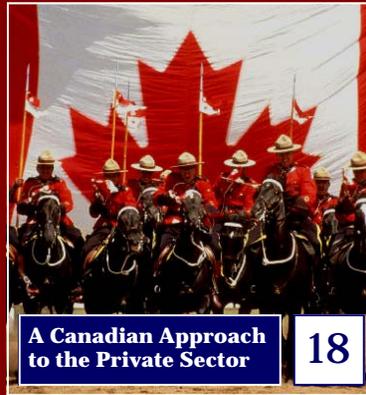


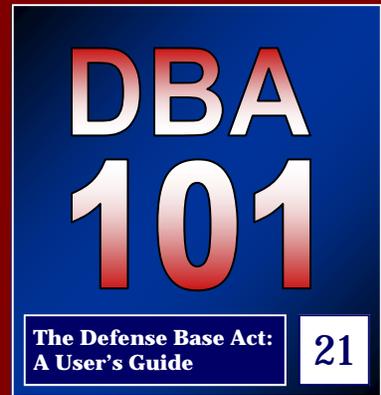
JIPO

JOURNAL OF INTERNATIONAL PEACE OPERATIONS



A Canadian Approach to the Private Sector

18



The Defense Base Act: A User's Guide

21



Phase Zero

Stopping Conflict Before it Starts

IPOA



INTERNATIONAL PEACE

OPERATIONS ASSOCIATION

Serving to make a difference.



www.blackwaterusa.com P.O. Box 1029, Moyock, NC 27958 (252) 435-2488



THE PUBLICATION OF THE
INTERNATIONAL PEACE OPERATIONS ASSOCIATION

Founded in 2004 as the IPOA Quarterly
Volume 3, Number 3
November-December, 2007
ISSN 1933-8189

Publisher.....Douglas Brooks
Editor-in-ChiefJ. J. Messner
Assistant Editor Jennifer Brooke
Business Manager Derek Wright

International Peace Operations Association
1900 L Street, NW, Suite 320
Washington, D.C. 20036
United States of America
Telephone +1 (202) 464-0721
Facsimile +1 (202) 464-0726
E-mail ipoa@ipoaonline.org
Web site www.peaceops.com

PRINT EDITION SUBSCRIPTION SERVICE

An annual subscription consists of six issues.
United States US\$30.00
Worldwide US\$35.00
Please visit www.peaceops.com or contact Derek Wright at dwright@ipoaonline.org to order.

ADVERTISING

Very competitive advertising packages are available for companies wishing to reach our international audience of readers. Please contact J. J. Messner at +1 (202) 464-0721 or jmessner@ipoaonline.org for more details.

PUBLIC SUBMISSIONS

Letters to the Editor must be no more than 200 words, and must be accompanied by the writer's full name, address, e-mail and telephone number. Only the writer's name and city will be printed if the letter is published.

Unsolicited Articles must be the original work of the author and no more than 800 words. Articles must be accompanied by a photograph and a short biography of the author. Submissions should be e-mailed to jmessner@ipoaonline.org.

FRONT COVER PHOTOGRAPH CREDITS

Phase Zero Images All UN Images
Phase Zero Graphic J. J. Messner
Royal Canadian Mounted Police RCMP-GRC

Copyright © 2007 the International Peace Operations Association (IPOA). All rights reserved. The IPOA logo and the IPOA lion image are trademarks of the International Peace Operations Association. The Journal of International Peace Operations (JIPO) and its logo are trademarks of the International Peace Operations Association. The opinions expressed herein do not necessarily represent the opinions of IPOA, its officers, Board of Directors, members or affiliates. IPOA bears no responsibility for the editorial content; the views expressed in the articles are those of the authors. No part of this publication may be reproduced in any form without permission in writing from the Editor-in-Chief.



- Gen. Charles Wald (Ret.)**
11 The Phase Zero Campaign: New Thinking Within the Pentagon and USEUCOM
- Robert Vainshtein**
12 A New Approach to Stabilization

- Derek Wright**
13 Phases of Contingency Operations
- Lawrence Korb & Matthew Forgotson**
15 The Case for Prudent Intervention
- Cecilie Beise**
16 Moving Away from Phase Zero

Special Feature.

Defense Base Act.

- Richard Tugman**
21 A User's Guide to the U.S. *Defense Base Act*
- Keith L. Flicker, Esq.**
23 Zone of Special Danger Doctrine

Columnists.

-  **Doug Brooks**
6 Defusing Disagreement
-  **J. J. Messner**
28 Credit Where Credit is Due
-  **Amb. Herman Cohen**
29 North Kivu Conflict Compounds DRC Woes

Global Attitudes.

- Michael Rostek & Dr. Peter Gizewski**
18 A Canadian Approach to the Peace and Stability Operations Industry

Government Affairs.

- Derek Wright**
24 Attention, Activity and Accountability

Study of Peace Ops.

- Timothy B. Reid**
19 Why the UN Needs Private Security

Industry News.

- IPOA Lion**
7 News from IPOA

Media Watch.

- Ylana Gracielli**
28 Murkiness. Secretiveness. Impunity.

Profiles.

- IPOA Member Profile**
5 RA International
- Peacekeeping Equipment Profile**
29 Transport Scanners
- Peacekeeping Operation Profile**
30 UNFICYP Mission to Cyprus

Letter from Baghdad.

- Lawrence T. Peter**
25 A Re-Evaluation of Iraq Operations



Aviation | Contingency | Logistics

Integrated Solutions | Global Reach | Total Commitment



Security | Infrastructure | Maritime

DynCorp International is a multifaceted professional services company serving governments and industry worldwide. Resourceful and flexible, we manage both long-term projects and quick-response operations – delivering breakthrough solutions to complex new challenges. No part of the world is out of bounds, no conditions too demanding. That's why government and business institutions on six continents have made us their mission-critical ally.

Your mission-critical ally – worldwide.

www.dyn-intl.com

DOUG BROOKS

Defusing Disagreement

Promoting a Better Understanding of IPOA and the Industry

ON September 19, IPOA received a tip-off in the morning that IPOA Headquarters was to be picketed by the colorful anti-war group, Code Pink, that very afternoon. I had been fielding numerous media inquiries over the past several days regarding the recent incidents in Baghdad and, not surprisingly, the protest was directly related to those events. While being picketed is not a desired episode for a standards-bearing organization like IPOA, we also saw this as an opportunity to broaden the reach of our message.

At the appointed time, about sixty demonstrators materialized, along with media, video cameras, pink police uniforms and 'crime scene tape,' a papier-mâché likeness of Secretary of State Condoleezza Rice (the U.S. State Department was the protesters' next stop that day), megaphones and even a folk singer. It is gratifying when so many people take an interest in IPOA, and while the situation may have been oddly festive and perhaps a bit more confrontational than an ideal audience, we decided to make the best of it.

As I walked out of our building into the Code Pink crowd I quickly noticed their leader was Ann Wright, an acquaintance with whom I have something in common. Ann is a retired Army Colonel who worked in

the State Department for many years before resigning in protest over the invasion in Iraq. She had been Deputy Ambassador at the U.S. Embassy in Sierra Leone at the height of their war and won admiration from other diplomats, NGOs and even contractors for her fearlessness, her down-to-earth realism and her pragmatic problem-solving abilities in the midst of chaos.

Sierra Leone is a country I visited twice as an academic to do scores of interviews with Sierra Leonean citizens, military, diplomats, private contractors and UN peacekeepers about their conflict. In fact, when I first met Ann some months ago we discovered that we had many mutual friends.

So on the 19th I was able to greet Ann, but once the demonstrators understood who I was they assailed me with a flood pointed questions which I did my best to answer – at times Ann helped to moderate the discussion. I discussed the origin of IPOA, our Code of Conduct, how our Standards Committee works and the role of the private sector in supporting – not managing – international operations.

Changing a person's mind about IPOA is more about helping them understand the inaccuracy of their perceptions rather than the error of their beliefs. From my experience, most disagreement with IPOA stems from a poor or incomplete understanding of what our unique Association is about. Too often IPOA's ethical foundations, standards and mechanisms are overlooked, and frequently knowledge is based on inaccurate depictions by pundits, the media and even academics. Thus, the greatest vulnerability of those who initially oppose IPOA is their willingness to listen.

In the colorful Code Pink protest, there were in fact lots of people willing to listen, and lots of people with considerable governmental and international backgrounds who quickly grasped the significance of IPOA's ethical message. While I discussed our association with the crowd in the street, the IPOA staff and Research Associates took about a dozen protesters up to the office to show them around our cramped space and have a discussion around our conference table. When I finally was able to return to the office I found our Director of Development Derek Wright detailing the membership process and our



IPOA President Doug Brooks meets with protesters from Code Pink outside of IPOA Headquarters. PHOTO: J. J. MESSNER/IPOA

Director of Programs & Operations J. J. Messner explaining the role of the IPOA Standards Committee and the process for ensuring companies comply with the IPOA Code of Conduct. The discussion was lively, to be sure, but it was also thoughtful and largely decorous.

By the time the protesters had left the office to catch up with their friends headed to the Department of State we had established something of a rapport. I can't say if any minds were changed, but I do know many people had a better understanding of our organization, our membership and what we are trying to do to improve the world. We made friends, if not converts.

Nevertheless, one of the risks we constantly face as an association of companies is to be stereotyped in partisan terms. Effective peace operations and ethical use of private sector services in support of peace and stability operations transcend partisanship. Many of the Code Pink women grasped this salient fact, but we cannot expect all those who disagree to be as thoughtful and open minded. Nevertheless, even with the most disagreeable it is often possible to find a common goal, even if the preferred methodology varies significantly.

BACKGROUND PHOTO: J. J. MESSNER/IPOA



IPOA Headquarters in picketed by Code Pink. PHOTO: J. J. MESSNER/IPOA

Email Doug Brooks at dbrooks@ipoaonline.org
The author is the President of IPOA.



