

# German Involvement in the War against International Terrorism. End of Civilian Power?

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*Abstract: The September 11, 2001 terrorist attacks forced Germany to face a number of questions. One of them is determining the proper level of German political and military support for the USA in their war against terrorism. For Germany, i.e. for a country, whose foreign and security policies relies on the strategy of civilian power, it is a greater problem than in the case of other countries. American military operations in the fight against international terrorism take place in the context of a nation's right to individual and collective self-defence. Despite this, the extent to which German participation in these operations is compatible with the policy of a civil power remains unclear. Most of the attributes of a military operation led by a civilian power are present – but not all of them. The main problem is the impossibility of assessing the degree of violence used by German soldiers within Operation Enduring Freedom. However, the findings we have obtained so far do not imply that the German military support of the U.S.A. contradicts a priori the policy expected from a civilian power.*

Keywords: *Germany, civilian power, Enduring Freedom*

## 1. Introduction

After the reunification in 1990 and considerable changes in the international security environment, very extensive discussions have been led in Germany among the security community, political elites and public about the country's new role in the world. As a part of these discussions, the role of Germany has been described with many theoretical concepts; nonetheless, they often suffer from insufficient elaboration. In this respect, Germany is often mentioned as a mid-size power (Mittelmacht – Wilfried von Bredow), regional power (Regionalmacht – Arnulf Baring), central power in Europe (Zentralmacht in Europa – Hans-Peter Schwarz), leading power (Führungsmacht – Helga Haftendorn), world's economic power (Weltwirtschaftsmacht – Norbert Kloten), European hegemony (Euro-Hegemon – Reinhard Rode), commercial state (Handelsstaat – Volker Rittberger), superpower (Großmacht – Peter Schlotter), hegemonic power (Hegemonialmacht – Caroline Thomas and Klaus-Peter Weiner), or

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world-power (Weltmacht – Christian Hacke) (Frenkler – Harnisch – Kirste – Maull – Wallraf 1997: 16).

In specialised literature, German foreign and security policy is often referred to with a theoretical concept of civilian power. Under the Red-Green Coalition's administration, German military engagement abroad had grown; as a result of that, an interesting research matter has arisen, i.e. whether the German foreign and security policies remain within the concept of civilian power. The presented article deals with the question of whether the German participation in the war against international terrorism is or is not in contradiction with the policy anticipated from civilian power.

## 2. Theoretical Concept of Civilian Power

The theoretical concept of civilian power (Zivilmachtkonzept) is often used in specialised literature in relation to the analysis of German and Japanese foreign and security policies. Several authors have dealt with its elaboration and application, the most prominent ones are Hanns W. Maull, Sebastian Harnisch, Knut Kirste and Dieter Senghaas.

Promoters of the civilian power concept suggest revising of the whole paradigm of viewing the foreign policy, international relations and security; according to them, it is over-affected by realism and neo-realism. Allegedly, traditional realistic notions such as national state, sovereignty, power, system anarchy, national interest and others no longer conform to the new conditions. According to Hanns W. Maull „... *all such notions and preliminary conditions appear to be dubious in the light of the changed circumstances in the international policy and at the same time entitled to be re-evaluated, as well as political strategies of national security policy derived from them, such as balance of power, withholding and deterring. In brief: we need new thinking in foreign policy.*“ (Maull 1992: 772)

Theoretical roots of the concept of civilian power go back to 1930s. The concept of civilian power relates to the name and works of Norbert Elias, a sociologist, who drew up an evolutionary sociologist theory about the civilising process (Elias 1997a, Elias 1997b). Elias's theory of the origin of civilisation was modified and transferred into the field of international relations by numerous German authors, such as Hanns W. Maull, Sebastian Harnisch, Knut Kirste and Dieter Senghaas. Generally, it is assumed that Elias's theory has not been surpassed, even though there have been heated sociological discussions about it (see Vogt 1996).

