

ALLIANCE TREATY OBLIGATIONS AND PROVISIONS (ATOP)
CODING SHEET

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SECTION I: FORMATION, MEMBERS, AND DURATION

1. ATOP ID: 6050

2. COW Alliance # (if applicable): N/A

3. Signature date(s) (may vary for members in multilateral alliances):
May 2, 2012

4. Members of alliance (use COW country codes):
2 United States of America
700 Afghanistan

5. Was the alliance signed during war? If so, which war, and which member(s) was at war? (check COW data)
No.

6. Means by which alliance was established (e.g., treaty, executive agreement, diplomatic notes, etc.): (Only select "treaty" if the agreement requires ratification.)
Executive Agreement.

7. Was the treaty public, public but with secret articles, or secret? If secret articles, describe the content of secret articles.
Public.

8. Are there provisions for adding additional members mentioned in the treaty? (Yes, No) If Yes, describe these provisions.
No.

9. Are specific state(s) mentioned as possible future members of the alliance? (Yes, No) If Yes, which state(s)?
No.

10. Are there specific provisions in the treaty concerning the length of time the treaty is to last? (Yes, No) If Yes, describe.
Yes. The treaty shall remain in force until the end of 2024 (12 years).

11. Are there conditions under which members may renounce the treaty? If Yes, describe these conditions.
Yes. The agreement can be terminated by mutual written agreement of both Parties at any time, and either Party may provide written notice to the other of its intent to terminate the agreement, which shall be effective one year after the date of such notification (Art. VIII-1).

12. Are there specific provisions in the treaty concerning renewal of the treaty? (Yes, No) If Yes, describe these provisions.
Yes. Upon mutual written agreement of the Parties, six months prior to the expiration of the agreement, it may be renewed for a mutually agreed period.

13. Number of times alliance renewed, dates of renewal, and means by which alliance was renewed (Do not include automatic renewals):
Zero.

14. Termination date(s) (may vary for members in multilateral alliances) and source(s) for termination dates(s):
Still in effect as of May 11, 2018 according to the US Department of State
(<https://www.state.gov/documents/organization/282222.pdf>)

15. Describe what caused the alliance to terminate.
N/A

SECTION II: OBLIGATIONS

16. Type of alliance (defense pact, neutrality pact, nonaggression pact, consultation pact, offense pact): (List all that apply to any

member of the alliance.)
Consultation Pact

17. Type of alliance as coded in COW data (if applicable): N/A

18. Describe the obligations of the alliance partners.

“Recognizing that the stability of Afghanistan would contribute to the development and stability of South-Central Asia, the United States affirms that it shall regard with grave concern any external aggression against Afghanistan. Were this to occur, the Parties shall hold consultations on an urgent basis to develop and implement an appropriate response, including, as may be mutually determined, political, diplomatic, economic, or military measures, in accordance with their respective constitutional procedures.” (Art. III-9)
[Consultation]

19. Are any of the obligations contingent upon any of the following: specific adversary, specific location, specific ongoing conflict, number of adversaries, noncompliance with a specific demand, attack, nonprovocation of enemy, or prior agreement among partners? (List all that apply)

Yes – specific location.

20. Describe the nature of the limits to obligations listed in #19.

Consultation pertains to external aggression against Afghanistan.

21. Are there any additional provisions for assistance in the event of war? (e.g., promise not to participate in economic sanctions against partner, promise not to aid internal or external enemies, etc.) (Yes, No) If Yes, describe.

No.

22. Are there any additional limits to the alliance obligations or conditions under which treaty obligations do not apply that were not listed in #19? (Yes, No) If Yes, describe.

No.

23. Is a specific target/threat mentioned as the object of the treaty? (Yes, No) (Answering Yes to this question does not necessarily mean that obligations are limited only to this adversary.) If Yes, list the target nation(s) (using COW country codes if possible) and describe the general nature of the reference to the target of the treaty.

Yes. Al-Qaeda can be considered a major target of this agreement.

“Cooperation between Afghanistan and the United States is based on mutual respect and shared interests – (...) and no longer a safe haven for al-Qaeda and its affiliates” (Preamble).

“The Parties reaffirm that the presence and operations of the US forces in Afghanistan since 2001 are aimed at defeating al-Qaeda and its affiliates. The parties acknowledge the great sacrifices and suffering that the Afghan people have endured in the struggle against terrorism and the continued threats to their desire for peace, security and prosperity. (...) In order to (...) combat al-Qaeda and its affiliates, (...) the Parties shall continue to foster close cooperation concerning defense and security arrangements, as may be mutually determined” (Art III-1, 2).

24. Are the treaty obligations symmetric? (That is, do all members commit to the same obligations?) (Yes, No) If No, describe.

Yes.

25. Does the treaty prohibit members from settling conflicts independently (no separate peace)? (Yes, No) If Yes, describe.