DEREK WRIGHT

IPOA Endorses MEJA Expansion and Enforcement Act

IPOA Backs Rep. Price's Reforms

IPOA is pleased to announce its endorsement of H.R. 2740, the "MEJA Expansion and Enforcement Act of 2007." After a series of consultations between IPOA and the staff of Congressman David Price (D-North Carolina), the bill reflects and incorporates IPOA's recommendations and is poised to enhance oversight and accountability for contractors under the Military Extraterritorial Jurisdiction Act.

IPOA would like to thank Congressman Price and his staff for their steadfast efforts to improve the Act, and welcomes the important and long-term improvements H.R. 2740 will bring to the peace and stability operations industry.



Rep. David Price (D-N.C.)
PHOTO: U.S. HOUSE OF REPRESENTATIVES

Email Derek Wright at dwright@ipoaonline.org
The author is the Director of Development at IPOA.

DEREK WRIGHT

New Members Join

Patriot K-9 and Skylink Join IPOA



IPOA is pleased to welcome two new member companies to the Association: Patriot K-9 Services and Skylink USA. The addition of these new companies brings our membership total to 38.

Patriot K-9 Services provides the very best in explosives detection and patrol dog services available for military, law enforcement, and civilian organizations that operate in hostile environments.

Skylink USA, a privately held company located at the Washington Dulles International Airport, is among the world's leading providers of logistics in unsecured and hostile environments, with specialties in transportation, end-to-end logistics, airport management, disaster and humanitarian relief and aviation support services.

Patriot K-9 Services Contacts



Contact: Steve Gorman
President and CEO
Telephone: +1 (903) 271-3372
Email: pk9services@earthlink.net
Web site: www.patriotdog.com

Skylink USA Contacts



Contact: David Henze
President and CEO
Telephone: +1 (703) 318-4004
Email: rdhenze@skylink-usa.net
Web site: www.skylink-usa.net

INTERNATIONAL PEACE OPERATIONS ASSOCIATION MEMBER PROFILE

RA International

Total Support Service Solutions in Post Conflict Areas

RA International offers first class support services to the UN, NGOs, governments and the private sector around the world. The company specializes in a diverse range of professional and dedicated services to achieve excellence within total camp construction and operational management and their component parts. Parts such as catering, maintenance, waste management, procurement & logistics, power generation, engineering & construction and much more.

RA International fills a wide range of needs, where no job is too big and yet no need is too insignificant. The company is small enough to care yet large enough to deliver. RA International prides itself on offering everything that helps rebuild a society emerging from conflict.

The company's long experience and commitment to detail from its expert staff guarantees a successful outcome for every

project they undertake. No matter what challenges face clients, no matter their circumstances, RA International delivers.

RA International's services include:

- Total design, build and operation of remote camp locations designed for comfort and efficiency.
- Quality catering and food management.
- Construction and engineering products of all sizes and levels of complexity.
- Complete range of waste management, garbage collection, recycling and hazardous waste treatment specializing in "green solutions."
- Power generation from simple generators to complete electrical installations.
- Procurement and logistics services guaranteeing on-time, on-quality delivery of everything needed – wherever it is needed.

RA International Facts and Figures



Founded: 2003
IPOA Member Since: 2006
Head Office: Dubai
Other Offices: Afghanistan, Iraq, Kenya, Pakistan, Sudan
Telephone: +971 (0) 4299 7440
Facsimile: +971 (0) 4299 6757
Web: www.raints.com





J. J. MESSNER



IPOA Elects New Executive Committee for 2008

IPOA Executive Committee to be Led by Joe Mayo and Hank Allen

THE IPOA membership has elected a new Executive Committee to serve from November 1, 2007 through to October 31, 2008. Joe Mayo of EODT, who was elected Vice-Chair of the IPOA Board in September 2006, has been automatically elevated to the position of Chair for 2008. Hank Allen of MPRI was elected Vice-Chair for 2008, and will similarly automatically become Chair of IPOA on November 1, 2008.

Jim Schmitt of ArmorGroup stepped down as Chair of IPOA after a successful year that saw the IPOA membership grow significantly. He also presided over a number of key reforms that have molded IPOA into a more efficient and effective organization. Jim was also elected to serve a third

successive year as a member of the Executive Committee.

Other members of the Executive Committee returning for 2008 include John Blackton of Creative Associates International and Pieter de Weerd of Medical Support Solutions, who will be serving their second and third years on the Committee respectively. Meanwhile, Judith McCallum of Agility returns to the Executive Committee after a brief hiatus.

IPOA is also pleased to welcome a representative from one of its newest companies, as John South joins the Executive Committee on behalf of DynCorp International, who joined IPOA during 2007.

The Executive Committee again represents companies from a broad spectrum of different sectors within the industry, as well as representing both large and small companies from the United States and overseas.

IPOA Executive Committee 2008



Joe Mayo (Chair)
EOD Technology, Inc.



Hank Allen (Vice-Chair)
MPRI



John Blackton
Creative Associates International



Pieter de Weerd
Medical Support Solutions



Judith McCallum
Agility



Jim Schmitt
ArmorGroup



John South
DynCorp International

[Email jmessner@ipoaonline.org](mailto:jmessner@ipoaonline.org)
The author is Director of Programs and Operations at IPOA.

Addressing the Airlift Shortfall



MILITARY AIRLIFT & RAPID REACTION OPERATIONS 2007

5th & 6th December 2007, Rome, Italy

Supported by:
Armed Forces, ARSAG International, ASD Media, Aviation News, International Peace Operations Association (IPOA)

This year's conference will

- ✓ Help you understand requirements for military and NGO cooperation in human relief operations
- ✓ Discuss the newly formed Movement Coordination Centre Europe
- ✓ Evaluate recent missions in Lebanon, Afghanistan and Iraq
- ✓ Provide a progress report on the A400M
- ✓ Address NATO's requirements and procurement plans (C-17)
- ✓ Review technologies such as MANPADS countermeasures and JPADS
- ✓ Identify how to accomplish aircrew training

Airlift capabilities are paramount to ensure effective Rapid Reaction Operations. This event will reflect upon the changing strategic military field and offer solutions on how to counter the airlift shortfall. The event will bring together leading individuals from military and NGOs, active in airlift programmes for humanitarian relief and military rapid reaction operations. You will have the opportunity to gain an insight into their current programmes and requirements and understand how your organisation can be part of this transformation process.

Speakers include:

- **Brigadier General Barbara Faulkenberry**, Deputy Director, Strategic Plans, Requirements and Programs, **Air Mobility Command, USA**
- **Colonel Danelo Morando**, Deputy Chief, Airlift Logistics Section, **Italian Air Force**
- **Colonel Carey**, Deputy Chief, Security Forces, Mission Support, **US Air Force Europe**
- **Colonel Atilla Darendeli**, Operations Section Chief, SHAPE J4 AMCC, **NATO Shape**
- **Jim Lovell**, Head, Air Defence Section, Air Defence & Airspace Management Directorate, Defence Investment Division, **NATO HQ**
- **Colonel Richard Murphy**, US Transport Command, **EUCOM**
- **Philippe Martou**, Deputy Head of Aviation Section, **United Nations World Food Programme**
- **François Mounis**, Head of the Logistics Division, **International Committee Red Cross HQ Geneva**

For more information please contact Marita Jünemann on +44 (0)207 827 6026 or mjunemann@smi-online.co.uk

Alternatively please visit our website at www.smi-online.co.uk/07milairlift5.asp

WHEN BOOKING QUOTE IPOA AND SAVE £100

Sponsored by:





CARRIE SCHENKEL



Communication. Cooperation. Coordination.

IPOA Annual Summit Focuses on Effective Peacekeeping Operations

THE 2007 IPOA Annual Summit, which focused on Communication, Cooperation, and Coordination in Peace, Stability, and Disaster Relief Operations, was held from October 28th to 30th at the Phoenix Park Hotel in Washington, D.C.

Attendance at the event exceeded expectations, with representatives from every sector participating including U.S. and foreign governments, NGOs, think tanks, international organizations, and the private sector. The involvement of such a diverse group contributed to productive discussions on innovative post-conflict reconstruction, the challenges surrounding logistics and their coordination in difficult situations, ways to ensure personnel safety in hostile environments, and an evaluation of the Provincial Reconstruction Team (PRT) model and how to improve PRTs in the field.

A number of notable keynote speakers participated to share their views on these issues. Sunday evening's reception featured Max Boot, of the Council on Foreign Relations, who shared a brief history of the use of private security contractors in conflict situations and emphasized that in the short term, the use of contractors is inevitable because of the limited military capacity of the

world's militaries. Therefore, according to Mr. Boot, we have to focus on making contractors more accountable and raising standards of conduct.

Michael O'Hanlon, Senior Fellow at the Brookings Institution brought a pragmatic, nonpartisan look at the conflict in Iraq. He focused on what end result we can hope for there and how best to achieve it.

Other contributing keynote speakers included Thomas Baltazar, Director of the Office of Military Affairs in the U.S. Agency for International Development, who opened the conference with a discussion of how USAID is working to be more inclusive of the security aspect of development operations; Jonathan Benton, Director of the Office of Civilian Readiness and Response for the Department of State who highlighted the capabilities and shortfalls of the Office of the Coordinator for Reconstruction and Stabilization; and Jacques Paul Klein, former Under Secretary General for the United Nations, who addressed the efficacy challenge facing the UN.

A selection of video from the conference will be made available on the IPOA Web site shortly. IPOA wishes to thank all of the participants, presenters, and sponsors for making the event a huge success.

Next year's Summit will focus on engaging with regional organizations, and will be held in Washington, D.C. October 26th – 28th, 2008.



Michael O'Hanlon presents the keynote address at the IPOA Annual Summit Formal Dinner.
PHOTO: IPOA



Former Under-Secretary General of the United Nations, Jacques Paul Klein.
PHOTO: IPOA



Council on Foreign Relations Senior Fellow Max Boot presented the Opening Keynote address.
PHOTO: IPOA

IPOA Annual Summit 2007 Sponsors

DynCorp
INTERNATIONAL

EODT
EOD TECHNOLOGY, INC.

