

# October 7, 2001: America and NATO's Decision to Invade Afghanistan. The Pretext to Wage a "Just War"

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Why are American and NATO troops in Afghanistan?

What is the justification for waging war on a country of 28 million people?

What justifies Obama's military surge?

Both the media and the US government, in chorus, continue to point to the 9/11 attacks and the role of Al Qaeda led by "terrorist mastermind" Osama bin Laden.

The bombing and invasion of Afghanistan is described as a "campaign" against Islamic terrorists, rather than a war.

To this date, however, there is no proof that Al Qaeda was behind the 9/11 attacks.

Neither is there evidence that Afghanistan as a Nation State was behind or in any way complicit in the 9/11 attacks.

The Afghan government in the weeks following 9/11, offered on two occasions to deliver Osama bin Laden to US justice, if there were preliminary evidence of his involvement in the attacks. These offers were refused by Washington.

## **Where was Osama on September 11, 2001?**

To this date, Osama bin Laden, the leader of Al Qaeda, is identified in military documents and official statements of both the Bush and Obama administrations as the mastermind behind the 9/11 attacks.

The Afghan government (the “Taliban regime” in official documents) is identified as supporting Al Qaeda and providing refuge to its leader Osama bin Laden inside Afghan territory at the time of the 9/11 attacks.

On September 10, 2001, according to a CBS news report, Osama bin Laden had been admitted to a Pakistani military hospital in Rawalpindi. (CBS Evening News with Dan Rather; CBS, 28 January 2002, See also Michel Chossudovsky, [Where was Osama on September 11, 2001?](#), Global Research, 11 September 2008):

“DAN RATHER, CBS ANCHOR: As the United States and its allies in the war on terrorism press the hunt for Osama bin Laden, CBS News has **exclusive information tonight about where bin Laden was and what he was doing in the last hours before his followers struck the United States September 11.**

This is the result of hard-nosed investigative reporting by a team of CBS news journalists, and by one of the best foreign correspondents in the business, CBS’s Barry Petersen. Here is his report.

(BEGIN VIDEOTAPE) BARRY PETERSEN, CBS CORRESPONDENT (voice-over): Everyone remembers what happened on September 11. Here’s the story of what may have happened the night before. It is a tale as twisted as the hunt for Osama bin Laden.

**CBS News has been told that the night before the September 11 terrorist attack, Osama bin Laden was in Pakistan. He was getting medical treatment with the support of the very military that days later pledged its backing for the U.S. war on terror in Afghanistan** (CBS, op cit, emphasis added)

Recovering from his hospital treatment in Rawalpindi on the 11th of September, how could Osama have coordinated the 9/11 attacks?

How could Afghanistan be made responsible for these attacks by Al Qaeda? Bin Laden is a national of Saudi Arabia who, according to CBS News, was not in Afghanistan, but in Pakistan at the time of the attacks.

### **The Invasion of Afghanistan: NATO’s Doctrine of Collective Security**

The legal argument used by Washington and NATO to invade Afghanistan was that the September 11 attacks constituted an undeclared “armed attack” “from abroad” by an unnamed foreign power, and that consequently “the laws of war” apply, allowing the nation under attack, to strike back in the name of “self-defense”.

The “Global War on Terrorism” was officially launched by the Bush administration on September 11, 2001. On the following morning (September 12, 2001), NATO’s North Atlantic Council meeting in Brussels, adopted the following resolution:

“if it is determined that the [September 11, 2001] attack against the United States was **directed from abroad** [Afghanistan] against “**The North Atlantic area**”, it shall be regarded as an action covered by Article 5 of the Washington Treaty”. (emphasis added)

In this regard, Article 5 of the Washington Treaty stipulates that if:

“The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered **an attack against them all** and consequently they agree that, if such an **armed attack** occurs, each of them, in exercise of the right of individual or collective **self-defence** recognised by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, **including the use of armed force, to restore and maintain the security of the North Atlantic area.**” (NATO, What is Article 5, [NATO Topics - NATO and the Scourge of Terrorism](#), accessed 24 November 2009, emphasis added)

### **“Use of Armed Force” only “If It is Determined...”**

There was an “if” in the September 12 resolution. Article 5 would apply only if it is determined that Afghanistan as a Nation State was complicit or behind the 9/11 attacks.

