

The massacre at Kunduz and the policy of targeted killings

Peter Schwarz
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The massacre which took place at the beginning of September in Kunduz, Afghanistan, taking the lives of up to 142 people, continues to dominate the German media. But while considerable attention is given to what happened and the cover-up which followed, barely anything has been said about the political, historical and international implications of the bloodiest military strike ordered by a German commander since 1945.

This is the case despite the fact that leading military commanders and politicians are clearly intent on using the massacre to circumvent the restrictions imposed on the German military as a consequence of the crimes it committed in the Second World War.

It is now regarded as certain that a German colonel, Georg Klein, gave the order for an air strike on two hijacked tankers in the early hours of September 4, with the intention of killing the people who had gathered near the vehicles.

There was no immediate danger to German soldiers or the German field camp located seven kilometers away. Apparently, the colonel hoped to strike down the leaders of local militias who were opposing the international occupation force. In a note to his superiors written one day after the attack, Klein acknowledged that he intended to “annihilate insurgents through the use of air strikes.”

In its edition of last week, *Der Spiegel* names some of the targets: “Mullah Shamsuddin, an experienced commander of the Pashtun,” as well as the “four Taliban leaders Mullah Abdul Rahman, Maulawi Naim, Mullah Siah and Mullah Nasruddin.” The latter were “local leaders, who each commanded around 15 fighters and controlled small areas around Kunduz,” the magazine reports.

They had been tracked down and pursued over the preceding days by members of the top-secret KSK unit. Klein consulted with at least one KSK soldier before he gave the command to attack. This indicates that he clearly hoped to “annihilate” one or several of the local leaders.

In so doing—even though he may not have spoken directly with his superiors—Klein “had good reason to believe that his superiors and the German government would approve of his robust actions,” notes *Der Spiegel* on the basis of its investigation.

Two state secretaries, August Hanning (Interior Ministry) and Peter Wichert (Defense Ministry), traveled to Kabul on October 21, 2008 in order to confront the government of Hamid Karzai, following an escalation of attacks on German soldiers. On their return to Berlin, they had confidential discussions with

representatives from the Chancellery and the Interior, Defense and Foreign ministries over how to proceed. *Der Spiegel* comments on the discussions: “Hanning is for a harder course, he wants to hunt down those backing the Taliban. Hunt down or be hunted, that is the alternative according to Hanning.”

Since this initial meeting there have been further discussions by this group aimed at organizing a behind-the-scenes transformation of the role of the German army. In May 2009, KSK units began hunting down alleged Taliban for the first time.

In April, the Defense Ministry had deleted an exception from the NATO operations plan which prohibited German troops from practicing “the use of deadly force” except in cases of self-defense. During the summer, the deployment rules were changed accordingly.

The so-called “pocket cards” carried by every German soldier were reworded to allow soldiers to respond with deadly force “against individuals who are planning, preparing or supporting attacks, or who exhibit other forms of hostile behaviour.”

The term “other forms of hostile behavior” is so broad that it allows German soldiers to retaliate against practically anyone opposed to the presence of the German military. Colonel Klein therefore could quite rightly feel he had the backing of his superiors when he gave his order to attack and “annihilate” insurgents on September 4.

In adopting a policy of deliberate liquidation, the German army is reverting to methods which are characteristic of modern colonial warfare and stand in flagrant violation of elementary principles of law. “Targeted killing” has become an established military term. Entire books and numerous legal papers have been devoted to the topic. A search for “targeted killing” on Google generates over one million hits.

A contribution on the web site of the Council on Foreign Relations, the most important foreign policy think tank in the US, defines the term as follows: “Targeted killings are used by governments to eliminate individuals they view as a threat. Generally speaking, a nation’s intelligence, security or military forces identify the individual in question and carry out an operation intended to kill him or her. Though questionable, the practice has been used by defense and intelligence operations by governments around the world and has been viewed with increased legitimacy since the start of the so-called war on terror.”

In other words, “targeted killing” is aimed at the execution of political opponents without accusation or judgment. Denunciation

by a secret service is sufficient to arrive at and carry out a death sentence. The weapons used—precision bombs as in Kunduz, remote-controlled missiles or remote-controlled explosive devices—are such that the victims (and those around them) have no chance to defend themselves.