Agility
A New Logistics Leader



Olive Group

ARMORGROUP

MPRI

**OVERSEAS
LEASE GROUP**

TerraConcepts, LLC



Save the Date

INTERNATIONAL PEACE OPERATIONS ASSOCIATION

Annual Summit 2008

Washington, D.C.
October 26-28, 2008



RECONSTRUCTION STABILIZATION

a **marcusevans** event

Improving Conflict Resolution and Peacekeeping in Fallen States

January 15-17, 2008
Washington, DC

Pre Conference Workshops January 15, 2008:

- Addressing the Clear Distinction Between Civil and Military Roles in Reconstruction and Stabilization Operations
- Private Sector Mobilization and Management for Relief

**Register By October 19, 2007
To SAVE 10% On Attendance!**

Attending This **marcusevans** Conference You Will Be:

- **Reviewing US Department of State** policies, planning and the necessary transformation required for successful reconstruction and stabilization
- **Providing** insight into how the **US Army Corps of Engineers (USACE)** completes reconstruction and rehabilitations of damaged infrastructure
- **Addressing** interagency collaboration and accomplishing post-conflict Peace-building with the **US Army Peacekeeping and Stability Operations Institute (PKSOI)**
- **Coordinating** the **US Agency for International Development's (USAID)** efforts and programs for post-conflict resolution and stability operations in fallen states

www.marcusevansbb.com/reconstruction2008

Media Partner:



“**Build** interagency collaboration and efficient PRTs to transform reconstruction and stabilization strategies.”

President Bush's FY 2008 International Affairs Budget for the Department of State, USAID, and other foreign affairs agencies totals \$36.2 billion for reconstruction and stabilization operations.



Featured Speakers Include:

Ambassador John E. Herbst
Coordinator for the Office of Reconstruction and Stabilization (S/CRS)
Department of State

Lieutenant General Robert L. Van Antwerp
Chief of Engineers and Commander
US Army Corps of Engineers (USACE)

Stuart W. Bowen, Jr.
Special Inspector General for Iraq Reconstruction
SIGIR

Colonel John Agoglia
Director, US Army Peacekeeping and Stability
Operations Institute (PKSOI)

Featuring Case Studies and Briefings From Leading Experts Including:

Ambassador James Dobbins
Director, Center for International Security and Defense Policy Center
RAND Corporation

The Honorable John W. Blaney III
Former Ambassador of the US to the Republic of Liberia
Department of State

Dr. Hans Binnendijk
Director, Center for Technology and National Security Policy (CTNSP)

Elisabeth Kvitashvili
Director, Conflict Management and Mitigation
US Agency for International Development (USAID)

Tom Baltazar
Director, Office of Military Affairs
US Agency for International Development (USAID)

Judith Dunbar
Conflict Specialist Conflict Management and Mitigation
US Agency for International Development (USAID)

Dr. Conrad Crane
Project Advisor Center for Strategic Studies Institute
US Army War College

Thomas Dempsey
Professor of Security Sector Reform (SSR)
Operations Institute (PKSOI)

Wendy Gilmour
Director Peacekeeping and Peace Operations Group, Stabilization and Reconstruction Task Force Secretariat
Department of Foreign Affairs and International Trade Canada

Michael Mastrodonato
Vice President
Humanitarian International Services Group

Doug Brooks
President
International Peace Operations Association

Patrida Taft
Senior Associate
Fund for Peace

Mike McCausland
Chief Operating Officer
Humanitarian International Services Group



GENERAL CHARLES F. WALD (RET.)

The Phase Zero Campaign

New Thinking Within the Pentagon and USEUCOM



THE U.S. European Command (USEUCOM), headquartered in Stuttgart, Germany, is fighting a new kind of campaign in the global war on terror. With an area of responsibility that includes all of Europe, Russia and Israel, USEUCOM is home to a growing variety of threats. These dangers require new thinking and a new understanding of the differences between theater security cooperation and traditional warfighting. From Norway to Turkey, from Iceland to the far reaches of Russia, USEUCOM is engaged in a wide variety of operations and theater security cooperation activities.

It is through these efforts that the command is fighting the war on terror using a new approach, focusing on terrorism's long-term, underlying conditions. This deliberate strategy of engagement is called Phase Zero, but in truth it is much more than just a new phase of systematic campaign planning; it is a new form of campaign in and of itself. This article examines a number of issues associated with this evolving concept, including the threats in the command's area of responsibility, origins of Phase Zero strategy, and initiatives that make up the campaign.

The security environment is rapidly changing. New threats manifest themselves in high-profile events, such as the bombings in Madrid, Istanbul, and London. But far more frequently, these threats lurk in the shadows. The Al Qaeda network inspires operatives to disguise themselves among thousands of peaceful immigrants in largely unassimilated Muslim enclaves throughout Europe and the vast undergoverned spaces of North Africa serve as fertile recruiting grounds and training areas for fundamentalists/extremists/aspiring terrorists. To confront this growing threat, USEUCOM's Phase Zero campaign places a new emphasis on theater security cooperation and capacity-building with our allies throughout the region.

WHAT IS PHASE ZERO?

The traditional four phases of a military campaign identified in joint publications are deter/engage, seize initiative, decisive operations, and transition. Phase Zero encompasses all activities prior to the beginning of Phase I—that is, everything that can be done to prevent conflicts from developing in the first place. Executed properly, Phase Zero consists of shaping operations that are continuous and adaptive. Its ultimate goal is to promote stability and

peace by building capacity in partner nations that enables them to be cooperative, trained, and prepared to help prevent or limit conflicts. For the United States, this approach is typically non-kinetic and places heavy emphasis on interagency support and coordination. In many instances, Phase Zero involves execution of a broad national strategy where the Department of Defense (DoD) is not the lead agency and its programs are only one part of the larger U.S. Government effort.

The exact origin of the Phase Zero reference is unclear. While it may not have originated with USEUCOM, the command has long applied the Phase Zero concept as a central element of its theater strategy and continues to follow this approach in dealing with a complex and growing threat environment across its large area of responsibility. Moreover, leaders at USEUCOM also realized that the preventive focus of Phase Zero is less costly (in both lives and resources) than a reactive approach to crisis. At the very least, Phase Zero helps set conditions for an easier transition to a more comprehensive U.S. intervention in a crisis. The primary goal of Phase Zero, however, is to invest fewer resources in a pre-crisis situation to avoid an exponentially larger expenditure later. By taking a preventive approach to security throughout their area of responsibility, USEUCOM leaders accepted the fact that the payoff would not necessarily be immediate.

Theater security cooperation is not a new concept. Although it may have been known by other names, such as peacetime engagement, it has always fallen into the category of other-than-war activity. That view is changing, thanks to the maturation of the Phase Zero concept. USEUCOM currently plans and executes various theater security cooperation activities as an active and integral part of the war on terror. The primary objectives are eliminating conditions favorable to terrorists and preventing broader conflict. With operationalized theater security cooperation, USEUCOM has improved on peacetime engagement by bringing together planners and operators from its joint staff, the interagency community, and the component staffs (U.S. Army Europe, U.S. Air Forces Europe, Naval Forces Europe, Marine Forces Europe, and Special Operations Command Europe) to plan engagement activities in a synchronized manner. All Phase Zero efforts are coordinated and executed in accordance with theater strategic plans. The continuous

involvement of the component commands is essential to draw on their individual strengths and avoid duplication of effort, particularly important in the prudent use of finite defense resources.

USEUCOM executes Phase Zero by conducting operationalized theater security cooperation throughout its area of responsibility. Missions range from train-and-equip programs for building capacity in partner nations to regional security initiatives, humanitarian assistance actions, and similar "hearts and minds" engagements. This active theater security cooperation strategy is aimed at protecting U.S. interests, promoting stability, and defeating terrorism and its underlying causes.

Phase Zero (or "the time prior to the beginning of a crisis") relates strongly to the deter part of deter/engage as described in Joint Publication 3-0, Doctrine for Joint Operations; thus, it could be argued that Phase Zero is simply a subset of Phase I under current joint doctrine. Yet, Phase Zero is much more than deterrence and goes beyond mere engagement. It is an active effort to win the war on terror by destroying terrorism at its roots, while avoiding the high cost of major actions by conventional forces. USEUCOM has launched a non-kinetic offensive that will deny terrorists resources and sanctuary and counter the proliferation of weapons of mass destruction, while building partner nations' capacity to do the same. USEUCOM is striking at the enemy's most significant center of gravity—the ideological base and popular support—by encouraging European and Central Asian audiences to abandon radical causes. Most importantly, if executed successfully, Phase Zero eliminates the need for Phases I through IV. The goal is to sustain Phase Zero engagements with no transition to subsequent conflict. This long-term, open-ended endeavor makes it more appropriate to describe Phase Zero as a campaign in and of itself—a new kind of campaign that must be fought continuously by U.S. joint forces in concert with the interagency community and in cooperation with allies and partner nations.

BACKGROUND GRAPHIC: J. J. MESSNER
BACKGROUND PHOTOS: ALL UN



The author was Deputy Commander of the U.S. European Command (USEUCOM), 2002-2006. This article originally appeared in Issue 43 of Joint Forces Quarterly.

ROBERT VAINSHTEIN

A New Approach to Stabilization

Phase Zero in Relation to the Four Pillars of Stabilization

OVER the last decade, the U.S. military has faced a number of new forms of traditional security problems that are emerging from the developing world. The threat of nuclear attack, once thought to emanate exclusively from rogue states such as North Korea and Iran, is now increasingly posed by stateless, radical Islamist groups that have the financial means and technical expertise to build their own weapons. Local political rebellions in Africa that previously could be contained have morphed into engines for vicious, protracted civil wars, fueling state collapse across neighboring countries, and in the process, tearing apart the social fabric of these nations. And in what is a most disturbing trend, terrorist networks have become amorphous in structure and suicide-driven in strategy, conducting recruiting, training and largely unpredictable suicidal attacks from Afghanistan and Iraq to Algeria and the Horn of Africa. These new permutations have prompted innovative thinking inside the Pentagon, resulting in new models for strategic engagement such as Provincial Reconstruction Teams (PRTs) and the forthcoming U.S. military's Africa Command (AFRICOM). At the core of these initiatives is Phase Zero, a novel stabilization strategy aimed at eliminating the conditions conducive to terrorism and state failure.

