate evidence,

47 Notes from Ministry of Defence III (third department, defence policy) to the Military Deputy Secretary General, 'Pågripelse av personell under ISAF-operasjoner' [Arrest of personnel during ISAF operations], 26 September 2008. Commission hearings, 28 October 2015 and 6 April 2016.

48 Commission hearings, 6 April 2016.

49 Commission hearings, 26 October 2015 and 6 April 2016.

50 Ibid.

51 ISAF Regional Command North, Operation Harekate Yolo II (HY II), 21 October 2007.

52 Commission hearing, 26 October 2015.

53 Commission hearings, 28 October 2015 and 6 April 2016. According to an article on this topic, the term EvBO was first officially defined by ISAF in 2012. Joop Voetelink, 'EVBO: Evidence-based operations. How to remove the bad guys from the battlefield', *Amsterdam Law School Legal Studies Research Paper,* no. 2014–16.

Box 5.5 Operation Suttung

Early in the ISAF period, in 2007, the FSK was working to arrest an insurgency leader. This operation serves as an example of successful efforts by Norwegian special forces during the ISAF operation. The FSK gave the insurgent the code name 'Suttung', after the Jotun giant from Norse mythology. The insurgent was staying in a remote area controlled by the Taliban in a province bordering Kabul province. The FSK knew from experience that the Taliban in this area could muster nearly 100 men at short notice and that all previous allied operations in the area had resulted in larger-scale confrontations. Suttung's arrest, however, would help to secure Kabul, strengthen the legitimacy of the Afghan justice system and yield valuable intelligence on the Taliban. His arrest, compared to an air strike, would also reduce the risk of civilian casualties.

Arresting a key figure of the insurgency in a Taliban-controlled area was no easy task from the standpoints of intelligence and execution. The NIST team spent weeks collecting intelligence. To reinforce this intelligence effort, a Norwegian Intelligence Task Unit (NITU)* accompanied an FSK patrol to a small US outpost in the area. It was during this force's week at the outpost that the incident involving COMISAF's helicopter occurred (see Box 5.4).

The weeks of intelligence collection and planning ultimately paid off. At one point NITU was able to predict with high probability the whereabouts of Suttung on the following night. Meanwhile the assault team had found a route enabling them to enter the valley undetected. The team were dropped off by helicopters on a mountain quite some distance away to avoid being heard, and then hiked all afternoon before descending a steep path into the valley.

At 1 am the team arrived undetected at the targeted house. The action that followed was executed so quickly that none of the six armed insurgents in the residence was able to react before being overwhelmed. No shots were fired and no injuries sustained. The helicopters could not extract the team from the valley due to the high risk of being shot down, so the team retreated with its detainee along the same route by which it had entered.

Afterwards, the operation received much attention within ISAF. The team's key to success was its ability to approach the target unnoticed. Had this failed, it could have had major consequences for the team.

The operation also shows that the forces operated in a complicated political and legal landscape. The detainee was delivered to Afghan authorities in accordance with the detainee transfer agreement between Norway and Afghanistan (see Chapter 10). His fate thereafter is not known. The Afghanistan Independent Human Rights Commission, which, along with the International Committee of the Red Cross (ICRC) was notified of the transfer, reported to Norwegian authorities roughly one month later that they could not locate the detainee. Norway evidently received no information from Afghan authorities other than he had been released 'at the end of 2008'. The Commission has information from other sources that the Afghan National Directorate of Security (NDS) claimed he was still imprisoned in 2009. This illustrates weaknesses in the detainee transfer agreement. It also points to a larger problem with the international engagement: major resources could be spent on a military operation, but without adequate coordination with Afghan authorities, the subsequent result was uncertain.

Figure 5.6 The Norwegian assault team.
Photo: FSK

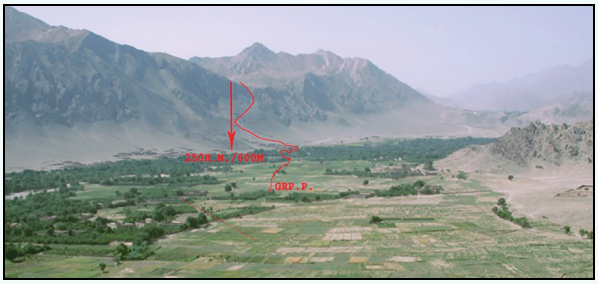

Figure 5.7 The lines show the Norwegian team's route to its target and indicate the 600-m altitude differential on its descent. GRP.P is the rendezvous point where the team made its final preparations.
Photo: FSK

* NITU was a smaller unit set up by NIST-S to support specific missions.

as these detainees would soon be released. In such cases it was better not to carry out the operation.

The NIS contributed data, primarily relating to the areas described above. Norwegian-collected data represented a limited contribution to the overall data context.[54] Single-source analysts from NIS involved in SIGINT cooperation in Afghanistan worked on the targets they themselves chose or approved. These targets related to Norwegian actions and interests.[55] The analysts based their work on available databases of communications data from partners in the cooperation.

Some Norwegian officers have told the Commission that they found the target selection process to be unclear, particularly when it came to processes where non-ISAF forces took over targets and missions.[56] According to the Commission's sources in the special forces community, missions aimed at individuals who, for various reasons, either were not targeted or were not likely to be so (e.g. because the targets were considered questionable, given the information ISAF had) were deleted from the ISAF list. Operations targeting these individuals were nevertheless carried out by forces outside the ISAF structure. Another Norwegian military source stressed, however, that the US military was very careful to carry out JPEL operations through the ISAF chain of command.[57] Specifically, this source stated that at least towards the end of the period, no such operations, nor any purely US operations carried out by JSOC, were executed in the Regional Command North without informing the German commander. In this context, however, it must be emphasised that different countries may have carried out operations unknown to the Commission's sources. Operational security and secrecy are at the core of special operations and thus there is little reason to believe it will be possible to find out everything that has happened in this area.

JPEL nominations made by the Norwegian PRT and special forces were subject to Norwegian-led systematic review of the criteria for selections. Norwegian authorities, however, had no overview or control of whether, or how, Norwegian-collected intelligence may have been used by allies in targeting processes outside ISAF. JPEL missions that Norwegian special forces were to execute were thoroughly assessed by Norwegian personnel in addition to ISAF's assessments. Norwegian forces received and undertook only missions for arrests, even though Norway had not stipulated reservations regarding kill missions, as some countries had.

5.5 Summary

The introduction to this chapter states that the efforts of Norwegian special forces and the Norwegian Intelligence Service in Afghanistan were significant for all three objectives for Norway's engagement: to strengthen Norway's security policy relations to the US and NATO, to take part in the 'war on terror', and to promote state-building in Afghanistan. In addition, the engagement has been important for the forces themselves and for the way in which the authorities understand their qualities and features.

With regard to the objective of contributing to the 'war on terror' in Afghanistan, the activities of the Norwegian special forces under OEF had little operational impact. Small units without local knowledge and without adequate language skills were deployed for short periods and repeatedly reassigned to new places. Conditions such as these cannot generate much in the way of long-term effects. After the special forces were established in Kabul, the effects over time became clearer. This contribution can be viewed as part of the international state-building engagement. The forces engaged in heavy fighting in the city, trained CRU 222 and developed the staff and leadership framework into which the security force was incorporated. Security in Kabul is essential for the development of Afghanistan. If the situation in the capital had spiralled out of control, the entire operation would have unravelled. Here the Norwegian approach of coordination between intelligence and special forces was important. The international special forces are the only units that still continue to mentor the Afghans at the tactical

[54] In 2013 documents leaked by Edward Snowden revealed that the Norwegian Intelligence Service had registered 33 million metadata records in the course of a month. 'Vi overvåker i utlandet ikke i Norge' [We conduct surveillance abroad, not in Norway], article in Norwegian newspaper *Dagsavisen*, 19 November 2013. Metadata comprise all communications between mobile telephones and base stations. According to other documents leaked by Snowden, in one month (possibly in 2007) the NSA and its partners collected nearly 22 *thousand million* metadata records in Afghanistan. If these figures are correct, the Norwegian contribution compared to that month would amount to 0.15 per cent. Glenn Greenwald and Ewen MacAskill, 'Boundless Informant: the NSA's secret tool to track global surveillance data', *The Guardian*, 11 June 2013; Commission hearings of 24 June 2015 and 6 April 2016.

[55] Commission hearings in Kabul, 2 November 2015 and Commission hearing of 6 April 2016.

[56] Commission hearing, 28 October 2015.

[57] Commission hearing, 28 October 2015.

level since the ISAF mission was completed in 2014.

As regards the objective of strengthening Norway's relations with our most important allies, the operation had a different significance. Trust and genuine ability to coordinate must be built up over many years of working together, particularly within sensitive activities such as special operations and intelligence efforts. Progress in this direction has been particularly noticeable at the operational and strategic level. Over the course of the period of engagement, Norwegian competence-building reached a point where not only were Norwegian officers filling important special forces-related staff and leadership positions in NATO and ISAF, but Norway was also playing an active role in the establishment of a dedicated special forces headquarters in NATO. Cooperation with the US has also been rendered more concrete, for instance, through a cooperation agreement relating to strategic hostage rescue operations signed by the Commander of US Special Operations Command and the Norwegian Chief of Defence in 2014.

The adaptation of the special forces and NIS to the challenges in Afghanistan has resulted in changes at home as well. In this regard, the establishment of the Norwegian Special Operations Command (NORSOCOM) in 2014 signals a maturation and development trajectory for Norwegian special forces that would be unthinkable without the experience gained in Afghanistan. Today the special operations forces constitute an element virtually on a par with Norway's land, air and naval components, and are thus a potentially important policy instrument in the national security field. Planning and execution capacity at operational and military strategic levels has also grown. Furthermore, the operations in Afghanistan have improved the capability of the NIS to support Norwegian forces, particularly the special forces. The integration achieved between the special forces and the NIS generated interest within ISAF. The experience is important for future operations abroad and will also prove valuable for dealing with potential crises in Norway.

Chapter 6
Development policy and administration of development aid

One of the main objectives of Norway's overall effort in Afghanistan was to help to build an Afghan state. This encompassed both the civilian effort and, with a few exceptions, the military effort. Within the Norwegian political landscape the civilian effort was far less controversial than the military one. As a result, the civilian effort was prioritised early on. In keeping with Norwegian development policy traditions, the Norwegian authorities emphasised democratic development, education and gender equality as priority areas. This meant that, from the outset, assistance was spread across a wide range of areas.

Over time, however, the size of the aid budget in itself became the most important objective. This was in part due to the growing significance of development aid within the international effort in Afghanistan as a whole and, thus, to Norway's objective to support the US and NATO. The domestic political situation in Norway was also important. It was politically more palatable, in particular for the second Stoltenberg government, to place greater emphasis on civilian as opposed to military efforts. As a result, Norway became a relatively large civilian aid donor. The volume of aid contributed by Norway was much greater than that of Denmark or Sweden, for example. In comparison, Norway's military contribution was relatively small in the international context. Norwegian development aid comprised about 2.3 per cent of the total official development assistance (ODA) to Afghanistan in the period 2001–2014. This may appear somewhat limited, but relatively speaking it represents a much larger presence than Norway had militarily. Norwegian authorities also had greater decision-making autonomy in the civilian effort than in the military effort.

The results of Norwegian aid and international development aid varied, but were modest overall, considering the volume of aid provided. The results are discussed in Chapter 7. However, the modest results did not prevent Afghan authorities and other donors from viewing Norway as a generous, reliable and predictable donor. This was primarily based on a general understanding that Norwegian development aid policy was rooted in sound development aid principles. Norway emphasised national ownership by targeting a large share of the aid towards the Afghan authorities and sought to enhance international coordination by channelling much of the aid through multinational funds.

It is not the objective of the Commission to conduct an independent evaluation of Norwegian development assistance during the relevant period. The aim of this chapter is to discuss key aspects of Norwegian development aid policy and the administration of development aid in Afghanistan. This chapter should be read in conjunction with Chapter 7, which provides a more in-depth assessment of Norwegian priorities in this area, as well as of the implementation and results of the Norwegian development assistance effort.

6.1 Overall challenges

The most important objective of the international military and civilian engagement launched in 2001 was to ensure that Afghanistan did not remain a safe haven for international terrorists. State-building became a central means of achieving this, but was also an independent objective in its own right. The task was formidable. By 2001, after many years of war, Afghanistan's government administration was almost entirely in ruins. The country suffered from political fragmentation and internal rivalries, and the needs of the civilian population were extensive. Positive experiences from international interventions in the 1990s had an impact on the aspirations for state-building. It quickly became evident, however, that the task that lay ahead in Afghanistan would be even more difficult than the efforts in Bosnia and Herzegovina, Kosovo and East Timor.

The conflict in Afghanistan did not subside in the way that it did in the Balkans and East Timor, but instead intensified, particularly after 2005.

This led to greater international political pressure to achieve results. As the intensity of the conflict rose, international attention turned to how to employ development aid to support the military activities and objectives. Development aid became a key component of the strategy to 'win the hearts and minds' of the population. This resulted in a level of aid that far exceeded the capacity of the Afghan authorities to administer and use it in an effective manner. This further fuelled the corruption that had emerged during the civil war. The Commission elaborates on the problem of corruption in Chapter 7.

The pressures of rapidly increasing development aid led to the creation of parallel management structures both in addition to and within the Afghan administration, instead of making use of previously existing structures and building local expertise. Provincial Reconstruction Teams (PRTs – see Chapter 8), non-governmental organisations (NGOs) and private actors were given the task of delivering those services that the Afghan government was unable to provide quickly. It was faster in the short-term to use international consultants in the ministries than it was to train Afghan bureaucrats. As time passed, a group of Afghan bureaucrats emerged, often educated in the West, who worked for or were at least partially paid by the international community. Their salaries were much higher than those of ordinary government employees and they did little to transfer knowledge to the bureaucracy at large. This compounded the dependency of the Afghan authorities on external support for financing parts of their own civil service.[1] While the Norwegian Ministry of Foreign Affairs was aware early on of the problem caused by parallel structures, it was concluded that the overall situation did not permit the introduction of other approaches.[2]

The attempt to address the conflict by allocating more aid created a mutual dependency that was difficult to undo. The Afghan authorities were completely reliant on international aid to keep the government administration in operation, and the international community needed the Afghan government to function. This limited the framework for aid planning and made it less feasible to introduce conditionality terms for the aid provided, which in turn added to the problem of widespread corruption. This is perhaps best illustrated by the international funding of Afghan police salaries.[3] The Afghan authorities needed the aid money to pay their police employees, while the international community needed the Afghan police to help to maintain security in the country. Thus, it was very difficult to withhold money in response to the corruption problem.

Development aid became an increasingly large part of the national and local political economy. This affected and strengthened some existing power structures and created new ones as well. The Afghan authorities consisted of rival factions with divergent interests; they were not a unified entity. The Norwegian authorities chose to bolster institutions that were closely linked to those who were promoting reform. Thus, from an early stage,. they supported the Ministry of Rural Rehabilitation and Development, the Ministry of Education and, later, the Ministry of Interior Affairs, among others.

6.2 Direction and amount of aid

Like other international donors, the Norwegian authorities increased their level of aid considerably towards the end of the decade. This complied with the revised Norwegian approach – *taktskifte* (literally, 'change of pace') – introduced in 2006, which, in keeping with the international approach, emphasised the need for a stronger civilian effort in Afghanistan (see Chapter 3). Norwegian development aid was divided among three main priority areas: rural development, education and governance. The Commission discusses these priorities in Chapter 7. In addition, some of the aid helped to cover expenditure relating to Afghan refugees in Norway. In 2003 this comprised a full 40 per cent of the total civilian aid.[4] The percentage for the entire period was much lower: about eight per cent, on average.

In contrast to the military effort in Afghanistan, development assistance was relatively uncontroversial internally within the Norwegian coalition governments. In 2006 the need to strengthen the civilian contribution as part of the overall civil–military effort was cited as part of the

[1] See e.g. Independent Evaluation Office, *Assessment of Development Results – Evaluation of UNDP Contribution to Afghanistan*, UNDP, July 2014, pp. xvi, 90–91.

[2] Astri Suhrke, Kristian Berg Harpviken and Arne Strand, *Conflictual peacebuilding: Afghanistan two years after Bonn*, CMI, 2004.

[3] The Commission discusses this funding (LOTFA) in more detail in Chapter 7.

[4] This comprises ODA-approved measures relating to refugees in the donor country. Until 2006 expenditure relating to refugees in Norway was divided by country. From 2007 onwards only repatriation measures are divided by recipient country. See Figures 6.1 and 6.2.

justification for the increase in aid (see Chapters 3 and 8).[5] The expanding humanitarian needs emerging in the wake of the deteriorating security situation in Afghanistan were also noted. In addition, the Ministry of Foreign Affairs pointed out that Afghanistan received less aid per capita than, for example, Bosnia and Herzegovina and Rwanda had received in the wake of the armed conflicts in those countries.[6] However, comparing figures such as these gives little indication of the aid's impact and value. The benefit is dependent on the recipient's needs and capacity to administer and use the aid in a suitable manner and the donor's ability to help to implement the aid effectively.

In December 2007, Norwegian authorities decided to increase development aid to NOK 750 million (USD 119 million) per year over a five-year period.[7] At the same time, responsibility for aid to Afghanistan was transferred from Norway's Minister of International Development to the Minister of Foreign Affairs.[8] In contrast to the Norwegian government's revised approach (*taktskifte*) from 2006, this decision was based on the desire to achieve parity between military and civilian expenditure, and reflected the fact that the civilian effort was less controversial at home than the military engagement. Although the objective was ultimately not achieved (see Chapter 3), the government stressed the importance of contributing as much to the civilian effort as to the military effort.[9] The decision received a positive response from all political circles in Norway.[10] It also gave the Ministry of Foreign Affairs greater political weight when the Minister stressed the need for a stronger civilian effort in Afghanistan to his international colleagues and the UN. Although the Norwegian authorities did not allocate as much funding to development aid as to the military effort, Norway emerged in the international context as a significantly larger aid donor than military participant. This harmonised well with a Norwegian foreign policy architecture that has democracy-building and development assistance as its cornerstones.

In other words, the decisions to increase civilian aid in 2006 and 2007 had their origins in foreign and domestic policy considerations and were not based on aid-related needs and assessments. By this time there were clear indications that Afghan authorities did not have the capacity to administer and use all the aid provided.[11] This issue did not receive the attention it deserved within the Norwegian civil service, nor were questions raised regarding the degree to which increased aid would help or hinder development in Afghanistan. The Norwegian civil service and political leadership understood that an increase in aid would have 'resource-related implications'.[12] Nonetheless, the Norwegian Ministry of Foreign Affairs did not try to determine how many staff would be needed to ensure that the aid could be administered in a sound manner.[13]

In 2005 the Norwegian Embassy in Kabul took over the administration of most of the aid portfolio.[14] Diplomats at the Embassy found that their already substantial aid management workload intensified after the budget increased to NOK 750 million (USD 119 million).[15] In 2008 two of the Embassy's Norwegian staff were managing most

5 Commission hearing, 11 November 2015.

6 Memorandum from Ministry of Foreign Affairs (MFA) to the Minister of Foreign Affairs and the Minister of International Development, 'Afghanistan. Styrket humanitær bistand og utviklingssamarbeid' [Afghanistan: Strengthened humanitarian aid and development cooperation], 18 September 2006. The memorandum states that according to the organisation Care, Bosnia and Herzegovina received USD 370 per capita per year and Rwanda received USD 200 per capita per year, whereas Afghanistan received only USD 73 per capita per year in 2006.

7 Using the exchange rate NOK 6.3/1 USD.

8 Norwegian government, *St.prp. nr. 1 Tillegg nr 4 (2007–2008)* [Proposition No. 1 Addendum No. 4 (2007 –2008) to the Storting], 2 November 2007; Commission hearing of 28 August 2015. From 1 January 2008, the Minister of Foreign Affairs assumed responsibility for development assistance to both Afghanistan and the Middle East from the Minister of International Development. According to statements at the Commission hearings, the transfer of responsibility was part of a distribution of the international portfolio based on practical considerations.

9 'Bruker én milliard på Afghanistankrigen' [Using NOK 1 billion on the war in Afghanistan], Norwegian daily *Aftenposten*, 14 October 2009.

10 See e.g. 'Støre: Vi må 'afghanisere' innsatsen' [Støre: We must 'Afghanify' the effort], 5 February 2008.

11 An indicator of a recipient's capacity to absorb assistance is the percentage of the budget execution achieved by the ministries. For some of the Afghan ministries, this figure was about 40–50 per cent in the middle of the decade. Towards the end of the decade, the figure had fallen to 25 per cent. See Astri Suhrke, *Eksperimentet Afghanistan – det internasjonale engasjementet etter Taliban-regimets fall* [The Afghanistan experiment – international engagement after the fall of the Taliban regime], Oslo: Spartacus Forlag, 2011, p. 153, footnote 32.

12 Memorandum from MFA to the Minister of Foreign Affairs and the Minister of International Development, 'Afghanistan. Styrket humanitær bistand og utviklingssamarbeid' [Afghanistan: Strengthened humanitarian assistance and development cooperation], 18 July 2006.

13 Commission hearings, 11 August and 28 October 2015.

14 Ecorys, *Evaluation of Norwegian Development Cooperation with Afghanistan 2001–2011*, Norad, June 2012, p. 35.

15 Commission hearings, 11 August and 28 October 2015; interview with an MFA employee, 22 March 2016.

of the aid portfolio.[16] While the administration capacity was increased in 2009, the security rules simultaneously became stricter and the Ministry instituted a mandatory leave policy for every eighth week of service.[17] Thus, there was no discernible increase in administration capacity in relation to what was needed. Time pressures made it difficult to ensure adequate follow-up of all projects and programmes. The attention given to aid administration at the Embassy was also partly a product of the priorities of the Embassy's leadership. Several of those posted to Afghanistan said that they felt that political reporting received greater attention and offered more career benefits than thorough and time-consuming aid management efforts.[18]

There was a varying degree of cooperation between the Embassy and the Norwegian Agency for Development Cooperation (Norad), which reports to the Ministry of Foreign Affairs.[19] For a long time the institutional framework for this cooperation was rather weak. The degree to which the Embassy sought advice on agreements and project descriptions with the relevant departments within Norad was more often than not the result of an individual's personal initiative. In 2012 the Embassy introduced new routines for dialogue with Norad.[20] This helped to improve the quality assurance of agreements and project documents.

In 2014 the Ministry decided to withdraw its aid staff from Afghanistan from the summer of 2015. Since then, locally employed staff at the Embassy have been responsible for following up projects and programmes, as well as for participating in international donor coordination forums in Kabul. They also maintain a close dialogue with Norad and the Unit for Advisory Services and Grant Management at the Ministry of Foreign Affairs, and are thus far managing well in handling follow-up responsibilities in specific cases. However, the absence of Norwegian aid staff posted to Afghanistan has weakened Norwegian 'aid diplomacy' – Norway's ability to set the agenda and promote joint initiatives – within international forums in Kabul. The locally employed staff generally do not have the same direct contact with decision-makers in the Ministry of Foreign Affairs in Oslo, and it is often more difficult for Afghans to win support in forums comprised primarily of international representatives.

6.3 Coordination

It is essential to coordinate the efforts of the various donor countries to avoid duplicating projects and to reduce costs relating to activities such as project visits, contract negotiations and evaluations.[21] At the same time, many actors will resist being subjected to extensive coordination because it limits their decision-making autonomy. The difficulties in achieving coordination in Afghanistan were exacerbated by the desire for political visibility and differences in development assistance priorities. In practice the largest donor usually has the greatest influence and sets the agenda. In Afghanistan this was unquestionably the US, which contributed almost half of the total international civilian aid.[22] As the ninth-largest donor, Norway was nonetheless able to exert some influence, in part through its choice of networks and its diplomatic weight in relevant coordination forums. This combination is what the Commission has understood as 'aid diplomacy', which is discussed in more detail below.

Coordination in Afghanistan took place at many levels, from more or less spontaneous donor groups in Kabul to large-scale, formal coordination groups and donor conferences. The Afghan authorities were formally in charge of the

16 Commission hearings, 11 August and 28 October 2015.

17 See Chapter 12.

18 Commission hearings, 11 August and 28 October 2015; interview with an MFA employee, 22 March 2016.

19 Memorandum from Norad, 'Kommentarer fra landteam Afghanistan til strategisk plan 2009–2011' [Comments from the Afghanistan country team to the strategic plan 2009–2011], 16 May 2008.

20 Email correspondence between the Norwegian Embassy in Kabul and Norad, 'Bestilling: skisse til tettere samarbeid med Norad om Afghanistan' [On order: an outline for closer cooperation with Norad on Afghanistan], 30 August 2012; Commission hearings, 16 October and 28 October 2015.

21 See e.g. Francois Bourguignon and Jean-Philipe Platteau: 'The Hard Challenge of Aid Coordination', *World Development*, Vol. 69, May 2013, pp. 86–97.

22 The Development Assistance Committee (DAC) in the OECD has drawn up guidelines for what may be entered in financial accounts as official development assistance (ODA). Statistics are based on reports submitted by member countries. For example, military assistance cannot be entered in financial accounts as ODA.

In addition to ODA-approved funding, the US Department of Defense has allocated more than USD 6 billion (almost NOK 40 billion) to civilian development measures, in part through the Commander's Emergency Response Fund in which military units could launch development projects on their own initiative. These have often been criticised for weak support among Afghan authorities and the local population and for promoting corruption.

Source: Special Inspector General for Afghanistan Reconstruction, *Quarterly Report to the US Congress*, 30 January 2015, p. 198.

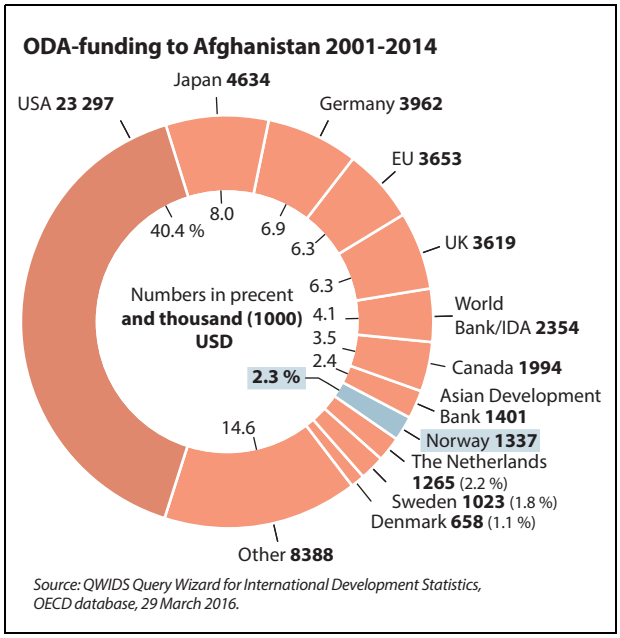

Figure 6.1 Total official development assistance (ODA) funding from 2001–2014 – overall international civilian aid.

coordination activities. In reality this proved difficult, particularly as much of the aid was channelled outside of the Afghan national budget.

Coordination was supposed to be established between the civilian and military effort, between Afghan authorities and the international community and, not least, among international donors. In 2006 the United Nations Assistance Mission in Afghanistan (UNAMA) was given the overall responsibility of coordinating the civilian effort. UNAMA was charged with assisting Afghan authorities in coordinating the activities of international donors in accordance with the Afghanistan National Development Strategy (ANDS). This was a formidable task. The number of actors to be coordinated was vast, and agenda-setting participants such as the US were sceptical of the role of the UN. Moreover, Afghan authorities were often requested by the US or other International Security Assistance Force (ISAF) countries to prioritise programmes in districts that ISAF was seeking to stabilise.[23] Coordination mechanisms such as the Joint Coordination and Monitoring Board (JCMB), which UNAMA led in cooperation with Afghan authorities, served more as arenas for information exchange than for genuine coordination. The UN Special Representative for Afghanistan Kai Eide (2008–2010) therefore spoke out in favour of strengthening UNAMA's coordination of the civilian effort.[24] In order for this to succeed, however, UNAMA's office in Kabul needed more staff. The UN's internal bureaucracy moved so slowly and was so mired in power struggles that these plans never materialised.[25]

Many were of the view that the international donor conferences charged with establishing frameworks and guidelines for development assistance to Afghanistan by and large reflected the agenda of the international community, and especially that of the US (see Chapter 3).[26] Both the Norwegian Embassy in Kabul and Norad noted that the first development strategies were mainly authored by international diplomats and consultants, not by the Afghan authorities.[27] The decisions taken at the conferences provided important guiding principles for the development assistance effort. Gradually, the Afghan authorities assumed greater ownership of these processes. Prior to and during the second Tokyo conference in 2012, the Norwegian Embassy, among others, took steps to draw Afghan authorities into the processes and meetings. According to a report prepared for the Commission, this enabled the Afghan authorities to take a more active role than previously in designing the national development plans that were presented at the conference.[28]

Many donors, especially the US, chose to channel most of their aid through NGOs or private companies instead of through the Afghan central authorities. This is known as 'off budget' support.[29] Direct funding such as this made coor-

[23] Report from MFA to the UN delegation, 'Afghanistan. Innspill. UNAMAs rolle mht sivil koordinering og bistandseffektivitet' [Afghanistan. Input. The role of UNAMA with regard to civilian coordination and aid effectiveness], 10 April 2010.

[24] Kai Eide, *Høyt spill om Afghanistan [High stakes in Afghanistan]*, Oslo: Cappelen Damm, 2010, pp. 66–69.

[25] Ibid.

[26] Memorandum from MFA to the Minister of Foreign Affairs, 'Afghanistan. Status for oppfølging av Paris og veien videre' [Afghanistan. Status of the follow-up of Paris and the road ahead], 2 October 2009. Illustrative comments in general about the central role of the US in the effort in Afghanistan, 'As long as the Afghan presidential election is unresolved, and the US has not operationalised its own strategy, Afghan and international actors alike will be in limbo.'

[27] Report from the Norwegian Embassy in Kabul, 'ANDS – Giversamfunnets tilbakemelding på sektorstrategier' [ANDS – The donor community's feedback on sectoral strategies], 21 November 2007.

[28] Arne Strand and Nils Taxell, *Review of Norwegian Development Assistance to Afghanistan 2011–2014*, CMI, 2016, pp. 31–32; Commission hearing, 16 September 2015.

[29] IMF, *Islamic Republic of Afghanistan – Ex Post Assessment of Longer-Term Program Engagement*, 23 June 2015, pp. 18–19: The US channeled up to 80 per cent of the aid 'off budget'.

dination more difficult and undermined the objective of giving Afghan authorities the chance to shape their own development agenda. At the same time, however, most Afghan government institutions had neither the capacity to assume the responsibility described in the ambitious strategy documents, nor the ability to administer what was ultimately a large amount of development aid.

Most donor countries sought political attention for their civilian efforts, in part to increase the legitimacy of their military efforts vis-à-vis their own populations. Dedicated, national projects and earmarked funding to individual sectors provided a higher political profile than contributions to large, coordinated multi-donor funds. Furthermore, the allocation of aid outside official Afghan structures allowed donor countries to retain greater control over their allocations. It was critical for US authorities, for example, to be able to report to Congress regarding how the funding was being used. This was easier to do when the money was 'off budget'.[30]

From the outset Norwegian authorities were critical of the fragmentation of international development assistance. As chair of the Afghanistan Support Group (ASG), Norway argued as early as 2002 in favour of Afghan ownership and overall coordination of the effort under UN leadership.[31] This reflected Norway's traditional development policy approach. According to reports from the Ministry of Foreign Affairs, Norwegian authorities continued to emphasise this approach throughout the entire period. For example, in November 2006 Minister of Foreign Affairs Jonas Gahr Støre sent a letter to 35 of his international colleagues, in which he raised the issue of the need for better international coordination through the UN and the World Bank.[32]

To ease some of its additional workload from the coordination activities and at the same time increase its own influence, the Norwegian Embassy gradually expanded its cooperation with the other Nordic countries in Kabul. The Nordic countries established forums for meeting and local coordination mechanisms in areas such as gender equality, human rights and the police. In 2006 the Nordic group took the initiative to establish a Nordic seat on the JCMB. In 2008 the Nordic foreign ministers agreed on an action plan to strengthen Nordic cooperation. According to Swedish, Danish and Norwegian diplomats, this cooperation worked well for the most part.[33] However, the importance the various Nordic countries attached to this cooperation differed in different periods. Tensions sometimes arose between them, especially when Norway tried to obtain its own seat on the JCMB in 2008.[34] Nonetheless, the collaboration ensured greater influence in international forums in areas in which Nordic policies have traditionally been aligned, such as gender equality.[35] Later on, the Netherlands was included in the group, which was renamed the 'Nordic+ framework'. Cooperation with like-minded countries in Afghanistan is an example of effective aid diplomacy, which may be applied in other challenging areas.

6.4 Multilateral aid

Multilateral aid funds, also known as multi-donor funds, have traditionally been an important element of Norwegian development policy. They enable a small actor such as Norway to exert influence on the international development aid agenda.[36] However, directing aid through multi-donor funds takes place at the expense of control over the funding and political visibility, as it may be

30 Commission hearings in Washington, D.C., 2 September 2015.

31 Report from MFA, 'Statssekretær Kjørvens samtale med Julia Taft, UNDP, Tokyo 21–22. januar 2002' [State Secretary Kjørven's meeting with Julia Taft, UNDP, Tokyo 21–22 January 2002], 14 January 2002; memorandum from MFA, 'Den politiske situasjonen, samtalepunkt til utenriksministerens deltakelse på møte i Tokyo 21–22 januar 2002' [The political situation, talking points for the Minister of Foreign Affairs' participation in the meeting in Tokyo 21 – 22 January 2002], 14 January 2002; *St.prp. nr. 1 2003–2004* [Proposition No. 1 (2003–2004) to the Storting]. State Secretary Vidar Helgesen was Norway's representative in ASG.

32 Letter from Minister of Foreign Affairs Jonas Gahr Støre, dated 3 November 2006.

33 Report from MFA, 'Afghanistan. Nordisk samarbeid. Kartlegging av muligheter' [Afghanistan. Nordic cooperation. Mapping out opportunities], 23 September 2008; interviews in Copenhagen, 5–6 November 2015; interview with an employee of the Swedish International Development Cooperation Agency (Sida), 11 January 2016.

34 Report from the Norwegian Embassy in Kabul, 'Brev fra Senior Minister Arsala og SRSG K. Eide ang medlemskap i JCMB' [Letter from Senior Minister Arsala and SRSG K. Eide regarding membership in JCMB], 10 November 2008.

35 Commission hearings, 11 August, 16 August and 29 September 2015; interviews in Copenhagen, 5–6 November 2015 and an interview with a SIDA employee, 11 January 2016. This issue is discussed in more detail in Chapter 7. Selected documents on Nordic cooperation from MFA's archives: 'List of possible Nordic follow-up items', 7 October 2007; 'Afghanistan. Nordisk samarbeid i Kabul' [Afghanistan. Nordic cooperation in Kabul], 28 September 2009; 'Felles nordisk kronikk om likestilling' [Joint Nordic media article on gender equality], 2010.

36 Commission hearing, 18 August 2015.

difficult to trace the aid back to the individual donor (see Chapter 7). Using multi-donor funds may also undermine institutions in the recipient country. In an aid-dependent country such as Afghanistan, large donors such as the US or multi-donor funds have considerable influence over how the funding is used. This disempowers the local authorities and may weaken the very legitimacy that the international engagement seeks to strengthen.

In Afghanistan the US and the World Bank's multi-donor fund, the Afghanistan Reconstruction Trust Fund (ARTF), had significant influence over the sectoral allocations from the Afghan national budget. It took many years before Afghan authorities assumed greater responsibility for managing their own budget. It was more important for them to report to their donors on how government funding was being used than to be accountable to their own population. This is problematic in a democratic system. The Norwegian authorities were aware of these problems, but found them difficult to address in light of the political situation in Afghanistan. For Norway, reducing 'off budget' funding outside the control of Afghan authorities became an aim in itself.[37] At the same time, the Ministry of Foreign Affairs continued to channel almost 35 per cent of the aid to NGOs, that is, outside the official Afghan programmes.

6.4.1 Funding to the World Bank and the UN

From the perspective of the Norwegian authorities, multi-donor funds were the best means of ensuring Afghan ownership and enhancing donor coordination. Moreover, they made it possible to reduce Norway's own administrative burdens and share the risk with other donors. During the donor conference in Tokyo in 2002, Norway encouraged other donors to give priority to multi-donor funds. From 2002 Norway sent large portions of its own aid to the ARTF.[38] As the chair of the ASG, Norwegian authorities had prioritised the World Bank as a partner since 2002. The Norwegian authorities participated in the fund at an early stage, were willing to take the risks and believed that the ARTF had the potential to improve. The decision to support the ARTF was uncontroversial within the Ministry of Foreign Affairs.

The UN also played an important role, especially in the field of governance, where the United Nations Development Programme (UNDP) was a key partner. The UN organisations in Afghanistan had varying degrees of success (see Chapter 3). The United Nations World Food Programme (WFP) and the United Nations High Commissioner for Refugees (UNHCR) were focused mainly on humanitarian efforts. Consequently, it was easier for them to show results than it was for the UN organisations attempting to contribute to state-building. The UNDP in particular was subject to a high degree of criticism. Both the international community and Afghan authorities criticised the UNDP for being ineffective and inadequately results-orientated. UN Women, which was Norway's main partner in the area of women and gender equality, also delivered poor results. The reasons for the UN's weaknesses in Afghanistan were in part due to poor administrative capacity, frequent rotation of employees and, at times, a lack of support from the UN agencies' headquarters. This is discussed further in Chapter 7.

The Norwegian Embassy in Kabul had long been critical of the UN's lack of results when the Norwegian authorities chose to reduce their level of support, primarily to the UNDP programme in 2011–2013. There were two major reasons why the Norwegian authorities continued to provide substantial funding to UN organisations for so long, despite their limited administrative capacity and lack of results. First, finding alternative aid channels would have required considerable Norwegian administrative resources. Second, the UN had traditionally played a prominent role in Norwegian foreign policy. Norwegians posted at the Embassy had many conversations with UN employees to gain insight into why the results were so long in coming and to discuss how Norway could assist.[39] Among other things, the Norwegian authorities allotted funding for new positions in UNAMA. However, this initiative stalled due to the highly complicated internal recruitment procedures within the UN. At one point the criticism from the Norwegian Embassy and other donors was so severe that a senior manager in the UNDP was dismissed.[40]

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37 Ibid.

38 Memorandum from MFA, 'Overgangsbistand' [Transitional development aid], 14 January 2002; Commission hearing, 18 May 2015.

39 Report from the UN delegation, 'FN. Afghanistan. Evaluering av UNAMA. Nordisk møte' [UN. Afghanistan. Evaluation of UNAMA. Nordic meeting], 30 April 2008; Commission hearings, 11 August and 28 October 2015, and an interview with an MFA employee, 19 March 2016.

40 Commission hearings, 21 December 2015, and an interview with an MFA employee, 22 March 2016.

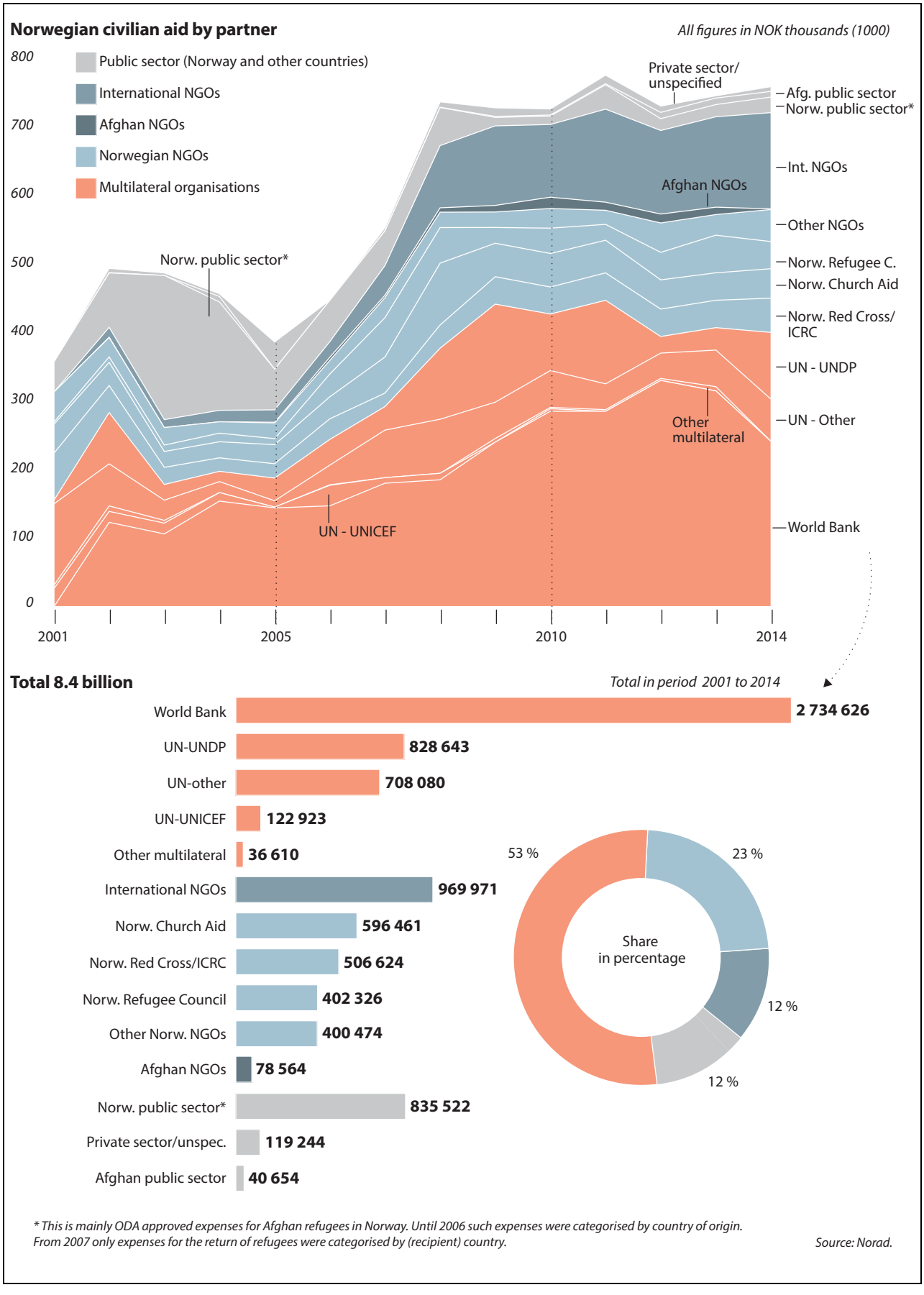

Figure 6.2 Civilian aid to Afghanistan – by type of partner

6.5 Cooperation with non-governmental organisations (NGOs)

Both the Afghan authorities and the UN lacked the capacity to coordinate and implement development aid programmes. This was one of the major reasons why the Norwegian authorities wanted to diversify the effort and distribute the risk.

About 35 per cent of Norwegian civilian aid went to NGOs. Channelling the funding in this way was contrary to the principle of Afghan ownership and the desire to allocate aid via the Afghan national budget, but it was nonetheless viewed as necessary.[41] NGOs are generally prioritised partners in Norwegian development policy. The Norwegian authorities stipulated that the NGOs they funded were to work alongside and coordinate their activities with national and local Afghan authorities.

The Norwegian NGOs with which the Ministry of Foreign Affairs cooperated had extensive experience and established networks in Afghanistan. Later on, the Norwegian authorities expanded their collaboration with international and Afghan NGOs that had expertise in prioritised geographic or thematic areas. These played an important role in the Norwegian effort in Faryab, which is discussed in Chapter 8. Many of the NGOs have established networks, which helped to make them more flexible and gave them a better understanding of the political context than many contractors who worked for multilateral funds. This also made it possible to document and meet the needs identified by local authorities. In Chapters 7 and 8 the Commission takes a closer look at some of the Norwegian-funded NGOs in Afghanistan.

The large amount of aid allocated to the NGOs was in keeping with the major role these organisations had traditionally played in Norwegian development assistance. In addition, it demonstrated the desire of the Norwegian authorities to maintain a certain amount of control over the funding. However, since the NGOs performed work locally that should have been carried out by the Afghan authorities, they did very little to bolster the confidence of the Afghan people in their own government. As a result, the use of NGOs partly undermined the effort to enhance Afghan legitimacy. The Norwegian authorities tried to address the problem through a close dialogue with NGO partners and by stipulating that the aid must be adapted to national guidelines.[42] Over time some NGOs contributed to capacity-building and helped to develop government structures, in part by co-locating their offices with those of the provincial authorities.[43] In keeping with the aim of promoting knowledge transfer to make Afghan authorities more self-reliant, the professional staff in the NGOs worked together with the Afghan civil service. At the same time, the purpose of some of the NGO activities was to expand Afghan civil society, especially human rights organisations. This is described in Chapter 7.

The Ministry of Foreign Affairs eventually began to reduce the number of NGO agreements in order to enhance the effectiveness and quality

Box 6.1 'Tawanmandi', a funding mechanism for Afghan civil society

'Tawanmandi' was a concept first developed within the framework of Nordic cooperation. The idea was to distribute the aid to Afghan civil society organisations through a joint fund. The initiative was rooted in a shared need to reduce the administrative burden and the number of agreements and to better coordinate the aid given to Afghan civil society. The UK and Switzerland joined in on the development of the concept. When the fund was established in 2011, the British Council was given responsibility for its operations. Tawanmandi is an example of a potentially effective measure to reduce the administrative burden in a prioritised area, but ultimately it did not work. The fund failed partly due to a lack of proper management and follow-up, and was discontinued in December 2015.

Source: Arne Strand and Nils Taxell, *Review of Norwegian Development Assistance to Afghanistan 2011–2014*, Chr. Michelsen Institute, 19 February 2016, p. 47.

[41] Memorandum from MFA, 'Sivil innsats i norsk ledet PRT i Meymaneh' [Civilian effort in Norwegian-led PRT in Meymaneh], 20 December 2004; Commission hearings, 28 August and 28 October 2015, and the report from the UN delegation 'FN. Afghanistan. Evaluering av UNAMA. Nordisk møte' [UN. Afghanistan. Evaluation of UNAMA. Nordic meeting], 30 February 2008.

[42] Ecorys, 2012, pp. 98–99 and the report from the Norwegian Embassy in Kabul, 'Solide resultater i 2010 for norske NGO-innsatsen til tross for større ustabilitet' [Solid results in 2010 for Norwegian NGO efforts despite greater instability], 16 April 2011.

[43] Strand and Taxell, 2016, p. 41.

of its own administration.[44] The number of active agreements in Afghanistan went from 140 in 2008 to about 50 in 2014. This reduction did not significantly affect the number of NGO partners however. Many of those with whom the Commission spoke, both from the Ministry and from the NGO sector, noted that the NGOs dealt with the reduction in agreements by incorporating more priority areas into larger programme agreements.[45] This reduced the Ministry's administrative burden, while the actual activities in the field remained largely the same. Thus, consolidating the agreements did not lead to improved priority-setting for activities.

Additionally, many Norwegians previously posted to the Embassy in Kabul felt that the objective of concentrating the effort sometimes clashed with the need for political visibility.[46] The political leadership was interested in projects that generated media attention and brought positive stories from Afghanistan. This applied not only to NGO support, but to other programmes as well. Therefore, development aid principles relating to predictability and concentration sometimes had to yield to the political need for visibility.[47] Political visits to Kabul or Faryab often resulted in the launch of projects that could produce short-term political gains in the form of news stories in the Norwegian media. These projects tended to be poorly designed, with no sound local basis or genuine opportunity for follow-up.[48] Visits from senior-level officials could have a similar effect.

6.6 Gender equality

Women's rights and gender equality have been a declared priority of Norwegian foreign policy since the 1990s. These principles have been the focus of several action plans for development cooperation.[49] When the second Stoltenberg government in 2006 announced its revised approach (*taktskifte)*, with greater emphasis on the civilian effort and coordination, one of the key policy areas was to be women, peace and security. From 2007, for instance, Afghanistan received NOK 15–20 million (USD 2.4–3.2 million) per year from the Ministry's budget for women, peace and security.[50] The gender equality principle encompassed more than just the projects in which gender equality was a main objective. All projects and programmes that received Norwegian funding were required to assess and report on their impact with regard to gender equality. Decision documents and assessments of project proposals were also required to contain a gender equality analysis. The system is designed to ensure the follow-up of gender equality-related aspects of all Norwegian development assistance, not just aid to Afghanistan.

The political guidelines in this area were clear, but they were seldom explicitly integrated into the Embassy's activities.[51] Gender equality had value as a political symbol, but not all employees of the Ministry of Foreign Affairs felt that the system offered incentives to report on gender equality.[52] Follow-up of gender equality was dependent on the Embassy's leadership and the interest and initiative of individual staff members. Some have noted that the civil service could have prepared better analyses and reports of the challenges involved in gender equality efforts in Afghanistan.[53] A review of these efforts at the Norwegian and Swedish embassies in Kabul in 2011 showed that Norway in particular lacked the administrative instruments to ensure the establishment of clear priorities and adequate follow-up of gender equality measures. The review also emphasised the need for a clear

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44 As early as 2002, Minister of International Development Hilde Frafjord Johnsen wrote in a comment to the memorandum 'Oversikt over samlet norsk bistand til Afghanistan – oppdatert status pr. 08. oktober 2002' [Overview of the total Norwegian development aid to Afghanistan – status updated pr. 8 October 2002] that the aid to Afghanistan was much too fragmented and consisted of too many projects and too little support for the authorities, e.g. through the ARFT. Report from the Norwegian Embassy in Kabul, 'Revidert utkast til strategi for norsk sivil innsats' [Revised draft of the strategy for the Norwegian civilian effort].

45 Commission hearings, 19 October, 28 October and 11 December 2015.

46 Commission hearings, 11 August, 14 August, 19 September and 28 October 2015.

47 Commission hearings, 11 August, 14 September and 28 October 2015.

48 For example the report from the Norwegian Embassy in Kabul, 'AFG – Søknad The Asian Foundation –Outreach – oppdatering' [AFG – Application The Asian Foundation – Outreach – update], 16 September 2007.

49 See e.g. the Ministry of Foreign Affairs, *Action Plan for Women's Rights and Gender Equality in Development Cooperation (2007–2009)*.

50 Using a exchange rate of NOK 6.3/1 USD This allocation was transferred in its entirety to UN Women, a decision discussed in Chapter 7.

51 Commission hearing, 20 October 2015.

52 Astri Suhrke, *'We shall speak when others are silent?' Fragments of an oral history of Norwegian assistance to Afghan women,* CMI, 2015.

53 Commission hearing, 21 October 2015.

distribution of tasks in the gender equality field, both between the Nordic embassies in Afghanistan and between the Norwegian Embassy and the Ministry at home.[54] Despite this, the Embassy has been an active driver of gender equality efforts in Afghanistan, especially within the framework of Nordic cooperation. The results of this are discussed in Chapter 7.

6.7 Humanitarian assistance and humanitarian space

The boundaries between humanitarian assistance and development aid are far from clear-cut. A traditional approach has been to regard development aid as long term and driven by various policy objectives, such as poverty reduction, human rights and economic growth. Humanitarian assistance has been understood to mean measures that save lives and alleviate suffering. The objective is to help people in times of need, regardless of their political views, religion, gender, sexual orientation or nationality. The term 'humanitarian space' designates the impartial position that humanitarian actors depend on in order to help people in need.

Engagement in complicated, protracted crises has given rise to a discussion of the dividing line between humanitarian assistance and development aid in Norwegian foreign policy. This is a particular concern in fragile states, where the objective is to strengthen governmental structures. Humanitarian assistance in prolonged conflicts is critical for saving human lives, but does little to safeguard sustainable development. By the same token, it is difficult to conduct aid efforts in areas of conflict, and it is especially difficult in countries where the authorities themselves are parties to the conflict.

Some NGOs see themselves as being both humanitarian and development aid organisations, and they conduct both types of efforts simultaneously. However, this may make it difficult to differentiate between the two types of activities. In Afghanistan the NGOs have been criticised for invoking humanitarian space without making a clear distinction between humanitarian assistance and development aid.[55] In the worst case, this is unfortunate, because it may diminish respect for humanitarian space. As political and military actors, the Norwegian authorities are not impartial, nor does humanitarian assistance take place in a political vacuum. However, it is the policy of the Ministry of Foreign Affairs that it is possible to combine the humanitarian imperative of impartiality with political considerations and priorities.[56] The Ministry expects that the organisations receiving funding from humanitarian assistance budgets carry out their activities independent of political guidelines, even though they operate in a political landscape and receive funding from an actor that itself takes political actions.

From early on in its involvement in Afghanistan, Norway emphasised the importance of separating the civilian effort from the military effort. One major reason behind this was the desire to safeguard humanitarian space. However, during the first two years that Norway led the PRT in Meymaneh, from 2005 to 2007, the PRT received funding from the Norwegian armed forces to implement small-scale development projects. For example, the PRT funded the construction of a local Shia Muslim mosque and launch of a women's radio channel.[57] The discussion regarding the policy of separation of civilian and military activities took place both at the political level and among Norwegians posted to Faryab. This type of military aid to civilian projects was thereafter discontinued by the government. The implementation of the policy of separation of civilian and military activities is discussed in more detail in Chapter 8.

In 2002, as the head of the ASG, Norway encouraged other donors to give priority to long-term development aid. At this point in time, the situation in Afghanistan appeared to be relatively peaceful.[58] The shift towards development aid was in accordance with the wishes of the Afghan authorities; in particular, the then Finance Minister, Ashraf Ghani, had argued in favour of this.[59] Both international actors and the Afghan Transitional Authority regarded long-term international aid as essential to the state-building project. However, some have noted that the transition from humanitarian assistance to development aid took

[54] Norad, *Gender Review Report Royal Norwegian Embassy Afghanistan*, June 2011.

[55] Commission hearing in London, 25 April 2015.

[56] Ministry of Foreign Affairs, *Norway's humanitarian policy*, 15 September 2008, p. 9.

[57] Interview with a Norad employee, 22 April 2016, email from a previous MFA employee, 20 April 2016.

[58] Memorandum to the State Secretary, 'Afghanistan Support Group møtet i Geneve 1. juli. Oppsummering' [Afghanistan Support Group meeting in Geneva 1 July. Summary], 15 July 2002.

[59] Commission hearing, 28 January 2016. The then Afghan Finance Minister, Ashraf Ghani, was concerned with strengthening long-term development aid in order to build the state as quickly as possible.

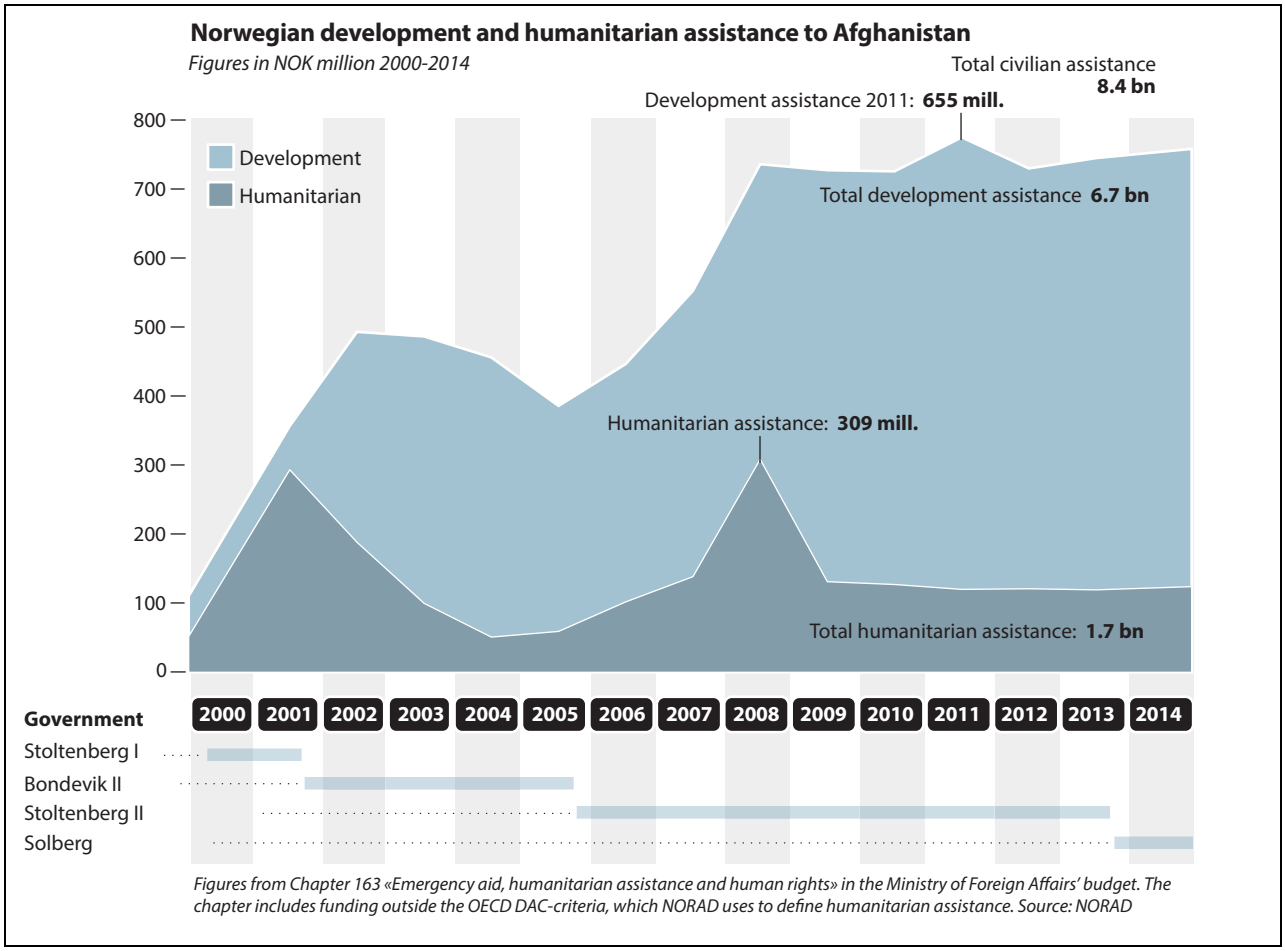

Figure 6.3 Norwegian development aid and humanitarian assistance to Afghanistan 2001–2014

place too quickly: neither the international nor the Afghan structures for administration and management of long-term aid were sufficiently in place.

Norway introduced 'transitional development aid' – or GAP funding – to fill the gap between humanitarian assistance and long-term development aid. Transitional development aid consists of flexible funding that can be used when an acute crisis or emergency situation is over, but when there are still needs that cannot be met through long-term aid. NOK 636 million (USD 101 million) of the aid allocated to Afghanistan between 2002 and 2007 was GAP funding.[60] Unlike the practice in some of the other recipient countries, the GAP funding allocated to Afghanistan was administered centrally by the Ministry of Foreign Affairs until 2006.[61] The funding was then placed at the disposal of the Embassy, but was discontinued after only one year. GAP funding has not been used in Afghanistan since 2007. GAP funding was allocated on the condition that the measures would subsequently be funded via ordinary allocations. The funding was flexible and eased the administrative burden, as the requirements were less extensive than those for long-term development aid,[62] and it could be used more easily to accommodate political objectives that might arise. GAP funding could not be used for emergency humanitarian assistance measures, which helped to enhance predictability. Other budget allocations might also have be used in a flexible manner, however. Consequently, many have argued that GAP funding made an already unwieldy aid budget even more complicated.[63]

As the security situation began to decline in 2006, the need for clear coordination of the international humanitarian effort grew. Since 2002

60 Email from Norad, statistics department, 22 April 2016.

61 Email from an MFA employee, 25 April 2016; 'Virksomhetsplan fra ambassaden i Kabul 2007' [Activity plan from the Norwegian Embassy in Kabul 2007].

62 Email from a Norad employee, 20 April 2016.

63 Email correspondence with an MFA employee, 25 April 2016.

UNAMA had been responsible for the UN's humanitarian coordination in Afghanistan. However, the UN was criticised by many NGOs, who believed that UNAMA's political mandate made the organisation unsuitable as a coordinator of the humanitarian effort. For several years the Norwegian authorities had tried to expand UNAMA's humanitarian unit, in part by providing funding for sixteen positions, but difficult recruitment processes within the UN delayed its implementation of this.[64] In 2009 the Norwegian Refugee Council and other NGOs received approval for their efforts to transfer responsibility for coordination of the humanitarian effort in Afghanistan to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), which had been closed since 2003. This did little to improve the situation, however. The UN was too politicised for its organisations to be perceived as neutral.[65] In addition, OCHA, too, lacked the capacity and expertise to take on the task of coordinating humanitarian efforts in Afghanistan.[66] Due to the UN's weakness in the humanitarian area, Norway decided to send only about 30 per cent of its humanitarian aid to Afghanistan for the period 2009–2014 through UN organisations.[67] On a global basis, UN organisations receive a much higher percentage of Norwegian humanitarian aid (usually about 50 per cent).

Norway gave more than NOK 1 billion (USD 159 million) to humanitarian efforts in Afghanistan from 1981 to 2001.[68] In 2002 the Ministry of Foreign Affairs shifted the focus of its civilian aid. The proportion of humanitarian aid went from more than 80 per cent in 2001 to less than 40 per cent in 2002. This was based on an understanding that the worst of the crisis was over and that priority needed to be given to development aid.[69] The percentage of humanitarian aid declined even further up to 2005. As the conflict intensified, the humanitarian needs became more acute, and from 2005 to 2008 the Ministry increased the percentage of humanitarian assistance considerably.[70]

The humanitarian budget was then reduced by half from 2008 to 2009, provoking a reaction from many humanitarian assistance organisations. Organisations that received funding for development aid purposes informed the Ministry of Foreign Affairs that they would use some of the money for humanitarian purposes, which the Ministry expected and accepted.[71] As a result, humanitarian expenditure remained higher than the budget figures would suggest. The main reason for the increase in humanitarian allocations from 2007 to 2008 was the desire to bring the total civilian support to Afghanistan up to NOK 750 million (USD 119 million). To achieve this political objective, humanitarian funding was defined as part of the total civilian expenditure.

This budgetary tactic may be interpreted as a politicisation of the humanitarian allocations, in the sense that they were posted in budget items that are included in a long-term, political state-building project. Some individuals at the Ministry believed that this did not harmonise with fundamental principles of humanitarian assistance.[72]

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64 Report from the State Secretary in MFA to UNAMA, 'UNAMA's proposal for support for humanitarian coordination', 15 January 2007.

65 See e.g. Prisca Benelli, Antonio Donini and Norah Niland, *Afghanistan: Humanitarianism in Uncertain Times*, Feinstein International Centre, Tufts University, November 2012.

66 Report from MFA, 'Instruks – Humanitære situasjon og norsk humanitær innsats i Afghanistan' [Instructions – The humanitarian situation and Norwegian humanitarian efforts in Afghanistan], 12 November 2009; report from the UN delegation in Geneva, 'Afghanistan. NGO krav om styrket humanitær koordinering' [Afghanistan. NGO demand for improved humanitarian coordination], 5 July 2010; report from the Norwegian Embassy in Kabul, 'Afghanistan. Tilsynelatende ny giv i OCHAs virke' [An apparent new momentum in OCHA's activities], 22 September 2011.

67 Email from Norad, statistics department, 22 April 2016. More than 60 per cent of the aid went to the Norwegian Red Cross, including the International Committee of the Red Cross (ICRC), and the Norwegian Refugee Council.

68 Memorandum from MFA to the State Secretary, 'Plattform for norsk formannskap i Afghanistan Support Group (ASG)' [Platform for the Norwegian chairmanship of the Afghanistan Support Group (ASG)], 29 May 2001.

69 Memorandum from MFA to the Minister of Foreign Affairs and the Minister of International Development, 'Afghanistan. Norges samlede bistand til Afghanistan i 2002. Nivå og innretning' [Afghanistan. Norway's total aid to Afghanistan in 2002. Level and focus], 15 January 2002. Even before 2001, Norway maintained that a larger percentage of the funding to Afghanistan should be development aid rather than humanitarian assistance.

70 Memorandum to the Department for Global Affairs, 'Afghanistan. Bevilgning 2006 til humanitær tiltak. Forslag til fordeling' [Afghanistan. Allocations 2006 to humanitarian measures. Proposed distribution], 20 March 2006; memorandum to the Minister of Foreign Affairs, 'Afghanistan. Styrket humanitær bistand og utviklingsarbeid' [Afghanistan. Enhanced humanitarian aid and development efforts], 10 September 2006 and memorandum to the State Secretary, 'Afghanistan. Forslag til fordeling av midler til fred og forsoning, og humanitær innsats og menneskerettigheter. 2007' [Afghanistan. Proposed distribution of funding for peace and reconciliation, humanitarian efforts and human rights. 2007], 28 March 2007. The increase encompassed direct measures and support for the humanitarian assistance unit in UNAMA.

71 Commission hearings, 20 September, 14 December and 21 December 2015; report from the HUM section, 'Afghanistan – humanitære og MR-prioriteringer 2009' [Afghanistan – humanitarian and human rights priorities 2009], 13 March 2009.

72 Commission hearing, 12 October 2015.

Several humanitarian assistance organisations established relatively good contact with the Taliban and other rebels to ensure that they could reach vulnerable population groups. The Taliban treated humanitarian assistance organisations differently, depending on local conditions in the areas they controlled. In general, the Taliban nonetheless allowed the organisations access, because there was a need for the services they offered and because the Taliban could take credit for providing the aid. In some areas the Taliban also demanded taxes and other services from humanitarian assistance organisations, which posed problems for the reputation for impartiality of the organisations involved. There was a risk that donor funding for impartial humanitarian efforts would end up financing the Taliban. Many humanitarian assistance organisations chose to negotiate access through local representatives (village councils and the like) and not directly with the Taliban. However, this type of indirect negotiations put local communities at risk of reprisals from the Taliban.[73]

Due to their contact with the Taliban, humanitarian assistance organisations were seen as potential door openers in peace diplomacy. In 2009 the Section for Humanitarian Affairs in the Ministry of Foreign Affairs decided to expand humanitarian efforts in southern Afghanistan. The decision was justified on the basis of the critical humanitarian situation in the southern region, but just as important was the potential to reap rewards for peace diplomacy (see Chapter 9).[74] In this regard, there was a risk that political priorities could override the principle of needs-based aid, and thus the humanitarian effort would no longer be perceived as impartial.

In light of the numerous challenges facing the humanitarian effort in Afghanistan, described in part above, the Ministry of Foreign Affairs presented a white paper on Norwegian humanitarian policy in 2008. This discusses the challenges that arise when humanitarian efforts and external state-building activities are combined. It points to the need to be pragmatic in dealing with challenging situations, such as those experienced in Afghanistan.[75] From this perspective, Norway's humanitarian engagement in Afghanistan has helped to raise awareness within the Ministry about the dilemmas and challenges related to humanitarian efforts.

6.8 Performance measurement

The purpose of sound development aid administration is to ensure that results are achieved and can be documented. In this section, the Commission assesses the administrative challenges of measuring and documenting results, particularly in a conflict area such as Afghanistan. This discussion lays the foundation for Chapter 7, which examines results within the priority areas.

Results may be understood as specific activities and measurable quantitative dimensions (e.g. the number of schools and pupils) or as qualitative social changes (e.g. pupils who have graduated and thus have the ability to influence their own financial situation and development). However, the Commission interprets the term 'results' in a broad sense, and also investigates areas in which Norwegian authorities have tried to influence the international aid agenda, known as 'aid diplomacy'. This requires not only traditional management capacity, but also diplomatic skills to gain support for certain viewpoints in various multilateral forums. The impact of such diplomatic efforts is difficult to measure however. This is discussed in Chapter 7.

It is difficult to evaluate efforts and measure the results of development aid. With regard to Afghanistan, there are three conditions that have made performance measurement extremely challenging.[76] First, it is generally difficult to document long-term results, because this requires sound pre-analyses, good indicators of achievement of objectives and long-term follow-up. An important part of pre-analyses consists of establishing 'baselines': descriptions and data collected before the project is launched that serve as the basis for comparison when assessing change and thus achievement of objectives. Compiling baseline data is generally difficult. It was especially challenging in a country such as Afghanistan,

[73] See e.g. Ashley Jackson and Antonio Giustozzi, *Talking to the Other Side: Humanitarian Engagement with the Taliban in Afghanistan*, HPG Working Paper, December 2012.

[74] Report from the Norwegian Embassy in Kabul, 'Afghanistan – humanitært engasjement i Sør' [Afghanistan – humanitarian engagement in the South], 7 February 2010.

[75] Ministry of Foreign Affairs, *Report No 40 (2008 –2009) to the Storting, Norway's Humanitarian Policy*, 29 May 2009.

[76] Office of the Auditor General of Norway, *Dokument 1 2011–2012 Utenriksdepartementet [Document 1 2011–2012 Ministry of Foreign Affairs], 2011; Office of the Auditor General of Norway, Riksrevisjonens undersøkelse av bistand til godt styresett og antikorrupsjon i utvalgte samarbeidsland [Investigation by the Office of the Auditor General of Norway of development assistance for sound governance and anti-corruption in selected partner countries, Document 3:9 (2014–2015)], 21 May 2015, p. 10.*

which had long been mostly inaccessible and continued to experience conflict.

The second challenge relating to performance measurement in Afghanistan was the security situation. Documenting results requires access to the projects. The security restrictions for international diplomats in Afghanistan became increasingly stringent and limited the access needed. It is nonetheless interesting that the Swedish Embassy has maintained a substantial presence of posted development assistance diplomats (five positions). In 2016 they were continuing to make project visits.[77] This demonstrates the significant differences in the view and assessment of security threats between the two embassies. It also raises questions as to the degree to which civilians posted to Afghanistan and the Ministry of Foreign Affairs can be expected to assume risks in areas of conflict in order to follow up aid allocations (see Chapter 12).

A third challenge for performance measurement is related to the use of multi-donor funds. The multi-donor funds and recipients set their own priorities regarding use of the funding. Thus, it is not possible to distinguish between Norwegian and other international funding included in the budget. This makes it very difficult to cite specific results of Norwegian development aid. However, this does not mean that multi-donor funds cannot have good performance measurements.