In practice, the “if” had already been waived prior to 9/11. The entire NATO arsenal was already on a war footing. In military terms, NATO and the US were already in an advanced state of readiness. Known to military analysts, but never revealed in the Western media, the implementation of a large scale theater war takes at least one year of advanced operational planning, prior to the launching of an invasion.

The use of article 5 of the Washington Treaty had in all likelihood been contemplated by military planners, as a pretext for waging war, prior to 9/11.

There was no official declaration of war on September 12th. The Alliance waited until 3 days before the invasion to declare war on Afghanistan, an impoverished country which by no stretch of the imagination could have launched an attack against a member state of “The North Atlantic area”.

The September 12 resolution of the Atlantic Council required “determination” and corroborating evidence, that:

- 1) Al Qaeda led by Osama bin Laden with the support of a foreign power had ordered the “attack from abroad” on the United States of America;
- 2) The terrorist attacks of 9/11 constituted a bona fide military operation (under the provisions of Article 5) by an alleged foreign country (Afghanistan) against a NATO member state, and consequently against all NATO member states under the doctrine of collective security:

“Article 5 and the case of the terrorist attacks against the United States: The United States has been the object of brutal terrorist attacks. It immediately consulted with the other members of the Alliance. The Alliance determined that the US had been the object of an armed attack. The Alliance therefore agreed that if it was determined that this attack was directed from abroad, it would be regarded as covered by Article 5. NATO Secretary General, Lord Robertson, subsequently informed the Secretary-General of the United Nations of the Alliance’s decision.

**Article 5 has thus been invoked, but no determination has yet been made whether the attack against the United States was directed from abroad.** If such a determination is made, each Ally will then consider what assistance it should provide. In practice, there will be consultations among the Allies. Any collective action by NATO will be decided by the North Atlantic Council. The United States can also carry out independent actions, consistent with its rights and obligations under the UN Charter.

Allies can provide any form of assistance they deem necessary to respond to the situation. This assistance is not necessarily military and depends on the material resources of each country. Each individual member determines how it will contribute and will consult with the other members, bearing in mind that the ultimate aim is to “to restore and maintain the security of the North Atlantic area”.

By invoking Article 5, NATO members have shown their solidarity toward the United States and condemned, in the strongest possible way, the terrorist attacks against the United States on 11 September.

**If the conditions are met for the application of Article 5, NATO Allies will decide how to assist the United States.** (Many Allies have clearly offered emergency assistance). Each Ally is obliged to assist the United States by taking forward, individually and in concert with other Allies, such action as it deems necessary. This is an individual obligation on each Ally and each Ally is responsible for determining what it deems necessary in these particular circumstances.

**No collective action will be taken by NATO until further consultations are held and further decisions are made by the the North Atlantic Council.** (NATO, [NATO Topics - NATO and the Scourge of Terrorism](#), accessed 24 November 2009, emphasis added)

## **The Mysterious Frank Taylor Report**

The final decision to invoke Article 5 in relation to the 9/11 attacks came three weeks later upon the submission to the NATO Council of a mysterious classified report by a US State Department official named Frank Taylor. The report was submitted to NATO on October 2nd, 5 days before the commencement of the bombing and invasion of Afghanistan.

Frank Taylor was working in the US State Department. He had been entrusted with the writing of a brief to establish whether the US “had been attacked from abroad”, pursuant to the North Atlantic Council’s resolution of September 12 2001.

US Ambassador at Large and Co-ordinator for Counter-terrorism Frank Taylor briefed the North Atlantic Council on October 2nd, five days before the commencement of the bombings.

On October 2nd he handed his brief to NATO “on the results of investigations into the 11 September attacks.... ” [NATO - Topic: Terrorism, NATO and the fight against Terrorism, accessed 24 November 2009](#)).

The classified report was not released to the media. And to this date, to our knowledge, it has remained classified.