Under U.S. military doctrine, Phase Zero refers to all activities and operations undertaken in prior to the beginning of a potential crisis. As a concept, Phase Zero represents a pre-conflict time frame, and is aimed at pre-crisis situations. As a strategy, it is focused on stabilizing weak and failing states through an interagency, non-kinetic approach. Integrating the resources and competencies of the Department of Defense, the Department of State, USAID and other federal agencies, Phase Zero operations aim to build security and intelligence capacity in host nations, local infrastructure such as hospitals, wells and sanitation systems, and information systems capable of countering the influence of radical Islamist ideology. This soft-power emphasis means that Phase Zero operations can be performed by limited manpower in a range of countries — an important feature in light of the growing threat of Islamist terrorism and failing states in North Africa and central Asia, and the current U.S. commitments in Iraq and Afghanistan.

Given the comprehensive approach to stabilization envisioned for Phase Zero operations, military planners will find it necessary to look beyond security capacity-building and draw on stabilization theory as a whole, as expressed in the four pillars of stabilization. Known as ESPM, these four pillars are: 1) economic reform, 2) social reform, 3) political reform, and 4) military reform. Yet ESPM is framed for post-conflict reconstruction, not the pre-conflict scenarios envisioned for Phase Zero. The distinction here is significant. Whereas the focus of Phase Zero is to eliminate the roots of instability and terrorism over the long-term, the priority for post-conflict reconstruction is to create a minimally capable state in the



As the U.S. military's attention is drawn from conventional rogue states such as North Korea, a change of strategy is required.

short run. As a result, Phase Zero and ESPM are at odds conceptually. But in practice, Phase Zero operations will also need to target post-conflict states, given the proximity of failed states to weak and failing states in many parts of the world, and the consequent implications for regional security. Moreover, the processes of stabilization are similar in post-conflict and failing states. The task for U.S. military planners is to distinguish those strategies that must be introduced specifically in pre-conflict settings.

Looking at each pillar, we can identify specific strategies in the areas of economic, social, political and military reform that are best suited for weak and failing states:

- **Economic and Social** reforms should prioritize the creation of employment opportunities to spur economic growth and provide the populace with the means to meet their basic needs. Given the wholesale lack of basic infrastructure that is characteristic of failing states, jobs should be created through public works projects such as the construction of roads

and water and electricity facilities. Directed by members of the U.S. Army Engineers Corp and technical advisors from other U.S. agencies, these projects would invest local residents into meeting the basic needs of their communities and remunerate them for their service. Together, jobs and access to public services form an effective counter to civil unrest and insurgency in countries suffering from endemic poverty.

- **Political** reforms should focus on enhancing public participation and identifying sources of corruption. Mass alienation and disenfranchisement are a widespread reality in weak and failing states. In the void of political engagement, discontented populations are extremely susceptible to radical Islamist ideology. The task for USAID and State Department officials is to establish local civil administration structures that offer the populace a stake in the political process. Building civil confidence and a participatory political culture is also dependent on targeting corruption. By funding the creation of regulatory positions such as inspectors and ombudsmen and of indigenous civil society and media groups, anticorruption efforts can begin to emerge.

- **Military** reforms should focus on military training and building sub-regional intelligence capabilities to track terrorist operations across regional neighboring countries. In weak and failing states, the road to democratic reform and economic development can only begin when citizens believe their lives and property are secure. It thus behooves military planners to continue focusing Phase Zero operations on professionalizing African militaries and supplying them with the necessary training and equipment to carry out law enforcement.

These prescriptions offer an initial blueprint for adapting the four pillars of stabilization to meet the immediate needs of weak and failing states. By targeting the objectives for each pillar, U.S. officials will jumpstart the stabilizing influences needed to counter radical Islamist groups and the collapse of failing states, while beginning the long process of ushering in democratic principles and the rule of law into political and military institutions. Indeed, the path to stability, democracy and security in weak and failing states will be a long one. But ultimately it must start from Phase Zero.

Email rvainshtein@ipoaonline.org
The author is a Legal Affairs Associate IPOA.



Phases of Major Theater Contingency Operations

From Phase Zero to Phase V, Understanding Doctrinal Progression

WITH the unique capacity to project power around the globe, the Armed Forces of the United States combine to make the most capable fighting force in the history of the world. The quantity of personnel and the size of the U.S. defense budget are clearly essential in making the Armed Forces a formidable power, but excellent individuals and large budgets alone do not ensure the ability to effectively fight and win major theater contingency operations.

Engaging in successful contingency operations requires the ability to direct the service components together on behalf of a common plan. This plan harnesses the strength of each branch of the armed forces and utilizes them jointly to engage in coordinated offensive and defensive operations. The common plan for the U.S. Armed Forces is the *Joint Operations* doctrine published by the Department of Defense and written under the guidance of the Chairman of the Joint Chiefs of Staff.

This extensive publication offers guidance to force commanders on the means and methods that should be used to organize, train, and execute worldwide missions as U.S. forces develop to meet the emerging challenges of 21st century warfare. A major component of the *Joint Operations* doctrine provides guidance on the phased command and control of military actions in major theater warfare.

According to the *Joint Operations* doctrine, "the primary benefit of phasing is that it assists commanders in systematically achieving military objectives that cannot be attained all at once by arranging smaller, related operations in a logical sequence. Phasing can be used to gain progressive advantages and assist in achieving objectives as quickly and effectively as possible. Phasing also provides a framework for assessing risk to portions of an operation or campaign, allowing development of plans to mitigate this risk." [1]

Although the planning and execution of these phases will generally differ depending on the campaign in which they are being applied, some aspect of each is likely to be present in all U.S. military operations. *Joint Operations* doctrine describes the phases of major theater contingency operations as: 'Phase Zero'-Shape; 'Phase I'-Deter; 'Phase II'-Seize the Initiative; 'Phase III'-Dominate; 'Phase IV'-Stabilize; and 'Phase V'-Enable Civil Authority.

PHASE ZERO—SHAPE

In this phase, operations are designed to

"shape" the governmental, economic, civil society, and security components of the operating environment in such a manner that violence and conflict are made less likely or even unnecessary. The emphasis on 'Phase Zero' operations by many in academia, the NGO community, and the military comes from the belief that the destructive costs—in both lives and money—of major combat operations can be lessened if the conditions necessary for peace and stability are engendered ahead of time, and the knowledge that the level of military effort required to be effective in this phase is dramatically lower than in other phases of major theater contingency operations.

PHASE I—DETER

The objective of this phase is to deter the adversary from undertaking actions that are undesirable to the U.S. mission. Deterrence in this phase is a demonstration of the capability and resolve of the joint force, and differs from the deterrence that occurs in the 'shape' phase in that it is largely characterized by preparatory actions that specifically support or facilitate the execution of subsequent phases of the operation.

PHASE II—SEIZE INITIATIVE

The primary focus of 'Phase II' operations is to deny the enemy its objective. This is done by executing offensive operations at the earliest possible time, with the aim of delaying, impeding, or halting the enemy's aggression, and otherwise creating the conditions for the exploitation, pursuit, and ultimate destruction of enemy forces. During this phase, joint forces strive to gain access to infrastructure and to stabilize all lines of communication. [2]

PHASE III—DOMINATE

The "dominate" phase requires the deployment of a decisive force capable of breaking the enemy's will for organized resistance and gaining unqualified control of the operational environment. Where possible, land, maritime, and aviation assets should be jointly employed at this time, as success is dependent upon overwhelming the enemy at the critical time and place. Operations during this phase will vary depending on whether the joint forces are focused on fighting conventional or unconventional enemy forces. If combating conventional forces, the "dominate" phase normally concludes with decisive operations that unconditionally defeat the enemy and achieve the joint forces command's operational objectives. Against unconventional enemies, decisive operations are characterized by dominating and controlling the operational environment through a combination of conventional/unconventional, information, and stability operations.

PHASE IV—STABILIZE

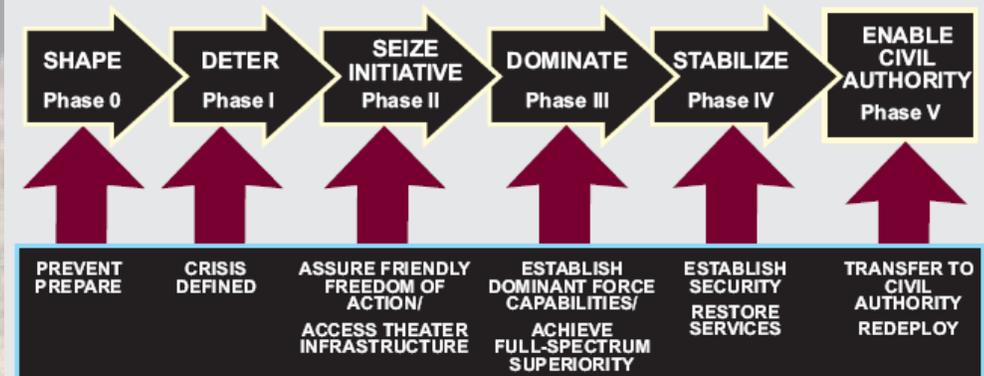
Stability operations have been indoctrinated as a necessary component phase of military operations, meant to ensure that the threat (military and/or political) is reduced to a manageable level capable of being controlled by the newly reorganized civil authority or, in non-combat situations, to ensure that the circumstances leading to the original crisis do not reoccur. The phased transition from "dominate" to

CONTINUED NEXT PAGE

BACKGROUND: SGT. TIMOTHY KINGSTON/U.S. ARMY

 [Email dwright@ipoaonline.org](mailto:dwright@ipoaonline.org)
The author is the Director of Development at IPOA.