No.

26. Does the treaty have provisions requiring that the contracting parties consult before making commitments to third parties (excluding no separate peace provisions discussed above)? (Yes, No) If Yes, describe these provisions.

No.

27. Does the treaty specify that the contracting parties must not enter into any other alliances that are directed against the alliance in question? (Yes, No) If Yes, describe.

No.

28. Additional coder comments regarding treaty obligations:

“the United States shall designate Afghanistan a “Major Non-NATO Ally” (Art III-3).

“The United States further pledges not to use Afghan territory or facilities as a launching point for attacks against other countries” (Art III-6-b).

Afghanistan pledges commitment to democracy, human and political rights (Article II)

SECTION III: INSTITUTIONALIZATION OF THE ALLIANCE

29. Does the treaty make reference to the potential for conflict among members of the alliance? (Yes, No) If Yes, describe.

Yes.

“Any disputes with respect to implementation of this Agreement shall be settled through diplomatic consultations between the Parties” (Art VIII-3).

30. Does the treaty discuss mediation/arbitration or other means of settling disputes among the signatories? (Yes, No) If Yes, describe.

No.

31. Does the treaty require official contact among the military forces of the participating states? (Yes, No) If Yes, describe. (Note whether official contact is required only in the event of hostilities or also during peacetime.)

No.

32. Does the treaty include provisions for military aid? (e.g., grants, loans, transfer of technology, training) (Yes, No) If Yes, describe these provisions.

Yes.

“Beyond 2014, the United States shall seek funds, on a yearly basis, to support the training, equipping, advising, and sustaining of the Afghan National Security Forces (ANSF) (...)” (Art III-5).

33. Does the treaty provide for integrated command of military forces while the alliance is in effect (peacetime as well as wartime)? (Yes, No) If Yes, describe.

No.

34. Does the treaty require subordination of the forces of one or more member states to another in the event of hostilities? (Yes, No) If Yes, describe.

No.

35. Does the treaty establish any organizations? (include provisions for regularly scheduled meetings) (Yes, No) If Yes, describe.

Yes.

“The parties shall establish an Afghanistan-United States Bilateral Commission and associated implementation mechanisms. The Commission shall be chaired by the respective foreign ministers of Afghanistan and the United States, or their designees, and meet semi-annually in Kabul and/ Washington on a rotational basis” (Art VII-1).

“A Joint Steering Committee shall guide and report to Ministers on the work of standing expert working groups formed to implement this Agreement. These working groups (...) are to constitute a forum for regular, senior-level consultations on issues of mutual concerns. These issues include, but are not limited to, advancing long-term security, promoting social, democratic, and economic development, and strengthening Afghan institutions and governance. The Joint Steering Committee should also convene regularly to assess common threats and discuss regional issues of mutual concern” (Art VII-1).

36. Does the treaty provide for joint military bases, or for one or more states to place troops in the territory of one or more other states? (Yes, No) If Yes, describe.

Yes. “Afghanistan shall provide U.S. forces continued access to and use of Afghan facilities through 2014” (Art III-6).

37. Does the treaty specify contribution levels (funds, troops, etc.)? (Yes, No) If Yes, describe.

No.

38. Does the treaty contain any provisions regarding coordinated increase of armaments, reduction of armaments, prohibition of weapons, or rules of warfare? (Yes, No) If Yes, describe such provisions.

No.

39. Does the treaty explicitly permit or prohibit the acquisition of territory not currently held by either ally? (Yes, No) If Yes, describe reference.

No.

40. Does the treaty include discussion of the division of gains from any future conflict? (Yes, No) If Yes, describe.

No.

41. Does the treaty include discussion of demobilization/withdrawal following conflict? (Yes, No) If Yes, describe.

No, but “a. The United States emphasizes its full respect for the sovereignty and independence of Afghanistan. It reaffirms its commitment to the *Inteqal* framework, and a transition to full Afghan security responsibility. It further reaffirms that it does not seek permanent military facilities in Afghanistan, or a presence that is a threat to Afghanistan's neighbors. “ (Article 3, (6))

42. Are there any other provisions in the treaty that describe the means through which the states will coordinate their military efforts and policies? (Yes, No) If Yes, describe.

Yes.

“Such support [by the United States] should: (1) help build appropriate capabilities reflecting the evolving nature of mutually-recognized threats to Afghan stability; (2) support efforts to help the Afghan State attain a sustainable security structure; and (3) strengthen the capacity of security institutions of Afghanistan” (Art III-5-a).

“Assistance to the ANSF should have the goal of being consistent with NATO standards and promote interoperability with NATO forces” (Art III-5-c).

“The United States further pledges not to use Afghan territory or facilities as a launching point for attacks against other countries” (Art III-6-b).