NATO’s Secretary General Lord Robertson casually summarised the substance of the Frank Taylor report in a press release:

“This morning, the United States briefed the North Atlantic Council on the results of the investigation into who was responsible for the horrific terrorist attacks which took place on September 11.

The briefing was given by Ambassador Frank Taylor, the United States Department of State Coordinator for Counter-terrorism.

This morning’s briefing follows those offered by United States Deputy Secretary of State Richard Armitage and United States Deputy Secretary of Defense Paul Wolfowitz, and illustrates the commitment of the United States to maintain close cooperation with Allies.

Today’s was classified briefing and **so I cannot give you all the details.**

Briefings are also being given directly by the United States to the Allies in their capitals.

The briefing addressed the events of September 11 themselves, **the results of the investigation so far, what is known about Osama bin Laden and the al-Qaida organisation and their involvement in the attacks and in previous terrorist activity, and the links between al-Qaida and the Taliban regime in Afghanistan.**

The facts are clear and compelling. **The information presented points conclusively to an al-Qaida role in the September 11 attacks.**

**We know that the individuals who carried out these attacks were part of the world-wide terrorist network of al-Qaida, headed by Osama bin Laden and his key lieutenants and protected by the Taliban.**

**On the basis of this briefing, it has now been determined that the attack against the United States on September 11 was directed from abroad and shall therefore be regarded as an action covered by Article 5** of the Washington Treaty, which states that an **armed attack** on one or more of the Allies in Europe or North America shall be considered an attack against them all.

I want to reiterate that the United States of America can rely on the full support of its 18 NATO Allies in the campaign against terrorism.” (Lord Robertson, NATO Secretary General, statement to the NATO Council, State Department, Appendix H, Multinational Response to September 11 NATO Press <http://www.state.gov/documents/organization/10313.pdf>, accessed 24 November 2009, emphasis added)

In other words, 2 days before the actual commencement of the bombing campaign on October 7, the North Atlantic Council decided, based on the information provided by Frank Taylor to the Council “that the attacks were directed from abroad” by Al Qaeda, headed by Osama bin Laden, thereby requiring an action on the part of NATO under Article 5 of the Washington Treaty ( [NATO – Topic: Terrorism, NATO and the fight against Terrorism, accessed 24 November 2009](#)):

NATO action under article 5, was outlined in an October 4 decision, 3 days before the commencement of the bombings.

Two days later, on 4 October, NATO agreed on eight measures in support the United States, which were tantamount to a declaration of war on Afghanistan:

to enhance intelligence sharing and co-operation, both bilaterally and in appropriate NATO bodies, relating to the threats posed by terrorism and the actions to be taken against it;

to provide, individually or collectively, as appropriate and according to their capabilities, **[military] assistance to Allies** and other states which are or may be subject to increased terrorist threats as a result of their support for the campaign against terrorism;

to take necessary measures to provide increased security for facilities of the United States and other Allies on their territory;

to backfill selected Allied assets in NATO's area of responsibility that are required to directly support operations against terrorism;

to provide blanket overflight clearances for the United States and other Allies' aircraft, in accordance with the necessary air traffic arrangements and national procedures, for military flights related to operations against terrorism; to provide access for the United States and other Allies to ports and airfields on the territory of NATO nations for operations against terrorism, including for refuelling, in accordance with national procedures;

that the Alliance is ready to deploy elements of its Standing Naval Forces to the Eastern Mediterranean in order to provide a NATO presence and demonstrate resolve; and that the Alliance is similarly ready to deploy elements of its NATO Airborne Early Warning Force to support operations against terrorism. [NATO - Topic: Terrorism, NATO and the fight against Terrorism, accessed 24 November 2009](#) emphasis added)

Press reports of Frank Taylor's brief to the NATO Council were scanty. The invocation of Article 5, five days before the bombings commenced, was barely mentioned. The media consensus was: "all roads lead to Bin Laden" as if bin Laden was a Nation State which had attacked America.