According to Maull's interpretation of Elias's work, civilising society and politics involves following characteristic features: 1. developing procedures of division of labour and specialisation, 2. restricting tendencies toward organised social violence via a central institution, 3.

forming and reinforcing general mandatory statutes and norms and thus enabling legal control of social and political processes, 4. developing democratic political structures permitting participation, 5. restricting spreading of conflicts and their regulation in order to minimise violence, and 6. efforts to balance economic and social differences within social space based on solidarity. According to Maull, the pace of civilising in individual societies varies and thus enforcing such tendencies in the international relations system is typical predominantly for countries where the civilising process advanced the furthest, i.e. Western Europe, Scandinavia and North America (Maull 1992: 772 – 773; cf. Maull 1993: 119).

In determining optimal foreign policy conduct of civilian power, Elias is interpreted in a similar, yet not identical way, by Knut Kirste; in doing so, he concurrently outlines general features of the civilising process. In his work, „Rollentheorie und Außenpolitikanalyse“, he states that civilian power has the following characteristics: 1. constraining violence organised by state in national and trans-national conflicts, 2. improving regulation of international relations in international law, 3. strengthening multilateral cooperation and forming participative decision-making processes in general legitimacy of the international order that rests upon fundamental values of freedom, democracy and free market economy, 4. supporting social equality and justice on a global level, 5. enforcing establishment of institutions for control and reinforcement of general norms in combination with the willingness to a partial transfer of sovereignty, and 6. settling conflicts via special principles and procedures for using military force (Kirste 1998: 49 – 50).

According to Dieter Senghaas and his „civilisation hexagon“, via which he interprets Elias, the civilising process of the society contains endeavours to accomplish six interconnected objectives: 1. establishing monopoly for using violence, 2. controlling monopoly of using violence within a legally consistent state, 3. democratic participation, 4. creating culture for conflict-solving, 5. installing social justice, and 6. developing mutual dependence of society members and controlling their affects (Senghaas 1994: 26). Senghaas claims that international policy should also be civilised by means of civilian power in these intentions, at first on a regional and later on a global level (Senghaas 1994: 34 – 36). A crucial pre-step is to establish a “security community” between states that will eradicate the traditional security dilemma. Naturally, the author is aware of the intricacy of such a process as well as its difficult feasibility at a global level. However, accomplishing this objective is reasonable at a regional level. As a pre-image, we should take the European integration process described by Senghaas under the heading of Maastricht Treaty as a „pluralistic security community“ (Senghaas 1994: 37 – 38).

The theoretical conception of civilian power is an application of Elias's civilisation theory in the international relations research; with his interpretation of Elias, he belongs to the constructionist movement. Civilian power as a state does not mean an a priori rejection of military force in implementing one's own foreign and security policy based on norms and values; under certain conditions, it can use armed forces. On grounds of the theoretical conception of civilian power, as it is was elaborated at the time of the origin of this work by Maull, Kirst, Harnisch, Senghaas and others, it is possible to assume that civilian power is characterised by the following attributes by using military forces: 1. military force is the ultimate means of solving a conflict after the exhaustion of all non-military possibilities, 2. civilian power plays an active role in solving the crisis and military devices serve as a support to non-military devices, 3. military operation absolutely complies to international law, 4. military operation aims at supporting and defending human rights, 5. while using military force, it is strived to reduce damages and losses not only on one's own side but also on the opponent's side, and 6. military action takes place in a multinational framework (with possible exception of self defence) and is not a tool of a unilateral policy.

When examining whether the German military engagement in the fight against international terrorism is compatible with a policy expected from a civilian power, it is essential to answer the question of whether these attributes of using a military force are present here.