Multi-donor funds conduct their own evaluations. For a long time in Afghanistan, these encompassed only internal administrative and financial routines. They did not examine the activities of the organisations that the multi-donor funds used to perform the work, the implementing partners or the specific results of their efforts. Thus Norway, together with the other Nordic countries, took the initiative in encouraging the largest multi-donor fund, the World Bank's Afghanistan Reconstruction Trust Fund (ARTF), to adopt a system for monitoring the projects through a professional organisation. Not until 2012, after ten years of involvement in Afghanistan, did the ARTF implement such a monitoring mechanism, which is discussed in Chapter 7.5.2 on corruption. This suggests that Norwegian authorities themselves should have had better capacity to follow up the aid funding in multi-donor funds or have put greater emphasis on joint control.

During hearings with the Commission, numerous individuals have noted that Norwegian authorities should also have employed professional monitoring mechanisms more widely. While these are usually expensive, they can help to obtain better documentation of the results.[78] The situation improved towards the end of the period of engagement. Norad, among others, established a programme that ran from 2001 until 2016 and reviewed Norway's evaluation of development aid and the systems for documenting results. This initiative aimed to improve the ability to document results in Norwegian development aid administration in general.[79] Through a close dialogue with NGOs and other partners, the Ministry of Foreign Affairs also set more stringent requirements regarding risk analyses, financial management routines and systems for monitoring and performance reporting.[80] Some have pointed out that although this is positive, it is also an indication that the Ministry shifts the responsibility for follow-up onto its partners.[81]

6.9 Summary

The objective of rebuilding a well-functioning, legitimate central Afghan government in a short period of time lacked adequate local grounding and was unrealistic. Norwegian aid funding, along with international development aid, has contributed to changes in local and central power structures. Increasing corruption has undermined confidence in central Afghan authorities and the international community.

The volume of aid in Afghanistan was set primarily on the basis of political priorities, not on the needs in the field. This also applied to Norwegian aid, which increased in 2006 and 2007 primarily due to domestic policy considerations in Norway. A high volume of aid is not in and of itself a good objective, and particularly not when the objective is to balance the civilian and military efforts.

Most of the administrative challenges discussed in this chapter are well known from other

[77] Strand and Taxell, 2016, p. 7, and an interview with Swedish development assistance diplomats, 10 January 2016.

[78] Commission hearings, 28 October 2015 and 24 February 2016.

[79] Norad, 'Nytt evalueringsprogram går til kjernen av norsk bistand' [New evaluation programme goes to the heart of Norwegian development aid], 10 February 2014.

[80] Commission hearings, 14 August and 19 August 2015, and Strand and Taxell, 2016, pp. 48–49.

[81] Strand and Taxell, 2016, p. 15, and Commission hearing, 19 October 2015.

priority areas. However, aid to Afghanistan particularly stood out because the Norwegian authorities were involved in war and state-building simultaneously. The increasingly strict security regimens made it difficult to obtain access to projects.

Norway has not had sufficient administrative capacity to handle the large allocations to Afghanistan. A lack of routines for follow-up and archiving has resulted in inadequate documentation and follow-up of results.

The Ministry of Foreign Affairs focused on the use of multi-donor funds, but has not given enough consideration to the staffing needed to follow up and maintain Norway's influence in these funds. The need for political visibility has also partly undermined the civil service's work with long-term aid administration. A lack of capacity to follow up has been a weak point in Norwegian development aid over several decades. Following up projects in areas of conflict is especially demanding.

Although locally employed staff do a good job, a system in which the Ministry administers all projects centrally limits their capacity to follow up the aid in the field.[82] In addition, a system such as this makes it difficult to influence the development aid agenda in multilateral forums in Kabul, which posted diplomats could pursue with greater political clout than local employees. This potential to influence the agenda, or 'aid diplomacy', is even more important in a challenging environment with many large donors and diverging agendas.

The Norwegian authorities have provided humanitarian assistance in Afghanistan both before and after 2001. It has been difficult to strike a balance between humanitarian efforts and development aid. In Afghanistan, Norwegian authorities have focused especially on protecting humanitarian space by implementing a policy of clear separation between civilian and military tasks.

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[82] Strand and Taxell, 2016, pp. 62–63.

Chapter 7
Norwegian priorities and development aid results

As discussed in Chapter 6, Afghan authorities and other donors have maintained that Norwegian assistance to Afghanistan was based on sound development aid principles. However, there is no documentation to show that the Norwegian efforts produced better results than the efforts of countries that took a different approach. Given the vast resources used, the results of the international and Norwegian effort varied widely and their overall impact was limited. This is due primarily to the formidable challenge of providing aid in a war-torn country with ongoing armed conflict and a weak government. Other reasons are that Norway's goals were too ambitious, too many areas were prioritised and that insufficient administrative resources limited the ability to monitor whether the effort produced the desired results.

The US contributed almost half of the total international aid to Afghanistan and set the framework for the development agenda. In some areas, however, Norwegian authorities were able to act somewhat independently, for example, in the areas of education and human rights. This ability to influence the international development agenda is also an important aspect of the Norwegian civilian aid effort.

In this chapter the Commission discusses Norway's development aid priorities in Afghanistan and considers these in relation to Norway's administrative capacity and expertise. The Commission also assesses the extent to which results were achieved in the priority areas. This chapter should be read in conjunction with Chapter 6 on development policy and administration of development aid.

7.1 Priorities

Norwegian foreign and development policy are criticised regularly for insufficient prioritisation. Development aid is distributed among too many countries, too many areas and too many partners. This is problematic, because adequate resources are not set aside to administer such a diverse portfolio. This criticism is also relevant for the effort in Afghanistan.

Although Norway has had many priorities in Afghanistan over the years, they generally remained the same in the period from 2001 to 2014. This continuity is one of the main reasons for Norway's reputation as a predictable, reliable donor.[1]

The meaning of the term 'prioritisation' varies. Under normal circumstances, a politically prioritised area will receive a large amount of aid funding. However, this is not always the case. In Afghanistan, areas such as human rights and gender equality received less aid funding compared with other areas. Education is also a good example of this. In terms of the amount of funding allocated, education was given relatively little emphasis. From 2010 to 2014, however, an administrative position in the Norwegian Embassy in Kabul was dedicated to education (discussed below). This shows that the Ministry of Foreign Affairs prioritised an area by allocating staffing resources and expertise that could influence the international and Afghan agenda.

Since 2002 Norway has focused on three areas in its development aid to Afghanistan: education, governance and rural development. In addition, Norway has emphasised cross-cutting issues such as women, peace and security, as well as corruption and human rights. In this chapter human rights are considered as part of the effort to promote good governance. Good governance encompasses a number of areas, including those where Norway has a clear profile and can demonstrate results. As a result, the section on governance is somewhat longer than the others.

[1] Commission hearings in Washington and New York, 31 August–4 September 2015; Kabul, 4–6 November 2015; interviews in Copenhagen 5–6 November 2015; Arne Strand and Nils Taxell, *Review of Norwegian Development Assistance to Afghanistan 2011–2014*, Chr. Michelsen Institute, 19 February 2016.

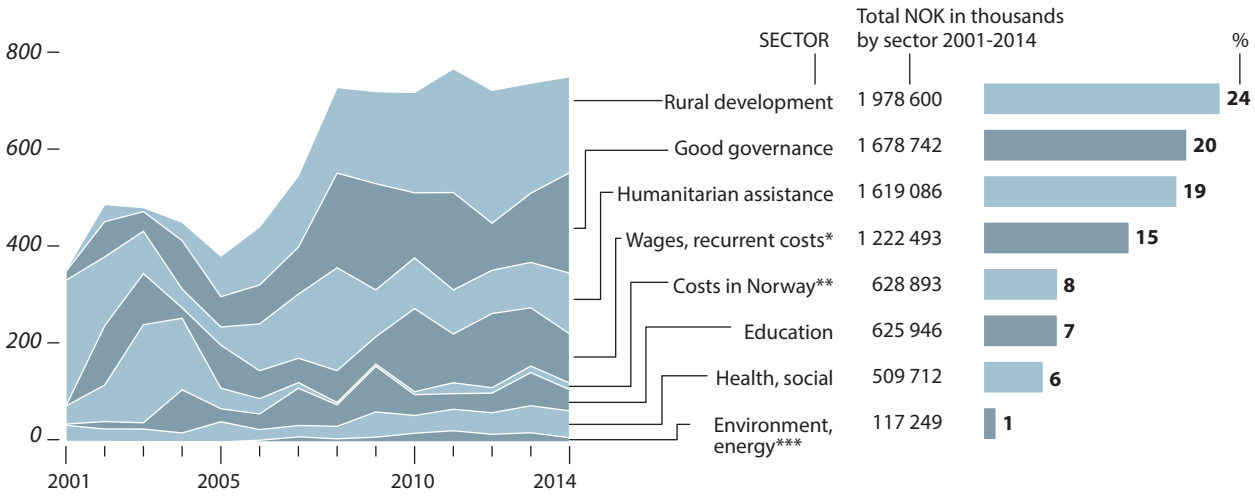

Figure 7.1 Norwegian civilian aid by sector 2001–2014

The choice of these three areas partly originates in Norway's overall development aid priorities and previous assistance to Afghanistan. Both education and rural development were Norwegian priority areas in Afghanistan prior to 2001. In addition, the idea that respect for human rights and democracy are important prerequisites for good governance and development has long been a pillar of Norwegian development policy. It was therefore a given that this aspect of state-building would be a major component of Norway's involvement in Afghanistan.[2] The choice of these three areas in 2002 was also strongly influenced by the broader international process in which donors and Afghan authorities, formally led by the then Afghan Finance Minister, Ashraf Ghani, divided up the responsibility for the aid effort in Afghanistan.[3]

As discussed in Chapter 6, Norway increased its allocations to Afghanistan over time without boosting administrative capacity at the same rate. This made it necessary to rationalise activities by setting clearer priorities. A pilot project carried out at five embassies in Africa in 2008 laid the foundation for a review of funding to Afghanistan.[4] From 2009 it was not only a question of reducing the number of agreements, as described in Chapter 6, but also of decreasing the number of priorities or areas.[5] Fewer areas would make it easier to follow up projects and assess the results. In any case, many of the signed agreements had a three-year contract period and Norway had established expertise in certain priority areas. It could also send unwanted political signals if cooperation in certain areas was discontinued.[6] Some people at the Norwegian Ministry of Foreign Affairs

2 Frode Liland and Kirsten Kjerland, *Norsk utviklingshjelps historie 3: 1989–2002: På bred front [History of Norwegian development cooperation 3: 1989–2002: On a broad front]* Oslo: Fagbokforlaget 2003, p. 18.

3 Commission hearing, 18 May 2015.

4 Memorandum from the Ministry of Foreign Affairs to the Secretary General, 'Effektivisering av forvaltningen ved fem store ambassader i Afrika – Oppfølging' [Increased efficiency at five large embassies in Africa – Follow-up], 19 January 2009. In June 2016, Norad conducted a visit with seminars at the Norwegian Embassy in Kabul; report from the Ministry of Foreign Affairs, 'Rapport fra besøk med endringsforslag' [Report from the visit with recommendations for changes], 8 June 2009.

5 Email exchange between a counsellor at the Norwegian Embassy in Kabul and the Ministry of Foreign Affairs, 10 July 2009; report from the Norwegian Embassy in Kabul, 'Afghanistan. Fremtidig sivil innsats' [Afghanistan. Future civilian effort', 28 August 2009; report from the UN section, 'Viktig–FN-avdelingens rolle og inngrep ift. Afghanistan Fremtidig Sivil innsats' [Important – UN section's role and intervention in relation to 'Afghanistan. Future Civilian Effort'], 2 September 2009.

6 Commission hearings, 19 September and 28 October 2015.

thought it would not be beneficial to change direction dramatically in 2009, at a time when planning to significantly reduce and change the international military and civilian effort had begun. Not everyone at the Ministry agreed with this assessment. Some believed that continuity would come at the expense of adaptability and flexibility.[7] Nevertheless, the Ministry nevertheless kept the three prioritised areas.

The section below reviews the three main areas that Norwegian authorities maintained throughout the entire period of engagement, and the results that the effort has produced so far. As described in Chapter 6, international, Afghan and Norwegian authorities all had unrealistic objectives for how much could be achieved in a short period of time, based on political ambitions rather than on development aid assessments. At times there was a huge gap between rhetoric and results, both in security policy and development policy (see also Chapter 3).[8]

Figure 7.2 Education was one of the priorities of Norwegian development policy, but the objectives were unrealistic. The area received a relatively modest amount of funding and the results were for a long time assessed in quantitative, not qualitative, terms. The photograph, taken in 2007, shows Minister of International Development Erik Solheim and Minister of Defence Anne-Grete Strøm-Erichsen visiting Nasir Abad school in Meymaneh.

Photo: Nils-Inge Kruhaug/NTB Scanpix

7.2 Education

Although education was a priority area, the percentage of Norwegian development aid that went towards it was relatively small. In the period from 2004 to 2009, between eight and ten per cent of the total Norwegian aid was allocated to this area. The US and Norway were the first countries to support the World Bank Education Quality Improvement Programme (EQUIP). After Norwegian authorities stopped earmarking programmes in its funding for the World Bank Multi-Donor Afghanistan Reconstruction Trust Fund (ARTF) in 2010, it has been difficult to determine precisely how much Norwegian funding has gone to education.[9]

Norway's initiative on education was particularly evident in Faryab, where Norwegian-supported NGOs and EQUIP helped to build 117 schools and establish continuing education for about 2,000 teachers. The situation before the programmes were launched was not documented, so it is difficult to measure the impact that the initiative had on the level of education. Whether or not the initiative produces lasting results depends in part on the ability of Afghan authorities to continue to provide educational services. This is described in Chapter 8 on Faryab, where the results from the Commission's own school survey in Faryab are presented.

Although the budget allocations were relatively modest, Norwegian authorities prioritised education in terms of staffing. Between 2010 and 2014 the Norwegian Embassy in Kabul had a designated educational adviser. The position enabled the Embassy to actively pursue 'aid diplomacy' in this sector, participate in donor groups and maintain a close dialogue with the Afghan Ministry of Education. This is a key reason why Norway has been viewed as a driving force for education.[10]

However, for a long time quantity was the main objective in the education sector, for both Norway and other international donors. The success criteria were the number of schools built, the number of teachers educated and the number of pupils enrolled. Measured in these terms, the international effort showed impressive results. The number of pupils enrolled in basic education rose from 1 million in 2001 to about 8.3 million in 2015, of which 39 per cent were girls. However, these figures have been criticised for including many

7 Interview with an MFA employee, 22 March 2016.

8 Commission hearing, 28 October 2015; also see Minister of Foreign Affairs Jonas Gahr Støre's address to the Storting (Norwegian parliament), 5 June 2012.

9 Report from the Norwegian Embassy in Kabul, 'Afghanistan. Ny avtale med Verdensbankens flergiverfond på totalt 900 millioner kroner' [Afghanistan. New agreement with the World Bank's multi-donor fund for a total of NOK 900 million], 30 November 2010.

10 Strand and Taxell, 2016, p. 54.

pupils and schools that do not exist, known as 'ghost schools and pupils'. Nor do the figures include pupils who drop out before completing their education. In 2015 there were still 3.3 million children without access to education. Access to education for children in general and girls in particular is greater in the cities than in rural areas.[11]

The numbers were easy to measure and translate into a political message that resonated with domestic public opinion in Norway: development aid was effective. Efforts to strengthen the position of women in society through education were given particular emphasis. However, few questions were raised regarding the quality of education, which curriculum was used, whether teachers were sufficiently qualified, what the textbooks contained and, not least, how much the pupils had learned by the time they left school. A report from Afghan authorities in 2015 concluded that the educational quality in the country was generally poor.[12] An evaluation of Norwegian development aid from 2001 to 2011 came to the same conclusion.[13] Money alone does not ensure quality.

Over time Norwegian authorities began to communicate their views on these challenges more clearly and regularly addressed the issue of quality development at donor meetings and with the Afghan Ministry of Education.[14] The Norwegian Embassy emphasised that educating teachers, especially female teachers, was crucial for enhancing quality.[15] The Embassy also headed a donor group, which coordinated and submitted a report on Afghanistan's first review of the education sector in 2012.[16] In addition, the Embassy participated in five different working and donor groups on education.[17] Norway was also the donor contact while the National Priority Programme for Higher Education was being developed.[18] Until the US contributed substantial funding in 2011, higher education was considered less of a priority by the international effort and in the Afghan education strategy.[19] The effort of Norwegian diplomats to influence matters in various educational forums is an example of aid diplomacy that has helped to change educational strategies. However, it is unclear to what degree these efforts have produced concrete results in the form of verifiable improved quality in education.

7.3 Governance, state-building and human rights

In May 2015 the Office of the Auditor General of Norway noted that development aid allocated by the Ministry of Foreign Affairs to promote good governance lacked a strategic focus, that follow-up had been deficient and that there had been few documented results.[20] Afghanistan was no exception. In spite of this, there are signs that Norway has played a leading role as an active donor and agenda-setter in certain priority areas. This applies especially to areas such as human rights, freedom of expression and freedom of the press. In other areas, however, such as the effort relating to police and justice, the Norwegian authorities can show few good results.

It is worth emphasising that in this section the Commission uses the Norwegian Ministry of Foreign Affairs' definition of human rights as primarily political rights as its point of departure. This definition encompasses, among other things, freedom of expression (including the right to engage in advocacy) and women's rights. It also includes the authorities' adherence to international human rights conventions and transitional justice. In general, human rights are more broadly defined and encompass a major part of the Norwegian effort in Afghanistan relating to social rights. From this perspective, education, poverty reduction, health and justice are also important areas for human rights efforts.

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11 Ibid, pg. 51; Commission hearings in Kabul, November 2015.

12 Ibid, p. 53.

13 Ecorys, *Evaluation of Norwegian Development Cooperation with Afghanistan 2001–2011*, June 2012, pp. 95–96.

14 Strand and Taxell, 2016, p. 51.

15 Report from the Norwegian Embassy in Kabul, 'Kvinnelige lærere – Framgang i Afghanistan' [Female teachers – Progress in Afghanistan], 6 January 2011.

16 Strand and Taxell, p. 54. The 2012 'Joint Education Sector Review' was the first review of the entire education sector in Afghanistan after 2001.

17 Norway participated in the following donor groups: ARTF's strategy group and council, the Human Resource Development Board (HRDB), the Education Coordination Committee (ECC), a working group on basic education and the working group for donors under the EQUIP programme. Strand and Taxell, 2016, p. 54.

18 Report from the Norwegian Embassy in Kabul, 'Afghanistan. Oppdatering om utdanningssektoren i Afghanistan' [Afghanistan. Update on the education sector in Afghanistan], 22 December 2010.

19 Email correspondence with an MFA employee, 13 April 2016.

20 Office of the Auditor General of Norway, *Riksrevisjonens undersøkelse av bistand til godt styresett og antikorrupsjon i utvalgte samarbeidsland – Dokument 3:9 (2014-2015) [Study by the Office of the Auditor General of Norway of development to promote good governance and anti-corruption in selected partner countries – Document 3:9 (2014–2015)]*, 21 May 2015.

Box 7.1 Overview of Norwegian-funded educational initiatives in Afghanistan after 2001

A summary of selected educational initiatives outside the World Bank Education Quality Improvement Programme (EQUIP) shows the breadth of Norway's educational initiative in Afghanistan. According to the evaluation of Norwegian development aid in 2012, most of the initiatives achieved their planned results. However, the degree to which the projects contributed to lasting changes in society depends on the ability of the Afghan authorities to carry on the effort and the degree to which the knowledge is used.

The National Education Strategic Plan for Afghanistan (NESP) By funding professional cooperation between the Afghan Ministry of Education and UNESCO's International Institute for Educational Planning (IIEP), Norway promoted the development of Afghanistan's first two five-year strategic plans for basic education (National Education Strategic Plan 2005–2010, NESP I and NESP II 2010–2015). In addition, the funding has helped to increase expertise within the Ministry of Education in the areas of planning and strategy development.

Global Partnership for Education (GPE) This programme is targeted towards 40 districts with a high security risk in order to ensure girls' participation in school and improve educational quality. The programme also focuses on children and adolescents who have left school and on using mosques for educational purposes.

National Institute for Management and Administration (NIMA) Norway was a driving force behind the establishment of NIMA in 2008 and allocated earmarked funds through the Afghanistan Reconstruction Trust Fund (ARTF) up to 2010. The institute provides a two-year education in leadership and administration. In 2014 2,000 students had successfully completed the programme and 1,500 were enrolled.

'Community Based Schools' (CBS) This initiative teaches small classes in private homes. These local schools are considered to be particularly suitable for encouraging girls to attend. Several studies show that the results from such schools are often better than from ordinary schools. Both the UN and NGOs have supported CBS.

There has been additional Norwegian educational support through NGOs.

Contributions to the public education sector:
- Construction and maintenance of schools and dormitories, water and hygiene facilities, security walls and playgrounds at schools for a better learning environment;
- Continuing education of teachers in academic subjects and teaching methods in cooperation with teacher education schools at the provincial level and training of administrative staff in planning, operations and reporting in accordance with the national strategy for educational quality.
- Information to the general public and mobilisation of local communities to encourage support for education and the establishment of school committees comprised of parents and teachers.

Contributions to informal education:
- Vocational training targeted especially towards young people and women to increase opportunities for income-generating work.
- Literacy courses incorporating training in health and hygiene, nutrition, conflict resolution and democratic participation. International studies show that if mothers can read and write, this has a markedly positive impact on their children's ability to learn.

Source: Report from Norwegian Embassy in Kabul, 'Afghanistan – Bestilling av innspill til Stortingsmelding om utdanning i utenriks- og utviklingspolitikken' [Afghanistan – Request for input to the government white paper on education in foreign and development policy], 18 February 2014; Ecorys, *Evaluation of Norwegian Development Cooperation with Afghanistan 2001-2011*, Norad, 2012, p. 96; Ecorys, pp. 91–96.

This section briefly presents the most important priority areas in the 'good governance' sector: elections, local governance, justice and the police, and support for Afghan civil society. At the end of the section, the Commission discusses some fundamental challenges to human rights.

7.3.1 Elections

As discussed in Chapter 3, many western donors considered presidential and parliamentary elections to be critical ingredients of state-building. Elections were politically important and served as

a litmus test for democratic development in Afghanistan. Fraud was a problem in all the elections, however, and served to undermine the confidence of the Afghan people in electoral institutions and democracy.

Norway channelled its support for the elections in Afghanistan primarily through the UN. Except for the elections in 2004 and 2005, to which Norway allocated a total of NOK 34 million (USD 5.4 million)[21], the funding was directed to the programme Electing Legal and Electoral Capacity for Tomorrow (ELECT) under the United Nations Development Programme (UNDP). ELECT was intended to assist Afghan authorities with carrying out elections. This included the organisation of election day and the counting of the votes. The Norwegian Ministry of Foreign Affairs supported the programme with a total of NOK 85 million (USD 13.5 million) in 2009 and 2010 and with NOK 102 million (USD 16.2 million) in 2014. UNDP ELECT was widely criticised for poor leadership, poor coordination with international donors and a lack of budgeting capacity.[22] The Ministry nevertheless continued to allocate funding. In part, there was no alternative mechanism for financing preparations for and the implementation of elections.[23] The enormous political and symbolic significance of the elections also made it politically difficult to withdraw support.

The Norwegian Embassy used alternative aid channels to implement other parts of the election process. Together with Switzerland, Denmark and Canada, among others, Norway supported public information projects and the training of female parliamentarians.[24] The Embassy also emphasised dialogue with civil society actors and funding for alternative public information projects. It is difficult to measure the specific results of these efforts to influence the process. However, the effort corresponded with Norway's focus on development of Afghan civil society. In spite of the modest results, this effort has been recognised in an Afghan and international context.[25]

Figure 7.3 Conducting elections was politically important and served as an indication of the degree of democratic development. However, fraud was a problem in all the elections. Norway allocated its support primarily to the programme Electing Legal and Electoral Capacity for Tomorrow (ELECT) under the United Nations Development Programme (UNDP), which has been widely discussed. Norway emphasised women's opportunity to vote.

Photo: Ministry of Foreign Affairs

7.3.2 Local governance

A prerequisite for the success of the state-building project in Afghanistan was strong local government structures that could exercise the authority of the state at the local level (see Chapters 3 and 8). The task of building institutions at all administrative levels in Afghanistan was a formidable one. The formal administrative structure was for the most part centralised. Governors were appointed by the president, and budgets and policies were designed by Kabul. In addition, powerbrokers in Kabul and the provinces could exert influence through informal channels and thus undermine the formal decision-making processes. Several international actors sought to address this problem by launching initiatives at various levels of the government. However, this further complicated

21 Using the exchange rate NOK 6.3/1 USD.

22 Report from the Norwegian Embassy in Kabul, 'UNDP ELECT. Revidert prosjektdokument for parlamentsvalget 2010' [UNDP ELECT. Revised project document for the parliamentary election 2020], 29 February 2010. It is noted e.g. that UNDP ELECT purchased lamps costing USD 580,000 for the 2009 presidential election, and then budgeted for procurement of new lamps in 2010.

23 Interview with an MFA employee, 18 February 2016.

24 Pledge document from the Norwegian Embassy in Kabul, 'Project document - Civic education with focus on electoral participation – AWN members as implementing partners', 1 June 2010.

25 Emily Winterbotham, *'Review of the international human rights efforts in Afghanistan 2001–2014, with special emphasis on Norwegian contributions',* RUSI, March 2016, p. 7.

the task of building central and local governance and government structures.[26]

The most extensive attempt to strengthen local government structures was the establishment of the Independent Directorate of Local Governance (IDLG) in 2007. Norway was a driving force behind its creation and was the first country to provide it with financial support.[27] Some in the Norwegian Ministry of Foreign Affairs were sceptical of the IDLG, which they believed was strictly a political platform for advancing the interests of certain individuals. Over time this view gained support within the Ministry. As it turned out, the IDLG's activities were chaotic. They consisted of isolated measures throughout the country, and the leadership was not able to formulate sound plans for future efforts.[28]

In 2008 one of the UN's largest programmes on development of local governance targeted support for the IDLG. The UNDP established the *Afghanistan Sub-National Governance Programme* (ASGP) in Faryab in 2007. The objective was to increase expertise on good governance at the provincial level and in certain districts. Faryab was a pilot province, but the initiative did not succeed. This was mainly due to a lack of management and an unclear division of labour between the IDLG and the UNDP.[29] In 2010 Norwegian authorities withheld payments to the ASGP.[30] In 2011 Norway discontinued its support for the ASGP in Faryab, because the project could not show results that were reasonable in relation to the effort.

The lack of results for both Norwegian and international efforts in the area of local governance illustrates one of the fundamental challenges that the international engagement faced in Afghanistan: it proved to be impossible in the short term to build a government structure from the outside.

7.3.3 The justice and police effort

Norwegian police officers and lawyers who travelled to Afghanistan had an unclear mandate from home and often little knowledge about the conditions in the country. They were given the difficult task of building a police and judicial system in a society in which the police and courts of law were elements in complicated power alliances and were characterised by corruption. Given that both the international and the Norwegian police and justice efforts were fragmented, the ability to produce good results was limited. In an attempt to coordinate the Norwegian police effort, Norway concentrated its contributions in Faryab in 2009. This is assessed in Chapter 8.

Norway had no particular expertise to support police reform in Afghanistan. When Germany and then the UK asked Norway in 2003 and 2004 to assist in the police and justice sector, however, the Ministry of Foreign Affairs and the Ministry of Justice believed that they had to respond positively to an enquiry from close allies to support a key area.[31] This also appears to be the rationale for the decision of Norwegian authorities to assist with the development of the Counter Narcotics Tribunal, an Afghan special court for narcotics crimes. By then the Ministry of Justice had established the Norwegian Crisis Response Pool, which included legal personnel that could be deployed to international missions supporting countries in building their judicial system. The Pool had had positive experiences in, for example, Georgia, where the efforts were based on a local desire for restructuring and various donors for the most part had the same focus. This was not the underlying framework in Afghanistan, and thus the work in Kabul was far more challenging.

After two years of efforts, personnel in the Norwegian Crisis Response Pool in Kabul reported widespread corruption and opposition to the project, both from certain allies and from individuals in the Afghan government. They asked whether it was ethical to continue to advise a court that ignored fundamental principles of law.[32]

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[26] Report from the Norwegian Embassy in Kabul, 'Afghanistan – status for arbeid med lokalt styresett' [Afghanistan – status for work with local governance], 31 January 2012.

[27] Report from the Foreign Minister's secretariat, 'Besøk av Afghanistans minister for lokalt styre, Jalani Popal' [Visit by Jelani Popal, Director General of the Independent Directorate Local Governance (IDLG) in Afghanistan], 5 November 2008; Ministry of Foreign Affairs, 'Strateginotat' [Strategy memorandum], 27 October 2010.

[28] Report from the Norwegian Embassy in Kabul, 'Afghanistan. Møte i UNDP om lokalt styresett – ASGP/IDLG' [Afghanistan. Meeting in the UNDP on local governance – ASGP/IDLG], 9 December 2009.

[29] Ibid., report from the Norwegian Embassy in Kabul, 'Afghanistan. Reform av lokalt styresett (IDLG)' [Afghanistan. Reform of local governance], 4 February 2009.

[30] Report from the Norwegian Embassy in Kabul to the UN delegation, no title, 1 July 2010.

[31] Report from the Norwegian Embassy in Berlin, 'Norsk støtte til politisektoren i Afghanistan. Møte i Berlin' [Norwegian support for the police sector in Afghanistan. Meeting in Berlin], 16 February 2004.

[32] Norwegian National Police Directorate, 'Rapport vedrørende statusgjennomgang for styrkebrønnprosjektet i Afghanistan 2008' [Report on the review of the status of the Norwegian Crisis Response Pool in Afghanistan 2008], internal review, Oslo/Bergen, 30 May 2008.

The efforts relating to the narcotics court illustrated how the international community could become involved in the power structures of criminal networks that opposed the state-building project. In 2008 the Ministry of Foreign Affairs discontinued the Pool activities in Kabul.[33]

Training female police officers was an important part of the Norwegian police effort. This has had unforeseen consequences, according to the evaluation report by the Norwegian Agency for Development Cooperation (Norad) on Norwegian development aid efforts from 2001 to 2012.[34] At least one of the female Afghan officers in the Norwegian programme decided to move abroad due to threats she received.[35] Many viewed the project as a direct threat to Afghanistan's cultural and religious values and, without the continual presence of international personnel, the women had little protection against attitudes in their own society. This was a nationwide problem. The effort to train female police officers illustrated a basic dilemma in the international community's emphasis on gender equality. On one hand, there was a need to increase the number of women in police and legal institutions and, in so doing, help to safeguard women's rights. On the other hand, placing women in male-dominated structures, such as the police, entailed risks. The Ministry of Interior Affairs had not taken measures to ensure women's safety in the workplace and female police officers were subjected to discrimination and sexual harassment.[36] Over time the Norwegian contingent launched courses on self-defence and security to bolster the personal safety of female police officers. However, many international donors, including Norway, were more concerned about counting the number of policewomen than examining the nature of the effort and the consequences for the individuals.

Box 7.2 Prison Advisory Project in Meymaneh

The Provincial Reconstruction Team (PRT) in Meymaneh and the Norwegian police affiliated with the PRT took the initiative to develop a prison project at the end of 2006. The project was implemented in 2009 when a Norwegian prison adviser arrived. The project sought to improve conditions in the provincial prison in Meymaneh for both female and male inmates. In addition to building better prison facilities, the prison advisers trained the Afghan prison guards in various subjects, including human rights and psychosocial issues relating to dealing with inmates. The project did not have the support of Afghan authorities, nor was it based on national guidelines. As a result, the prison was dependent on Norwegian or other international support to ensure that the work that was started could continue. After the prison warden was replaced, many of the routines introduced by deployed personnel from Norway were discontinued. Thus, in practice the project was an unsustainable parallel structure that Afghan authorities did not have the expertise to maintain without assistance.

Source: Norad, 'Review of Prison Advisory Project in Faryab, Afghanistan', October 2010; Commission hearing, 18 August 2015; email from a case administrator in Norway in Norad, 31 March 2016; Ministry of Justice, 'Fengselsprosjektet i Meymaneh, varighet og budsjettildeling år 2010' [The Prison Advisory Project in Meymaneh, duration and budget allocation in 2010], 21 May 2010; email exchange between the Ministry of Foreign Affairs and the Ministry of Justice in the period from 25 May to November 2011: 'Afghanistan. JDs anbefaling vedr. fengselsprosjektet i Meymaneh' [Afghanistan. Recommendation from the Ministry of Justice regarding the Prison Advisory Project in Meymaneh] and 'Vurdering av fengselsprosjekt Meymaneh og forslag om Styrkebrønn Faryab– spørsmål om intervjuer' [Assessment of the Prison Advisory Project in Meymaneh and proposal on the Norwegian Crisis Response Pool Faryab – questions about interviews].

7.3.4 Support for Afghan civil society: a clear Norwegian footprint?

Strengthening human rights was an important part of the effort to promote good governance. The emphasis was on political rights and advocacy – activities to inform and influence the general public through civil society groups. The concept

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33 Ministry of Foreign Affairs, 'Avslutningsdokument: Norwegian Mission of Legal Advisers to Afghanistan NORLAAF (Styrkebrønnen)' [Final document: Norwegian Mission of Legal Advisers to Afghanistan NORLAFF (Norwegian Crisis Response Pool], 24 October 2008.

34 Ecorys, June 2012, p. 88.

35 Norwegian University of Life Sciences and Norwegian Police University College, 'Seminar report. The Norwegian Police Engagement in Afghanistan: Perspectives on security and development for local women and men', 10 December 2012, p. 15.

36 Human Rights Watch, *Afghanistan: Urgent Need for Safe Facilities for Female Police*, 25 April 2013; Alissa, Rubin, 'Afghan Policewomen Say Sexual Harassment is Rife', *The New York Times*, 16 September 2013; Commission hearing in Kabul, 4 November 2015.

of civil society was defined in a way that limited it primarily to NGOs that worked mainly with human rights issues. This type of effort to build civil society from the outside, which Norway supported with its funding, has been the subject of growing criticism.[37] Some have pointed out that Kabul-based NGOs without roots in traditional Afghan civil society only serve short-term political interests and have an alienating effect on many Afghans.[38] In addition, however, prior to 2001 and throughout the entire period under consideration, NGOs worked through traditional civil society – especially local councils known as *shuras* and *jirgas* – to gain access to the population. This collaboration was strengthened in 2003, when the Afghan authorities' rural development scheme, the National Solidarity Programme, established local development committees. Many Norwegian aid recipients also had similar collaborations.

In monetary terms, Norwegian aid earmarked for measures that promote human rights and strengthen civil society in Afghanistan has been relatively modest.[39] Nevertheless, Norway has at times played a visible role in developing the human rights agenda in Afghanistan. In particular, the Norwegian Embassy gave priority to advancing freedom of expression and, over time, women's rights. In the Embassy's view, these were areas where Norwegian authorities could make a difference.[40] The Embassy has been used as a meeting place for representatives of Afghan civil society, journalists and human rights advocates. Norwegian diplomats also contributed to dialogue between Afghan organisations and political actors. These efforts were critical, as civil society organisations had difficulties coordinating their activities, which limited their ability to influence the authorities on important issues.[41]

Norway had an especially high profile in the area of freedom of expression and freedom of the press. This was due primarily to the personal involvement of the Norwegian personnel deployed to Afghanistan. In certain periods the Norwegian Embassy was active in various forums on freedom of expression, thereby helping to focus international attention on freedom of the press. Norway supported several NGOs that worked with and for Afghan journalists. The Embassy also assisted human rights advocates who needed protection.

The rise of independent Afghan media has been a positive development in Afghanistan. Today there are almost a thousand media entities in the country, including TV and radio channels as well as newspapers. By way of comparison, there was only one state-owned TV and radio channel and a handful of newspapers under the Taliban. However, the deteriorating security situation in recent years has led to more attacks against journalists.[42] Norway continues to have a reputation as an agenda-setter for freedom of expression in Afghanistan.[43]

The Afghan Independent Human Rights Commission (AIHRC) was established in accordance to the Bonn Agreement and has played a key role in the effort to ensure that government authorities respect the human rights of Afghan citizens (see Box 7.3). In 2002 Norway was part of the first group of donors that supported the AIHRC. Since then, the Norwegian Ministry of Foreign Affairs has given both financial and political support to the AIHRC. A report on the Norwegian and international effort to promote human rights in Afghanistan commissioned by the Commission describes Norway as a driving force behind the

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37 See e.g. Kaja Borgrevink and Kristian Berg Harpviken, 'Afghanistan: Civil Society between Modernity and Tradition', (ed.), Thani Paffenholz, *Civil society & Peacebuilding – a critical assessment,* Lynne Rienner Publishers: Boulder London 2010.

38 See e.g. Vanessa Van den Boogaard, 'Building Afghan Civil Society 'From the Outside': The role of global civil society actors and the impact on Perceived Local Legitimacy', *International Affairs Review*, volume XX, no. 2, 2011, pp. 29–42; Arne Strand, *Afghan civil society: Tradition facing the future*, CMI Brief, March 2015.

39 Earmarked funding for human rights organisations has comprised less than three per cent of the total Norwegian aid to Afghanistan. This includes civil society organisations that promote women's rights. Email from the Section for Human Rights and Democracy at the Ministry of Foreign Affairs, 11 March 2016.

40 Commission hearing, 19 October 2015.

41 Reports from the Norwegian Embassy in Kabul, 'Afghanistan. Menneskerettigheter. Møte i EU kretsen 14 ds. Veien videre for MR-arbeidet?' [Afghanistan. Human rights. Meeting of the EU area 14 December. The road ahead for human rights efforts?], 19 December 2008; 'Afghanistan. Ytringsfriheten under press fra religiøse og politiske miljøer' [Afghanistan. Freedom of expression under pressure from religious and political circles], 21 April 2008; 'Afghanistan. Menneskerettigheter. Hvordan styrke ytringsfriheten? Diskusjon mellom UNAMA og donorer 15. ds' [Afghanistan. Human rights. How can freedom of expression be strengthened? Discussion between UNAMA and donors 15 December], 21 January 2009; draft of 'Handlingsplan for ambassadens arbeid med menneskerettigheter 2011' [Action plan for the Embassy 's efforts to promote human rights 2011]; Winterbotham 2016 pp. 48–49.

42 For more about the situation for journalists, see e.g. 'Human Rights Watch, *Stop Reporting or We'll Kill Your Familiy – threats to media freedom in Afghanistan*', January 2015.

43 Winterbotham, 2016, pp. 48–49.

Box 7.3 The Afghan Independent Human Rights Commission

The Bonn Agreement emphasised the protection of human rights and laid the foundation for the establishment in 2002 of the Afghan Independent Human Rights Commission (AIHRC), the first of its kind in the country. Its mandate is to promote, protect and monitor the human rights situation in Afghanistan. The organisation currently has fifteen provincial offices. Since its establishment, the AIHRC has been an important partner for many international donors, including Norway. All the commissioners are appointed by the president, an arrangement that has been controversial. The relationship between the AIHRC and President Karzai became strained during his presidential term. This was a reflection of the growing differences of opinion between Afghan authorities and human rights organisations.

effort to strengthen the AIRHC.[44] Together with other key donors, the Norwegian Embassy helped, for example, to develop the organisation's internal administration. Norway and other donors withheld funds when the internal administrative routines failed to meet quality standards.[45] Due to the efforts of Norwegian diplomats, the AIHRC's budget was incorporated as an item in the Afghan national budget. Furthermore, Norway strongly encouraged the AIHRC to cooperate with the Human Rights Unit established by the United Nations Assistance Mission in Afghanistan (UNAMA), as well as with other Afghan human rights organisations, which believed that the AIHRC had too much influence in setting the agenda on behalf of all grassroots organisations. Together with UNAMA, the AIHRC was an important voice against civilian losses in the ongoing armed conflict. Norway also supported the efforts of the AIHRC to ensure that Afghan prisons protected the human rights of prisoners. In some cases Norway exerted political pressure on the Afghan National Directorate for Security to ensure that the AIHRC had access to prisons.[46] The AIHRC has played, and continues to play, an important role in the provinces as an appeals authority for individuals who have experienced human rights violations. In addition, the AIHRC reaches out to individual women who have received threats from their families or who have been treated unfairly by the court system.

In 2013 President Karzai appointed five new commissioners to the AIHRC. One of them was a former member of the Taliban who was known for his critical views on women's rights. The appointment caused tension in the Norwegian Embassy's relationship with the AIHRC. According to international human rights activists, the AIHRC today is a weakened but still important organisation.[47]

As previously mentioned, development aid to Afghanistan has been challenging, because it affected and changed local power dynamics. The support for human rights also became part of the wider context of conflict in Afghan society. Many of the most important and high-profile human rights advocates were Hazaras, an ethnic minority with a history of marginalisation; most are Shia Muslims and, thus, also a religious minority. Since 2001 many Hazaras have obtained a good education and strengthened their position both economically and politically.[48] Groups and organisations connected to the Hazaras have traditionally been concerned with human rights and social mobilisation and there were many Hazaras among those who operated small, altruistic human rights organisations in Kabul. As a result, some Afghans believed that human rights was a phenomenon that mostly concerned the Hazaras and that tied the Hazaras to a western agenda. The Norwegian Embassy was aware of this problem. Occasionally the Embassy stressed to the AIHRC the importance of reaching out to more ethnic groups, especially the Pashtuns, who were far less involved in human rights efforts.

Over time, the Norwegian Embassy also became involved in the effort to strengthen human rights expertise in the Afghan public administration. Afghan authorities had limited experience with human rights work and little polit-

44 Ibid., pp. 23–25.

45 Report from the Norwegian Embassy in Kabul, 'Afghanistan. Menneskerettigheter. Evaluering av AIHRC' [Afghanistan. Human rights. Evaluation of the AIHRC], 11 October 2008.

46 Report from the Norwegian Embassy in Kabul, 'Afghanistan. Felles brev til etterretningsdirektoratet NDS' [Afghanistan. Joint letter to the Afghan National Directorate for Security (NDS)', 27 July 2010.

47 Winterbotham, 2016; Commission hearings in Brussels, 19 June, and in Kabul, 4 November 2015.

48 Astri Suhrke, *Eksperimentet Afghanistan [The Afghanistan Experiment],* Oslo: Spartacus, 2011, p. 205.

ical will to carry out the country's obligations under international human rights conventions. In 2008 the Norwegian Embassy in Kabul led a group of donors in establishing a designated human rights unit in the Afghan Ministry of Justice, known as the Human Rights Support Unit (HRSU), whose task was to coordinate and assist other ministries with integrating human rights perspectives in public administration. Responsibility for this programme was given to the UNDP and in 2010 the Norwegian Embassy assumed leadership of the unit's donor group. Both the UNDP and the Afghan Ministry of Justice were criticised for the slow progress of the project. In addition, conflicts between UNAMA and the UNDP characterised the first phase. The Norwegian Embassy held meetings with both the Afghan Minister of Justice and the UN to try to move the project forward, but with few results. In the spring of 2010 the Embassy wrote that it recommended discontinuing support for the UNDP if it could not show some progress within a few months.[49] A short time later, the Norwegian Ministry of Foreign Affairs discontinued its cooperation with the unit.

7.3.5 Fundamental human rights dilemmas

Norway has been criticised for prioritising politically important areas at the expense of human rights. This applies in particular to Norwegian peace diplomacy and transitional justice.

In 2004 and 2005 the Norwegian Embassy in Kabul took part in drawing up the Afghan national action plan for transitional justice.[50] Reports from the Embassy show that Norwegian diplomats were concerned from the outset about the large number of warlords who had gained new powers in the ministries. Many of them were responsible for serious human rights violations. It was also believed that several of them had organised attacks against international forces while they held government positions.[51] Many warlords were part of the narcotics economy and contributed to the widespread corruption in Afghanistan. It was these warlords whom the Norwegian legal advisers associated with the special court for narcotics cases were supposed to investigate. However, the legal advisers encountered obstacles, both within the Afghan government structure and from allies, who saw no benefit in challenging powerbrokers with whom they had built a relationship at a time when the insurgency was starting to escalate.

As Norwegian involvement in peace diplomacy increased, disagreement within the Norwegian Ministry of Foreign Affairs arose with regard to how much emphasis to place on transitional justice. Several key dialogue partners in the peace efforts within both the Afghan government and the Taliban had committed serious crimes. In 2011 the Norwegian Embassy in Kabul recommended that the Norwegian authorities speak up in favour of delaying the release of a controversial report that named a number of war criminals.[52] Among these were some with whom Norwegian diplomats had contact. The Embassy explained this by saying that some of the war criminals named in the report could become important in a future reconciliation process. Some also expressed doubt about the reliability of some of the information in the report. However, the Ministry understood that many expected such a recognised champion of human rights as Norway to support the publication of the report (see also Chapter 9).[53]

On the Afghan side, the decision of the National Assembly, the Afghan parliament, on the 2007 'amnesty law' illustrates how human rights were ignored in domestic political processes. In practice, the law gave amnesty to Afghans who had committed war crimes prior to 2001, provided that they supported the government's reconciliation process.[54] The law aroused most international anger in 2009, when it was made public. The process surrounding the law shows that previous

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49 Report from the Norwegian Embassy in Kabul to the Ministry of Foreign Affairs, no title, 31 May 2010.

50 Emily Winterbotham, *The State of Transitional Justice in Afghanistan. Actors, Approaches and Challenges*, AREU, April 2010.

51 Report from the Norwegian Embassy in Kabul, 'Afghanistan. MR-oppdatering. Rapporter om overgrep. Transitional Justice. Vold mot kvinner' [Afghanistan. Human rights update. Reports on attacks. Transitional Justice. Violence against women], 21 July 2005; 'Afghanistan. MR. Transitional Justice' [Afghanistan. Human rights. Transitional Justice], 19 January 2006.

52 The report was prepared by the AIHRC in cooperation with several NGOs, and has yet to be published.

53 Report from the Norwegian Embassy in Kabul, 'Afghanistan. Overgangsjustis eller fred og forsoning? Møte på den herværende kanadiske ambassaden' [Afghanistan. Transitional justice or peace and reconciliation? Meeting of the local Canadian Embassy', 2 August 2010; memorandum to the Minister of Foreign Affairs, 'Afghanistan. Publisering av rapport om menneskerettighetsovergrep og krigsforbrytelser fra 1986 frem til Talibans fall i 2001. Utkast til norsk holdning og instruks' [Afghanistan. Publication of the report on human rights violations and war crimes from 1986 up to the fall of the Taliban in 2001. Draft of the Norwegian attitude and instructions], 5 August 2010.

54 Suhrke, 2011, p. 202.

Box 7.4 Global Rights and legal assistance

Norwegian authorities supported the efforts of Global Rights in Afghanistan from 2007 to 2014. Global Rights is a US NGO that works in a number of countries to strengthen the access of marginalised social groups to the judicial system. In Afghanistan, Global Rights provided continuing education on human rights for young lawyers. Norway allocated NOK one to three million (USD 160,000–480,000) annually to the programme and, together with Switzerland and Denmark, funded the organisation's activities in Afghanistan. Global Rights sought support from countries with a clear human rights profile. Global Rights is an example of a small project with relatively broad political visibility and good results in terms of the number of students who successfully complete the programme. It will probably take time to achieve the overall objective of increasing the access of vulnerable groups to the judicial system in Afghanistan. Norway continued to provide support up to 2014, when Global Rights discontinued its work in Afghanistan.

Source: Report from the Norwegian Embassy in Kabul, 'AFG Global Rights – Building Civil Society Capacity to Protect Human Rights in Afghanistan', 1 July 2011.

warlords wielded significant political power, both within and outside the democratic institutions, and that the international engagement helped to strengthen their power. In practice the amnesty law also set aside the National Action Plan for Peace, Justice and Reconciliation, which the AIHRC had been working on for years. This plan had called for the criminal prosecution of war criminals. Like most other western countries, Norwegian authorities denounced the law when it was published.[55]

There are those who will claim that a lack of transitional justice and the inclusion of those who were previously warlords have undermined the efforts to promote human rights and contributed to the present weak rule of law in Afghanistan. Others believe that a state that is largely not governed by the rule of law, with weak government and powerful warlords in key positions, has made transitional justice impossible. Several reports have identified human rights violations involving people in leadership positions who have not been prosecuted under criminal law.[56] The same applies to the reports of systematic torture of detainees in Afghan custody.[57] The judicial system continues to be characterised by corruption, a complex statutory framework and varying degrees of implementation. Access to justice also varies widely, especially in the villages.

Despite the Embassy's sometimes extensive involvement in human rights efforts, Norway had insufficient influence to decisively shape the international human rights agenda. For better or worse, the US (the largest donor), as well as parts of the UN, were perceived to have most influence. Norway had greatest influence when the Embassy coordinated with other donors.[58]

7.4 Rural development

Afghanistan is primarily an agricultural country. The agricultural sector employs the majority of the population, of which almost 80 per cent live in rural areas. The wars after 1979 had destroyed much of the agriculture infrastructure, such as irrigation systems, transport routes and production capacity. Thus, rural development was a high priority on the international aid agenda in 2002. Norway's support in this area was based in part on assessments of Norwegian efforts before the fall of the Taliban regime. Rural development was viewed as an important, long-term initiative. The future repatriation of refugees would also require significant efforts to develop a countryside that had been partially destroyed.[59] In spite of this, both Norwegian and international support for agricultural development has been limited. Some NGOs, however, have tried to promote increased local production, including better irrigation systems.

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55 Report from the Norwegian Embassy in Kabul, 'Afghanistan. Amnestiloven' [Afghanistan. Amnesty law], 12 February 2010.

56 Human Rights Watch, *Today We Shall All Die – Afghanistan's Strongmen and the Legacy of Impunity*, Human Rights Watch, 3 March 2015.

57 UNAMA, *Update on the Treatment of Conflict-Related Detainees in Afghan Custody: Accountability and Implementation of Presidential Decree 129,* February 2015, p. 16.

58 Winterbotham, 2016, p. 35.

59 Memorandum from the Ministry of Foreign Affairs, 'Plattform for norsk formannskap i Afghanistan Support Group (ASG)' [Platform for the Norwegian chairmanship of the Afghanistan Support Group (ASG)], 29 May 2001.

Box 7.5 Electrification: a local, sustainable outcome outside of government structures

The solar cell programme under Norwegian Church Aid has given some 20,000 households access to electricity. This has reduced health costs to families, because electricity has replaced creosol as a light source. Electricity has also given people better access to information via radio, TV and mobile phones. In addition, the need for maintenance of solar panels has generated income for 194 repair people, of which half are women. These repair people have been trained as 'barefoot solar engineers' in their own villages. Literacy skills and continued residence in the village are required in order to participate in the three-month training in the installation and maintenance of solar panels. Each household pays one dollar per month for maintenance. Basing the project in the local community, introducing a technology that village residents can manage and ensuring that the households cover the maintenance costs have helped to ensure that investments in the project have continued. About 90 per cent of the solar panels installed after 2005 were still in use in 2014.

Figure 7.4 Norwegian aid has helped many households to obtain access to electricity.

Photo: Ole Gamst Sæter

Source: Norwegian Church Aid, Global Report on Results 2011–2014, 2014, p. 85; email from Norwegian Church Aid, 'Informasjon om solcelle-prosjekt i Afghanistan' Information about the solar cell project in Afghanistan], 4 April 2016.

Like many other donors, Norway viewed the World Bank's National Solidarity Programme (NSP) as a good channel for support on a national basis. In the period from 2005 to 2010, Norway contributed approximately NOK 140 million (USD 22 million) to the NSP.[60] After 2010 Norwegian authorities discontinued earmarking funds in its allocation to the ARTF, of which the NSP was a part. It is therefore difficult to establish how much funding was provided to the NSP after 2010.

The NSP is viewed by many in the development aid community as the most successful aid programme in Afghanistan.[61] The NSP has projects in all of the country's provinces. The programme has both helped to develop the agricultural sector and promoted local governance by establishing Community Development Councils (CDCs), where local needs and projects are based and decisions are taken. An extensive evaluation of the entire NSP's effort between 2003 and 2013 concluded that the NSP has been successful in providing access to clean drinking water and electricity, but that it has had less impact on infrastructure. Nor have the local decision-making mechanisms helped to improve the reputation of Afghan central authorities. However, the programme has helped to increase the participation of women in local decision-making. This, in turn, has been important for generating support for a girl's right to education and for women's participation in the public sphere.[62]

Norway's efforts relating to rural development have been targeted towards a wide range of areas. Among these are access to clean drinking water, electrification, agriculture and farming projects, income-generating measures, afforestation, disaster prevention, self-help groups and capacity-building in local communities to promote local organisation (relating to e.g. CDCs). The question may be raised as to whether the choice of such a

60 USD 23 million according to Ecorys, June 2012, p. 57.

61 Report from the Norwegian Embassy in Kabul, 'Afghanistan. Strategi for konsentrasjon og dreining av den sivile innsatsen (2010-2012)' [Afghanistan. Strategy for concentration and shifting of the civilian effort (2010-2012)], 6 April 2010; Commission hearings in Kabul, 5 November 2015.

62 Andrew Beath, Fotini Christia and Ruben Enikolopov, *Randomized Impact Evaluation of Afghanistan's National Solidarity Programme*, 1 July 2013, p. xi.

Box 7.6 Norway's energy initiative in Afghanistan

Norway is generally considered to have special expertise in the field of energy. This applies especially to oil and gas extraction. In 2007 the Ministry of Foreign Affairs entered into an agreement with the Afghan Ministry of Mines and Petroleum on consulting in the field of oil and energy. Norad's Oil for Development (OfD) Programme was commissioned to develop targeted regulations for the energy field and a tendering process for oil and gas extraction in three areas in Afghanistan. The Norwegian authorities also helped to launch a process to strengthen Afghan legislation for regulating revenues, including those from natural resource management. The law came into force in 2009. However, the tendering process for oil and gas extraction was started at the unfortunate point in time when the financial crisis hit Europe, with only one tender being submitted after the deadline. In 2010, following consultations with Norway, the United States Agency for International Development (USAID) established a larger energy programme. The OfD Programme was then gradually dismantled in Afghanistan.

This initiative illustrates that the Norwegian authorities have been visible and relevant within certain areas of specialist expertise. It also shows that the US set the agenda in areas where they themselves had invested heavily. The Norwegian Embassy in Kabul continued to explore opportunities for Norway to contribute its expertise in shaping national Afghan energy policy, and was asked to do so by the Afghan authorities in 2011. In addition, the Afghan authorities asked Norway to support energy mapping in Faryab. The OfD Programme was to begin cooperation with the Afghan Ministry of Mines and Petroleum through a partner. The Ministry of Mines and Petroleum and the Afghan Ministry of Energy and Water had a longstanding disagreement on which ministry should be responsible for energy policy. In 2013 this responsibility was transferred to the Ministry of Energy and Water. The transfer of responsibility, a lack of personnel resources and the desire to reduce the number of priority areas caused Norway to abandon its plans for further cooperation on energy.

Source: Memorandum of Understanding from 8 October 2007; reports from the Norwegian Embassy in Kabul, 'Oversikt over OfUs møter i Washington, første til femte mars 2010' [Overview of the OfD Programme's meetings in Washington, 1–5 March 2010], 10 March 2010; 'Afghanistan. Vurdering av videre norsk satsning innenfor energi og ressursforvaltning' [Afghanistan. Assessment of Norway's further efforts in the area of energy and resource management], 20 June 2010; 'Afghanistan. Energi' [Afghanistan. Energy], 29 September 2010; Report from the Ministry of Foreign Affairs to the Norwegian Embassy in Kabul, 'Støtte til energisektoren i Afghanistan', 26 April 2013; Norad, 'Olje for utviklingsinitiativet Afghanistan' [Oil for Development Programme in Afghanistan], 26 September 2008.

broad scope entails genuine prioritisation. This category was defined so broadly that the Ministry of Foreign Affairs could support widely different areas of expertise where important partners worked. In 2010, when the Norwegian Embassy in Kabul proposed eliminating rural development as part of the effort to concentrate activities, it was primarily the need for continued efforts through various NGO partners in Faryab province that prevented this from happening.[63] Rural development was suitable as an umbrella category for support to NGOs, because the budget for it allowed for great flexibility, diversification and variation between various priority areas. It is therefore difficult to assess the results of the effort in the sector as a whole.

A study conducted by the Nordic Consulting Group in 2012 concluded that the NGOs' rural development efforts have helped to raise the standard of living. The same report also notes that Norwegian-funded NGOs reached remote communities and contributed to local competence development. Agricultural production increased in 2011, including in Faryab, as did access to water. The efforts have enhanced diversity in agricultural production and increased production both for individual consumption and for sale in many provinces. Agricultural cooperatives have been established in an attempt to ensure knowledge transfer and improved access to markets. In addi-

[63] Email correspondence between the Norwegian Embassy in Kabul, Norad and the Ministry of Foreign Affairs, 'Utkast til strategi for norsk sivil innsats i Afghanistan' [Draft of the strategy for Norway's civilian effort in Afghanistan], 27 August–25 September 2009, interview with an MFA employee, 20 March 2016.

tion, vocational training has resulted in more options for income-generating work. According to the Norwegian Refugee Council, 70 per cent of its participants in training in 2010 increased their income after the project was concluded. Training of volunteer health workers, public information campaigns and greater access to clean drinking water also resulted in better health and hygiene.[64]

Furthermore, close cooperation with the local population has strengthened several components of local governance. This has been achieved both through cooperation with and the training of established structures such as village councils and CDCs and by establishing user groups, for example, on water resource management. Training government employees has raised the level of quality within local institutions. Thus, knowledge dissemination has strengthened both local civilian organisations and government institutions.[65]

At the same time, these are only isolated results of projects carried out with a limited scope both thematically and geographically. Whether the projects will produce lasting results and change will depend on how much of the knowledge is passed on and on the population's capacity and potential to utilise the knowledge.

7.5 Cross-cutting themes

Cross-cutting themes are politically prioritised areas that are to be reflected in all relevant areas and development aid projects. Important cross-cutting themes in Norwegian development policy are climate and the environment, gender equality, human rights and the fight against corruption. This implies that all programmes and projects must be designed in a way that incorporates and strengthens these areas as part of the overall effort. This chapter discusses human rights as a separate issue under the governance agenda. However, human rights is also a cross-cutting theme in other programmes that do not focus primarily on strengthening human rights. Climate and the environment have had lower priority in Afghanistan, but this area has nonetheless been an important part of rural development projects, such as the Norwegian Afghanistan Committee's tree-planting project and Norwegian Church Aid's solar cell project. In this section the Committee explores two themes – gender equality and corruption – which, in addition to human rights, have been the cross-cutting themes given priority in Afghanistan.

7.5.1 Women and gender equality

Efforts by the international community to strengthen women's rights in Afghanistan were politicised to varying degrees. Positive reports about improvements in the situation of women and girls were politically important for the Afghan authorities, as these could be contrasted with the position of women under the Taliban regime.[66] That said, many of the decision-makers in the government after 2001 had previously been part of the continually changing government coalitions during the civil war period and were themselves responsible for placing harsh restrictions on women's participation in society.

The efforts of Norwegian authorities to promote women's rights in Afghanistan have primarily followed two tracks. The first is the effort by the Norwegian Embassy and the Norwegian political leadership to influence policy during meetings, conferences and forums. The other is the effort relating to women and gender equality carried out by organisations that have received financial support. The requirement that all aid agreements between Norwegian authorities and their partners must address gender equality is part of this policy. Norwegian authorities also emphasised that women and women's issues must be included in the work to establish dialogue between Afghan authorities and the Taliban and in Norwegian peace diplomacy. This is discussed in Chapter 9.

The efforts to exert political influence were targeted primarily towards the authorities, female representation, civil society and the World Bank's multi-donor fund, the ARTF. The Norwegian Embassy developed a network of female parliamentarians and representatives of the civil society organisations, which met regularly with the Embassy and with Norwegian politicians. Norway organised a large conference on the rights of Afghan women in Oslo in 2014.[67] Although it raised awareness both in Afghanistan and among allies, the conference has been criticised by some

64 Nordic Consulting Group, *Afghanistan: NGOs' contributions to development. Assessment of Norwegian Funded Projects 2010–2011,* 28 November 2012.

65 Report from the Norwegian Embassy in Kabul, 'Afghanistan – NGOer og landsbygutvikling – gode resultater for 2011' [Afghanistan – NGOs and rural development – good results for 2011], 28 May 2012.

66 Winterbotham, 2016, p. 41.

67 Memorandum from the Section for South Asia and Afghanistan to the Minister of Foreign Affairs, 'Afghanistan. Status. Høykonferanse om kvinner' [Afghanistan. Status. High-level conference on women], 20 August 2014.

Afghans in the public debate for having been a symbolic gesture with no concrete results.[68] However, the thinking of the Norwegian Ministry of Foreign Affairs about the conference was that the efforts could also produce results in other contexts. The rights of Afghan women had been a high priority area in certain political circles in Washington, D.C., and Norway's efforts helped to open doors for Norwegian diplomats.

In cases that generated international attention, the Norwegian authorities worked together with other countries and organisations to condemn Afghan political decisions. In 2009, the National Assembly approved a family law for Afghanistan's Shia Muslims (primarily the Hazaras). Among other things, the law required women to satisfy their spouses sexually and allowed girls as young as fourteen to get married. Following pressure from activists, the marital age was changed to sixteen years old. The law represented a serious human rights violation for Shia women. In spite of this, President Karzai approved the law, probably in an attempt to obtain more votes from Hazaras in the presidential election. The fact that a democratic institution violated women's fundamental rights under key human rights conventions ratified by Afghan authorities was problematic for western donors.[69]

Together with other Nordic countries, Norway helped to establish the Gender Working Group in the multi-donor ARTF in 2012. As a result, the ARFT included reporting on the significance of a given activity for the position of women in all of its programme financing. This meant that Afghan authorities had to systematically report on women and gender equality in their programme planning and implementation, and thus the issue was incorporated into project plans and implementation.[70]

Changing cultural and religious values takes a long time in most societies. Concrete measures are needed to bring about changes in Afghan social structures that result in greater influence and more rights for women. Political rhetoric and support for international conventions in themselves produce few results. Projects that strengthen women's access to resources and services in practical ways are therefore crucial. Incorporating women's rights into most projects supported by Norwegian authorities may indirectly contribute to such a change. Education for girls is an example of an initiative that may improve women's position in society in the long term.

As mentioned above, the other Norwegian track was financial support for efforts relating to women and gender equality. Enhancing women's access to health services is an important element of strengthening women's influence in society. Although the Norwegian authorities did not prioritise the health sector, Norway supported many NGO projects targeted specifically towards women's health. The Norwegian Afghanistan Committee, the Aga Khan Foundation and Norwegian Church Aid all provided midwifery education. In the absence of good basic data, it is difficult to determine the impact of the programmes. However, statistics in most countries show a clear connection between qualified health workers and a decline in the number of birth-related deaths. This is also the case in Afghanistan, where maternal and child mortality has been reduced significantly in the past decade.[71]

The most important channel for Norwegian development aid earmarked for women and gender equality in Afghanistan was the United Nations Development Fund for Women (UNIFEM). In 2010 the UN changed the name to UN Women. The mandate of UN Women in Afghanistan was to strengthen the Afghan Ministry of Women's Affairs (MoWA) and to assist with the development of national plans for gender equality and safeguarding of women's rights. Together with MoWA, UN Women prepared the National Action Plan for Women in Afghanistan (2008–2018). In 2009 President Karzai signed the Law on the Elimination of Violence Against Women (EVAW), based in part on input from MoWA and UN Women.[72]

However, UN Women has been criticised for doing the work itself, rather than developing the ability of MoWA to assume the role of coordinating unit for women and gender equality.[73]

UN Women expanded its later efforts to include more ministries, female politicians and civil society organisations. This helped to increase

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68 Winterbotham, 2016, p. 42.

69 Reports from the Norwegian Embassy in Kabul, 'Den omstridte shia-loven – videre oppfølging' [The controversial Shia law – further follow-up], 1 April 2009; 'Afghanistan. Shia-loven. Forsikringer om utsettelse av loven. Demarche. Haster' [Afghanistan. The Shia law. Assurances on postponement of the law. Demarche. Urgent], 6 April 2009 and 'Shia-loven. Demarche' [The Shia Law. Demarche], 6 April 2009.

70 See e.g. the World Bank, *ARTF Scorecard 2014 – Integrated Performance and Management Framework*, 2014.

71 Carvalho, Hussein, Goldie, Britten, *Maternal mortality reported trend in Afghanistan: too good to be true?,* BAAG, December 2015.

72 Torunn Wimpelmann, 'One step forward and many to the side – combating gender violence in Afghanistan, 2001–2014', *Women's Studies International Forum*, 2014.

Box 7.7 Midwifery education

From 2002 to 2014 the Norwegian Afghanistan Committee and the Forum for Women and Development (FOKUS) supported the midwifery education programme at the Institute of Health Sciences in Jalalabad in eastern Afghanistan. A total of 397 midwives received training at the institute with Norwegian funding. Together with the Aga Khan Foundation's training of 56 midwives in Baghlan and Norwegian Church Aid's training of sixteen midwives in Dai-Kundi, this comprises about fifteen per cent of Afghan midwives. The students signed agreements with their villages to return home to work after completing their education. As a result, women in the villages had access to professional health care. Assistance with labour and delivery has more than doubled in some areas, either by more women visiting local clinics or by midwives making home visits. The training also gave women the opportunity to earn an income. Many of the midwives have taken on public roles as a result of the training. Providing education for women in professions that are needed as well as accepted within the local community can help to strengthen the position of women, without seemingly coming into conflict with traditional values. However, it is difficult in some conservative areas for women to begin an education and enter the midwifery field.

Source: Norad, *Resultatrapport 2015 – Kvinners rettigheter og likestilling [Report of results 2015 – Women's rights and gender equality], 9 December 2015; email from the Aga Khan Foundation, 'Regarding Norwegian Funding to Midwife Education', 17 April 2016; for challenges facing midwives see: Kristin Solberg, Livets Skole – Historien om afghanske kvinner som risikerer alt for å redde liv [The School of Life – The story of Afghan women who risk everything to save lives], Oslo, Aschehoug, 2013.*

Figure 7.5 Despite the decline, Afghanistan remains one of the countries in the world with the highest maternal and child mortality rates. In 2014 one in ten children died before the age of five and one in 49 women died during pregnancy and birth.

Photo: Norwegian Afghanistan Committee

the representation of women in discussions about United Nations Security Council Resolution 1325 on women, peace and security, more knowledge about and follow-up of the EVAW law and increased national ownership.[74] At the same time, Norwegian authorities called for a more strategic approach to the UN Women's activities that better reflected Afghan realities and was anchored in Afghan institutions.

Norway supported UNIFEM in Afghanistan from 2001. From 2007 annual support comprised about NOK 15 million (USD 2.4 million). UN Women continued to receive Norwegian funding despite few results, weak leadership at times and inadequate internal organisation. This was criticised by Norwegian as well as Afghan women's rights organisations.[75] Following an attack against

[73] Ashley Jackson, *Evaluation of UN Women's Contribution to Increasing Women's Leadership and Participation in Peace and Security and Humanitarian Response – Afghanistan Case Study*, Overseas Development Institute, pp. 61–62.

[74] Ibid, pp. 66–67.

[75] Winterbotham, 2016, pp. 38–39.

a UN guesthouse in 2009, UN Women temporarily moved all of its international staff to Dubai and then placed severe security restrictions on its international staff, a move which weakened the organisation considerably. In 2010 and 2011 the Norwegian Embassy in Kabul reported unfavourably on UN Women and at one point considered withdrawing part of the funding.[76] However, Norwegian and Swedish authorities thought that UN Women could be an important actor.[77] As the largest donors in 2010, they therefore supported continuing the funding.

In keeping with traditional Norwegian aid administration, the Ministry of Foreign Affairs emphasised the opportunities for improvement and follow-up rather than clear performance requirements and sanctions. Weak administrative capacity and a lack of alternatives have also influenced the decision to continue the funding. The decision of Norwegian and Swedish authorities to continue to provide support may be seen as an example of prioritising continuity over quality and the ability to adapt. At the same time, UN Women represented an important combination of Norway's political priorities: both the UN and gender equality. In addition, Norwegian and Swedish diplomats have emphasised that UN Women has become a clearer political voice in Afghanistan in recent years.[78] Academics and diplomats have mixed views on this, however.

The Norwegian authorities also channelled funding through the Afghan Women's Network (AWN), an umbrella organisation for Afghan women's organisations. Over time the organisation became a key partner for Norwegian authorities. The AWN has used Norwegian funding to monitor the peace process and women's involvement in it, and provided training to 65 member organisations on issues relating to UN Security Council Resolution 1325 on women, peace and security.

NGOs have been another important channel for efforts to promote women's rights and gender equality. NGOs have worked to enhance the social, political and economic position of women through training measures, rights advocacy and legal support, as well as by laying a foundation for increased participation in society and income-generating work.[79] Many of the activities have resulted in small but important steps forward for individuals. Women have become more active in local communities through women's *shuras* that resolve family conflicts and women's organisations that promote women's rights or financial independence.[80] As previously mentioned, deep-seated social changes are needed in order to strengthen the position of women in society in the long term. In this area, some have pointed out that the NGOs could have been more strategic and innovative with regard to ensuring that women also have access to, and participate in, social structures beyond the limited, local level towards which the projects were often targeted.[81]

Similarly, international efforts to promote gender equality have often been criticised for focusing too much on formal rights through regulations. Too little emphasis has been placed on the informal structures that impede women's access to economic and political power, as well as to control over their own bodies. Coordination between various initiatives has been weak and has suffered as a result of a lack of political will on the part of Afghanistan and, at times, the international community to implement the initiatives and follow them up.[82]

Women have assumed public positions and are active in civil society and politics. Access to education and services has increased. The approval of the Law on the Elimination of Violence against Women in 2009 was an important step in ensuring women's rights, although implementation of the law has been poor.[83] It takes time in a conservative, patriarchal society to change social structures that prevent gender equality. Women continue to be greatly underrepresented in all political and economic enterprises. In addition, there is a huge gap between urban and rural areas in

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76 'Norge kan kutte i FN-støtte' [Norway may cut its UN support], *Aftenposten*, 13 April 2011.

