By Nick Turse

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U.S. "Plans" for the Afghan War Might Prove a Crime Against Humanity

On February 4, 2002, a Predator drone circled over Afghanistan's Paktia province, near the city of Khost. Below was al-Qaeda's founder Osama bin Laden -- or at least someone in the CIA thought so -- and he was marked for death. As Secretary of Defense Donald Rumsfeld put it
later, both awkwardly and passively: "A decision was made to fire the Hellfire missile. It was fired." That air-to-ground, laser-guided missile -- designed to obliterate tanks, bunkers, helicopters
, and people -- did exactly what it was meant to do.

As it happened, though (and not for the first time in its history either), the CIA got it wrong. It wasn't Osama bin Laden on the receiving end of that strike, or a member of al-Qaeda, or even of the Taliban. The dead, local witnesses reported, were civilians out collecting scrap metal, ordinary people going about their daily work just as thousands of Americans had been doing at the World Trade Center only months earlier when terror struck from the skies.

In the years since, those Afghan scrap collectors have been joined by more than 157,000 war dead   in that embattled land. That's a heavy toll, but represents just a fraction of the body count from America's post-9/11 wars. According to a study by the Costs of War Project of Brown University's Watson Institute, as many as 801,000 people
, combatants and noncombatants alike, have been killed in those conflicts. That's a staggering number, the equivalent of the Rwandan genocide of 1994. But if President Donald Trump is to be believed, the United States has "plans" that could bury that grim count in staggering numbers of dead. The " method of war
" he suggested employing could produce more than 20 times that number in a single country -- an estimated 20 million or more Afghans, almost all of them civilians.

It's a strange fact of our moment that President Trump has claimed to have "plans" (or "a method") for annihilating millions of innocent people, possibly most of the population of Afghanistan. Yet those comments of his barely made the news, disappearing within days. Even for a president who threatened to unleash " fire and fury " on North Korea and usher in " the end " of Iran, hinting at the possibility of wiping out most of the civilian population of an ally represented something new.

After all, America's commander-in-chief does have the authority, at his sole discretion, to order the launch of weapons from the vast U.S. nuclear arsenal. So it was no small thing last year when President Trump suggested that he might unleash a " method of war " that would kill at least 54% of the roughly 37 million inhabitants of Afghanistan.

And yet almost no one -- in Washington or Kabul -- wanted to touch such presidential comments. The White House, the Pentagon, and the State Department all demurred. So did the chief spokesman for Afghan President Ashraf Ghani. One high-ranking Afghan official apologized to me for being unable to respond honestly to President Trump's comments. A current American official expressed worry that reacting to the president's Afghan threats might provoke a presidential tweet storm against him and refused to comment on the record.

Experts, however, weren't shy about weighing in on what such "plans," if real and utilized, would actually mean. Employing such a method (to use the president's term), they say, would constitute a war crime, a crime against humanity, and possibly a genocide.

A Trumpian Crime Against Humanity

"Massive Soviet military forces have invaded the small, nonaligned sovereign nation of Afghanistan," President Jimmy Carter announced on January 4, 1980. "Fifty thousand heavily armed Soviet troops have crossed the border and are now dispersed throughout Afghanistan, attempting to conquer the fiercely independent Muslim people of that country." Nine years later, the Red Army would finally limp out of that land in the wake of a war that killed an estimated
 90,000 Mujahideen fighters
, 18,000 Afghan troops, and 14,500

[Soviet soldiers](#)
. As has been the norm in conflicts
[since World War I](#)
, however, civilians suffered the heaviest toll. Around
[one million](#)
were estimated to have been killed.

In the 18-plus years since U.S. forces invaded that same country in October 2001, the death toll has been far lower. Around 7,300 U.S. military personnel, contractors, and allied foreign forces have died there, as have [64,000](#) American-allied Afghans, 42,000 opposition fighters, and 43,000 civilians, according to the Costs of War Project. If President Trump is to be believed, however, this body count is low only due to American restraint.

"I have plans on Afghanistan that, if I wanted to win that war, Afghanistan would be wiped off the face of the Earth. It would be gone," the president [remarked](#) prior to a July 2019 meeting with Pakistani Prime Minister Imran Khan. "If we wanted to fight a war in Afghanistan and win it, I could win that war in a week. I just don't want to kill 10 million people." In September, he ramped up the rhetoric -- and the death toll -- further. "We've been very effective in Afghanistan," he said. "And if we wanted to do a certain method of war, we would win that very quickly, but many, many, really, tens of millions of people would be killed."

If America's commander-in-chief is to be believed, plans and methods are already in place for a mass killing whose death toll could, at a minimum, exceed those of [the Holocaust](#) , the [Camb odian genocide](#)
, the
[Rwandan genocide](#)
, the Vietnam War, the Korean War, the Hundred Years' War, and the American Revolution combined -- and all in a country where the Pentagon believes there are only
[40,000 to 80,000](#)
Taliban fighters and
[fewer than 2,000](#)
Islamic State militants.

President Trump claims he'd prefer not to use such methods, but if he did, say experts, his Senate impeachment trial could theoretically be followed by a more consequential one in front of an international tribunal. "Of course, any 'method of war' that would kill '10 million people' or 'tens of millions' of people in a country where the fighting force consists of 40,000 to 80,000 would be a blatant violation of the laws of war and would render President Trump a war

criminal," Daphne Eviatar, director of the Security with Human Rights program at Amnesty International USA, told *TomDispatch*.