Phasing Model



FROM PREVIOUS PAGE

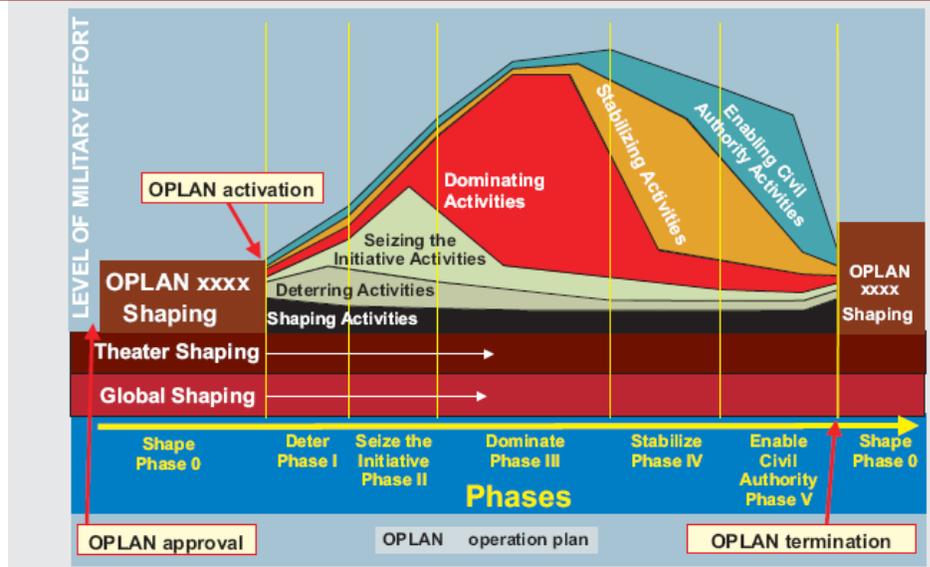
stabilize” can occur even if residual combat operations are still underway within the theater of operations, as long as the primary governance centers are firmly under control. During this phase, the joint forces will likely be required to perform limited local governance along with the support of international and non-governmental organizations until legitimate local entities are functioning.[3]

PHASE V—ENABLE CIVIL AUTHORITY

This phase is predominantly characterized by multilateral support to legitimate civil governance. The goal at this point is to enable the viability of the civil authority and ensure its ability to provide essential services to the largest number of people as possible in the region. The military end state is achieved during this phase, signaling the end of the joint operation.

Recognizing that states emerging from conflict are often some of the more vulnerable in the world, the joint forces

Notional Operation Plan Phases Versus Level of Military Effort



should recognize the need to return to 'Phase Zero' operations, and attempt to instill the pillars of stability required to prevent a return to violence.

ENDNOTES

1. JP 3-0, *Joint Operations*.
2. *Ibid*.
3. *Ibid*.

INTERNATIONAL ARMORED GROUP CUSTOM ARMORED VEHICLE MANUFACTURER



- FULLY CERTIFIED BALLISTIC VEHICLES
- ENGINEERED FOR SAFETY AND STABILITY
- SERVICE PROVEN - LOW MAINTENANCE
- OVER 1000 VEHICLES IN USE IN IRAQ
- 250 VEHICLES IN AFGHANISTAN
- USED BY THE BETTER SECURITY COMPANIES
- MEMBER IPOA & PSCAI

www.interarmored.com



LAWRENCE J. KORB AND MATTHEW R. FORGOTSON

The Case for Prudent Intervention

Why the U.S. Should Focus on Prevention Rather than Cure



THE American people cannot allow their disenchantment with the Iraq War to metastasize into a general aversion to future intervention. Burying heads in the sand has never been a viable national security strategy, but as the world's sole superpower in an age of inter-connectedness and imminent threat such an approach is doubly imprudent.

In 1799, George Washington wrote, "There is nothing so likely to produce peace as to be well prepared to meet the enemy." In this age of terrorism, tyrants, and weapons of mass destruction, can Americans honestly say that they are prepared to meet their enemies? The answer from the frontlines in Iraq and Afghanistan, from the heroes who are fighting on these fronts, appears to be no. Violent extremists, extreme regimes, and weak and failing states pose the greatest risk to our national security. In the face of these challenges, the U.S. must work with, rather than against, the international community.

These non-state actors cannot be deterred. Al Qaeda and its affiliates are willing, perhaps even eager, to die for their cause. At its best, a counterinsurgency strategy based on conventional military force is insufficient; at its worst, such a strategy is counterproductive, as more men, women, and children direct their frustration, anxiety, and pain against American troops. The American people must brace themselves for a protracted struggle; indeed, two or three generations may be necessary to win the hearts and minds of those in the Islamic world who are attracted to these groups. A single country, even if it is a superpower, cannot shoulder the entire burden, in lives and resources, of this enormous enterprise. Moreover, in a fight against an anonymous, fluid enemy, access to international intelligence channels is essential. The U.S. is neither omnipotent nor omniscient.

The U.S. must also work with the international community to address the threat posed by extreme regimes like Iran and North Korea. While we should continue to implement our own sanctions to gain leverage over rogue regimes, we must also work with international institutions, specifically the UN and NATO, to enact sanctions which carry the moral authority of the entire peace-seeking world.

Furthermore, working with the international community opens back-channels, which provide critical information and lower the probability of miscalculation. The recent agreement from the Six-Party

talks, whereby North Korea agreed to dismantle its nuclear weapons assembly facilities in exchange for fuel oil, economic and humanitarian aid, and the promise of the normalization of relations with the U.S., proves that multilateral diplomacy can offer a viable alternative to military force.

In wartime, the international community will serve critical functions, from intelligence gathering and sharing to troop commitments and logistical support to post-

again. Next, the ground forces must be expanded and outfitted and trained for irregular operations, including counterinsurgency, peacekeeping and stabilization. Finally, America must level with its people. Being honest and clear with the public about the potential costs and challenges of intervention is essential to ensuring the support of the American people. The public was promised that Iraq would be a "cake walk," that reconstruction



Winning hearts and minds should happen before conflict and not after.
PHOTO: CPL BRIAN M. HENNER/U.S. MARINE CORPS

conflict resolution and reconstruction. The Iraq War should stand as a solemn reminder that the costs of war waged by a few are borne by many.

It is imperative that we redouble our efforts to address weak and failing states, where groups with extreme worldviews can and have flourished. The correlation between weak and failing states and Islamic extremism is evident today all over the world, specifically in places like Iraq, Afghanistan, Lebanon, Pakistan, and Somalia. Were the U.S. to attempt to provide all of the humanitarian aid, governmental guidance, and public diplomacy necessary to stabilize every weak and failing state on the planet, it would surely fail. The U.S. must encourage the international community to deem weak and failing states a principal struggle, perhaps the principal struggle, of the Twenty-first century. But as the global superpower, America must take the leadership role.

The U.S. must also take corrective action at home. First, it must prepare its armed forces. After the Gulf War the U.S. military literally tore up the counter-insurgency manual. This cannot happen

would pay for itself, and that Saddam Hussein was a real and growing threat armed with weapons of mass destruction and linked to Osama bin Laden and the attacks of September 11, 2001. As General Colin Powell, former Chairman of the Joint Chiefs of Staff, pointed out some fifteen years ago, the U.S. should only engage in war when the American public, the President, and the military all have a clear and honest notion of what to expect, including the reasons for entering such an engagement and an exit strategy.

When America replaces President Bush's doctrine of waging preventive wars with a more sustainable doctrine of prudent intervention, whereby it views the international community as an asset rather than a liability, answers tough questions with substance rather than sound bites, and wages war only as a last resort, it will be stronger, safer, and more secure.



[Email lkorb@americanprogress.org](mailto:lkorb@americanprogress.org)
Lawrence J. Korb is a Senior Fellow at the Center for American Progress.
[Email mforgotson@americanprogress.org](mailto:mforgotson@americanprogress.org)
Matthew Forgotson works for the Center for American Progress.

CECILIE BEISE

Moving Away from Phase Zero

The G8 Demonstrates Weak Support for Phase Zero in Africa

AT the annual summits of the G8 – the group of the world's seven richest nations plus Russia – the Phase Zero campaign seems to have taken a back seat to military responses to conflict, especially in the context of contributions to building up the African peace and security architecture. The G8 has become an increasingly important partner and contributor to African organizations' peace and security agendas. The G8 countries have, during their annual meetings, established their willingness and intention to help build the African Union's peace and security framework.

All G8 summits this decade have to a certain extent focused on African peace and security. Starting with the 2001 Genoa, Italy summit, the G8 heads of state launched the Genoa Plan for Africa, as an immediate and spontaneous initial response to the New African Initiative presented at the summit by African Presidents Thabo Mbeki of South Africa, Olesegun Obasanjo of Nigeria and Abdoulaye Wade of Senegal. The G8 also set up an Africa Group to prepare their definitive response to be agreed at Kananaskis, Canada in 2002.

At Kananaskis, the G8 considered ways to use economic and development assistance to address causes of conflict. Their support for the New Partnership for Africa's Development could be seen as including aspects of a Phase Zero campaign, since economic progress and poverty reduction curtail the build-up of terrorist networks in disenfranchised communities and potentially prevent underlying tensions over socio-economic inequalities from escalating into violent conflict. Their Africa Action Plan not only set out a deadline for building African conflict prevention capacities but also laid out a plan for dealing with hot spots on the continent, such as D.R. Congo and Sudan.

The 2003 summit in Evian, France saw a shift in approach, however, from conflict prevention through development (Phase Zero) to peace and security, especially as related to military responses to conflict. The Joint Africa-G8 Plan to Enhance African Capabilities to Undertake Peace Support Operations concentrated most of the resources and efforts on training peacekeepers and developing capacities to deploy African-led peace operations rather than providing much-needed financial assistance for Phase Zero and conflict prevention initiatives.

The subsequent summit at Sea Island, United States also focused on African peace and security as the Peace Building Initiative, an expansion and continuation of the Kananaskis commitments, promised more funding for conflict management and centers on creating peacekeeping corps. The proposal that stemmed from Sea Island concentrated exclusively on building peace support operations capabilities in Africa and globally. It committed member states to:

- engage in training and equipping peacekeeping troops;
- develop peace support capabilities in regions that are capable of deploying in Africa;
- establish transportation and logistics arrangements; and
- train gendarme-like forces for African peace support operations.

However, this proposal lacked continuity with either of the preceding proposals that emerged from Kananaskis or Evian.