77 Ibid.

78 Interview with a SIDA employee, 11 January 2016; interview with an MFA employee, 22 March 2016.

79 Nordic Consulting Group, *Afghanistan: NGOs Contributions to Development. Assessment of Norwegian Funded Projects 2010-2011*, 28 November 2012, p. 29.

80 Norwegian Church Aid, *Annual Report 2014 to Norad – Building resilient communities for sustainable development and peace,* 2015; Norwegian Refuge Council, *Strengthening Gender-Based Violence Prevention Response in Faryab Province, Final Project Report to the Royal Norwegian Embassy*, 31 January 2014; CARE Norge, 'Input into the 'Afghanistan utvalget" [Norwegian Commission on Afghanistan], 14 August 2015.

81 Torunn Wimpelmann and Arne Strand, *Working with Gender in Rural Afghanistan: Experience from Norwegian-funded NGO projects*, Chr. Michelsen Institute, September 2014, s. v; Strand and Taxell, 2016; pp. 44–45.

82 AREU, *Women's Rights, Gender Equality and Transition: Securing Gains and Moving Forward*, September 2013, pp. 1–2.

83 Anna Larsson, *Women and Power – Mobilising around Afghanistan's Elimination of Violence Against Women Law*, Overseas Development Institute, February 2016, pp. 17–18.

Box 7.8 The Kabul Bank scandal

In August 2010 it was revealed that a sum equivalent to roughly USD 1 billion had been embezzled in Afghanistan's largest private bank, Kabul Bank. The bank scandal and the way the aftermath was dealt with became a symbol of the lack of political will to fight corruption. It also presented a picture of the tight-knit networks involving business and politics, in which contacts and money are more important than law enforcement. Unregulated money transfers to locations abroad, enormous bonus payments, funds to political actors and 'loans' without interest or apparent repayment plans were distributed on a large scale. Ninety per cent of the loans were given to nineteen individuals or companies, most of which were shareholders in the bank. It is estimated that several hundred people were involved, from bank employees to businessmen to politicians and key government officials. The scandal sent shockwaves through an already weak Afghan financial market and raised questions as to whether it would be possible to complete the transfer of responsibility to Afghan authorities (the transition process). When faced with a choice between pressuring Afghan authorities to take up the fight against corruption versus avoiding a total financial collapse from an empty state treasury without international assistance, international donors set requirements regarding economic reforms, investigation and criminal prosecution of those involved in the Kabul Bank scandal. Afghan authorities had to issue a guarantee for USD 850 million and placed the bank under state administration in 2011. International demands for criminal prosecution were met with political delays. A separate court was established in April 2012 and in March 2013, 21 people were convicted of involvement, but the punishments were mild: short prison terms with special treatment. The brothers of President Karzai and Vice President Fahim, who were also involved in the scandal, were not convicted.

Source: Report from the Norwegian Embassy in Kabul, 'Afghanistan: IMF/ Kabul Bank – ingen avklaring' [Afghanistan: IMG/Kabul Bank – no clarification], 20 May 2011; Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Report of the Public Inquiry into the Kabul Bank Crisis*, 15 November 2012; Martine van Biljert, 'The Kabul Bank Tribunal: an exercise in containment', *Afghanistan Analyst Network*, 9 March 2013.

Afghanistan with regard to women's access to services and protection against abuse.[84]

7.5.2 The fight against corruption

The combination of large cash flows, weak institutions and significant time pressure contributed to the growth of widespread corruption both in the Afghan government administration and in international and local organisations. Anti-corruption measures were set out in Afghan and international plans.[85] However, it was not until the accusations of corruption during the presidential election in 2009 and the Kabul Bank scandal in 2010 that international actors became serious about putting corruption on the agenda. They called for stricter requirements regarding openness and transparency in the handling of money. By then it was already too late.[86]

International donors wanted quick results and political visibility. The result was often an uncritical supply of large amounts of money into local government administration, international organisations, private companies and civil society organisations without sufficient ability to administer or control the use of the funds. This resulted in corruption, which helped to undermine the Afghan population's trust in both the international community and the Afghan authorities. The Norwegian authorities were part of this situation and waited too long to address the corruption problem.

Norwegian authorities supported individual projects and organisations that emphasised anti-corruption efforts, but focused mainly on measures to reduce risk in the government administration.[87] An example of this is Norway's decision

[84] AREU, *Women's Rights, Gender Equality and Transition: Securing Gains and Moving Forward*, September 2013, pp. 1–2.

[85] E.g. Afghanistan Compact 2006 and Afghanistan National Development Strategy (ANDS), 2008.

[86] Heather Barr, *Settling for Nothing – International Support for Anti-Corruption Efforts,* Afghanistan Analyst Network, July 2012; Commission hearing, 18 August 2015.

[87] Commission hearings, 19 October and 28 October 2015.

to channel most of its funding through multi-donor funds. However, this only works if the fund has adequate anti-corruption measures. The ARTF had relatively weak mechanisms in this area from the outset. The Norwegian authorities understood this risk, and they were among those who pushed for the ARFT to include an anti-corruption clause in all of its bilateral agreements and for the use of a separate monitoring mechanism, International Relief & Development (IRD), which would investigate projects in the field.[88]

The Office of the Auditor General of Norway has noted serious deficiencies in the Ministry of Foreign Affair's system of risk assessment and monitoring.[89] Documentation and risk analysis are important, and it is critical to follow up the recommendations of the Auditor General. By the same token, investments in conflict zones such as Afghanistan entail a general risk. It is therefore important to weigh the risk of corruption against potential benefits to society. The Commission has the impression that the Ministry makes such an assessment. While Norwegian authorities rightly emphasise the principle of zero tolerance for corruption, the Ministry in practice has also understood that corruption will occur in engagements like that in Afghanistan. Strengthening monitoring mechanisms does not imply zero tolerance for risk, but better control over the funding. For example, when the Red Cross reported corruption in Kabul in 2010, the Ministry continued to provide minimum support for the organisation's operations while the investigation was conducted. Through close dialogue with the Red Cross, the matter was cleared up without discontinuing the lifesaving ambulance service that the programme delivered.[90]

Corruption was partly ignored by the international community because the time horizon for the international effort in Afghanistan was short. An example of this involves the Law and Order Trust Fund (LOFTA), which is administered by the UN Development Programme (UNDP) and serves primarily as a channel for financing salaries for

Box 7.9 Norway's support for Integrity Watch Afghanistan

In 2006 Norwegian authorities were among the first donors to support the small NGO Integrity Watch Afghanistan (IWA). At that time it was considered high risk to provide funding to IWA, but Norwegian authorities believed that the NGO could become an important organisation in the anti-corruption efforts in Afghanistan. In the years that followed, the organisation became one of the most important voices in Afghan civil society against corruption. In 2014 IWA had 90 employees and more than 700 volunteers. The NGO has published numerous well-documented reports on corruption. These include both general studies, such as the annual corruption surveys, and subject-specific reports on areas such as the mining industry. The latter led to greater openness around the authorities' agreements relating to exploitation of natural resources. Overall, the reports have helped to place the fight against corruption on the international agenda and have been used frequently at national and international levels, both by the media and in policy and programme design. IWA has also developed a method called 'community monitoring': trained volunteers in villages follow up on the quality of ongoing development projects and on the impact, as well as the authorities' implementation, of services. In this way IWA has enhanced the ability of the population to hold organisations and authorities accountable for the work they perform. When the Tawanmandai fund for support to civil society organisations was established in 2011, the Norwegian Embassy transferred administration of the money to the fund. The Commission engaged IWA to investigate the condition of the Norwegian-funded schools in Faryab. This is discussed in Chapter 8.

Source: Strand and Taxell, 2016, pp. 58–59; report from the Norwegian Embassy in Kabul, 'Afghanistan. Integrity Watch Afghanistan – et lite lysglimt innenfor korrupsjonsfeltet i Afghanistan' [Afghanistan. Integrity Watch Afghanistan – a small ray of light in the corruption field in Afghanistan], 19 January 2011; IWA, *Project Completion Report at Norwegian Royal Embassy, 28 April 2012, pp.* 8–10.

88 Interview with an MFA employee, 18 March 2015.

89 Office of the Auditor General of Norway, *Dokument 1 (2011–2012) Utenriksdepartementet [Document 1 (2011 – 2012) Ministry of Foreign Affairs], 2011 pp.* 245–254; Office of the Auditor General of Norway, *Riksrevisjonens undersøkelse av bistand til godt styresett og antikorrupsjon i utvalgte samarbeidsland – Dokument 3:9 (2014–2015) [Office of the Auditor General of Norway's investigation of aid for good governance and anti-corruption in selected partner countries – Document 3:9 (2014–2015)], 2015.*

90 Commission hearing, 12 October 2015, interview with a former Red Cross employee, 16 March 2016.

the police. In 2012 it was discovered that the fund had budgeted for a number of non-existent positions. The Afghan police and Afghan Ministry of Interior Affairs had registered 'ghost police'. This presented a dilemma for the international donor community. It was critical to ensure that such a widespread culture of corruption was not allowed to continue. At the same time, an extensive withdrawal of international forces was underway, based on the belief that Afghan security forces, including the police, would be able to take charge of the country's security. Discontinuing payments to LOFTA would endanger this plan. The police's loyalty to the central authorities would deteriorate even further if salaries were not disbursed. If all of the donors had withheld their funding to LOFTA pending an internal housecleaning, the police would probably have dissolved. In spite of this, Norwegian authorities and other donors withheld funding up to 2014, when the UNDP cleaned up its administrative routines. The US, which was the largest donor, continued to support LOFTA, thereby ensuring that salaries to the police were paid.[91] This illustrates the dilemma that arises when donor and recipient have a mutual interest in presenting the operation as successful. It is difficult to make demands when so much is at stake for both parties. Since Norway was a relatively small donor, the consequences were not as great as if the US had taken the same decision.

Norway's decision to decrease the development aid budget for Afghanistan by NOK 50 million (USD 7.9 million) in 2014 is another example that illustrates the challenges of fighting corruption and imposing conditionality. The reason given for the decrease was the Afghan authorities' failure to follow-up obligations related to women's rights and anti-corruption measures. The decrease received mixed reviews within the international donor community. Some were positive, while others believed that a cut of this nature undermined the withdrawal that had already begun.[92] It would be risky to allow the Afghan national treasury to go bankrupt while international soldiers were being withdrawn.

7.6 Summary

Although Norway has followed generally accepted best practice principles in development aid in Afghanistan, so far it cannot be documented that the Norwegian effort produced better results than the effort of countries that have worked in a different way. The fact that the aid produced modest results is due primarily to the formidable challenges of conducting aid efforts in a war zone where strategic considerations relating to the armed conflict and the concrete security conditions on the ground set the premises for the effort, and where Afghan authorities were weak and fragmented. It is also due to the far too ambitious objectives of Norway and the international community. Another reason is Norway's insufficient administrative capacity, which limited the ability of Norwegian authorities to follow up projects and document results.

Afghanistan has progressed since 2001. Norwegian authorities have contributed to this progress by providing support to all of the sectors discussed in this chapter. However, the results are fragile, and the extent to which they are enduring will only be revealed by future political developments. In relation to the enormous amounts of aid used in Afghanistan, the results are minimal. A traditional cost–benefit perspective does not show a positive outcome.

In addition, Norwegian authorities have from the outset prioritised too many areas in Afghanistan. Later attempts at targeting the efforts have met with resistance due to both the political need for visibility and the generally well-founded desire for continuity in development aid. It is difficult to find a balance in the trade-off between continuity and adaptation to developments on the ground. It requires insight from both the political sphere and the development aid field, as well as the presence of Norwegian aid workers in the field.

Norway has had some opportunity to influence the development agenda in Afghanistan. This has been partly used in areas such as education, gender equality and human rights through the active pursuit of 'aid diplomacy'. This type of diplomacy requires good access to both Afghan and international circles in Kabul and good contact with the Norwegian authorities in Oslo. It is therefore cause for concern that development aid personnel are no longer posted to the Norwegian Embassy in Kabul. It is difficult to conduct successful aid diplomacy without experienced aid diplomats located in Kabul, where the most important processes take place. The experience from Afghanistan suggests that if authorities are willing to prioritise personnel resources for such tasks, then this will be accompanied by opportunities to exert influence.

[91] Email from a Norad employee, 1 April 2016.
[92] Commission hearings, 16 October and 19 October 2015.

Chapter 8
Faryab: a comprehensive effort in 'Norway's province'

From 2005 onward Norway's engagement in Afghanistan was significantly influenced by the responsibility Norway took through its command of the Provincial Reconstruction Team (PRT) in Faryab province. The Norwegian effort in Faryab was one of three central areas in its engagement, in addition to the provision of special forces and peace diplomacy. The PRT eventually became Norway's largest and most high-profile military contribution in Afghanistan, and Faryab province received considerable Norwegian development assistance. Using a combination of military and civilian measures, to be coordinated through a comprehensive approach, the Norwegian authorities sought to strengthen the Afghan central government's control in the province. Norwegian efforts in Faryab prioritised the goals of Alliance solidarity as well as state-building.

The task was a difficult one. The Norwegian engagement was part of a broad international effort, whereby external actors attempted to promote state-building in a highly complex and decentralised society. In Afghanistan, a society that by 2001 had already endured 23 years of war, this proved impossible.

The ability to influence developments was further limited by the fact that Norwegian military and civilian efforts were comparatively small for a geographically large province with roughly one million inhabitants. Norway lacked a comprehensive strategy that developed and effectively coordinated Norwegian objectives and means within the context of the mandate and conditions in Afghanistan. Such a strategy would have made it easier to achieve specific goals and thus make better use of opportunities that presented themselves to Norwegian actors. Important stipulations and guidelines for the combined effort in Faryab should have been well established by authorities in Norway, but were instead left to the civilian and military personnel deployed to Afghanistan. This was particularly clear with regard to the so-called 'Norwegian model', the Norwegian version of a comprehensive approach, which stipulated a clear separation between civilian and military activities. This model became a source of frustration and did not achieve results that were any better or worse than those of differently organised PRTs led by other countries.

The first of this chapter's three sections discusses the PRT concept, the challenges that emerged as a result of the division between civilian and military activities, and Norwegian ambi-

Box 8.1 Faryab province

Faryab province spans 21,146 km^2 (a province two-thirds the size of Belgium) and has approximately one million inhabitants, nearly 90 per cent of whom live in rural areas. Agriculture is the largest industry, followed by commerce and services, then production. According to 2014 figures, roughly seventeen per cent live below the poverty line. Approximately 70 per cent of children were enrolled in primary school. Just over one-third of inhabitants had access to clean water and 80 per cent had access to electricity. The province is divided into fourteen districts. Meymaneh, the capital, has a population of almost 80,000. Faryab adjoins Afghanistan's western and northern provinces. Major trade and smuggling routes have passed through the province for centuries, often from countries to its west and Central Asian countries to its the north. Faryab's inhabitants are among the most ethnically diverse in Afghanistan: roughly half are Uzbek, followed by Tajik, Aimaq and Pashtun. Smaller groups include Turkmen, Sayyid, Arab and Hazara.

Sources: The Liaison Office, *Faryab – one year into transition*, February 2014, p. 7; The World Bank, *Afghanistan Provincial Briefs*, June 2015.

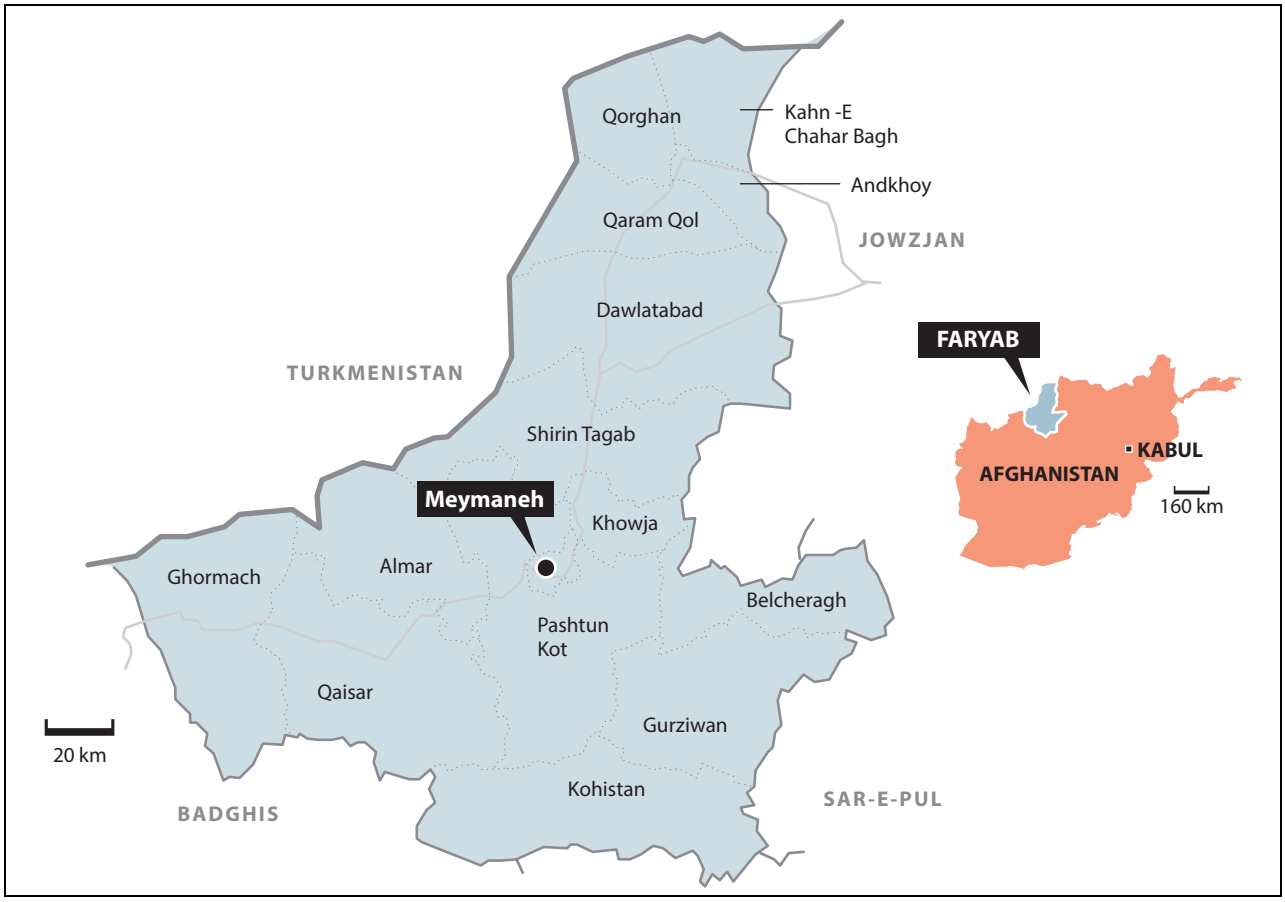

Figure 8.1 Map of Faryab province with district borders

tions for coordination. The second section deals with the military effort in the province. The third assesses the civilian effort and its results.

8.1 The PRT and coordination: ambitions versus realities

The PRT was an important instrument for Norway's civilian and military engagement in Faryab. The PRTs were intended to take the lead role in efforts to expand and reinforce the Afghan central government's authority at the local level, and thereby contribute to the state-building project.

The PRTs were based on a civil–military concept for coordinated counter-insurgency and stabilisation activities developed by the US authorities in both Afghanistan and Iraq. The historical origins of this concept go much further back, however.[1] An enduring principle despite frequent variations of the concept has been to organise COIN measures on two fronts: first, military forces are to cut off insurgents' contact with local residents; and second, those same military forces are to build trust and good relations with the locals to win their support.[2] This is intended to promote force protection and COIN alike.

The first PRTs in Afghanistan were established by US forces in 2002. Their primary role was to provide security and stability in provinces where local authorities did not have de facto jurisdiction or control and where criminals, warlords and insurgents undermined the central government (see Chapter 3). The PRTs were intended to play a key role in international state-building efforts.[3] It was unclear, however, how foreign forces could create legitimacy at the local level for central authorities that were not only distant from the province, but were also themselves party to intense ethnopolitical rivalries. Moreover, the

1 See, among other sources, Ian F. W. Beckett, *Modern Insurgencies and Counter-Insurgencies: Guerrillas and their Opponents since 1750,* London: Routledge, 2001.

2 Ibid.

3 NATO, 'Broad principles governing the operation of provincial reconstruction teams (PRTs) under a new United Nations Security Council mandate for an expanded ISAF', 14 October 2003.

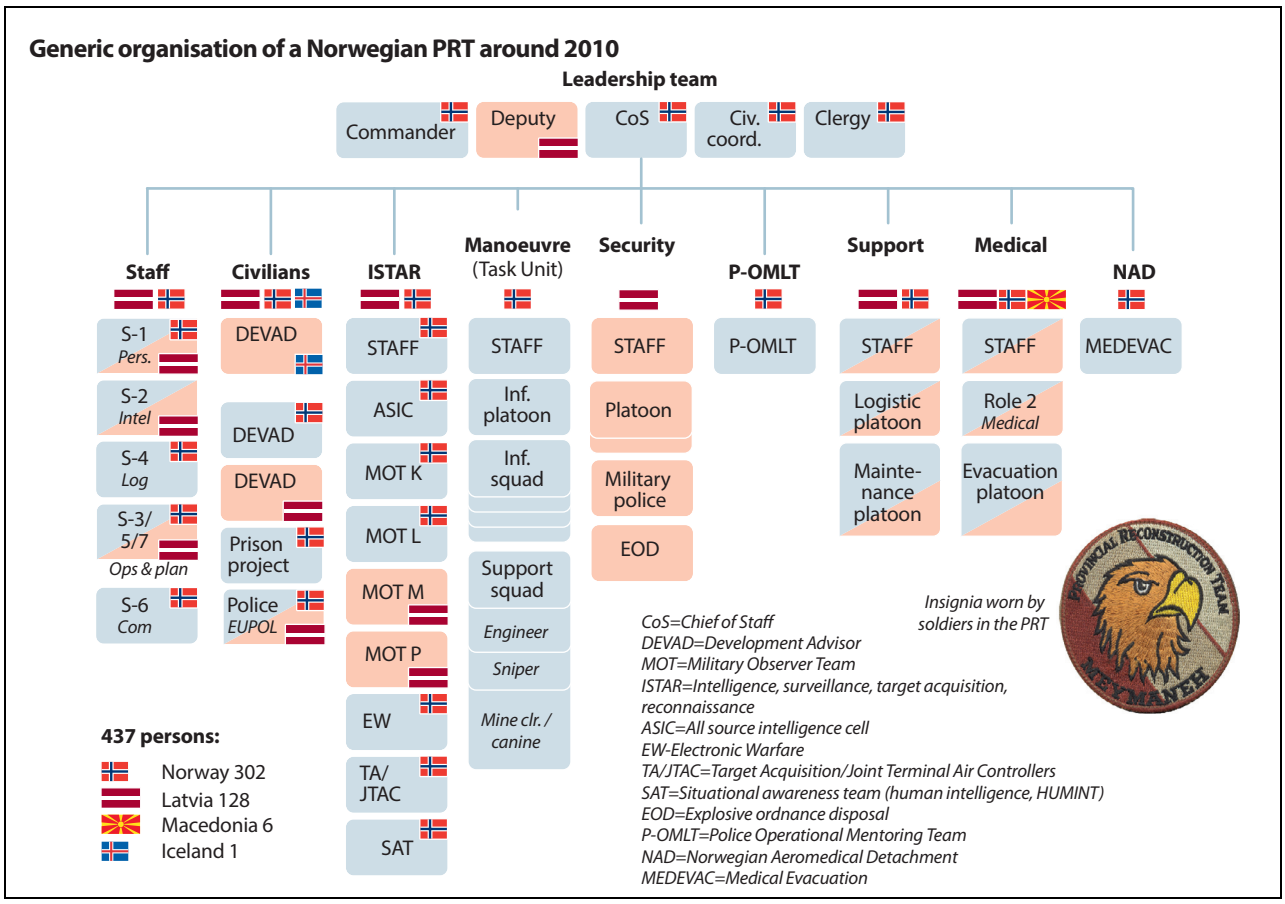

Figure 8.2 Organisation of a Norwegian PRT

local authorities often met with opposition from local warlords who had their own interests and power bases in the provinces. Other warlords cooperated with local authorities, however.

A total of 26 PRTs were established in Afghanistan's 34 provinces during this period. The PRT was a dynamic concept that was adapted to ISAF's shifting objectives and strategies, as well as to the priorities of the country leading the PRT. Initially the concept was not clearly defined in NATO planning and thus was subject to different interpretations within the Alliance. ISAF's task was to provide stability and security.[4] Other aspects of the PRT activities, such as civilian efforts and development aid, were to be left to the relevant lead nation. Thus the organisation of the PRTs varied: some were large, others small, and leadership could be civilian or military. The level of cooperation between the civilian and military elements also varied. Additionally, national aid funding was often channelled to the provinces where a country led or participated in a PRT. This led to fragmentation of the overall development aid effort, which in turn served to further weaken the Afghan central government (see Chapter 6). Initially designed primarily as units for promoting stability, the PRTs evolved into instruments for reconstruction as well as a means of combatting the insurgency. Regardless of their approach, the fundamental mission of the PRTs proved impossible to achieve, given the limitations described above.

8.1.1 Norway assumes leadership of a PRT in northern Afghanistan

The Norwegian authorities interpreted the fluid PRT concept to mean that the military should not carry out development aid work (see Chapter 3).[5]

[4] Ministry of Defence memorandum, 'Afghanistans politiske dagsorden og NATOs fremtidige rolle' [Afghanistan's political agenda and the future role of NATO], 16 September 2003.

[5] Commission hearing, 12 November 2015; Ministry of Foreign Affairs draft memorandum 'Afghanistan. NATOs rolle. Norske holdninger' [Afghanistan. NATO's role. Norwegian positions], 10 September 2003.

Reconstruction and development aid required expertise the military did not possess.[6] In light of this, the Norwegian authorities sought in 2003 to influence the development of the PRT concept in the North Atlantic Council. The Norwegian Ministry of Foreign Affairs advocated a model based on Provincial Stabilisation Teams (PST). Calling them PSTs would more accurately represent a process in which the military would provide the stability and security necessary for development through civilian efforts.[7] This was not merely a matter of semantics for the Norwegian authorities: they wanted the PRTs to run stabilisation activities not reconstruction efforts, and for this to be reflected in the terminology. Norway's proposal won the support of several allies, but the concept of the PRT was already well entrenched in the Alliance, not only in the views of its members, but also due to the wish of Afghanistan's President Karzai to keep the name PRT. In 2002, when the US began to develop the civil–military dimension of OEF, it had established Joint Regional Teams. While President Karzai liked the idea, he did not like its name, since 'regional' could connote 'independent of the central authorities in Kabul'. Thus PRT emerged as the preferred term.[8] The Norwegian authorities accepted this.

In the summer of 2003 the Ministry of Defence emphasised in an internal memorandum that Norway did *not* have plans to contribute military forces to a PRT.[9] By the winter of that year, however, the Ministry had investigated the possible Norwegian PRT participation in ISAF. By that time NATO had assumed responsibility for ISAF forces and the pressure on Norway from major allies such as the US, the UK and Germany to contribute to PRTs had increased.[10] The Norwegian Ministry of Defence asked the Defence Staff to assess logistics capacity and medical services and to carry out threat assessments for Meymaneh, Jalalabad and Ghazni, where the potential PRTs were located.[11] The Defence Staff found the provinces in the east and south to be more dangerous and, on the basis of threat levels and logistical challenges, recommended participation in the north rather than the south.[12]

On 6 May 2004 the Norwegian authorities announced the deployment of Norwegian soldiers to the UK-led PRT in Meymaneh in Faryab province.[13] In July 2004 the first 25 Norwegian soldiers arrived at camp. Nevertheless, the political pressure from NATO and the UN on Norway to take command of a PRT quickly intensified (see Chapter 3).

Figure 8.3 Norway opted for military command of its PRT, establishing at the same time a clear separation of civilian and military activities.

Photo: Lars Kroken/Norwegian Armed Forces

6 Ministry of Foreign Affairs memorandum 'Afghanistan Provincial Reconstruction Teams, Eventuell norsk medvirkning' [Afghanistan Provincial Reconstruction Teams, Potential Norwegian participation], 17 August 2003; also see Ida Maria Oma, *Small states and burden-sharing in allied operations abroad. The case of Norway in ISAF*, Series of Dissertations submitted to the Faculty of Social Sciences, University of Oslo, no. 518, Oslo: University of Oslo, 2014, p. 66.

7 Report from Norwegian Delegation to NATO, 'Foran ministermøtene i NATO: en Allianse i forandring. For mange utfordringer på samme tid?' [Prior to the NATO minister meetings: an Alliance in change. Too many challenges at once?], 25 November 2003; Ministry of Foreign Affairs, 'Afghanistan. Utvidet NATO-rolle. Instruks' [Afghanistan. Expanded role in NATO. Instructions], 7 October 2003 and Commission hearing, 12 November 2015.

8 Sten Rynning, *NATO in Afghanistan - the liberal disconnect*, Stanford: Stanford Security Studies, 2012, pp. 92-94.

9 Message from Ministry of Defence to Ministry of Foreign Affairs, 'Afghanistan – Provincial Reconstruction Teams (PRT)', July 2003; message from Defence Staff to the armed forces, 'ISAF-PRT', 15 January 2004; message from the Norwegian Delegation to NATO, 'Spørsmålet om fremtidig norsk deltakelse i Afghanistan' [The question of future Norwegian participation in Afghanistan], 27 May 2003.

10 Message from the Norwegian Delegation to NATO, 'Norsk engasjement i Afghanistan i 2004' [Norwegian engagement in Afghanistan in 2004], 3 December 2003.

11 Message from Ministry of Defence to Defence Staff, 'ISAF-PRT', 4 January 2004.

12 Messages from Ministry of Foreign Affairs, 'Afghanistan. Provincial Reconstruction Teams. Eventuell norsk medvirkning. Innspill' [Afghanistan. Provincial Reconstruction Teams. Possible Norwegian participation. Input], 17 August 2003; 'Sikkerhetssituasjonen i det nordlige Afghanistan – briefing for NATO-kretsen på den britiske ambassaden i Kabul' [The security situation in northern Afghanistan – briefing for NATO member countries at the UK Embassy in Kabul], 13 October 2003; 'Afghanistan. NATOs rolle. Norske holdninger' [Afghanistan. NATO's role. Norwegian positions], 15 October 2003.

13 Ministry of Defence, 'Norge styrker innsatsen i Afghanistan' [Norway steps up activities in Afghanistan], 6 May 2004.

In 2004 the Norwegian authorities were asked repeatedly by NATO and the UN to assume command of the PRT, because the UK required relief in order to concentrate its forces in the south.[14] The Norwegian armed forces were sceptical about accepting this request: Norwegian forces had no experience in leading a PRT. This was a task that would require substantial military resources and, although the situation in the province appeared to be calm, there was a high risk that local conflicts could erupt. Taking responsibility for the PRT would make it more difficult to terminate the mission.

Despite the clear position recommended by the military, the government decided that Norway would assume command of the PRT. The authorities saw both participation in and command of the PRT as part of Norway's obligations to the Alliance.[15] Norway had supported the ISAF expansion and PRTs were important for following through on that decision. It was also important to show a willingness to cooperate with the UK, one of Norway's most prominent allies.[16] Chapter 3 discusses the government decision-making processes that led to the concentration of Norwegian forces in the north.

In September 2005 Norway officially assumed command of the PRT, which was led by the military and had stabilisation as its main mission. Civilian and military personnel from other countries were also stationed at the camp. Civilian efforts in the province were to be formally administered by the Norwegian Embassy in Kabul and not by the PRT, but the Ministry of Foreign Affairs recognised that there was also a need for a civilian presence in Faryab. Initially, one civilian staff member was recruited in the autumn of 2005.[17] The plan was for this person to reside temporarily within the PRT. As the Norwegian authorities had chosen military leadership of the PRT, the Ministry of Foreign Affairs wished to establish a separate civilian office outside the military camp. For security reasons, however, this plan was never realised.[18] As a result, cooperation evolved between civilians and military leadership in the PRT. This cooperation had no formal basis in instructions from Norwegian authorities, however, and was thus largely dependent on the personal relationships between PRT commanders and posted civilians.[19]

Initially the Ministry of Foreign Affairs did not appear to have had a clear purpose for the civilians posted to the PRT. In the early phases the Ministry of Defence and the armed forces were frustrated by what they saw as insufficient political interest in establishing a larger and stronger civilian component in the PRT.[20] The Ministry of Foreign Affairs chose to limit the number of civilians posted to the PRT to three: a development adviser, a civilian coordinator and a political adviser. This limited number was due in part to difficulties in recruiting, but also reflected the Ministry's principle that development aid in Afghanistan was to be distributed across the country, not concentrated in Faryab.

Development aid to Faryab was designed so as not to jeopardise the overall civilian effort in Afghanistan, and the province was not to receive more than twenty per cent of the total Norwegian aid funding to the country. In 2009 this twenty per cent limit was formalised in the Faryab strategy. The problem of limited civilian personnel resources extended beyond Faryab. The Norwegian Embassy in Kabul – which managed far larger monetary sums – often had to make due with an aid staff of only two. The job descriptions were unclear and personnel posted to Faryab had to design their own tasks.[21] Moreover, there was little coordination between the civilian personnel in Faryab and the Norwegian Embassy in Kabul, although this improved over time. In 2009 the Ministry of Foreign Affairs elevated one of the

[14] Message from the Norwegian Delegation to NATO, 'Afghanistan: hovedpunkt fra amb. Eides samtaler den siste uken' [Afghanistan: main points from Ambassador Eide's talks this past week], 27 January 2004; and 'Generalsekretæren minner om sine forespørsler' [The Secretary-General reminds Norway of his requests], 5 May 2004; message from armed forces to the Delegation to NATO, 'Afghanistan. Generalsekretærens anmodning om ytterligere styrkebidrag til ISAF' [Afghanistan. The Secretary-General's request for further contribution of forces to ISAF], May 2004.

[15] Commission hearings, 19 October and 12 November 2015.

[16] Memorandum from Ministry of Defence, 'Strategi i Afghanistan 2006–2007' [Strategy in Afghanistan 2006–2007], 2 February 2005.

[17] Ministry of Foreign Affairs memorandum, 'PRT Meymaneh: Sikkerhetssituasjon og bevegelsesfrihet for ikke-militært personell' [PRT Meymaneh: The security situation and freedom of movement for non-military personnel], 8 February 2007.

[18] Memorandum from Ministry of Foreign Affairs to the State Secretary, 'PRT Meymaneh', 22 September 2008.

[19] Commission hearings, 11 August, 16 and 17 September, 21 and 28 October and 13 November 2015.

[20] Oma, 2014, p. 85; Commission hearings 11, 12 and 13 November 2015.

[21] Commission hearings, 14 August, 11 and 12 November 2015; email from Ministry of Foreign Affairs staff member, 'Stillingsbeskrivelse for sivilt utsendt i PRTet' [Job description for civilian posted to the PRT], sent 11 November 2015.

positions to a minister-counsellor position that was included in the PRT leadership team.

8.1.2 Political dynamics in Faryab

The greatest challenge to Norway's engagement in Faryab came from the local political dynamics, which were characterised by internal rivalries. This made it difficult for the Afghan government to establish a strong foothold. Norway knew little about Faryab province when it assumed responsibility for the PRT in 2005. Just before the handover, the Norwegian Intelligence Service had concluded that the situation in the province was mostly calm, based on input from a cooperating intelligence service and its own assessments. It was determined that the main challenge was ethnic rivalries, particularly between the two main groups populating the least developed districts: the Uzbek majority and Pashtun minority. Disputes between the Tajik and Uzbek were also common in the province, and conflicts often arose over land, water and access to smuggling routes throughout the area. Such disagreements could become more explosive than those along ethnic dividing lines.[22] Opium production was on the rise.[23] The Intelligence Service was aware of this early on. At that time, the Taliban were not considered a part of the local conflict dynamics outlined by the Intelligence Service.

After the Taliban's fall in 2001, the Pashtun were systematically harassed and attacked by Uzbek militias, which saw the Pashtun as largely having been Taliban supporters. The Uzbek warlord Abdul Rashid Dostum and his militia (known as the 53rd Infantry Division) perpetrated a massacre of possibly 2,000 prisoners of war (predominantly Pashtun) in 2001 in Sheberghan, northeast of Faryab.[24] A number of Dostum's men later became key political figures in the province, serving as governors, police chiefs and leaders within the provincial council.[25] Dostum and his Uzbek party Junbesh-e-Milli, with a network extending to Kabul and its neighbouring provinces, remained a power centre in Faryab during the entire Norwegian PRT period. Ramifications of the conflict between Dostum and his chief rival Mohammad Atta Noor, Tajik governor of Balkh province and head of the party Jamiat-e-Islami, extended into Faryab as well. The ongoing conflict between the Tajik party Jamiat and the Uzbek party Junbesh escalated periodically into violence. Their relationship did improve for a period of time when the two party leaders signed a peace agreement in 2004, but became increasingly strained as President Karzai also appointed Jamiat-affiliated persons to positions in Faryab.[26]

In 2008 a new governor was appointed in Faryab, Abdul Haq Shafaq – a Hazara, an ethnicity little represented in the province. President Karzai's intent may have been to secure a more neutral leadership. The Norwegian authorities had good relations with this governor, but his position was constantly challenged by local powerbrokers. The task of representing the central authorities as an outsider was very difficult, even for Afghan authority figures.

Over time both the PRT and the Norwegian Embassy gained a better understanding of local conflicts and power constellations. They found that the mission to support and strengthen the central authorities as directed in the ISAF mandate was a far greater challenge than anticipated. Local actors in Faryab who were affiliated with, or themselves part of, the local authorities were not primarily interested in expanding the authority of the central

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22 Astri Suhrke, *Eksperimentet Afghanistan – det internasjonale engasjementet etter Taliban-regimets fall*, [Experiment Afghanistan: The International Engagement after the Fall of the Taliban Regime], Oslo: Spartacus Publishing House, 2011, p. 113; Norwegian Intelligence Service, 'Spesialrapport: Faryab-provinsen, Afghanistan' [Special Report: Faryab province, Afghanistan], 1 March 2004; Norwegian Intelligence Service, 'Badghis & Faryab', 31 October 2008; reports from the Norwegian Embassy in Kabul, 'Situasjonen i det nordlige Afghanistan' [The situation in northern Afghanistan], 16 November 2002 and 'Sikkerhetssituasjonen i det nordlige Afghanistan og det britiske PRTets rolle: briefing for NATO-kretsen på den britiske ambassaden i Kabul 13.10.03' [The security situation in northern Afghanistan and the UK PRT's role: briefing for NATO member countries at the UK Embassy in Kabul on 13 October 2003], 15 October 2003.

23 Reports from Norwegian Intelligence Service, 'Spesialrapport: Faryab-provinsen, Afghanistan' [Special report: Faryab province, Afghanistan], 1 March 2004 and 'Orientering om Afghanistan' [Orientation on Afghanistan], 9 October 2003.

24 Dostum is an Uzbek warlord who had significant power in Afghanistan's northern provinces. In the 1980s he led 20 000 men, controlling parts of northern Afghanistan. Dostum was later a presidential candidate and Chief of Staff to President Karzai. In 2014 Dostum was appointed Vice President of Afghanistan. He was one of many warlords who benefitted greatly from an amnesty law enacted in Afghanistan in 2007 granting pardons to anyone who had committed war crimes before 2001. Chapter 7 discusses the amnesty law in more detail.

25 Message from Norwegian Embassy in Kabul, 'Epokeskifte i Faryab – situasjonen og utsikten – like før ANSF overtar alt sikkerhetsansvar og hvor det første gang på fem år skiftes provinsguvernør' [Faryab enters new era – the situation and outlook – shortly before Afghan National Security Forces (ANSF) assume all responsibility for security, and there is a change of provincial governor for the first time in five years], 8 September 2012.

26 Ibid.

government. At the same time, the representatives of the central Afghan authorities were typically part of the local power dynamics and lines of conflict. Various groups in Faryab were adversaries and often used contacts in Kabul to consolidate their own positions in the province, rather than strengthen the president and position of the central government. These dynamics created power imbalances all the way down to the district level and limited what Norwegian military and civilian efforts could achieve in Faryab.[27] Norway's engagement became, unavoidably, a factor in this power struggle and the shifting balance of power.

The Norwegian Intelligence Service and the Embassy reported mainly on the local lines of conflict described above, and on Dostum in particular. Despite clear signs over time that the Taliban were operating in the province, Dostum and his unstable relations with President Karzai remained the principal source of unrest in the province. Whereas the Taliban increasingly represented a direct threat to Norwegian forces, local power struggles continued to impede development and stability. Both the Jamiat and Junbesh parties, which the UN early on had attempted to disarm through its mostly unsuccessful disarmament programme, used the threat of the Taliban as a pretext for armed mobilisation.[28]

8.1.3 A comprehensive approach, civil–military separation and the 'Norwegian model'

The political and social dynamics of Faryab left little opportunity for Norwegian military and civilian efforts to make much of a difference. Furthermore, the international framework for the Norwegian engagement was cumbersome, with a wide array of actors and interests. This was also the case with the overall military strategy. The Norwegian contributions were small and insufficiently coordinated.

The idea of a comprehensive approach was presumed from early on to be the only way the international community could succeed in Afghanistan.[29] The term 'comprehensive approach' can be understood to mean cross-sectoral coordination between civilian and military priority areas. The concept was also a main component of the strategy for counter-insurgency (COIN) operations, with coordination between military operations and civilian efforts (see Chapter 3). In contrast to many other allies, the Norwegian authorities stressed that this coordination would be based upon a clear *separation* of military and civilian tasks. The civil–military separation or the so-called 'Norwegian model' was to entail coordination but not intermingling of development aid and military engagement. What this meant in practice was unclear to many of the personnel stationed within the PRT.

On 4 June 2013, some six months or so after Norway's withdrawal from the province, Minister of Foreign Affairs Espen Barth Eide stated the following regarding Norway's comprehensive approach in his address to the Storting (Norwegian parliament):

> 'Some PRTs functioned as parallel structures to existing Afghan civilian governance structures, and thus undermined the Afghan administration instead of strengthening it. However, as soon as we took over the leadership of the PRT in Faryab, Norway took a different approach from the one pursued by certain other countries.
>
> We gave priority to acquiring a thorough understanding of the overall situation and to ensuring close coordination of all aspects of our engagement in Faryab, while at the same time avoiding a confusion of roles between the military stabilisation mission, humanitarian relief work and long-term development efforts. We also identified early on the need to define the PRT concept more closely in the debate between the countries contributing to ISAF. I believe we gained a great deal from this approach.'[30]

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[27] Norwegian Intelligence Service, 'Badghis & Faryab', 31 October 2008.

[28] Message from Norwegian Embassy in Kabul, 'Afghanistan. Utrygghetens drivkrefter – forskningsfokus på Faryab' [Afghanistan. Driving forces of insecurity – research focus on Faryab], 12 September 2011; report from Norwegian Intelligence Service, 'Dostum søker å stabilisere Faryab på uzbekernes premisser' [Dostum seeking to stabilise Faryab on Uzbek terms], 16 March 2010.

[29] Lene Ekhaugen, 'Norsk alenegang i Afghanistan, kronikk' [Norway's solitary path in Afghanistan], op-ed in Norwegian newspaper *Dagbladet,* 5 April 2011; memorandum from the Ministry of Defence to the Office of the Prime Minister, the Ministry of Foreign Affairs and the Norwegian Delegation to NATO, 'NATOs uformelle forsvarsministermøte Colorado Springs 8.-9. oktober 2003' [NATO's informal Defence Ministers' Meeting in Colorado Springs, 8?9 October 2003]; Ministry of Foreign Affairs memorandum, 'Afghanistan. Innspill til NATOs rådsseminar' [Afghanistan. Input for NATO council seminar], 20 January 2005.

[30] Espen Barth Eide, 'Redegjørelse om utviklingen I Afghanistan og Norges engasjement i landet' [The situation in Afghanistan and Norway's engagement in the country], Address to the Storting, regjeringen.no, 4 June 2013.

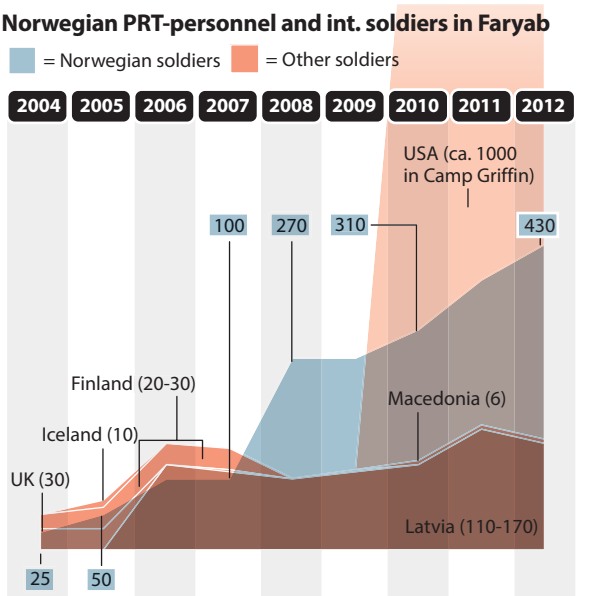

Figure 8.4 Norwegian PRT personnel and international soldiers in Faryab

This description is only partially accurate. Norway's efforts, too, contributed to creating parallel civilian structures and the Norwegian authorities were not able to establish a thorough understanding of the approach across civilian and military environments. The content, criteria for success and terminology (including the use of two different Norwegian words for 'coordination') of the approach were unclear to some personnel, leading to misunderstandings between Norwegian civilians and military personnel in Afghanistan.[31]

Norway was not alone in seeking broader coordination of activities. What was unique in Norway's case was that the approach it supported at the strategic level in NATO was the same approach it distanced itself from politically and rhetorically in its national policies. What Minister of Foreign Affairs Barth Eide referred to as a 'confusion of roles' in the above quote was actually the cornerstone of ISAF's COIN strategy. The 'Norwegian model' was different, in that various aspects of the COIN strategy were to be carried out by different agencies, without a common leadership. In general the separation between civilian and military activities was difficult to translate into practice.

Many aid organisations considered the civil–military separation to be critical to their ability to carry out their work in the province. This policy of separation also had broad political support back home in Norway. A number of prominent politicians had extensive experience in humanitarian and development work and played a key role in promoting this interpretation of 'comprehensive approach' and in seeking an independent role for NGOs in the civilian effort.

The aid communities had advised against the management of aid projects by military personnel who did not have proper knowledge of aid work. Most Norwegian NGOs with projects in Faryab had worked in Afghanistan prior to the international military engagement and had established networks with local communities in much of the country. They knew the value of maintaining good contact with locals, regardless of which regime formally governed the country. This may have contributed to the objections of Norwegian NGOs to the military carrying out civilian tasks. For the NGOs and the Norwegian authorities, it was essential to be able to continue to work in the province even after military withdrawal.

Many from the military side felt that organisations that carried out more long-term development aid rather than humanitarian assistance undeservedly invoked the notion of humanitarian space (see Chapter 6). For NGOs, however, the main distinction was not between humanitarian and development aid activities, but between civilian and military efforts, and they believed that visible interaction with military forces put their staffs as well as their beneficiaries at greater risk of attack from militant groups. Several NGOs have told the Commission that they had to temporarily suspend their work after visits from military forces in their project areas. On the other hand, some NGOs have reported that the presence of Norwegian forces provided more security for

[31] See Lene Ekhaugen, 'Samordning av virkemidler: 'den norske modellen'' [Coordination of instruments: 'the Norwegian model'], in Tormod Heier, Anders Kjølberg and Carsten Rønnfeldt (ed.), *Norge i internasjonale operasjoner – militærmakt mellom idealer og realpolitikk,* [Norway in international operations – military power between ideals and realpolitikk], Oslo: Scandinavian University Press, 2014.

Box 8.2 Operation Chashme Naw and aid coordination

In 2010 the Norwegian Embassy in Kabul attempted to strengthen civil–military coordination through a concrete project in the Jalayir valley in northwest Faryab. This was a turbulent, predominantly Pashtun area, which the governor of Faryab sought to bring under control. The Embassy, together with the PRT and the governor, planned development aid projects in connection with a larger military operation in the area known as Chashme Naw. The US had already carried out civilian projects in nearby areas as part of the COIN strategy.

The Norwegian Embassy emphasised that Norwegian civilian efforts were not to be part of the COIN strategy, but had to have the clear support of local authorities, with long-term perspectives and guarantees that Afghan security forces could hold the area after the Jalayir operation was completed. The Embassy sought to avoid having to withdraw development aid as a result of military operations, as had happened in the case of Ghormach (see 8.2.2 below). In cooperation with two main NGOs, the Embassy accomplished much during the planning phase and secured a list of priorities from the governor of Faryab. But the project was halted by the governor and PRT commander due to changes in military priorities.

The case illustrates that there were sporadic attempts to coordinate civilian and military activities in connection with military operations in vulnerable areas of Faryab. It also shows some adaptation to the COIN strategy by the Norwegian effort on the ground. Finally, the case demonstrates the fragility of civil–military cooperation. Military priorities can change quickly, while long-term development aid projects are not as flexible.

Figure 8.5 Operation Chashme Naw was an Afghan-led offensive against the Taliban in Faryab, with military support from ISAF. The operation began 26 March 2010 and included the districts of Qaysar, Almar, Khwaja Sabz Posh and Shirin Tagab.

Photo: Lars Kroken/Norwegian Armed Forces

Sources: Ministry of Foreign Affairs memorandums, 'Norsk sivil innsats i Faryab' [Norwegian civilian effort in Faryab], 11 July 2010; and 'Norsk sivil innsats i Jalaier (Chashme Naw)' [Norwegian civilian effort in Jalayir, Chasme Naw], 16 August 2010; talk with Ministry of Foreign Affairs staff member, 23 March 2016.

their staff. At times, military presence was necessary for civilian efforts to take place.[32]

The debate over the Norwegian approach was linked to a more fundamental question of the close integration of civilian and military efforts in a counter-insurgency strategy. This type of strategy introduces stabilisation and aid projects into insecure areas with the intention of 'winning hearts and minds'. The projects are selected based on the low level of security in certain districts where military and civilian actors are to cooperate. Where the stabilising actors are civilian, the projects are carried out in close cooperation with the military.

Studies of how such projects actually function were conducted in five Afghan provinces in the period 2008–2010.[33] It was found that integrated stabilisation activities did not have the anticipated effect, meaning that they did not build trust in the Afghan authorities, did not weaken resistance and created additional conflict. The studies recommended, among other things, better coordinated and less comprehensive stabilisation activities in areas that require greater insight into local political and judicial realities than the international community possessed in Afghanistan.

[32] Commission hearings of 5, 6 and 12 November 2015.

[33] Paul Fishstein and Andrew Wilder, *Winning Hearts and Minds? Examining the Relationship between Aid and Security in Afghanistan*, Feinstein International Centre: Tufts University, January 2012; and appurtenant publications.

Box 8.3 The landowners' case

On a number of occasions in Faryab the Norwegian authorities were forced to choose between their principles and the need for pragmatic solutions. One example is the landowners' case. After an angry mob attacked the former bank building that headquartered the PRT in central Meymaneh, the Norwegian Ministry of Defence decided to relocate the PRT camp outside the city, near the airstrip. This was considered the most secure area for Norwegian forces. According to its mandate, ISAF could establish military camps in consultation with the Afghan authorities, who were then responsible for any compensation to landowners. When a group of landowners in Faryab demanded compensation for the land on which the Meymaneh PRT was set up, Norwegian authorities cited ISAF and the agreement governing the matter of compensation. In the end Norway itself compensated Afghan authorities for the landowners' demands. As part of the equation, the Norwegians assumed that discontent among locals over inadequate compensation would heighten the security risk for Norwegian personnel in the province.

By Norwegian standards, the process was complicated. There was no public registry of land ownership to determine whether those demanding compensation actually owned the land, nor were there any fixed compensation rates to apply. Extensive documentation work and meetings with authorities at various levels resulted in compensation being paid by the Ministry of Defence. Up to that point the Norwegian authorities had complied with ISAF regulations, but the Afghan authorities had limited ability to disburse compensation to local landowners. In order to enhance security, a pragmatic approach was necessary to resolve a practical problem. This illustrates yet another challenge for an international military presence carrying out a task for central authorities that have neither good contact with local inhabitants nor their trust.

Sources: Messages from Norwegian Embassy in Kabul, 'Afghanistan. Landeiersaken – møte med Shafaq' [Afghanistan. Landowners' case – meeting with Shafaq], 10 November 2008; 'Landeiersaken – Møte [kan ikke offentliggjøres]' [Landowners' case – Meeting (identity cannot be disclosed)], 14 November 2008; 'Landeiersaken – samtale [kan ikke offentliggjøres]' [Landowners' case – interview (identity cannot be disclosed)], 12 March 2009; message from Norwegian Embassy in Kabul to the Ministry of Defence, 'NATO. Afghanistan. Landeiersaken' [NATO. Afghanistan. Landowners' case], 25 July 2010.

The so-called 'Norwegian model' was not well-known among the allies. Although the Norwegian diplomats posted in Kabul regularly presented the policy in relevant international civil–military coordination forums, the Americans and most other allies, with the exception of Germany and the Nordic countries, showed little affinity for it.[34] The international aid community generally took a positive view of the policy, but it was mostly the Norwegian NGOs that emphasised the approach. A number of Afghan and international NGOs in Faryab at times coordinated more closely with military actors than the Norwegian aid workers in the province.[35] This is discussed in more detail in Box 8.2 with regard to the planning of civilian efforts in connection with the military's 'Operation Chashme Naw'.

Disagreement among Norwegians on the implementation of the policy of civil–military separation stemmed from inadequate training, conflicting interests, biases on both sides and inadequate communication between military and civilian actors on every level. Disagreement was also caused by an inability to translate political principles into clear strategies and action plans. Deployed military and civilian personnel had to work out on their own how to coordinate the civilian and military engagement in Faryab within a political context that was both foreign and difficult to grasp.[36] The PRT commanders experienced this as having to accommodate conflicting chains of command. Formally subordinate to ISAF, Nor-

[34] Commission hearings in Washington, 1–2 September; 28 October, 19 November and 19 December 2015; Commission hearings, 26 February and 18 March 2016.

[35] Commission hearings in Washington, 2 September 2015; talks in Copenhagen, 5 and 6 November 2015; talk with Ministry of Foreign Affairs staff member, 22 March 2016.

[36] See e.g. Gunhild Hoogensen Gjørv, *Understanding Civil–Military Interaction: Lessons learned from the Norwegian Model*, London, Ashgate, 2014.

wegian soldiers were supposed to adhere to strategies for counter-insurgency measures using a combination of civilian and military efforts. Norwegian political guidelines, in contrast, instructed PRT commanders *not* to carry out operations based on cooperation with civilian actors. When the international effort from 2009 turned to a clearer COIN strategy, it necessitated precisely such close cooperation with civilian actors. Norway had approved the strategy in the North Atlantic Council, yet instructed its own forces not to carry out this type of counter-insurgency measure, leading to frustration among several Norwegian PRT commanders (see also Chapter 3).

8.1.4 The State Secretary Forum and the Faryab strategy

Norway attempted periodically to coordinate the Norwegian efforts in Afghanistan in general and in Faryab in particular. These attempts had minimal impact. In 2006 the Norwegian government appointed a committee at the state secretary (deputy minister) level to enhance coordination of the relevant ministries' activities in Afghanistan. The State Secretary Forum for Afghanistan was also intended to promote better civil–military coordination in Faryab. The Ministry of Defence, the Ministry of Foreign Affairs, the Office of the Prime Minister and the Ministry of Justice all participated. The State Secretary Forum met regularly and the members took several trips to Afghanistan until January 2013. The committee functioned mainly as a forum for information-sharing and less as an arena for discussing how to strengthen coordination between the different areas of engagement.[37] Feedback from deployed personnel in the PRT and in Kabul suggests that the committee had very little impact on the coordination on the ground.

In 2008 the state secretaries to the Minister of Defence and Minister of Foreign Affairs launched an assessment of the Norwegian PRT regarding the future downsizing of the military presence.[38] The objective was to guide the Norwegian military engagement towards a supporting role for Afghan security forces.[39] One proposal was to introduce civilian leadership of the PRT in the way that the Netherlands eventually did in Uruzgan province. A civilian-led PRT was also recommended in NATO's new operational plans. If the security situation was not conducive to such a change, the Ministry of Defence operational planning group proposed asking another country to assume command. This proposal, while consistent with UN thinking regarding a comprehensive approach ('integrated missions', in UN parlance), was rejected by the Ministry of Foreign Affairs, which maintained that although civilian leadership would be positive, it would require a far greater civilian presence in Faryab. The Ministry of Foreign Affairs did not have the resources to support this.[40] It had been difficult enough to recruit three civilians for one-year postings. The Ministry of Foreign Affairs also pointed out that in 2009 it was more important to find ways for Norway to enhance civil–military coordination on the ground rather than to discuss changes in the PRT leadership.[41]

An attempt to establish clearer guidelines for civil–military cooperation was made in conjunction with the development of the Faryab strategy in 2009.[42] The intention was to formulate a Norwegian strategy for a comprehensive civilian and military effort in the province and thereby help to operationalise the political guidelines put forward by the State Secretary Forum. The Faryab strategy was drawn up against a backdrop of a new strategic direction for NATO's approach, focused on transition and phasing out.[43] The Norwegian PRT was now to redirect its effort towards more training of Afghan soldiers and police in order to prepare the Afghans for taking responsibility for

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37 Memorandum from Ministry of Foreign Affairs to State Secretary Forum, 'Statssekretærutvalget for Afghanistan. Reise 2011. Strateginotat' [State Secretary Forum for Afghanistan. 2011 trip. Strategy memorandum], 14 July 2007; Ministry of Foreign Affairs email, 'Statssekretærbesøk til Afghanistan 26.-30.september' [State Secretary visit to Afghanistan 26–30 September], 20 May 2007 and Ministry of Foreign Affairs memorandum, 'Statssekretærutvalget for Afghanistan' [State Secretary Forum for Afghanistan], 11 December 2013.

38 Commission hearings, 12 November and 11 December 2015; Ministry of Defence, 'Operativ Plangruppe – anbefaling om hovedinnretning av norske styrkebidrag til operasjoner i utlandet 2010–2012' [Operational Planning Group – recommendation on main course for Norwegian contribution of forces for operations abroad 2010–2012], 14 June 2008.

39 Ministry of Defence, 'Operativ Plangruppe – anbefaling om hovedinnretning av norske styrkebidrag til operasjoner i utlandet 2010–2012' [Operational Planning Group – recommendation on main course for Norwegian contribution of forces for operations abroad 2010–2012], 14 June 2008.

40 Message from Norwegian Embassy in Kabul, 'Faryab. Fremtidig norsk innsats' [Faryab. Future Norwegian effort], 22 January 2009.

41 Ibid.

42 Norwegian government, 'Strategi for helhetlig innsats i Faryab-provinsen i Afghanistan' [Strategy for a comprehensive effort in Faryab province, Afghanistan], 12 June 2009.

43 Oma 2014, p. 129.

provincial security. The document was more a presentation of ambitions than a strategy, and few of those with whom the Commission has spoken found it to be of practical use for carrying out the PRT's efforts. Instead it was perceived mainly as an attempt by three ministries to coordinate intentions, but one that provided no clear guidelines for interactions on the ground.

8.2 The military effort

The original primary objective of the PRT in Faryab was to provide stability in the province in order to strengthen central government control and facilitate state-building and development. This ambition became increasingly unrealistic as the security situation deteriorated. The conditions needed for achieving results were not in place and time was too short. From 2007 onward the PRT tried to adapt to the new ISAF COIN strategy, which contradicted Norwegian political guidelines for civil–military cooperation. Dealing with threats originating from Ghormach, in the adjacent province Badghis, became the main concern for Norway during this phase. The military operations could yield some positive impact in the short term, but little was achieved in the longer term. From 2009 until the withdrawal in 2012, the PRT was part of the effort to transfer security responsibility to Afghan authorities, and mentoring/training became the principal task. Meanwhile, US forces established themselves in the region, primarily to finish constructing the strategically important Ring Road national highway (know as Highway 1).

8.2.1 First phase, 2005–2007: a shaky start, no strategy and the prelude to escalated insurgency

Several of the challenges that had characterised the early stages of the engagement persisted throughout the PRT's duration, in particular, the absence of strategic guidelines for the PRT's civilian and military efforts, and the difficulties in translating the civil–military policy into practice.

Neither ISAF nor the Norwegian authorities provided any prepared strategy or detailed guidelines for what the PRT was to do in Faryab. Many from the military had expected ISAF Regional Command North to issue clear guidelines for the PRT's work. When Norwegian Joint Headquarters (FOH) did not issue clear guidelines either, Norwegian PRT commanders were left with considerable discretionary power within the framework of NATO operational plans. This freedom to act was meant to give the PRT commanders flexibility. The Norwegian Chief of Defence stressed that it was the individual unit head and PRT commanders who would be best placed for formulating missions for their units.[44] Norway was not the only country in this position.[45] However, the degree to which national guidelines were issued varied between countries.

Some PRT commanders pointed out that the absence of guidelines from both ISAF and Norwegian Joint Headquarters made their work very difficult.[46] This was particularly true in the second phase of the military effort, when the Norwegian authorities formally approved NATO using COIN, while at the same time rejecting the instruments on which COIN was based, namely close cooperation between civilian and military actors (see also Chapter 3).

A further challenge during this phase that lasted throughout the entire engagement period was the frequent personnel rotation. Each PRT commander had six months to become familiar with the situation on the ground, establish relations with local powerbrokers and manage expectations and challenges on the ground. The frequent rotations made it difficult to build trust and establish relations, and added to the lack of continuity at every stage of the effort. Short assignments for both civilian and military positions was a pervasive problem in Afghanistan for most of the participating countries.

In the first year of the Norwegian PRT command, the security situation in Faryab was relatively calm. The military Mobile Observation Teams (MOTs) were able to move about the province with comparative ease. The MOTs encountered local communities in Faryab in great need and with high expectations for civilian aid, and many in the military wanted to help.

At the time, the Norwegian Refugee Council was the only Norwegian NGO in Faryab. The

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44 Memorandum from Chief of Defence to Minister of Defence, 'Vurdering av PRT Meymanehs Oppdragsløsning' [Assessment of PRT Meymaneh's execution of mission], 18 September 2008; Message from Norwegian Delegation to NATO, 'NATO-Afghanistan –Policy for regionale stabiliserings -og gjenoppbyggingslag –taushetsprosedyre' [NATO Afghanistan – Policy for regional stabilisation and reconstruction team – confidentiality procedures], 11 June 2008.

45 Christoff Luehrs, 'Provincial Reconstructon Teams – a literature review', *PRiSM 1*, no. 1, 2009, pp. 95-102.

46 Classified lessons learned report referenced in Chapter 12 of this report.

Box 8.4 Civil–military support for Meymaneh's provincial hospital and the 'Anaesthesiology project'

In 2006 Norway's PRT command took the initiative to make upgrades to the local hospital in Meymaneh. The PRT donated medical equipment and its medical unit trained local health care personnel in how to operate it. The PRT used its own funds (made available by the Inspector General of the Norwegian army) for this initiative. At the end of 2007, an inspection of the Meymaneh hospital by the Norwegian Armed Forces Joint Medical Services (FSAN) showed that the donated equipment required more electricity than the local grid could supply. Instructions for use were only available in Norwegian and insufficient training had been given in maintenance of the equipment.

In the spring of 2006, FSAN launched an Anaesthesiology project, in which free capacity among the Norwegian medical staff stationed in Mazar-i-Sharif and Meymaneh was to be used to help to expand anaesthesiological expertise at the local hospitals. In 2006 the project received NOK 1.2 million (USD 190,000) in funding from the Ministry of Foreign Affairs and was implemented in cooperation with the World Health Organisation (WHO) and the Afghan Ministry of Public Health. In December 2007 the Norwegian Embassy in Kabul stressed that the project needed to have the strategic support of the Afghan health authorities and other actors in the health care sector in the province. The Norwegian Ministry of Foreign Affairs discontinued its financial support for the medical project. The report to FSAN regarding conditions at the hospital led the Norwegian Joint Headquarters to order the PRT in March 2008 to prioritise the project by upgrading the hospital and increasing training. This entailed a number of challenges.

Although both the hospital and the Anaesthesiology projects were designed to make use of unused capacity within the PRT's medical staff, they could also weaken the camp's preparedness. There were divergent views within the armed forces as to the extent to which preparedness was being adequately safeguarded. Moreover, the security situation was deteriorating and the medical personnel had to be accompanied by armed guards to provide protection. The presence of these soldiers at the hospital was perceived negatively by some Afghans. Moreover, the Norwegian Embassy claimed that the military's endeavours at the hospital contradicted the political guidelines to separate civilian and military activities. To the extent that preparedness was deemed adequate and the security situation allowed it, Norwegian medical personnel trained Afghans at the hospital until a Macedonian medical team took over this activity for the PRT in 2009.

The Anaesthesiology project was continued at the hospital in Mazar-i-Sharif from 2008. The project had stronger support from the hospital management there and the presence of armed guards was not perceived to be as problematic as in Meymaneh.

In December 2009, in a joint request to the Ministry of Defence, the Ministry of Foreign Affairs and the Ministry of Health regarding continuation of the Anaesthesiology project, the secretary general of the Ministry of Defence wrote that the project had been a successful 'military by-product'. At the same time it was emphasised that 'it has no future as a military-backed project but must, if continued, be structured as development aid from the Norwegian health care system to the Afghan health care system.' Neither the Ministry of Foreign Affairs nor the Ministry of Health wished to continue the project, and it was concluded in 2012.

Sources: Message from Norwegian Armed Forces Joint Medical Services, 'Videreføring av Anestesiprosjektet ved Balkh Provincial Hospital og oppdatering Sykehusprosjektet i Maymaneh' [Continuing the Anaesthesiology Project at Balkh Provincial Hospital and updating the Hospital Project in Meymaneh], 10 February 2008; messages from Norwegian Embassy in Kabul, 'Afghanistan. Norwac og anestesiprosjektet. Vurdering', [Afghanistan. Norwegian Aid Committee and the Anaesthesiology project. Assessment], 4 December 2007; 'Sykehusprosjektet i Maimana og Anestesiprosjektet' [Hospital Project in Meymaneh and the Anaesthesiology project], date unknown; message from Ministry of Defence, 'Anestesiprosjekt i Afghanistan' [Anaesthesiology Project in Afghanistan], 8 December 2009; Gunhild Hoogensen Gjørv, 'An Evaluation of the Norwegian Civil–Military Anaesthesiology Project in Afghanistan, 2006-2012', *Septentrio Reports, 0 (3)*, 2016.

Ministry of Foreign Affairs had no prioritised development assistance activity in the province. However, the Finnish military contribution, which at this point was part of the Norwegian-led PRT, had funding for smaller-scale civilian projects. The PRT commander wanted Norwegian forces to have access to similar funding as well and applied to the Inspector General of the Norwegian army. The PRT command's request was approved and in 2005 and 2006 the PRT command disbursed roughly NOK 3 million (USD 480,000).[47] With this funding, the PRT contributed towards equipment for a hospital in Meymaneh (see Box 8.5), well drilling and the renovation of a local mosque. This kind of civilian project was in keeping with the conventional concept of counter-insurgency, in which civilian aid helps to build the civilian population's trust in the military forces. This was designed to provide protection for the military forces, as well as to support the Afghan central government according to ISAF's mandate (see Chapter 3).

In 2006 the newly appointed State Secretary Forum for Afghanistan visited the PRT.[48] This visit initiated a stronger emphasis on the civil–military division of tasks. The Ministry of Foreign Affairs discovered during the visit that, contrary to the political guidelines established by the Norwegian authorities early in the engagement (see Chapter 3), Norwegian forces had aid funding at their disposal. At the end of 2006 the armed forces therefore ceased disbursal of funding allocated to the military forces for civilian projects.[49] Nevertheless, projects carried out by the military continued even after 2006. Two examples of this are the upgrades to the hospital and the 'Anaesthesiology project' described in Box 8.4. These projects demonstrate that neither the civilian nor military actors found it easy to adhere fully to the civil–military separation in practice.

A turning point that led to an increased focus on security for the PRT was the attack on its compound on 7 February 2006. The PRT was located in a former bank building in central Meymaneh and was attacked by a large crowd of people. Six Norwegian soldiers were wounded. The attack came in the wake of the publication of caricature cartoons of the prophet Mohammed in the Danish newspaper *Jyllands-Posten*. Similar riots broke out in other cities in Afghanistan as well. Although the attack was not interpreted as a sign of a generally less stable security situation, it revealed that the PRT was not set up to deal with security threats of this type. After the attack on 'the Bank', security was given higher priority in the mission in Faryab.[50] In 2007 the PRT was moved out of the centre of Meymaneh to a more secure area near the airstrip, just outside of the city. The new camp introduced tighter security measures that widened the divide between the PRT and the general population.

Figure 8.6 The mob attack on 'the Bank', Norway's PRT base, in February 2006 revealed the site as unsuited to warding off security threats. In 2007 the PRT relocated from the centre to a more secure area outside Meymaneh.

Photo: Norwegian Armed Forces

The attack also raised questions about planning for medical staff capacity for the camp. The Norwegian armed forces had not originally planned for a medical contingent that could treat combat injuries. There had been a significant lack of medical personnel ever since Norway assumed command of the PRT. After the attack on 'the Bank', the General Surgeon of the Norwegian Defence Joint Medical Service openly criticised the medical situation for Norwegian forces stationed in northern Afghanistan.[51] The Ministry of

47 Using an exchange rate of 6.3 NOK to the US dollar. E-mail exchange with former PRT commanders, with heading 'Afghanistanutvalget' [The Norwegian Commission on Afghanistan], 25 January 2016.

48 Norwegian Embassy in Kabul, 'Virksomhetsplan for 2007' [Activity plan for 2007] and talk with Ministry of Foreign Affairs staff member, 22 January 2016.