### **3. German Involvement in Military Operations in the Fight against International Terrorism**

The United States launched Operation Enduring Freedom under Article 51 of UN Chart, which grants states the right of collective or individual self-defence. Moreover, United Nations Security Council expressed its clear viewpoint in its resolutions N. 1368 and 1373 and appealed to its member states to bring to justice all persons who planned, organised and funded these terrorist attacks.<sup>2</sup> After the Taliban refused to, after a series of open American appeals (see Murphy 2002: 243 – 244) as well as informal meetings, extradite Bin Laden, who is held responsible for the September 11 terrorist attacks, and after they replied that he is not under the

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<sup>2</sup> In this respect, it is more than clear that UN General Assembly has not classified these actions as an attack and it has called for an international cooperation to punish the perpetrators (Murphy 2002: 244). It is a question for further research to what extent this phenomenon was caused by the character of UN which is, under the application of strict criteria of democracy, an organisation of a major participation of non-democratic states which use it as a tool of their own policies.

Taliban control, the George Bush Jr. administration decided to destroy the Afghan regime as a part of its right of individual or collective self-defence. The military operation started on October 7, 2001 and was called Enduring Freedom. The American military strategy in Afghanistan was aimed at supporting enemies of the Taliban via air-strikes on its positions, training fighters from groups hostile to the Taliban and deploying several thousands of soldiers of special units directly to Afghanistan. As opposed to the war against Hussein's Iraq, the objective of this American operation was not to establish democracy in the country. American administration was well aware of the situation in Afghanistan, which had become one of the most backward countries on earth, absolutely unsuitable for a successful import of democracy, due to the Soviet occupation as well as the subsequent civil war. The American policy against Afghanistan may be interpreted in such a way that the aim of the USA was to destroy the terrorist threat to the USA and leave the internal arrangement to the will of Afghan political authorities. The only American request was and has been that this regime shall not be openly hostile to the USA (Cf. Rubin 2004: 167).

The Taliban regime collapsed quite quickly. However, Operation Enduring Freedom went on even after its collapse. On the one hand, it is an American contribution to the country's stabilisation but, on the other hand, its **primary US-goal was to get rid of the terrorists, their infrastructure and capture their leader**. Yet with the current distribution of political forces in Afghanistan, these main American objectives are now consistent with the objectives of the international community to stabilise this country. At the turn of 2005, there were 18,000 American soldiers under the American headquarters CESTCOM, responsible for commanding troops dislocated in Afghanistan, assisted by 1,600 soldiers from other countries (Katzman 2004: 22). Despite the numerous prognoses on the part of the world's public, politicians, intellectuals and scientists, Operation Enduring Freedom in Afghanistan has not become a "second Vietnam" for the United States so far. For the time being, the United States has not handed its ally over to another country's aggression as in 1975, when South Vietnam and its population were sacrificed in the name of peace.<sup>3</sup> In regard to the advanced drug production and drug trade, Sean M. Maloney remarked pertinently that in case of Enduring Freedom, it is an operation similar to the American engagement in Columbia (Maloney 2005: 21). In respect to the local situation, it is hard

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<sup>3</sup> The thing is that the USA in 1975 did not react adequately to the outbreak of another offensive of North Vietnam, which was a flagrant violation of peace agreements signed in 1973 in Paris. Following that, North Vietnam stopped the aggression and the United States significantly reduced its military presence in South Vietnam. After the reappearance of North-Vietnamese offensive in 1975, the United States no longer defended South Vietnam, in contradiction with its obligations.

to exclude a possibility of establishing of an opposition force which will try to reverse the stabilisation process as well as the reconstruction of Afghanistan.

The North-Atlantic Alliance responded to the September 11 terrorist attacks very promptly. As early as September 12, 2001, they passed a provisional resolution to activate Article 5 of the Washington Treaty. After the foreign origin of the attacks had been proved, the provisional resolution was approved. On October 8, 2001, as a part of NATO Allies' response, five aircrafts of early warning (AWACS) were transferred to the USA in order to assist with counter-terrorism operations. Besides American soldiers, also soldiers from Belgium, Canada, Denmark, Germany, Turkey and Great Britain took part in it. NATO's Standing Naval Forces were deployed in the total number of eight frigates and one logistic-support ship in the Eastern Mediterranean (Bennett 2001/2002: 6).

