

German parliament extends participation in the “war on terror”

Justus Leicht

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On November 10, the German Bundestag (parliament) agreed by a large majority to extend its participation in the US-led Operation Enduring Freedom. The government coalition of the Christian Democratic Union (CDU), Christian Social Union (CSU) and Social Democratic Party (SPD), as well as the opposition free-market Free Democratic Party (FDP) voted in support. Only the Left Party and—for the first time—the Greens voted against.

As a result the Bundeswehr (armed forces) can continue to deploy up to 1,800 soldiers in Asia, Africa and, crucially, the Middle East for up to a year under the pretext of supporting the so-called “war on terror.” Following the parliamentary decision, in addition to NATO territory, the Bundeswehr operational area covers “the Arabian Peninsula, central Asia and northeast Africa, as well as the adjacent sea-areas.”

On September 28, the Bundestag had already decided to extend participation in the International Security Assistance Force (ISAF) in Afghanistan, where almost 3,000 German soldiers are active in the 20,000-strong force.

In contrast to the ISAF, which was established in December 2001 on the basis of a resolution of the UN Security Council, Operation Enduring Freedom has no legitimacy under international law. The US administration launched the operation barely one month after the terrorist attacks of September 11, 2001, justifying it by generalised references to the right to “self-defence.”

The most important component of the operation was the war against Afghanistan. After the fall of the Taliban regime, American and allied forces undertook military action against alleged terrorists—although it is impossible to determine exactly whether the numerous victims of this war are actually Taliban fighters, members of Al Qaeda, innocent civilians or native Afghans seeking to oppose the occupation of their country.

Operation Enduring Freedom is, however, not limited to Afghanistan. The US and its allies have taken it upon themselves to use force to act against alleged “terrorists” from central Asia to East Africa.

As part of the military operation, the German Navy is now

being deployed off the Horn of Africa. From Djibouti it is monitoring about 3,000 kilometres of sea-lanes between the Red Sea, the Gulf of Aden and the Indian Ocean up to the Kenyan port of Mombassa. It inspects ships that are suspected of transporting “persons or goods with which international terrorism could be supported.” Thousands of ships have been photographed, registered, mapped and questioned over the radio. The Navy has also deployed two helicopters and three long-range reconnaissance aircraft as part of its participation in the operation.

The German media reports this as if it were perfectly legal. But the seas in which German gunboats are patrolling are not German territorial waters, or those of an ally. The German Navy is assuming sovereignty rights in Somali and international territorial waters. What if Russian, Chinese or Iranian warships acted in such an arbitrary way in waters of geostrategic importance? One can only imagine what the reaction would be in Washington and Berlin.

One day before the Bundestag extended the Bundeswehr mandate, it became known that the Navy was not only limited to monitoring duties. Earlier during the Iraq war, it regularly provided protective escorts to American and British warships and so supported a war that had been officially rejected by the German government of the day.

In response to a parliamentary question tabled by the Left Party, the Defence Ministry revealed that on 26 occasions in 2002, the German frigate Mecklenburg Pomerania had escorted British and US warships or auxiliaries through the straits between the Red Sea and the Gulf of Aden as part of Enduring Freedom. There were 9 escorts of auxiliaries and warships in the six weeks before the beginning of the Iraq war on March 20, 2003, and a further 9 during the first two weeks of the war, with 13 escorts since April 2003.

Before these answers were made, there was no public knowledge of the services provided by the German Navy during the war. However, that did not prevent the Bundestag from agreeing to extend the armed forces’ mandate.

The Bundestag has also expressly extended the deployment of some 100 soldiers of the elite German Special

Forces Commandos (KSK), despite revelations that these troops were involved in illegal captures and kidnappings (so-called renditions) carried out by US secret services and armed forces.

The deployment of the KSK is subject to strict secrecy. It was only following publication of statements made by Guantánamo detainee Murat Kurnaz—who was earlier cross-examined in a US camp in Afghanistan by German soldiers—that the activities of KSK troops came to light.

The Defence Ministry has had to admit that KSK activities were not limited to the two soldiers who interrogated Kurnaz. According to German daily *Die Welt*, Defence Undersecretary Peter Wichert (CDU) told the defence committee of the Bundestag that a group of KSK soldiers, as well as an agent from the Federal Intelligence Service, had provided “security support” in a US camp in Kandahar. They participated in the transport and guarding of prisoners.

German soldiers—“supported on occasion by up to 150 local Afghani forces”—had even set up their own field camp. Conditions in the camp were appalling, even for the soldiers. There were no fresh food supplies, “a shortage of vitamins, resulting in symptoms of scurvy” and just two toilets for 1,500 men. One can only imagine what things must have been like for the prisoners.

According to Wichert, the KSK soldiers were deployed in the camp’s watchtowers, and participated in patrols. They helped to transport prisoners, meaning that “the manacled prisoners, who were physically weakened and suffering stress as a result of previous fighting, were hoisted up by the arms and taken from one place to another.”

KSK forces conducted searches of prisoners for “hidden items,” which implies that humiliating searches of body cavities were carried out.

Die Welt also reported on “data handed over by US soldiers to the KSK that obviously contained photos, interrogation reports and lists of prisoners’ names.” Berlin was thus well informed of what took place in the illegal US camps. This data has conveniently disappeared and has not been found “despite intensive searches.”

All this did not prevent the Bundestag from voting 436 to 101, with 26 abstentions, to extend German participation in Operation Enduring Freedom. The government introduced a clause stating that it will regularly inform parliament about the mission but this clause expressly excludes the KSK, thus keeping its operations in the dark.

On November 16, 2001, when the previous SPD-Green Party majority in parliament first decided upon German participation in Operation Enduring Freedom, Chancellor Gerhard Schröder (SPD) had to link the decision to a vote of confidence in order to force dissenters in the coalition parties to comply. Since then, the mandate has been extended five

times without any substantial opposition.

Each time, the Greens have voted in favour, once even from the opposition benches. If now, for the first time, they have voted against, then it has nothing to do with any principled opposition, but because they believe that German interests are no longer being sufficiently safeguarded. Green Party leader Fritz Kuhn declared that Germany now had hardly any influence on how the deployment was conducted. “We clearly have no say there,” he said.

Party chairman Reinhard Bütikofer stressed that the Greens were not fundamentally against the deployment of the KSK as part of Enduring Freedom. And Kuhn pointed out that his party had voted for the extension of the ISAF mandate and was not opposed to the Afghanistan mission.

Recently, ISAF has taken over many of the tasks of the military operation in Afghanistan. In the south and the east of the country, ISAF units are hunting for insurgents. The pressure is growing on the German forces stationed in the north to take part in these dangerous operations. In a recent guest contribution for the daily *Berliner Zeitung*, NATO Secretary-General Jaap de Hoop Scheffer demanded that “the restrictions imposed by individual nations on their own forces” be lifted. In the past, German cabinet members had rejected such demands.

But the KSK is already involved in fighting in the country. For a long time, it was said that there were no KSK soldiers in Afghanistan and any extension of their mandate would only take place based upon the availability of troops. Now, Defence Minister Franz Josef Jung (CDU) has admitted that very probably KSK members are being used in Afghanistan, not as part of Operation Enduring Freedom but in the context of the ISAF deployment. According to the Defence Ministry in October, KFK troops along with soldiers of other nations arrested a number of “terror suspects” in Kabul.



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