49 Email exchange with former PRT commanders, with heading 'Afghanistanutvalget' [The Norwegian Commission on Afghanistan], 25 January 2016.

50 Ministry of Defence memorandum to Minister of Defence, 'Anbefaling på langsiktige tiltak for å bedre sikkerheten ved PRT Meymaneh' [Recommended long-term measures to improve security at PRT Meymaneh], 6 April 2006.

51 Roy Andersen, *Fra Grøtavær til Ghormach [From Grøtavær (village in Norway) to Ghormach]*, Lysaker: Dinamo, 2011, p. 180; see also Oma, 2014, p. 113ff.

Defence had great difficulty in recruiting surgeons for the PRT.[52] This was partly because Faryab was relatively calm at that time, with few combat injuries – a long deployment without relevant work was not desirable, as regular practice is necessary to maintain surgical expertise. The separation between civilian and military activities additionally led to a situation in which PRT commanders often did not permit camp surgeons to operate on locals in need. This was a task relegated only to civilian doctors. Thus, in the early years there was little relevant work for surgeons in the camp. Not until 2008 did the armed forces finally send the first medical helicopters and surgical teams.

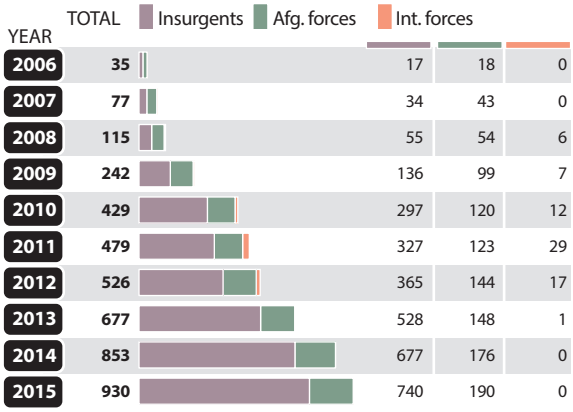
8.2.2 Second phase, 2007–2009: changes in PRT operational patterns

In 2006 and 2007 the security situation throughout Afghanistan worsened, particularly in the south, although the insurgency also intensified in Faryab. This entailed changes in the PRT's operational patterns. The military observation teams (MOTs) and larger units, later known as task units, typically sought out areas of unrest and more frequently came into armed contact with insurgents.[53] This resulted in a number of 'pinprick' operations, whereby forces would have to withdraw from an area only a short time after having overpowered insurgents there, due to insufficient resources. As soon as the forces withdrew, the insurgents would return.[54]

The PRT's limited military resources did not allow for an extensive presence in the province. This made it difficult to support Afghan authorities by keeping a growing insurgency under control. The absence of clear strategies and objectives from ISAF and the Norwegian authorities in this situation gave some PRT commanders the feeling of operating in a vacuum. In the attempt to manage an increasingly deteriorating security situation with scarce military resources, short pinprick operations were often considered the best method for exerting a certain degree of control over the insurgents.[55]

The security situation in Faryab 2006-2015

The number of security incidents increased steadily in the period from 2006, while the Norwegian forces were in the province. The increase continued after the Norwegian forces left in 2012. The overview of the security incidents include different kinds of attack from several actors in the conflic.



Source: International NGO Safety Office (INSO). INSO is a NGO that gathers information about security incidents from a range of sources in Afghanistan. The numbers are estimates.

Figure 8.7 The security situation in Faryab, 2006–2015

The district of Ghormach in the adjacent province Badghis was one of the turbulent areas in which, in the second half of 2007, Norwegian forces became involved in an increasing number of offensive operations. It was problematic that Ghormach was located in a different province, so an attempt was made to resolve this by incorporating Ghormach into Faryab. However, the positive impact that this yielded was short-lived.[56]

The operations in Ghormach were an attempt to quell the growing unrest in Faryab province, thought to originate in this district. Ghormach – poverty-stricken and mainly Pashtun – was left to itself in the otherwise Tajik-dominated province of Badghis. A stretch of Afghanistan's strategically important Ring Road passed through Ghormach and it was in the interests of the Afghan central authorities and ISAF to complete it. The district was also home to major smuggling routes northward into Central Asia.

The borders used by ISAF to delineate its regional commands and the PRTs within them followed the Afghan administrative borders. Ghormach, in Badghis, thus fell outside the Norwegian PRT's area of responsibility. However, the Span-

[52] Ministry of Defence memorandums to Minister of Defence, 'Infanteristyrke til PRT Meymaneh' [Infantry force to PRT Meymaneh], 28 January 2008 and 'Anbefaling på langsiktige tiltak for å bedre sikkerheten ved PRT Meymaneh' [Recommended long-term measures to improve security at PRT Meymaneh], 6 April 2006.

[53] Interview with armed forces member, 17 February 2016, Oma 2014, p. 138.

[54] Commission hearing, 19 October 2015.

[55] Commission hearings, 21 October, 19 November and 21 November 2015; Commission hearing, 28 January 2016.

[56] Ministry of Defence, 'Erfaringer fra norsk PRT-deltakelse i Afghanistan' [Experience gained from from Norway's PRT participation in Afghanistan], 8 October 2004.

ish-led PRT in Badghis, under ISAF Regional Command West (RC-W), was cut off from Ghormach by a mountain chain. The district was far more easily accessible from Faryab. Moreover, the Spanish PRT had not taken the initiative to address the situation in Ghormach.

In 2007 the Norwegian Intelligence Service and the Intelligence Battalion disagreed on what was causing the unrest in Ghormach.[57] The Intelligence Battalion believed that Taliban groups were active and operating from the district. The Intelligence Service interpreted the unrest at this time as an eruption of local conflicts in a district plagued by poverty, smuggling and other criminality. As the security situation worsened and the Taliban presence increased, the Intelligence Service also confirmed that the Taliban had come to the district. This interpretation was supported by independent sources, which since 2007 had identified the Taliban as on its way northward.[58]

In the course of 2007 and 2008, the Norwegian PRT carried out two major operations in Ghormach, both under Regional Command North and in cooperation with Afghan and US forces. The first operation was launched in the autumn of 2007 under ISAF command in cooperation with the Afghan National Army (ANA). The United Nations Assistance Mission In Afghanistan (UNAMA) and the provincial authorities also participated in the planning.[59] The operation was called Harekate Yolo II and involved nearly 2,000 soldiers, including MOT Navy[60] and roughly 150 soldiers of the army's 2nd Battalion, equipped with CV90 infantry fighting vehicles.[61]

Harekate Yolo II was an immediate military success. In the months following the operation, the local UNAMA office, in cooperation with the Norwegian Embassy in Kabul and the development aid organisation Agency for Technical Cooperation and Development (ACTED), carried out a field study in Ghormach, with the aim of providing development assistance in the area. The following winter, the World Food Programme (WFP) distributed emergency relief in the district.[62] On 1 April 2008 ACTED launched a one-year programme, with funding support from the Norwegian Ministry of Foreign Affairs, and priority areas were identified in cooperation with local authorities.

The positive effects of Harekate Yolo II were short-lived, however. The Afghan security forces that were meant to hold the area post-operation did not remain there. They were poorly organised and had minimal training and equipment. They were also prone to internal conflicts of interest and faltering loyalty to the central authorities. Many of the Afghan soldiers had no desire to risk their lives in a remote district in order to strengthen a central authority they felt did little for them. A number of Norwegian soldiers have since pointed to a variety of problems in carrying out operations in cooperation with Afghan forces, who were often poorly trained, did not show up for operations or disappeared in the middle of them. Many Norwegian soldiers found that involving local authorities and the Afghan military in the planning of operations led to information leaks to the Taliban or other insurgents.[63] This illustrates some of the dilemmas facing the Norwegian military in their efforts to support local authorities.

In the spring of 2008 the Ghormach district was again in turmoil. In May 2008 the Norwegian PRT carried out Operation Karez, with support from Afghan and other ISAF forces. This was the second major operation targeting insurgents and it had no long-term impact either. ACTED's civilian efforts had to be postponed for two months due to the operation, as ACTED did not wish to expose its personnel to the risk entailed in a military offensive.[64] ACTED later recommenced its work in Ghormach. In the summer of 2011 the situation in the district had become so difficult that

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57 Norwegian Intelligence Service presentation for Chief of Defence, 'Badghis & Faryab', 31 October 2008.

58 See e.g. Antonio Giustozzi, *Koran, Kalashnikov and Laptop – The Neo-Taliban Insurgency in Afghanistan*, New York: Columbia University Press, 2007.

59 Commission hearing, 19 December 2015.

60 Military Observer Teams (MOTs) were small patrols of six to eight soldiers assigned to collect information for PRT commanders by travelling around the province to observe and to speak with locals. They were not combat units and would have to request air support or other assistance from quick reaction forces if pinned down in difficult circumstances. MOT Navy comprised personnel from the Coastal Ranger Command and was formed in connection with Norway assuming command of the PRT Meymaneh in 2005.

61 Andersen, 2011, p. 174.

62 Egil Thorsås, 'Om sverd og skjold, militær-humanitær innsats og en verden på egne premisser – Debatten i Norge sett fra Faryab' [On the sword and shield, military-humanitarian efforts and a world on one's own terms – The debate in Norway as seen from Faryab], unpublished article based on experience in the PRT, 2008.

63 Commission hearing, 28 January 2016.

64 Commission hearing, 17 August and 14 December 2015; message from Norwegian Embassy in Kabul, 'Afghanistan. Oppdatering på sivile og militære forhold i Faryab og nord Afghanistan' [Afghanistan. Update on civilian and military conditions in Faryab and northern Afghanistan], 23 May 2008; Thorås, 2008.

Figure 8.8 Norwegian soldiers conversing with the local population. Expectations were often high as to what Norwegian forces could accomplish. Early in the engagement Norwegian forces drilled wells for local communities, but this kind of activity was stopped, because it violated the policy of separating military and civilian activities.

Photo: Per Arne Juvang/Norwegian Armed Forces

the NGO withdrew its staff and terminated the programme there.[65]

Managing a district outside its area of responsibility was a challenging task for the Norwegian forces. The Norwegians needed formal authorisation from both Regional Command North and Regional Command West whenever they crossed the border for any operations not initiated by the ISAF commander. This requirement also reduced ISAF's effectiveness, while making operations even easier for the insurgents to predict. Furthermore, the Norwegian PRT depended on the support of German quick reaction forces and German medical helicopters under Regional Command North. German forces were only permitted to operate outside the area of responsibility of Regional Command North *in extremis* (e.g. in cases of emergency).[66] German authorities did not wish to carry out operations in Ghormach, as they were concerned that it could lead to hostilities and thus exceed the restrictive mandate issued by the German Bundestag (Federal Diet) to German forces under ISAF.[67]

The border also posed an obstacle to Norwegian forces for the mentoring of, and joint operations with, Afghan forces.[68] Neither Regional Command West nor Regional Command North had taken the initiative to deal with the challenges in Ghormach. The Norwegian authorities thus saw a need to seek a solution themselves. One proposal was to move the provincial borders in order to incorporate Ghormach into Faryab province. This would put Ghormach within the Norwegian area of responsibility and change the Regional Command North area of responsibility without, it was hoped, causing major political repercussions in Germany.

The incorporation of Ghormach into Faryab was controversial and the decision-making process behind it is unclear. Documents from the Chief of Defence and Ministry of Defence that recommended incorporation attributed the initiative in 2008 to Afghan authorities without further specification.[69] The Commission has not been able to obtain further information about such an initiative. It is the understanding of the Commission that the provincial authorities were sceptical about the incorporation plans. Yet the governor of Faryab wished for something to be done with the district to prevent the further spread of unrest in his province.[70]

For Norway's part, efforts to incorporate Ghormach into Faryab began in the autumn of 2008, with the Ministry of Defence taking the lead in the process.

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65 Email from former head of ACTED Afghanistan, 18 November 2015.

66 Message from Ministry of Defence to its defence attaché in Berlin, 'Gjennomføring av operasjoner i grenseområdet mellom Faryab og Badghis provinser i Afghanistan – tyske begrensninger og norske synspunkter' [Conducting operations in the border area between Faryab and Badghis provinces in Afghanistan – German limitations and Norwegian viewpoints], 19 May 2008.

67 Memorandum from Ministry of Defence to Minister of Defence, 'Anbefaling av tiltak i forbindelse med mulig grensejustering mellom RCW og RCN' [Recommended measures regarding possible border adjustment between RCW and RCN], 3 November 2008.

68 Memorandum from Chief of Defence to Minister of Defence, 'Situasjonen i grenseområdet Ghowrmach – konsekvenser for PRT Meymaneh og nødvendige tiltak' [The situation in the border area of Ghormach – impacts on PRT Meymaneh and necessary measures], 7 November 2008.

69 Memorandum from Chief of Defence to Minister of Defence, 'Situasjonen i grenseområdet Ghowrmach – konsekvenser for PRT Meymaneh og nødvendige tiltak' [The situation in the border area of Ghormach – impacts on PRT Meymaneh and necessary measures], 7 November 2008; memorandum from Ministry of Defence II (second department, security policy) to Minister of Defence, 'Situasjonen i Grenseområdet Ghowrmach – utkast til innlegg i DUUK' [The situation in the border area of Ghormach – draft of presentation to the Enlarged Committee on Foreign Affairs], 27 November 2008; memorandum from Ministry of Defence II (security policy) to Minister of Defence, 'Situasjonen i grenseområdet i Ghowrmach – utkast til håndnotat til R-konferanse' [The situation in the border area of Ghormach – draft of minister's background notes for government conference], 28 November 2008.

70 Talk with a Ministry of Foreign Affairs staff member, 18 March 2016.

There appears to have been a consensus among Norwegian decision-makers that the problems in Ghormach could not be solved with short-term operations such as Harekate Yolo II and Karez. There was, however, disagreement within the Ministry of Defence and the armed forces as to which alternative was best. In a memorandum to the Minister of Defence in early November 2008, the Chief of Defence assessed three options. The first was the above-mentioned approach with offensive operations. The second was a 'passive approach' by allowing the situation to develop without the PRT intervening by crossing the provincial border. The third and preferred alternative, in the Chief of Defence's assessment, was an 'active approach' with a border adjustment and a more regular presence of Norwegian and Afghan forces.[71] Redrawing the border would permit the PRT to have forces consistently present in order to prevent a power vacuum for the insurgent elements to exploit. The Chief of Defence also pointed out the need for gaining the approval of German authorities for redrawing the border based on a military assessment. In her handwritten comments on the memorandum, the Minister of Defence stressed the memorandum's emphasis on ensuring that the situation in Ghormach did not end up as solely Norway's responsibility.[72]

As mentioned above, Germany was sceptical about changing the borders of Regional Command North.[73] The Ministry of Defence leadership and Norwegian diplomats in Berlin therefore tried to convince German authorities to approve an expansion. Only after the Norwegian Minister of Defence sent a letter to her German counterpart did Germany go along with the border realignment.[74] Things progressed quickly after that. On 27 November 2008, just one week later, President Karzai signed a decree that temporarily incorporated Ghormach into Faryab.[75] For President Karzai the political considerations were paramount: he had arranged for Ghormach to remain registered as an electoral district of Badghis, even though the administrative responsibility for it was assigned to Faryab. For Norway the border adjustment was also important from an Alliance perspective. It signalled that although the government declined to send forces into combat in the south (see Chapter 3), Norway was willing to tackle the growing challenges in the northern province where it had leadership responsibility.

In the winter of 2009 the PRT established a forward base in Ghormach, where both Norwegian and Afghan soldiers were stationed. Although (according to the Chief of Defence) the purpose of incorporating Ghormach into Faryab was not to carry out offensive operations, in 2009 and 2010 Norwegian forces engaged in fierce combat in the district. The incorporation did not improve the security situation in Faryab, which instead worsened over the following two years.

It is possible that the security situation would have deteriorated regardless of the PRT's new approach, not least due to the Taliban's increased level of activity in the area. It may also be argued that the incorporation of Ghormach into Faryab triggered a new escalation in the conflict. One Norwegian officer likened it to 'kicking an ant hill'.[76] In any case, the Norwegian assessment of the resources necessary to stabilise Ghormach was questionable. The Harekate Yolo II and Karez operations demonstrated that substantial military resources were needed to hold an area as turbulent as Ghormach. Neither Norwegian nor Afghan authorities could keep forces of that magnitude in the district for extended periods of time. Therefore, by taking on additional responsibility for Ghormach, the Norwegian authorities appear to have placed immediate security needs above realistic resource assessments.

8.2.3 Third phase, 2009–2012: mentoring and the arrival of US forces

From 2009 onward, in accordance with the guidelines from the 2008 NATO summit in Bucharest, the Norwegian forces concentrated most of their effort on training and mentoring Afghan forces.

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71 Memorandum from Chief of Defence to Minister of Defence, 'Situasjonen i grenseområdet Ghowrmach – konsekvenser for PRT Meymaneh og nødvendige tiltak' [The situation in the border area of Ghormach – impacts on PRT Meymaneh and necessary measures], 7 November 2008; Oma 2014, p. 125.

72 Memorandum from Chief of Defence to Minister of Defence, 'Situasjonen i grenseområdet Ghowrmach – konsekvenser for PRT Meymaneh og nødvendige tiltak' [The situation in the border area of Ghormach – impacts on PRT Meymaneh and necessary measures], 7 November 2008.

73 Ibid.

74 Memorandum from Ministry of Defence II (security policy) to Minister of Defence, 'Situasjonen i Grenseområdet Ghowrmach – utkast til brev til Tysklands forsvarsminister' [The situation in the border area of Ghormach – draft of letter to German defence minister], 20 November 2008.

75 Document laying down Faryab's temporary incorporation of Ghormach, from Independent Directorate of Local Governance (IDLG) to Office of the President, dated 25 August 1387 (2008).

76 Commission hearings, 17 and 18 June 2015.

Box 8.5 Operations in Ortepah valley

The operations carried out in Ortepah valley are not well known, but illustrate some of the dilemmas Norwegian forces faced in Faryab and the potential repercussions for the local inhabitants. If international forces did not have the resources to hold an area and thus had to withdraw, the insurgents would always return. This was a major burden on the population.

Ortepah, north of Meymaneh, is a valley that includes a main transport route near the Ring Road used by, among others, smugglers. Whoever controlled this elongated valley would also, in practice, control the stretch of the Ring Road that ran past the PRT camp. While the Norwegian PRT was expending its resources in Ghormach, the Taliban gradually took control of Ortepah valley, particularly in the upper, poorest regions where Pashtuns lived.

In 2011 the threat emanating from this valley became more pressing for the PRT, which decided, in consultation with local Afghan authorities, to enter the valley and drive out the insurgents. A short while after Afghan and Norwegian forces withdrew from the area, however, the Taliban returned and beheaded village leaders they claimed had cooperated with the forces. After repeated follow-up operations in the valley, Afghan forces and the PRT convinced local tribal leaders to sign an agreement to support the local authorities. Pivotal to this was the establishment of an Afghan Local Police (ALP) unit. Norwegian forces had to ask US colleagues to contribute funds to the ALP to help secure this loyalty and to assist in the training of the local force. The ALP and its supporters were subjected to a number of attacks in the period that followed, particularly when the PRT or the US did not have forces present in the valley, resulting in significant loss of Afghan lives.

This was part of ISAF plans to hand over responsibility for national security to Afghan authorities and security forces by the end of 2014. After first having emphasised stabilisation and reconstruction, and then counter-insurgency, the PRTs were now to contribute to the transfer of responsibility for security to Afghan forces. The main instruments for this mentoring effort were the Operational Mentoring and Liaison Teams (OMLTs), which comprised military personnel who were to teach and train Afghan soldiers. Building up the capability of the Afghan authorities to safeguard their country's security was the uppermost aim in this phase of transition.

Although the training of Afghan security forces had been stipulated in the Bonn Agreement, neither European nor US forces had conducted much since 2003. It had also taken a long time to recruit enough soldiers into the Afghan army to warrant the implementation of a nationwide training programme. Only when the US announced the withdrawal of its forces did the process of mentoring and building up Afghan security forces really gain momentum.

Once the date was set for the withdrawal of US forces, it meant that many Afghan recruits would have to be trained within a short time span. The dropout rate among recruits was high. Many people expressed concerns about the quality of an Afghan army characterised by illiteracy, ethnic tensions, shifting loyalties to authorities and a very brief training period. When some international (though not Norwegian) mentors were killed by Afghan soldiers, it further eroded the international soldiers' trust in the forces they were meant to build up.[77] Other challenges, such as corruption and politicisation of the Afghan forces, also had to be addressed in building up a functioning army.

Although NATO had drawn up a joint framework for mentoring, in practice each ISAF country had free rein.[78] While the Norwegian authorities had deployed a mentoring team to Kabul as early as 2006, they did not deploy one to Faryab until January 2009. This unit of roughly 50 persons was sent to train an Afghan infantry battalion. The mentoring team was initially based out-

77 Commission hearing, 25 January 2016.

78 Vegard Valther Hansen, Helge Lurås and Trine Nikolaisen, *Etter Beste Evne – om Forsvaret og deres afghanske partnere*, [*To the best of their abilities – on Norway's armed forces and their Afghan partners*] NUPI, 2012, p. 10; memorandum from Ministry of Defence to Minister of Defence, 'Forberedelser i forbindelse med OMLT-bidrag [Preparations regarding OMLT contribution], 25 September 2008; 'Disponering av personell til OMLT' [Allocation of personnel to OMLT], 30 March 2008; internal memorandum to Chief of Defence, 'Økt støtte til trening av Afghan National Army' [Increased support for training of Afghan National Army], 26 June 2007 and memorandum from Chief of Defence to Minister of Defence, 'NATOs operasjonskonsept for OMLT' [NATO operational concept for OMLT], 25 September 2008.

Box 8.6 Effort to promote gender equality

The Norwegian military forces were subject to guidelines issued by both the UN and NATO on how to deal with issues relating to women, peace and security in international operations. In 2006 the Norwegian authorities presented an action plan for following up UN Security Council Resolution 1325 on Women, Peace and Security (and subsequent resolutions). The implementation of UN Security Council Resolution 1325 and subsequent resolutions was also a crucial part of the Faryab strategy. Resolution 1325 takes as its point of departure the fact that war and conflict affect women, men, boys and girls differently, and that women's experiences and contributions to conflict resolution are largely overlooked.

Initially, the government's action plan was not included in the PRT's activities when Norway led the unit. Implementation varied and was often dependent on the individuals responsible. In practice the PRT only had contact with Afghan men. Afghan women were not consulted or involved. This also applied to women in official positions and in elected bodies. Nor were gender perspectives included in the planning and reporting system. The PRT's first gender adviser was appointed in 2008 and they divided their time equally with being an analyst. In contrast, Swedish forces had their own gender advisers in Afghanistan from the very beginning of their engagement. Over time they also assembled gender-balanced teams before they were deployed.

From autumn 2008 to spring 2009, a group of Norwegian female soldiers formed a network among women in Meymaneh. This network was discontinued in the subsequent contingents, in part because they lacked female staff. In 2010 the PRT leadership criticised the lack of gender expertise within the PRT. The leadership believed that Norwegian forces were not adequately organised to achieve the Norwegian political objective of focusing on women, peace and security in all international engagement efforts. Therefore, the PRT commander asked the Norwegian armed forces to establish a 'female engagement team' (FET team), which ISAF used in other PRTs to, among other things, gather information and establish contact with women in the local population. These teams have had mixed experiences.

Some of the military gender advisers developed their own networks among female members of *shuras* in the province and helped to organise meetings for these women. However, many of the female soldiers who were asked to participate in the FET teams felt that they had been recruited because of their gender and not their ability to carry out gender activities. The women felt that they lacked knowledge about gender efforts and that the performance targets were unclear. In addition, many noted that the policy of clear separation between civilian and military activities did not allow Norwegian gender advisers to implement many activities targeted towards the civilian population. However, some advisers helped to establish a market outside the PRT camp to sell products made by local women and to launch local women's networks.

Gender advisers and FET teams were new to Norwegian forces in Afghanistan. As a result, their efforts were often ineffective and dependent on the individuals involved. An important lesson is that gender advisers alone do not achieve much without a broad-based planning effort and concrete guidelines on how to follow up UN Security Resolution 1325 on Women, Peace and Security in the field. Gender efforts in operations must be incorporated into the strategic focus of the entire organisation and should be carefully planned prior to deployment.

Sources: Birgith Andreassen, Synne Holan and Bjørg Skotnes, 'The Norwegian PRT in Meymaneh», in Louise Olsson and Johan Tejpar (eds.), *Operational Effectiveness and UN Resolution 1325 – Practices and Lessons from Afghanistan, May 2009, pp.* 95–96; Cecilie Fleming, 'Genderrådgivere i militære operasjoner' [Gender advisers in military operations] in Anita Scholseth (ed.) *Gender i Forsvaret – fra teori til praksis* [Gender in the Norwegian Armed Forces – from theory to practice], Oslo: Abstrakt forlag, 2014, pp. 236–240; Sippi Azerbaijani-Moghaddam, *Seeking out their Afghan Sisters: Female Engagement Teams in Afghanistan*, CMI, 2014; Commission hearing, 21 October 2015; interview with Swedish gender researcher, 7 April 2016, and the Ministry of Foreign Affairs, *Regjeringens handlingsplan for gjennomføring av FNs Sikkerhetsresolusjon 1325 (2000) om kvinner, fred og sikkerhet* [The government's action plan for implementing United Nations Security Council Resolution 1325 (2000) on Women, Peace and Security], March 2006, and subsequent action plans.

Figure 8.9 The national Ring Road (now known as Highway 1) is over 2,000 km long and connects Afghanistan's principal cities. Ensuring security for completion of the stretch through Faryab (and Ghormach) was a key task of the PRT.

Photo: Lars Magne Hovtun/Norwegian Armed Forces

Figure 8.10 Norwegian police effort in Faryab: the security situation made it difficult for Norwegian police officers to move about in the province in order to train the Afghan police force. Here, a police-mentoring team is on its way to the Pashtun Kot district.

Photo: Torbjørn Kjosvold/Norwegian Armed Forces

side the PRT camp in Camp Griffin, which was under US command, but after four rotations the unit merged with PRT Meymaneh in December 2010. The Norwegian mentoring teams accompanied Afghan forces, trained them and fought alongside them.[79]

During mentoring, Norwegian forces encountered more challenges. First, the Afghan National Army (ANA) and ISAF did not have a common understanding of the enemy. Many ANA officers wished to prepare for conventional warfare, while ISAF focused on counter-insurgency.[80] Second, Western military planning was not necessarily suitable for the Afghan approach to warfare. Third, it was difficult to recruit skilled interpreters to accompany international forces engaging in combat.

The OMLTs nevertheless appear to have been better prepared than other forces for the level of complexity of local power structures, even down to the district level, and how to deal with an army and police force that in various ways might be involved in these conflicts.[81] The Norwegian OMLTs engaged in combat alongside the ANA in order to bond with them and improve their combat skills. Even under better conditions, the training time would have been too short to have an appreciable effect.[82]

In 2010 nearly 1,000 US soldiers came to Faryab, many of them stationed at the Norwegian PRT camp.[83] This measure was taken primarily due to US concerns that the Ring Road through the Ghormach district had not been completed. For years the Norwegian PRT and Norwegian diplomats had been stressing to the ISAF commander (COMISAF) that the continued destabilisation of northern Afghanistan, including Faryab, could have serious consequences for the rest of the country.[84] As the most fierce combat had for a long time been in the south, COMISAF had put little focus on northern Afghanistan until the security situation there became very serious. Upon their arrival in 2010, US forces took main responsibility for the Ghormach district and conducted a more comprehensive offensive military campaign against the insurgents in Faryab province than the Norwegians had. The Ring Road was completed, but the security situation continued to deteriorate after more US forces deployed to Faryab.

There was no policy of separating aid activity and military activity in US strategy. USAID, the US government aid agency, planned and carried out projects in close collaboration with US forces. Although Norwegian PRT commanders had no

79 See e.g. report on experiences in Ferdaball (Armed forces lessons learned database), 'Norwegian Operational Mentoring and Liaison Team 3', 21 June 2010.

80 Hansen, Lurås and Nikolaisen, 2012, p. 11.

81 Commision hearings, 25 January and 17 February 2016 and Oma, 2014, p. 134.

82 Hansen, Lurås and Nikolaisen, 2012, p. 12–13.

83 Memorandum from Ministry of Defence to Minister of Defence, 'Amerikanske og afghanske styrkeoppbygging i nord-Afghanistan' [Buildup of US and Afghan forces in northern Afghanistan], 20 January 2010.

84 Commision hearing, 18 March 2016.

power to decide how US aid funds would be used, they could identify, in consultation with USAID and US military personnel, where they found there was a need for development aid.[85] At times, US funds were used to pay village leaders to support the local authorities and keep the insurgents away. This can be perceived as paid protection, including of Norwegian forces. One example includes the negotiations with the local community of Ortepah valley as described in Box 8.5.[86] Latvia also carried out small Civil–Military Cooperation (CIMIC) projects to enhance logistic security and reduce direct threats to the force through trust-building activities (see Chapter 4).

8.3 The civilian effort

Given the prevailing conditions it was extremely difficult to strengthen the Afghan central government's control in the province. To the extent that opportunities to take independent action existed, these were not fully exploited.

As previously mentioned, the Norwegian Ministry of Foreign Affairs was sceptical from the outset about prioritising aid to Faryab province to the detriment of other provinces. The main purpose of Norwegian development assistance was to help to build a unified Afghan state. If the aid was distributed unevenly among the provinces based on military presence, there was a risk of further fragmentation of the central government.[87] The Norwegian authorities had warned of this as early as 2005. At the same time, the local population and the local authorities in Faryab expected the presence of the PRT to stimulate development. Therefore, the Norwegian authorities decided in 2006 to channel more aid to the province. To maintain the principle of a national or central distribution of aid, the Norwegian authorities decided in 2009 that only a maximum of twenty per cent of the total Norwegian development aid could go directly to the province. The remainder would be distributed via channels targeting national programmes. The Norwegian authorities employed this strategy in an attempt to prevent security considerations from unduly influencing the development effort. The total volume of aid allocated to Faryab was nonetheless sizeable: more than NOK one billion (USD 160 million) went to the civilian effort in the province in 2001–2014.

The Norwegian authorities did not have a government aid agency that could carry out development activities in Faryab like the UK had through its Department for International Development (DFID). In 2004 the Norwegian Agency for Development Cooperation (Norad) was restructured as an advisory agency, and the Ministry of Foreign Affairs itself became responsible for conducting these efforts. As mentioned in Chapter 6, the Ministry's administrative capacity was generally limited. In addition, only a few aid organisations were established in Faryab when Norway decided to assume leadership of the PRT. Therefore, the Ministry of Defence stated early on that it was necessary to mobilise Norwegian NGOs to provide a strong civilian presence that could assist Afghan local authorities.[88] The Ministry of Foreign Affairs earmarked funding for projects in Faryab, among other measures, to encourage NGOs to begin activities in the province.[89] In 2010 Norwegian authorities supported four different international NGOs: the Agency for Technical Cooperation and Development (ACTED), Norwegian Church Aid, the Norwegian Refugee Council and the Danish Committee for Aid to Afghan Refugees (DACAAR). Combined, these organisations were to implement measures, particularly in the areas of education and rural development, in the fifteen districts of Faryab province.[90] These NGOs relocated projects and resources to Faryab because the Norwegian authorities wanted more aid there, not because the organisations had previously identified particular needs in Faryab.[91] In this way, security policy, through the PRT structure, influenced the NGOs' choice of priority areas. A large number of other international and Afghan NGOs had projects in Faryab as well.[92]

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85 Commission hearings, 28 August and 28 October 2015; message from Norwegian Embassy in Kabul, 'Amerikansk nærvær i Faryab' [US presence in Faryab], 30 August 2010.

86 Commission hearing, 17 February 2016.

87 Norwegian Embassy in Kabul, *Virksomhetsplan for 2007, ambassaden i Kabul* [Activity plan for 2007, Norwegian Embassy in Kabul], date unknown.

88 Memorandum from the Ministry of Defence to the State Secretary, 'Sivil innsats i norsk-ledet PRT i Meymaneh' [Civilian effort in Norwegian-led PRT in Meymaneh], 20 December 2004; internal memorandum in the Minstry of Defence, 'Erfaringer fra norsk PRT-deltakelse i Afghanistan' [Experiences from Norway's PRT participation in Afghanistan], 8 October 2004.

89 Commission hearings, 19 and 20 October 2015.

90 Email from a staff member of the Ministry of Foreign Affairs, 'Afghanistan – tilgang til oversikt bistandsprosjekt i Faryab' [Afghanistan – access to overview of aid project in Faryab], 17 March 2016.

91 Commission hearings, 19 October and 14 December 2015.

92 National Area Based Development Program, 'Faryab Provincial Profile', Afghan Ministry of Rural Rehabilitation and Development, 2012.

The Norwegian authorities devoted special attention to education in Faryab. The number of school buildings in the province rose from 197 in 2003 to 458 in 2014. Of these, 117 were built with funding from Norway. Construction of schools was coordinated with the Afghan Ministry of Education, which in cooperation with local authorities mapped out the need for school buildings in the province. On behalf of the Commission, the NGO Integrity Watch Afghanistan (IWA) surveyed the 117 schools built with Norwegian funding. The IWA had access to 77 of the 117 schools located in thirteen different districts in Faryab.[93] The survey shows positive results for those schools visited. Most of them are being used and have qualified teachers. At the same time however, the inability to access almost 40 per cent of the schools shows how difficult it is to follow up aid projects in conflict areas such as Faryab. Nor has it been possible to obtain reliable indicators of the quality of the education provided. An overview of the most important findings from the survey are shown in Box 8.7.

8.3.1 Development aid and the political economy in Faryab

Development aid affects the local political economy, influences the existing balance of power and runs the risk of generating new lines of conflict.[94] This is described in more detail in Chapter 7. This was also clearly evident in Faryab.

In 2010, when Norwegian intelligence described why the Pashtuns in Ghormach attacked Norwegian forces, the analysts highlighted three reasons: the Pashtuns gained legitimacy by fighting an invading force; they wanted to protect the smuggling routes; and they believed that the Afghan state, which the Norwegian authorities were helping to build at the provincial level, favoured the Uzbek and Tajik groups.[95] Accusations that some districts were being given preference over others were commonplace in Faryab. Both NGOs and the civilian advisers in the PRT were contacted by local powerbrokers who demanded more aid for 'their' respective districts.[96] About one-third of the Norwegian aid allocated to Faryab went to the districts with the greatest unrest.[97] One of these, Ghormach, was populated mainly by Pashtuns. The Norwegian authorities sought to address the criticism lodged by the Pashtuns in Faryab by channelling money to these areas. At the same time, it could be claimed that political adjustments to aid in this way gave preference to turbulent districts over stable ones. If the aid was not well controlled and managed, the money could become another cause of conflict, as described above.[98] It was precisely this kind of security-driven aid effort that Norway was trying to avoid. If Norway did not support the Pashtun areas because there was unrest there, the Ministry of Foreign Affairs could be accused of 'punishing' the Pashtuns and prioritising support for an Uzbek power elite in the province. Thus, the Norwegian authorities risked taking a wrong step whether or not they supported turbulent Pashtun areas. In-depth knowledge of local power constellations and broad-based local networks can make it easier to manage this type of dilemma in development aid efforts (see Chapter 7).

The Norwegian Embassy in Kabul was aware of these problems.[99] Using NGOs as partners to implement aid projects was an attempt to adapt the aid to the changing political realities on the ground. One reason that some NGOs succeeded in implementing projects and programmes in an otherwise increasingly turbulent province was precisely their knowledge of the political economy and how to handle local conflicts. In addition, networks and negotiations gave organisations such as ACTED access to unstable districts such as Ghormach. However, this access had to be continually renegotiated in light of new lines of conflict and local changes.[100] This approach could promote local development at the district level, but not always loyalty to the local authorities in Meymaneh or the government in Kabul.

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93 Integrity Watch Afghanistan, *Faryab School Survey for the Norwegian Commission on Afghanistan*, May 2016.

94 Mats Berdal and Dominik Zaum (eds.), *Political Economy of Statebuilding,* London, Routledge, 2013.

95 Report from Norwegian Intelligence Service 'Etterretningsrapport Afghanistan – Samlerapport Ghowrmach', [Intelligence report Afghanistan – Compilation of reports on Ghormach], 11 February 2010.

96 Commission hearings, 11 August and 21 October 2015.

97 Email from an MFA employee, *Oversikt over prosjekter i Faryab frem til 2012* ('Overview of projects in Faryab up to 2012'), 4 January 2016.

98 Paul Fishstein and Andrew Wilder, *Winning Hearts and Minds? Examining the Relationship between Aid and Security in Afghanistan*, Feinstein International Centre: Tufts University, January 2012; and related publications.

99 Report from the Norwegian Embassy in Kabul, *Afghanistan. Utrygghetens drivkrefter – forskningsfokus på Faryab* [Afghanistan. Driving forces underlying insecurity – research focus on Faryab], 12 September 2011.

100 Commission hearing, 9 December 2015.

Box 8.7 Survey of schools in Faryab

In April 2016 Integrity Watch Afghanistan (IWA) visited 77 of the 117 schools built with Norwegian funding in Faryab. The other 40 schools were inaccessible due to the security situation. During the visits IWA observed the condition of the school buildings and the activities conducted there. The organisation also interviewed the teachers and villagers about the situation of the schools in the area.

Ten of the 77 schools were not being used. In one of the villages, however, pupils were being taught in accordance with the authorities' educational plan, while there was no teaching at all in the other nine. Insufficient security was given as the reason why most of the schools were closed. In two villages the reason given was a lack of interest in education. One school had been destroyed by flooding. The administrators at thirteen of the open schools feared that their schools would be closed if the security situation deteriorated. Similar but not readily comparable studies conducted by IWA for US authorities (Special Inspector General for Afghanistan Reconstruction, SIGAR) support the suggestion that security is the most important factor determining whether schools are open or not.

The Norwegian authorities placed special emphasis on the education of girls. This is reflected in the fact that 38 of the 77 schools visited were girls-only schools. The remainder were boys-only schools or co-educational schools in which girls and boys were taught in shifts. A total of 32,400 girls and 17,447 boys were registered at the schools surveyed. Five to ten per cent of the pupils do not attend school on a regular basis. In addition it was reported that many school-age children do not attend school at all. Representatives in the respective school districts estimated that this applied to a total of almost 9,000 girls and more than 6,000 boys. The poor financial situation of the families was the main cause of absence among girls as well as boys.

Although many parents choose not to send their children to school, the interest in education in Faryab is growing. This is creating challenges for the educational authorities with regard to capacity. At 35 per cent of the schools, instruction was also given outdoors or in tents due to a lack of classrooms. Too few textbooks and teaching materials were a general problem.

It is difficult to assess educational quality without testing the pupils' level of knowledge. Although this fell outside its scope, the study has examined factors of importance for quality. One of these is the educational level of the teachers. The schools studied report that over 80 per cent of the more than 1,300 teachers have had teacher training or a university education. However, half of the schools say that they do not have enough teachers. Female teachers are essential if girls are to attend school. Ninety per cent of the teachers are women at the girls' schools in the city of Meymaneh. In the districts, 77 per cent of the teachers at the girls' schools are women. Both the qualifications of the teachers and the percentage of female teachers in the districts are well above the national average. One reason for this seemingly high average may be that, in most of the districts, IWA only had access to the district centres. It is generally much more difficult to obtain qualified, female teachers in the villages that lie farther from the district centres.

Figure 8.11 Satara Girls High School in Meymaneh is the most well-known of the schools built with Norwegian funding. A total of 2,650 girls are taught by 124 well-educated teachers. The school is known for the large number of its pupils who pass the university admission test.

Source: Integrity Watch Afghanistan

Another quality indicator is the follow-up of the schools by educational authorities. Two-thirds of the schools report that they have regular contact with the authorities. In all of the school districts where schools are in operation, the population has a positive attitude towards schools. In addition, 60 per cent of the schools have established parents' associations that support the school's operation, maintenance and security.

Qadir's school

One of the villages surveyed by IWA is controlled by the warlord Qadir. To enter the village IWA staff members had to convince Qadir's soldiers at an illegal checkpoint that they were there to visit relatives. The school building is in good condition, but has never been used for classes; instead, Qadir uses it as his private warehouse. According to the villagers, Qadir is not interested in education, although they claim it is common knowledge that five of Qadir's sons regularly receive a salary as teachers from the Ministry of Education in Meymaneh. Qadir has close ties with representatives of the central authorities in many provinces, which is why nobody in the village dares to stand up to him.

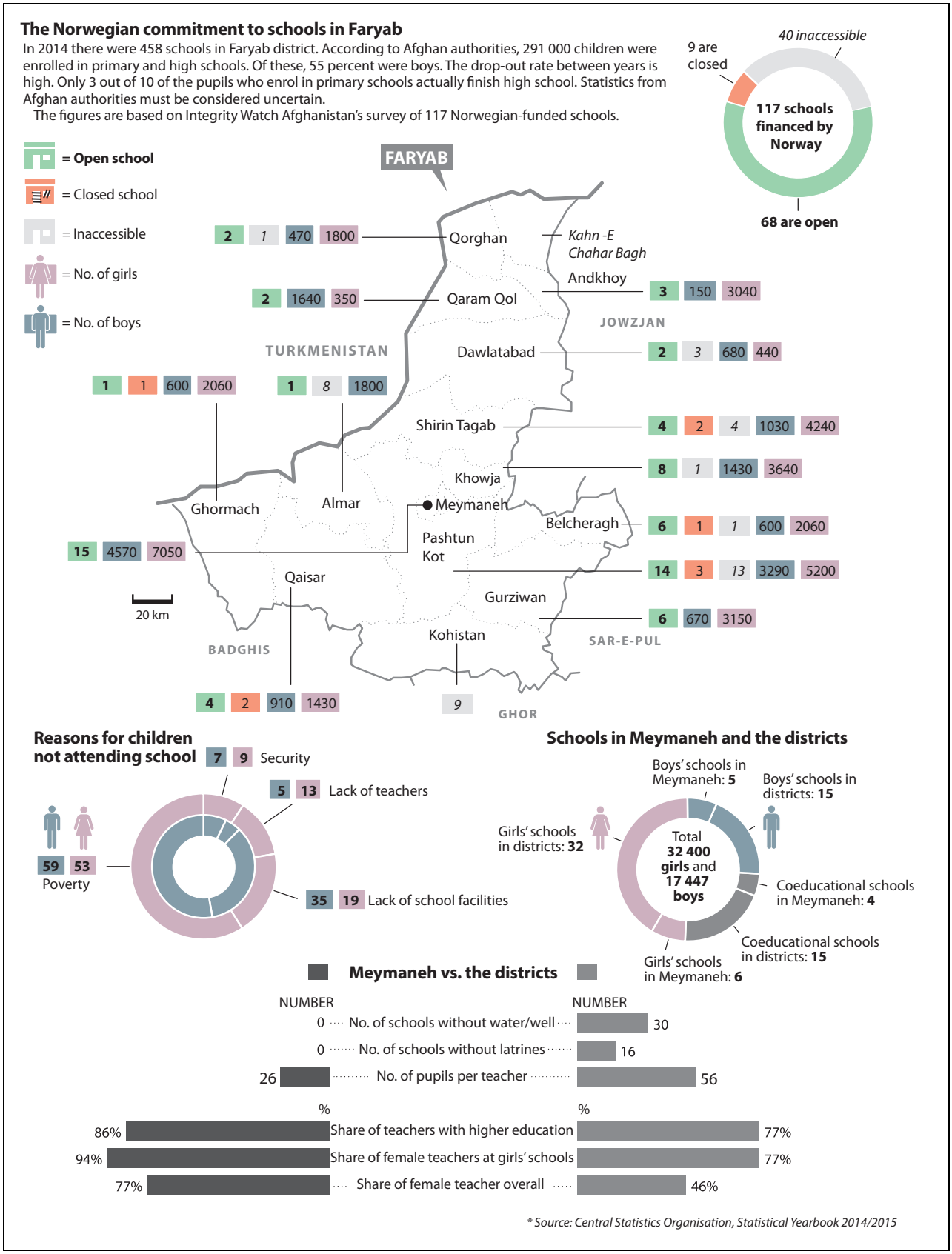


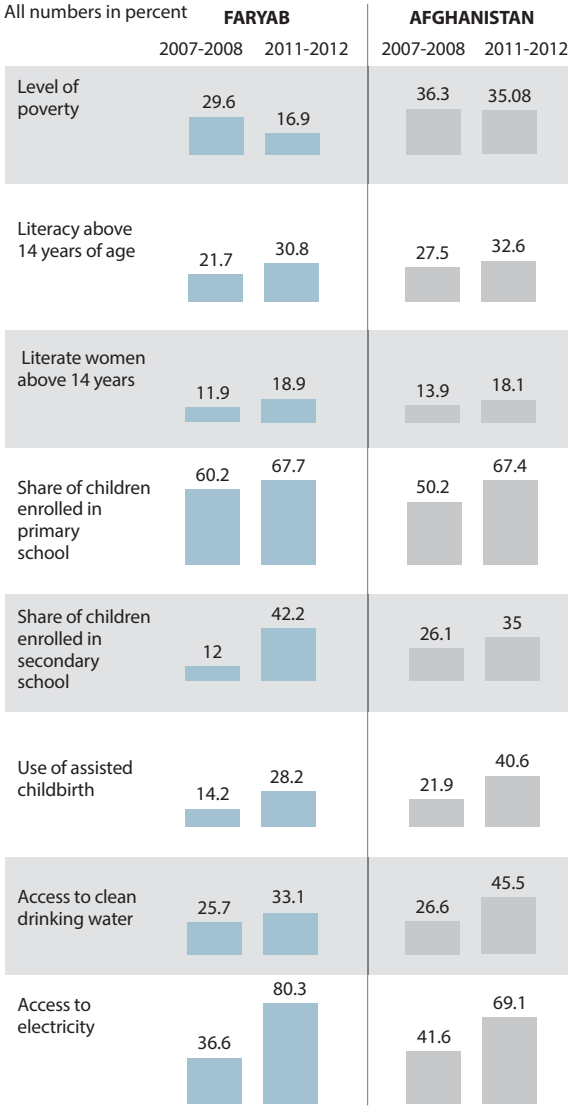
Figure 8.12 The Norwegian school effort in Faryab has been carried out primarily through the Education Quality Improvement Programme (EQUIP). Almost 80 per cent of the schools are built by Afghan authorities and the remaining 28 schools by the NGOs the Norwegian Refugee Council (NRC), ACTED and Danish Assistance to Afghan Rehabilitation and Technical Training (DAARTT). All except ten of the schools were completed between 2007 and 2010. Today all the schools are operated by the Afghan Ministry of Education in Faryab.

8.3.2 Support for local governance

The use of NGOs conflicted to some extent with the principle of Afghan national ownership. The initial objective of the Norwegian Ministry of Foreign Affairs was to strengthen the local authorities so that they could deliver services to their own population. However, this objective proved difficult to achieve in the short term. For one thing, budget allocations and priority-setting for the provinces were carried out by the respective ministries in Kabul. Thus, in order to solidify and ensure long-term service delivery, it was necessary above all else to strengthen the central administration in Kabul and enhance communication between the central and local authorities. In practice Faryab was a small item in the central authorities' budgets, and communication between the provincial authorities in Faryab and Kabul was poor. Furthermore, the provincial authorities were generally weak. They had little authority in the districts and corruption permeated all sectors of Afghan institutions.[101] Finally, many actors in the local official structures were also important local powerbrokers who looked after their own interests. Although UNAMA's office in the province at times had good leadership and close contact with Norwegian personnel, it was poorly staffed and had limited opportunity to play a coordination role or provide support to the local authorities.[102]

As a result, Norwegian authorities had to rely largely on NGOs to help them implement projects in the province. They understood that, in doing so, they were also helping to create structures that were parallel to those of existing local authorities and traditional civil society. However, the thinking was that Afghan authorities would over time assume responsibility for the services provided by the NGOs. Norwegian authorities set a requirement that NGOs receiving Norwegian funding had to cooperate with local authorities and follow national development plans. It was also not uncommon that Afghan authorities themselves, at both central and local levels, used NGOs to deliver services to the population.

Thus, it was the development aid organisations, not the provincial authorities, that were seen as being the most important providers of social services to the local population. The Norwegian Embassy tried to address this problem, in part by proposing a more formalised collaboration between the provincial authorities and the aid organisations. The purpose was to make the



Source: World Bank, «Provincial Briefs», June 2015. The numbers are based on household surveys (National Risk and Vulnerability Survey). In 2011 the sample was 20,000 households nationally including 600 in Faryab. The 2007 sample was over 30,000 households but the source does not specify how many per province.

Figure 8.13 Socioeconomic development is uneven within the provinces and at the national level. The indicators in Faryab showed an improvement.

[101] Commission hearings, 28 August and 28 October 2015; report from the Ministry of Foreign Affairs, 'Sivil innsats i norsk ledet PRT i Meymaneh' [Civilian effort in Norwegian-led PRT in Meymaneh], 20 December 2004; report from the Norwegian Embassy in Kabul, 'FN. Afghanistan. Evaluering av UNAMA. Nordisk møte' [UN. Afghanistan. Evaluation of UNAMA. Nordic meeting], February 2008.

[102] Commission hearings, 17 August 2015; Ministry of Foreign Affairs, 'Rapport fra besøk av prosjektgruppa for Faryab-strategi: 9.-10. desember 2008' [Report from the visit by the project group for the Faryab strategy: 9 –10 December 2008], 19 December 2008.

authorities and organisations more accountable, and thereby give the Norwegian Embassy a more formal platform from which to insist that neither the authorities nor the organisations were to give preferential treatment to specific groups in the province.[103] However, the relationship between local authorities and the NGOs was tense at times. In 2011 the provincial governor of Faryab contacted the Norwegian Embassy with a complaint that Norwegian-funded NGOs were not cooperating as they should with the local authorities. The Embassy reacted quickly by requiring all projects to be coordinated with local authorities and budgets to be made available for inspection.[104] The organisations met these requirements, but it is unclear how much this improved the relationship between local authorities and NGOs in practice.

In addition, the Norwegian authorities tried in other ways to strengthen the local authorities in the province. As one example, the Ministry of Foreign Affairs provided funding for parts of the United Nations Development Programme's (UNDP) *Afghanistan Subnational Governance Programme* (ASGP) in Faryab. The aim of the programme was to develop expertise among the staff in local government structures, but it was used instead to promote the self-interest of individual actors. Consequently, this attempt to strengthen local governance helped to establish a parallel structure that served some Afghan decision-makers. The UNDP also had problems recruiting skilled staff to work in the provinces, which made local capacity-building difficult (see also Chapter 7).[105]

Other countries, such as the UK and the Netherlands, tried to strengthen the local authorities in the provinces where they worked by seconding national experts to the local government administrations. Norway did not do this in Faryab for several reasons.[106] Norwegian authorities gave priority to multilateral over bilateral efforts and left this type of development of expertise up to the 'implementing partners' (e.g. the UN or World Bank). Moreover, it was difficult to recruit competent workers to carry out this kind of activity, which can be time-consuming and dangerous. It is also uncertain whether Western consultants in the official Afghan structures helped to strengthen national authorities or instead helped to create new parallel management structures comprised of elite bureaucrats whose salary was paid by international donors (see Chapter 6).

In 2011 the Norwegian authorities tried to bolster the legitimacy of the local authorities among the population through an initiative to establish dialogue between religious leaders and provincial authorities.[107] The initiative came in the wake of discussions between the Norwegian Embassy in Kabul and the office of the NATO Senior Civilian Representative, which together established a working group that was tasked with enacting a 'political surge' at the provincial level. It was based on a previous initiative by the then Afghan Minister of Education Haneef Atmar and the aim was to enhance the position of local authorities in their own provinces. In particular, the Embassy identified conflicts between religious leaders and the provincial authorities as sources of unrest. Afghan authorities were to take the lead, but Norway, as a key donor to the province, was to provide assistance in facilitating religious dialogue and training in communication for government employees. Support for *madrasas* (religious schools) was among the proposed measures. The Afghan authorities hoped that, by building local, relatively liberal *madrasas*, they could prevent parents from sending their children to more radical *madrasas* in Pakistan. However, the project was not launched before the PRT was disbanded and subsequently abandoned.

Many governors were not enthusiastic about projects of this nature. In particular, they wanted more large-scale, high-profile infrastructure pro-

[103] Report from the Norwegian Embassy in Kabul to the Ministry of Foreign Affairs, 'Bistandsutfordringer i Faryab – felles forståelse' [Development aid challenges in Faryab – a common understanding], 25 October 2010.

[104] Report from the Norwegian Embassy in Kabul 'Development activities in Farayb – letter from the Governor', 14 February 2011; 'Brev fra Guvernør Shafaq om den norske sivile innsatsen i Faryab' [Letter from Governor Shafaq regarding the Norwegian civilian effort in Faryab], 13 February 2011.

[105] Report from the Norwegian Embassy in Kabul, 'Afghanistan. Møte i UNDP om lokalt styresett – ASGP/IDLG' [Afghanistan. Meeting in the UNDP regarding local governance – ASGP/IDLG], 9 December 2009; 'Afghanistan – status for arbeid med lokalt styresett' [Afghanistan – status of efforts on local governance], 31 January 2012; Ecorys, *Evaluation of Norwegian Development Cooperation with Afghanistan 2001 – 2011*, Norad, June 2012, p. 118.

[106] Commission hearings, 20 October, 28 October and 19 December 2015.

[107] Reports from the Norwegian Embassy in Kabul, 'Afghanistan. Brobyggingsstrategien – oppfølgingsmøte med provinsguvernør Shafaq i Faryab' [Afghanistan. Bridge-building strategy - follow-up meeting with the provincial governor Shafaq in Faryab], 9 June 2011 and 'Afghanistan. Brobyggingsstrategi for Faryab' [Afghanistan. Bridge-building strategy for Faryab], 12 June 2011.

jects, not 'all the small projects'.[108] This illustrates a classic dilemma in development aid that emphasises local ownership: sometimes a recipient wants something that the donor views as unrealistic. Large-scale infrastructure projects are not only expensive to build, but also costly to operate and maintain. Sustainable development aid should seek to adapt projects to a level that allows for local follow-up and reduces aid-dependency. Political guidelines and professional assessments thus conflict with the principle of local ownership if local authorities have unrealistic expectations of the aid efforts. At the same time, infrastructure (e.g. roads) is crucial for a well-functioning society and is also politically visible. The Ring Road in Afghanistan was a good example of this.

8.3.3 The police effort in Faryab

When the first police advisers were sent to Faryab in 2006, it was unclear whether or not the police effort was the responsibility of the PRT commander. In 2007 the State Secretary Forum stated that the police, like other civilian personnel posted to the PRT, were not operationally subordinate to the PRT command.[109] In 2010 Norwegian authorities decided to concentrate the Norwegian police effort in Afghanistan on Faryab. In 2011 sixteen police advisers were stationed in the PRT in Faryab, most of them formally associated with the police training programme under the European Union Police Mission in Afghanistan (EUPOL Afghanistan).

Norwegian police officers posted to Afghanistan were to assist with training a police force that was both weak and unpopular in the province. The Norwegian officers did not receive adequate training in advance and were not prepared for what lay ahead. Like most other civilian and military personnel posted to the PRT, they had to define their task themselves while they were in the field.[110]

[108] Report from the Norwegian Embassy in Kabul, 'Afghanistan. Brobyggingsstrategien – oppfølgingsmøte med provinsguvernør Shafaq i Faryab' [Afghanistan. Bridge-building strategy - follow-up meeting with the provincial governor Shafaq in Faryab], 9 June 2011; 'Faryab. Framtidig norsk innsats' [Faryab. Future Norwegian efforts], 22 January 2009, and «Møte med parlamentarikere fra Faryab» [Meeting with members of parliament from Faryab], 27 May 2009.

[109] Halvor Hartz, 'Samarbeid eller samrøre? Norsk politi og militære sammen om politiopplæring i Afghanistan' [Cooperation or intermingling? Norwegian police and military together on police training in Afghanistan], *NUPI*, 2009.

[110] Commission hearings, 21 October, 12 November and 11 December 2015.

Box 8.8 Legal assistance for internally displaced persons and returnees

A major source of conflict in Faryab was disagreement over property rights. Many internally displaced persons who returned to the province found that their land had been taken. Decades of war, migration and a growing need for land and property has resulted in the illegal confiscation of land and, in many cases, a lack of clarity regarding who was the rightful owner. In 2004 the Norwegian Refugee Council (NRC) launched a legal advisory project to help to solve property disputes. The programme has focused on the rights of women to land and inheritance in accordance with Islamic (Sharia) law. Many women have received confirmation of their right of ownership and access to land in Faryab. The programme worked both through the formal legal system and through local *shuras*. More than 2,500 cases have been handled in Faryab since 2004. In recent years more women have brought their cases to the formal court system and many have had a positive outcome. However, the programme has been criticised for not developing expertise at the local level, given that the NRC's presence in the province would be phased out in the future.

Figure 8.14 Faryab is one of several provinces where the Norwegian Refugee Council (NRC) provides information and advice regarding land and property rights for returnees and internally displaced persons. These groups often have limited access to public services.

Photo: Danielle Moylan, Norwegian Refugee Council, 2014.

Source: NRC, Strengthening Displaced Women's Housing, Land and Property Rights in Afghanistan, November 2014; Notio Partners, NRC Information, Counselling and Legal Assistance (ICLA) Programme Evaluation, May 2015; NRC, Education and Information, Counselling and Legal Assistance (ICLA) in Faryab, Year Two Report, Norad, August 2015.

The Norwegian police effort in Afghanistan, and in Faryab in particular, illustrates how difficult it is to try to establish law and order based on the principles of the rule of law in a militarised conflict zone where the power constellations are continually in flux. In Faryab, like the rest of the country, the police were used primarily to guard checkpoints. US military forces in the province therefore focused the training of police units on counter-insurgency rather than on maintaining law and order. In contrast, the main objective of the Norwegian police in Faryab was to help to provide police training intended for a state governed by the rule of law. Norwegian police officers taught courses in basic police work, such as arrests, arrest orders, jail routines and human rights. The relevance of this knowledge, which was provided over a very short period of time, was unclear to local officers with ties to power structures in which the rule of law was not systematically followed and where the police force was partly used in counter-insurgency.

In order to teach and assist the local police, the Norwegian police needed military protection from the PRT. However, the military forces had limited resources to provide protection for the police and, consequently, the police left the camp less and less frequently. When the Norwegian Ministry of Justice and the Ministry of Foreign Affairs decided to place most of the effort under EUPOL instead of under the PRT command, the security regime became even more stringent, as EUPOL rules were stricter than those of the Norwegian unit. In practice, it became impossible to implement mentoring and training in the districts.

When the US announced the withdrawal of ISAF by the end of 2014, the demand for training and mentoring of police increased. Following pressure from both Afghan authorities and the US, Norwegian authorities chose to contribute to the mentoring of police forces. Norway sent both a military and a civilian police mentoring team, which were to promote the development of Afghan police at the district level under the NATO-led police training programme Focused District Development (FDD).[111] The teams completed six weeks of training in the Pashtun Kot district in the autumn of 2010, with subsequent mentoring in the field through the summer of 2011. In the autumn of 2011 they began planning for another district, Dawlatabad, but did not manage to complete it, because the mentoring teams were disbanded in May 2012 as part of the withdrawal.[112]

Parallel to the Norwegian police effort in the province, the US and Afghan authorities launched a new national police programme called Afghan Local Police (ALP), based on the establishment of militias in the provinces. The programme was driven primarily by military considerations. The Norwegian authorities cautioned the authorities in Faryab and Kabul against an increased focus on militias, as they thought this could undermine the potential for state-building at the provincial level. The militias had a purchased loyalty to the state and the US forces they often worked with, and they had few institutional ties. Moreover, most of the militia networks in Faryab were Uzbek and Tajik, and thus there was a risk of creating greater uncertainty and conflict with the already marginalised Pashtun residents in the province.[113] However, Norwegian perspectives had little influence on this issue, and the ALP programme was implemented throughout the country, including in Faryab.

In general, the Norwegian police effort was primarily a symbolic political contribution to strengthen the civilian effort in the province, without an adequate advance analysis of what could be achieved and how.[114] It is possible to identify quality efforts within individual projects, but there was no long-term plan and the priorities shifted. The frequent rotation of personnel made it difficult to achieve continuity.[115]

In September 2011 the Norwegian Ministry of Foreign Affairs requested an assessment of the

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111 Memorandum from the Ministry of Foreign Affairs to the Minister of Foreign Affairs, 'Afghanistan. Politiinnsats. Fordeling av den Norske politikontingenten» [Afghanistan. Police effort. Distribution of the Norwegian police contingent], 2 October 2009; memorandum from the Ministry of Foreign Affairs to the Ministry of Justice, the Norwegian Armed Forces and the Norwegian police, 'Mentorering av afghansk politi' [Mentoring Afghan police], 15 December 2009; 'Afghanistan –arbeidsgruppens rapport klarert i JD. UDs behandling' [Afghanistan – the working group's report cleared in the Ministry of Justice. Reviewed by the Ministry of Foreign Affairs', 16 December 2009.

112 Report from the chief of the Norwegian police contingent, 'NORAF – Norwegian Police Support to the Afghan authorities', 30 September 2012, p. 22.

113 Report from the Norwegian Embassy in Kabul, 'Afghanistan. Situasjonen i Nord' [Afghanistan. The situation in the North], 20 September 2009; 'Afghanistan. Utrulling av Afghan Local Police (ALP) i Qaisar distriktet, Faryab' [Afghanistan. Launch of the Afghan Local Police (ALP) in the Qaisar district, Faryab', 15 June 2010; 'Afghanistan. Lokale militser i Faryab-provinsen' [Afghanistan. Local militias in Faryab province], 12 October 2010.

114 Commission hearing, 11 December 2015.

115 Email from the Ministry of Justice, 'Bidrag til justissektoren i Afghanistan' [Contribution to the legal sector in Afghanistan], 28 May 2015.

police effort (see Chapter 7). The security situation allowed for so little activity that the ministry raised questions regarding the implementation capacity of the police programme. In addition, it was known at that time that the transition phase and closure of the PRT effort was probably imminent.[116] The police did not see any possibility of continuing in Faryab without the protection provided by the PRT. The police effort was therefore concluded in July 2012.

8.4 Summary

Shortly after Norwegian forces left Faryab province in 2012, the security situation deteriorated. It was indicative of a fundamental problem. A massive intervention involving a significant presence of international armed forces would not have been necessary had Afghanistan had a functioning central government. It was very difficult for external actors to establish such a functioning central government and extend its presence nationally, including in Faryab. The local population had little trust in the Afghan authorities and political actors entered into a complicated patron–client network that both united and divided authority at the local and national levels.

The PRT in Faryab was Norway's largest and most high-profile military contribution in Afghanistan. The province also received extensive Norwegian development assistance. The intention of the PRTs was to strengthen the Afghan central government's control in the provinces and to promote state-building and development. This task proved to be difficult, if not impossible. Norwegian efforts did not change overall developments in the province. Norwegian authorities were unable to take full advantage of the opportunities that did present themselves, although initiatives were taken, for example, in connection with the incorporation of Ghormach.

The PRT was the ISAF instrument for stabilising the provinces. The model did not prove expedient. Many on the Norwegian side had initial doubts about the concept, but Norwegian authorities decided to take on responsibility for a PRT out of consideration for important allies. From an Afghan national perspective, the Norwegian PRT and the so-called 'Norwegian model' made little difference.

The Ministry of Foreign Affairs was initially sceptical about prioritising development aid in Faryab province over and above other provinces. Norwegian aid was intended mainly to build a unified Afghan state. In 2009 it was decided that up to twenty per cent of all Norwegian aid could go to the province. Over a number of years, substantial resources were allocated to numerous projects in Faryab. Progress has been made: Norwegian-funded NGOs continue to work in the province and Norwegian-funded programmes are still being carried out. In this sense, the Norwegian policy of civil–military separation may have been beneficial: civilian aid was legitimate on its own, independent of the military effort. However, aid activities have become increasingly difficult, and the extent to which this effort will culminate in long-term results in the province is uncertain.

There were several reasons why there was little opportunity for Norway to make any practical difference in Faryab. To begin with, the complex Afghan power constellations were difficult to work with or influence. In addition, the Norwegian presence was small in relation to the size of the province. Moreover, no cohesive Norwegian strategy had been drawn up that placed objectives and means in an overall perspective and provided effective coordination of measures.

In reality, the 'Faryab strategy' was not a strategy at all and the national coordination bodies provided no clear direction or cohesiveness in the Faryab engagement. Stronger Norwegian leadership in the province, longer rotations and a greater effort to strengthen provincial authorities could have given Norway greater ability to exert influence, at least in the short term. However, as the situation was important, fundamental clarifications and principles should have been established in Norway instead of being left up to civilian and military personnel deployed to Afghanistan. It rested with the individual PRT commander to resolve the tension between the ISAF strategy for counter-insurgency and the Norwegian authorities' policy on the separation of civil–military tasks. Norway's engagement revealed just how difficult it is for a small country with limited resources to achieve a comprehensive approach that encompasses wide-ranging, coordinated efforts in the areas of security, governance and development. The so-called 'Norwegian model', which emphasised a clear separation between civilian and military efforts, became a source of frustration. Nor does the model demonstrate bet-

[116] Memorandum from the Ministry of Foreign Ministry and the Ministry of Justice to State Secretaries Barth Eide and Moland Pedersen, 'Afghanistan. Statusnotat for den norske politi-innsatsen' [Afghanistan. Status memorandum for the Norwegian police effort], 15 September 2011.

ter or worse results than the PRT models used by other countries. In order for the Norwegian approach to civil–military cooperation to work in practice, greater consideration must be given to the complexities that civilian and military actors face in conflict areas.[117]

When evaluating the effort in Faryab relative to Norway's main objective in Afghanistan, it is reasonable to conclude that Norway used considerable resources to promote state-building and development in the province – with minimal results. This applies in particular to the effort to fight the Taliban. However, accepting the PRT assignment clearly demonstrated Norway's support for NATO and the US. In addition, Norway's engagement in Faryab enhanced the professionalisation of the Norwegian army. The operations provided a great deal of practical experience at the tactical level, as well as an understanding of warfare within a joint operational framework together with allies and partners. The experience strengthened, in a number of areas, the ability of the Norwegian armed forces to take part in international operations.

[117] See e.g. Gunhild Hoogensen Gjørv, *Understanding Civil–Military Interaction – Lessons learned from the Norwegian approach*, London, Asghate, 2014.

Chapter 9
Norwegian peace diplomacy

The general public in Norway knows little about Norwegian peace diplomacy in Afghanistan. However, Norway's involvement in this work was crucial for two of its main objectives in Afghanistan: state-building and improving relations with the US. Peace diplomacy became an important topic in the dialogue between the Norwegian and US authorities and an area in which Norway actively sought to influence US thinking. Norway was one of the first international actors to facilitate dialogue between the Afghan authorities and the armed opposition in Afghanistan. This was the most important purpose of Norway's peace diplomacy. A secondary purpose was to engage the Taliban in a dialogue on humanitarian and political issues, including women's rights. Several factors contributed to the lack of success in achieving a negotiated solution to the conflict. However, Norway was one of the countries that was actively engaged in efforts to find such a solution.

Norway took on three roles in peace diplomacy. The first was as a facilitator, most often by acting as a messenger. At some stages the Norwegian channel proved to be important for communication between the Karzai government and the Taliban leadership, and later between the Taliban and the US. In November 2008 and on two occasions in 2010, Norway appears to have been close to success in its efforts to bring the parties together for talks. Norway's second role was as a mediator. This became prominent in 2013, when Norway attempted to find a solution in the dialogue between the Taliban and the US on the establishment of a Taliban office in Doha, Qatar. Third, Norway sometimes acted as an initiator. This was the case when Norway was engaged in talks with the Taliban and during the establishment of a regional dialogue on Afghanistan (the Istanbul or 'Heart of Asia' process).

Norwegian peace diplomacy in Afghanistan has also been a central element of Norway's relations with the US and, to a lesser extent, of its relations with other allies such as the UK, Germany and Turkey, as well as with the Afghan authorities. Given the Bush administration's reluctance to engage in negotiations, the Norwegian authorities made use of their scope for independent action in Afghanistan to establish dialogue with the Taliban. After the Obama administration took over in 2009, peace diplomacy rapidly became an important element of relations between the Norwegian Ministry of Foreign Affairs and the US State Department. As has been the case in earlier Norwegian peace efforts, promoting Norway's interests as part of its bilateral relations with the US gradually became a more prominent element of Norwegian peace diplomacy in the Afghanistan conflict.

Norway's engagement in Afghanistan has not only been important for developments within Afghanistan as a country and for Norwegian-US relations, but has also played a significant part in the professionalisation of Norwegian peace diplomacy in general. One important element of this process has been the increasingly important supporting role played by the Norwegian Intelligence Service.

This chapter discusses Norway's engagement in peace diplomacy in Afghanistan. The Commission starts by describing the framework for Norway's involvement and the complexity of the political landscape in which Norway operated. This is followed by an analysis of how Norway's involvement developed, which can be divided into two main phases: from 2007 to 2010; and from 2011 to the end of the period covered by the Commission's mandate. In this analysis the Commission focuses on Norway's motives, decision-making procedures and basis for decision-making, and particularly on Norway's special qualifications and the significance of the fact that Norway was also a party to the conflict. Other important topics are the significance of Norway's engagement for its relations with the US and for the professionalisation of Norwegian peace diplomacy.

9.1 The basis for Norwegian peace diplomacy in Afghanistan

Norwegian peace diplomacy in Afghanistan must be understood in the light of the context in which Norway was operating. Four factors are particularly important. First, many different actors promoted peace initiatives. Norway's efforts must be considered in conjunction with several of these. The various initiatives can be put into three categories depending on who was in contact with the Taliban or other insurgents: Afghan authorities, NGOs and international organisations, and other states (including Norway). In some cases the Taliban initiated contact, as they did vis-à-vis Norway, but in general it was international actors that were most active. The initiatives that were most important for Norway's involvement are discussed later in this chapter.

