

افغانستان آزاد – آزاد افغانستان

AA-AA

چو کشور نیاشد تن من مباد بدین بوم ویر زنده یک تن مباد
همه سر به سر تن به کشتن دهیم از آن به که کشور به دشمن دهیم

www.afgazad.com

afgazad@gmail.com

European Languages

زبان های اروپایی

Stars and Stripes

Analysis: Afghan Night-Raid Deal Largely Symbolic

By Chris Carroll

04/11/2012

WASHINGTON - The Pentagon won't come right out and say it, but the agreement that governs night raids in Afghanistan is a largely symbolic document that eases United States-Afghan relations, while having little effect on the U.S. military's ability to nab Taliban insurgents and other high-value targets.

That's the assessment of national security analysts who have studied the memorandum of understanding signed in Kabul on Sunday by top Afghan and U.S. military officials.

The agreement itself only governs what it calls "special operations," defined as joint Afghan-U.S. operations approved by Afghan security and law enforcement officials. There's room around the edges for exceptional circumstances, like a high-ranking al-Qaida operative who turned up in the country, said Lisa Curtis, a South Asia specialist at the Heritage Foundation, a conservative Washington think tank.

"It defines it fairly narrowly, and leaves open the possibility of a counterterrorism raid conducted by a CIA paramilitary group or other unit," she said. "That's not to say those operations will occur regularly ... but it stands to reason that if the United States had a very high-value target in its sights, it would pursue that target as it needed to."

Though Defense Department officials would not answer questions Monday about whether the U.S. would ever mount a unilateral night raid in Afghanistan, a counterterrorism expert said that given the right circumstances, the answer is clearly yes.

“If there’s a threat to the homeland, the United States always reserves the ability to act unilaterally,” said Rick “Ozzie” Nelson, senior fellow at the Center for Strategic and International Studies. “The rhetoric may not line up with that, however, because we have the need for an agreement with the Afghan government beyond 2014,” when U.S. combat forces are scheduled to leave.

Afghan President Hamid Karzai has long sought control over nighttime raids, which the Afghan public detests. But U.S. officials have argued the operations, more than 2,000 of which took place in 2011, represent the best chance to snare their targets while minimizing noncombatant casualties.

Sunday’s agreement put residential raids under the jurisdiction of Afghan law -- among other things, requiring Afghan warrants. It also requires that Afghan troops be the ones who search residences and detain suspects. U.S. troops, it says, will provide backup if needed.

The agreement gives Karzai political legitimacy to continue working with the United States, and increases the chances Washington will get what it wants, a continued counterterrorism presence in Afghanistan after the war ends in 2014, Curtis said.

“This is really a much-needed mark of progress, particularly given all the setbacks in the last few months [including Quran burnings by U.S. troops and murders of NATO forces by Afghan troops],” she said. “On the ground, I think it can only help build confidence between Afghan and U.S. servicemembers, although I don’t expect the [green-on-blue] attacks to stop overnight.”

Pentagon spokesman Capt. John Kirby argued Monday that the agreement essentially codifies the way the raids have been carried out for months, with “very capable” Afghan special operators leading every mission.

Despite their increased oversight, Afghan judicial officials won’t prevent the capture of important targets.

“This is not about [giving Afghan officials] a veto at all,” he said.

Because Afghan law allows warrants to be issued retroactively, raids that depend on quick-reaction times could take place before a warrant is obtained, he said.

But detainees would likely have to be released if a jurist declined to issue an after-the-fact warrant.