The German government, which had relied on the close alliance with the United States throughout the whole period of the existence of FRG since 1949, was faced with a serious dilemma. On the one hand, it was expected to assist the American response to the direct attack of the US territory; on the other hand, too much of German military engagement could result in internal political problems in the ruling Red-Green Coalition and weaken its position among German general public. It is a well-known fact that a part of SPD and Alliance '90/The Greens opposed German participation in this operation (Harnisch – Brauner 2001). On the whole, it can be stated that German participation in the Operation Enduring Freedom enjoys only a partial support among the German public. Moreover, German peace movement protests against this operation on a regular basis and it calls for investing the saved financial means into a post-war reconstruction.<sup>4</sup> Nevertheless, such peace activists fail to suggest how to reconstruct a country tormented by fights against armed gangs and terrorists destroying the civil infrastructure being built only with great difficulties.

The government substantiated the deployment of German army outside German territory during the parliamentary discussion about a prospective German participation in Operation Enduring Freedom with Article 5 of Washington Treaty and Article 24, Paragraph 2 of the Organic Statute. The Red-Green administration expected the contingent to be sent into the area defined by Article 6 of Washington Treaty and further on, to the Arabian peninsula, North Africa

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<sup>4</sup> A similar file is available on <http://www.uni-assel.de/fb5/frieden/themen/Bundeswehr/afghanistan-einsatz.html> (situation by 06/03/2006).

and with the consent of the local government, also to Afghanistan.<sup>5</sup> Despite the fact that the subsequent American actions evoked harsh political disputes in the social democratic party (SPD), as it was acknowledged by Peter Struck, the chairman of the social democratic fraction in Bundestag, when discussing the requirement of the German government to deploy German soldiers as a response to terrorist attacks, SPD reached a conclusion that the procedure implemented had no other alternative.<sup>6</sup> The German Parliament granted consent to the participation in Operation Enduring Freedom on November 16, 2001. The German government was allowed to deploy in this operation up to 3,900 soldiers in the following number: troops protecting against consequences of the use of mass destruction weapons (up to 800 soldiers), medical troops (up to 250 soldiers), special forces (up to 100 soldiers), air transport (up to 500 soldiers), navy (up to 1,800 soldiers), logistic support forces (up to 450 soldiers).<sup>7</sup> The mandate for the German military engagement in the Mission Enduring Freedom has later been prolonged several times. At present, Germany has set aside for OEF up to 2,800 soldiers.<sup>8</sup>

During Operation Enduring Freedom, German troops have taken part in a number of deployments. The operation's general objective is to eliminate terrorists' training bases, fight the terrorists, arrest them and bring them to justice and stop supporting terrorists in the operational area.<sup>9</sup> As far as the number of deployed soldiers and their impact are concerned, the most important mission is the deploying of German navy near the African coast in the area of the Red Sea, Gulf of Aden and Somali coast. The size of the German contingent is fluctuating. It is

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<sup>5</sup> Antrag der Bundesregierung auf Einsatz bewaffneter deutscher Streitkräfte bei der Unterstützung der gemeinsamen Reaktion auf terroristische Angriffe gegen die USA auf Grundlage des Artikels 51 der Satzung der Vereinten Nationen gegen die USA auf Grundlage des Artikels 51 der Satzung der Vereinten Nationen und des Artikels 5 des Nordatlantikvertrags sowie der Resolution 1368 (2001) und 1373 (2001) des Sicherheitsrats der Vereinten Nationen. Drucksache 14/7296 07. 11. 2001. <http://dip.bundestag.de/btd/14/072/1407296.pdf>.

<sup>6</sup> Pressemitteilung Einsatz bewaffneter deutscher Streitkräfte bei der Unterstützung der gemeinsamen Reaktion auf die terroristischen Angriffe gegen die USA 16. November 2001 – 0986. The document was obtained on <http://spdfraktion.de>.