Second, the parties to the conflict had different and shifting interests, which limited the opportunities for dialogue. Many of these interests and agendas were unclear or unknown to the Norwegian authorities, as they were to most of the other actors behind the different initiatives. There was also doubt about who the spokesmen for the various insurgent groups actually represented. This uncertainty was particularly marked during the early years of Norway's engagement. The different interests and actors are discussed in more detail later in the chapter. It was also clear that there were spoilers in the ranks of all parties to the conflict – groups or individuals whose goal was to hinder dialogue. Others were only interested in exploiting the enthusiasm for establishing contact for financial gain. The Norwegian diplomats encountered a confusing, complicated and, not least, dangerous landscape.

Third, Norway was a party to the conflict and at the same time took on a role as facilitator. The Norwegian authorities realised at an early stage that this combination involved special challenges, which are discussed below. At the same time, the authorities maintained that Norway had to be a party to the conflict in order to play a role in resolving it. Norway's partners in dialogue also appear to have viewed Norway's participation in the war and its close relations with the US as a strength. However, it was also challenging for Norwegian diplomats to build up confidence in Norway's ability to act as a neutral facilitator in a situation where Norway was involved in the exchange of information and in coordination as part of the international forces in Afghanistan.

Finally, Norway was had little involvement in reintegration work. Norwegian peace diplomacy focused on a negotiated solution between two parties: the Taliban and the Afghan authorities. Reintegration is an approach where the aim is to persuade individuals or smaller groups to lay down their arms and rejoin their communities. The Karzai government opened up opportunities for reintegration of individual Taliban members as early as 2003.[1] This policy had a parallel in the efforts to disarm, demobilise and reintegrate combatants (see Chapter 3). In May 2005 President Karzai established the Strengthening Peace Programme, or Programme Tahkim-e-Sulh (PTS), which was intended to facilitate the reintegration process.[2] At the London Conference on Afghanistan in January 2010, this was replaced by the new Afghan Peace and Reintegration Programme (APRP), which receives support from the United Nations Development Programme (UNDP).[3] However, reintegration efforts have had only limited success. Results could be achieved locally, but this approach offered little prospect of a lasting solution to the conflict. Negotiations with the Taliban leadership appeared to give more grounds for hope, and this was where Norway became involved.

9.2 The search for a political solution

The years after 2001 saw an increasing number of attempts by Afghan authorities, NGOs and international organisations and other states to forge a dialogue with the Taliban and other insurgent groups. As early as 2010 *The Guardian* newspaper stated that there were at least twelve channels of contact with insurgent leaders in Afghanistan.[4] Several of the initiatives received wide media coverage while they were in progress and others are discussed in the extensive literature that has been published. There was dialogue at both the local and central levels in Afghanistan, and in open and closed forums in other parts of the world. It would not be possible, nor is it the aim of this document,

1 See for example John Bew et.al., *Talking to the Taliban: Hope over History?*, ICSR, 2013, p. 22.

2 The programme was later criticised for a lack of results. Thomas Ruttig, 'The Battle for Afghanistan. Negotiations with the Taliban: History and Prospects for the Future', *New America Foundation*, May 2011, p. 9.

3 UNDP, 'Afghanistan Peace and Reintegration Programme (APRP)', on www.af.undp.org.

4 'Who can broker a deal with the Taliban?', *The Guardian*, 24 October 2010.

to provide a full overview of all such initiatives. The purpose here is simply to contextualise Norway's involvement, which is barely mentioned in the literature. The peace initiatives discussed below are generally those that are identified as most important, both in the literature and in contemporary Norwegian documents. The Norwegian initiatives are discussed in the next section of this chapter.

At the end of December 2001, Hamid Karzai, who headed the Afghan Interim Authority, apparently received a communication from Mullah Abdul Ghani Baradar, the Taliban's deputy chief of staff, stating that the Taliban leaders would accept the new regime and integrate the movement into it.[5] However, the US and other countries considered the Taliban and al-Qaeda to be two sides of the same coin.[6] The Taliban were regarded as complicit in the 11 September 2001 attacks on the US, and negotiating with them was politically unacceptable. Nor did Russia show much willingness to include the Taliban. Last but not least, the Northern Alliance (the international coalition's Afghan ally) had emerged as the victor in Afghanistan in the winter of 2001–2002, and had no reason to welcome the inclusion of the Taliban in the political process.

As a result, neither the Bonn negotiations in December 2001 nor the *Loya Jirga* (Grand Assembly) in June 2002 included representatives of the Taliban or of the political landscape to which they appealed. Even though it is difficult, given the strength of the objections, to see how it could have taken place in 2001–2002, many people have since highlighted the lack of a broad-based reconciliation process as a serious error. Instead, the Taliban were overpowered and their leaders driven into exile in Pakistan, where they rebuilt the military force of the Taliban movement with Pakistani support.[7]

Little is known about the contact between central and local Afghan authorities and international actors on the one hand and the Taliban and other groups on the other in the period before 2007.[8] However, it is known that the International Committee of the Red Cross (ICRC) made use of its contact with the Taliban in the summer of 2007 to facilitate the release of twelve South Korean missionaries who had been taken hostage in Ghazni province.[9]

9.2.1 Growing interest and a variety of motives

From 2007 onwards several parties to the conflicts showed growing interest in contact with others. A key reason for this was increasing recognition on both sides of the war that a negotiated solution was needed. An example of this internationally was Foreign Minister Jonas Gahr Støre's address to the Storting (Norwegian parliament) in February 2007. He said that a solution for Afghanistan could not be achieved by military means alone.[10]

However, there was strong opposition to this approach, particularly in intelligence and military circles in the US, which to a large extent shaped international strategy in Afghanistan. It was only in February 2011 that Secretary of State Hillary Clinton announced support for an intensified diplomatic push, a third 'surge' after the military offensive and the civilian campaign.[11] Under the Bush administration, it was not politically acceptable to negotiate with the Taliban. From the start of the Obama administration in 2009 and until Hillary Clinton held her speech in 2011, there was an internal struggle between supporters and opponents of dialogue.[12] The position of the supporters was strongest in the State Department, and their highest-profile representative was the experienced diplomat Richard Holbrooke, who was Special Representative for Afghanistan and Pakistan until his death in December 2010. The opponents were strongest in defence circles and in the CIA. They put forward a range of arguments, from the principle of not engaging in dialogue with terrorists to the need to have the insurgents on the defensive before moving on to negotiations.[13]

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5 Michael Semple, 'Peace dialogue, the Afghan case 2001–2014', in Pernille Rieker and Henrik Thune (red.), *Dialogue and Conflict resolution – The potential and limits of dialogue as a tool for conflict resolution*, Ashgate/Routledge, 2015, pp. 143–166; Ruttig, 'The Battle for Afghanistan', pp. 6–7.

6 Alex Strick van Linschoten and Felix Kuehn, *An Enemy We Created: The myth of the Taliban-Al Qaeda merger i Afghanistan*, Oxford: Oxford UP, 2014.

7 Anand Gopal, *No Good Men Among the Living. America, the Taliban and the war through Afghan eyes*, New York: Metropolitan Books, 2015.

8 Gopal (ibid.) discusses some such initiatives.

9 'Afghanistan: ICRC facilitates release of twelve South Korean hostages', www.icrc.org, 29 August 2007.

10 'Foreign Policy Address to the Storting, 13 February 2007'. Available at https://www.regjeringen.no/en/aktuelt/Foreign-Policy-Address/id450698/.

11 'Remarks at the Launch of the Asia Society's Series of Richard C. Holbrooke Memorial Addresses', *state.gov*, 18 February 2011.

12 Osama bin Laden's death on 2 May 2011 apparently strengthened US interest in negotiations with the Taliban.

13 See for example Vali Nasr, 'The Inside Story of How the White House Let Diplomacy Fail in Afghanistan', *Foreign Policy*, 4 March 2013.

There was opposition within Congress as well. This made it more difficult for the administration to establish a dialogue, since it might have been problematic to reach agreement on the relevant parts of the US budget.[14] There was also widespread scepticism about whether the dialogue initiatives from the Taliban and other insurgent groups were genuine.[15] This scepticism was strengthened in December 2010, when international media revealed that a person claiming to be Mullah Akhtar Mansour, one of the senior Taliban commanders, was in fact an imposter. Western intelligence services had paid him large sums of money to change sides.[16]

The view that it would not be possible to achieve victory by military means, or that victory would be too costly, also became more widespread among the Taliban in 2007–2008. The Taliban's main support base was in the Pashtun population of southern and eastern Afghanistan, and people in these areas were worst affected, at this stage, by the fighting in the country.[17] The Taliban were concerned both about the direct impact of the fighting and about the humanitarian situation that arose because emergency relief was not reaching Pashtun areas. In parallel with this, an internal debate about civilian losses and the use of suicide bombers arose in the movement. One result was the publication of a code of conduct – sometimes called the 'Blue Book' – in 2009, in which the Taliban announced restrictions on the use of suicide bombers and emphasised that civilian losses should be avoided.[18]

In parts of the Taliban leadership, a desire emerged to work towards a return to the political arena in Afghanistan. The elements of the leadership who were prepared to negotiate claimed that the movement was willing to make changes to the policy it had followed in the 1990s so that this would be possible. The Taliban would break with al-Qaeda, accept religious diversity and respect women's rights. In his Eid-al-Fitr message in 2009, Taliban leader Mullah Omar emphasised that the Taliban's fight was geographically restricted to Afghanistan.[19] This was interpreted as a sign that the Taliban were dissociating themselves from the international jihadist movement. However, the need to maintain unity within the movement meant that Mullah Omar and the Taliban had only limited room for manoeuvre. For example, it was easier for the Taliban leadership to suggest dialogue with the US than with the Afghan authorities, who were considered to be US puppets.

It is likely that other factors also influenced the willingness of the Taliban to enter into dialogue. One important factor was Pakistan's attitude towards the Taliban – and more specifically, that of its intelligence agency, Inter-Services Intelligence (ISI). The assault on the Red Mosque in Islamabad in July 2007 and President Musharraf's subsequent offensive against extremism are viewed as a turning point.[20] The ISI was also putting increasing pressure on the exiled leadership of the Afghan Taliban. This seems to have strengthened the desire of parts of the Taliban movement to extricate themselves from Pakistani control and return home to Afghanistan. The Taliban's involvement in the dialogue initiated by Norway also appears to have been motivated by a desire to escape Pakistani control.

Pakistan's strategic interests in Afghanistan reflected its quest for strategic depth relating to its rivalry with India, the dispute over the boundary between Pakistan and Afghanistan (the Durand Line) and the fear of Pashtun nationalism and its vision of creating a country for all Pashtuns. Pakistan's ambition has been to exert the greatest possible political influence on developments in Afghanistan. The effects of this on attempts to conduct negotiations have varied. Nevertheless, the general tendency has been clear: Pakistan and the ISI have tried to obstruct any attempts at negotiation that were outside their control, while facilitating contact and dialogue with people they did control. The best-known case of obstruction by the ISI of an attempt to hold talks is the arrest of Mullah Baradar in February 2010. At first his arrest was considered to be a success, both in the fight against the Taliban and for the cooperative efforts with the ISI.[21] Later,

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14 Commission hearing, 2 September 2015.

15 See for example Zalmay Khalilzad, 'The Taliban and Reconciliation', *International Herald Tribune*, 18 February 2010.

16 'Taliban Leader in Secret Talks Was an Impostor', *International Herald Tribune*, 22 November 2010.

17 Ruttig, 'The Battle for Afghanistan', p. 7.

18 'Taliban issues code of conduct', *aljazeera.com*, 28 July 2009.

19 The Eid message is available here: http://www.jihadica.com/wp-content/uploads/2009/10/10-21-09-mullah-omar-eid-message.pdf. For the Taliban's attempts to redefine themselves, see for example Thomas Ruttig, 'Negotiations with the Taliban', Peter Bergen and Katherine Tidemann (ed.), *Talibanistan: Negotiating the Borders between Terror, Politics and Religion*, Oxford University Press, 2013, p. 436.

20 See for example Qandeel Siddique, *The Red Mosque operation and its impact on the growth of the Pakistani Taliban*, FFI-rapport 2008/01915, 8 October 2008.

21 'Secret Joint Raid Captures Taliban's Top Commander', *International Herald Tribune*, 15 February 2010.

however, it became clear that the ISI had arrested Baradar because he was involved in trying to establish dialogue with Afghan authorities.[22] The opposite approach, involving contact facilitated by Pakistan, is exemplified by a meeting between US representatives and a representative of the Taliban-linked Haqqani network, Ibrahim Haqqani, in August 2011.[23]

Other elements of the insurgency in Afghanistan also sought dialogue, Hezb-i-Islami Gulbuddin being the group that was most open to the idea.[24] It was headed by Gulbuddin Hekmatyar, who was a *mujahideen* leader during the Soviet occupation and prime minister of Afghanistan in the early 1990s. The Haqqani network, led by former *mujahideen* commander Jalaluddin Haqqani and his family, also showed an interest in dialogue, as mentioned above. The Haqqani network was considered to be closely linked to the Pakistani intelligence agency, the ISI.

The Afghan authorities maintained contact with the Taliban and other insurgent groups throughout much of the period. Their clear aim was to start a dialogue; as early as November 2008, President Karzai issued a public invitation to Mullah Omar to take part in negotiations.[25] It is uncertain whether he would have been willing to offer the Taliban any political power. Opinion was divided within political circles in Kabul and in Afghanistan generally on the desirability of dialogue with a view to reaching a negotiated solution.[26] Within the government, the idea of negotiating with the Taliban was controversial. Opposition or scepticism to this approach was most obvious among politicians and warlords associated with the former Northern Alliance. There was also widespread scepticism regarding a negotiated solution with the Taliban among human rights' and women's groups, who feared that recently achieved rights might be sacrificed in the interests of reaching a peace agreement.

9.2.2 Three approaches

As mentioned above, the many initiatives for establishing dialogue with the Taliban and other groups can be grouped into three approaches, depending on who was in contact with them: Afghan authorities, NGOs and international organisations, and other states. As time went on many different initiatives emerged. Those that were considered to be most important, both generally and by the Norwegian authorities, are discussed briefly here.

Initiatives by Afghan authorities

There is relatively little in the public domain about the contact Afghan authorities had with the Taliban and with other elements of the insurgency in the period reviewed by the Commission. However, it is clear that there was a good deal of activity. Although contact between the Taliban leadership and Afghan authorities had started earlier, 2010 was the first year when it received widespread international attention.[27] This was in large part due to President Karzai's public call to the Taliban to engage in dialogue, made at the London conference in January 2010. This continued to be a priority for Afghan authorities throughout the year. In June 2010 they held a national council, the Peace Jirga, and in September they established the High Peace Council. However, Burhanuddin Rabbani, former president of Afghanistan and opponent of the Taliban, was appointed chair of the council, which appeared to weaken the chance of achieving dialogue with the Taliban.[28] In September 2011 Rabbani was killed by a suicide bomber posing as a Taliban peace emissary. Nevertheless, the High Peace Council has at times played an important role in the authorities' contact with the Taliban and other groups.[29]

The contact made by the Afghan authorities played an important but indirect role for Norway's involvement. This was particularly true in the first phase, as described below. Even though the Norwegian dialogue with both President Karzai and

[22] Bew et.al., p. 30; Ruttig, 'The Battle for Afghanistan', p. 10; Nils Wörmer, 'Exploratory Talks and Peace Initiatives in Afghanistan', *SWP Comments 44*, December 2012, p. 3.

[23] Bew et.al. 33.

[24] Ruttig, 'The Battle for Afghanistan', pp. 17–18; 'Western officials, Taliban engaged in secret talks', *Dawn*, 27 February 2009.

[25] 'Afghanistan's Karzai Offers Safety if Taliban Leader Will Negotiate', *Washington Post*, 17 November 2008.

[26] See for example Thomas Ruttig, 'Talks about Talks Again (updated)', *Afghan Analyst Network*, 7 October 2010; 'Rebranding the Taliban', *Aljazeera*, 19 March 2011.

[27] See for example 'Afghan Official Dismisses Taliban Denial of Talks', *International Herald Tribune*, 1 February 2010; 'Taliban in high-level talks with Karzai government, sources say', *Washington Post*, 6 October 2010.

[28] Thomas Ruttig, 'Afghan Reactions to the High Peace Council', *Afghan Analyst Network*, 14 October 2010. Rabbani, a Tajik, was president of Afghanistan from 1992 until the Taliban drove him out of Kabul in 1996. He was subsequently a key member of the Northern Alliance.

[29] For example 'Q&A: Afghan Taliban open Doha office', *BBC News*, 20 June 2013.

key Afghan officials was at times very close during this period, the Norwegian authorities never had a full overview of the similar efforts of the Afghan authorities.

Initiatives by NGOs and international organisations

One of the NGOs that attempted to open up a channel for dialogue with the Taliban leadership at an early stage was the Swiss-based Centre for Humanitarian Dialogue.[30] Other organisations and institutes, such as the East-West Institute and Pugwash, arranged seminars and dialogues with varying participation, content and results. A task force co-chaired by Lakhdar Brahimi, formerly United Nations Senior Representative of the Secretary General (SRSG) and head of the UN Assistance Mission in Afghanistan (UNAMA), and Thomas Pickering presented the report on this topic that probably attracted most publicity.[31]

The high points of this approach were two events in 2012. In June Doshisha University in Kyoto organised a seminar on peace-building in Afghanistan. The organisers managed to include representatives of the Taliban's political commission, Hezb-i-Islami Gulbuddin and the Afghan authorities as participants.[32] This was the first time Afghan authorities had met the armed opposition in public. The second event was a meeting in Chantilly in France, organised by the Foundation for Strategic Research in Paris. As in Kyoto, a representative of the Taliban's Doha-based political commission attended the meeting.[33] The Afghan authorities were not represented, but several Afghan opposition politicians travelled to France.

On the whole, the Norwegian authorities followed the NGO initiatives from the sidelines, and these efforts had only limited direct significance for Norway's engagement. The same applied to UNAMA's initiatives, although in this case there was somewhat closer contact with Norway. According to Norwegian diplomat Kai Eide, who was UN Special Representative to Afghanistan and head of UNAMA in the period 2008–2010, UNAMA developed contact with the Taliban during the spring of 2009.[34] It developed over time, before being interrupted by the arrest of Mullah Baradar in February 2010. Contact was resumed under Kai Eide's successor as head of UNAMA, Staffan di Mistura, and further developed with the Taliban both centrally and locally in Afghanistan under the next head, Ján Kubiš.[35] The Norwegian authorities also developed more contact over time with the leadership of UNAMA on peace diplomacy. However, cooperation with UNAMA was in general of limited importance for Norway's involvement.

Initiatives by other states

The two main initiatives taken by other states were also those that attracted most attention from the Norwegian authorities. In 2008 the Afghan authorities asked Saudi Arabia for support in finding channels for contact with the opposition. In 2008–2009 Saudi Arabian intelligence is known to have organised two meetings. The Afghan authorities were not represented at either of them, but President Karzai's brother, Qayum Karzai, took part. At the first meeting he met two former Taliban leaders who were living in Kabul.[36] Representatives of Hezb-i-Islami Gulbuddin and the Taliban attended the second meeting. Although the Saudi efforts to initiate dialogue lasted a couple of years longer, these two meetings were the high points.

The other state-led initiative (the 'Doha track') was German, and resulted in the establishment of the Taliban political commission's office in Doha, Qatar. Towards the end of 2009, the German intelligence service, the Bundesnachrichtendienst (BND), succeeded in establishing contact with a young man called Tayyab Agha, who had previously been Mullah Omar's personal secretary.[37] After a first meeting in Doha in the spring of 2010, the BND was able to organise meetings with Agha in Munich, in November 2010 and again in May 2011. A representative of the US authorities was also present at one of the meetings in November. Two confidence-building measures were a central

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30 'Who can broker a deal with the Taliban?', *The Guardian*, 24 October 2010. The Norwegian Ministry of Foreign Affairs has for many years cooperated closely with the Centre for Humantarian Dialogue, for example in convening Oslo Forum meetings. See footnote 51 below.

31 Lakhdar Brahimi and Thomas R. Pickering, *Afghanistan: Negotiating Peace: The Report of The Century Foundation International Task Force on Afghanistan in Its Regional and Multilateral Dimensions*, March 2011.

32 The programme is available here: http://rc-pda.doshisha.ac.jp/en/research_activities/activity_log.html.

33 'New Scenery for Breaking the Ice With the Taliban', *International Herald Tribune*, 20 December 2012.

34 Kai Eide gave a lengthy interview on this topic to the BBC in March 2010: 'Pakistan arrests halt secret UN contacts with Taliban', *BBC News*, 19 March 2010.

35 Commission hearing in Kabul, 2 November 2015.

36 The two were the former Taliban ambassador to Pakistan, Mullah Zaeef, and former foreign minister Mullah Ahmad Wakil Mutawakil. Wörmer, p. 2; Bew et.al. p. 26.

37 Wörmer, p. 4.

element of the talks: the exchange of prisoners and the establishment of an office – an address – as a forum for talks with the Taliban. The preparations for this evidently went well, and the Qatari authorities were involved as a way of facilitating the establishment of a Doha office. Germany was seeking to have an agreement ready for the Bonn conference on Afghanistan in December 2011 and exerted a good deal of pressure to this end. However, this was not successful.

In January 2011 it became public knowledge that President Karzai was opposed to the German-US plan for a Doha office, because the Afghan authorities had not been kept fully informed.[38] President Karzai would not accept negotiations with the Taliban without the participation of Afghan authorities. One result of the subsequent conflict was that Afghanistan withdrew its ambassador to Qatar.[39] Another was that the US introduced a demand for direct negotiations with the Afghan authorities in their dialogue with the Taliban. The Taliban made it clear that they did not wish to take part in direct negotiations and only wished to negotiate with the US. In addition, a conflict arose over the conditions for exchanging the US soldier Bowe Bergdahl for five Taliban members who were being held prisoner at Guantánamo Bay. On 15 March 2012, the Taliban suspended the negotiations.[40]

The attempts to resume negotiations lasted for more than a year. For various reasons Germany ended up in the background, while Norway and Qatar, and later the UK, emerged as the most important facilitators and mediators.[41] Norway's role is discussed in 9.3.5 below. In the spring of 2013 the remaining issues were resolved and scepticism was overcome, including the Afghan authorities' concern that the Taliban would use the office for propaganda and money-raising purposes. However, at the press conference for the opening of the office, the Taliban used both the flag of and the title 'Islamic Emirate of Afghanistan', the country's name under the Taliban government. President Karzai reacted strongly to this attempt to present the office as an embassy for the Taliban regime in exile.[42] After this, the plans for dialogue through the Taliban's Doha office rapidly collapsed.

Although the office continued to function as an unofficial contact point, from the autumn of 2013 the US (and the Afghan authorities) began to give more prominence to Pakistan as the key to a political solution in Afghanistan. In the last part of the period covered by the Commission's mandate, regional contacts played a key role, particularly the dialogue between China and Pakistan on Afghanistan.[43] The Ghani government has also chosen to focus its main efforts on the dialogue with Pakistan, China and the US. This dialogue resulted in a meeting in Murree near Islamabad in July 2015 facilitated by Pakistan, where representatives of the Afghan authorities met Taliban representatives together with US and Chinese observers.[44] When the Commission spoke to representatives of the Afghan authorities in Kabul in November 2015, they highlighted the Murree process rather than the Doha track as a possible path to peace.

Germany's contact with the Taliban, which led to the establishment of the Doha office, proved to be of direct importance for Norway's engagement. From the summer of 2012 onwards, the Doha track was the most important for Norway.

9.3 Norwegian peace diplomacy in Afghanistan

Norway has a long history of commitment to peace.[45] Three aspects of developments after the end of the Cold War have also shaped the framework for Norway's engagement in the Afghanistan conflict. They can be summed up in three words: interests, approaches and roles.

38 Bew et.al, p. 25. The killing of the chair of the High Peace Council, Burhanuddin Rabbani, in September 2011 apparently also made President Karzai less enthusiastic about peace negotiations.

39 'Afghan Rebuke of Qatar Sets Back Peace Talks', *New York Times*, 15 December 2011.

40 'US-Taliban talks collapsed over Guantánamo deal, says official', *The Guardian*, 8 October 2012.

41 'Taliban talks in Doha drag on endlessly', *Aljazeera*, 26 February 2013; 'Background Briefing by Senior Administration Officials on Afghanistan – Via Conference Call', *whitehouse.gov*, 18 June 2013.

42 'At their office in Doha, Taliban make changes', *cnn.com*, 21 June 2013.

43 For example 'US and Chinese Interests Align in Pakistan', *The Diplomat*, 24 September 2013. The US authorities conducted separate negotiations for the exchange of US soldier Bergdahl, which took place on 31 May 2014.

44 'Afghan Officials and Taliban Meet in Possible Step Toward Peace Talks', *New York Times*, 7 July 2015; Borhan Osman, 'The Murree Process: Divisive peace talks further complicated by Mullah Omar's death', *Afghanistan Analyst Network*, 5 August 2015.

45 A historical overview is provided in Chapter 2 of Ada Nissen, *The Peace Architects: Norwegian Peace Diplomacy since 1989*, doctoral thesis, University of Oslo, 2015.

9.3.1 Norwegian interests, approaches and roles

Historically, Norway's engagement for peace has to a large extent been motivated by idealism and values – a desire to promote peace, dialogue and international order on the basis of a tradition of missionary work and solidarity, sometimes referred to as the Norwegian peace tradition. Wealth from the discovery of Norway's oil and gas opened up new opportunities for pursuing a value-based foreign policy to promote peace and international development. This has been referred to as a policy of engagement.[46]

The end of the Cold War opened up further opportunities. Since 1990 Norway has been involved in a range of peace processes, of which the best-known are those in the Middle East, the Balkans, Guatemala, Sudan, Sri Lanka and Colombia.[47] During this period, realpolitik and Norway's own interests have also come more to the forefront. In his foreign policy address to the Storting in 2008, Foreign Minister Støre outlined three reasons why Norway's policy of engagement was also in the country's national interests. Two of these related to Norwegian security – because poverty and conflict across the world can also threaten Norway's security and fundamental values. The third related to access. Mr Støre said, 'Our active engagement gives us access to key international decision-makers and arenas that are important for Norway in other contexts as well. We will always have a need for this kind of access.'[48] In a number of cases, Norwegian authorities have found that contact established with the parties in a peace process has also attracted the interest of the US and other countries.[49] This also became an important element in the Norwegian engagement in Afghanistan.

In addition to national interests, the idealistic and more personal motives of politicians and officials have played a part. These influenced Norway's peace diplomacy in Afghanistan as well. In addition, bureaucratic and/or institutional interests emerged, especially those linked to a gradual change in the Norwegian approach to peace-building.

The Norwegian approach

In historical terms, an ad hoc approach has been more characteristic of Norwegian peace diplomacy than strategic thinking. Involvement in peace processes was largely driven by enthusiasts, often individuals. The traditional Norwegian approach was based on close cooperation between the Ministry of Foreign Affairs, Norwegian NGOs and research institutes.[50]

Chance events and individuals also played an important part in Norway's peace diplomacy in Afghanistan, especially in the early stages. However, the traditional Norwegian approach with civil society actors playing an important part was not followed in this case. One important reason for this was that Norway's engagement in Afghanistan began after the Ministry of Foreign Affairs had, over a period of several years, institutionalised and professionalised its peace diplomacy initiatives. The first Stoltenberg government decided to build up the Ministry's peace portfolio, and the second Bondevik government continued the process. In 2003 a separate Section for Peace and Reconciliation was established to enable staff to take a long-term, targeted approach to work on peace processes.[51] The aim was for Norwegian engagement in peace processes to be based on a strategic approach and careful consideration of interests, not on activism by individual enthusiasts. Key senior officials in the Ministry of Foreign Affairs, including the Secretary General and the Political Director, have been key actors over long periods in Norway's peace diplomacy in Afghanistan.

Another element of the professionalisation of peace diplomacy in the Ministry of Foreign Affairs was a growing emphasis on the need for secrecy. This reflected a focus on protecting ministry employees and a desire to avoid drawing negative attention to Norway and to ensure the confidentiality needed to maintain a dialogue. Nor-

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46 See for example Rolf Tamnes, *Oljealder. 1965–1995 [The Oil Age 1965–1995]*, volume 6 of *Norsk utenrikspolitikks historie [History of Norwegian Foreign Policy]*, Universitetsforlaget, 1997, pp. 339–447.

47 See Ministry of Foreign Affairs, 'Norway's engagement in peace processes since 1993', regjeringen.no, last updated 26 July 2013.

48 'Foreign Policy Address to the Storting', 20 May 2008. Available at https://www.regjeringen.no/en/aktuelt/foreignpolicy_address/id511988/.

49 Lene Kristoffersen, 'Interesser i norsk engasjementspolitikk' [Motives behind Norwegian peace diplomacy and peace-building efforts], *Oslo Files on Security and Defence*, 04/2009.

50 See 'What characterises Norway's peace and reconciliation work?', regjeringen.no, 17 July 2015.

51 Vidar Helgesen, 'How Peace Diplomacy Lost Post 9/11. What Implications are there for Norway?', *Oslo Files on Defence and Security*, 03/2007, p. 15, footnote 24; Kristoffersen, pp. 86–87. The Oslo Forum, a series of annual retreats for conflict mediators and peace process actors organised by the Ministry of Foreign Affairs, also started in 2003. It has several times provided a meeting place for dialogue and talks related to reconciliation work in Afghanistan.

way had previously experienced the importance of secrecy in peace diplomacy, for example, during the Sri Lankan peace process.[52] The emphasis on secrecy was also strengthened by a final element in the professionalisation of peace diplomacy: closer cooperation with the Norwegian Intelligence Service. Norway's engagement in Afghanistan was important for the development of this cooperation. The efforts of other countries to establish a dialogue with the Taliban were largely run by their intelligence services, as described above. In Norway the Ministry of Foreign Affairs was in charge of the process, and the Intelligence Service provided analytical support.

Another characteristic of the Norwegian approach to peace diplomacy has been a willingness to enter into dialogue with 'everyone'. In some cases it has been an advantage for Norway not to be bound by EU or US terrorist or sanction lists. This was also the case in Afghanistan. The UN sanction list did, in part, restrict what Norway could do, but dialogue was nonetheless possible. Norwegian diplomats were freer to develop contacts with the Taliban than their US colleagues, who were bound by the US terrorist lists. This was one of the reasons why Norway was much in demand as an intermediary.

Norway's roles

As mentioned at the beginning of this chapter, Norway took on three roles in peace diplomacy in Afghanistan: as a facilitator or messenger, as a mediator and as an initiator. In general Norway has emphasised its role as a facilitator/messenger rather than as a mediator in its peace efforts. It is mainly this role that is communicated both to the particular parties involved and publicly, as was also the case in Afghanistan. However, in many contexts Norway has, in practice, also acted as a mediator. This was related to the wish, shared by Norway and others, to achieve progress in the peace process.

When it has been involved in peace processes, Norway has also used its dialogue with the parties to put forward its views on fundamental issues such as human rights, religious tolerance and the role of women in society. Such basic ethical viewpoints underpin Norway's peace engagement. The importance of fundamental values also became clear in the case of Afghanistan. At the same time, Norway's emphasis on these values was intended to encourage broader strategic and political thinking within the Taliban. Like most other parties who were seeking a political solution to the conflict, Norway made it clear to the Taliban that many aspects of the policy they pursued in Afghanistan from 1996 to 2001 would have to be rejected to make it possible to reach a political solution. But there were real concerns, expressed particularly clearly by civil society groups in Afghanistan, about what a peace agreement with the Taliban would mean in terms of compromise on issues such as women's rights and justice (transitional justice).

9.3.2 The background for Norwegian contact with the Taliban

Like most other countries, Norway had had limited contact with Afghanistan under the Taliban. The Embassy in Islamabad, which during the 1990s was responsible for Afghanistan as well as Pakistan, did have some contact. Norwegian NGOs' involvement in Afghanistan and Norway's leading role in the Afghanistan Support Group (see Chapter 6) were important in this situation.[53]

Norway promoted the need for intra-Afghan dialogue even during the Taliban regime. Little progress was made, but in 2001 Norway supported various attempts at dialogue between the Northern Alliance and the Taliban, for example, those organised by Francesc Vendrell, who was Deputy Special Representative of the UN Secretary-General.[54]

As described above, it was not until 2007–2008 that interest in dialogue with the Taliban began to grow again. Norway established contact with the Taliban early in 2007. However, the groundwork for this was laid earlier, in connection with a project on interreligious dialogue in Pakistan. In some ways, the contact thus had a firm basis in the Norwegian tradition of peace diplomacy, and the religious starting point meant that it had similarities with Norway's engagement in Guatemala.[55]

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[52] For example 'Erik Solheim skulle drepes' [Plans to assassinate Erik Solheim], *Aftenposten,* 27 July 2012.

[53] Commission hearing, 21 January 2016.

[54] For example Ministry of Foreign Affairs, 'Oversiktsrapport Afghanistan. Januar 2001'[Report on Afghanistan, January 2001], 31 January 2001; 'Situasjonen i Afghanistan. Feb. 2001' [The situation in Afghanistan, February 2001], 12 February 2001; 'Afghanistan. Møte mellom Vendrell og lunsjgruppen i Islamabad. Feb. 2001' [Afghanistan. Meeting with Vendrell in Islamabad, February 2001], 26 February 2001.

[55] See Ada Elisabeth Nissen, *Et historisk bidrag? Norsk fredsdiplomati i Guatemala 1989–1997 [A historic contribution? Norwegian peace diplomacy in Guatemala 1989–1997]*, master's thesis, University of Oslo, 2010.

In 1997, a Norwegian diplomat at the Embassy in Islamabad contacted two key leaders on the board of a network of religious schools in Pakistan (*Wafaq ul Madaris Al-Arabia*), and launched the idea of an interreligious dialogue on peace.[56] The leaders supported the idea, and the diplomat continued to be personally involved in this process while he was posted to the Embassy.

It was not until 2002 that the Embassy officially became involved in the dialogue process. Norway kept a low profile, and involvement was based on the principle that the Embassy could provide support as needed, but that Norway was not itself an actor in the process.[57] A delegation from the network of religious schools visited Oslo in June 2004.[58] During this meeting, the Pakistani participants, who included both Christian and Muslim religious leaders, themselves took the initiative for what was later called the Oslo declaration. In September 2004 this was followed up by the Islamabad declaration, which was issued after an interreligious meeting in the Pakistani capital.[59] The declaration expressed the desire of Muslim and Christian leaders for peace and tolerance. Pakistan's president, General Pervez Musharraf, attended the meeting in Islamabad. He was in favour of the initiative and wanted Norway's engagement to continue.[60] The Norwegian authorities asked Norwegian Church Aid to take responsibility for part of the follow-up in Pakistan.

A proposal was made to engage Afghan religious leaders and Taliban leaders in the dialogue as well. The Pakistani delegation to Oslo in 2004 expressed a willingness to include the Taliban in a broader dialogue. It was emphasised that this would be politically sensitive and would require absolute discretion, patience and a stepwise approach.[61] However, no steps were taken to follow up the idea. The Commission has not been able to establish why this did not happen.

Figure 9.1 Norway carried out some small-scale aid projects in southern Afghanistan that were intended to benefit peace diplomacy efforts. This is one of about twenty wells that were constructed near Kandahar.

Photo: Service and Development Organization for People. The photo has been retouched.

In March 2005 State Secretary Vidar Helgesen of the Minister of Foreign Affairs was due to make an official visit to Pakistan. In February, while plans for a meeting with a key religious figure who had close historical ties with the Taliban were being drawn up, the previously-mentioned Norwegian diplomat was asked whether Norway could assist in establishing contact between the Taliban and US representatives.[62] In this case, too, the Norwegian authorities chose not to proceed any further.[63] However, it was not long before the diplomat received more requests for assistance.

9.3.3 Norway and intra-Afghan dialogue

Norwegian peace diplomacy in Afghanistan started in early 2007, and was based on an initiative from the Taliban. Not only was this earlier than other initiatives, but it also took place at a time when the US, under the Bush administration, was not interested in dialogue with the Taliban.

56 Commission hearing, 21 January 2016.

57 Report from the Embassy in Islamabad, 'Dialog med fundamentalistiske miljøer' [Dialogue with fundamentalist groups], 12 March 2004.

58 Report from the Embassy in Islamabad, 'Pakistan – justert opplegg for delegasjon av religiøse ledere' [Pakistan – adjusted arrangements for the religious leaders' delegation], 31 May 2004.

59 The declaration can be downloaded here: http://nifcon.anglicancommunion.org/media/111562/Islamabad-Declaration.pdf.

60 Norwegian Ministry of Foreign Affairs, 'Pakistan – freds- og forsoningsarbeid, interreligiøs dialog' [Pakistan – peace and reconciliation efforts, interreligious dialogue], September 2004.

61 Norwegian Ministry of Foreign Affairs, 'Besøk av pakistanske muslimske ledere til Norge 16.–23. juni 2004' [Visit to Norway by Pakistani Muslim leaders, 16–23 June 2004], 24 June 2004.

62 Norwegian Ministry of Foreign Affairs, 'Pakistan – kontakt med radikale miljøer' [Pakistan – contact with radical groups], 18 February 2005.

63 This was despite the fact that Helgesen himself says that in 2003 he was discreetly asked by the head of UNAMA, Lakhdar Brahimi, whether Norway would be willing to play a role in facilitating dialogue with moderate Taliban elements. According to Helgesen, Norway was willing, but it proved difficult to establish a dialogue. Helgesen, p. 14.

In the period covered by the Commission's mandate, Norway's engagement in peace diplomacy can be divided into two phases. The first (later referred to as the 'Quetta track') covers the years from 2007 to the end of 2010. Norway was in contact with the Taliban's leadership council, the *Quetta Shura*, and the goal was to hold direct meetings between the Afghan government and the Taliban. This appeared to be within reach both in 2008 and in 2010. During this phase Norway's engagement was based on the contact established with the Taliban in 2007, and resembled traditional Norwegian engagement in a peace process more closely than was the case in the second phase. The latter (the Doha track) lasted from 2011 to the end of 2014 (and continued after the end of the Commission's mandate period). During this phase Norway's involvement was based on contacts that had been established in Afghanistan. At this time both international and Norwegian attention was focused on the Taliban's political commission and the plans for an office in Doha. Norway's relations with the US and its more strategic approach to the peace process influenced its engagement during this phase.

Although contact with the key Taliban leadership structures was most important for Norway's engagement, there were parallel contacts between Norwegian authorities and other parts of the insurgent movement in Afghanistan. However, these contacts were always subsidiary, reflecting deliberate priorities to make the best use of limited Norwegian resources.

Uncertainty and risk were two factors that shaped Norwegian peace diplomacy in Afghanistan right from the start. Both factors were more prominent in the first track than in the second. There was uncertainty even surrounding the issue of why the Taliban made contact with Norway in the first place, and why they chose to maintain it. This was a question that was asked within the Ministry of Foreign Affairs as well. The original contact was clearly linked to their confidence in one specific individual. However, the archival sources available to the Commission gave the impression that the Taliban trusted Norway more generally. Norway's long-term humanitarian engagement in Afghanistan, which continued during the Taliban regime, was one element in this picture. Another consideration was that Norway was a small state with no vested interest in Afghanistan, unlike many of the other actors that became involved. All parties were well aware of Norway's engagement in other peace processes, particularly in the Middle East and involving the PLO. Last but not least, it appears that the approach taken by the Norwegian diplomats enabled them to build trust quickly with the Taliban. To put it simply, the Taliban representatives complimented their Norwegian partners on taking them seriously.

Norway also took active steps to build trust with the Taliban. For example, one individual was offered medical treatment in Norway. Another move was to provide support for a legal aid project run by the Centre for Conflict and Peace Studies (CAPS) in Kabul. The head of CAPS was Hekmat Karzai, a cousin of President Karzai, and the project provided free legal aid for Taliban members and other insurgents throughout Afghanistan who had been interned on security grounds.[64] The advisers for the centre included four former key representatives of the Taliban who were resident in Kabul. Norway also carried out some small-scale aid projects in selected areas of southern Afghanistan, with the explicit aim of generating longer-term benefits for the peace and reconciliation agenda.[65]

The issue of risk was discussed internally in the Ministry of Foreign Affairs from the very beginning of Norway's peace diplomacy in Afghanistan. The Ministry concluded that this was a new, unfamiliar and very demanding type of engagement. In summing up the initial meeting with the Taliban in November 2007, the Ministry noted that for the first time, Norway was dealing with an illegal armed group that was not only listed by the UN as a terror organisation, but was also in direct conflict with a NATO force that included Norwegian troops.[66] The initiative was therefore of particular sensitivity to NATO allies and to key regional actors such as Pakistan, India and Iran. This entailed very specific foreign and domestic policy challenges and risks. The Ministry of Foreign Affairs proved willing to take these risks.

In its dialogue with the Taliban and other groups, Norway made it clear that it was a party to the conflict in Afghanistan. It was offering to facilitate a peace dialogue between the Afghan authorities and the Taliban, but did not want to be a party

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64 See www.caps.af/staff/hekmat.asp

65 Report from the Embassy in Kabul, 'Afghanistan – humanitært engasjement i Sør' [Humanitarian engagement in southern Afghanistan], 27 February 2010.

66 Norwegian Ministry of Foreign Affairs, 'Samtale med representanter for Taliban [kan ikke offentliggjøres] – Oppsummering og vurdering' [Talks with representatives of the Taliban [cannot be disclosed] – summary and assessment], 11 November 2007, p. 6.

to it. Norway also made it clear to the Taliban that Norwegian authorities alone could not change the views of the US: in other words, Norway could not 'deliver' an agreement with the US. On a few occasions, both Taliban representatives and neutral actors challenged Norway's position, claiming that it would be better for the country to withdraw its military contribution and focus entirely on peace diplomacy. This idea was rejected. As early as March 2008, the Foreign Minister established that Norway's military contribution was an essential basis for playing any role in Afghanistan.[67]

9.3.4 The Quetta track

The Norwegian diplomat mentioned earlier maintained contact with religious circles in Pakistan. In early 2007 he was contacted by an acquaintance, a religious leader who was organising a series of seminars in Quetta and who asked for help to find a lecturer. The topic was peace and reconciliation. The diplomat arranged for a Ministry of Foreign Affairs colleague to take part as lecturer and joined him in Quetta. While he was there, the diplomat received a verbal request from 'the Taliban leadership' to establish a dialogue with four selected Taliban members. This was the beginning of the Norwegian track involving the Taliban *Quetta Shura*. It was a traditional way of starting a Norwegian peace engagement but, in this case, with an unusually high level of risk and uncertainty.

Preparations for a meeting took place during the spring and summer of 2007. Norway's goal was to start a dialogue to initiate contact between the Taliban and Afghan authorities. Official Afghan support was therefore essential to continuing the process. Minister of Foreign Affairs Støre informed President Karzai about the plans in September 2007, in the margins of the UN General Assembly. President Karzai was in favour of Norway continuing this work.

In early November 2007 two Norwegian diplomats met a representative of the Taliban. This was the first of a series of meetings with Taliban representatives in the spring and summer of 2008 in various places around the world, including in Oslo. At the same time, Norwegian diplomats were holding frequent meetings with Afghan authorities. When Prime Minister Jens Stoltenberg, Foreign Minister Støre and President Hamid Karzai met in the margins of the NATO summit in Bucharest in April 2008 and the UN General Assembly in September 2008, the main topic of discussion was dialogue with the Taliban. At these meetings the Afghan authorities were able to confirm that the information Norway had passed on had been validated by their contacts. The Afghan authorities appeared to accept that the Norwegian contacts were bona fide.

In the spring of 2008 Norway was being actively used as a channel of communication between the parties. The Taliban representatives first indicated their willingness to meet Afghan authorities at a meeting in May. Plans for a meeting as early as the summer of 2008 were abandoned. In November 2008 Norway invited both a delegation from the Taliban and a key representative of the Afghan authorities to Oslo, with the declared aim of arranging a meeting. They all stayed at the same hotel, but before the meeting could take place, the Taliban delegation pulled out. In both these cases, the meetings were abandoned in response to attacks in Pakistan on people who were involved in the dialogue. The authorities in both Afghanistan and Norway considered the attacks as confirmation of the importance of the Norwegian channel. Later threats were interpreted in the same way.

After the failed attempt to bring the parties together in Oslo in November 2008, the Taliban took a step back and decided that they would like a formal meeting with Norway first. The Norwegian diplomats saw this as an attempt to make Norway a party to the negotiations and opposed the idea. As a result contact was suspended for a time in the winter of 2008–2009, before Norway agreed to a meeting after all. One night in March 2009, Norwegian diplomats met several representatives of the Taliban leadership. One of the participants was introduced as Mullah Omar. It is unclear whether the man himself was, in fact, present.

Norwegian embassies and diplomats received a number of threats during their work on the Quetta track, including a threatening letter sent to the Norwegian Embassy in Islamabad in the spring of 2010 (see Figure 9.3). The letter was signed by 'al-Qaida tehreek Afghanistan' (the al-Qaeda movement in Afghanistan). It claimed that al-Qaeda knew of Norway's contacts with the top leadership of the Taliban and that Norway intended to destroy the alliance between the Taliban and al-Qaeda. It threatened to punish Norway, Norwegian diplomats and their contacts for this. Like the 2008 attacks, the threats were interpreted

[67] Norwegian Ministry of Foreign Affairs, 'Afghanistan – Samtaler med [kan ikke offentliggjøres]' [Afghanistan – talks with [cannot be disclosed]], 19 March 2008, p. 1.

as a sign that it was indeed the Taliban leadership that Norway was in contact with. They also highlighted the risks of peace diplomacy and the need to protect those involved, for example, by maintaining strict confidentiality. At the same time, it became apparent that Norway and Norwegian diplomats were willing to take considerable risks in their peace engagement.

Efforts to facilitate a meeting between the parties began again after the meeting in March 2009. However, the plans were repeatedly delayed. The presidential election in Afghanistan was an important reason for the slow progress in the autumn of 2009. Norway continued to liaise between the parties, conveying messages back and forth. This produced some results that helped to build confidence. For example, in the winter of 2009 the Afghan authorities released a Taliban member from an Afghan prison, in response to a request from the Taliban conveyed by Norway. The legal aid project run by CAPS (mentioned earlier) assisted the released detainee with support from Norway. His release should be interpreted as another sign that the Afghan authorities considered the Norwegian contacts to be useful.

In early 2010 the parties agreed on a date for a new attempt to hold a meeting. This was to take place in Norway on 28 February. Six representatives of the Taliban were to be present, including the Taliban's second in command Mullah Baradar. As mentioned earlier, Mullah Baradar was arrested by the Pakistani authorities before the meeting could take place. It is not clear whether the arrest was linked to the planned Norwegian meeting. In the aftermath of this, there was what Norwegian diplomats interpreted as more serious internal conflict within the Taliban. Key figures in this were Mullah Zakir, who was perceived as a representative of the most militant part of the movement, and Mullah Mansour, who was believed to support negotiations.[68] The clearly obstructive attitude of Pakistan's Inter-Services Intelligence (ISI) to negotiations that were outside their control, together with the military offensives by ISAF and the US in the spring of 2010, which also caused civilian losses, were seen as strengthening the militant section of the Taliban movement.

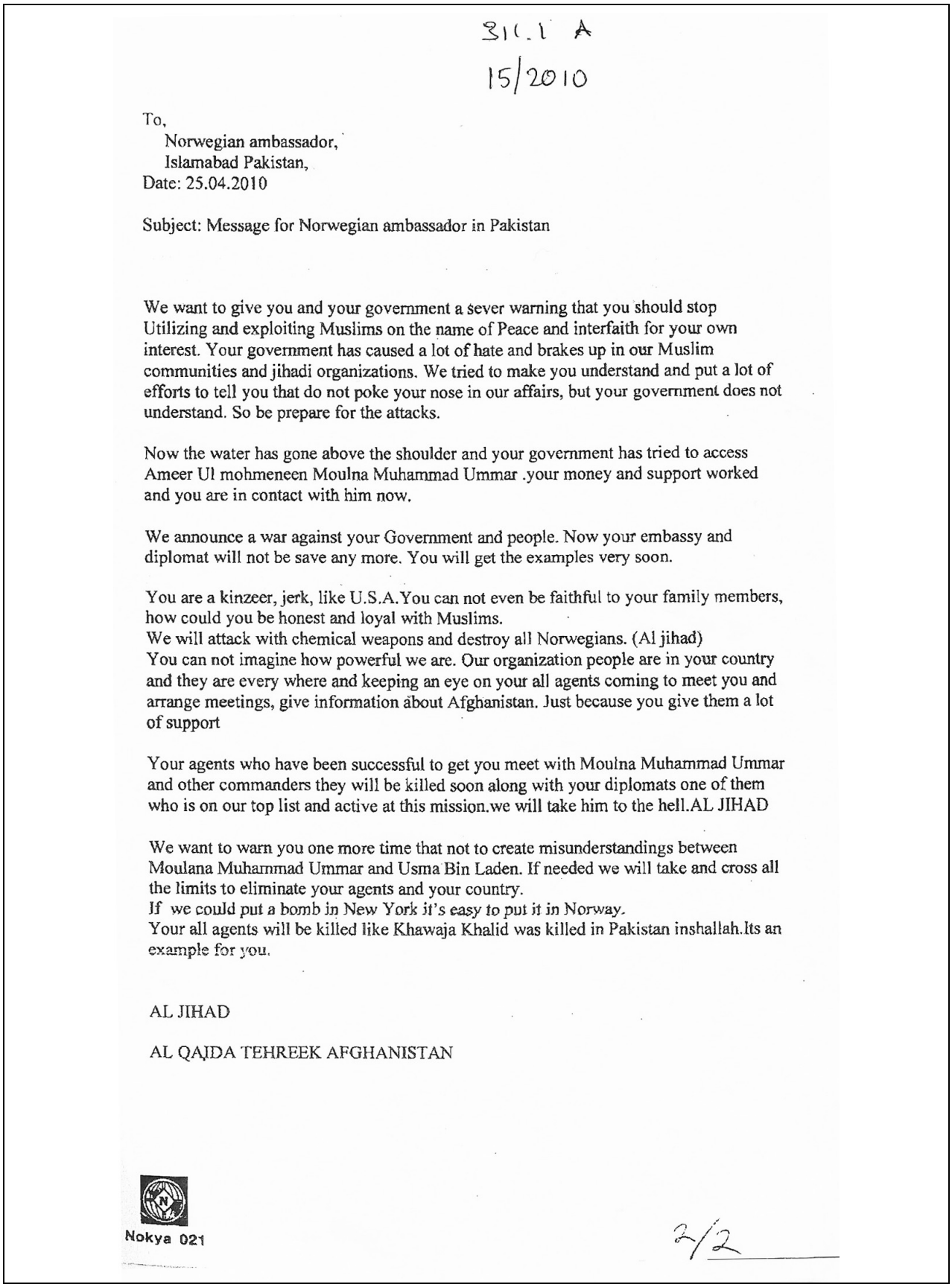
Although the Taliban again took a step back in the spring of 2010, contact with Norway was maintained. The aim was still to organise a meeting between the parties and a new attempt was to take place in August. Given what had happened in February, it was decided to transport participants to Norway from Afghanistan. Norway's plan was to meet the Taliban delegation outside Kandahar, transport them by car to Kabul airport and then fly to Norway. It was impossible to carry out this operation without US knowledge and participation. Despite the scepticism expressed by the US regarding what Norway could hope to achieve, the Norwegian authorities were given to understand that there would be support from US units for the transport. Just before the plan was to be put into action, a message was received from the Taliban saying that the meeting was cancelled.

This operation was the last attempt to organise a meeting of the parties using the Quetta track. After this all the parties, including Norway, took a step back. For the Norwegian Authorities, this meant returning to talks on specific issues – among other things, helping the Taliban to draw up a policy platform for participation in elections in Afghanistan. Norway also helped to organise a meeting between Taliban contacts and the UN in Oslo in late autumn 2010. There were sporadic contacts in the Quetta track until the summer of 2012, when the Ministry of Foreign Affairs explicitly abandoned it to focus on the Doha track. Contact with the Taliban leadership in Quetta was still maintained through various people, but the main track was now contact with the Taliban's political commission in Doha.

There is considerable uncertainty regarding the Quetta track and a number of unanswered questions remain. It proved impossible to organise meetings of the parties, despite the fact that both sides indicated their willingness to meet. The Taliban withdrew several times. It is difficult to judge whether this is because the contacts were not genuine or whether there were other motives for their assurances beyond a real desire to enter into a dialogue. There were a number of indications that Norway had in fact established contact with people in or associated with the Taliban leadership. The Norwegian diplomats explained their lack of success as being due to the great pressure on Mullah Omar and the Taliban leadership, which meant the Taliban saw it as an advantage to keep several channels of communication and options open. It became difficult to continue negotiations because of opposition not only within the Taliban itself, but also from al-Qaeda and, even more importantly, from ISI. ISI's position was made clear by the arrest of Mullah Baradar.

The decision to abandon the Quetta track was not the only result of the uncertainty relating to

[68] Mullah Mansour became the new leader of the Taliban in 2015. He was killed in a US attack in May 2016.



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15/2010

To,
Norwegian ambassador,
Islamabad Pakistan,
Date: 25.04.2010

Subject: Message for Norwegian ambassador in Pakistan

We want to give you and your government a sever warning that you should stop Utilizing and exploiting Muslims on the name of Peace and interfaith for your own interest. Your government has caused a lot of hate and brakes up in our Muslim communities and jihadi organizations. We tried to make you understand and put a lot of efforts to tell you that do not poke your nose in our affairs, but your government does not understand. So be prepare for the attacks.

Now the water has gone above the shoulder and your government has tried to access Ameer Ul mohmeneen Moulna Muhammad Ummar .your money and support worked and you are in contact with him now.

We announce a war against your Government and people. Now your embassy and diplomat will not be save any more. You will get the examples very soon.

You are a kinzeer, jerk, like U.S.A.You can not even be faithful to your family members, how could you be honest and loyal with Muslims.
We will attack with chemical weapons and destroy all Norwegians. (Al jihad)
You can not imagine how powerful we are. Our organization people are in your country and they are every where and keeping an eye on your all agents coming to meet you and arrange meetings, give information about Afghanistan. Just because you give them a lot of support

Your agents who have been successful to get you meet with Moulna Muhammad Ummar and other commanders they will be killed soon along with your diplomats one of them who is on our top list and active at this mission.we will take him to the hell.AL JIHAD

We want to warn you one more time that not to create misunderstandings between Moulana Muhammad Ummar and Usma Bin Laden. If needed we will take and cross all the limits to eliminate your agents and your country.
If we could put a bomb in New York it's easy to put it in Norway.
Your all agents will be killed like Khawaja Khalid was killed in Pakistan inshallah.Its an example for you.

AL JIHAD

AL QAJDA TEHREEK AFGHANISTAN

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Figure 9.2 In April 2010 the Norwegian Embassy in Islamabad received this threatening letter signed by the 'al-Qaeda movement in Afghanistan'. In the letter the group threatens terrible revenge unless Norway stops creating 'misunderstandings' between Mullah Omar (Moulana Muhammad Ummar) and Osama bin Laden (Usma Bin Laden).

contacts and the lack of results described above. Experience gained from the Quetta track also helped to shape the approach of the Ministry of Foreign Affairs to the Doha track and played a part more generally in the professionalisation of peace diplomacy in the Ministry.

However, there was another, more important, aspect of the Quetta track. Regardless of whether or not the Taliban contacts were genuine, they were so credible that they aroused the interest of both the Afghan and the US authorities. Thus, the Quetta track highlighted Norway's position as an actor in the peace diplomacy that, from 2010 onwards, quickly became an important element of the international efforts in Afghanistan.

9.3.5 Contact with the US

For Norway, the explicit goal of the Quetta track was to establish contact and dialogue between Afghan authorities and the Taliban. The effort was kept secret from those who were not participating. However, the Norwegian authorities recognised that the US would have to be engaged at some point – it would not be possible to succeed in establishing peace talks without US involvement. Moreover, if Norway failed to draw the US into these efforts, bilateral ties between them might suffer. Developing an understanding with the US on Norwegian peace diplomacy could considerably strengthen Norway's access and position in Washington. This was consistent with Norwegian experience during earlier peace processes. Involving the US required some fine-tuning of Norwegian practices, as it was very important for Norway to retain its position as an independent actor in peace diplomacy. The US was not to be given an opportunity to take over Norway's activities and thereby sideline Norway. The Commission has the impression that Norway succeeded in finding a good balance between the different considerations.

Foreign Minister Støre informed his US colleague Hillary Clinton about the Norwegian contacts for the first time in December 2009. Norway did not specify who the Norwegian authorities were meeting or where, which at times led US officials to express their frustration. However, Norway's decision was clear: despite reassurances about confidentiality, the Ministry of Foreign Affairs feared that information might fall into the hands of someone on the US side who had motives other than dialogue. As efforts in the Doha track proceeded, contact with the US became more frequent and more open, but Norwegian authorities continued to be cautious.

Figure 9.3 Minister of Foreign Affairs Jonas Gahr Støre and Secretary of State Hillary Clinton at their meeting in December 2009

Photo: US Embassy Brussels/Freddy Moris

It is difficult to determine whether and to what extent the Norwegian authorities played a part in changing the US position regarding a negotiated solution to the conflict in Afghanistan. Norway clearly did not play a key role. However, it is evident that there was high-level official US interest in the Norwegian initiatives. Peace diplomacy was a key issue in talks between Foreign Minister Støre and Secretary of State Clinton. Norwegian diplomats also met high-ranking representatives of the US authorities in both the State Department and the National Security Council to discuss this issue. In the Commission's view, Norway's access to US decision makers and the fact that they wished to learn more about the Norwegian contacts and initiatives indicate that Norway's peace diplomacy may have played a part in shifting the US position on the possibility of a negotiated solution to the conflict.

9.3.6 The Doha track

Towards the end of 2010, the Norwegian Embassy in Kabul came into contact with people who could put Norway in touch with the Taliban's political commission. Norway was aware that Germany had been working on a channel for contact with the commission for some time. When the Norwegian Ministry of Foreign Affairs in January 2011 decided to continue along this track, it was considered important to avoid complicating Germany's position.

Risk and uncertainty were factors in the Doha track, as they had been in the Quetta track, although not to the same extent. The risk was lower largely because the meetings were held in safer locations than when following the Quetta track. The level of uncertainty was lower for several reasons. The Taliban representatives could be identified with much more certainty than was the case in the Quetta track, and they could substantiate their links to the Taliban leadership. Over time, Norwegian authorities had built up considerable expertise on the Taliban and were taking a more systematic approach to their contacts. Both these elements were signs of the growing professionalisation of the Ministry's peace diplomacy.

Although Norway developed its contacts with the political commission in the course of 2011, Norway's role continued to be overshadowed by the German-US dialogue. It was not until November 2011 that Norwegian diplomats met the leader of the political commission, Tayyab Agha, in Doha. In addition to focusing more on other contacts, the Ministry of Foreign Affairs developed two new initiatives to maintain the level of activity. One of these focused on women's rights and took shape in December 2011, and one was called 'inclusive dialogue'. Both are discussed below.

As mentioned before, the Taliban broke off the negotiations in the German-US channel in March 2012. During the attempts to resume the dialogue, Norway took on the role of messenger, together with Qatar. As explained earlier, Germany ended up in the background for a variety of reasons. The UK also established contact with the political commission. Thus, in the winter of 2012 and spring of 2013, Qatar, Norway and the UK were the most important facilitators and mediators in the negotiations between the US, the Taliban and the Afghan authorities.[69]

As time went on the Norwegian authorities and the Taliban political commission started to hold monthly meetings. At one meeting in the autumn of 2012, the Taliban indicated that they would like to visit Oslo. On 10 October 2012, as part of the preparations for a meeting that was being planned for early November, contact with the Taliban was formally approved by the Norwegian government for the first time. During the Taliban visit in November, there was a meeting between the Taliban delegation, headed by Tayyab Agha, and Minister of Foreign Affairs Espen Barth Eide. The delegation was also given an introduction to Norwegian society, including the position of women in Norway, and visited a Norwegian church.[70] The meeting with the Foreign Minister was apparently the first time the political commission had met a minister. The delegation also had talks with senior officials. According to the commission itself, they were impressed by their visit, and it helped to build confidence in Norway.

The negotiations made progress during the winter of 2012–2013. In the spring of 2013 agreement was finally reached between the Taliban, the US and the Afghan authorities on the formal opening of the Taliban office in Doha. The date for the opening ceremony was to be 18 June 2013. Foreign Minister Espen Barth Eide used the occasion to mention Norway's role in public for the first time. In interviews with the Norwegian media, he stated that Norway had played an important part in the dialogue that had made it possible to open the Taliban office in Doha, and in the direct talks between the Taliban and the High Peace Council in Afghanistan.[71] As mentioned earlier, the launch of the office was not a success. Despite Norwegian attempts at crisis management, including a Plan B for a meeting in Norway, the plans for further dialogue in the Doha track rapidly collapsed.

In the Doha track, too, Norway's role developed through a combination of chance and its willingness to invest time and resources in an initiative, as well as its aim of continuing to play a role in peace diplomacy. The way in which contact was established was the first example of a chance event. Norway had put a great deal of effort into the Quetta track, and had reservations about investing time and resources in other tracks where opportunities arose. However, the contact with people who had access to the political commission developed at a time when there was great uncertainty about the Quetta track. This meant that there was interest in exploring other opportunities. The Norwegian authorities chose to focus on the Doha track, but it took time to achieve results.

The breakdown in the negotiations between Germany, the US and the Taliban in March 2012

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69 Ahmed Rashid, 'Can Taliban talks be revived after the 'Doha debacle'?', *BBC*, 29 June 2013. The first leak about Norway's role in the negotiations appeared during this period. 'Taliban talks in Doha drag on endlessly', *aljazeera.com*, 26 February 2013.

70 'Taliban var på kirkebesøk i Norge' [Taliban representatives visited a Norwegian church], *VG*, 18 June 2013.

71 'Norge spilte nøkkelrolle i samtalene med Taliban' [Norway played a key role in talks with the Taliban], *Dagen*, 18 June 2013; 'Hemmelige talibanmøter i Norge' [Secret meetings with the Taliban in Norway], *nrk.no*, 18. juni 2013.

was a second chance event, and one that gave Norway an unexpected opportunity to play a part. In the Commission's view, it was no accident that it was Norway that gained the opportunity. Norwegian diplomats had been systematically trying to build confidence with the Taliban political commission all through 2011. It seemed that the parties appreciated Norway's priorities: a long-term perspective with a low profile, a systematic approach and strict confidentiality.

In contrast to the situation in the Quetta track, it became quite clear early on that Tayyab Agha and the political commission really did represent the Taliban leadership. However, it was less clear what role the commission played and how much influence it had on the Taliban movement. Another difference from the Quetta track was that the US was now more favourably disposed towards negotiations and was itself in contact with the Taliban. This in turn meant that Norway's role was different, especially up to June 2013.

9.3.7 Thematic dialogue

There was little activity for a period after the unsuccessful opening of the Doha office in June 2013. Norway's contact with the political commission in Doha was only resumed in May 2014. At this stage it focused entirely on thematic dialogue. Discussions on specific issues had also been a priority in the Quetta track. Norway raised key issues relating to values in the dialogue, which at the same time had a clear strategic and political purpose.

The Norwegian authorities adopted an approach using written input in addition to face-to-face dialogue at an early stage of their engagement. Norwegian diplomats had presented written input to their contacts in the Quetta track as early as November 2008. However, this quickly became overshadowed by the efforts to organise a meeting between the parties. In December 2010 the approach was revived after the failed attempt to arrange a meeting in August that year. However, the thematic dialogue approach was more important and more systematically used in the Doha track.

Thematic dialogues covered a number of topics. In the Quetta track, the need for the Taliban to dissociate themselves from al-Qaeda was an important issue. The Taliban representatives raised the possibility of geographically delimited ceasefire zones as a confidence-building measure. This was later mentioned publicly in connection with the dialogue with the US.[72] Later on, the thematic dialogue between Norway and the Taliban focused on three key issues: the position of women, international humanitarian law and the Afghan constitution, including how the Taliban could adapt themselves to a political role in Afghanistan. As mentioned before, from December 2011 Norway chose to focus mainly on the position of women. The most important result of this initiative was achieved after 2014 and the end of the Commission's mandate period. In June 2015, a group of Afghan women (members of parliament and members of the High Peace Council) met Taliban representatives in Oslo.[73]

The decision to focus on women's rights has been criticised. As the possibility of achieving a negotiated end to the conflict attracted wider attention, there was growing uneasiness about what a peace agreement might involve. One concern was that the rights Afghan women had obtained after 2001 might be sacrificed in order to achieve peace. The dialogue with the Taliban about women's rights was therefore important in itself, but probably not as important as facilitating a dialogue between prominent Afghan women and the Taliban. During its visit to Kabul in November 2015, the Commission met some of the Afghan women who had been at the Oslo meetings. All of them highlighted the importance of, and were satisfied with the framework for, the meetings. However, Afghan human rights and women's organisations have criticised the dialogue with the Taliban. They claim that the Taliban's only goal is to whitewash a peace solution based on compromise; the Taliban have no intention of changing their views.

The 'inclusive dialogue' initiative was also an attempt to ensure understanding of and support for a peace process in Afghan society. The Norwegian Ministry of Foreign Affairs specifically emphasised that it was important that the peace process was not regarded as a matter largely concerning the Pashtuns. The initiative was principally developed in 2012, with a plan to involve the High Peace Council, opposition politicians, civil society groups and others in a dialogue with the Taliban and other insurgent groups. Although the initiative received broad support from many of the intended participants, the Taliban and even more the Afghan authorities remained sceptical. The Ministry appears to have abandoned the initiative towards the end of 2012.

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[72] 'Taliban Opening Qatar Office, and Maybe Door to Talks', *New York Times*, 3 January 2012.

[73] 'Afghan women hold historic talks with the Taliban', *BBC*, 6 June 2015.

It is difficult to judge the extent to which the thematic dialogue with the Taliban contributed to changes in their standpoints. According to the Taliban representatives themselves, the dialogue with Norway had an important influence on their thinking about key political issues and for their dialogue with the Taliban leadership. A Norwegian assessment concluded that there were changes in the Taliban's positions on several of the issues Norway highlighted in the dialogue. However, direct connections were difficult to ascertain, partly because other actors focused on the same issues in talks with the Taliban. This applied, for example, to the role and rights of Afghan women. Between 2009 and 2011 the Taliban were generally unwilling to express their views on the role of women in Afghan society and maintained that it was just propaganda that the movement opposed women's rights. In 2012 this issue received greater attention in various public talks and publications by the Taliban. For example, a representative of the Taliban's political commission spoke at the Chantilly seminar in December 2012. He highlighted the importance of preventing violence against women in the home, and claimed that the movement supported women's rights, but with the proviso that their rights must not be in opposition to 'human and Islamic values'.[74] Critics, on the other hand, claimed that the Taliban could exploit the proviso on Islamic values to restrict actual concessions on women's rights.

9.4 The regional dimension and Pakistan's role

As early as 2001 the Norwegian authorities highlighted the importance of regional dynamics, and particularly the role of Pakistan, for stability in Afghanistan.[75] Pakistan's national interests in Afghanistan and its close links with the Taliban meant that the country was an important actor throughout the period considered here. As mentioned before, peace diplomacy was one of the areas where this was most obvious. However, it was not until 2006, when it became apparent that international efforts were not producing results, that the international community wholeheartedly included regional dynamics on the agenda. As mentioned in Chapter 3, it was only in 2009 that US strategy officially identified Pakistan as part of the problem – as well as the solution – in Afghanistan.

In 2008 the Norwegian Ministry of Foreign Affairs established a Section for Afghanistan and Pakistan to coordinate policy vis-à-vis the two countries and strengthen regional expertise in the Ministry.[76] The section was to support the new special representative for Afghanistan and Pakistan, who was to take part in meetings of the US-led forum for special representatives (see Chapter 3). In 2009–2010 the Ministry of Foreign Affairs began a more systematic review of the need for a strategic approach to the regional dimension and the possibility of a Norwegian role in a broader regional political process. The Ministry sought to obtain an overview of regional cooperation projects, commissioned research reports on the regional dimension and organised several seminars in the region for employees posted to the embassies and in the Ministry in Oslo.

The Ministry's underlying reasoning was that Afghanistan's neighbours perceived Norway as a neutral country without vested interests. At the same time Norway was seen both as a channel for contact with the US and as a country that could speak up against it. The distance between Norway and the US was important, especially for a country like Iran. The Ministry believed that this could give Norway an advantage as a facilitator of regional processes. However, the Ministry stressed that it was important not to expect Norway to achieve too much in the region.

In 2010 Foreign Minister Støre wrote to a number of his colleagues, calling on them to join a dialogue on peace and reconciliation with Afghan authorities and regional actors.[77] Norwegian authorities also contacted the UN to advocate a dialogue on the regional dimension with regional actors. UNAMA took over this initiative, with Norway as a prominent supporter.[78]

In addition to Pakistan, Iran was seen as a key player in the regional context. Like Pakistan, Iran had complex relations with Afghanistan. Iran's

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74 'Taliban Unveil Political Plan', *Wall Street Journal*, 21 December 2012.

75 State Secretary Helgesen's visit to Pakistan, meetings in the US.

76 Memorandum from the Department for Regional Affairs and Development to the Minister of Foreign Affairs, 'Opprettelse av en Afghanistan/Pakistan-seksjon og en Asia-seksjon i departementet' [Establishment of an Afghanistan/Pakistan section and an Asia section in the Ministry], 21August 2008.

77 Minister of Foreign Affairs Støre wrote to the UK, French, Dutch, German, Danish, Icelandic, Swedish, Turkish and Finnish foreign ministers. The letter was dated 17 March 2010.

78 Email exchange between the Ministry and the Embassy in Kabul, 18 February 2011–22 February 2011.

conflict-ridden relationship with the US and other neighbouring countries also meant that there was a possibility that it would act as a spoiler. For this reason, too, it was important to include Iran in a regional dialogue.

One feature of the dialogue with the neighbouring countries was their fear of a permanent US presence in Afghanistan. For example, Iran strongly distrusted UNAMA as an agent of the US. Several neighbouring countries were dubious about joining large-scale, open, multilateral processes. The Norwegian authorities therefore set up informal, more discreet 'Track 2' processes in cooperation with the Centre on International Cooperation (CIC) at New York University.