Many G8 countries also increased funding for counter-terrorism programs, which could be construed as a Phase Zero program insofar as these programs address the root causes of terrorism and conflict. Another initiative that emerged from the earlier summits was the Action Plan on Expanding Global Capacity for Peace Support Operations. This action plan is heavily geared toward training African peacekeepers and demonstrated that the G8 was inclined to support and finance peacekeeping capacity-building efforts more so than Phase Zero projects that aim at long-term conflict prevention.

A year later, at the summit in Gleneagles, Scotland, Africa was again a top priority and the G8 countries committed to increases in aid as well as enhanced support for building up the peacekeeping capacities of the African Union (AU), particularly in light of its failure to halt the genocide in Darfur. At the 2007 G8 Summit in Heiligendamm, Germany the G8 countries reaffirmed their commitment to conflict prevention initiatives, especially through supporting the build-up of the AU and African subregional organizations' conflict



The G-8 leaders at Heiligendamm, Germany in 2007.
PHOTO: PRESS AND INFORMATION OFFICE OF THE GERMAN FEDERAL GOVT

prevention capacities. The focus remained primarily on peacekeeping capabilities and the creation of an operational African Standby Force.

Although not always at the top of the agenda, the G8 has attempted to work with African nations to create a conflict prevention system on the continent. Oscillations between focusing on conflict prevention and conflict management could be said to reflect the tension between financing the urgent needs of current peacekeeping operations, such as the AU mission in Darfur, versus the long-term goals of building up conflict prevention capacities, such as early warning systems. At the beginning of the decade the G8's aspirations were to enhance African conflict prevention and resolution capacities as well as longer term post-conflict reconstruction capabilities. However, this focus has migrated to improving African military responses to conflict.

The G8 not only ignores some of the main aspects of the African peace and security agenda, it also takes a paternalistic approach to African organizations and the African peace and security regime. The G8 habitually fails to ask the AU and its member states where funding is needed. Instead, the G8 dictates to a certain extent capacity building and development of the African peace and security architecture. Hopefully G8 commitments will have positive and long term benefits for the build-up of the African Standby Force brigades, which is one of the crucial elements of the emerging African peace and security architecture. G8 countries will likely continue to provide substantial support for the development and improvement of peace operations capacities on the continent because the alternative – their own boots on the ground – is a much costlier affair.

Email Cecilie Beise at cbeise@ipoonline.org
The author is a Research Associate at IPOA.



WESTERN AUTO



**Your one-stop shop for
all your mobile needs in the field.**

LT. COL. MICHAEL ROSTEK AND DR. PETER GIZEWSKI

A Canadian Approach to the Private Sector

Developing a Comprehensive Framework for Public-Private Collaboration

IN today's security environment, successful military operations are unlikely to be achieved through the use of military force alone. In a world where conflict often involves myriad ethnic, religious, ideological and material drivers, an ability to bring to bear all instruments of national – and international – power and influence on a problem in a timely, coordinated fashion is increasingly essential to achieving effective results. The roster of potential players is extensive – and could include not only various components of the military itself, but foreign affairs, international development and aid agencies and a wide range of NGOs. Increasingly as well, they may include private companies in the peace and stability operations industry.

Private companies are an increasingly permanent fixture on the international stage. Their significance as key sources of expertise and support cannot be dismissed due to the demands of contemporary conflict and the resource limitations on governments charged with meeting those demands. Today, states as well as development agencies, international organizations, multinational corporations and NGOs make use of private companies for a variety of reasons – from logistics to force protection to intelligence.

Yet such organizations also can also pose problems. Driven by the profit motive and not subject to a regulatory framework or accepted code of conduct, private companies may engage in behavior that is both tactically dangerous and strategically counter-productive. Initiatives that leverage the benefits of private companies and reduce or eliminate problems are at a premium. In this regard, recent efforts by the Canadian Forces aimed at developing a comprehensive approach to military operations demand consideration.

The comprehensive approach involves diplomatic, defense, development and commercial resources, aligned with those of numerous other agencies, coordinated through an integrated campaign plan and applied in areas of operations as needed. It views traditional and non-traditional military activities being carried out collaboratively within a broader context known as the Effects Based Approach to Operations, a coordinated set of actions



aimed at shaping the behavior of intended targets. The net result would be greater mission effectiveness.

The approach derives heavily from “whole of government” and 3D+C (i.e. defense, diplomacy, development and commerce) philosophies articulated and advanced at the Canadian national level in recent international and defense policy statements. These philosophies call for bringing previously separate agencies into closer collaboration in achieving policy objectives. In fact, a comprehensive approach encapsulates many of the capabilities that these philosophies identify. Indeed, it involves developing a capacity to interact with such players in a cooperative, constructive manner.

To be sure, military interest in the approach reflects a growing belief in the importance of achieving greater interoperability and collaboration among key players in the operational arena as well as in the development of the requisite networking capabilities and skills essential to achieving one's objectives. Yet even more fundamentally, it stems from a growing consensus that outward-focused, integrated and multidisciplinary approaches to security threats and challenges must be the norm given the complex problems and challenges posed by an increasingly multidimensional security environment.

The approach reflects the Canadian Forces' need to address such challenges. In fact, it is critical in order to balance the requirement to be able to fight and win in war – the Canadian Forces' fundamental role – with the need also to be able to undertake a wide range of operations other than war. The approach would involve the ability to facilitate the building of interagency and multinational interoperability through collaborative planning mechanisms and protocols. The approach would also create an ability to connect non-governmental agencies with Canadian Forces operational architecture and provide liaison to support these agencies in the execution of the mission.

Movement toward a more comprehensive Canadian approach is

underway. Especially noteworthy are Canadian Land Force initiatives aimed at developing a force that is more Joint, Interagency, Multinational and Public (JIMP)-enabled. In fact, the Land Force concept of JIMP offers one means of constructing a Canadian Forces-wide comprehensive approach to operations. In essence, the term JIMP is a descriptor that identifies the various categories of players (i.e. organizations, interest groups, institutions) that inhabit the broad environment in which military operations take place. Yet to be “JIMP-capable” entails the adoption of an approach to operations – both domestic and international – that allows such players to effectively interact. Most importantly, it involves a belief in the requirement to adopt a comprehensive approach to problem solving that involves the holistic consideration – and ideally the coordination – of all relevant players, including private companies.

As the concept matures, so too will initiatives aimed at developing new relationships both within and between organizations – with the nature of the collaboration developed reflecting the characteristics, concerns and goals of each. Initial efforts will doubtless focus on the creation of sustained dialogue and discussion in an effort to generate some degree of a shared understanding between players. The creation of mutually acceptable frameworks for collaboration and cooperation may well follow. In time, such work may even help yield a regulatory framework conferring greater legitimacy on private companies as players in military operations. The ultimate result may be the creation of a private-public sector solution to many of the problems of international conflict and the development of new norms of conflict resolution for an anarchic world.

Whatever the outcome, recent experience makes clear that private companies will remain significant actors on the international stage and as such they must be addressed. Efforts by the Canadian Forces to develop a more comprehensive approach to military operations offer some hope of a solution. At the very least, Canadian efforts raise the prospect of drawing private companies and other organizations into a web of relationships capable of increasing mutual understanding and ultimately more constructive and effective collaboration in tackling the challenges posed by military operations in the years to come.

*Lt. Col. Michael Rostek is a Staff Officer at the Canadian Royal Military College.
Dr. Peter Gizewski is a Defence Scientist/Strategic Analyst with Defence Research and Development Canada.*

TIMOTHY B. REID

Why the United Nations Needs Private Security

Finding Ways to Make UN Peacekeeping More Effective



PRIVATE security companies can readily assist UN peacekeeping and peace-building missions around the world. Given ongoing problems for troop contribution and quality from UN member states, private sector solutions have proven effective but remain underutilized. Much of this is due to the uncertain legal and regulatory status of private sector actors as well as ideological and political resistance. Improving the regulatory framework will likely be a long, complicated and politically charged process.

In the 1992 Agenda for Peace, then-UN Secretary-General Boutros Boutros-Ghali emphasized problems with international contributions to UN peacekeeping – many peacekeepers arrived ill-equipped and ill-prepared. The situation deteriorated throughout the 1990s, exemplified by reticence to support missions in Rwanda, Sierra Leone and the Democratic Republic of the Congo. Many troops arrived under-equipped and untrained, with different interpretations of command and control, different rules of engagement, and different mission requirements for the use of force.[1]

This issue has been especially acute regarding security, stabilization and reconstruction operations (SSR). Indeed, the troop situation has had an enormous impact on the ability of civilian sections to complete their duties. In one UN mission in Africa, a single battalion was posted to the main conflict area, and unable to provide adequate security. Conversely, a very large UN presence has sometimes made civilian missions hard to accomplish.

The actions and treatment of private companies should be put in the larger context of reasonable alternatives, given the weak policing of contingents sent to

multinational peacekeeping missions. The efficacy of private companies can be enhanced through adequate legal and regulatory frameworks. Besides applying international instruments, several countries have national legislation aimed at private security companies. Other instruments, such as *The Voluntary Principles on Security and Human Rights*, devised jointly by the United Kingdom and United States, primarily targets corporations, particularly extractive industries.

Much of the present flurry of activity about private security concerns their large numbers in Iraq and the lack of effective legal enforcement mechanisms.

For example, a fundamental problem with Iraq's Judicial System is its weak enforcement capability. The *Military Extraterritorial Jurisdiction Act* (MEJA) of 2000 establishes federal jurisdiction over certain criminal offenses committed outside the U.S. by persons employed by or accompanying the Armed Forces, or by members of the Armed Forces who are released or separated from active duty prior to being identified and prosecuted.

A potentially more effective way to keep private companies in line is through the contract which outlines their conditions of service. Provisions that stress training in international human rights and humanitarian law, concrete performance benchmarks, self-evaluation, enhanced whistleblower protections and third-party beneficiary suit provisions would strengthen accountability among companies.