43. Additional coder comments regarding references to alliance institutionalization:

SECTION IV: TREATY CONTEXT

44. Does the treaty state that it nullifies any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are nullified and describe the treaty reference.

No.

45. Does the treaty state that it modifies any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are modified and describe the treaty reference.

No.

46. Does the treaty state that it includes any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are included and describe the treaty reference.

No.

47. Does the treaty make any references to international organizations? (Yes, No) If Yes, list the international organization and describe the nature of the reference.

Yes (UN and NATO) – UN Charter as a framework for cooperation between two sovereign and equal countries (Preamble); UN as an important partner for international cooperation (Art IV-1); “the United States shall designate Afghanistan a “Major Non-NATO Ally” (Art III-3); “Assistance to the ANSF should have the goal of being consistent with NATO standards and promote interoperability with NATO forces” (Art III-5-c); “The Parties further call on NATO member states to sustain and improve Afghan security capabilities beyond 2014 (...)” (Art III-5-d).

48. Does the treaty make any references to other existing alliances? (Yes, No) If Yes, list the alliance and describe the nature of the reference.

Yes. NATO - see #47.

49. Are there any companion agreements referenced in the treaty? (Yes, No) If Yes, describe the agreements.

No.

50. Does the treaty include statements regarding non-military cooperation (e.g., economic, cultural, scientific exchange)? (Yes, No) If Yes, describe.

Yes.

Cooperation with the countries of the region, regional organizations, the United Nations, and other international organizations on mutually recognized threats, including: terrorist networks; organized crime; narcotics trafficking; and money laundering (Art IV-1)

Cooperation for Afghanistan’s sustainable economic growth (Art V-2-a)

Cooperation in the areas of licit agricultural production; transportation, trade, transit, water, and energy infrastructure; fostering responsible management of natural resources; and building a strong financial system (Art V-2-b)

Cooperation for encouraging trade and private sector development (Art V-2-c)

The United States’ support for Afghanistan’s efforts to govern its natural wealth (Art V-2-d)

Efforts to enhance the quality of education in Afghanistan (Art V-3-a)

Access to basic health services and specialized care (Art V-3-b)

Joint efforts to fight against corruption (Art V-4)

Cooperation to promote Afghanistan’s development (Art V-5)

Strengthening the long-standing relations between people and civil societies in the U.S. and Afghanistan (Art V-6)
Promoting exchanges and related activities in the area of education (Art V-7)
Cooperation to support Afghan cultural institutions (Art V-8)
Cooperation towards improving the human capacity of Afghanistan's crucial government institutions (Art VI)

51. Does the treaty resolve other conflicts among the parties to the alliance? (Yes, No) If Yes, describe.
No.

52. Does the treaty propose/enforce settlement of a conflict not involving parties to the alliance? (Yes, No) If Yes, describe.
No.

53. Does the treaty propose other agreements among the contracting parties? (Yes, No) If Yes, describe.
Yes.

"The Parties shall, subject to their internal procedures, initiate negotiations on a Bilateral Security Agreement" (Art III-2-b).

54. Does the treaty mention unresolved conflicts among the contracting parties? (Yes, No) If Yes, describe.
No.

55. Does the treaty include provisions for economic aid or other enticements (include trade concessions, post war recovery, etc.)? (Yes, No) If Yes, describe these provisions.

Yes.

"The United States and Afghanistan shall continue their cooperation to promote Afghanistan's development (...). To achieve this goal, the United States shall seek on a yearly basis, funding for social and economic assistance to Afghanistan (...). Building on its commitments at the 2010 Kabul and London Conferences, the United States reiterates its commitment to channel at least 50 percent of such economic and social assistance to Afghanistan through Afghan government budgetary mechanisms" (Art V-5-a, V-5-b).

56. Does the treaty describe circumstances under which one party may intervene in the internal politics of another party or specifically commit the states to non-intervention? (Yes, No) If Yes, describe.

No. But Article IV suggests that other states should refrain from interfering in Afghanistan: "The Parties agree on the importance of Afghanistan having cooperative and friendly relations with its neighbors, and emphasize that such relations should be conducted on the basis of mutual respect, non-interference, and equality. They call on all nations to respect Afghanistan's sovereignty and territorial integrity, and to refrain from interfering in Afghanistan's internal affairs and democratic processes."

SECTION V: DOCUMENTATION

57. Additional coder comments on this alliance treaty:

58. Source of coding information (e.g., treaty, treaty and secondary sources, secondary sources only, etc.):

Treaty: Enduring Strategic Partnership Agreement between the United States of America and the Islamic Republic of Afghanistan

59. Treaty citation: US Department of State: <https://www.state.gov/documents/organization/196855.pdf> (Accessed on May 11, 2018)

60. Date of last revision of this coding sheet: June 20, 2018

61. Coder: Jae-eon Lee, Jessica Edry, Ashley Leeds