In the period 2009–2011 Norway facilitated and partly funded a series of political dialogue meetings between the countries in the region. To give substance to the dialogue, Norway helped, for example, to draw up project proposals for regional cooperation in areas such as education, infrastructure and crisis management. The meetings led to the establishment of the regional Heart of Asia process. They became a forum for the discussion of issues that the countries involved considered to be sensitive, particularly with regard to what intentions they and the US had in Afghanistan. According to the Ministry of Foreign Affairs, the meetings were important in themselves as a way of increasing acceptance of peace negotiations internally in Afghanistan. The US authorities viewed this work favourably, especially the dialogue with Iran.[79] Norway played a part in drawing Iran into the regional dialogue. In the minutes of the first conference in the Heart of Asia process in Istanbul in 2011, the Ministry representative noted that during the conference, Afghanistan, the US and Iran all thanked Norway for bringing together the countries of the region in a communal effort.[80]

As time went on, Norway played a more discreet role in the regional dialogue and left it to the regional actors themselves to set the agenda together with Afghanistan. It is unclear how important an influence Norway's regional engagement had on the prospects of a political solution to the conflict in Afghanistan. Expectations as to the outcome of the process were not high in any case and it can be questioned whether even these were met. According to some observers, an engagement in which Afghanistan was viewed as the core of a larger region that included Central and South Asia and the Gulf region was not very realistic.[81] However, even if nothing else was accomplished, Norway's engagement did raise its profile in the region. Thus, the Heart of Asia process functioned as a tool of public diplomacy for the Norwegian Ministry of Foreign Affairs.

9.5 Summary

Norway was engaged in efforts to establish the basis for a political solution to the conflict in Afghanistan from an early stage. Norwegian peace diplomacy in Afghanistan, like its earlier engagement in peace diplomacy elsewhere, came about as a result of individual initiatives, combined with the willingness of the Norwegian authorities to invest time and resources and to take risks. The physical and political risk in Afghanistan was greater than in most other peace processes where Norway has been involved. The physical risk was linked to the danger that opponents of a political solution, including al-Qaeda, might attack Norwegian diplomats and embassies. The political risk was linked to the fact that Norway was itself a party to the conflict and that the crucial actor, the US, was still not prepared to negotiate. Moreover, Norway was involved in a complex political and cultural landscape in which the actors were unfamiliar. The early stages of Norwegian peace diplomacy showed the space Norway had for independent action in its engagement in Afghanistan, and also demonstrated Norway's willingness to make use of these opportunities.

Individual initiatives and predominantly idealistic motives characterised the first phase of Norwegian peace diplomacy in Afghanistan. Over time, realpolitik and Norway's interests became more important. There was no clear-cut difference between the Quetta and Doha tracks in this respect, although there was a stronger focus on Norway's interests in the latter than in the former. To put it simply, in the first phase the emphasis was on laying the foundation for a peaceful solution despite US opposition, while in the second

[79] Report from the Embassy in Washington, 'Afghanistan. Amerikanske vurderinger' [Afghanistan: US assessments], 1 February 2011.

[80] Norwegian Ministry of Foreign Affairs, 'Afghanistan og regionen' [Afghanistan and the region], 19 June 2011; email from the Embassy in Teheran to the Ministry, 21 August 2011.

[81] Kristian Berg Harpviken and Shahrbanou Tadjbakhsh, *A Rock Between Hard Places: Afghanistan as an Arena of Regional Insecurity*, London/New York: Hurst/Oxford University Press, 2016.

phase Norway's engagement was more in line with US interests. There were several reasons for this. The most important was that a political solution to the Afghanistan conflict had also become part of the US agenda. As a result, there was also growing interest in Norway's contacts and the political benefits that might arise from Norway's engagement.

Neither Norwegian nor other attempts to negotiate a political solution to the conflict in Afghanistan were successful. Despite this, Norway's efforts were of importance in four areas. Norway had a role – partly through its early involvement – in influencing the thinking in what ultimately became a concerted effort to find a political solution. Norway's engagement also appears to have influenced the views of Afghan authorities, and later US authorities, on the prospect of negotiations with the Taliban. It is difficult to provide clear-cut evidence of this, but the close high-level dialogue between Norwegian authorities, especially the Minister of Foreign Affairs, and Afghan and US authorities, must be interpreted as a sign that Norway's engagement was taken seriously and valued.

Moreover, Norway, as one of several actors who were conducting a dialogue with the Taliban, contributed to shaping the Taliban's thinking as to what a political solution would have to involve. Norway established a dialogue with the Taliban at an early stage on the need for the movement to change its political views and approach, particularly if it wished to return to a place in Afghanistan's political life. Over time, Norway gave highest priority to the issue of women's rights, and the dialogue between representatives of Afghan civil society and the Taliban in 2014–2015 attracted attention, with some justification. Although this was not the first time representatives of the Taliban had met Afghan women for the purpose of dialogue, the Afghan women felt that the talks were important and a confirmation that it was possible to involve the Taliban in a meaningful discussion on women's rights.

Norway's peace diplomacy became an important topic in the dialogue with US authorities, and probably played a part in the gradual development of a close relationship between Minister of Foreign Affairs Støre and Secretary of State Hillary Clinton. From 2012 onwards Norway, together with Qatar and later the UK, played an important role in attempts to achieve progress in the Quetta track negotiations. Because Afghanistan was such an important issue in US thinking, Norway's peace diplomacy in the country was even more influential than its engagement in earlier peace processes in raising Norway's status and reputation in this field in Washington and in giving access to US decision makers.

Finally, Norway's engagement in Afghanistan has played a part in the professionalisation of Norwegian peace diplomacy, a process that started in the early 2000s. This has involved long-term development of expertise and a professional approach to both risks and contacts. Another element that became particularly clear in Afghanistan was the value of support from the Norwegian Intelligence Service.

Chapter 10
Legal aspects of Norway's involvement in Afghanistan

The international engagement in Afghanistan has led to discussion of a number of issues of international law, some of them complex. The use of armed force by other states in Afghanistan had several legal bases in international law, which were largely uncontested. However, the manner in which military force was used in certain situations was more controversial. The debate on Afghanistan has pertained to issues relating to how force was used, generally as part of a broader international debate on international law. These include the protection of civilians, 'kill or capture' operations, the treatment of prisoners and the legal frameworks applicable to the fight against the funding of insurgent groups through drugs and crime.

Norway seeks to be a clear advocate of international law. In Afghanistan this has, in certain situations, been challenging. One important reason was that both the conflict itself and the US 'war on terror' challenged the established framework for the use of force under international law. In the Commission's view, Norway did not always play an active role in the debate and its position on certain questions of international law was at times unclear. This included the issues of the international legal basis for Operation Enduring Freedom (OEF) from summer 2002 and the inclusion of drug traffickers as a category of military target. Another was the US treatment of prisoners in Afghanistan in the early phase of OEF. The Norwegian authorities could have taken a stronger stance on the overall international legal framework that applied to the actions of Norwegian soldiers and civilians deployed to Afghanistan, and could have done so at an earlier stage. Faced with a situation that was in various respects unclear and challenging in terms of international law, it would have been reasonable for Norwegian authorities to have discussed key issues of international law in more depth and to have communicated their conclusions, both internally and to the public at large.

This chapter discusses Norway's use of force in Afghanistan in the context of international law. The rules that determine *when* armed force can be legitimately used against other states are known by the Latin term *jus ad bellum*. International law also regulates *how* force may be used during an armed conflict. These rules are known as *jus in bello*, or 'international humanitarian law' in English. In this chapter the Commission analyses Norwegian operations in Afghanistan in relation to both sets of rules: the legal basis for resorting to the use of force, and the legal regimes that apply to the use of force, both during hostilities and in connection with law enforcement. An underlying theme is the importance of international law in making it possible to use military force against an enemy, without undermining opportunities to provide humanitarian and long-term development aid.

10.1 The international legal basis for the military operations (jus ad bellum)

The rules that regulate the right of states to use force are primarily to be found in the UN Charter. The main rule is that all use of force between states is prohibited.[1] There are two exceptions to this: the right of self-defence and the use of force authorised by the UN Security Council, which are specified in Chapter VII of the Charter. In addition, states have a right of self-defence in accordance with international custom, which also constitutes a source of international law. If one state invites or consents to the use of force by another state against a non-state opponent on the first state's territory, this is not considered to be the use of force against a state. Such an invitation or consent is considered to be a valid legal basis for military operations on another state's territory.

The international legal bases for the use of force for OEF and for the *International Security*

[1] Article 2 (4) of the UN Charter.

Assistance Force (ISAF) were not the same. Norwegian authorities considered the legal basis for each operation to be valid. OEF had a legal basis in the right of collective self-defence under the UN Charter, but not in a UN mandate; at a later stage, the operation was also authorised by the consent of Afghan authorities. The legal basis for ISAF consisted of UN Security Council resolutions and consent from Afghan authorities. In the following, the Commission discusses the legal bases for the operations, and particularly for OEF, which was a more controversial case than ISAF.[2]

10.1.1 The legal basis for OEF

The attacks against the US on 11 September 2001 triggered the country's right of self-defence. This was reflected in NATO's declaration invoking Article 5 of the North Atlantic Treaty. The US stated that Afghanistan under the Taliban had supported and given shelter to al-Qaeda, the group that had attacked the US. Based on the right of self-defence of the US and the right of the UK and other states to take part in collective self-defence in support of the US, OEF was considered to be legitimate and lawful. Thus, the legal basis for OEF was largely uncontested.

Norway took part in OEF until 2006. Throughout this period Norwegian authorities maintained that Norway's participation had a legal basis both in the right of collective self-defence and in the consent of the Afghan authorities.[3] The legal basis for OEF was considered at the political level several times, for example, in debates in the Storting (Norwegian parliament). The Norwegian authorities were not aware of an explicit invitation from Afghan authorities to the coalition, but their consent was implicit in other documents.[4] For example, OEF was mentioned in the Security Council resolutions that authorised the use of force by ISAF. The first occasion was in 2004, when a resolution welcomed the part played by OEF in the conduct of elections. A resolution in the following year called on ISAF to continue to work in close consultation with OEF.[5] Variations on this wording were used in subsequent resolutions adopted in each year up to 2012. The fact that OEF was mentioned in this manner did not constitute a specific legal basis under international law for the use of force, but clearly recognised that OEF was operating in cooperation with ISAF. The legal basis for OEF was not seriously challenged by other states.

International lawyers have long discussed the scope of the right of self-defence.[6] A traditional interpretation of the UN Charter has been that this right applies only to self-defence against other *states*. However, many international lawyers have argued that through its Resolution 1368, adopted on 12 September 2001, the Security Council acknowledged the legal right of the US to engage in self-defence against international terrorist groups. In addition, international lawyers have argued that the wording of Article 51 of the UN Charter does not preclude an 'armed attack' for which a non-state actor is responsible from triggering the right of self-defence. The US has been of the opinion that, regardless of the origin of the attack, the 'war on terror' has continued to be a basis for exercising the right of self-defence.

10.1.2 The legal basis for ISAF

The legal basis for ISAF was provided by Security Council Resolution 1386, adopted under the provisions on authorisation of the use of force in Chapter VII of the UN Charter.[7] The resolution referred to the Bonn Agreement and authorised ISAF to take all necessary measures to ensure that the Afghan Interim Authority and UN personnel could operate in a secure environment. However, ISAF's mandate was limited to maintaining security in Kabul and its surrounding areas.

In addition, ISAF's operations were authorised by the consent of Afghan authorities. In both the Bonn Agreement and the Military Technical

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2 See for example Ståle Eskeland, 'Krig og fredsbevarende operasjoner: Lovlig, ulovlig eller straffbart? Krig og språk, rett og rettferdighet' [War and peacekeeping operations: lawful, unlawful or a criminal offence? War and language, law and justice], lecture in Oslo Militære Samfund, 6 October 2003. Discussed in Tarjei Leer-Salvesen, 'Jusprofessor hardt ut mot Bondevik' [Harsh criticism of Prime Minister Bondevik by law professor], *Klassekampen*, 7 October 2003.

3 See for example Foreign Minister Jan Petersen's address to the Storting on 15 December 2003 and Foreign Minister Jonas Gahr Støre's comments to the newspaper *Dagbladet* in November 2005, 'USAs krig er legitim' [A legitimate basis for the US war], *Dagbladet*, 10 November 2005.

4 In the *Military Technical Agreement* of 4 January 2002, OEF is referred to as 'coalition forces' and described as 'those national military elements of the US-led international coalition prosecuting the 'war on terrorism' within Afghanistan' (Article I 4 h).

5 UN Security Council Resolution S/RES/1623 (2005).

6 See for example Christian J. Tams, 'The Use of Force against Terrorists', *The European Journal of International Law*, Vol. 20, no. 2 (2009), p.. 378; Bruno Simma et.al. (Ed.), *The Charter of the United Nations: A Commentary*, Oxford University Press, 2002, pp. 788–806.

7 S/RES/1386 (2001) 20 December 2001. Reaffirmed in Resolutions 1413 (2002) and 1444 (2002).

Box 10.1 International law and Norway's F-16 contribution in 2002–2003

The F-16 combat aircraft Norway deployed to OEF were tasked with supporting units on the ground both by means of surveillance and by the use of armed force. The US rules of engagement made for a robust mandate and permitted all use of force within the framework of international humanitarian law. The Norwegian authorities set out some national restrictions. These included a proviso that operations were normally to be restricted to Afghan territory, that only specified categories of targets were permitted and that Norwegian forces were always to ensure positive identification of a target before attacking.

In the autumn of 2002 a discussion arose within the Norwegian government as to whether Denmark, the Netherlands and Norway, which were cooperating closely in Afghanistan, had the same interpretation of the right of self-defence if attacks were to come from the Pakistani side of the border. The F-16 aircraft regularly flew missions in areas close to the Afghan-Pakistan border and, at times, the hostilities crossed the border. The interpretation of the Norwegian authorities was that their restriction of operations to Afghan territory did not apply to self-defence. If Norwegian aircraft or coalition forces in Afghanistan were attacked from within Pakistan, Norwegian aircraft could in self-defence also engage targets in Pakistani territory. The Netherlands interpreted this in the same way, whereas Denmark took a more restrictive approach.

The rules of engagement and other documents (Special Instructions, SPINS) included procedures for obtaining consent for planned overflight of Pakistani airspace. However, there was no corresponding procedure for rapid approval of attacks on Pakistani territory in self-defence. Norwegian authorities had no consent from Pakistan for such attacks and did not attempt to obtain it. However, the US rules of engagement indicated that the US had wide-ranging consent.

Agreement of 4 January 2002 with the Interim Administration of Afghanistan, ISAF was invited to assist the Afghan authorities in their efforts to maintain security. The Military Technical Agreement authorises the use of military force to maintain security.[8]

In the autumn of 2003 the Security Council adopted Resolution 1510, which expanded both the geographical scope of ISAF's mandate and its scope for the use of force.[9] The geographical scope was expanded to include the whole of Afghanistan. The Security Council also added that ISAF was 'to provide security assistance for the performance of other tasks set out in the Bonn Agreement'. The expansion of the mandate opened the way for a wider military effort that was not restricted to maintaining security. The mandate set out in Resolution 1510 was extended for twelve months at a time every year until 2013.[10]

In the Commission's view, the international community, including Norway, had sufficient legal basis under international law for its use of force in Afghanistan. The decision to support the US in OEF was based both on the right of self-defence under the UN Charter and on customary international law. ISAF, and Norway's participation in the force, was authorised by the UN Security Council and consent from Afghan authorities.

The Commission has not drawn any conclusion on the question of how long the right of self-defence could be interpreted as providing the legal basis for OEF under international law. As mentioned before, Norwegian authorities considered that there was sufficient authority under international law for OEF. The Commission has not found that the government or relevant ministries held in-depth discussions of the question of whether the right of self-defence continued to be applicable or of the legal basis for OEF more generally. Given that it was not entirely clear how long the right of self-defence could be used to provide legal basis, and that there was no other explicit legal basis, such as a formal invitation from the Afghan Transitional Authority, the Commission considers that it would have been useful for the

8 Military Technical Agreement, Article IV 2.

9 S/RES/1510 (2003) 13 October 2003.

10 See S/RES/1563 (2004), 1623 (2005), 1707 (2006), 1776 (2007), 1833 (2008), 1890 (2009), 1943 (2010), 2011 (2011), 2069 (2012) and 2120 (2013).

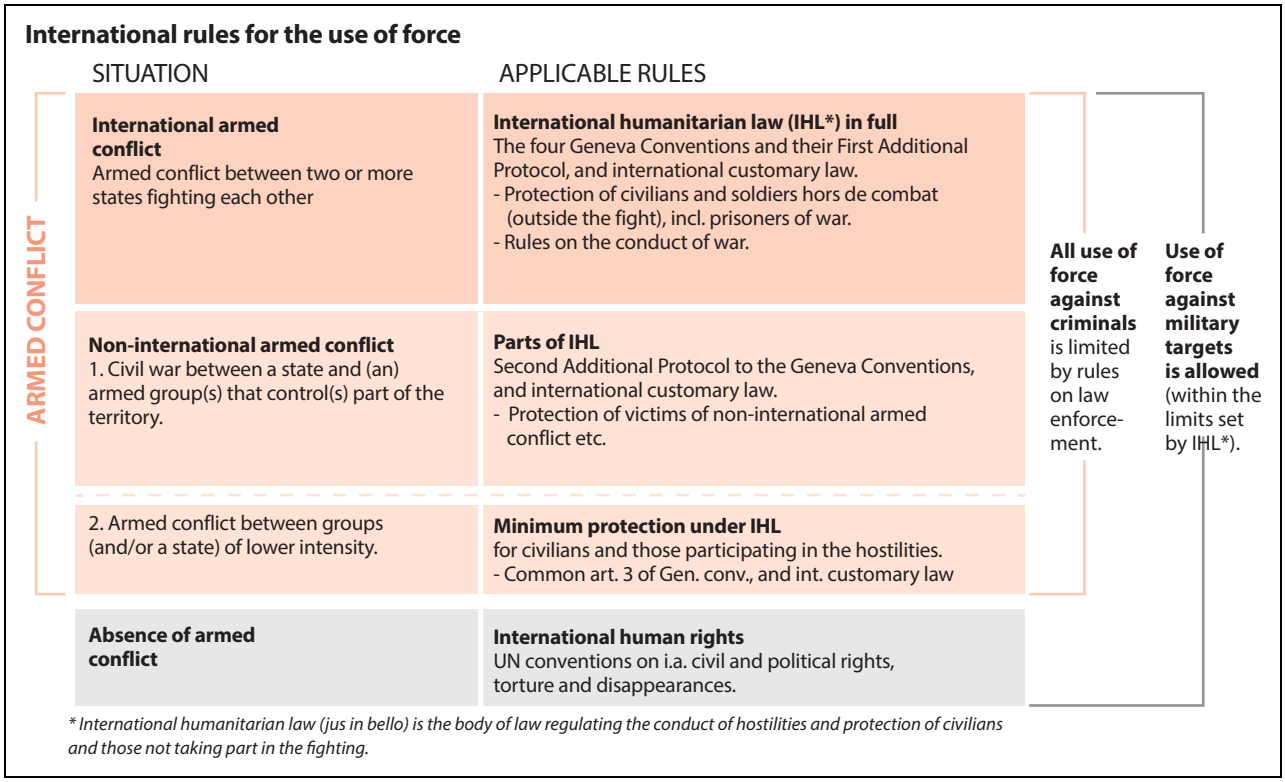

Figure 10.1 International rules on the use of force

Norwegian government to have discussed this issue in greater depth.

The deployment of Norwegian fighter aircraft to the border area between Afghanistan and Pakistan in 2002–2003 is discussed in Box 10.1 and illustrates the need for clear and thorough assessments of the legal basis for military operations. Situations could have arisen where Norwegian aircraft attacked targets on the Pakistani side of the border in response to attacks on individual soldiers or units from Norway or other coalition partners. This possibility was discussed at political level. Such a response would have had a legal basis in the right of self-defence, a basic right that was also set out in the rules of engagement. Even though Norwegian forces did not, in fact, experience situations of this kind in Afghanistan, the Commission would like to point out that during such complex conflicts, there may be situations that require a great deal of caution and a very clear awareness of the applicable legal framework. It is problematic in terms of international law to attack a military target in territory where no legal basis or explicit consent exists for the use of force. It is especially important to ensure that there is a clear legal basis under international law when the situation involves the use of armed force. In the Commission's view, there is particular reason to highlight this point, because Norway's Minister of Defence, in an address to the Storting in November 2002, referred to Article 51 of the UN Charter on the right of self-defence as the justification for using military force against targets on the Pakistani side of the border.[11] The Commission questions this line of argument. Even though the troops involved could legally use armed force in self-defence against targets on the other side of the border, this hardly justifies the claim that Norway had a right of self-defence against Pakistan under the UN Charter.

10.2 Which rules applied to the use of different kinds of force (jus in bello)?

Questions about the kinds of force that were used in Afghanistan, and how, are inextricably linked to the classification of the situation in Afghanistan,

[11] Note from the Ministry of Defence II (second department, security policy) to the Minister of Defence, 'OEF. F-16. Presisering av norsk forståelse av selvforsvarsretten i grenseområdet mellom Afghanistan og Pakistan' [OEF. F-16. Norwegian interpretation of the right of self-defence in the Afghanistan-Pakistan border area], 16 December 2002. The same wording was used in a cabinet document.

the category of conflict Norway was party to and the kinds of force that can legally be used in different situations.

10.2.1 Classification of the situation in Afghanistan

The legal basis for invoking the right to use military force can have an impact on how the situation is classified. This classification determines whether international humanitarian law is applicable, and if so, which parts of it. An armed conflict between two or more states is classified as an international armed conflict and international humanitarian law applies in its entirety. Thus, if the UN Security Council authorises member states to use military force against a state, it is a given that all provisions of international humanitarian law apply.

If the Security Council authorises the use of force against non-state actors, or states are invited or given consent to use force against such actors internally in a state, the rules governing international armed conflict are not applicable, because not all the adversaries are states. In such situations it is the rules of international law on non-international armed conflict, or the rules that apply to the use of force outside armed conflict, that are applicable.

The most important distinction is between the *absence of armed conflict* on the one hand and *armed conflict*, whether international or non-international, on the other (see Figure 10.1). A situation where there is no armed conflict is regulated by national law within the framework of international human rights. During an armed conflict, the whole of or parts of international humanitarian law apply.

Initially, OEF used armed force against both the Taliban-governed state of Afghanistan and al-Qaeda. Until the *Loya Jirga* (Grand Assembly) was held and the Afghan Transitional Authority was put in place in June 2002, the situation in Afghanistan was generally considered to be an international armed conflict. After June 2002 it had become a non-international armed conflict, because the coalition was no longer fighting against a state.[12] This meant that the scope of applicable international humanitarian law was much more limited.

In line with this, Norwegian authorities determined that the first Norwegian troops deployed to OEF were taking part in an international armed conflict and that the rules of international humanitarian law applied in full. Norwegian authorities continued to maintain this position after June 2002. In September 2002 the Norwegian Ministry of Defence stated that if Norwegian pilots were captured, they would be entitled to treatment as prisoners of war under the Third Geneva Convention, which is applicable only to international armed conflicts.[13] The Commission would like to point out that since this was no longer a conflict between states, the conclusion of the Norwegian authorities in September was questionable. In practice, Norwegian forces were at this stage taking part in a non-international armed conflict. This meant that the pilots had less protection: they were not entitled to prisoner-of-war status, as claimed by the Norwegian authorities.

It took some time before the Norwegian authorities clarified their position on how Norway's participation in ISAF was to be classified. For the first few years, the authorities were clearly of the view that, given ISAF's limited mandate, the contributing parties could not be said to be taking part in an armed conflict. It was not until December 2005 that the authorities explicitly stated a position on the matter. At this stage Norway opposed a revision of the rules of engagement for ISAF, specifying that its mandate was to be implemented within the framework of international humanitarian law.[14] The Norwegian authorities objected to the reference to international humanitarian law, because this implied that ISAF was involved in an armed conflict, which the Norwegian Ministry of Defence did not consider to be the case. Similarly, State Secretary Espen Barth Eide stated in a letter to Amnesty International in January 2006 that NATO was not a party to an

[12] Few states had recognised the Taliban regime as Afghanistan's lawful government. However, in terms of international law the important point was that the Taliban were *de facto* in control of the country.

[13] Report from the Ministry of Defence to Norwegian Joint Headquarters, 'Utkast til notat om operative rammer for bruk av norske F-16 jagerfly for innsats i Afghanistan' [Draft memorandum on the operational framework for the use of Norwegian F-16 aircraft in Afghanistan], 10 September 2002.

[14] Report from the Ministry of Defence to the Norwegian Military Representative to NATO, 'Rules of engagement request – brudd på taushetsprosedyre' [Rules of engagement request – break of silence], 8 December 2005. Other countries also perceived the revision as a shift towards counter-terror operations. This is clear from the exact wording of the final version of the rules of engagement. Norway's proposed wording was not adopted, but the reference to international humanitarian law was removed. NATO, 'Rules of Engagement Request for SACEUR OPLAN 10302 (Revise 1)', 16 January 2006.

international or non-international armed conflict in Afghanistan and that the Geneva conventions were therefore not applicable.[15]

However, in October 2006 the Ministry of Defence concluded that, in view of the extensive and prolonged hostilities ISAF had been involved in 'recently', the troop-contributing states in ISAF were to be considered as parties to a non-international armed conflict together with Afghan authorities.[16] The Ministry did not consider it necessary to assess whether this had been the case from the beginning or whether the situation had become an armed conflict at a later stage. Thus, Norway endorsed the classification adopted by several of the allies and by the International Committee of the Red Cross (ICRC). At the same time, Norwegian authorities made it clear that the change in classification of the conflict did not mean that Norwegian personnel had a wider mandate for the use of force in the field. The forces still had to operate within the framework of the UN mandate, NATO's operational plan and the applicable rules of engagement.[17]

As mentioned before, OEF took place in parallel with ISAF operations. OEF was unquestionably an armed conflict right from the start: at first an international armed conflict, and later a non-international armed conflict. Norway's classification of ISAF operations in 2006 reflected the deteriorating security situation in Afghanistan and was a clear signal of Norway's position: also through its participation in ISAF, Norway had to be regarded as a participant in a non-international armed conflict.

The Commission considers it unfortunate that the Norwegian authorities did not clarify their position on the classification of participation in ISAF until 2005–2006. In the period before December 2005, the authorities considered that ISAF had a limited mandate as a stabilisation force, and that its primary mission was to maintain peace and order on the basis of the legal framework and instruments for law enforcement and policing.

Thus, the starting point for the Norwegian authorities appears to have been that Norway was not participating in an armed conflict. The Commission has taken note of this. However, a clearer policy on classification would have been appropriate, because it would have made it clear that Norwegian troops could only exercise police authority. When there was an exchange of fire, the authorities considered the troops' right of self-defence to be a sufficient legal basis. However, it is important to note that there is a much more restrictive framework for the use of force in self-defence than for the use of force by combatants in an armed conflict. Should the use of force in law enforcement entail consequences such as criminal charges, soldiers would not be able to claim the immunity conferred by combatant status under international humanitarian law. In other words, troops would not be able to claim immunity under these rules if no armed conflict was found to exist. Nor would the protection that these rules afford to civilians be applicable, since 'civilians' are not a legal category in the absence of armed conflict. Universal human rights and rules for the use of force by the police provide some protection. In practice, however, it can be difficult for the authorities to safeguard human rights in a situation involving major security challenges. In the Commission's view, the classification of the situation should have been discussed at political and senior official level right from the beginning.

10.2.2 Discussion of whether Norway was involved in a 'war'

The discussion on the classification of the situation is relevant to how the Norwegian involvement in Afghanistan was discussed in Norway. A number of Norwegian officers and soldiers have expressed frustration at serving in what they experienced as a 'war' in Afghanistan, but that was not acknowledged to be a war at home. The Norwegian authorities countered this criticism on several occasions. In June 2010, for example, State Secretary Espen Barth Eide in the Ministry of Foreign Affairs stated that the government avoided using the word 'war' because it wished to refer to important and difficult topics precisely and correctly.[18] He went on to say that the word 'war' as used in everyday speech is synonymous

[15] Letter from the Ministry of Defence to Amnesty International, 'Norske soldaters medvirkning til arrestasjoner i Afghanistan' [Norwegian soldiers' involvement in making arrests in Afghanistan], 6 January 2006. Available on regjeringen.no.

[16] Memorandum from the Ministry of Defence II (security policy) to the Minister of Defence, 'Er Norge part i en væpnet konflikt i Afghanistan?' [Is Norway a party to an armed conflict in Afghanistan?], 30 October 2006.

[17] Letter from the Norwegian Chief of Defence to Norwegian Joint Headquarters, 'Norges rettslige partsforhold til konflikten i Afghanistan' [Norway's legal position as a party to the conflict in Afghanistan], 8 January 2007.

[18] 'Afghanistan og begrepet krig' [Afghanistan and the term 'war'], regjeringen.no, 29 June 2010.

with international armed conflict. At the same time, he acknowledged that 'war' is no longer used as a legal term in international law.[19]

In other connections the government has emphasised other legal aspects of the situation as an argument for avoiding the use of the word 'war'. For example, an internal memorandum produced by the Ministry of Defence in 2009 stated that an assertion that Norway was involved in a war in Afghanistan could have domestic legal implications, including in the area of private law.[20] However, Norwegian participation in Afghanistan has not resulted in a situation requiring the implementation of emergency measures, private law measures or other measures that may be implemented when the country is at war.[21] Using the word 'war' in referring to Norway's participation in operations like those in Afghanistan would hardly in itself trigger such a situation.

The word '*war*' does not entail a specific legal reference to an international armed conflict and its use is unlikely to have any legal consequences. In the Commission's view, the word 'war' is not a legal term, but a generic term for several forms of armed conflict. The Commission therefore considers that there is no legal reason to avoid the use of the word.

10.2.3 Limits on the use of force and unclear boundaries

The use of force is regulated by international rules on armed conflict, including the four 1949 Geneva Conventions and the two Additional Protocols from 1977, and by international human rights instruments. International humanitarian law applies only to acts that parties engage in as part of warfare. If a situation is not serious enough to be classified as an armed conflict, or if criminal acts are committed during an armed conflict, but are not related to the conflict, the relevant national rules for law enforcement are applicable. Their scope is regulated by the state's international human rights obligations.

The use of force, meaning 'armed force' or 'deprivation of liberty', is subject to different limitations, depending on whether the rules on armed conflict or the rules on human rights are applicable. In the absence of armed conflict, the threshold for the use of lethal force is very high.[22] The rules governing the deprivation of liberty in such situations mainly deal with the prosecution of crimes and include a number of legal safeguards.[23] During an armed conflict the threshold for the use of armed force against military targets is low. The international rules for prisoners of war and for internment on security grounds do not contain the same legal safeguards as those that apply to criminal prosecution.

Very often, internal armed conflicts involve a complex situation and a variety of actors. It can be a challenging task to classify such situations and distinguish between different types of actors.[24] This was also the case in Afghanistan. As the Commission describes in more detail later in this chapter, from 2007–2008 there was a growing emphasis on preventing drug trafficking from being used as a source of funding for the insurgency, and this resulted in new and controversial practices in differentiating between hostilities and crime.

International law distinguishes between civilians who do not take part in hostilities, those who take part only sporadically and those who take part in hostilities regularly and over extended periods (and are said to assume a 'continuous combat function' – in practice, often members of armed groups). If criminals take part in hostilities, they are classified as participants and lose their immunity as civilians. They may then be treated as military adversaries. It has proved difficult to define precise criteria for the classification of participation in hostilities. An expert group established by the ICRC worked for five years without managing to agree on clearer criteria for distinguishing between civilians and participants in hostilities in armed conflicts. However, the debate

[19] Norwegian authorities have not been consistent in the vocabulary they have used. The Commission notes that in 2009, the government resumed the award of the three most prestigious medals in Norway: the Norwegian War Cross with Sword, the St. Olav's Medal with Oak Branch and the War Medal. According to the revised statutes for the medals, they can also be awarded for deeds during international armed conflict. The fact that two of the medals are called *war* medals shows that the use of the word was not considered to raise problems here.

[20] Memorandum from the Ministry of Defence Section for International Law, Department of Security Policy, 'Krigsbegrepet og opprørsgruppers voldsbruk i Afghanistan' [The term 'war' and the use of violence by insurgent groups in Afghanistan], 22 October 2009.

[21] These are set out in legislation such as the 1950 *Beredskapsloven* (on emergency measures in wartime or if there is a threat of war) and the 2003 *Varekrigsforsikringslova* (on war risk insurance for goods transport provided by the State).

[22] See for example Article 2 of the European Convention on Human Rights.

[23] See for example Articles 5 and 6 of the European Convention on Human Rights.

[24] See for example *International humanitarian law and the challenges of contemporary armed conflicts*, ICRC 32nd Conference, 2015, p. 17.

was advanced as a result of their work, for example, through the group's use of the term 'continuous combat function'.[25] The rule that criminals may not be attacked simply because they are criminals is not contested. But if crime becomes an integral part of an armed conflict and many of the criminals involved can also be classified as military adversaries, it becomes more difficult to maintain a clear distinction between civilians and combatants. And if the distinction between military personnel and civilians is unclear, it is difficult to protect civilians.

The Commission recognises that it has not always been easy or even possible to distinguish between situations requiring law enforcement on the one hand and those involving hostilities on the other. Norwegian troops and deployed civilians have therefore found themselves in situations that have not been easy to classify. The Norwegian authorities considered that the Rules of Engagement (ROE) and the detailed instructions set out in a number of other documents, such as the Standard Operating Procedure (SOP) and soldiers' cards – combined with the right of self-defence – provided Norwegian troops with a sufficiently clear framework for their operations in Afghanistan.[26] In addition, soldiers received mission-specific training in the rules for the use of force.

The Norwegian authorities do not appear to have devoted a great deal of attention to the rules regulating the use of force, including the question of whether the rules and instructions were meant to apply to the use of force under a law enforcement regime or in an armed conflict. These are important questions that should have been discussed thoroughly and should also have been part of the public debate. These issues are also likely to create challenging situations during future conflicts.

A study published in 2009 provides one example of criticism of unclear boundaries.[27] According to the report, problems could have arisen when Norwegian police officers accompanied military patrols to make arrests. If situations that were initially regulated by rules on police authority and law enforcement had escalated to hostilities, civilian police would not have enjoyed the immunity against prosecution for lawful acts of war that is conferred on combatants.

The Commission would like to point out that the responsibility for clarifying, as much as possible, the legal framework that applies to the tasks of Norwegian troops and civilians posted abroad lies with the Norwegian authorities. Norwegian troops and civilian police officers posted abroad should, as far as possible, be given a clear understanding of whether a specific operation is regulated by international humanitarian law or by rules for law enforcement and human rights, not least because this has a bearing on whether they may be held criminally accountable for their actions at a later stage. At the same time, the Commission acknowledges that individual soldiers cannot be expected to look to the framework of international law to guide their actions, but must follow the instructions and training they receive. It is therefore vital that the authorities ensure that such instructions and training are clear, readily understood and have a sound basis in international law.

Box 10.2 Rules of engagement

Rules of engagement (ROE) are directives that reflect international law and legal, military and political guidelines for the use of military force during operations. They describe the circumstances under which military force may be used and the amount or type of force that may be used in a particular situation. In international operations, rules of engagement are an important tool for the political and military leadership of participating countries. National law and obligations under international law differ from country to country, which can make international operations challenging. Through joint approval of rules of engagement, countries can ensure that the use of military force is in line with varying national obligations and views. Countries can make specific exemptions from parts of the rules of engagement.

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25 Nils Meltzer, *Interpretative Guidance on the Notion of Direct Participation in Hostilities under International Humanitarian Law*, ICRC, 2009; Michael Schmitt, 'Targeting narcoinsurgents in Afghanistan: The limits of international humanitarian law', *Yearbook of International Humanitarian* Law, Vol. 12 2009, pp. 301–320.

26 In ISAF, the overall framework also included the UN mandate and the operational plans for ISAF. Letter from the Norwegian Chief of Defence to Norwegian Joint Headquarters, 'Norges rettslige partsforhold til konflikten i Afghanistan' [Norway's legal position as a party to the conflict in Afghanistan], 8 January 2007.

27 Halvor Hartz, *Samarbeid eller samrøre? Norsk politi og militære sammen om politiopplæring i Afghanistan [Cooperation or confusion? Norwegian police officers and military personnel training police together in Afghanistan]*, NUPI, 2009.

Ultimately, it will not be the individual countries that provided troops, nor the UN, NATO or Afghanistan that decides how the situation should have been classified and thus which rules were applicable. Court cases brought against the UK, particularly regarding events in Iraq but also involving Afghanistan, show that national or international courts will base their decisions on their interpretation of the situation on the ground in order to determine which rules should have been applied. In the most serious cases, states could be found to have violated human rights treaties or individual soldiers could be convicted of violations of international humanitarian law.

10.3 Civilian casualties

Protecting civilians is a key aim of international humanitarian law.[28] Anyone planning or carrying out acts of war such as airstrikes is required to direct attacks solely at military targets. Attacks must never be directed against the civilian population, civilian buildings or other objects that are not being used for military purposes. In international humanitarian law this is known as the rule of distinction. Civilians who take part in hostilities lose this protection. It is prohibited to launch an attack that would cause excessive incidental loss of civilian life in relation to the expected military advantage. This is known as the rule of proportionality in attack. Moreover, the parties to a conflict have a duty to take all feasible precautions to avoid civilian loss of life and injury, including taking steps to ensure that targets of attack are not civilians or civilian objects, and cancelling or suspending an attack if it becomes apparent that it will result in excessive civilian casualties in relation to the military advantage. Even if one party to a conflict violates international law, for example, by using civilians as a human shield, as NATO claimed the insurgents did in Afghanistan, this does not exempt other parties from complying with these obligations.

As discussed in Chapter 3, civilian casualties were an issue right from the start of the international military operations in Afghanistan in 2001. The insurgents were responsible for the largest numbers of civilian casualties. As regards the international forces, it was particularly airstrikes that resulted in civilian casualties, and the erroneous bombing of civilians was regularly discussed in the media in Norway and elsewhere. Civilian casualties became a concrete issue for the Norwegian government when it authorised the rules of engagement for the Norwegian F-16 aircraft that were to be deployed to OEF in the autumn of 2002. The Minister of Defence highlighted the need to ensure that all possible precautions were taken to avoid civilian casualties and damage to civilian objects.[29] The Norwegian authorities therefore emphasised that Norwegian personnel were required to verify that the targets of Norwegian airstrikes were in fact military and that the Norwegian authorities must take part in any investigation of incidents involving Norwegian aircraft. The latter point would be important if there were any question of individual criminal liability for troops or persons with command responsibility. It was pointed out that if Norway did not initiate the necessary enquiries and, if appropriate, criminal investigation of such cases, the legal procedures of the International Criminal Court (ICC) in The Hague could be triggered.[30]

As mentioned in Chapter 3, it was the armed opposition that was responsible for the largest numbers of civilian deaths in the period during which the United Nations Assistance Mission in Afghanistan (UNAMA) systematically recorded civilian casualties (from 2007). However, international and Afghan forces also were also responsible for killing and wounding substantial numbers of civilians: roughly 4,200 civilian deaths in the period 2007–2014 and 3,300 wounded in the period 2009–2014. As Figure 10.2 shows, many of the civilian casualties, and a clear majority early in the period, were caused by airstrikes. Operations targeting specific persons, known as 'kill or cap-

[28] The rules of the first Additional Protocol to the Geneva Conventions on the distinction between civilians and combatants are part of customary international law and therefore apply to all states. See for example Jean Marie Henckaerts and Louise Doswald-Beck, *Customary International Humanitarian Law. Volume I: Rules*, Cambridge, 2005, pp. 3–68.

[29] Memorandum to the Minister of Defence, 'Revidert utkast til Forsvarsministerens innlegg i Regjeringskonferansen og DUUK 26. september 2002 om operativ bruk av norske F-16 fly i Afghanistan' [Revised draft, address by the Minister of Defence to the government conference and Enlarged Foreign Affairs Committee on 26 September 2002 on the operational deployment of Norwegian F-16 aircraft in Afghanistan], 26 September 2002.

[30] Letter from the Ministry of Foreign Affairs to the Ministry of Defence, 'Møte i Regjeringens sikkerhetsutvalg 19. september 2002. Kommentarer til notatutkast fra forsvarsministeren om operativ bruk av norske F-16 fly i Afghanistan' [Meeting of the Government's Security Council 19 September 2002. Comments to draft memorandum from the Minister of Defence concerning the operational deployment of Norwegian F-16 aircraft in Afghanistan], 16 September 2002.

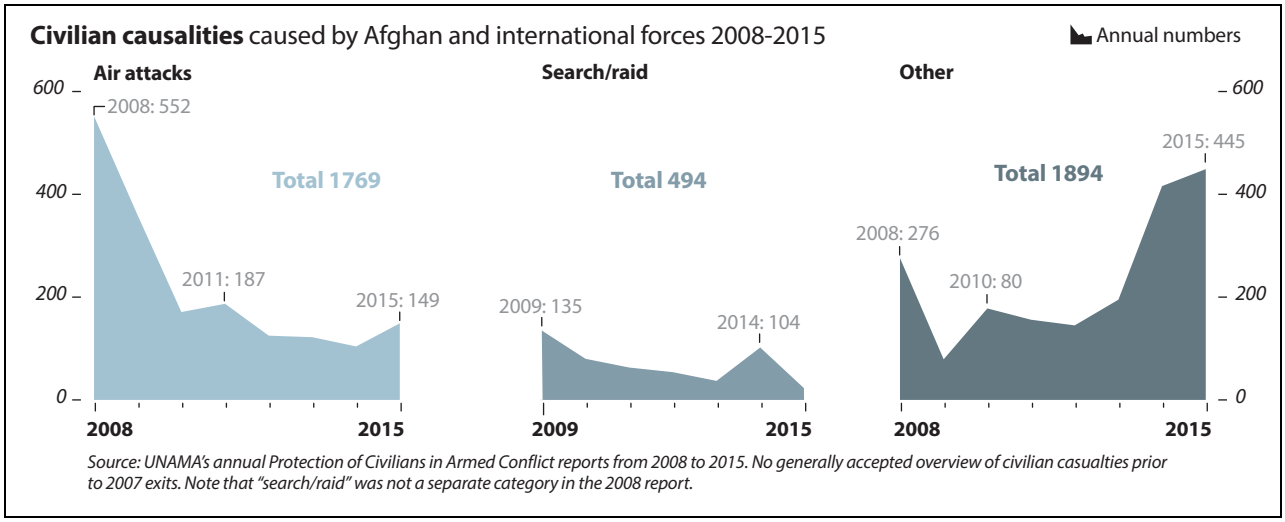

Figure 10.2 Civilian casualties caused by Afghan and international forces

ture' operations in US strategy, were another cause of civilian deaths and are discussed further in Section 10.5. UNAMA stressed that the reported figures for civilian loss of life during such operations were uncertain and possibly too low.[31] According to UNAMA, the US has often carried out such operations at short notice and based on too little knowledge about the facts on the ground.

In the spring of 2007 civilian casualties in Afghanistan became an important part of NATO's agenda. As mentioned in Chapter 3, the discussion in the North Atlantic Council (NAC) mainly concerned the political implications of these casualties – in other words, the risk that they would undermine public support for ISAF both in Afghanistan and in the various countries contributing troops to ISAF. The views Norway put forward also highlighted these issues. Norway did not play a prominent part in the NATO debate, but according to the minutes, did consider two proposals from another of the allies to be particularly important. These were the establishment of a permanent commission of enquiry that would include representatives of the Afghan authorities and the publication of parts of the tactical directive issued by the commander of ISAF in June 2007.[32] The first proposal was partly followed up through the establishment of a small unit within ISAF, but without the formal participation of Afghan authorities. The second was only implemented two years later. UNAMA, Afghan authorities and human rights organisations also played an important part in efforts to improve investigations and transparency.

When the counter-insurgency (COIN) doctrine was introduced in ISAF in 2008–2009, a key aim was to win the trust of the Afghan population. This reinforced the political motivation for preventing civilian casualties.

From the point of view of international law, the most important question if a party causes civilian casualties during a conflict is whether it has taken sufficient account of the rules on distinction, precautions and proportionality.[33] NATO's military authorities and ISAF introduced a number of measures to improve reporting of and enquiries into incidents involving civilian casualties and damage, and operational rules to reduce the risk of civilian casualties.[34] As early as June 2007, the US commander of both OEF and ISAF forces, General Dan McNeill, issued a tactical directive that

[31] 'UNAMA may be under-reporting the number of civilian casualties from night search operations', UNAMA, *Afghanistan. Annual Report 2011. Protection of Civilians In Armed Conflict*, February 2012, p. 25, footnote 64. UNAMA's reports on civilian casualties discuss such operations under the category 'search and seizure operations' or 'night raids'.

[32] Reports from the Norwegian Delegation to NATO, 'Afghanistan – NATOs råd 27. juni 2007 – sivile tap' [Afghanistan – North Atlantic Council 27 June 2007 – civilian casualties], 27 June 2007; 'Sivile tap i Afghanistan. Møte mellom Rådet og SACEUR' [Civilian casualties in Afghanistan. Meeting between NAC and SACEUR], 17 July 2007.

[33] See for example Human Rights Watch, '*Troops in Contact': Airstrikes and Civilian Deaths in Afghanistan*, September 2008, p. 5.

[34] For public information on these measures, see *Civilian Harm Tracking: Analysis of ISAF Efforts in Afghanistan*, Center for Civilians in Conflict, 2014 and *Factsheet: Protection of Civilians. How ISAF Reduced Civilian Casualties*, NATO JALLC, 1 June 2015.

included guidelines for the use of air-to-ground munitions and for house searches. The best-known of all eight revisions of this tactical directive was issued by General Stanley McChrystal on 2 July 2009, and parts of it were published.[35]

NATO concluded that the various directives, instructions and other measures reduced the number of civilian casualties caused by ISAF.[36] This conclusion was supported by the UN Security Council and, to some extent, by independent sources such as Amnesty International.[37]

As far as the Commission can determine, Norway did not, either in NATO or in its contacts with individual allies, raise the issue of whether civilian casualties caused by OEF or ISAF constituted a breach of international law. Norway considered that NATO and ISAF had taken effective steps to reduce civilian casualties through the guidelines adopted from 2007 onwards. For example, in his address to the Storting in February 2008, Foreign Minister Jonas Gahr Støre emphasised that ISAF's new guidelines had resulted in improvements 'in terms of results on the ground'.[38] Similarly, in April 2011 he stated, 'Norway has worked actively to promote measures that can limit the number of civilians killed by ISAF. It is encouraging to see that these measures have had an effect.'[39] Although it is uncertain whether Norway did, in fact, play a leading role in these efforts, nonetheless the Norwegian authorities seem to have considered the civilian casualties to be unfortunate, but probably not a breach of international law.

The Norwegian authorities required any incident involving civilian loss of life caused by the actions of Norwegian troops to be reported back to Norway. Reports on civilian injuries and damage to civilian buildings were only reported to ISAF. One incident involving the death of a civilian has become public knowledge. On 25 July 2009 two Norwegian soldiers shot an Afghan man riding a motorbike, who did not stop at a control point despite warnings.[40] Both the armed forces and the Judge Advocate General concluded that the soldiers had not acted illegally or breached ISAF guidelines.[41] The information the Commission has received from the armed forces lists only two other incidents involving civilian casualties.[42] In July 2010 a passer-by, a local Afghan, was killed in an exchange of fire between Norwegian forces and insurgents, probably by Norwegian fire; and in May 2011 a local Afghan was killed by accidental fire from a Norwegian grenade launcher. The families of all three casualties received compensation. None of the incidents was considered to constitute a breach of international law.

10.4 Deprivation of liberty and internment on security grounds

As mentioned earlier, the rules on deprivation of liberty differ depending on which legal regime is applicable. In the 'war on terror', the US demonstrated at an early stage that the country did not consider that either international humanitarian law or human rights applied to persons regarded as terrorists. These people were considered to be 'unlawful combatants', who were not entitled to the protection given by prisoner-of-war status, but who could nevertheless be held in captivity for as long as the 'war on terror' continued. This position was not abandoned until the US Supreme Court found in 2006 that the Geneva Conventions were also applicable to the 'war on terror'.[43]

The question of the treatment of prisoners became one of the most prominent international law issues relating to Afghanistan in the international debate. The debate particularly concerned the treatment of prisoners at the Bagram base in Afghanistan and at the Guantánamo Bay camp in Cuba.

10.4.1 Treatment of prisoners by Norway and other countries

Norway discussed the treatment of prisoners on several occasions during bilateral talks with the

35 Available at http://www.nato.int/isaf/docu/official_texts/Tactical_Directive_090706.pdf.

36 *Protection of Civilians. How ISAF reduced civilian casualties,* NATO JALLC, 13 February 2015.

37 See S/RES/1707 (2006) and S/RES/1833 (2008); 'NATO must address human rights in meeting on Afghanistan's future', *Amnesty International USA*, 3 June 2013.

38 Address to the Storting by the Minister of Foreign Affairs, 5 February 2008.

39 Address to the Storting by the Minister of Foreign Affairs, 26 April 2011.

40 'Kjenner identiteten til den drepte' [Identity of the casualty is known], *Dagbladet*, 27 July 2009.

41 Incidents involving the shooting of civilians who did not respond to warnings occurred frequently in Afghanistan. As early as 2008, ISAF introduced new guidelines for what is known as '*escalation of force*' in NATO. See the description in John Stevens, 'A Vignette. Coalition Casualties, Vehicle Control Points/Cordons & CIVCAS', *ISAF Coin Common Sense*, February 2010, p. 6.

42 Information received from the Defence Forces via the Ministry of Defence, 18 March 2016.

43 Supreme Court of the US, 'Hamdan v. Rumsfeld, 548 U.S. 557 (2006)', 29 June 2006.

US.[44] Norwegian authorities deliberately chose to take an low-key approach to the dialogue on questions of international law. The purpose was to reach key US decision-makers through a constructive dialogue rather than criticising US methods publicly.[45] Norway's views were for example made clear in a memorandum sent to the State Department in the spring of 2006.[46] In the document Norwegian authorities acknowledged that the threat of international terror gave rise to new legal challenges, including the determination of the legal status of detainees. At the same time, Norway emphasised that there could be no doubt that all detainees had fundamental rights. All prisoners, including suspected terrorists, must be treated according to basic standards, whether these are based on international humanitarian law or international rules on human rights, and there are no legal exceptions to this.

Norway did not, as far as the Commission can tell, use this dialogue to raise issues relating to Afghanistan, such as the treatment of prisoners at Bagram and other US bases in, for example, Kandahar and Gardez. Serious abuses of prisoners at these bases, in some cases resulting in fatalities, were public knowledge and well documented.[47] Norwegian authorities focused on questions of principle and, to the extent specific cases were highlighted, these related to Guantánamo and Abu Ghraib in Iraq. This was the case even though US treatment of prisoners in Afghanistan concerned Norway more directly, since the Norwegian forces in the country were taking part in an operation under US command and the US did not interpret the rules of international law on the treatment of prisoners in the same way as Norway.

Norwegian authorities emphasised that troops and deployed civilians were to report possible violations of international humanitarian law and human rights, regardless of who was suspected of being responsible. Existing reporting routines were reviewed and strengthened at an early stage of Norway's engagement in Afghanistan. The issue of routines was raised during question time in the Storting in the winter of 2003.[48] In a letter to the Ministry of Defence in March 2003, Amnesty International Norway stated that Norwegian military personnel had contacted them and complained about a lack of internal follow-up of information on violations of human rights given during debriefing.[49] In response the Ministry of Defence asked Norwegian Joint Headquarters to review the reporting routines.[50] According to the information the Commission has received from the armed forces, no reports of violations of international law were registered.[51] Several other measures were also identified and implemented, including the establishment of additional positions for legal experts and explicit reference to the matter in the instructions for the Norwegian contingent commander.[52]

The Ministry of Defence also made a thorough assessment of whether or not Norwegian personnel should be present during the interrogation of persons who were in the custody of other

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44 For example, by State Secretary Traavik at meetings in Washington, February 2002; State Secretary Helgsen at meetings in Washington, October 2004; 'USA. Utenriksminister Støres samtale med Secretary of State, Rice' [The US: Foreign Minister Støre's talks with Secretary of State Rice], Washington, D.C., 1 November 2005; 'Samtale mellom USAs rettssjef Bellinger og statssekretær Raymond Johansen' [Talks between US Legal Adviser Bellinger and State Secretary Raymond Johansen], 9 May 2006; 'Referat fra samtale mellom utenriksminister Støre og utenriksminister Rice i Washington' [Minutes of talks between Foreign Minister Støre and Secretary of State Rice], 17 June 2006.

45 Commission hearings, 8 January and 14 April 2015.

46 'P.M. [*pour memoire*] Norway's position on key legal issues concerning protection of detainees in the struggle against terrorism', 26 March 2006.

47 See for example Human Rights Watch, '*Enduring Freedom*'. *Abuses by U.S. Forces in Afghanistan,* Vol. 16, No. 3, March 2004; *Congressional Record, Senate, S-10980-81*, 9 October 2004.

48 See 'Dokument nr. 8:76 (2002–2003) Privat forslag fra stortingsrepresentantene Kjetil Bjørklund og Bjørn Jacobsen' [Document No. 8:76 (2002–2003) Private Member's Motion submitted by Kjetil Bjørklund and Bjørn Jacobsen], 25 February 2003; 'Brev fra Forsvarsdepartementet v/statsråden til forsvarskomiteen, datert 25. mars 2003' [Letter from the Ministry of Defence represented by the Minister of Defence to the Standing Committee on Defence, dated 25 March 2003], 25 March 2003.

49 'SAK: Departementets brev av 17. februar d.å. Norges rolle ved deltakelse i multinasjonale operasjoner' [The ministry's letter of 17 February 2003 on Norway's role during participation in international operations], Amnesty International Norway, 13 March 2003.

50 Letter from the Ministry of Defence to Norwegian Joint Headquarters, 'Observasjoner av brudd på internasjonal humanitær rett/menneskerettigheter ved norsk deltakelse i utenlandsoperasjoner. Vurdering av rapporterings- og debriefingsrutiner' [Observations of violations of international humanitarian law/human rights during Norwegian participation in operations abroad. Assessment of reporting and debriefing routines], 21 March 2003.

51 Information received from the armed forces via the Ministry of Defence, 18 March 2016.

52 Letter from Norwegian Joint Headquarters/Legal Services to the Ministry of Defence, 'Vurdering av Forsvarets rutiner ved eventuelle observasjoner av brudd på krigens folkerett eller menneskerettigheter ved Forsvarets deltakelse i utenlandsoperasjoner' [Assessment of the armed forces' routines in the event of observations of violations of international humanitarian law or human rights during their participation in operations abroad], 24 July 2003.

countries' forces within the framework of OEF or in the custody of Afghan authorities. Having personnel present could be an advantage, since they might be able to prevent abuses. On the other hand, if Norwegian personnel were present but were unable to stop abuses, they could risk accusations of complicity. In the summer of 2004 the Ministry of Defence decided that military personnel were not to participate in such interrogations.[53]

The Commission has noted that Norwegian authorities raised the issue of prisoners' rights with the US authorities as a matter of principle and in general terms. The Commission has also noted that Norwegian soldiers were instructed to report on any abuses they became aware of. Both international humanitarian law and human rights law include mandatory requirements to protect people against abuses such as torture. It is essential to ensure respect for these rules and all states have a responsibility to play their part. In the Commission's view, Norwegian authorities could have made their responsibility even clearer, for example, by raising specific cases relating to Afghanistan in their dialogue with US authorities.

10.4.2 'Norwegian' prisoners

One topic of debate that arose at an early stage was how much responsibility Norway had for prisoners captured by Norwegian forces.[54] In March 2002 the Foreign Minister stated in the Storting that if the Norwegian special forces in OEF should, contrary to expectation, take prisoners, they would in practice have no other option than to hand them over to US forces.[55] Norway had laid down as a condition for participating in operations under US command that Norwegian forces could not be used for tasks that would involve violations of international law. Prisoners were to receive protection as prisoners of war in accordance with the third Geneva Convention, said the Foreign Minister. And regardless of a prisoner's status, he emphasised, mandatory standards for the humane treatment of prisoners would apply.

According to Norwegian authorities, Norwegian special forces did not take any prisoners during their participation in OEF. However, from time to time persons were detained for short periods, generally by the Afghan soldiers accompanying the Norwegian troops, but were then released. In a report on their involvement in OEF between October 2005 and February 2006, the Navy Special Operations Commando expressed concern about whether the Norwegian rules of engagement allowed for the possibility that Norwegian forces could become involved in situations where they had to take prisoners, and what Norway's responsibilities would be for any prisoners.[56] Others considered the guidelines to be satisfactory.[57]

Both the criticism of the Norwegian authorities, and the internal assessments of Norwegian obligations under international law and of the transfer of detainees to US imprisonment, ended when Norway withdrew from OEF in 2006.

They were quickly replaced by concern about persons who were detained by Norwegian ISAF forces and handed over to Afghan authorities.[58] With the expansion of ISAF in 2005–2006, dealing with detainees became a greater challenge. After a lengthy debate NATO adopted new guidelines for internment in 2006. One of their key provisions was that persons detained by ISAF forces were to be transferred to Afghan authorities within 96 hours.[59] Only the commander of ISAF could, in

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53 Report from the Ministry of Defence to the Defence Staff, 'Vedrørende etterforskning av angrepet på norsk konvoi i Afghanistan' [Concerning the investigation of the attack on a Norwegian convoy in Afghanistan], 24 June 2004.

54 This was assessed internally in the Ministry of Defence as early as January 2002. See: Betenkning, 'Status for personer som tas til fange i Afghanistan mistenkt for å være terrorister eller å ha medvirket til terrorisme (personer tilknyttet al-Qaeda nettverket og Taliban-regimet)' [Opinion: status of persons taken prisoner in Afghanistan and suspected of being terrorists or of complicity in terrorism (persons associated with the al-Qaeda network and the Taliban regime], 24 January 2002.

55 'Dokument nr.15:240 (2001–2002). Skriftlig spørsmål fra Kjetil Bjørklund (SV) til forsvarsministeren, 6. mars 2002. Besvart av utenriksminister Jan Petersen' [Document No. 15:240 (2001–2002). Written question from Kjetil Bjørklund (Socialist Left Pary) to the Minister of Defence, 6 March 2002. Answered by Foreign Minister Jan Petersen].

56 Report from Navy Special Operations Commando to Norwegian Joint Headquarters/Specops, 'Rapport etter Marinejegerkommandoens (MJK) deployering til støtte for Operation Enduring Freedom (OEF) 05/06' [Report on the deployment of Navy Special Operations Commando in support of Operation Enduring Freedom (OEF) 2005/2006], 5 May 2006.

57 Commission hearing, 6 April 2016.

58 See for example Amnesty International Norway, 'Til forsvarsminister Anne-Grete Strøm-Erichsen: Norge kan bli medansvarlig for tortur av krigsfanger' [To Minister of Defence Anne-Grete Strøm-Erichsen: Norway risks a share of the responsibility for the torture of prisoners of war], 8 December 2005. Letter in reply from the Ministry of Defence to Amnesty International, 'Norske soldaters medvirkning til arrestasjoner i Afghanistan' [The involvement of Norwegian soldiers in arrests in Afghanistan], 6 January 2006. Available on regjeringen.no.

59 ISAF HQ, 'Standard operating procedures: Detention of non-ISAF personnel. SOP 362', 31 August 2006, paragraph 4, page 4.

specific cases, authorise an extension of this period.

However, it turned out that Afghan authorities, including the National Directorate of Security (to which prisoners were often transferred), were systematically violating the human rights of prisoners.[60] In Norway, as in several other NATO countries, concern about human rights abuses resulted in bilateral agreements (memoranda of understanding, MoUs) with Afghanistan on the follow-up of persons transferred to Afghan custody. The UK signed an MoU in April 2005, Denmark in May, Canada in December and the Netherlands in February 2006. In January 2006 Norway also decided to do the same, but put this on hold in the spring of 2006 pending the result of an attempt to draw up a joint MoU between the NATO countries and Afghanistan. This was not successful, and Norway and Afghanistan signed an MoU on 12 October 2006.[61] The Embassy in Kabul was later made responsible for its implementation.[62]

The MoU set out three main obligations for Afghan authorities: they were to respect fundamental obligations regarding the treatment of prisoners; no transferred persons were to be subject to the death penalty; and they were to permit access to and provide information on prisoners. The Norwegian MoU, like those signed by Denmark and other countries, stated that the Afghan Independent Human Rights Commission (AIHRC, see Chapter 7) could monitor the treatment of prisoners on Norway's behalf. However, unlike Denmark, Norway chose not to use the AIHRC, but to send Norwegian military personnel to monitor prisoners. The main reason was that Norway was only responsible for a small number of prisoners (see below).

Despite the arrangements agreed in the MoU, criticism continued. In 2007 Amnesty International demanded that Norway should halt the transfer of prisoners. Norwegian authorities also expressed doubts about whether Afghan authorities were able to implement the MoU in practice, particularly in rural districts.[63] This was particularly the case after a Canadian decision in 2008 to halt transfers because of the abuse of prisoners.

In October 2011 UNAMA published a report on the treatment of prisoners in Afghanistan.[64] This provided evidence of systematic, routine use of torture in Afghan prisons. In response to the report, the ISAF commander decided to halt transfers of prisoners. Norway followed up the decision by issuing instructions on a temporary halt in transfers of prisoners, and therefore also in arrests by Norwegian troops.[65]

The halt in transfers of prisoners received a mixed reception. Amnesty International welcomed the initiative, but some Norwegian officers were critical. They were concerned that it might give Norwegian soldiers a motive to shoot to kill rather than allow dangerous adversaries to escape.[66] Based partly on ISAF's report on the treatment of prisoners and also on confirmation obtained by Norwegian military personnel that 'Norwegian' prisoners who were still detained had not been tortured, Minister of Defence Espen Barth Eide decided in March 2012 to resume transfers.[67] In 2013 UNAMA published a new report, in which there was little to suggest that there had been any marked improvement in the situation for detainees in a number of prisons.[68] This report did not result in any response from ISAF or Norwegian authorities.[69]

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60 UNAMA reported on this in the series 'Treatment of Conflict-Related Detainees in Afghan Custody', see unama.unmissions.org.

61 The agreement is available on regjeringen.no.

62 'Instruks om norske myndigheters stedlige oppfølging ved overføring av personer fra norske ISAF-styrker til afghanske myndigheter' [Instructions on local follow-up by Norwegian authorities when detained persons are transferred from Norwegian ISAF forces to the custody of Afghan authorities], adopted 27 May 2008 by the Ministry of Foreign Affairs and the Ministry of Defence.

63 For example a report from the Norwegian Delegation to NATO, 'NATOS råd 25. april 2007 – Afghanistan – anklager om fangemishandling' [North Atlantic Council 25 April 2007 – Afghanistan – accusations of mistreatment of prisoners], 25 April 2007.

64 'Treatment of Conflict-Related Detainees in Afghan Custody', UNAMA, October 2011. Available on unama.unmissions.org.

65 Report from the Ministry of Defence to Defence Staff, 'Instruks om midlertidig stans i overføringer av tilfangetatte personer fra norske styrker til afghanske myndigheter' [Instructions on a temporary halt in transfers of detainees from Norwegian forces to Afghan authorities], 13 October 2011.

66 'Norske soldater: Faremo tvinger oss til å drepe' [Norwegian soldiers: Defence Minister Faremo is forcing us to kill], *VG*, 1 November 2011.

67 Ministry of Defence, 'Gjenopptar fangeoverføring til afghanske myndigheter' [Transfers of prisoners to Afghan authorities to be resumed], regjeringen.no, 14 March 2012.

68 'Treatment of Conflict-Related Detainees in Afghan Custody: One Year On', UNAMA, 20 January 2013.

69 Norwegian authorities pointed to Afghan authorities' responsibility for and their efforts to improve the situation. Memorandum from the Ministry of Defence II (security policy) to the Minister of Defence, 'Orienteringssak. UNAMAs rapport om tilstanden i afghanske fengsler og oppdatering om afghanske fanger med norsk oppfølgingsansvar' [Briefing. UNAMA's report on conditions in Afghan prisons and an update on Afghan prisoners Norway is responsible for monitoring], 23 January 2013.

According to information the Commission received from the Ministry of Defence, Norwegian forces detained 29 persons to whom the MoU on transfers applied.[70] Of these, fifteen were arrested on 14 June 2008 during an operation carried out by Norwegian special forces in Kabul. All but one of them were transferred to the National Directorate of Security. In addition, the Ministry of Defence decided that the MoU applied to one wounded prisoner who had been detained by Afghan security forces but was guarded by Norwegian troops while in hospital at Bagram.

Norwegian media have reported higher figures for the number of detainees.[71] However, in line with ISAF's rules of engagement, if ISAF forces only supported Afghan forces in making an arrest, or if a detainee was immediately transferred to the custody of Afghan authorities at the site of arrest, the arrests were not considered to have been made by ISAF.[72] In a directive from the commander of Norwegian Joint Headquarters issued on 27 May 2009, Norwegian forces were instructed that whenever it was possible and safe to do so, they were to ensure that Afghan authorities took control of persons detained by Norwegian forces, so that Norwegian forces did not become responsible for following them up.[73] The ISAF countries had varying interpretations of the situations to which this responsibility applied. The Commission is aware, for instance, that one ally followed a different approach from Norway. This country considered that in cases where its participation was necessary for carrying out the operation, it had a responsibility for monitoring all prisoners, even if they were captured by Afghan forces.[74]

Only three of the 30 'Norwegian' prisoners were tried and sentenced to prison.[75] All the others were so quickly released by Afghan authorities that no monitoring was necessary. Two out of the three who received prison sentences were released during an amnesty in 2011. There was also the wounded prisoner mentioned earlier. This meant that, from 2011, Norway only needed to follow up two prisoners. Only Denmark and Norway continued to monitor prisoners after trial and sentencing. Other countries monitored prisoners only until the court reached a judgment, on the grounds that the risk of torture and other mistreatment is greatest during the investigation and legal process.

In the Commission's opinion, the establishment of the MoU on follow-up of prisoners in 2006 was an important step. It could also be used as a framework if similar problems arose during operations in the future. However, Norway would then need to do everything in its power to ensure such agreements are respected. Norwegian authorities raised the issue of the treatment of prisoners with Afghan authorities several times and in various different ways, but could have made even clearer demands for the Afghan authorities to follow up their obligations.[76] Moreover, Norwegian authorities appear to have focused on avoiding Norwegian responsibility for monitoring prisoners. It is not a goal in itself to seek such responsibilities, but nor should it be a goal to avoid them in a country where prisoners risk abuse. The Commission refers in this connection to a proposal from the Norwegian Red Cross for Norwegian legislation on internment.[77]

The Commission notes that there is an absolute prohibition in international law against declaring that no prisoners will be taken (or that 'no quarter will be given') in an armed conflict.[78] The ISAF instructions to halt the *transfer* of prisoners did not constitute such a declaration, but this issue demonstrates the dilemma inherent in cooperating with countries where the authorities do not prevent torture and mistreatment of detainees. In the Commission's view, such situations are complex and there are few, if any, satisfactory

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70 The Commission was told by a source who had previously been in a key position that the MoU in fact applied to more than 30 detainees. Commission hearing, 14 April 2015. The Commission was not able to establish why there were different opinions on this.

71 See for example interview with Joar Eldheim, adressa.no, 23 October 2010.

72 See 'Norske styrker følger opp fanger' [Norwegian forces monitoring prisoners], regjeringen.no, 31 October 2010.

73 'Sjef Fellesoperativt hovedkvarters bestemmelser for norske styrkers overføring av fanger til afghanske myndigheter' [Rules for the transfer of detainees from Norwegian forces to Afghan authorities issued by Commander, Norwegian Joint Headquarters], 27 May 2009.

74 Commission hearing, 25 March 2015.

75 According to the information provided for the Commission by the Ministry of Defence.

76 Norwegian authorities emphasised the importance of preventing abuses at several meetings with Afghan authorities. Norway also endorsed a statement by the EU, 'Statement by the European Union and its Member States in Kabul on the UN report regarding mistreatment of detainees in certain detention facilities of the NDS and Afghan National Police (ANP)', 10 October 2011.

77 Letter from the Red Cross to the Norwegian Commission on Afghanistan, 'Innspill til Afghanistanutvalgets arbeid' [Input to the work of the Norwegian Commission on Afghanistan], 5 February 2015; Mads Harlem, 'Kronikk: Uakseptabel fangebehandling' [Opinion: unacceptable treatment of prisoners], *VG*, 21 March 2015.

78 Additional Protocol I to the Geneva Conventions, Article 40.

solutions. Alternatives such as holding detainees for longer periods or terminating an operation are far from ideal. However, both options should be included when the government assesses similar situations in the future.

10.5 'Kill or capture'

In the summer of 2010 it emerged in the media that ISAF had drawn up a 'kill or capture' list, formally known as the Joint Prioritised Effects List (JPEL).[79] This was related to and part of a wider US-led 'kill or capture' strategy within the framework of US national operations and OEF. Individuals were listed as targets for intelligence collection, killing or capture.[80] As described in Chapter 5, the US special forces brought this approach with them from Iraq to Afghanistan in 2006. From around 2007 the JPEL process also became part of ISAF. The involvement of Norwegian intelligence and Norwegian special forces in processes linked to JPEL is discussed in Chapter 5.

Some of the criticism concerned possible violations of international law. First, the operations resulted in civilian casualties. Second, detainees were not always treated as they were entitled to be. And third, killings based on lists like JPEL could easily appear to be summary executions.[81] In cases where those killed were military targets under international law, this criticism had little substance. If the ISAF countries had made it clearer that international humanitarian law was applicable and that ISAF was not fighting crime in these situations, this practice might have been subject to less criticism. On the other hand, if ISAF had been involved in fighting crime outside the framework of an armed conflict, killing 'targets' who were on the JPEL list would have constituted extrajudicial execution. This would have been a serious violation of human rights by the state responsible, and the troops involved would have risked being charged with murder. Norwegian forces were did not participate in any such attacks.