Such methods are not new. But for a long time they were regarded as the reserve of the secret services of totalitarian regimes. The Soviet secret service GPU, for example, regularly hunted down and killed political opponents of Stalin abroad. During the Cold War, the CIA also carried out assassinations of selected politicians, but was later required—at least officially—to abandon such practices. In 1981, an executive order of the president declared: “No person employed by or acting on behalf of the United States Government shall engage in, or conspire to engage in, assassination.”

In the course of the 1980s and 1990s, however, these guidelines were increasingly abandoned. In 1986, US President Ronald Reagan ordered a missile attack on the house of the Libyan head of state, Muammar Al Gaddafi, in Tripoli, and in 1998, US President Bill Clinton ordered missile attacks on an alleged terrorist camp in Afghanistan and a factory in Sudan. The justification for the attack on Gaddafi was the bombing of a disco in Berlin frequented by US soldiers, while the strikes ordered by Clinton were prompted by attacks on US embassies in Kenya and Tanzania.

A pioneer of the policy of “targeted killing” is the Israeli government. Already in the 1970s, the Israeli secret service Mossad had hunted down and murdered alleged terrorists. It directed its operations, in particular, against the political leadership of the Palestinian nationalist movement. Several leaders of Yasser Arafat's Fatah were murdered by Israeli commandos. Following Fatah's arrangement with Israel in the 1993 Oslo Agreement, the leaders of Hamas, as well as the Lebanese Hezbollah and Amal, were targeted by Mossad.

According to a report in the *Middle East Quarterly*, in the first twelve months of the Intifada rebellion that began in the occupied areas in September 2000, Israel carried out “at least forty cases of assassinations of middle- and high-level Palestinian activists.” The Israeli armed forces proceeded with the utmost brutality, bombing cars on public roads in densely populated areas or destroying houses, killing entire families of the targeted victims. Due to their flagrant illegality, the Israeli murders were a source of international criticism, but behind the scenes the Israeli government could rely on official backing, particularly from the US.

The attacks of September 11, 2001 were used by the Bush administration to drop any official reservations standing in the way of targeted killings. Since then, the cold-blooded liquidation of political opponents, purported to be “terrorists” or “Taliban,” has become common practice of the American forces occupying Iraq and Afghanistan. This policy has been extended into Pakistan, where opponents of the US or the Pakistani government have become the targets of remote-controlled US drones.

Bush's successor, Barack Obama, has not only continued this policy, he has intensified it. “It is a slight exaggeration to say that Barack Obama is the first president in American history to have run in part on a political platform of targeted killings—but not much

of one,” writes law professor Kenneth Anderson in a contribution for the Brookings Institution. He adds in praise: “Obama was right as a candidate and is correct as president to insist on the propriety of targeted killings—that is, the targeting of a specific individual to be killed, increasingly often by means of high technology, remote-controlled Predator drone aircraft wielding missiles from a stand-off position. The strategic logic that presses toward targeted stand-off killing as a necessary, available and technologically advancing part of counterterrorism is overpowering.”

Although there is no shortage of pundits prepared to justify this practice, it is patently illegal. Not only does it violate the abolition of the death penalty in numerous civilized countries, it also contravenes the basic and internationally recognized legal principle that nobody may be executed without a valid trial.

There is no limit once targeted killings have been recognized as legitimate. Where is the dividing line between a terrorist and a freedom fighter? How is one to differentiate between legitimate and illegitimate resistance? In which countries are targeted killings permissible—they have been deemed acceptable by imperialist governments in relation to Afghanistan, Pakistan, Iraq, Sudan and recently Yemen—and in which countries are they not? It is the arbitrary decisions and geo-strategic interests of aggressor governments that determine how the lines are drawn.

Under such conditions, the turn of the German army to a policy of targeted killings must ring the alarm bell. The German army was responsible for the most abominable crimes on its Eastern front during the Second World War. It murdered huge numbers of civilian hostages in retaliation for fallen German soldiers, carried out the summary execution of partisans and prisoners of war, and participated in the annihilation of the Jews. Most of these crimes remained unpunished because they were allegedly not covered at the time by international law. After the war, however, numerous provisions were introduced into international law to prevent a recurrence of such atrocities. These provisions are now being systematically circumvented and undermined.

Peter Schwarz



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