<sup>7</sup> Antrag der Bundesregierung auf Einsatz bewaffneter deutscher Streitkräfte bei der Unterstützung der gemeinsamen Reaktion auf terroristische Angriffe gegen die USA auf Grundlage des Artikels 51 der Satzung der Vereinten Nationen gegen die USA auf Grundlage des Artikels 51 der Satzung der Vereinten Nationen und des Artikels 5 des Nordatlantikvertrags sowie der Resolution 1368 2001 und 1373 2001 des Sicherheitsrats der Vereinten Nationen. Drucksache 14/7296 07. 11. 2001. (situation by 06. 03. 2006) <http://dip.bundestag.de/btd/14/072/1407296.pdf>.

<sup>8</sup> Diering, Frank (2005): Rot-grüne Melancholie auf letzter Sitzung des Kabinetts. Die Welt. 03. 11. 2005. <http://www.welt.de/data/2005/11/03/798158.html> (situation by 30/11/2005)

<sup>9</sup> Bundesministerium der Verteidigung (2005): Einsätze der Bundeswehr im Ausland. Berlin, pg. 16.

important for the emancipation of German policy that FRG has taken command of the whole operation during the mission several times. In the operation, 29 frigates took turns in the deployment.<sup>10</sup> There is a small basis in Djibouti for implementing the whole operation where there are around 30 soldiers in service.<sup>11</sup>

In the long term, there are about 100 soldiers of special forces (Kommando Spezialkräfte – KSK) in Afghanistan as a part of Operation Enduring Freedom. Due to confidentiality, the details of their deployment are not known at the time of this work's origin. Germany seems not to be interested in drawing attention to such a type of military engagement in order not to become the target of terrorist revenge; thus, it implements a rather restrictive information strategy. This brought up complaints among the German opposition under the Red-Green Coalition's administration when they demanded to be better informed about the development of the German engagement in Afghanistan.<sup>12</sup>

The German participation in the fight against international terrorism included also dislocation of troops intended to prevent consequences of mass destruction weapons in Kuwait in the period from February 10, 2002 to July 4, 2003. Altogether, there were 59 soldiers equipped with six radiation reconnaissance Fuchs vehicles. Another 200 soldiers were prepared. By March 13, 2002, the German forces had been increased by 200 soldiers. The aim of this mission was to help Kuwait in case of a terrorist attack by mass destruction weapons or using these weapons by Iraq. After the Persian Gulf War broke out, German soldiers carried out analyses of Iraqi rockets that hit Kuwait's territory (Wagener 2004: 9).

On October 26, 2001, Germany took part in an operation conducted by North-Atlantic Treaty called „Active Endeavour“, whose aim was to protect Eastern Mediterranean. In fact, the operation started already on October 6, 2001, when the Coalition Standing Naval Force launched an operation in this area and thus supported the US efforts to wage war against international terrorism (Cesaretti 2005). In this regard, it is necessary to point out that the attack of the USA and Allies against the Taliban and al-Qaeda in Afghanistan started a day later, on October 7. In February 2003, Operation Active Endeavour was expanded to Western Mediterranean as well. From that moment until May 2004, the Coalition's maritime patrols provided, besides security

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<sup>10</sup> This number shows that some German frigates have taken part in the deployment at African coast several times.

<sup>11</sup> Antworten auf häufig gestellte Fragen zur Marine am Horn von Afrika. <http://www.einsatz.bundeswehr.de/C1256F1D0022A5C2/CurrentBaseLink/W26BMBFU307INFODE> (situation by 06/03/2006).