The most controversial aspect of JPEL in terms of international law was the inclusion of drug traffickers as military targets. The UN Security Council stated as early as September 2006 that the narcotics trade was having an impact on the security situation in Afghanistan. Security Council Resolution 1707 of 17 September 2006 expressed concern about the activities of the Taliban, al-Qaida, illegally armed groups and those involved in the narcotics trade and the threat they posed to security.[82] In Resolution 1833 (2008) and later resolutions, the Security Council added criminals to this list, and highlighted the increasingly strong links between terrorism activities and illicit drugs and the fact that narcotics trade was a source of funding.[83] From 2006–2007 onwards several allies and the United Nations Office on Drugs and Crime (UNODC) argued that ISAF should also strengthen its counter-narcotics efforts.[84]

There was relatively broad agreement in NATO that ISAF could do more, but giving higher priority to counter-narcotics efforts raised a number of issues.[85] These included the complex relations between the narcotics industry, the Taliban and insurgent groups, requirements for it to be possible to demonstrate direct ties to the insurgency, the constraints of the UN mandate, the need for a revised operational plan, and national reservations, or caveats.

Norway had hitherto attached little importance to ISAF's counter-narcotics efforts. In 2005–2006 Norwegian authorities were generally of the view that NATO had few comparative advantages in this field and that ISAF should therefore support counter-narcotics work indirectly through security sector reform.[86]

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79 'Afghanistan war logs: Task Force 373 – special forces hunting top Taliban', *The Guardian*, 25 July 2010.

80 *Der Spiegel* published an anonymised JPEL list where the 'notes' column clearly indicates which categories individuals belonged to. See http://www.spiegel.de/media/media-35508.pdf.

81 This criticism applied especially in the case of US citizens or others who in principle were entitled to have accusations of terrorism tried before US courts. See for example Steve Coll, 'Kill or Capture', *The New Yorker*, 2 August 2012.

82 S/RES/1707 (2006).

83 The same message is repeated in S/RES/2096 (2013) and 2189 (2014) on Afghanistan and in S/RES/2195 (2014) on terrorism and organised crime.

84 Norwegian Delegation to NATO, 'Afghanistan. Narkotikaproblemet og NATOs rolle' [Afghanistan. The narcotics problem and NATO's role], 31 August 2007; Norwegian Delegation to NATO, 'Orientering av UNODC om opiumsproduksjonen i Afghanistan' [Briefing for UNODC on opium production in Afghanistan], 5 September 2007.

85 Norwegian Delegation to NATO, 'Afghanistan. Narkotikaproblemet og NATOs rolle' [Afghanistan. The narcotics problem and NATO's role], 31 August 2007; Ministry of Defence memorandum, 'NATOs uformelle forsvarsministermøte i Budapest – revidert oppsummering' [NATO's informal defence minister meeting in Budapest – revised summary], 21 October 2008.

86 Ministry of Defence to the Norwegian Delegation to NATO, 'NATOs rolle i bekjempelse av narkotika i Afghanistan – instruks' [NATO's role in counter-narcotics in Afghanistan - instructions], 14 April 2005.

At the initiative of the US, NATO's defence ministers decided at their meeting in Budapest in the autumn of 2008 that ISAF was to take on a wider counter-narcotics role as a trial arrangement.[87] Norway supported the decision.[88] According to the decision, ISAF could 'take action … against facilities and facilitators supporting the insurgency'. Operations were to take place in consultation with Afghan authorities, in accordance with appropriate UN resolutions and within the framework of existing operational plans. US authorities interpreted this decision as meaning that drug traffickers with links to the insurgency were now legitimate military targets. This was, for example, reflected in amendments to the US rules of engagement made after the Budapest meeting.[89]

The Norwegian authorities did not appear to be particularly concerned about this new and wider interpretation of which persons could be considered military targets and, according to the minutes of relevant meetings, they did not play a very active role in the discussions. However, in the summer of 2008 the commander of Norwegian Joint Headquarters called for a more carefully thought through approach to the grey areas surrounding military targets associated with the narcotics trade.[90]

NATO's decision was followed up by a revision of the appendix on counter-narcotics in ISAF's operational plan ('Guidance on counter-narcotics'). The revised version was presented in February 2009 by NATO's Supreme Allied Commander Europe (SACEUR), who at the time was US General Bantz John Craddock. In this appendix persons associated with narcotics production were considered to be military targets under international humanitarian law 'if they directly support the insurgency', despite the fact that under international law, persons only become military targets in the event of their 'direct participation in hostilities'.[91] The press became aware that there was disagreement on whether this point of ISAF's guidance was in accordance with international law before the appendix was adopted. The commander of ISAF, US General McKiernan, and the commander of Allied Joint Force Command in Brunssum in the Netherlands, German General Egon Ramms, apparently refused to implement the change.[92]

It was not until the amended version of the operational plan had been adopted and the debate reached the press that Norwegian authorities conducted their own specific assessments of international law issues relating to the appendix on counter-narcotics. The authorities concluded that provided that the wording of the appendix on 'support for the insurgency' was assumed to have the same meaning as 'direct participation in hostilities' in international humanitarian law, NATO's approach was in accordance with the first Additional Protocol to the Geneva Conventions.[93] Norwegian authorities thus interpreted the appendix in a different way than its wording would suggest: *support* for an insurgency normally has a wider meaning than *direct participation* in it. Moreover, Norway's position was that when targets were selected, intelligence-based documentation must be available in each case so that direct participation could be established with reasonable certainty. Norway did not consider it to be in accordance with international humanitarian law to categorise all those who were involved in the narcotics trade and had links to the insurgency as military targets on a general basis. Their involvement in the narcotics trade had to reach the threshold for direct participation in hostilities. State Secretary Espen Barth Eide of the Ministry of Defence expressed concern that respect for international law would be further weakened, and gave instructions that Norway's interpretation was to be made known.[94]

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87 'Obstacle in Bid to Curb Afghan Trade in Narcotics', *New York Times*, 22 December 2008.

88 Memorandum from Ministry of Defence to the Minister of Defence, 'Referater fra NATOs formelle forsvarsministermøte 12.–13. juni 2008' [Minutes from NATO's formal defence minister meeting 12–13 June 2008], 1 July 2008; 'Norge vil ha NATO-kamp mot narkobaroner' [Norway wants NATO to join the fight aginst drug lords], *VG*, 9 October 2008.

89 Report to the Committee on Foreign Relations US Senate, 'Afghanistan's narco war: breaking the link between drug traffickers and insurgents', 10 August 2009; Christopher M. Blanchard, 'Afghanistan: Narcotics and U.S. Policy', *Congressional Research Service RL32686*, 12 August 2009.

90 Jan Reksten, 'Lovlige mål i Afghanistan' [Legal military targets in Afghanistan], *Forsvarets Forum*, 1 July 2008.

91 Memorandum from the Norwegian Delegation to NATO, 'Afghanistan. Uformelt rådsmøte med SACEUR om ISAFs rolle i forhold til anti-narkotika' [Afghanistan. Informal council meeting with SACEUR on ISAF's role in counter-narcotics], 11 February 2009.

92 'Battling Drugs in Afghanistan: Order to Kill Angers German Politicians', *Der Spiegel*, 29 January 2009.

93 Memorandum from Ministry of Defence II (security policy) (jointly with the Ministry of Foreign Affairs) to the Minister of Defence, 'Afghanistan. Narkotikabekjempelse. Tolkning av Budapest-vedtaket og forholdet til humanitærretten. Forslag til norsk holdning' [Afghanistan. Counter-narcotics. Interpretation of the Budapest decision and its relationship to international humanitarian law. Proposal for a Norwegian position], 17 February 2009.

94 State Secretary Barth Eide's written comments in the memorandum of 17 February 2009.

Germany was one of the countries that most actively criticised the broader definition of military targets. Norway and Germany were cooperating closely in northern Afghanistan. According to Der Spiegel, Germany took a restrictive approach to nominations to the JPEL list.[95] It required nominations to be approved by the German Ministry of Defence, and only persons who had ordered, prepared or participated in attacks could be nominated. The number of nominations from Regional Command North was low and this apparently led to some friction with US authorities. Norway did not introduce its own restrictions, but the German restrictions also had direct implications for the Norwegian PRT's work on the JPEL list (see Chapter 5).

All allied intelligence that was communicated to ISAF and other allied channels formed part of a larger system that was also used by US special forces operating outside ISAF. Norwegian intelligence was part of this system. It was impossible to determine whether or how the shared information was used. The Commission has the impression that the second Stoltenberg government was aware of this issue, but that it concluded that Norwegian authorities had no other choice than to trust Norway's allies, especially the US, and to assume that they upheld international law. This approach can be questioned in the light of the contentious interpretation of the NATO decision and the sharp criticism against it from other allies such as Germany and France. Even though Norwegian authorities announced their restrictive interpretation of the decision in 2009 (as described above), the Norwegian response appears not to have been a very effective way of influencing NATO's position on this issue.

It is impossible either to confirm or to exclude that, or to establish how, Norwegian intelligence was used in connection with violations of international law, for example, in selecting targets. There appears to have been little discussion of this issue by the authorities.

10.6 The rule of distinction and the use of uniforms

In order to protect civilians during an armed conflict, it is essential that different actors can be identified as clearly as possible. Combatants are normally in uniform and are therefore easily recognised and distinguished from civilians. Medical and religious personnel have special status as non-combatant members of the armed forces.[96] In the following, the Commission considers two important issues relating to Norway's engagement in Afghanistan that concern the distinction between combatants and civilians: the 'combat interpreters' and the use of the Red Cross emblem.

10.6.1 The 'combat interpreters'

In 2015 there was a good deal of coverage in the Norwegian media concerning the 'combat interpreters' who had been used by the ISAF forces. The debate largely concerned whether they should be given asylum in Norway, a matter that the Commission discusses in Chapter 12. However, it has become apparent, both from the media coverage and from the Commission's hearings with former interpreters and Norwegian soldiers, that the interpreters at times functioned as members of the Norwegian forces. They were given uniforms, arms and firearms training. The Commission understands that, with few exceptions, this was something that was decided locally and was done to ensure the interpreters' own safety. Norwegian troops emphasised that interpreters could easily become targets for insurgents if they were in civilian clothing and that they needed to be able to defend themselves and help to defend small units, especially the Mobile Observation Teams (MOTs, see Chapter 8), when on assignment. However, due to the tasks they had, some interpreters were considered to be taking part in hostilities when interpreting. These were primarily interpreters who worked for the Norwegian Intelligence Service. They were considered members of Norway's armed forces under international law and were therefore entitled to wear uniform.

When considered in isolation, the fact that interpreters wore uniform and bore arms is understandable, particularly given their self-defence needs. However, this practice was questionable in terms of international law. The same applied to Norwegian civilians in such situations. If civilians are in uniform or armed, this is a breach of the principle of distinction and they lose the protection to which they are normally entitled under international law. In addition, if their use of

[95] 'Obama's Lists: A Dubious History of Targeted Killings in Afghanistan', *Der Spiegel*, 28 December 2008.

[96] See particularly the First Geneva Convention and the first Additional Protocol.

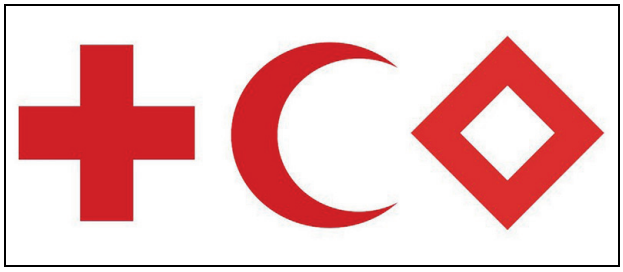

Figure 10.3 The red cross, the red crescent and the red crystal are protective emblems of equal status. The Norwegian forces chose to use the red cross in Afghanistan.

firearms leads to allegations of murder or damage to property, they will not benefit from immunity from prosecution, as combatants do.

The Commission understands that Norwegian authorities did not formally approve the practice of providing interpreters with uniforms and firearms.[97] When Minister of Defence Ine Marie Eriksen Søreide was asked on 19 November 2014 about uniforms and firearms for the 'combat interpreters', she answered that interpreters were not to be permanently armed or in uniform. She added that the armed forces had been instructed to prevent this practice.[98] However, the Commission would like to point out that Norwegian authorities must ensure that such guidelines are followed, given the possible consequences for persons who act as combatants without having the immunities and privileges of combatants under international law.

10.6.2 Protection and the Red Cross emblems

To prevent attacks on medical personnel who are there to help wounded soldiers or assist the civilian population, such personnel are equipped with a protective emblem: a red cross, a red crescent or a red crystal. Under international law, medical personnel may carry light weapons for self-defence, but are not allowed to operate heavier arms as part of hostilities.

In November 2007 it emerged in the media that Norwegian medical personnel had manned machine guns mounted on medical vehicles marked with the Red Cross emblem (the Geneva cross). The Norwegian forces had chosen to equip medical vehicles in this way for self-defence. Their reasoning was that they were often attacked at long range, beyond the range of personal firearms.[99]

Norwegian Joint Headquarters halted this practice as soon as it became known.[100] It was made clear that equipping military medical personnel with heavy arms would undermine the protection regime and respect for the Red Cross emblem. Medical personnel could make use of heavier arms in a critical situation, in accordance with the right of self-defence, but it was not acceptable for the armed forces to plan for this. The Commission considers that halting the practice was the right decision.

The debate subsided somewhat after this, but continued internally in the armed forces and flared up again in the media in October 2011. This time attention focused on the concern of medical personnel that using the Red Cross emblem made them targets for the Taliban. Medical personnel also claimed, as they had done in 2007, that restrictions on what arms they could use made it impossible to defend themselves against long-range attacks. The armed forces response was quite different from that in 2007. On 4 October 2011 the Chief of Defence decided to have the Red Cross emblem removed from the uniforms of medical personnel and medical vehicles in Afghanistan, and to permit the use of heavier arms.[101]

Several civil society organisations criticised the decision. The armed forces justified it on the basis of considerations of personnel safety, pending a decision on whether medical personnel could be equipped with lighter long-range machine guns as personal weapons. Medical personnel had found that the Red Cross emblem did not give them the protection they should have

97 See for example a letter from Norwegian Joint Headquarters to National Contingent Command Afghanistan, 'Uniformering av sivile tolker i norsk tjeneste' [Wearing of uniform by civilian interpreters working for Norway], 6 June 2011.

98 See 'Stortinget – Møte onsdag den 19. november 2014 kl. 10, Muntlig spørretime' [The Storting: meeting Wednesday 19 November 2014 at 10:00, oral question time], available on stortinget.no, time: 11:02:41.

99 Memorandum from Ministry of Defence Department of Operations and Readiness Planning to the Minister of Defence, 'Redegjørelse vedrørende norske sanitetsressurser i internasjonale operasjoner og forholdet til Genevekonvensjonene' [Statement on Norwegian medical personnel in international operations in relation to the Geneva Conventions], 7 December 2007.

100 Letter from Norwegian Joint Headquarters to NCC Afghanistan, 30 October 2007.

101 Memorandum from Ministry of Defence Department for Security Policy to the Minister of Defence, 'Orienteringsnotat. Forsvarssjefens beslutning om å fjerne merking av sanitetene i Afghanistan' [Briefing. Decision by Chief of Defence to remove Red Cross emblems from medical personnel and vehicles in Afghanistan], 5 October 2011. The decision also applied to religious personnel.

been able to expect under international law.[102] By this stage, both the German and the Danish forces in ISAF had removed the Red Cross emblem from their medical vehicles and the uniforms of medical personnel. The Norwegian Ministry of Defence emphasised that this decision was unwelcome but necessary, and that it was not in violation of international law.[103] With the removal of the Red Cross emblem, medical personnel lost their protection as civilians and became ordinary combatants.

The Commission realises that the situation on the ground was extremely difficult, and that this is a particular problem in circumstances where the enemy does not respect the same rules. Under international law, medical personnel may be ordered to remove Red Cross emblems, return identification cards documenting their status as medical personnel and serve as combatants, provided that this is not done to gain an advantage in the conflict.

However, in the Commission's opinion, it would be unfortunate if it became normal practice to remove Red Cross emblems. Norway has always been a strong supporter of international humanitarian law and its application. If Norway were to set aside this key element of international humanitarian law every time serious security threats arise when it is involved in an armed conflict, it would contribute to undermining humanitarian law in both the short and the long term.

Figure 10.4 An armoured ambulance marked with the Geneva cross. These emblems were removed from Norway's medical vehicles in Afghanistan from 2011.

Photo Per Arne Juvang/Norwegian Armed Forces

10.7 Summary

In the period considered by the Commission, there was a sufficient basis in international law for the use of force (*ad bellum*) in international military operations in Afghanistan. However, the military force actually used during the conflict (*in bello*) was a widely disputed aspect of the international engagement. Two issues were particularly controversial: the treatment of prisoners and the use of torture, and the inclusion of drug traffickers with links to the insurgency as legitimate targets.

Norway does not appear to have played a particularly active role in the debates on questions of international law. In the Commission's view, Norwegian authorities could have taken a clearer position on issues of international law at an earlier stage. This applies both to the legal framework for the actions of Norwegian troops and deployed civilians and, more particularly, to the way the situation in Afghanistan was classified. Norwegian authorities should have discussed questions of international law much more thoroughly throughout the period, especially whenever the situation and the military operation changed markedly. The Norwegian government should have discussed these matters both internally and in public.

[102] Letter from National Contingent Command to Norwegian Joint Headquarters, 'NCC's vurdering av bruk av genferkors for norske styrer i Afghanistan' [NCC's assessment of use of the Geneva cross by Norwegian forces in Afghanistan], 15 February 2010.

[103] Ibid.

Chapter 11
Public opinion, the press and media strategy

The engagement in Afghanistan received wide coverage in the Norwegian media and generated some debate. However, neither the civilian nor the military effort was seriously challenged by political parties, the media or public opinion. The Socialist Left Party (SV), a critical and corrective voice in opposition, was far less vocal after it became part of the government. Given the substantial human and financial costs that Norway's involvement in Afghanistan entailed, it is interesting to note that elected officials, the media and the general public overall asked few fundamental questions about the focus of the effort. There are probably several reasons for this. The most important is that the engagement in general had relatively broad political support. It was perceived as a fight *together with* NATO, *against* international terror and *for* a better Afghanistan.

Nonetheless, the debate about Afghanistan affected Norway in various ways. In this chapter, the Commission considers some of the reasons for why and how it did so. First, the attitude of the Norwegian public towards the engagement in Afghanistan and the dynamic underlying this is discussed. Then the overall media coverage of the military and civilian effort is considered. Finally, the Commission assesses the increasingly professional, and somewhat divergent, media treatment of the engagement in Afghanistan by the Ministry of Foreign Affairs and the Ministry of Defence.

11.1 Afghanistan and public opinion

The results of opinion polls present a number of challenges. People's responses depend on the question that has been asked and how it has been put forth.[1] Thus, in order to measure the development of public opinion over time, it is important to conduct multiple polls that ask the same questions so that the results are as comparable as possible.

Few, if any, Norwegian opinion polls were conducted about the engagement in Afghanistan prior to 2006–2007. The number of polls taken after 2007 was also low. The Commission has found only two polls, conducted for the Norwegian Broadcasting Corporation (NRK) in 2008 and 2010, that asked the *same* questions and thus can provide a basis for comparison. This small sample makes it difficult to draw any conclusions about changes in public opinion. All of the polls focus on the military engagement. The Commission has not found a single poll addressing the civilian effort.

The results that are available, and which are presented in Figure 11.1, provide the basis for two general conclusions. First, the figures indicate that public opinion in Norway was divided on the issue of Norwegian military participation in Afghanistan. Second, they show that this divided opinion was relatively stable. Loss of Norwegian lives in Afghanistan did not appear to have had much effect on it. In 2010 five Norwegian soldiers were killed, four of them in the same incident. As a result, more critical questions were raised about Norway's participation than previously.[2] However, this apparently did not lead to a significant change in support for the operation nor to any loud demands for the soldiers to return home.

Norwegian politicians noted that opinions were divided. In 2007, for example, Minister of Defence Anne-Grete Strøm-Erichsen said that she would have like to see more support for the engagement in Afghanistan. The divergent views among the Norwegian people also reflected the underlying uncertainty about the actual impact of the operations. Minister Strøm-Erichsen emphasised, however, that the Storting (Norwegian par-

[1] For a relevant example of criticism of opinion polls, see Rødt, 'Løgnaktig NRK-måling om Afghanistan-krigen' [False NRK poll about the war in Afghanistan], rødt.no, 6 February 2008.

[2] Elisabeth Eide and Rune Ottosen, 'Den lengste krigen' [The longest war] in Elisabeth Eide and Rune Ottosen (eds.), *Den lengste krigen – Mediedekningen av krigen i Afghanistan* [The longest war – Media coverage of the war in Afghanistan] Oslo: Abstract, 2013, p. 11.

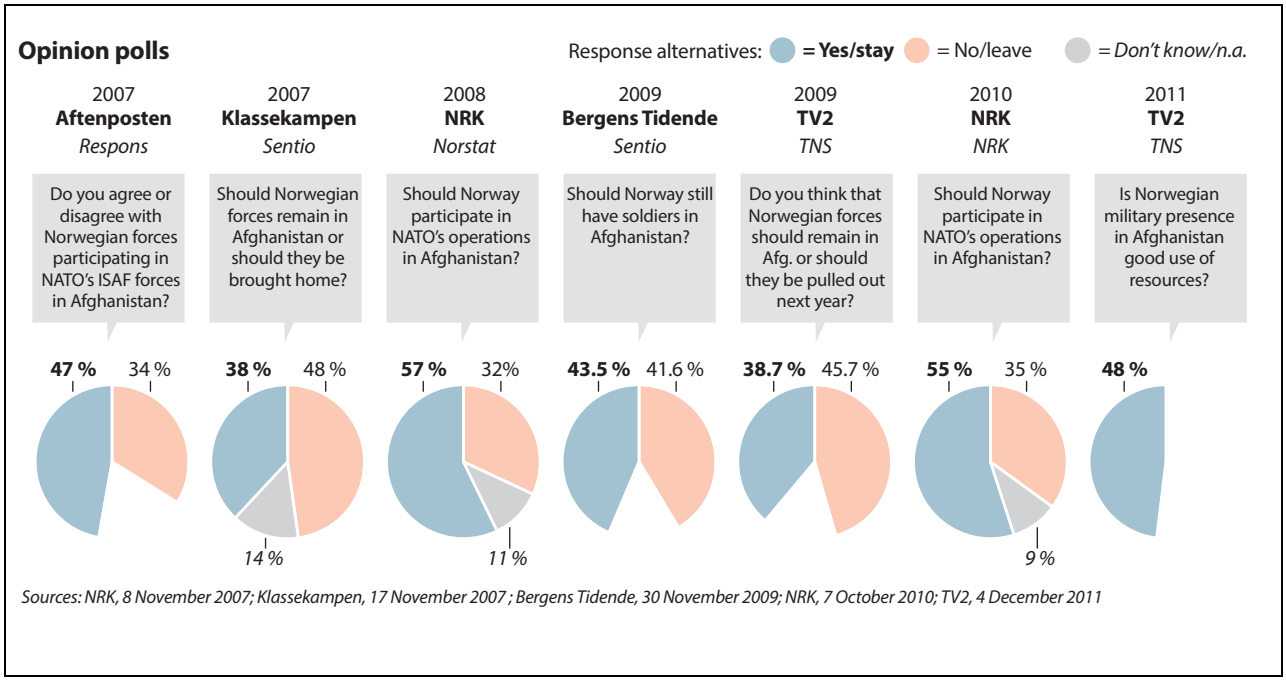

Figure 11.1 Opinion polls

liament) was unified in its support for the mission and she did not think that the Storting and government were acting against the will of the people.[3] There was broad-based political agreement on Norway's participation in ISAF. When the Socialist Left Party became part of the government in 2005, the critical voice in the Storting that, up to that point, had spoken out against the engagement in Afghanistan disappeared.[4] The political conflicts about the engagement in Afghanistan that did arise related more to assessments and discussions within the Norwegian government than actual developments in Afghanistan.[5] This affected the media coverage as well. The harshest criticism of the engagement came from a small group of researchers, journalists and left-wing politicians. It is clear, however, that although the engagement was a difficult issue for several political parties, it did not cause political problems for any other than the Socialist Left.

11.2 Afghanistan and the media

The Norwegian media are diverse. For example, newspapers on the political left, such as *Klassekampen* and *Dag og Tid*, have covered Afghanistan from a different perspective than the Norwegian Broadcasting Corporation (NRK) and the more conservative *Aftenposten*. Viewed in the overall context, however, there are some commonalities in the media coverage that are worth highlighting.

First, Norwegian media have primarily had a domestic focus on their coverage of the engagement in Afghanistan. Stories that affect the home country directly, such as extraordinary events and fatalities among Norwegian soldiers, are given more attention and wider coverage than other incidents and perspectives.

Second, with regard to the use of sources, the media have emphasised Norwegian over Afghan sources, and sources from political and military leaders over sources from civil society. An analysis of the sources used by *Aftenposten* and the social democratic *Dagsavisen* from 2001 to 2008

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3 'Flertall vil ha soldatene hjem fra Afghanistan' [A majority wants the soldiers brought home from Afghanistan], Norwegian daily *Aftenposten*, 27 December 2007.

4 Socialist Left Party voters were also divided in their view of the operation in Afghanistan. In response to the question: *Do you think that the US and NATO should maintain military forces in Afghanistan until the situation has stabilised or do you think that the US and NATO should withdraw their forces as soon as possible?*, 46 per cent said that the forces should be maintained in Afghanistan, while 49 per cent thought they should be withdrawn (the poll was conducted in 2008). The Socialist Left Party was the only party with a majority that supported withdrawal of the forces. Hanne Marthe Narud, Helge Hveem, Bjørn Høyland, 'Gamle konflikter – nye saker? Norske velgeres utenriks- og sikkerhetspolitiske holdninger' [Old conflicts – new issues? Norwegian voters' attitudes about foreign and security policy], *Internasjonal politikk [International politics], no. 3, 2010.*

5 Commission hearing, 13 November 2015.

Figure 11.2 In November 2005, members of the Socialist Left Party took part in a demonstration in front of the Storting, organised by the anti-war organisation Fredsinitiativet, to protest the government's decision to send four Norwegian F-16 fighter jets to the NATO force ISAF in Afghanistan.

Photo: Jarl Fr. Erichsen/SCANPIX

Figure 11.3 A group of Afghan asylum seekers went on a hunger strike outside Oslo Cathedral in May 2005. The hunger strike received wide coverage in the Norwegian press. The group was protesting the Norwegian authorities' refusal to follow UN guidelines on the return of asylum seekers to their home country. The hunger strike in all likelihood helped to change Norway's practice relating to Afghan asylum seekers.

Photo: Håkon Mosvold Larsen/SCANPIX

shows that the newspapers used many types of sources, but that 'most of these sources belong to the Norwegian political or military power elite'.[6] Fifty-seven per cent of the articles cite Norwegian sources, while the corresponding number for Afghan sources is 32 per cent.[7] The latter probably also reflects the situation within the Norwegian media more generally, as there are limited resources available to maintain correspondents with sufficient knowledge of the language and local conditions to make use of local sources over a sustained period. On the other hand, editorial choices are made about which news stories the press wants to pursue. The Norwegian press has electronic access to extensive source material that could have been more widely used if there had been interest.

Third, the security situation in Afghanistan has made it difficult for Norwegian journalists to travel freely around the country. This especially hit home in Norway when *Dagbladet* journalist Carsten Thomassen was killed in an attack on the Serena Hotel in Kabul in 2008 and when freelance journalist Pål Refsdal was kidnapped in 2009. These incidents caused Norwegian editorial boards to take security more seriously when sending journalists into the field. In the end most editorial boards decided to send their journalists with the Norwegian armed forces or with the press tours arranged by the Ministry of Foreign Affairs and the Ministry of Defence, or to report only from Norway. As the media had only a few independent journalists in the field, they mainly used information from international media or from the authorities' increasingly professional communication system.

In recent years Afghanistan has been one of the largest individual recipients of Norwegian civilian aid. Like other aid, this has been subject to criticism.[8] Although this criticism has been harsh in parts of the development aid community, it has been given very little coverage in the daily press.[9] While there are likely to be several reasons for this, reports from military operations illustrated with dramatic footage and stories that can often be linked to persons and events back home indisputably tend to garner more interest than reports about development projects.[10] The journalists who travel to conflict areas are also generally

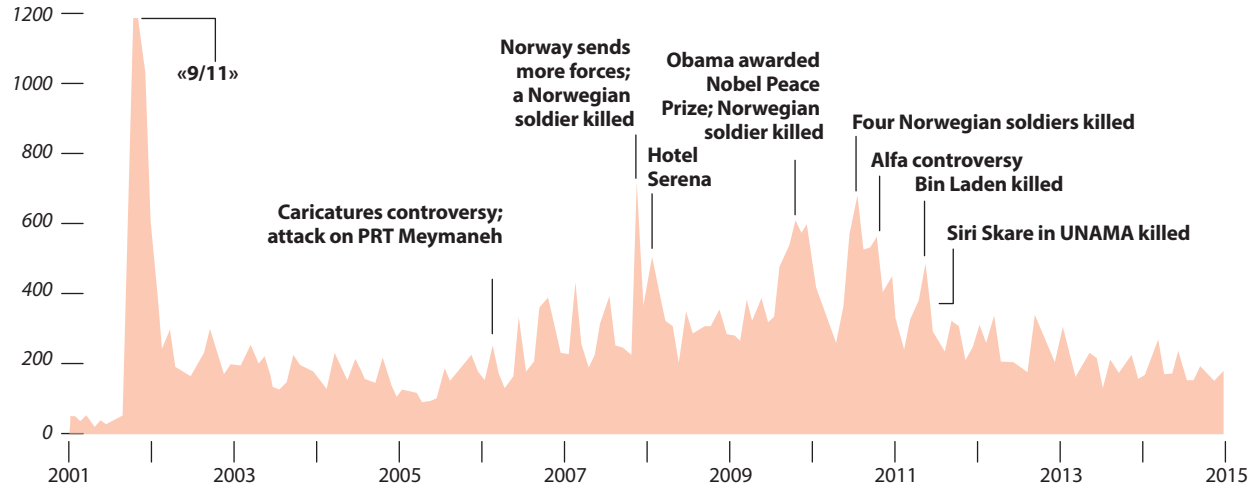
6 Kristin Jonassen Nordby, 'Informasjonskrigen om Afghanistan' [The information war on Afghanistan] in Eide and Ottesen (eds.), *Den lengste krigen [The longest war]*, 2013, p. 157.

7 Ibid.

8 Helge Brochmann and Bjarne Garden, 'Bistanden, bare bortkastet?' [Development aid, just a waste?], *Bistandsaktuelt [Development aid news]*, 24 October 2012.

9 Commission hearing, 10 December 2015.

10 Ibid.



This figure shows the coverage of Norwegian national media per month. News related to Norwegians generated the most interest, with the exception of major events such as the attack on 11 September 2001 and the killing of Bin Laden. Source: Norwegian Armed Forces Media Centre

Figure 11.4 Number of news stories in the media

more interested in the military and security policy aspects of the conflict than in the development aid policy aspect.[11]

Furthermore, the press coverage of Norway's involvement in Afghanistan has at times focused on certain controversies particular to Norway. The most important of are covered in the following paragraphs.

There was a clear shift in the political debate when the Socialist Left Party became part of the government in 2005. As some saw it, the war in Afghanistan could be divided in two parts: a 'good', nation-building war in the north and a less favourable war of aggression that had begun in the south. This distinction was important for the Socialist Left Party, which did not want to see Norway's participation go against the party's key values. The biography of Kristin Halvorsen, the then head of the party, describes it as follows: 'The majority – Kristin [Halvorsen] included – will support peacekeeping operations abroad as long as they keep the peace and have a clear UN mandate. What NATO and the US have launched in southern Afghanistan is something different. To Kristin and the Socialist Left Party, this is part of the US's war against terror, a war that produces more terror than it fights.'[12]

Although the divide between the south and north was politically meaningful for the government in Oslo, it was difficult for the soldiers on the ground to align it with their own experiences. The effort to maintain the impression that the war was being conducted primarily in the south led to political pressure to downplay references to the hostilities in the north. This created a difficult situation for the defence sector's spokespersons, who were caught in the middle between the Norwegian soldiers' experience of hostilities in the north and the perception that the war was taking place elsewhere.[13]

When Norwegian forces began to operate in the Ghormach district in the autumn of 2007, this reinforced the impression that they were taking part in more demanding operations than the Norwegian people had realised. Critical questions were also raised about why the area of operations had been expanded (see Chapter 8).

The government's effort to downplay the hostilities had been under pressure for a long time. This became clear in part through the *Alfa* men's magazine affair in the autumn of 2010. *Alfa* was a newly established magazine and its first issue carried a lengthy news story based on statements from Norwegian soldiers in the field. The magazine had close contact with the soldiers and obtained provocative quotes. The most important

11 Ibid.

12 Lilla Sølhusvik, *Kristin Halvorsen, Gjennomslag [Kristin Halvorsen, Impact],* Oslo: Cappelen Damm, 2012, p. 156.

13 Commission hearing, 10 December 2015.

Figure 11.5 Minister of Foreign Affairs Jonas Gahr Støre speaking with Carsten Thomassen, a journalist from the Norwegian newspaper Dagbladet, in Kabul. Thomassen was killed in the attack on the Serena Hotel on 14 January 2008.

Photo: Ministry of Foreign Affairs

point in this context, independent of whether or not a negative culture had developed within the contingent, was that the story made it clear that Norwegian soldiers were also participating in the fighting. The disparity between, on the one hand, the Norwegian soldiers' experience – and not least the terms they used to describe it – and the idea of 'peacekeeping operations' on the other, was impossible to maintain over time. There was little peace to keep in Afghanistan.

The soldiers' own accounts of their experiences in Afghanistan were conveyed through more than just the media. The stories were in such demand that a significant body of memoir literature emerged after 2010, based on the soldiers' war experiences in Afghanistan.[14] More analytical literature was also published during this period, in which officers raised critical questions about certain aspects of the engagement.[15]

Another topic discussed more frequently in the public debate, especially from 2010, was the question of the suitability of the 'Norwegian approach'. In stark contrast to the doctrine underlying the NATO strategy, Norway was to make a clear distinction between the civilian and military effort. An increasing number of Norwegian soldiers raised the question, also in the media, of the wisdom of Norway having its own strategy within the ISAF strategy (see Chapter 8).[16]

A search in the Atekst database shows that there were about 20,000 news stories in the press that mentioned Afghanistan in 2001.[17] The largest number of stories appeared in the period from 2007 to 2009, with more than 60,000 stories annually. Then interest gradually diminished and in 2014 there were a total of 22,500 stories.

11.3 Afghanistan and the authorities' media strategy

As previously mentioned, public opinion in Norway was divided on the issue of the operations in Afghanistan. Nevertheless, the various governments during that period received broad-based support in the Storting for the policies they pursued. In other words, there was greater consensus on this issue in the Storting than among the voters its members represented. As a result, Norwegian Minister of Defence Strøm-Erichsen and the government determined that the government had 'a duty to provide more information about why we are there'.[18] To do this, the government was to draw on the communications departments in the various ministries, and especially on the armed forces' communications unit. While the former are a political tool for use by the parties that comprise the government, the latter, the armed forces' spokespersons, are in principle a unit that provides professional, non-partisan information to the general public. This distinction has proven difficult to adhere to in practice.

In the first phase after 11 September 2001, the armed forces' information activities were shaped by the fact that the armed forces viewed the operation in Afghanistan on a par with other missions in which they had participated. The armed forces leadership made preparations for how it would handle communications on matters such as Norwegians who died in the operation and Norway's

[14] Books published in this category include Emil Johansen, *Brødre i blodet - i krig for Norge* [Blood brothers – at war for Norway], Oslo: Kagge, 2011; Erik Elden, *Krig og kjærlighet [War and love],* Oslo: Kagge, 2012; Henning Mella, *For konge og fedreland: 150 dager i Afghanistan [For the King and Motherland: 150 days in Afghanistan],* Oslo: Kagge, 2013.

[15] See e.g. Gjert Lage Dyndal and Torbjørn L. Knutsen (eds.), *Exit Afghanistan,* Oslo: Universitetsforlaget, 2012; Ola Bøe-Hansen, Tormod Heier and Janne Haaland Matlary (eds.), *Strategisk suksess? Norsk maktbruk i Libya og Afghanistan* [Strategic success? Norway's use of power in Libya and Afghanistan] Oslo: Universitetsforlaget, 2013.

[16] Rune Solberg, 'Bistand på ville veier' [Development aid way off the mark], *Aftenposten*, 6 December 2010.

[17] Atekst encompasses the most important Norwegian newspapers, professional journals and magazines.

[18] 'Flertall vil ha soldatene hjem fra Afghanistan' [A majority wants the soldiers to return home from Afghanistan], *Aftenposten*, 27 December 2007.

participation in hostilities.[19] They were not prepared for the engagement in Afghanistan to be as extensive as it turned out. In this respect, the attack on 'the Bank', the Norwegian PRT in Meymaneh, in February 2006 was a crucial eye-opener. First, the attack indicated that the Norwegian soldiers in the north were not as widely welcomed by the local population as first thought. Second, the armed forces were forced to go public with available information while the fighting was still ongoing. Traditionally, the military prefers to inform the press after an incident is over and the most important facts of the case have been clarified. The reality now was that Norwegian soldiers inside the besieged building were communicating directly with the outside world. It was an entirely new experience for the armed forces to organise a press conference back home in Norway while the shooting was still going on.

From 2005 the armed forces' spokespersons felt they were caught in the middle, because everything that happened militarily had to be conveyed in a way that did not put the government under undue pressure.[20] The situation reached breaking point in 2009–2010, when the gap between the experience of the soldiers and the impression conveyed by the authorities grew too wide. Consequently, the Norwegian Ministry of Defence and Ministry of Foreign Affairs decided that they should increasingly conduct separate communication activities. The communications unit at the Ministry of Defence could more openly report what was actually occurring. Thus, when greater loss of life occurred in 2010, the general public was better prepared to accept the news. The Danish documentary about Danish soldiers in Afghanistan, Armadillo, released in 2011, did not cause the shock waves in Norway that some had anticipated. The armed forces' new transparency had helped to create a better balance between the experiences abroad and the impressions at home.

For the armed forces and the Ministry of Defence, transparency has two sides. On the one hand, they wish to keep certain elements secret to protect their own personnel and operational patterns. On the other hand, the armed forces is expected to reveal, as far as possible, its actual activities on behalf of the state. Since the operations in Afghanistan took place over a long period of time and involved many countries, the armed forces' culture of transparency was influenced by the actions of other countries. For example, Norway did not traditionally provide information about special operations. This principle became more difficult to follow as others began to speak of the efforts of Norwegian forces. Towards the end of the decade, as an increasing number of soldiers who had experienced intense fighting in Afghanistan were returning home, the armed forces permitted more of the soldiers' own stories to be shared. The armed forces allowed the press to publish videos taken by soldiers during operations and offered journalists the chance to be 'embedded' from the spring of 2010.[21] As previously mentioned, several books written by veterans describing their experiences in Afghanistan have been published.

There were, however, those who questioned certain aspects of the armed forces' new transparency. Was it just for appearances, since the journalists who travelled with the military were presented a complete package of selected 'excursions' and prepared news stories about the soldiers' good work?[22] Others thought it less likely that Norwegian soldiers could be controlled to the extent this implied, believing that a visit from the journalists gave the soldiers a welcome opportunity to talk about their actual experiences in Afghanistan.[23]

The new culture of transparency presented several challenges for the military. For the military commander in the field, it meant a greater likelihood of having to confront the ambiguities in Norwegian policy and tensions between the Norwegian approach and NATO's strategy. The issues could reach beyond the commander's own area of responsibility at the tactical level. In light of this, one PRT commander requested more support from home in a classified report on experiences: 'In situations like these, the Norwegian Joint

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19 See e.g. Ola Bøe-Hansen, 'Narrativets rolle i den nasjonale strategien' [The role of the narrative in the national strategy] in Bøe-Hansen, Heier and Haaland Matlary (eds.), *Strategisk suksess? [Strategic success?], 2013.*

20 Commission hearing, 10 December 2015.

21 The term 'embedded' means that the journalists were affiliated with a unit that provided them with lodging, transport and security. In practice they were part of the unit as long as they were in the field. See e.g. Harald B. Borchgrevink, *Når soldater skriver bøker [When soldiers write books], in Eide and Ottesen (eds.) 2013,* pp. 194-195.

22 Anders Sømme Hammer, *Drømmekrigen [The dream war],* Oslo: Aschehoug, 2010, pp. 53-69.

23 'We got the material we needed to document that they were actually fighting a war. This forced the responsible politicians to be active in a completely different way than before.' Fredrik Græsvik, *Den tapte Krigen, Norge i Afghanistan [The lost war, Norway in Afghanistan],* Oslo: Pax Forlag, 2014, p. 290.

Headquarters (FOH) should dare to establish a communication platform that supports the PRT commander. When this does not happen, Headquarters should get onto the playing field [and] promote the armed forces' view of the matter so that the PRT commander is not left alone in the discussion of how the armed forces is to relate to ISAF's COIN strategy. This is especially important when the opponent on the other side of the field is the Ministry of Foreign Affairs.'[24]

At the Norwegian Ministry of Foreign Affairs, Afghanistan was one of a number of conflict areas that the communications unit was tasked to handle. As a result, the Ministry did not prioritise communication resources in Afghanistan to the same degree as the Ministry of Defence and the armed forces. Some have noted that the Ministry of Foreign Affairs should have acted more quickly to establish a media strategy for Afghanistan.[25] The view at the Ministry of Foreign Affairs was that the news coming from the armed forces dominated the Norwegian media landscape at an early stage. According to some, stories of soldiers who were not allowed to help Afghans in need because of the Norwegian principle of separation between civilian and military activities simplified a highly complex civilian situation. At the same time, the Ministry of Defence found that the Ministry of Foreign Affairs gradually took control of dealings with the media and set the framework for the political messages that were communicated.[26] This tension between the ministries regarding the media appears to have lasted, although coordination between the ministries and the Office of the Prime Minister improved over time.

Although the Ministry of Foreign Affairs may have had limited communication resources dedicated to Afghanistan at the beginning, these were increased considerably when the civilian effort was given higher priority on the Norwegian political agenda after 2006. The relevant sections within the Ministry of Foreign Affairs received numerous and more extensive requests for political messages, results and activities relating to strengthening the civilian sector in Afghanistan. In 2009 the Ministry of Foreign Affairs launched a separate Afghanistan portal on the government's website. The ambassador in Kabul was asked to write a blog; the intention was to bring the personal voices and stories from Afghanistan to the general public in Norway. The Norwegian Agency for Development Cooperation (Norad) also expanded its information databases on Afghanistan. Minister of Foreign Affairs Jonas Gahr Støre wrote opinion pieces for Norwegian newspapers on a regular basis.

The media in general showed an interest in civilian matters as well, even though they gave more coverage to the military engagement. Therefore, the Ministry of Foreign Affairs tried to play an active role in the communication activities, giving special emphasis to the minister's trips to Afghanistan. Special press packages and points of interest were prepared for these trips. The Embassy brought the minister and accompanying journalists along to projects and locations well suited for photo opportunities and news stories in Norway. As the security situation deteriorated, however, it became more difficult to bring journalists along to such projects. Towards the end of the period assessed by the Commission, the media also showed little interest.[27]

The media messages from the Ministry of Foreign Affairs emphasised straightforward descriptions, and the minister's addresses to the Storting struck a balance between underscoring the challenges and being cautiously optimistic. At the same time, the Ministry of Foreign Affairs tried to highlight positive stories from Afghanistan in its media message.[28] A number of individuals in the Ministry have noted that they felt Norwegian journalists, with a few exceptions, took a rather uncritical approach to the general issues raised by the engagement in Afghanistan and showed little interest in the breadth of the engagement.[29] This may be due to the decision of the Norwegian authorities to follow a realistic, sober and credibility-orientated approach in its communication platform. It may also be that news stories about Afghanistan's long-term development were not viewed as sufficiently interesting. Nor did the largest media outlets challenge the basic assumption of the government's Afghanistan policy – that is, to be a good ally to the US and within NATO.

11.4 Summary

Although the authorities never had the support of a large, stable majority when it came to public opinion, Afghanistan was not a divisive political

[24] From a classified report of experiences.
[25] Interviews with MFA employees, 13 August and 16 October 2015.
[26] Commission hearing, 9 December 2015.
[27] Commission hearing, 10 December 2015.
[28] Commission hearing, 14 December 2015.
[29] Commission hearings, 11 August and 14 December 2015.

issue in Norway. Unlike the situation in several other NATO countries, the various Norwegian governments did not come under political pressure to withdraw Norwegian forces. There were several reasons for this. First, foreign and security policy is seldom very high on the agenda of Norwegian voters.[30] The debate about Norwegian membership in the EU is the exception to this rule. Second, all of Norway's closest partner countries took part in the operation, and a pillar of Norwegian security policy is to be a good ally to the US and within NATO. If Norway had not participated, this would have sent a strong political signal.

Third, Norwegians' impression of the Taliban movement made it difficult to criticise the effort to help in the fight against it. The Taliban regime that fell in 2001 was associated with misgovernance, the harsh and violent oppression of women and, not least, arbitrary and gruesome executions.

Fourth, the entry of the Socialist Left Party into the government in 2005 diminished the party's traditional scepticism of the US and opposition to NATO. As a result of the new parliamentary situation, a consensus on security policy emerged that did not fully represent public opinion.

Given this background, Norwegian public debate was limited relative to the scope of the Norwegian engagement in Afghanistan. There were some controversies particular to Norway that sometimes affected the press coverage of Norway's presence in Afghanistan. However, the Commission believes that a more fundamental, critical public debate on the large-scale international effort in Afghanistan and Norway's choices within this framework would have been beneficial both for the general public and for Norwegian authorities.

[30] See Narud, Hveem and Høyland, 'Gamle konflikter – nye saker? Norske velgeres utenriks- og sikkerhetspolitiske holdninger' [Old conflicts – new issues? Norwegian voters' attitudes about foreign and security policy], *Internasjonal politikk [International politics],* no. 3, 2010.

Chapter 12
Norwegian personnel and the human costs of war

War always entails major human consequences. People are killed and others lose their loved ones, health or belongings. Some are affected more indirectly by living with feelings of fear and insecurity. War experiences, positive and negative alike, stay with people long after a war ends. It is therefore important to follow up on soldiers and civilians posted in war zones – before, during and after their assignments.

The Afghanistan engagement has had a major impact on the Norwegian authorities' approach to their responsibilities for support and care. The armed forces in particular has developed a comprehensive system for taking care of its employees and veterans and their families. Care for civilian personnel is less comprehensive, comparatively speaking, but much progress has also been made there.

In this chapter the Commission assesses the support and care of deployed personnel, broadly defined to include soldiers, diplomats and other civilians posted abroad, as well as their families. Also discussed are the responsibilities of the Norwegian authorities vis-à-vis local Afghan employees and the challenges that have arisen as those who now have a connection to Norway seek to become part of Norwegian society. Finally, the long-term impact of Norway's engagement in war zones with regard to refugees and asylum seekers who come to Norway are discussed.

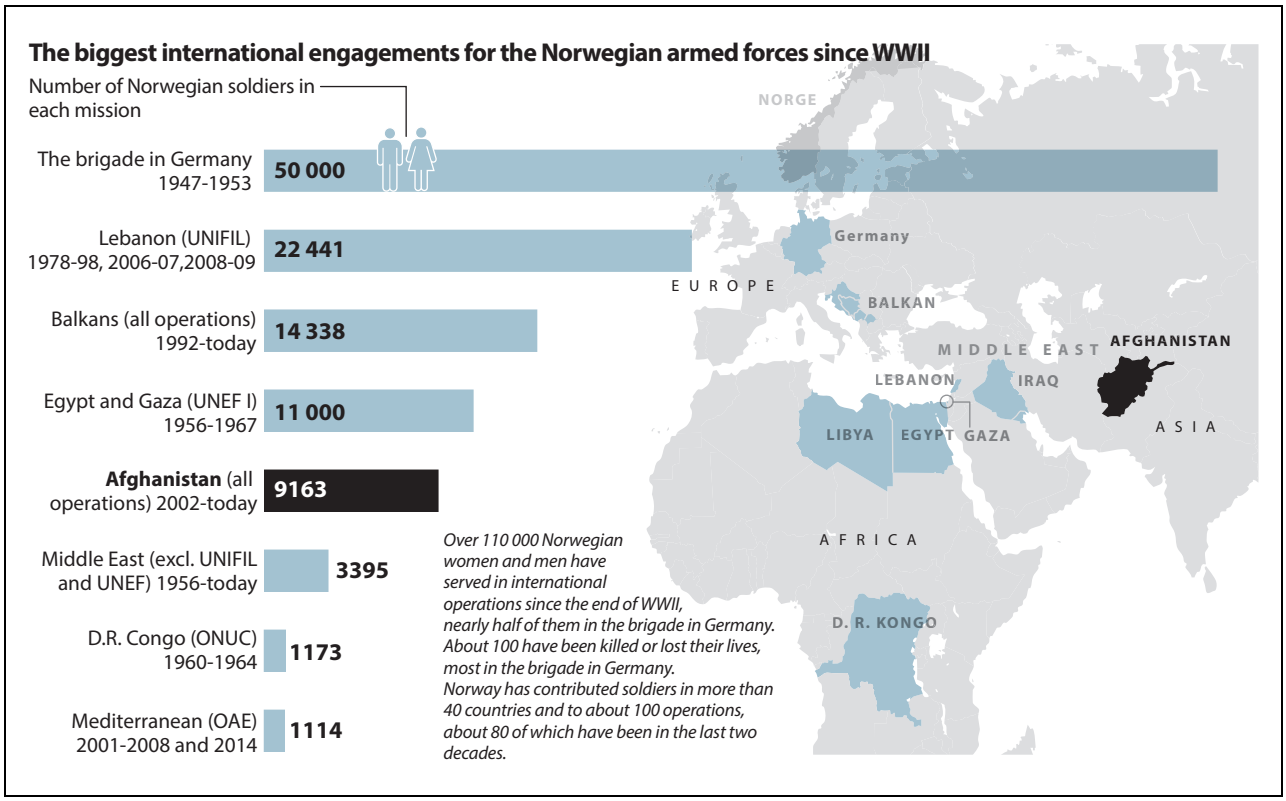

Figure 12.1 The largest post-WWII international assignments of the Norwegian armed forces

Source: Norwegian Joint Headquarters/ Veterans Department

12.1 Veteran administration and support

War veterans have been a part of Norwegian society since WWII. Despite this, when a new wave of veterans began to emerge as a result of Norway's participation in UN operations, there were no government institutions in place for taking care of their special needs. With the exception of social security and compensation issues, most veteran care was supplied by voluntary veterans' organisations.

Norway's lengthy engagement in Lebanon, and especially the engagement in the Balkans in the 1990s, focused more attention on veteran affairs than had been the case for a generation. While this had led to some progress in the situation of veterans, it was the experience of Afghanistan that, in practice, brought the greatest transformation to the armed forces' care of veterans. Never before has this group received so much attention, nor have the armed forces dedicated so much in the way of economic and personnel resources to this area, and not since WWII have political authorities been so involved in symbolic aspects of veteran care, such as ceremonies and decorations.

A number of veteran administration measures have been introduced in the period the Commission has reviewed. The most important of these are discussed below.

In December 2005 Chief of Defence Sverre Diesen decided to establish the Armed Forces Veterans Organisation. Its tasks included serving as a point of contact for veterans, cooperating closely with the relevant voluntary organisations and acting in an advisory capacity on veteran affairs to the Chief of Defence. The organisation has since become a unit under the Defence Staff.

In 2007 the armed forces purchased the former war veterans nursing home on Bæreia lake near Kongsvinger, Norway. On 17 October 2008 it was formally reopened as a recreation facility and knowledge centre for veterans and their families.

In 2011 the government published the action plan 'In Service for Norway: the government's plan of action to care for personnel before, during and after serving abroad'. The plan applies to all employees who have served internationally on behalf of the Norwegian state, not just to military personnel. This was followed in August 2014 by the introduction of a supplementary plan with a set of measures to ensure follow-up support and care.[1] This is designed to ensure that all personnel receive equal support and recognition before, during and after participation in international operations. Follow-up is based on a 'chain of initiatives' that runs from recruitment, through preparations for departure and follow-up during the posting, to support for a year after returning home.

Figure 12.2 Minister of Defence Espen Barth Eide thanks the returned soldiers of PRT 18 at a medal awards ceremony at Akershus Fortress.

Photo: Torgeir Haugaard / Norwegian Armed Forces

For veterans this 'chain' entails that all military personnel undergo a thorough recruitment, medical clearance and joint training process prior to deployment. Medical personnel are generally available in the area during the operations. In addition, all personnel undergo a medical check-up, including talking to a psychologist or psychiatrist immediately prior to or upon returning home to Norway.

The follow-up guidelines stipulate that the armed forces are to play an active role for twelve months after a completed tour of duty. In addition, there is to be an open-door policy for veterans and their families after this period, meaning they are always welcome to make contact, regardless of how long ago their service took place. The Joint Medical Services' health services, the National Military Medicine Outpatient Clinic and the Office for Military Psychiatry and Stress Management are also open to veterans. However, it is the civilian health services that are the primary point of contact for veterans' health issues: the armed forces' responsibilities do not encompass treatment; cases requiring treatment are to be referred to civilian health services.

Although support and care for veterans appears to be well developed in 2016, some concerns remain regarding its availability during the

[1] Both are available at regjeringen.no.

earliest period.[2] There is also some question as to whether all individuals who need help have been adequately identified within the system. Military culture may pose a challenge in this regard. Since the client population typically comprises young, healthy men and women, the threshold for seeking help may be high.[3]

The Afghanistan engagement raised awareness of how much veterans rely on their families. The authorities have also become more mindful of the strain on families before, during and after a family member has served abroad. A better system for providing support and care for families and the bereaved has been put in place in the course of the engagement. In connection with this, a programme of information meetings and gatherings has been developed, in which both deployed personnel and family members participate. Family members are given information about the services available and their rights, and have the opportunity to ask questions and share concerns and experiences with others in the same situation. Standardised informational material has been drawn up for those preparing to deploy abroad or returning home, and this is distributed to families, as well as to the personnel being deployed. Steps have been taken to ensure that the armed forces website (forsvaret.no) and intranet are kept up to date with adequate and correct information for those currently serving and those now out of the military. In addition, there are specific measures regarding notification of incidents, contact with next of kin and support for rehabilitation and follow-up for surviving family members.

Based in part on the experience of Afghanistan, the armed forces issued a regulation in 2015 for contact persons for service members' next of kin.[4] It is aimed at ensuring that each armed service under the armed forces offers the same level of support to families in the wake of accidents and serious incidents. In cases of serious incidents in which personnel have been injured, gone missing or been killed, the head of the relevant military branch is responsible for providing the family with a contact person. These contact persons serve as a link between families and the military, and facilitate the necessary coordination and flow of information. The length of time this contact will remain active depends on the needs of the family or whether the injured personnel themselves can maintain contact with the armed forces. In cases of a death the normal period of contact is fourteen months.

During the engagement, increased emphasis was placed on the prevention and treatment of mental health problems, and compulsory talks with a psychologist after tours of duty were introduced. Nevertheless, according to a report issued by the Norwegian Office of the Auditor General in June 2014, the authorities have not yet reached their objectives in the area of support and care for veterans. The report points out that the strain on certain segments of military personnel far exceeds the prescribed norms for recuperation time in Norway between active operational periods. It further states that, from 2010 to 2013, some ten per cent of veterans entitled to essential mental health treatment did not receive support and care within the established time frame, and that the Norwegian Labour and Welfare Administration (NAV) exhibits major weaknesses in its follow-up of veterans who are unemployed.[5]

Substantial resources are required for veteran care. The special compensation scheme for veterans who suffer mental and emotional injuries as a result of service in international operations also requires significant funds.[6] It will be beneficial to carry out more research and development activity to enhance knowledge about prevention and treatment of mental health problems. The public debate today is dominated more by strong viewpoints and individual stories than by research-based knowledge. In the Commission's view, more investment in research on the situation of veterans is needed in the future and greater effort needs to be focused on improving systems for the periodic support and care of this group.

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2 Commission hearings, 16 September 2015 and conversations with a representative of the Norwegian Veterans Association for International Operations, 7 January 2016.

3 Commission hearing, 8 December 2015.

4 Regulations for contact persons for family members of the armed forces. Head of Personnel and Conscription Centre, 1 June 2015.

5 *Riksrevisjonens undersøkelse av ivaretakelse av veteraner fra internasjonale operasjoner. Dokument 3:9 (2013–2014 [Norwegian Office of the Auditor General, study of support and care for veterans of international operations.] Document 3:9 (2013–2014),* 12 June 2014.

6 Thus far roughly USD 190 million has been paid out to some 500 cases of persons sustaining pychological injuries (most of which are unconnected to the Afghanstan operation). See also *Forskrift om særskilt kompensasjonsordning for psykiske belastningsskader som følge av deltakelse i internasjonale operasjoner* [*Regulations on the special compensation scheme for veterans who suffer mental health problems as a result of service in international operations,*] 7 January 2010.

Combat awards

**Swords are added if a person is awarded the War Cross more than once*

	SUM	Medal for Defence Service Abroad	Med. for Def. Service Abroad with Rosette	Armed Forces Medal for Heroic Deeds	War Medal of Norway	St. Olav's Medal with Oak Branch	War Cross with Sword
	216 Total no. of medals	**70**	**77**	**8**	**33**	**20**	**8**
2008	**2**	0	0	2	0	0	0
2009	**8**	0	8	0	0	0	0
2010	**18**	1	16	1	0	0	0
2011	**33**	11	19	0	0	0	3
2012	**27**	6	10	4	5	2	0
2013	**42**	7	12	1	14	6	2
2014	**21**	0	5	0	5	9	2
2015	**50**	41	4	0	4	1	0
2016	**15**	4	3	0	5	2	1

The numbers include all decorations, not just for deeds in Afghanistan. Source: Norwegian Defence Staff/Veterans department

Figure 12.3 Combat awards

12.2 Recognition and decorations

The participation of Norwegian soldiers in demanding and dangerous situations in Afghanistan gave rise to public debate. Against this backdrop the government decided in 2009 to reinstate Norway's highest military decoration, the War Cross with Sword. The statutes for the award were amended to encompass deeds not only in international armed conflict (such as WWII), but also in non-international armed conflict, so that Afghanistan could be included. The military had long wanted to be able to honour meritorious actions in battle, and Chief of Defence Sverre Diesen had exercised his own authority to introduce new decorations in 2007.

The War Cross medal was originally established by the Norwegian government in exile in London in May 1941. Extending the award to include exceptional deeds in non-international armed conflict was an acknowledgment that all categories of armed conflict could involve situations that merited decoration. According to the Norwegian government: 'This draws a direct line between WWII to the new situations that must be faced, and shows that there is continuity between the extreme situation Norway dealt with during the occupation, through participation in UN operations, to today's presence in military operations abroad.'[7]

In 2010 the government decided to reinstate two more decorations with WWII origins: the St. Olav's Medal with Oak Branch and the War Medal of Norway. The purpose here was to 'provide greater flexibility and opportunity to decorate veterans who are not qualified to receive the highest honour of the War Cross with Sword, but who nonetheless have performed a great service for their country'.[8] The statutes for these decorations, too, were amended to encompass all types of war and armed conflict.

It is the King in Council of State (i.e. the government) that bestows the three highest combat awards: the War Cross with Sword, St. Olav's Medal with Oak Branch and the War Medal of Norway. Combat awards bestowed by the Chief of Defence are: the Armed Forces Medal for Heroic Deeds, the Medal for Defence Service Abroad with Rosette and the Medal for Defence Service Abroad. The Chief of Defence's council for combat awards initially assesses all six of these orders of honour. Cases where the council recommends one of the three highest honours are then passed on to the Ministry of Defence's council for awards.

The government's decision to reinstate the three highest combat awards underlined the legitimacy of the Afghanistan mission. It may also be seen as political acknowledgment of, and respect for, individual courage and/or leadership in extraordinarily demanding combat situations.[9] Although the effort in Afghanistan was a crucial

7 *Kgl. Res. 10. desember 2010, 'Tildeling av St. Olavsmedaljen med ekegren og Krigsmedaljen.'* [Royal Decree of 10 December 2010, 'Awarding of St. Olav's Medal with Oak Branch and the War Medal of Norway.']

8 Ibid.

9 Ibid.

Figure 12.4 The War Cross with Sword was presented posthumously to Trond André Bolle at Akershus Fortress on 8 May 2011. Pictured are Håkon Bolle (the surviving son), Minister of Defence Grethe Faremo, Chief of Defence Harald Sunde, Prime Minister Jens Stoltenberg and Bjørg Gjestvang (the widow). Some Norwegian media felt the King should have presented the medal.

Photo: Magnar Kirknes/VG newspaper

factor in the reinstatement the classic combat awards, the move was also motivated by a long-standing desire to retrospectively honour outstanding service in international operations for the entire period since 1949, when the Gerhardsen government decided that Norway would no longer award war decorations.[10]

12.3 Handling of personnel and security by the Ministry of Foreign Affairs

There are significant differences in support and care between diplomatic personnel and soldiers, both abroad and at home. This is in large part due to the differing duties and objectives of these two professions. As in the armed forces, the engagement in Afghanistan brought about changes in how the Norwegian Ministry of Foreign Affairs deals with staff security and the need for follow-up prior to, during and after service in war zones.

It was primarily the terror attack on the Serena Hotel in January 2008, where a Norwegian journalist was killed and one Ministry employee seriously wounded, that led to significant changes in the Ministry's security routines. The Ministry's handling of the attack was sharply criticised by the families of those involved, among others.[11] While the Ministry of Foreign Affairs had crisis management plans and training before the attack, these were more focused on Norwegian citizens abroad rather than posted diplomats and accompanying press corps and delegations.[12] The Norwegian Embassy in Kabul did not have its own professional security officer to address security considerations for personnel and sites. The Ministry also lacked armoured vehicles.[13]

The most important changes after the Serena attack included the hiring of a head of security at the Embassy in Kabul, new routines for press visits, better training prior to posting, more frequent crisis management exercises, improved physical security, the introduction of compulsory rest and recreation (R&R) and voluntary talks with a psychologist before and during service.[14] Most measures applied only to Kabul staff, but certain changes, such as R&R and security courses, were implemented at other high-risk sites where the Ministry has diplomatic missions.

There are indications that the Serena incident was a factor in changing how the Ministry addressed the need for individual follow-up after traumatic events. Some of the Ministry of Foreign Affairs staff who were at the hotel felt they received little useful help from the Ministry in processing the experience.[15] Although the Ministry's existing crisis management plans before the Serena attack stipulated the need for psychological follow-up support for its staff, it appears that such follow-up was largely consigned to personal expertise and initiative within the relevant ministry sections. The thorough review in the wake of the attack helped to increase awareness of the need for, and implementation of, this type of follow-up.[16]

10 Ibid.

11 'Carsten's Common-law Wife Slams Støre's Kabul Report', Norwegian newspaper *VG*, 12 March 2008.

12 Jonas Gahr Støre, 'Innlegg under åpen høring i Stortingets kontroll- og konstitusjonskomité 13. mars 2008 om terrorangrepet mot hotell Serena i Kabul 14. januar 2008' [Presentation in an open hearing of the Storting's Standing Committee on Scrutiny and Constitutional Affairs on 13 March 2008 on terror attack on Kabul Serena Hotel 14 January 2008], regjeringen.no, 13 March 2008.

13 Commission hearings, 11 August and 28 October 2015 and 28 January 2016. In the first year, Embassy staff took taxis to meetings while their international counterparts often rode in armoured vehicles.

14 An overview of the main measures may be found in Minister of Foreign Affairs Støre's address to the Storting after the Serena attack, cf. footnote 12.

15 Talks with Ministry of Foreign Affairs staff who were at the Serena Hotel during the attack or were affiliated with the Embassy/relevant offices in Norway, 3 August, 16 October, 28 October and 29 November 2015.

16 Ibid.

Figure 12.5 Minister of Foreign Affairs Jonas Gahr Støre speaking with the media in the hotel bomb shelter after the terror attack on the Serena Hotel in Kabul on 14 January 2008.

Photo: Stian Lysberg Solum/SCANPIX

Many in the Ministry have pointed out that in the Foreign Service, where most personnel remain for their entire career, many individuals still have a high threshold for seeking help after being stationed abroad. The fear of being perceived as weak or unsuitable for advancement may deter them from seeking help in dealing with the psychological after-effects.[17] It is helpful that staff stationed in war zones can talk with a psychologist before and during their posting, but it would be beneficial to incorporate routines for these talks after completion of service as well.

A key challenge for the Ministry of Foreign Affairs has been the recruitment of personnel for Kabul and Meymaneh. Many countries with personnel in Afghanistan have experienced similar problems.[18] Taking better care of personnel abroad, including health, safety and environmental (HSE) measures, leave (R&R), better financial compensation and enhanced career opportunities after a posting, have been important for encouraging competent personnel to apply. Personnel are not allowed to bring their families to Kabul nor to other high-risk foreign service missions.[19] This can put a great strain on families. Ministry of Foreign Affairs personnel tend to be stationed in war zones for two-year periods, while soldiers typically rotate every six months. This means that the Ministry needs to offer extra support and care for families of diplomatic personnel posted in particularly dangerous areas.

The Ministry of Foreign Affairs has strengthened care and support and placed greater emphasis on security for its personnel posted in Afghanistan, which is a positive indication that it takes its employer responsibility seriously. However, it is difficult to find the right balance between safeguarding security and carrying out diplomatic tasks. Several ministry personnel have expressed their frustration at being prevented from conducting project visits and other diplomatic tasks due to the Embassy's strict security regime.[20] This applies not just to the Norwegian Embassy, but to most of the diplomatic corps and international development aid personnel in Afghanistan.[21] The level of risk the Ministry can expect posted civilians to take, as well as the implications for employer responsibility that this heightened risk entails, are important issues to address in connection with this kind of international engagement. When the international civilian presence becomes paralysed, as is the case in Afghanistan, a choice must be made between significantly lowering ambitions and finding completely different ways of carrying out assignments. The security regime at the Norwegian Embassy as prescribed towards the end of the engagement was so strict that it appears to have got in the way of all attempts to conduct normal ambassadorial functions.

Future activities in war zones like Afghanistan will require carrying out both political tasks and administrative follow-up. In the Commission's view, this will have to be based on an innovative approach to managing risk for civilian personnel. If the security situation is deemed an obstacle, for example, in following up projects in the field, the Ministry should identify alternative methods for ensuring that tasks can be completed. This may involve, for example, the use of technological innovations, third-party monitoring mechanisms or a greater degree of cooperation with local civil society.

17 Interviews, 13 August and 28 October 2015.

18 Commission hearings in Washington, D.C., 2 September 2015; interviews in Copenhagen, 5–6 November 2015.

19 This also applies to the foreign service missions in Islamabad and Juba.

20 Commission hearings, 11 August and 19, 21 and 28 October 2015.

21 Commission hearings, 11 and 14 August and 19 October 2015; Rory Stewart and Gerald Knaus, *Can Intervention Work?*, New York: W.W. Norton & Co., 2011.

12.4 Support and care for development aid workers

Humanitarian and development aid organisations often operate in areas where human needs are most urgent, including in war zones. Much like the situation for Ministry of Foreign Affairs personnel, it can be difficult to safeguard the personal security of aid personnel while still allowing them to carry out their tasks. The security of development aid workers often depends on local inhabitants' trust in the organisations and has traditionally been the concern of the local offices and their posted staff. With the rising level of conflict in Afghanistan and the professionalisation of the approach to security in the development aid sector in general, the NGOs' main offices have dedicated more resources to preparing, systematising and following up security routines.[22] Emphasising security, however, means imposing restrictions on how an organisation can perform its work. Like the Ministry of Foreign Affairs, NGOs should seek alternative ways to carry out their activities when the security situation does not allow staff to travel into the field.

The NGOs appear to have prioritised security in the field, but less has been done to provide follow-up support for staff after they return home. With the exception of those involved in serious incidents, most aid workers feel that end-of-tour interviews revolve more around development aid themes than personal experiences and the potential need for psychological follow-up care. Many feel that work in high-risk areas and exposure to human suffering over time cause strain. The threshold for seeking professional help is high, however, due to concerns about being seen as unfit for future assignments.[23] Even though many NGOs have addressed this problem in recent years, the Commission recommends improving the regime to ensure proper support and care for all staff after they have completed postings abroad.

12.5 Afghans – Norwegian hiring policy and follow-up

The Norwegian authorities have to a certain extent made use of the knowledge and skills among the Afghan diaspora in Norway. Some Afghans living in Norway have provided language training for diplomats and soldiers and others have served as interpreters abroad. Early identification of resources among the diaspora and their potential usefulness will be important for future international military and civilian engagements.

Both the Norwegian Embassy and the armed forces needed Afghan staff with relevant language skills and local knowledge. There was no centralised formal strategic framework behind this local recruitment by the armed forces or the Ministry of Foreign Affairs. There was also little awareness initially of the risks Afghans could face during and after their employment, nor knowledge of how to address those risks.

Until 2015 Norway's military had no overall guidelines for the employment of local personnel in international operations. In earlier operations, employment of such personnel was dealt with at the unit level. This was also the case in Afghanistan, where the employment of local staff was regulated by standing orders of the Norwegian National Contingent Command (NCC). In many cases local employees were not part of any approved force structure; instead, positions were established locally according to changing needs. Contracts were drawn up and processed in Afghanistan and not documented centrally.[24]

A considerable number of local interpreters were hired. These interpreters often had to accompany troops to the front line. This led to ad hoc solutions where Afghans were provided with uniforms and firearms for self-defence, without central clearance of this practice. Chapter 10 discusses the legal aspects of this. While interpreters are typically a valuable resource, they also entail a security risk. By virtue of their position and function, interpreters possess a great deal of knowledge about the intentions, assessments and

[22] Organisations' responsibilities and security routines and how to enforce them came to the fore after the kidnapping of four Norwegian Refugee Council employees in Dadaab, Kenya, in 2012. One employee filed suit in Oslo District Court, culminating in the decision that development aid organisations, despite their mandate to provide help in high-risk areas, must exercise the same standards of due diligence that apply to other employers. In the kidnapping case, the Norwegian Refugee Council had not followed its own security routines. See e.g. Hege Vandapuye and Jan Speed, 'Flyktningehjelpen dømt til million-erstatning' [Norwegian Refugee Council Ordered to Pay Millions in Compensation], Norwegian aid magazine *Bistandsaktuelt*, 25 November 2015.