The UN should also revamp or revoke its *International Convention against the Recruitment, Use, Financing and Training of Mercenaries* in order to provide a definition appropriate to the times. Until then, the UN should encourage a pragmatic approach to self-regulation. Private security companies should be treated primarily as private sector actors and thus brought into consultations concerning the United Nations Global Compact, the draft *Norms on the Responsibilities of*



Security is often a necessary component of UN peacekeeping missions, as demonstrated by these Moroccan peacekeepers in D.R. Congo.
PHOTO: MARTINE PERRET /MONUC

Transnational Corporations and Other Business Enterprises with Regard to Human Rights and the Voluntary Principles.

In order to achieve better control and transparency of private security companies – reassuring the UN and donors – a new regulatory mechanism needs to be established that balances rigor and flexibility. This will take time. Meanwhile, more use can be made of private companies using existing procedures. The following simple actions are not hard to implement given a modicum of political will and drive on the part of the UN Department of Peacekeeping Operations; yet they would dramatically improve operations on the ground:

- Create a roster of reliable companies the UN can call upon and write enforceable contracts based on a “boilerplate” of performance and human rights criteria;
- Hire private security companies to perform point guard and mobile duties for civilian UN sections thus freeing up contingent forces;
- create coordination mechanisms in peacekeeping missions with industries and private security companies to ensure safe development of natural resources and corporate responsibility;
- Convince donors to invest more in private

CONTINUED NEXT PAGE

[Email Timothy Reid at reidt@un.org](mailto:reidt@un.org)
The author served as part of a Canadian contingent of UN peacekeepers in D.R. Congo.



UN Peacekeepers provide armed protection for a refugee convoy in Burundi.

PHOTO: GABRIEL PIPER/ONUB

FROM PREVIOUS PAGE

companies to rebuild the security sector of states with critical needs.

- Establish trust funds through UNOPS for particular missions to which donors can make their contributions.

Without the political sensitivities of Member States to worry about, non-performers can more readily be fired and replaced. Different methods can be tried in different missions. If pilot projects succeed, they break the path for more ambitious projects. It is easier to try this in a new mission (i.e., Darfur) than in one that is ongoing and in which Member States already have vested interests (i.e., Haiti).

It is open to question whether a contingent of private security companies needs to come with its own leadership cadre or whether most could simply be put under the authority of the UN security officer to be deployed at his discretion. Private personnel under direct command of UN Security officers might increase accountability to the UN but may be impractical in situations where speed of deployment is important. If private companies have pre-formed units, then it may be preferable to have commanders who already know their people. Where possible, private companies use local staff professionally managed, as they are more cost effective and sustain community relations. However, sometimes it will be

necessary to bring in foreign staff to ensure neutrality or requisite skill levels. Normally, the preference will be for nationals from trusted developing countries. This will also give the UN more ability to get staff that is "acceptable" to the host country yet still effective.

One of the big advantages of private companies is that solutions can be more easily tailored to fit the needs of the UN client. Within the United Nations, agencies and departments such as the UN Department of Safety and Security, the Executive Committee on Humanitarian Affairs, UN Development Group, the Inter-Agency Standing Committee, and Department of Peacekeeping Operations should coordinate on private sector issues.

The world continues to be plagued by conflicts, especially in Africa. Economists are finally starting to realize that security, taken for granted in the industrialized world, is the bedrock of development. It would be nice if all countries were willing to pull their weight by contributing well trained and disciplined troops to places where they have no clear national interest but this is not the world we live in. We must consider the private sector in the larger context of reasonable alternatives: policing of contingents sent to



Some UN missions, such as UNIFIL in Lebanon, have witnessed a substantial show of security, as in the case of these French troops. PHOTO: UNIFIL

multinational peacekeeping missions is inadequate. Even highly professional soldiers from the Canada, the United Kingdom and the United States have come under fire for abuses. We must put aside diplomatic niceties, ideology and intellectual posturing to achieve the aim of relieving the misery of millions. Though not a panacea, a well managed roster of private security providers is a useful part of the solution.

ENDNOTES

1. United Nations. 1992. *Report of the Panel on United Nations Peace Operations*. United Nations: New York: 103-109.



Iraq Development Program IDP
برنامج تنمية العراق أي دي بي

Iraq Defence, Security & Communications Summit 16-17 February 2007, Dubai, UAE

The forthcoming Iraq Defence, Security & Communications Summit (IDSC) has received a huge boost with the news that Iraqi Defence Minister His Excellency Abdul Qadir Obeidi will be attending to hold discussions with international defence contractors over the course of the event. The summit, which will take place in Dubai on 16-17 February 2008, will welcome H.E. The Minister along with a team Deputies and Director Generals, to discuss Iraqi defence issues and to forge the relationships that will aid the development of the sector in Iraq.

Welcoming strong support from the Iraqi Ministries of Defence, Interior, National Security Affairs, Communications and Science & Technology – along with their counterparts from the Kurdish Regional Government (KRG) – the purpose of the summit is to provide the opportunity for officials to meet with the international business community and discuss the practical, commercial and technical solutions required to aid the defence, security and ICT sectors. The IDSC Summit will focus heavily on Iraq's various security and defence requirements, including the Iraqi police service, defence and security equipment procurement, civil defence, border enforcement, fire service and facilities protection and the role of private security companies. Solutions from the telecommunications and technology sectors will also be discussed. A number of the pre-eminent operators in the defence, security, technology and telecoms market have already confirmed their participation at the summit.

A limited number of delegate passes are available for this summit, while there are also potential sponsorship opportunities available for suitable organisations. To find out more about these please email: info@developmentprogram.org

www.iraqdevelopmentprogram.org



RICHARD TUGMAN

A User's Guide to the Defense Base Act

What Every Private Contractor on U.S. Government Contracts Needs to Know



WORKERS compensation laws in the U.S. are comprised of statutes enacted in each of the fifty states that lay out what benefits are paid to workers following on the job injuries. Each state has its own laws, however generally speaking, provided the injury occurred during and within the course of employment, the injured worker or the family of a deceased worker, is guaranteed certain benefits.

These benefits are usually paid by insurance companies that provide workers compensation insurance to employers. In exchange for receiving guaranteed benefits, the worker or the surviving family gives up the right to sue the employer for damages. This *quid pro quo* of sorts was designed to provide the best framework for protecting employees by guaranteeing benefits for injured workers and encouraging employers to hire workers who no longer had to fear being sued by employees for damages.

The *Defense Base Act* (DBA) was enacted in 1941 as an extension to the *Longshore and Harbor Workers Act*. In essence, Congress wished to extend workers compensation coverage to those employees working on U.S. Government contracts where the work took place outside of the continental U.S.

The DBA itself was originally created only to apply to U.S. bases abroad. Later in its evolution, the Act was amended to include contracts for public works for a vast array of projects including dams, schools and embassies to name but a few. Today, almost all U.S. Government contracts for work performed outside of the U.S. come under the terms of the DBA. The DBA is administered by the U.S. Department of

Labor, Office of Worker's Compensation Programs (OWCP) Division of Longshore and Harbor Workers Compensation.

There are many ways that a DBA claim for injury or death of an employee can be triggered. One needs to remember, however, that a claim does not have to relate to a defense matter nor occur on a military base. There is also no nationality requirement - all nationalities are covered and all contractors from the prime to the most far removed subcontractor are all required to carry DBA coverage irrespective of whether DBA coverage is specified in the contract.

Not all claims for injuries or death will be covered under the DBA. Indeed, the courts have developed a couple of doctrines when considering coverage under the DBA.

- The "Zone of Danger" doctrine generally holds that if the injury or death occurred in the zone of danger then the claim is covered whether or not the injury is related to job duties.
- The "Reasonable Recreation" doctrine which holds that the employee's injury or death must arise out of or in the course of the employer's furnished, funded or promoted recreational activities. Under this doctrine the courts have included activities which would not necessarily spring to mind as being covered.

Employers have a number of alternatives in order to discharge their responsibilities under the DBA. The first would be to buy appropriate insurance coverage as described below. The second would be to seek permission by the Department of Labor to self-insure. The third would be to do nothing and suffer the

Who Requires DBA Insurance?

Generally speaking the following employees require insurance coverage under the DBA unless a waiver has been granted or the employee is self-insured:

- 1 If working on a military base or reservation outside the U.S.
 - 2 Engaged in U.S. government funded public works business outside the U.S.
 - 3 Engaged in public works or military contract with a foreign government which has been deemed necessary to U.S. National Security or under the Mutual Security Act of 1954
 - 4 Those employees that provide services funded by the U.S. government outside the realm of regular military issue or channels
 - 5 Any employees of any sub-contractors of the prime or letting contractor involved in a contract like numbers 1 - 4 above
- Insurance coverage is offered by a number of US insurance companies all of which must have previously been approved by the Department of Labor. A list of these insurers can be found at www.dol.gov/esa/owcp/dlhwc/lscarrrier.htm.

draconian consequences discussed later in this article. In some circumstances, the employer does not have to be concerned about the DBA if a waiver has been granted by the Department of Labor.

Whilst employers may purchase DBA insurance to satisfy the requirements of their contracts and the stipulations of the DBA Act, there are some situations in which a waiver may be granted by the Department of Labor, as requested by the head of any department or other agency of the United States. Once granted, the waiver is only valid if alternative worker's compensation benefits are provided to the waived employees pursuant to applicable local law. It should be pointed out that Waivers are not easily granted and do not apply to U.S. Citizens, people hired in the U.S. or legal residents of the U.S.

Failure to purchase DBA coverage from an approved carrier can result in the Department of Labor taking action against the relevant employer.

The cost of buying insurance is derived

CONTINUED NEXT PAGE

What Benefits Does DBA Provide?