<sup>12</sup> Leersch, Hans-Jürgen: KSK-Soldaten direkt gegen Al Qaida? Die Welt 04.11.2002. <http://www.welt.de/data/2002/11/04/454441.html?prx=1> (situation by 30/11/2005).

guard of the operational area, also escort of merchant ships through the Strait of Gibraltar. In March 16, 2004, the operational area was extended to the whole Mediterranean, as a part of accepting a greater responsibility by NATO in the fight against terrorism.<sup>13</sup> The number of German deployed soldiers fluctuated around 250.<sup>14</sup> The whole operation is a typical example of multinational efforts to defeat international terrorism based on North-Atlantic Alliance. During the whole Active Endeavour, 69,000 ships were inspected, 95 checked and 488 peace escorts provided through the Strait of Gibraltar by September 2002. When evaluating the whole profile of this mission, it is necessary to point out that it is a primarily non-combat operation that deters the terrorists and their partners, controls strategically important points in the Mediterranean, provides safe escort through the Strait of Gibraltar and develops co-operation within the programme of a Mediterranean dialogue. On the whole, the operation is regarded as a significant contribution of NATO to fight terrorism (Cesaretti 2005).

In the Operation „Eagle Assist“, 50 German soldiers took part in patrolling the US airspace. The operation finished on May 16, 2002. German transport capacities were also used during the fight against international terrorism in favour of American troops. Moreover, German troops took over the guard of 56 American military facilities with FRG (Wagener 2004: 10).

The total number of soldiers deployed in military operations aimed at fighting international terrorism has always been smaller than the total number approved by Bundestag. Moreover, German participation in these operations has gradually been declining from 3,900 soldiers in 2001, to 3,100 in 2004 and finally to 2,800 at present. In this respect, it is necessary to avoid inaccuracies and not to regard these numbers as factually deployed soldiers. For example, in autumn 2005, there were actually 340 soldiers deployed in OAF and 24 Bundeswehr soldiers in operation OAE.<sup>15</sup> Furthermore, in 2001, when the German solidarity with the USA reached its peak, there were not deployed as many as the total number of 3,900 soldiers.

#### **4. Conclusion: End of Civilian Power?**

The participation of FRG in operations Active Endeavour and Eagle Assist as well as the temporary dislocation of German troops in Kuwait are relatively well documented in available

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<sup>13</sup> Operation Active Endeavour. [http://www.afsouth.nato.int/JFCN\\_Operations/ActiveEndeavour/Endeavour.htm](http://www.afsouth.nato.int/JFCN_Operations/ActiveEndeavour/Endeavour.htm) (situation by 17/03/2006).

<sup>14</sup> Einsatzführungskommando der Bundeswehr, Presse- und Informationszentrum (2004): Einsatzführungskommando der Bundeswehr, s. 33.

<sup>15</sup> Der aktuelle Begriff, Nr. 67/05, 23. 09. 2005. <http://www.bundestag.de/bic/analysen/index.html>; (situation by 07/11/2005).

resources. It is crucial that the operations mentioned above are completely in accordance with the international law and they take place as a part of multinational endeavours to fight international terrorism. Such military missions must be viewed as assistance to avoid conflicts, as they complement non-combat tools. As these missions were primarily non-combat, which is true also about Kuwait, excessive use of military force cannot be identified in them. Fighting terrorism can be regarded as a policy that generally helps to support human rights in the world. On grounds of the well-known facts, it is possible to claim that such military operations have all attributes of military operations of a civilian power and German involvement in them does not contradict policy of civilian power, but actually follows it.

Nevertheless, as opposed to other German military operations in the fight against international terrorism, German military engagement in Operation Enduring Freedom is characteristic of a great restriction on information release. That holds especially true for operations KSK in Afghanistan and to a lesser extent, also for the maritime operation near the African coast. While in case of other German military operations under the Red-Green Coalition's administration the researcher must face a difficult problem of what resources to choose in the first stage of his research, in this case it is the exact opposite. There is a severe lack of relevant resources and there are not very many information resources independent of information of the governmental establishment. Furthermore, the existing information evokes scepticism at the first critical sight; for instance, also because it is impossible to verify the resources it was drawn from.