[23] Interview with a representative of 'Borte bra, men hjemme?' (now NOFAIO), a special interest organisation for development aid workers, 3 December 2015.

[24] Memorandum from the Ministry of Defence to the Minister of Defence, 'Beslutningssak – retningslinjer for lokale ansettelser i internasjonale operasjoner' [Case for decision – guidelines for employment of local staff in international operations], 5 January 2015.

modus operandi of the various military units and civil actors. The Norwegian authorities had to take this risk into account during the Afghanistan operation and after its termination. Norwegian forces found that some information was leaked to insurgents.[25]

There were also no guidelines from the Ministry of Foreign Affairs for recruitment and follow-up support of local employees at the Embassy. In the public domain, Afghans who have worked for the armed forces have received the most attention in Norway in terms of the need for protection, but a number of local employees working at the Embassy also felt vulnerable. Some of them stated that they hid their working relationship from their own families for fear of reprisal.[26]

12.6 Interpreters, local employees and residency in Norway – 'Exit Afghanistan'

Local employees are a highly valuable resource for Norway's military and foreign services. In war zones such as Afghanistan, this is reason enough to consider whether the Norwegian authorities have a political or moral responsibility to local employees after their service for Norway has ended. This was not a new or unknown issue. The experience of Norwegian peace diplomacy in Sri Lanka showed that local employees could be at risk as a result of their working relationship with Norway.

In light of this, the Ministry of Foreign Affairs took the initiative in January 2012 to set up a scheme giving Afghans who had worked with the Norwegian authorities the opportunity to apply for residency in Norway. The Ministry of Foreign Affairs, together with the Ministry of Defence, the Ministry of Justice and the Ministry of Children, Equality and Social Inclusion, designed what has been called the 'Exit Afghanistan' scheme. Its purpose was to ensure political support for and a uniform approach to processing applications. But the effort also appears to have been just as much a process for clarifying guidelines and allocating responsibility between the authorities involved.[27]

Persons hired by the armed forces or Norwegian police after 1 January 2011 who were going to be made redundant due to the scaling back of Norway's engagement were eligible to apply for Norwegian residency in the first application round. Originally it was decided that the criteria for assessing the need for protection should be the same as for other Afghans seeking asylum in Norway. The Directorate of Immigration's case-processing, however, showed that only four of the roughly 100 cases initially submitted would have been approved under these criteria. The political leadership within the Ministry of Foreign Affairs and the Ministry of Justice then decided to apply a broader set of criteria than for ordinary asylum requests.[28] This resulted in 23 requests for residency being granted. In practice this encompassed everyone who at the time was considered a combat interpreter.

In the spring of 2014 the issue of interpreters reappeared on the political and public agenda. As stipulated in the Dublin Regulation, combat interpreter Faizullah Muradi was returned to Italy without his application being processed in Norway.[29] This elicited the interest and involvement of Socialist Left (SV) politicians in the Norwegian town where Muradi had been living, as well as that of veterans. This support helped to produce new instructions enabling persons who had been directly employed by the Norwegian authorities to have their applications processed in Norway,

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25 'Tre 'norske' tolker tatt i Afghanistan – Etterforsker Taliban-infiltrering i norsk Afghanistan-leir' [Three 'Norwegian' interpreters arrested in Afghanistan – Investigating Taliban infiltration into Norwegian camp in Afghanistan], Norwegian newspaper *VG*, 30 January 2012. The Commission confirms that this took place.

26 Interview with a local employee of the Norwegian Embassy in Kabul, 3 November 2015.

27 Email from the Norwegian Embassy in Kabul to the Ministry of Foreign Affairs, 'Exit Afghanistan: Møte i FD + Ber om instruks med klarere retningslinjer' [Exit Afghanistan: Meeting at Ministry of Defence + Request for instructions with clearer guidelines], 14 October 2013; Ministry of Foreign Affairs, Ministry of Justice, Ministry of Children, Equality and Social Inclusion, Ministry of Defence, Norwegian Directorate of Immigration (UDI) and armed forces, 'Erfaringsrapport - Prosess for behandling av oppholdssøknader fra lokalt ansatte ved Forsvarets styrker i Afghanistan' [Report on experiences – Procedures for processing residence applications from local employees of armed forces units in Afghanistan], October 2014.

28 Memorandum from the Ministry of Foreign Affairs' Section for Consular and Immigration Affairs to the State Secretary, 'Opphold i Norge for afghansk personell som har samarbeidet med norske myndigheter' [Residence in Norway for Afghan personnel who cooperated with Norwegian authorities], 19 December 2012.

29 The Dublin III Regulation is an EU convention with which Norway complies, stating that asylum seekers may only have their applications processed in the first EU country where the individual was registered.

Figure 12.6 Faizullah Muradi, an Afghan combat interpreter for Norway, arriving at Oslo Gardermoen airport from Rome on 5 June 2014. He was met by the media and a number of Norwegian veterans of Afghanistan.

Photo: Berit Roald/NTB

regardless of their previous country of residence.[30]

In the wake of the Muradi case, the Norwegian veterans? association Wounded in International Operations (SIOPS) expressed concern for the combat interpreters remaining in Afghanistan. Veterans saw the interpreters as brothers-in-arms and argued that employees from the pre-2011 period were also at risk.[31] In 2012 the immigration authorities believed that the risk for many of them was of a local nature and that many interpreters would be safe in areas of Afghanistan where they had not worked for Norway.[32] This was in line with the Norwegian practice of internal relocation. It was also assumed that the threat of retaliation for working for Norway would diminish over time. After a hearing in the Standing Committee on Local Government and Public Administration of the Storting (Norwegian parliament) in January 2015, however, there was broad political agreement on the extent of Norway's responsibility. The scheme was expanded to include interpreters employed from 2006 to 2014, and the Storting issued guidelines stipulating a low threshold for approving the individual applications.[33] Due to a lack of time to amend the regulations and secure funding for a designated quota, the interpreters' cases were processed under the framework for resettlement refugees. As a result of the places awarded to the interpreters and their family members, 150 other refugees identified by the UN were not granted residency in Norway.[34]

Since the new guidelines entered into effect, nearly 120 applications for residency have been submitted. Roughly 45 have been denied because they are not covered by the scheme or are subject to the exclusion clause for the institution of asylum, while 49 have been approved. As of 23 May 2016, thirteen applications were being processed. Nearly all the applications granted in both rounds were based on grounds for protection. The exceptions were a handful of persons granted residency for reasons of Norwegian national security and other interests.

The decision of the Ministry of Foreign Affairs to co-locate the Norwegian Embassy with the Danish Embassy in 2014 led to severe cutbacks in the local staff. Local employees who were made redundant received a severance package and the Embassy tried to help them find new jobs, but with limited success.[35] Most of the former local employees at the Embassy in Kabul have sought asylum in Norway. These applicants are not covered under the 'Exit Afghanistan' scheme, but their applications have been supported by the Norwegian Ministry of Foreign Affairs.

12.7 Summary

The Afghanistan operations have led to much progress with regard to the situation for veterans. While the general issues relating to veterans were not unknown in Norway before Afghanistan, the engagement led to the introduction of a more systematic approach and significantly increased resources for veteran care. The action plan 'In Service for Norway', published in 2011, is a particularly important milestone for these efforts. The government reinstatement in 2009 of the War

30 'GI-07/2014 Instruks om tolkning av utlendingsloven parag. 32, jf. utlendingsforskriften parag. 7.4' [GI-07/2014 Instructions for interpreting Immigration Act §32, cf. Immigration Regulations §7.4], regjeringen.no, 1 July 2014.

31 'Skriftlig spørsmål fra Bård Vegard Solhjell (SV) til forsvarsministeren' [Written question from Bård Vegard Solhjell (Socialist Left Party) to Minister of Defence], stortinget.no, 17 October 2014; 'Veteraner samlet inn underskrifter for utsendt tolk' [Veterans collected signatures for deported interpreter], Norwegian media outlet *NRK Sørlandet*, 30 May 2014.

32 Memorandum 19 December 2012, cf. footnote 28.

33 *Recommendation to the Storting No. 162 S (2014–2015) Committee's recommendation*, Storting, 8 January 2015.

34 'Kamptolker kan få opphold foran kongolesere' [Combat interpreters may be granted residency ahead of Congolese], Norwegian newspaper *Fedrelandsvennen*, 14 July 2015.

35 Interview with an employee of the Ministry of Foreign Affairs, 18 August 2015; Commission hearing in Kabul, 3 November 2015.

Cross with Sword was also a significant turning point, opening up the opportunity to recognise extraordinary actions in non-international armed conflicts. Here, the government also drew an important symbolic line connecting WWII to today's international military operations.

The engagement in Afghanistan has helped to bring about important changes in how the Ministry of Foreign Affairs deals with security for personnel posted in war zones. A number of changes were introduced following the Serena Hotel attack in 2008. The engagement has also brought to the fore the dilemma that arises between safeguarding security needs on the one hand and carrying out project follow-up and diplomatic work on the other.

Humanitarian and development aid organisations have also raised their level of expertise and awareness with regard to working in areas affected by war and conflict. Like the Ministry of Foreign Affairs, these organisations must find a balance that protects the safety of their staff, yet allows for satisfactory follow-up of projects.

The Norwegian authorities initially do not appear to have fully appreciated the value of Norway's Afghan diaspora as a source of linguistic and local knowledge. Both the Embassy and the military employed a fair number of local Afghan staff in Afghanistan. In the early phase, there was no centralised strategic framework behind this local recruitment in either the military or the Ministry of Foreign Affairs. Along with local employees came the question of Norway's responsibility for former employees whose safety was threatened because they had worked for Norway and ISAF.

Part III
Reflections

Chapter 13
Norway's objectives and results

The Norwegian government had three explicit, overarching objectives for its engagement in Afghanistan. Over time these were emphasised and expressed in different ways. The first and most important objective throughout the Norwegian engagement was the Alliance dimension: to support the US and, later, to help to safeguard NATO's continued relevance. This objective was directly linked to key Norwegian interests and seen as essential for Norwegian security. The second objective was to assist in the 'war on terror' by preventing Afghanistan from once again becoming a safe haven for international terrorist activities. The third objective was to help to build a stable and democratic Afghan state through various forms of development assistance and to promote a peaceful solution to the conflict. The Norwegian authorities portrayed involvement in Afghanistan as a battle fought *together with* the US and NATO, *against* international terror and *for* a better Afghanistan.

Overall, these objectives have only been partially achieved. Three components of the Norwegian engagement were essential for realising the aims: the effort in Faryab, special forces and intelligence, and peace diplomacy.

Norway largely achieved the first objective of confirming its role as a solid and reliable ally. The engagement in Afghanistan helped both to maintain Norway's traditionally good relations with the US and to ensure the continued relevance of the transatlantic alliance. The Norwegian contribution, in the form of special forces and military intelligence as well as peace diplomacy, were of particular significance in strengthening relations with the US.

As the Commission sees it, the objective of helping to prevent Afghanistan from once again becoming a safe haven for international terrorists was only partially achieved. The 'war on terror' was controversial. There have been no new international terror attacks originating from Afghanistan. However, international terror groups are still active in the country, and the situation in Afghanistan must be seen within the context of such activities in its neighbouring countries and in the Middle East.

The third objective, to build a stable and democratic Afghan state, has not been achieved. Although international and Norwegian aid has produced results, Afghanistan has become one of the world's most aid-dependent countries, and the influx of aid has contributed to widespread corruption. The conflicts within the country have become increasingly violent and in 2015 civilian casualties were the highest yet. Independent of these overarching objectives, the engagement in Afghanistan has generated change and development in Norway at both the military and the civilian levels, resulting in increased professionalisation, organisational development and a shift in priorities.

The conflict and the international operation have been costly. The people of Afghanistan have suffered greatly. The number of civilians killed has steadily increased. Though there are no reliable figures for the human or monetary costs between 2001 and 2014, it has been estimated that the number of people killed may exceed 90,000. The total Afghanistan-related international military expenditure is estimated at more than USD 700 billion and international development aid at USD 57 billion. The Norwegian contribution has accounted for a very small proportion of the total resources spent. Over 9,000 Norwegian military personnel served in Afghanistan from 2001 to 2014. Ten Norwegian soldiers lost their lives and many were seriously wounded. Norway spent roughly NOK 20 billion (USD 3.17 billion) during this period: some NOK 11.5 billion (USD 1.83 billion) for military purposes and NOK 8.4 billion (USD 1.33 billion) for civilian purposes.[1] This amounted to approximately 0.26 per cent of the total international military expenditure and 2.3 per cent of the total official development assis-

[1] Using an exchange rate of NOK 6.3 to 1 USD.

tance (ODA) contribution. Figure 13.1 compares the Norwegian and Danish engagements.

In this chapter the Commission summarises its findings with regard to the overarching objectives for the Norwegian engagement. In the final part of the chapter the Commission summarises the main changes at the civilian and military levels that this involvement led to during the period. The Commission's recommendations regarding possible lessons for further changes are discussed in Chapter 14.

13.1 Relations with the US and NATO's relevance

Maintaining good relations with the US and ensuring NATO's relevance and strength have been key Norwegian security policy objectives since 1949. In the autumn of 2001 there was broad-based political agreement in Norway to show solidarity with the US after the 11 September terror attacks. This included support for US actions. A week after the attacks, outgoing Prime Minister Jens Stoltenberg pledged 'Norway's full support, both politically and practically, to US actions to combat terrorism'.[2] Afghanistan became the most important arena for this support. With NATO's enhanced role in the *International Security Assistance Force* (ISAF), and subsequent takeover of it in 2003, solidarity with the Alliance became a key motivation for Norwegian participation in Afghanistan. By May 2003 the second Bondevik Government had decided to prioritise NATO and ISAF over the US-led *Operation Enduring Freedom* (OEF).

The broad-based domestic political consensus in the autumn of 2001 lasted for the most part throughout the entire period up to 2014. 'In together, out together' became the guiding principle for Norwegian efforts. While there was special emphasis on support for the US early in the period, in general the Norwegian authorities were more interested in promoting relations with the US and NATO than what emerged from the public debate. When the Socialist Left Party (SV) joined the second Stoltenberg Government in 2005 and the decision was taken to discontinue participation in OEF, some of the more heated public debate subsided. No serious objections were raised regarding the Norwegian governments' support for participation in ISAF and for NATO, although opinion polls showed that the public was divided on military involvement.

The US authorities saw participation in the military operations as the most important means by which other countries could demonstrate their support for the 'war on terror' and for promoting a stable Afghanistan. This was also the case later with NATO. Norwegian authorities therefore focused their attention primarily on contributing requested military forces, as did most NATO member countries. As time went on, the US and NATO, as well as the UN and Afghan authorities, began to ask for more development assistance and support for state-building. This was advantageous for Norway, since military participation was a more problematic issue for the second Stoltenberg Government from 2005 than it had been for the second Bondevik Government.

13.1.1 Military contribution

The military involvement in Afghanistan was extensive and thus posed challenges for the Norwegian armed forces in general, as well as to specific individual units. Parts of the Norwegian military struggled hard to maintain the committed level of forces, which indicates the high priority that the Norwegian authorities gave to participation in Afghanistan. But the Norwegian contribution in Afghanistan comprised only a small part of a comprehensive international military presence. With the partial exception of the activities in Faryab province, Norway had no illusions that Norwegian forces alone could change the situation or developments in Afghanistan. The Norwegian forces were part of an international effort and international military strategy.

The US determined the overall strategy, although NATO also took important initiatives. On some issues Norway sought to influence the formulation of strategy in NATO. For example, the Norwegian authorities advocated a policy requiring a clear separation between civilian and military activities, but met with little support. Nonetheless, Norway implemented this policy in its own activities. The result was that the Norwegian authorities approved a NATO strategy that its own forces in Afghanistan were instructed not to follow. This created a difficult situation, particularly for the commanders of the Provincial Reconstruction Team (PRT) in Meymaneh.

Demonstrating to Washington and Brussels that Norway was a capable contributor was more important in Norwegian decision-making than assessments of the potential effects Norway's rel-

[2] 'Motangrep i Norges interesse' [Counterattack in Norway's interests], Norwegian daily newspaper *Aftenposten*, 18 September 2001.

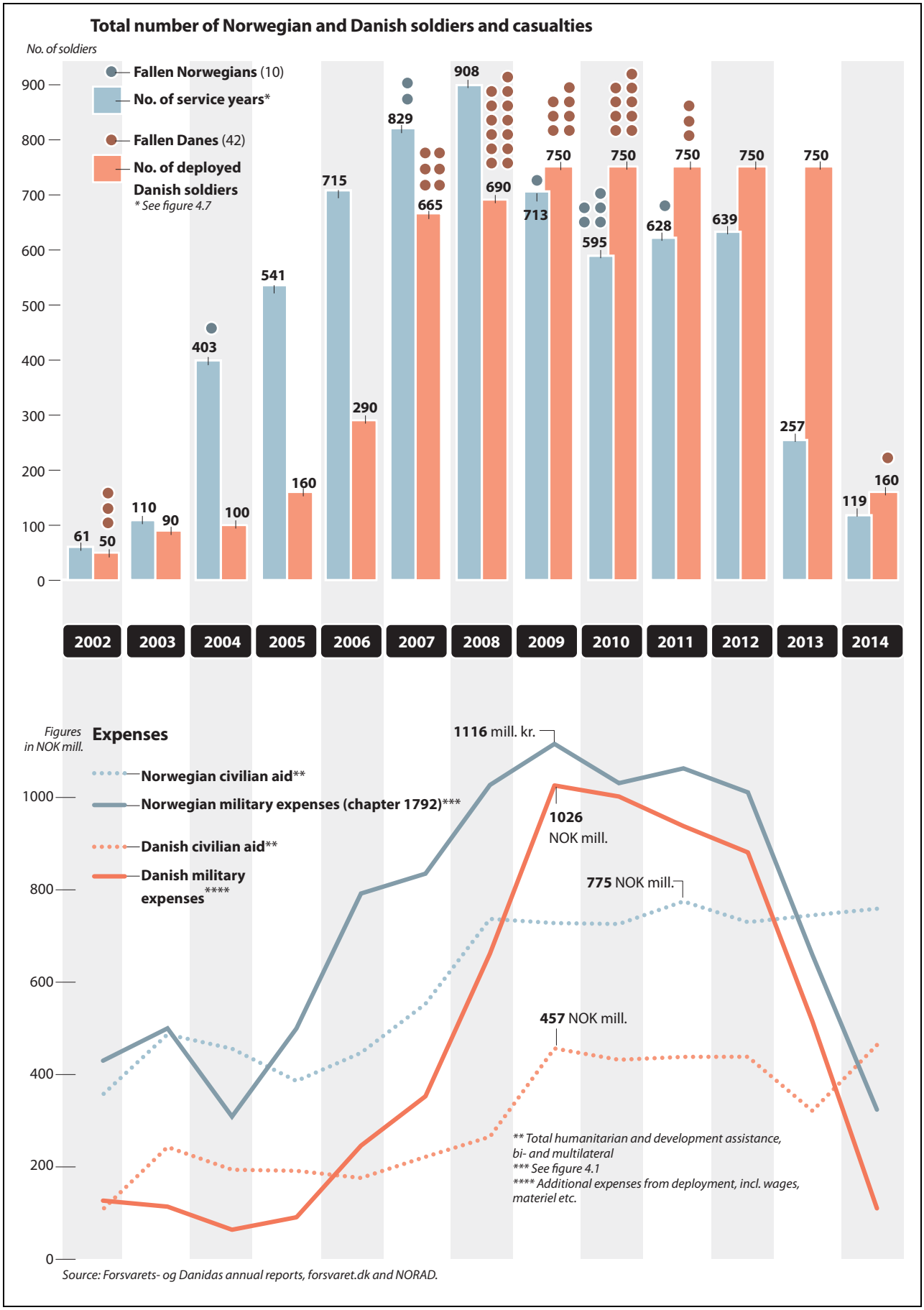

Figure 13.1 Comparison of Norwegian and Danish engagements

atively small contributions would have in Afghanistan. Nevertheless, from 2007 to 2012 the development of the security situation in Faryab played a significant role in determining which forces Norway would deploy. The decision to limit the geographical area in Afghanistan where Norwegian forces could be deployed was a political decision.

13.1.2 Norway in the north and south

The decision to support NATO in expanding ISAF's area of responsibility and the desire for relevance and visibility won out over the scepticism expressed in military and development assistance circles when, in February 2005, the government decided to take responsibility for the PRT in Meymaneh in Faryab province. Norway had long been encouraged by the US and other allies, as well as by UN representatives, to take command of a PRT.

The decision to take command of a PRT became part of a broader Norwegian strategic decision to focus on northern Afghanistan. One reason was that it would be less costly and more efficient to support the Norwegian forces if they were as geographically concentrated as possible. The point was also made that northern Afghanistan was less hazardous than southern Afghanistan, indicating that the risk to Norwegian soldiers was a main consideration.

The decision to concentrate forces in the north was taken before the change of government in 2005. This move became an issue once again when internal strife surfaced within the incoming government regarding whether Norway should deploy forces to the south as well.

As an opposition party, the Socialist Left had supported Norwegian participation in ISAF, but had criticised contributions to OEF and what the party called a US war of aggression in Afghanistan. However, the expansion of ISAF to encompass southern and eastern Afghanistan in 2006 led the party to view ISAF as part of this aggression, too. This put the party's support of ISAF under pressure. Like most NATO member countries, Norway was repeatedly asked to deploy forces to the south. The Minister of Foreign Affairs and the Minister of Defence recommended sending forces to support the allies in southern Afghanistan in both October 2006 and September 2007. The Socialist Left Party opposed this and prevailed.

The Commission has found that declining these requests (i.e. deciding to limit Norway's role) did not have serious or lasting consequences for Norway's relations with the coalition or its standing in NATO. According to the Norwegian, UK and US sources the Commission has spoken with, frustration with Norway's reticence to engage more deeply was moderate and short-lived.

Nor did Norway's self-imposed restrictions have long-term repercussions in the overall NATO context. The NATO countries that were active in southern Afghanistan – primarily the US, the UK, Canada, the Netherlands and Denmark – clearly formed an 'inner circle' within NATO for decisions on Afghanistan. The significance of this arrangement is often exaggerated, however; it applied specifically to Afghanistan and did not signal the emergence of any new inner core within NATO in general.

The situation in northern Afghanistan and Norwegian measures in all likelihood helped to curb critical reactions. The deteriorating security situation in 2007 in Faryab and northern Afghanistan at large allowed the Norwegian authorities to demonstrate that the limitation placed on Norwegian forces was purely geographical and not a lack of willingness to take risks. Moreover, the Commission's hearings and consultations indicate that the activities of the Norwegian Special Forces and Norwegian Intelligence Service in Kabul from 2007, in particular, played a key role in how the US, the Allies and Afghan authorities perceived Norway's military involvement.

13.1.3 Special forces and intelligence

The activities of the Norwegian Special Forces and the Norwegian Intelligence Service in Afghanistan were critical to Norway's success in strengthening its relations with the US and NATO. While this may, in part, be attributed to the independent activities of the special forces and Intelligence Service in their own right, it was the close cooperation between the two, and the results this yielded, that garnered the greatest attention from the allies.

The 'war on terror' has led the US to give greater emphasis to developing cooperation with the special forces of other countries. In a NATO context, Afghanistan has been the primary arena for such cooperation and Norway has played an active role. Bilaterally, Norway has developed close cooperation with the US on counter-terror and other special forces operations at the intergovernmental level, as well as in tactical and operational terms. According to the Commission's sources, few other countries have achieved a similar scope of cooperation. While Afghanistan is not

the sole basis for this, it has been important. The operation in Afghanistan showed that Norwegian Special Forces have become a sought-after contribution in allied operations and thus an important tool in national security policy.

Similarly, the US has attached great importance to intelligence cooperation targeted at international terror. The Norwegian Intelligence Service currently takes part in signals intelligence cooperation targeting international terror. Cooperation in this collaborative group has gained a wider significance, in large part due to the experience of Afghanistan. Since Norway's contribution in Afghanistan remained relatively small, it is reasonable to assume that the focus was on quality not quantity. For Norwegian intelligence, the engagement in Afghanistan led to an expansion of the existing cooperation with the US intelligence community. The National Security Agency (NSA) has been an especially important partner for the Norwegian Intelligence Service, both historically and in Afghanistan, and remains so today.

In addition to this, the Norwegian Special Forces made important contributions to building up the Afghan police *Crisis Response Unit 222* (CRU 222), which is discussed in Section 13.3 on state-building.

13.2 The 'war on terror' and Norwegian security

In addition to providing support to Norway's most important ally, the Norwegian government decided early on to prioritise the US-led 'war on terror', which was triggered by the attacks on the US on 11 September 2001. Norway's objectives were twofold: to participate in a combined international effort against a common threat and to defend its own national security. Early in the period, this focus was a result of concerns about new attacks by international terrorists based in Afghanistan against Norway and other countries.

Although combatting international terror remained an objective for Norwegian engagement throughout the period, the Norwegian government toned down this focus after 2002–2003, until towards the end of the involvement when it once again stressed its significance. These changes reflected the shifting priorities of US strategy. The original objective had become too narrow a basis for what eventually evolved into an extensive engagement. Military actions targeting al-Qaeda, the Taliban and other groups in the period 2001–2003 had severely weakened the military threat they posed in Afghanistan. This, together with the emergence of a new Afghan state, meant that the risk of Afghanistan once again becoming a safe haven for international terrorists did not appear imminent.

Moreover, the 'war on terror' quickly became controversial. The Bush administration presented it as a conflict without boundaries in time or place, in which pre-emptive attacks were justified and 'enhanced interrogation techniques' were permitted. Revelations of prisoner abuse, particularly in Iraq but also at Bagram and at other bases in Afghanistan, also provoked debate on the 'war on terror' in Norway. The controversial aspects of the 'war on terror' were part of the reason why the second Bondevik Government chose to prioritise ISAF over OEF, and why the second Stoltenberg Government that came to power in 2005 terminated participation in OEF.

Towards the end of the period, combatting international terror once again became a key motive. This seemed, however, to be more of an attempt to highlight an area where efforts in Afghanistan could be considered relatively successful, thereby laying the foundation for an exit strategy. Instead of being an argument for Norway's need to contribute, it was used to describe what NATO and Norway had achieved. As Minister of Foreign Affairs Espen Barth Eide stated in the Storting (Norwegian parliament) on 4 June 2013: 'ISAF – with a clear mandate from the UN Security Council – will have completed its main mission by the end of 2014. Afghanistan is no longer a hotbed of international terrorism.'[3] His successor Børge Brende also expressed the same view in his address to the Storting on Afghanistan on 5 June 2014: 'The international community had a collective responsibility to make sure that Afghanistan could no longer be a hotbed of international terrorism, and we have succeeded in this task.'[4]

In the view of the Commission, the objective of preventing Afghanistan from once again becoming a safe haven for international terrorists has only been partially achieved. There have been no new international terror attacks originating from

[3] Espen Barth Eide, Minister of Foreign Affairs, 'Redegjørelse av utenriksministeren om utviklingen i Afghanistan og Norges engasjement i landet' [The situation in Afghanistan and Norway's engagement in the country], Address to the Storting, 4 June 2013.

[4] Børge Brende, Minister of Foreign Affairs, 'Redegjørelse av utenriksministeren om utviklingen i Afghanistan og Norges engasjement i landet' [The situation in Afghanistan and Norway's engagement in the country], Address to the Storting, 5 June 2014.

Afghanistan. However, international terrorist groups such as al-Qaeda and the so-called Islamic State (IS or Daesh) are present in parts of Afghanistan and may be able to fortify their position in areas under tenuous government control. The presence of international terrorist groups in Afghanistan must be understood in a broader perspective, not least in relation to the situation in Pakistan, as well as to the position of militant Islamist movements in the Middle East, North Africa and globally.

13.3 State-building: development aid, the PRT and peace diplomacy

Like other national contributions to Afghanistan, a primary objective behind Norway's development assistance was to contribute to building a democratic and, in the long term, well-functioning and economically independent Afghan state. ISAF's role was to provide the security that would allow for state-building. Norwegian military efforts within ISAF must consequently be seen as part of the state-building project. In addition to the PRT, this involved the building up of the Afghan police *Crisis Response Unit 222* (CRU 222). CRU 222, which Norwegian Special Forces are still supporting, represents as of June 2016 one of the few lasting results of Norwegian military involvement in Afghanistan. Today the unit is important both for the ability of the Afghan authorities to respond to attacks on Kabul and for the security of the international presence more generally.

At the end of 2014, the international and Norwegian state-building efforts had achieved some results compared to the situation in 2001, when much of Afghanistan lay in ruins after decades of civil war. Significant infrastructure had been established, educational programmes were better, maternal and child mortality was lower, and freedom of expression and freedom of the press were relatively well-established. Afghanistan had carried out a number of elections. However, compared to the most ambitious goals to achieve a peaceful, democratic development, the results were nevertheless disappointing, not least in light of the significant resources invested in the project. The war continued with growing intensity, threatening to undo the results achieved.

Norway's relations with the US and its status in NATO and the UN were important factors in shaping Norwegian development assistance and peace diplomacy efforts in Afghanistan. The extent of aid to the country must therefore also be regarded in part as adherence to the Norwegian government's objective to be a good ally and generous donor.

Norwegian development assistance and peace diplomacy traditions have also been important. The high priority given to these is rooted in value-based policy and in Norway's underlying interest in using activities in these areas to build relations and enhance its international reputation. This was demonstrated in various ways in Afghanistan. One was Norway's emphasis on Afghan ownership. Another was the principled and clear separation between civilian and military activities. A third was the objective of spending equal amounts on civilian and military activities. A fourth was peace diplomacy, on which Norway chose to focus at a time when it was still not widely accepted that dialogue was necessary or desirable. All of these show that there was space for independent action in Norway's involvement in Afghanistan.

Norway sought to influence the international aid agenda much as it had done in the military sphere. The US dominated the civilian efforts as well, providing nearly half of all aid and thus setting the course for the overall international approach. Compared to its military contribution, however, Norway's civilian effort was relatively large. Although Norwegian civilian aid comprised only around 2.3 per cent of the total ODA contribution to Afghanistan, Norway was the ninth-largest aid donor. In comparison, the Norwegian military contribution amounted to just 0.26 per cent of estimated total expenditure. Moreover, whereas the Norwegian military contribution operated under a unified command, development aid was subject to few such constraints. Thus, Norwegian authorities exerted greater influence in civilian activities than in the military effort, relatively speaking.

Norwegian authorities took advantage of the available scope for independent action, particularly in prioritised areas such as education, human rights and, to some extent, gender equality. By cooperating with like-minded countries (primarily the Nordic countries, but also the Netherlands and others in the Nordic+ framework), Norwegian diplomats were at times visible actors who helped to reinforce the international focus on freedom of expression, gender equality and the education of teachers. The development of this aid diplomacy has been an important component of Norway's Afghanistan involvement.

13.3.1 Norwegian assistance and Afghan ownership

From an early stage Norway's goal was for the Afghan authorities to take responsibility for development and state-building to the greatest extent possible. From a development point of view, this was a sound policy objective, but it proved unrealistic to achieve. Afghan ownership meant, among other things, that aid should be channelled through the Afghan national budget, and that Afghan plans and priorities should guide the activities. The Norwegian government channelled funding to the Afghan national budget via the World Bank Multi-Donor Afghanistan Reconstruction Trust Fund (ARTF) and supported the authorities through various UN-led programmes. In cooperation with other like-minded countries, and in contrast to the US and other major donors, Norway emphasised the importance of supporting Afghan authorities. Yet roughly 35 per cent of Norwegian civilian aid still went to non-governmental organisations (NGOs). Wider dispersal of funding was a step in spreading risk and reaching out to areas with weak local authorities. At the same time it was also assumed that all of Norway's partners followed the authorities' development plans.

As requested by the Afghan authorities and based on traditional Norwegian development assistance practice, the Norwegian authorities distributed the funds across several areas. Chief among these were education, rural development and good governance, with women's rights and gender equality as a cross-cutting theme. Flexibility and optimal coordination with Afghan authorities and other donors were stressed. As the aid volume expanded, so did the pressure on administrative capacity. Norwegian authorities addressed this by prioritising multi-donor funds and reducing the number of agreements with other partners.

The Commission understands that there were good reasons behind the initial distribution of the civilian effort across large and important sectors. Norway had experience in these areas, it was well aligned with the broader allocation of areas of responsibility among donors, and it appeared to allow the flexibility and adaptability called for to accommodate the changing needs of the Afghan authorities. Given the weakness of the administrative capacity, however, Norwegian authorities could have achieved more if they had set clearer priorities between the various sectors.

13.3.2 State-building, the PRT and clear separation of civilian and military activities

Strengthening the Afghan state at the local level was a central aim of the international state-building activities. Provincial Reconstruction Teams (PRTs) were introduced as the instrument for achieving this objective in three areas: security, governance and development. Different countries chose different approaches regarding the manner and degree of support the PRT provided for the establishment of local institutions. In addition to the logic behind the PRT approach in itself, force protection concerns led many countries to direct most of their aid funds to the province where they had a PRT. The broader goal was to ensure development in 'their' province, as well as providing security through rapid social and economic development. As a result of the PRTs and later the counter-insurgency (COIN) approach, much of the aid ended up being linked to the military activities rather than being used for more long-term development goals. Together with inadequate knowledge of local politics and power struggles, the PRT structure of ISAF served to undermine rather than to achieve the objective of building a centrally governed Afghan state.

Norway attached importance to ensuring an even distribution of development aid to Afghanistan. In the Faryab strategy of 2009, Norway set a ceiling of twenty per cent as the maximum amount of Norwegian assistance that could go to Faryab. Long before this the Norwegian authorities had introduced the policy of separation between civilian and military activities as part of the foundation for the Norwegian-led PRT. While this had its basis in established aid policy principles, it proved difficult to implement given the complexity of the situation. In practice the separation was often unclear or impossible to achieve, leading to frustration and misunderstandings between civilians and military personnel.

From 2008 ISAF prescribed clearer guidelines stipulating that the Norwegian PRT, too, was to incorporate coordinated civilian and military activities as a basis for COIN operations. This made it even more difficult for the PRT commander to adhere to the strict policy of keeping civilian and military activities separate, as instructed by Norwegian authorities. The Norwegian policy of separation was partially undermined when US forces with substantial development funds came to Faryab in 2010 and made these funds available to the Norwegian PRT as well.

As a result, of the PRT's three pillars of security, governance and development, it was only within the realm of security that the Norwegian PRT was able to fully comply with the ISAF approach. From 2009, in accordance with ISAF guidelines, the Norwegian PRT focused more on training Afghan security forces. The Operational Mentoring and Liaison Teams (OMLTs) played an important role in the effort to enhance the capacity of Afghan authorities to provide their own security. Building up Afghan security forces had been a main international objective since 2001, but did not become a core part of the international effort until 2009, when ISAF assumed responsibility for most of the training.

The security situation in Faryab worsened towards the end of the decade and beyond. In Faryab, too, the Afghan security forces – both the Afghan National Army (ANA) and the Afghan National Police (ANP) – were weak. There is little reason to believe that choosing the Norwegian approach as opposed to a different approach was an important factor in the larger picture here. According to some NGOs, the Norwegian policy of separation helped to protect the humanitarian space and provide greater opportunity for aid organisations to target long-term efforts. Norwegian-supported NGOs and programmes continue to operate in the province. In this way the policy may have been beneficial, as it stressed that civilian aid was legitimate on its own, independent of the military effort. However, the Norwegian authorities did not take adequate steps to clarify the potential consequences of the Norwegian policy to keep civilian and military activities separate for the involvement in Afghanistan. It was largely left to the deployed civilian and military personnel to find practical solutions to the challenges created by the underlying political guidelines.

13.3.3 Civil–military parity

In December 2007 the Norwegian government decided to increase aid to Afghanistan to NOK 750 million (USD 119 million) annually over a five-year period. The purpose of this was to raise the budget for civilian expenditure to a level equal to that of military expenditure. The decision was part of the second Stoltenberg Government's revised Norwegian approach – *taktskifte* (literally, change of pace) – to activities in Afghanistan, with greater focus on civilian efforts. This was in turn motivated partly by the shift in international approach and partly by domestic political considerations in Norway. It was easier for the public and for the Socialist Left party in coalition to accept the idea of boosting civilian efforts than an increase in military expenditure.

The political objective of parity was not achieved. In increasing the civilian aid, Norwegian authorities did not give adequate consideration to the low absorptive capacity in the Afghan state administration and the limited administrative capacity in the Norwegian Embassy in Kabul, as well as in the Ministry of Foreign Affairs. The conditions for properly following up such an extensive amount of aid were not in place. Norway addressed this in part by channelling the funding to multi-donor funds of the World Bank and to the UN, which assumed responsibility for the administration. But these funds also faced problems of insufficient follow-up of projects in the field. A key reason for this, albeit not the only one, was security. Norwegian performance assessment, too, was weak. Norwegian aid was thus part and parcel of the overall international framework of extensive aid and inadequate follow-up and control. The aid thus contributed to the emergence of widespread corruption. The Norwegian authorities realised this, but political ambitions to provide a substantial volume of aid had greater importance than assessments of the consequences of such assistance.

Norwegian development aid to Afghanistan contributed to results in specific areas such as education and freedom of expression and in isolated smaller-scale projects. Overall, however, Norwegian assistance must be evaluated as part of the international aid. Volume alone is not a good aim in itself. Norway's aid volume in all likelihood increased its standing and status in relations with the US and NATO, as well as with the UN and the Afghan authorities. In the context of development in Afghanistan, however, an emphasis on quality – including expansion of administrative capacity and performance measurement – would have been preferable to quantity.

13.3.4 Norwegian peace diplomacy

Norway was among the first to take specific steps to promote a political solution to the conflict in Afghanistan. Neither Norwegian nor other attempts to negotiate a settlement were successful. Nevertheless, the Commission views it as positive that Norway tried to establish dialogue between the Taliban and Afghan authorities. Norway's engagement showed that, as in previous engagements, Norwegian peace diplomacy could generate corresponding US interest. The close

dialogue between the Norwegian foreign ministers and their US counterparts was the clearest indication that Norway's efforts were viewed with interest.

In keeping with Norwegian tradition, peace diplomacy in Afghanistan came about as the result of a combination of individual initiatives and the willingness of the Norwegian authorities to take risks. As has been the case in other areas of conflict, Norway was willing to make contact with all parties involved. Both the political risk and the personal risk taken by Norwegian diplomats were greater in Afghanistan than in most places where Norway has conducted peace diplomacy. The peace initiative illustrated the scope for independent action available to Norway, and its willingness to exploit this. Being proactive early on gave Norway a chance to influence the thinking in what ultimately became a concerted effort to find a political solution. However, there were some inherent contradictions between peace diplomacy efforts on the one hand and Norwegian human rights efforts in areas such as transitional justice on the other. Several of the key dialogue partners in the peace efforts from both the Afghan government and the Taliban had, for example, allegedly committed serious war crimes. Norwegian authorities chose to tone down the focus on transitional justice and stress peace diplomacy.

The Commission finds that the high-level dialogue between the Norwegian authorities and their Afghan and US partners in all likelihood helped to influence their view on the potential for negotiations with the Taliban. Together with others, Norway sought to influence the Taliban's thinking as to what a political solution ought to and would entail. Norway established dialogue with the Taliban at an early stage on the need for the movement to change its political views and approach, for example, concerning women's role in society, if the movement wished to return to a place in Afghanistan's political life.

13.4 Afghanistan and what it meant in Norway

Norway's engagement in Afghanistan was unlike previous Norwegian engagements, entailing new challenges and lessons to learn. In the following the Commission highlights some of the major military and civilian changes at home that primarily are the result of the participation in Afghanistan.

One of the key challenges was to establish a comprehensive approach to Norway's involvement. The Norwegian government had never before carried out such a large-scale, complex, parallel civilian and military effort in a conflict area. Taking command of the PRT in Faryab made it clear how important it was to ensure adequate coordination between ministries and between the deployed civilian and military personnel.

The appointment of a State Secretary Committee in 2006 was an attempt to achieve better coordination at the central level. The committee helped to consolidate the idea of a clear separation between civilian and military activities as a political principle. It did not, however, establish clear guidelines for how this principle should be implemented in practice. Nor were clear guidelines for civil–military coordination given in the Faryab strategy developed by the State Secretary Committee in 2009. The strategy constituted, in effect, a list of ambitions for the Norwegian involvement.

Thus, the Norwegian authorities were not able to translate the idea of a comprehensive approach into practice in Afghanistan. Norway's activities and operations revealed just how difficult it is to achieve an approach that encompasses extensive, coordinated efforts in the areas of security, governance and development.

This overall failure is indicative of the lack of an institutionalised procedure for coordinating Norwegian efforts. Other countries have set up institutions designed for this purpose, with varying degrees of success. The UK has had a coordination unit since 2004, known today as the Stabilisation Unit. Germany established a stabilisation department in its Federal Foreign Office and a special representative for stabilisation in March 2015. The Netherlands uses a somewhat different approach, with a structure for systematic consultation between its government and parliament, in which the government must report on the objectives, means and current and anticipated results of activities.

For Norway and the armed forces, Afghanistan was the first post-WWII mission abroad that involved regular combat. This brought renewed awareness of the value of expertise, professionalisation and experience in combat situations. Alongside this, the development of veteran administration and a revised regimen for awards and decorations are the most high-profile changes in the armed forces resulting from the years in Afghanistan. Awareness of the need to take care of veterans and how to do so systematically has increased considerably during this period.

The special forces are now more visible in society, political circles and the military, thanks to

the involvement in Afghanistan. Additionally, close cooperation was established between the Norwegian Special Forces and the Norwegian Intelligence Service. The development of the concept of the National Intelligence Support Team (NIST) was central in this context and garnered international attention. Linking a strategic unit, the Intelligence Service, directly and closely to a tactical unit in the field was innovative.

With regard to the Ministry of Foreign Affairs, the 2008 attack on the Serena Hotel in Kabul prompted changes in routines for deployed personnel in the area of health, safety and environment. The Norwegian Embassy was assigned a head of security, physical infrastructure was fortified and security courses for diplomats were made compulsory before travelling. Also, the number of mandatory leaves of absence during service was increased, and employees were offered support from psychologists. The Foreign Service has gained a better understanding of the need for proper individual follow-up of its employees during as well as after completion of a foreign posting. Norway's involvement in Afghanistan also revealed that there is a disparity between strict precautions to protect personnel on the one hand and high ambitions for the civilian effort on the other. Norway's limited ability to contribute in certain civilian areas and to follow up and monitor the use of resources were partly the product of such security considerations.

For Norwegian peace diplomacy, the engagement in Afghanistan helped to enhance the ongoing professionalisation of these efforts in the Ministry of Foreign Affairs. Peace diplomacy has evolved from an idealistically-based civil society effort into one of the Ministry's highly prioritised core activities. In addition to greater emphasis on continuity and a long-term perspective, this professionalisation process has encompassed more widely applied confidentiality measures and cooperation with the Norwegian Intelligence Service. The peace initiatives in Afghanistan confirmed that Norway is able to play an important role – even in a situation with a very complex matrix of actors, where many are either sceptical of or outright opposed to any attempt at dialogue. Despite the enterprising actions followed with great perseverance over time, the peacemaking attempts have not led to actual negotiations between the parties in the Afghanistan conflict.

Chapter 14
Experience and lessons learned

The mandate of the Norwegian Commission on Afghanistan states that the Commission's report '… shall identify lessons that may contribute to the planning, organisation and implementation of future Norwegian contributions to international operations'. Every conflict and engagement is unique. The experience and lessons that the Commission have extracted are primarily relevant *for international engagements in conflict areas and fragile states where Norway is involved with military and/or civilian instruments.* Involvement in such conflict areas and states will always be challenging due to the inherently complex and unpredictable nature of the situation, and will thus always entail a high degree of risk.

In this chapter the Commission discusses frameworks and principles underlying Norway's engagement and proposes a number of concrete recommendations based on experience gained in Afghanistan.

14.1 Legal basis, transparency and political legitimacy

Norwegian values and interests dictate that any use of force must have legal basis in international law. This applies not just to the actual use of force, but also to the decision to resort to it. Norway should express its position on these issues to its allies and partners, as well as in the national debate.

Civilian and military involvement in conflict areas and fragile states is very costly and often entails great risk – there is always a chance that lives will be lost. It is therefore essential that such involvement has domestic support in accordance with democratic principles. Transparency is important, even when unfavourable issues are involved, to promote a well-informed public debate, as well as to ensure political legitimacy for such engagements.

The government will need to seek support for its decisions. The Commission wishes to emphasise how important it is for the message to the public to be balanced and realistic. It is vital that there is openness about the government's reasons for participating, and that these reasons are communicated clearly.

The current system of closed-door briefings for the Enlarged Foreign Affairs and Defence Committee and broad, open reports to the Storting (Norwegian parliament) should be improved. Whenever Norway engages in a conflict area, the government should inform the Storting more systematically along the way of the intended objectives, means, anticipated results and experience. Institutionalising such procedures will also provide a better foundation for an informed debate.

14.2 Policy framework for future Norwegian engagements

As was the case in Afghanistan, future Norwegian involvement in conflict areas and fragile states will be conducted as part of international efforts in which others will set the overall policy framework. In principle Norway will always be free to choose not to take part. Such a choice may be difficult, however, when requests to participate come from NATO or the US, or when the UN asks for contributions towards enforcement measures as stipulated in Chapter VII of the UN Charter. The trade-offs entailed in making a choice must be publicly acknowledged and communicated. In all international engagements there will be some opportunity to influence decision-making. In situations where Norway chooses to participate, the authorities can and should seek to influence the policy framework to a greater extent than was the case in Afghanistan.

The possibilities for adopting an independent Norwegian approach may be substantial. In Afghanistan Norway was able to choose solutions that diverged from those advocated by the main allies, without incurring lasting negative consequences for relations with the US or others. This

applied in particular to the decision not to participate in the south after 2006. It was also true of the decision to separate civilian and military activities, which ultimately came to be at odds with ISAF's approach to counter-insurgency operations. Norwegian peace diplomacy efforts clearly illustrate that Norway can both deviate from the mainstream approach and be influential. Norway's initiative came early and represented a break with the US approach. At the same time, the Norwegian initiative promoted greater understanding of the need and potential for negotiations towards a political solution.

14.3 Strategic principles, planning and approach

The engagement in Afghanistan underlined fundamental lessons from other civilian and military efforts, including the value of setting clear limits and having realistic aims, as well as systematically reassessing the means and objectives already underway. It is challenging to draw up integrated plans, including plans for coordinating national actors and contributions. This is particularly difficult to accomplish in a complex engagement with multiple actors and different objectives that at times may contradict one another. In Afghanistan the 'war on terror' entailed objectives and instruments that were difficult to reconcile with state-building.

Interventions involving regime change, as the case was in Afghanistan, drain resources and can foster even more conflict. They create expectations of economic and political reconstruction that are difficult to fulfil. Even contributions that, seen in isolation, are well founded may have unexpected, unintended or undesirable consequences. State-building is difficult, if not impossible, to achieve during ongoing armed conflict. International state-building efforts must be based on inclusive political solutions. External actors can do very little to give local authorities legitimacy among their own people.

Norway can do little to influence the design and approach of a comprehensive international military and civilian engagement such as the one in Afghanistan. The objectives and strategy will for the most part be determined by others. Nonetheless, in their activities in conflict areas Norwegian authorities must stress the considerations listed below. These must be promoted in international planning and form the foundation for Norwegian efforts:

- The objectives for the engagement must be clearly defined and communicated to the Storting and public at large. This includes Norwegian objectives that may supersede or supplement international objectives.
- An exit strategy must be established. At the national level this strategy must reflect the aims and limitations underlying the Norwegian involvement.
- Deviation from goals over time ('mission creep') is undesirable and must be avoided.
- When changes to international objectives occur, Norwegian authorities must emphasise that these changes are based on a comprehensive political assessment. Norway must take a stand on whether the new objectives are in keeping with Norwegian interests and, if necessary, limit participation or withdraw.
- Attempts to achieve a negotiated solution to the conflict must begin early. Norway has wide-ranging experience with such dialogue and is open to conducting talks with all parties. Norway therefore has a special responsibility to guide such initiatives. The need for such a solution must have support both at the political level and among the population in the conflict area. A negotiated solution may entail difficult dilemmas relating, for example, to transitional justice, including legal action against war criminals.

14.4 Administrative and operational lessons learned

The Commission has identified various types of lessons learned and has grouped them into three categories: general lessons (which apply to Norwegian authorities in general), lessons for military activities and lessons for civilian activities.

14.4.1 General lessons learned

- The government should inform the Storting more systematically and regularly regarding the aims, means and anticipated results of its activities. Results and experience should be assessed on an ongoing basis for evaluation purposes and for future compilation of data.
- Norwegian authorities must take steps to improve coordination mechanisms. A high-level coordination unit with responsibility for developing strategies and action plans should be established, and must be approved at the political level. The activities of the coordination

unit must have a greater strategic focus than was the case under the State Secretary Committee for Afghanistan. The unit must engage in dialogue with relevant partners.
- Political guidelines must be specified and adapted to the situation as early as possible in close consultation with deployed personnel. There are many examples from the engagement in Afghanistan where political decisions were not adequately operationalised or followed up with specific measures.
- Norway should make better use of opportunities to exert influence through targeted diplomacy. Norwegian authorities should work more systematically to promote Norwegian positions in international forums. Experience gained from the engagement in Afghanistan shows it is possible for Norwegian authorities to exert influence on international decision-making processes. This requires personnel resources, better communication between delegations and ministries, and early input in policy formulation processes.
- Norway should not assume responsibility for integrated missions (state-building, development and security) on a large scale. Norway should instead be developing specialised expertise in areas where long-term needs are identified and clear roles are stipulated, within the framework of broader international, unified efforts.
- Norwegian authorities should consider career plans for military and civilian personnel, as well as means of staffing that would allow key personnel to remain in their postings and deployments longer than they do today. Organised follow-up of the families of deployed personnel during and after service is therefore important. Frequent rotation of deployed personnel is not constructive. The Ministry of Foreign Affairs has much to learn from how the armed forces deals with the families of military personnel.
- The need for local expertise on cultural, social and related fields in areas of conflict is great. Norwegian authorities must identify existing competencies for relevant areas of involvement early on and seek to incorporate this knowledge as rapidly as possible in the planning phase of activities. This includes bringing in persons from relevant areas of involvement and making the most of their professional, linguistic and cultural competencies. When assessing relevant areas for long-term activity, Norwegian authorities should set aside resources for intensive language training of both civilian employees and military personnel.
- Effective, consistent routines must be established for recruitment and clarification of expectations with respect to Norway's legal and moral responsibilities for locally employed staff. This is particularly important in areas where Norway is, or is perceived as, a party in the conflict.

14.4.2 Lessons learned for the Ministry of Defence and the armed forces

- Participation in extensive operations abroad must not lead to any substantial weakening of the armed forces' ability to perform its primary mission of preparedness at home.
- The Ministry of Defence and armed forces leadership must take an active role in shaping the criteria and nature of the mission to be carried out by Norwegian military commanders in international operations. This is particularly important in situations where the Norwegian approach deviates from the guidelines in the international operation. Norwegian commanders in the field must have adequate autonomy and authority to adapt a strategy to local conditions, but the overall strategy must be developed at higher levels.
- The armed forces should consider whether more of the Norwegians assigned to international staffs must also be expected to carry out national missions and fill national needs. Several NATO countries utilise international positions in this way.
- The armed forces should seek to limit the size of the support structure in operations. There will be situations that require a large-scale national support element in the area of operation. In other contexts it may be more appropriate for the armed forces to meet support needs through agreements with others.
- The armed forces' 'lessons learned' processes should be institutionalised to a greater extent. The transfer of experience must also be emphasised at the operational and strategic levels.

14.4.3 Lessons for the Ministry of Foreign Affairs and civil sector

- Norway's willingness to engage in talks with all parties in a conflict is fundamental. Peace diplomacy entails significant risk both personally for the diplomats involved and generally in terms of failure to achieve results. These efforts thus

require solid political support. There has been significant professionalisation in this field, which on the whole gives it new strength. This should not inhibit open dialogue with NGOs and research groups, which has been a key asset of the Norwegian approach.

- The Ministry of Foreign Affairs should prioritise selected areas at an early stage and pursue these systematically, for example, by ensuring adequate personnel resources and continuity of activities.
- In complex conflict areas the Ministry of Foreign Affairs should utilise every opportunity to facilitate regional dialogue and cooperation, as the Ministry has done in the Heart of Asia process. Efforts to develop civil society and people-to-people projects may provide relevant contributions to such processes.
- The relationship between development aid and policy should be clarified from the outset of an engagement. The use of diplomatic instruments such as participation in donor forums is important for efforts to shape the international agenda and the development aid agenda. The Ministry of Foreign Affairs should therefore make it a priority to send experts to take part in such forums. In conflict areas special efforts should be made to promote cooperation with like-minded countries.
- The quality and impact of Norwegian development aid, as well as the administrative capacity available, must be given greater weight than is currently the case. Experience from Afghanistan demonstrates that a large volume of aid should not be an end in itself.
- Humanitarian efforts in fragile states experiencing conflict must be continually assessed in connection with long-term development aid and based on detailed conflict analyses. It is important to ensure that humanitarian aid is not scaled back too soon. On the other hand, humanitarian aid must not become a substitute for long-term development aid.
- The use of multi-donor funds must not in itself be used to justify cuts in administrative capacity. Following up multi-donor funds is comprehensive, time-consuming work.
- The Ministry of Foreign Affairs must weigh the willingness to undertake risk against the potential for carrying out diplomatic work in conflict areas. A zero-risk approach to security may make it virtually impossible for Norway to be engaged in conflict areas. The Ministry must continue developing a professional approach to security that allows personnel to operate in conflict areas.
- The principle of zero tolerance for corruption must be adhered to and clearly communicated to partners at all levels. At the same time, the Ministry of Foreign Affairs, in dialogue with partners, should make every attempt to ensure that key programmes continue to operate even when there are suspicions of corruption.
- Systematic performance reporting is essential for documenting the impact of aid, both for learning purposes and as a basis for informed public debate. The Ministry, along with Norad and partners, must develop better tools and routines in this area.
- Knowledge transfer is still not adequately institutionalised and steps must be taken to create a more operational framework for this at the Ministry. Overlap between personnel posted abroad will save time in the long run and facilitate and improve the quality of their work. This is especially important in conflict areas.

Annex 1

The Norwegian dead

Trond André Bolle

Andreas Eldjarn

Kristoffer Sørli Jørgensen

Trond Petter Kolset

Tor Arne Lau-Henriksen

Christian Lian

Claes Joachim Olsson

Tommy Rødningsby

Siri Skare

Simen Tokle

* * *

Carsten Thomassen

Egil Kristian Tynæs

Annex 2

Mandate Norwegian Commission on Afghanistan

1 Background

On 29 September 2014, Afghanistan saw its first peaceful transfer of power from one elected president to another. On 31 December 2014, the Afghan Government will take responsibility for security in Afghanistan and NATO will conclude its ISAF operation. This will mark the end of a major phase in the international engagement to provide stability and security in the country. Norway has been extensively engaged in both political processes, through military and police contributions, and with civilian development aid.

In line with the Parliament's resolution of 25 February 2014 (cf. Representantforslag 8:12 S 2013–2014), the Government has decided to appoint by Royal Decree an independent Commission to evaluate and draw lessons from all aspects of the Norwegian engagement in Afghanistan from 2001 to 2014. The Commission will have 10 members. The Commission may establish a reference group composed of Norwegian and international experts. Based on its needs, the commission may contact also other relevant Norwegian and international experts.

2 The Commission's task

The Commission shall conduct a comprehensive evaluation of the overall Norwegian engagement and present a report that should be publicly available in its entirety. The report shall identify lessons that may contribute to the planning, organisation and implementation of future Norwegian contributions to international operations. The Commission shall therefore map and evaluate all parts of the Norwegian engagement between 2001 and 2014. This includes, but is not limited to the following:

International questions:

- The shaping of the overall international strategy and aims for Afghanistan, including an assessment of whether or not these objectives have been met.
- The UN's/UNAMA's role and impact as coordinator of the international engagement, including in terms of development cooperation, humanitarian assistance and political dialogue with the Government of Afghanistan.
- The UN-led [sic] military engagement prior to NATO's assumption of command of ISAF.
- The development of NATO's strategy and plans, Norway's freedom of action and its engagement in and influence on this process.
- The overall impact of NATO's and ISAF's engagement.
- The relationship between the international military engagement, civilian development assistance and political processes, including how the different components have influenced results across the different sectors.
- The implementation of the Strategy for the UN Security Council Resolution 1325, Women, Peace and Security.
- The impact of regional processes on the stabilisation of Afghanistan, including Norwegian engagement in these.

National questions:

- The design and development of Norwegian civilian and military contributions, including military contribution to the UN and NATO, participation in Operation Enduring Freedom, civilian police contributions both bilaterally and through the EU-led EUPOL-A mission, support to the UN's UNAMA mission and development assistance both bilaterally and through multilateral channels such as the UNDP and the World Bank.
- Whether the Norwegian forces had adequate equipment.
- Whether the Norwegian forces received adequate training in how to operate in the local Afghan conditions and context.

- Whether the national and operational freedom of action was utilized when designing the overall Norwegian contribution.
- The impact of Norwegian civilian and military contributions, including the degree to which the contributions have supported the overall political objectives of the Norwegian engagement in Afghanistan.
- Whether the civilian and military engagement has been cost effective.
- The relationship between the Norwegian civilian and military engagement, including a comparative perspective on the strategies of other countries. This includes the Norwegian engagement in and allocation of resources to Faryab province.
- To which extent the Norwegian Faryab strategy met the needs on the ground.
- The effect of Norwegian humanitarian assistance and engagement in Afghanistan.
- How the security of Norwegian civilian and military personnel, as well as local staff, was safeguarded, including recruitment procedures and preparations prior to deployment.
- The perception of the engagement in Norway, and the Norwegian forces' perception of political and popular support.
- The follow-up of Norwegian civilian and military personnel and their families, as well as locally employed staff, after the end of service in Afghanistan.

3 The Commission's access to information

The Commission may gather information and assessments from different sources, including Norwegian governmental employees, employees of international organisations such as UN and NATO, representatives of Norwegian and international development organisations and Norwegian and international research institutions.

In its work, the Commission may draw on existing evaluations, including the Evaluation of Norwegian Development Cooperation with Afghanistan 2001 – 2011, NATO's Periodic Mission Reviews, Norwegian evaluations of our own military planning, organisation and conduct of operations, equivalent evaluations conducted by allies, and Norwegian and international research.

As part of the Commission's work, it may gather information that in principle is covered by statutory duty of confidentiality, as well as on other bases such as contractual confidentiality. Duty of confidentiality based on commitment to or agreement with the government as an employer, shall not prevent the Commission from gaining access to information about Norway's civilian and military engagement in Afghanistan. The ability to share information covered by statutory duty of confidentiality must be individually considered based on the legal basis of the confidentiality.

Classified information may only be shared with specific basis in law or regulation, cf. the Officials Secrets Act §?12. If necessary, the King [i.e. the government] will if necessary publish a separate regulation on the Commission's access to classified information.

The members of the Commission are themselves bound by confidentiality regarding the confidential information they gain access to through their work.

4 Timeframe and reporting

The Commission will start its work as soon as possible after 1 January 2015. The Minister of Foreign Affairs and Minister of Defence will be updated on the progress of the work, based agreed with the Chair of the Commission. The Commission shall submit its final report to the Minister of Foreign Affairs and the Minister of Defence by 1 June 2016.

Annex 3

List of interviewees

In addition to those included in the list, the Commission interviewed a number of persons who cannot be named.

The Commission is also grateful to a number of people who have supported its work.

Abdul, Faizy Suboh
Abdullah, Abdullah
Ahadi, Anwar ul Haq
Ahmadi, Belquis
Alamyar, Irshad
Ali, Obaid
Allers, Tone
Aloise, Gene
Andersen, Steen Borholdt
Andersen, Louise Riis
Andresen, Helene Sand
Arntzen, Espen
Atmar, Mohammad Hanif
Auroy, Patrick
Ayubi, Najiba
Badialetti, Gianmarco
Baillie, Ross
Barraut, Guillaume
Bartels, Knud
Bartlett, Juliet
Bateman, Kate
Bauck, Petter
Bauer, Greg
Bellinger, John
Berglund, Jan
Berli, Eldar
Berntsen, Jørn Erik
Bjørndal, Paul Øystein
Bondevik, Kjell Magne
Borgos, Rolf
Bowden, Mark
Bowen, Desmond
Brahimi, Lakhdar
Brandtzæg, Marit
Brekke, Torill
Bronstein-Moffly, Alexander
Brox, Ari
Bruun-Hanssen, Haakon
Buchmann, Alexander
Bull, Jørgen
Chaudhuri, Rudhra
Clark, Kate
Clarke, Michael
Cowper-Coles, Sherard
Crowley, Peter
Danesho, Shayma
Danevad, Andreas
Daoud, Sayed
Daoudzai, Omer
de Feijter, Erik
Dempsey, John
Dennys, Christian
Devold, Kristin Krohn
Diesen, Sverre
Diset, Hans
Dobbins, James
Dramdal, Torunn
Dyrud, Merete
Efjestad, Svein
Ege, Rune Thomas
Egeland, Jan
Eggers, Jeff
Eide, Elisabeth
Eide, Espen Barth
Eide, Gjermund
Eide, Kai
Eikeland, Arvinn Gadgil
Enstad, Kristin
Evensen, Annika
Faiq, Naqibullah
Falkenberg, Vibeke
Fareedzai, Assadullah
Faremo, Grete
Farrell, Theo
Fife, Rolf Einar
Fischer, Dean
Fischer-Barnicol, Andreas
Frantzen, Henning A.
Freedman, Lawrence
Frisvold, Sigurd
Fry, Robert
Fuglset, Ada

Gahre, Christian
Galic, Mirna
Garewal, Ziggy
Garraway, Charles
Ghani, Ashraf
Ghani, Rula
Ginkel, John
Giustozzi, Antonio
Gjerde, Ingrid
Gjestvang, Bjørg
Glad, Marit
Golden, Lisa
Gopal, Anand
Gordon, Stuart
Gossman, Patricia
Grandia, Mirjam
Grossman, Marc
Grydeland, Bjørn
Guggenheim, Scott
Guttormsen, Tom
Habibi, Shafiqa
Haga-Lunde, Morten
Hakim, Fahim
Hals, Barthold
Halsne, Sigbjørn
Halvorsen, Kristin
Hanssen, Tor-Erik
Harlem, Mads
Harmon, Scott
Harstad, Christian
Hartz, Halvor
Hashim, Haji
Hattrem, Tore
Hauge, Knut
Haugstveit, Nils
Haukeland, Semund
Hayden, Ingrid
Helgesen, John
Helgesen, Vidar
Hellestveit, Cecilie
Helseth, Hans Christian
Hemmer, Jarl Eirik
Henningsen, Jacob
Hoff, Jan Ivar
Holte, Nils Johan
Howard, Cathy
Hønsvik, Atle André
Ibrahimi, Nilifar
Ilsaas, Per
Inkster, Nigel
Jakobsen, Petter Viggo
Johannesen, Raymond
Johannessen, Lasse Bjørn
Johnson, Hilde Frafjord
Josefsson, Ulrika
Jæger, Janicke
Kanavin, Janis Bjørn
Karlsen, Trond
Karokhel, Danish
Karokhil, Masood
Karzai, Hamid
Kaspersen, Siv
Keating, Michael
Khenjani, Abdullah
Killian, Dennis
Kjelseth, Vigdis
Kjølseth, Liv
Kjørven, Olav
Kleppe, Toiko Tönisson
Kock, Mathias
Kofi, Fawzai
Kopstad, Marte
Kouvo, Sari
Kristensen, Per
Kristoffersen, Eirik
Kristoffersen, Frode
Kristoffersen, Marte
Lamb, Graeme
Larsen, Iselin Hebbert
Leikvoll, Atle
Leirfall, Alexander
Lind, Kyrre
Lockhart, Clare
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Lute, Douglas
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Løchen, Grete
Løvold, Andreas
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Marstein, Sigurd
McEvoy, Philip
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McMaster, Herbert Raymond
Melfald, Hanne
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Meyer, Johan
Mir, Haroun
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Mood, Robert
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Morris, Phedra Moon
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Pedersen, John Otto
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Petersen, Benedicte
Petersen, Jan
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Pinto, Sonia
Pruzan-Jørgensen, Julie
Qanooni, Younas
Querido, Rob
Rabbani, Salahuddin
Rahman, Babu
Rahmanis, Maryam
Ramslien, Alf Arne
Raoufi, Fawzia
Rasmusson, Elisabeth
Ravndal, Øyvin
Reichelt, Jon Gerhard
Reid, Rachel
Reksten, Jan
Rietjens, Bas
Roberts, Adam
Rodwell, Tom
Rondeaux, Candace
Rosellini, Nicholas
Rosenvinge, Marit Jenny
Rubin, Barnett
Rutledal, Frode
Ruttig, Thomas
Rydmark, Bjørn Christian
Rykken, Tom
Rødahl, Magne
Safi, Gulalai Noor
Safi, Hasina
Safi, Naqibullah
Salam, Barry
Salikudden, Tamanna
Samar, Sima
Saum, Robert
Saurstrø, Espen
Schjelderup, Nina Hal
Schjøning, Anna Sofie
Schuurman, Marriet
Sedney, David
Semple, Michael
Shafaq, Abdul Haq
Shea, Jamie
Shewari, Zabihullah
Shinwari, Ikram
Skinner, David
Skjønsberg, Erling
Skotnes, Bjørg
Skåre, Mari
Smith, Scott
Smith, Leanne
Snedal, Tom
Solberg, Bjørn Tore
Solberg, Rune
Solheim, Erik
Solhjell, Bård Vegard
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Their, Alex
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Thørud, Harald
Toreng, Tore
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Traavik, Stig
Tveiten, Margit
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Wali, Shah
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Wenneberg, Rune
Wilde, Alexandra
Wilder, Andrew
Wilder, Timothy
Williams, Nick
Wilsborg, Sissel
Winterbotham, Emily
Wirak, Anders
Wolasmal, Ayesha
Wolffhechel, Uffe
Worden, Scott
Yousafai, Zerak
Zilmer-Johns, Michael
Ødegaard, Geir
Østergaard, Liv Jeannette
Østgaard, Hans Olav
Aamoth, Dag Rist
Aas, Kåre R.
Aas, Torgeir
Aass, Thor Arne

Annex 4

Military contributions in Afghanistan

Operation Enduring Freedom

- Special forces (January–June 2002)
- Mine clearance personnel, Kandahar/Bagram (January–May 2002)
- 1 C-130 transport aircraft, Manas (April–October 2002)
- 6 F-16 fighters, Manas (October 2002–March 2003)
- Special forces (March–September 2003)
- Special forces (August 2005–January 2006)

ISAF

- Staff officers ISAF HQs[1]
- Explosive ordnance disposal team, Kabul (February–December 2002)
- Movement control unit, KAIA (February–May 2002)
- CIMIC, Kabul (February 2003–February 2004)
- Surgical unit, Kabul (September 2003–March 2004)
- *Telemark Task Force* I + II/*Norwegian Squadron*, Kabul (November 2003–July 2004)
- Partner in PRT Meymaneh, Faryab (July 2004–August 2005)
- *Battle Group 3* (command element/company/etc.), Kabul (August 2004–January 2006)
- Lead nation PRT Meymaneh, Faryab (September 2005–June 2012)
- 4 F-16 fighters, Kabul (February–May 2006)
- Quick reaction force (QRF), Mazar-i-Sharif (March 2006–June 2008)
- Mobile field hospital, Mazar-i-Sharif (March 2006–March 2007)
- Special forces, Kabul (March–September 2007)
- Commander Kabul airport (COMKAIA) (April–October 2007)
- Special forces, Kabul (March 2008–September 2009)
- Medical helicopters (*Norwegian Aeromedical Detachment*), PRT Meymaneh (April 2008–June 2012)
- Mentoring team (*Operational Mentoring and Liaison Team* (OMTL)) Kandak, Faryab (January 2009–December 2010)[2]
- Police mentoring team (P-OMLT), Meymaneh (June 2010–June 2012)
- Special forces, Kabul (April 2012–d.d)
- *Lead nation Transition Support Group*, Faryab (June 2012–October 2012)[3]
- Tactical air transport (C-130) (September 2012–June 2013)
- OMLT Korps/Brigade (2006–2013)
- Instructor, ANA school of engineering (2010–2014)
- Instructor, ANA school of communications (2010–2013)
- Police mentoring team (January 2013–June 2014)
- Nordic Baltic Transition Support unit (March 2013–9 May 2014 [4]
- Instructor at the ANA war academy (2013–)

Other

- National contingent commander (NCC) (January 2002–)
- Firefighters KAIA, Kabul (May 2004–August 2006)
- Multi-National support group, Mazar-i-Sharif (January 2006–July 2007)
- National support group (NSG), Mazar-i-Sharif (July 2007–July 2008)
- National support element (NSE) (July 2008–July 2014)
- UNAMA (February 2007–August 2014)
- Intelligence contributions

[1] Mainly in ISAF HQ, HQ IJC, HQ RC-North.

[2] The fifth contingent kandak OMLT was renamed «mentor unit», given different mentoring tasks and organisationally became a part of the PRT. Discontinued in summer of 2011.

[3] Transition Support Group-Faryab (TSG-F) was PRT contingent 19 with somewhat different tasks than previous PRTs.

[4] The Norwegian Police Advisory Team (PAT) was part of the Nordic-Baltic Transition Support Unit when this became operative in spring 2013. Norway also contributed staff personell.

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