Max Pensky, the co-director of the Institute for Genocide and Mass Atrocity Prevention at the State University of New York at Binghamton, agreed. "Carrying out such a plan would certainly be a war crime because of the context of the armed conflict in Afghanistan," he said. "And it would absolutely be a crime against humanity." He noted that it might also constitute a genocide depending on the intent behind it.

The United States has, of course, been a pioneer when it comes to both the conduct and the constraint of warfare. For example, "General Orders No. 100: Instructions for the Government of the Armies of the United States in the Field," issued by President Abraham Lincoln on April 24, 1863, represents the first modern codification of the [laws of war](#) . "The principle has been more and more acknowledged that the unarmed citizen is to be spared in person, property, and honor as much as the exigencies of war will admit," reads the 157-year-old code. "All wanton violence committed against persons in the invaded country, all destruction of property not commanded by the authorized officer, all robbery, all pillage or sacking, even after taking a place by main force, all rape, wounding, maiming, or killing of such inhabitants, are prohibited under the penalty of death, or such other severe punishment as may seem adequate for the gravity of the offense."

More recently, however, the United States has set the rules of the road when it comes to borderless assassination. In asserting the right of the military and the CIA to use armed drones to kill people from Pakistan to Yemen, Somalia to Libya, through quasi-secret and opaque processes, while ignoring previous American norms against " [targeted killing](#) ," questions about
[national sovereignty](#)
, and existing
[international law](#)
, the U.S. has created a ready framework for other nations to mimic. In October 2019, for example, Turkey's President Recep Tayyip Erdogan hinted that he would assassinate
[Mazloum Kobani](#)
, the head of the Syrian Democratic Forces and a key U.S. ally in the fight against the Islamic State in Syria. "Some countries
[eliminate terrorists](#)
whom they consider as a threat to their national security, wherever they are," Erdogan said. "Therefore, this means those countries accept that Turkey has the same right."

Historically, the United States has also pioneered the use of weapons of mass destruction.

While a White House spokesperson would not address the question of whether President Trump was alluding to the use of nuclear weapons when he claimed that "Afghanistan would be wiped off the face of the Earth," it's notable that the United States is the only country to have used such weaponry in an actual war.

The first nuclear attack, the U.S. strike on Hiroshima , Japan, on August 6, 1945, left that city "uniformly and extensively devastated," according to a
 study
carried out in the wake of the attacks by the U.S. Strategic Bombing Survey. "The surprise, the collapse of many buildings, and the conflagration contributed to an unprecedented casualty rate." Between
 60,000 and 80,000
people were killed instantly. The final death toll, including those who later perished from the long-term effects of radiation sickness, was estimated at 135,000 to
 150,000
. An atomic attack on Nagasaki, carried out three days later, was calculated to have killed another
 50,000
to
 75,000
people.

Theoretical War Crimes and Real Civilian Deaths

Just days before mentioning the possibility of annihilating tens of millions of Afghans, President Trump took the Taliban to task for killing 12 people, including 10 Afghan civilians and one American soldier, in a car bombing while peace talks with the militant group were underway. At the time, he tweeted: "What kind of people would kill so many in order to seemingly strengthen their bargaining position?" Weeks later, he would   cle ar
three military service members of war crimes, one of them convicted of murdering two Afghan civilians, another charged with the murder of an Afghan man.

Amnesty's Daphne Eviatar believes that the president's "disregard toward the lives of civilians" may have led to less precise American attacks in recent years. "We've seen a dramatic rise in civilian casualties from U.S. military operations since Trump took office, including in Afghanistan," she told *TomDispatch*.

An [October report](#) by the United Nations Assistance Mission in Afghanistan (UNAMA), analyzing the war from July to the end of September 2019, documented the highest number of civilian casualties it had recorded in a single quarter since it began systematically doing so in 2009. During the first nine months of last year, in fact, UNAMA tallied the deaths of 2,563 civilians and the wounding of 5,676 more -- the majority by "anti-government" forces, including the Taliban and ISIS. UNAMA found, however, that "pro-government forces," including the U.S. military, killed 1,149 people and injured 1,199 others in that period, a 26% increase from the corresponding timeframe in 2018.

Of course, such numbers would be dwarfed were Donald Trump to decide to "win" the Afghan War in the fashion he hinted at twice last year, even as peace talks with the Taliban were underway. Johnny Walsh, a senior expert on Afghanistan at the United States Institute of Peace and a former lead adviser for the State Department on the Afghan peace process, chalked Trump's purported plans up to a "rhetorical flourish" and doubts they actually exist. "I am not at all aware of any plan to escalate the conflict or use nuclear weapons," he told *TomDispatch*   .

Whether or not such plans are real, civilian casualties in Afghanistan continue to rise, prompting experts to call for additional scrutiny of U.S. military operations. "It's tempting to dismiss some of the President's more provocative statements," said Amnesty's Daphne Eviatar, "but we do need to take very seriously the exponential increase in civilian casualties from U.S. military operations since 2017 and ensure every one is thoroughly and independently investigated, and the results made public, so we can know if they're the result of an unlawful Trump administration policy or practice."

As 2020 begins, with America's Afghan war in its 19th year and " [progress](#) " as nonexistent as ever, a beleaguered president continues to mull over just how to end America's "
[endless wars](#)
" (while seemingly
[expanding them](#)
further). Under the circumstances, who knows what might happen in Afghanistan? Will 2020 be the year of peace or of Armageddon there -- or will it simply bring more of the same? With a president for whom "plans" may be more figurative than literal, all of this and the fate of perhaps 20 million or more Afghans remain among the great "
[unknown unknowns](#)
" of our time.

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