What stands out are outright lies and fabrications. Moreover, prior to October 2nd, NATO had no pretext under Article 5 of the Washington Treaty to intervene militarily in Afghanistan.

The pretext was provided by Frank Taylor's classified report, which was not made public.

The two UN Security Council resolutions adopted in the course of September 2001, did not, under any circumstances, provide a justification for the invasion and illegal occupation of a UN member country of 28 million people. (see [Security Council resolution 1368 \(2001\)](#) Threats to international peace and security caused by terrorist acts, [Security Council resolution 1373 \(2001\)](#) Threats to international peace and security caused by terrorist acts).

UNSC Resolution 1373 (2001) called for prevention and suppression of terrorist acts, as well suppression of the financing of terrorism:

"(e) Ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice and ensure that, in addition to any other measures against them, such terrorist acts are established as serious criminal offences in domestic laws and regulations and that the punishment duly reflects the seriousness of such terrorist acts;

...

"3. Calls upon all States to:

"(a) Find ways of intensifying and accelerating the exchange of operational information, especially regarding actions or movements of terrorist persons or networks; forged or falsified travel documents; traffic in arms, explosives or sensitive materials; use of communications technologies by terrorist groups; and the threat posed by the possession of weapons of mass destruction by terrorist groups;

"(b) Exchange information in accordance with international and domestic law and cooperate on administrative and judicial matters to prevent the commission of terrorist acts;

"(c) Cooperate, particularly through bilateral and multilateral arrangements and agreements, to prevent and suppress terrorist attacks and take action against perpetrators of such acts;

...

"4. Notes with concern the close connection between international terrorism and transnational organized crime, illicit drugs, money-laundering, illegal arms-trafficking, and illegal movement of nuclear, chemical, biological and other potentially deadly materials, and in this regard emphasizes the need to enhance coordination of efforts on national, subregional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security;

"5. Declares that acts, methods, and practices of terrorism are contrary to the purposes and principles of the United Nations and that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations (excerpts of UNSC Resolution 1373 (2001, See also UN Press Release SC 7178 [SECURITY COUNCIL UNANIMOUSLY ADOPTS WIDE-RANGING ANTI-TERRORISM RESOLUTION; CALLS FOR SUPPRESSING FINANCING, IMPROVING INTERNATIONAL COOPERATION](#), Security Council, 4385th Meeting, September 2001)

Nowhere in this resolution is there any mention of military action against a UN member State.

The US led war on Afghanistan, using 9/11 as a pretext and a justification is illegal and criminal.

The US and NATO heads of state and heads of government from 2001 to the present are complicit in the launching of a criminal and illegal war.

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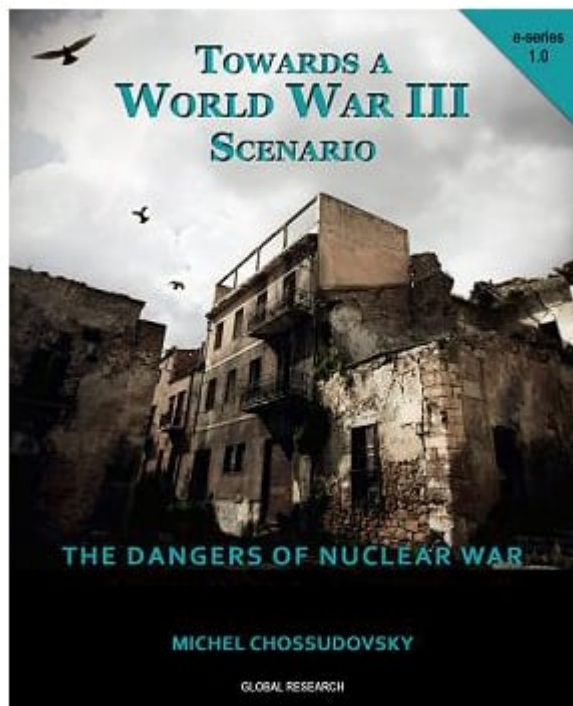
America and NATO Declare War on Afghanistan: NATO's Doctrine of Collective Security

by Michel Chossudovsky

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