With the current approach towards the resources, it is hence very difficult to evaluate the German military engagement in the American military operation Enduring Freedom and decide whether this policy is compatible with civilian power policy. A civilian power uses military force only after exhausting all non-military tools or at least when it is absolutely evident they are inefficient. On the grounds of the limited available resources, one can reach the conclusion that this military operation has not been the case when military force is deployed before all possibilities of a non-military solution have been exhausted. The military solution of the problem was preceded by diplomatic negotiations where the Taliban refused to surrender persons responsible for the September 11 terrorist attacks. We do not know what role in the negotiations was assumed by FRG. Another attribute of using military force by a civilian power is its active participation in looking for a non-military solution of the crisis and avoiding a conflict. From this point of view, it must be pointed out that the German possibilities to take an active part in the political process struggling for a non-military solution of the dispute were objectively very limited

and the available resources do not offer adequate information for a complex evaluation of the German policy. The key attribute of using the military force by a civilian power is the operation's conformity to the international law. Here, it is more than clear that military operation Enduring Freedom does not contradict the international law, as it takes place under each country's right of individual or collective self-defence guaranteed by Article 51 of UN Chart. Furthermore, another attribute is focusing a military operation on defending human rights. From this point of view, Operation Enduring Freedom is dubious. The main aim of this operation is not to support the spreading of human rights but to punish terrorists and their supporters. Thus, this mission assists the human rights defence only indirectly and implicitly. However, in principle, it is not an operation aimed at suppressing human rights. Another attribute of using military force by a civilian power is the attempt to minimise the extent of the force adopted. Unfortunately, when evaluating this aspect, it must be accentuated that we do not have essential information to be able to evaluate the progress of the whole mission as far as committed violence is concerned. In military operations of Enduring Freedom, there is an apparent effort to save lives of one's own soldiers, even though the restrictive information policy grants space to perform very risky actions the German public would otherwise find hardly plausible. The scattered available data both concerning this operation in general and also German military engagement do not say that the aim of the military actions was to save the terrorists' lives as much as possible. On contrary, their beating is the main objective of the whole mission. The facts regarding collateral losses are very untrustworthy as well. The only certain thing is that while fighting the Taliban and al-Qaeda in Afghanistan, there were many attacks on non-military targets by American soldiers and it was so from the very beginning of the conflict (Murphy 2002: 247). Overall studies dealing with this issue are conducted by non-governmental organisations, such as Human Rights Watch.<sup>16</sup> Nonetheless, there are no necessary sources obtainable about the participation of German soldiers. German involvement in OEF does not result from a unilateral policy of FRG. Nonetheless, available resources do not give a sufficient answer to the actual involvement in fighting on the part of German soldiers, especially in relation to their deployment in Afghanistan.

Out of these partial conclusions accomplished upon insufficient resources, it is possible to reach a preliminary conclusion that a priori, German participation in the military operation Enduring Freedom does not necessarily contradict the attributes of a military operation by a civilian power. The main issue of the whole mission as far as requirements on the use of military force of civilian power are concerned is the extent of violence committed by German soldiers,

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<sup>16</sup> Human Rights Watch (2004): Enduring Freedom. Abuses by U.S. Forces in Afghanistan, March, N. 16.

which cannot be evaluated yet. Therefore, we do not know if Germany endeavours, in carrying out its military operations, especially in Afghanistan, to minimise its opponent's losses or not and how the lives of non-combatants are saved. **Generally speaking, it can be pointed out that the available resources do not allow an authoritative answer to the question about the compatibility of German military engagement in Operation Enduring Freedom with a policy expected from a civilian power.** This conclusion is true especially for the part of OEF taking place in Afghanistan. The available data only show that German participation in OEF may not contradict the policy of civilian power. However, the participation in further military operations mentioned above, as a part of the war against terrorism, does not contradict the policy of civilian power, especially according to the resources we have today.

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