- 1 **Disability Compensation:** there are four types of disability compensation ranging from Temporary Total Disability to Temporary Partial Disability to Permanent Partial Disability and finally to Permanent Total Disability. Benefits are capped at 2/3 of the average weekly wage calculated according to three possible methods as laid out in the DBA.
- 2 **Medical Treatment:** the employee gets to choose his or her treating Doctor and is covered for all medical expenses related to the employment injury and/or illness. Medical treatment is payable as long as the injury and/or illness exists.
- 3 **Death Benefits:** the surviving spouse of the deceased is entitled to 50 percent of the average weekly wage for the spouse's life or until remarriage. If there is no spouse then this compensation is routed to one surviving child. In addition, if there are more children, 16 2/3 percent of the AWW for one or more surviving children shared equally. Benefits are paid to each child up to the age of 18 or to age 23 if the child is in full-time education.
- 4 **Vocational Rehabilitation:** The act provides for Vocational Rehabilitation services for permanently disabled employees unable to return to employment without assistance. Services may include placement with the previous employer in a modified position, placement with a new employer, or retraining. These services are only available to disabled employees residing in the US. The cost of this training is paid by the Department of Labor although the claimant may also be entitled to Temporary Total Disability during retraining.

 [Email rtugman@scottins.com](mailto:rtugman@scottins.com)
The author is a Partner with Scott Insurance and specializes in DBA Insurance.



What Are the Penalties and Risks of Not Obeying DBA?

- 1 Allows the employee to sue the employer for damages, and not simply to recover compensation
- 2 Certain legal defenses that the employer may take the benefit of including the "fellow servant" and "assumption of the risk" doctrines, are lost
- 3 The company as well as its President, Treasurer and Secretary are severally liable for a fine and imprisonment
- 4 The President, Treasurer and Secretary are also jointly and severally liable with the company for the benefits owed to the employee during the period the company fails to secure compensation.

FROM PREVIOUS PAGE

from a number of factors including the location where the employees will be working and what the employees will be doing as part of their employment. Insurance companies, subject to underwriting guidelines and minimum premium requirements, will usually apply a U.S. Dollar rate per \$100 of payroll for each class of employee. Those employees working

in more dangerous locations or providing what are perceived to be more dangerous functions will pay a higher rate.

It should be pointed out that the compensation described above is subject to a Maximum Compensation Rate which is calculated annually and currently stands at \$1,160.36. It is also to be noted that permanent total disability and death benefits are subject to an annual (October 1st) adjustment (increase) based on the U.S.

national average weekly earnings as reported by the Bureau of Labor Statistics. The latest increase was by 4 percent.

Unless a waiver has been obtained or the employer has qualified with the Department of Labor as self-insured, it is highly recommended that the employer purchase DBA insurance from one of the listed U.S. insurance carriers. Failure to acquire insurance and therefore the benefits stated under the DBA carries many penalties.

The DBA remains an important piece of legislation for companies directly or indirectly providing services to the U.S. Government abroad. Although U.S. Government contracts in Iraq and Afghanistan are the current focus of where the DBA is mostly experienced by contractors, it should not be overlooked that the DBA plays a role in contracts that reach out further a field.

**FREE
ADMISSION**

HUMANITARIAN RELIEF, AID AND DEVELOPMENT PROFESSIONALS



29-30 January, 2008

Geneva PALEXPO, Switzerland

Building Partnerships for Relief and Development

UNIQUE, INDEPENDENT, GLOBAL EVENT FOR EFFECTIVE AID, HUMANITARIAN RELIEF AND SUSTAINED DEVELOPMENT

WORKSHOP AND LEARNING CENTRE SESSIONS: Moderated panel discussions involving pre-eminent speakers discussing cross-cutting issues across the phases of disaster response, emergency relief, reconstruction and long-term development. Workshop sessions include "Law, Order and Security" and "Cooperation to Harness Globalisation for Global Good". Learning centre and training sessions allow the exchange of knowledge, experiences and solutions. Includes speakers from IPOA, UNOSAT, UN OCHA, UNHCR, IFRC, ILO, UNDP, RedR.

INTERNATIONAL EXHIBITION: An excellent opportunity for providers of goods and services to meet and present their products and services and to consult with key decision makers within humanitarian relief, aid and development community. NGO, UN and IGO pavilions allow organisations to share their work, knowledge and initiatives.

DISPLAY AREA AND VEHICLE DEMONSTRATION ZONES: For a more hands-on approach, these areas give participants the opportunity to physically interact with equipment and experience challenging all-terrain outdoor driving.

MEET THE BUYERS: Pre-arranged "Meet the Buyers" sessions provide structured one-to-one meetings between procurement officials and suppliers of goods and services for a transparent and effective procurement practice.

NETWORKING: VIP cocktail reception, business lounges and workshop lounges to facilitate networking, greater communication and partnership building.



Visit www.aidandtrade.org, email event@aidandtrade.org or telephone +44 (0) 20 7871 0188



KEITH L. FLICKER, ESQ.

Zone of Special Danger

A Key Doctrine of the Defense Base Act

IN August of 1941, in anticipation of America's entrance into World War II and the corresponding build up in private contractor support for the military, the United States enacted legislation mandating that private contractors working on overseas military bases provide workers compensation coverage to all of its employees.

The *Defense Base Act* (DBA) was adopted at the request of the Secretary of War in order to enable the United States Government and its defense contractors to avoid the substantial costs of obtaining insurance coverage for these overseas employees for tort liability and accidents. Following the war, the scope of DBA coverage was expanded to include contracts with the U.S. Government and its agencies including the Department of Defense, Department of State and Military Branches, as well as contracts approved and financed by the U.S. Government, in which private contractors working overseas provide services and public work construction related to the national defense.

All employees of DBA contracts are entitled to the benefits provided by the federal workers compensation law, be they Americans, third country nationals or local nationals. DBA provides employees the sole and exclusive remedy to them for their injuries and deaths. Today, in light of the surge in private contractor involvement in the Iraq and Afghanistan wars, it is estimated that more than 100,000 employees are within DBA cover.

Given the limitation on damages for injuries and death to the benefits provided by the DBA, the critical question arises whether employees are covered by the DBA 24 hours a day seven days a week for any and all events occurring overseas. A typical workers' compensation system affords benefits only where the injury or death "arose out of and in the course of employment." The DBA contains identical language identifying the extent of its cover.

However, owing to the creation and expansion of a judicially created concept known as the "Zone of Special Danger" doctrine, the scope of compensability under the DBA is far expanded beyond the traditional concept of employment related causation.

When it was first enunciated by the U.S. Supreme Court in a 1951 decision, it defined the scope of compensability under the DBA in the following terms:

The test of recovery is not a causal relation between the nature of

employment of the injured person and the accident. Nor is it necessary that the employee be engaged at the time of the injury in activity of benefit to his employer. All that is required is that the "obligation or condition" of employment create the "zone of special danger" out of which the injury arose.

However, the doctrine did not read "job-connected" requirement of coverage out of the DBA to be replaced by a "but for" relationship. The Supreme Court decision that created the doctrine also noted that "the kind of conduct that employees engage in as frolics of their own are to be excluded from DBA cover. Consequently, despite the "zone of special danger" doctrine's expansion of DBA cover, as a matter of law there is not continuous cover and absolute liability under the DBA is not imposed on the employer for all injuries and deaths, no matter how caused, occurring when the employee is not specifically engaged in his contract employment.

In the 55 years following the creation of the doctrine it has been applied by courts to find DBA cover in circumstances factually and logically far extended from the general understanding of the concept of causal relationship. DBA claims have been found compensable for drowning victims engaged in recreational boating, heart attack victims effectively denied adequate medical care by local circumstances, employees who contracted tuberculosis in Okinawa, which had an infection rate eight times that of the U.S., employees involved in motor vehicle accidents arising from differentiating local laws and intoxicated employees involved in altercations.

Essentially, the doctrine has developed to expand DBA cover to employees injured or killed off the job if their injuries or deaths are caused by dangers unique to the far-flung locale at which they're working or their activities are deemed reasonable recreation given their locale.

Consequently, the determination of whether DBA cover applies to an employee's off the job injury or death is directly related to the harshness and severity of the overseas locale. The more the living environment at the overseas locale is similar to the

employee's home locale the less impact the doctrine has on expanding DBA cover. Unless the overseas locale presents a unique/special danger to the employee in the form of toxic or disease exposure and recreational activity choices are severely limited to present them as reasonable under the circumstances, the doctrine will not be applied.

The zone of special danger doctrine will generally not expand DBA cover to off the job activities resulting in injuries or death which are illegal or immoral. The doctrine will also not be applied in circumstances in which the activity resulting in injury or death is in direct violation of employment guidelines and restrictions, including drinking, gambling and violation of military command orders.

Summarily, the judicially created "zone of special danger" doctrine significantly expands DBA cover of off the job activities resulting in employee's injury and death. Based on a factual analysis of overseas conditions, the unique dangers therein presented and the consequent reasonableness of recreational activities engaged in, a determination of DBA cover is made.



Email kflicker@flickergarelick.com

The author is the Senior Partner of Flicker, Garelick & Associates LLP a leading national defense firm for employers, contractors and underwriters with exposures under the DBA

Did You Know?

Did you know that the *Philadelphia Inquirer* rated the *Journal of International Peace Operations* as one of the most influential policy publications in the United States?

Or, did you know that the *Journal of International Peace Operations* is read by over 10,000 people in the peace and stability operations field?

Advertise in the *Journal of International Peace Operations* and a lot more people will know a lot more about you.



Visit www.peaceops.com
or call +1 202.464.0721
to find out more.



DEREK WRIGHT

Attention and Activity on Accountability

U.S. Congress Busy Amid Heightened Media Scrutiny

THE international peace and stability operations industry has received more attention from the U.S. Government in the past few months than perhaps at any other time in its history. Although many industries cower at the thought of governmental oversight and accountability, the member companies of IPOA welcome practical rules and regulations. We have said many times that good laws are good for good companies, and our members look forward to increased professionalism and accountability in the field.

Of the many noteworthy events to have taken place on Capitol Hill in recent weeks, the most widely anticipated and covered was the nearly five hour hearing held by Rep. Henry Waxman's (D-California) House Committee on Oversight and Government Reform to examine the mission and performance of Blackwater USA. The hearing sought to address three key questions: (1) Is Blackwater's presence advancing or undermining U.S. efforts; (2) Has the State Department responded appropriately to the shooting incidents involving Blackwater forces; and, (3) What are the costs to U.S. taxpayers for the reliance on Blackwater and other private security contractors?

Although a great deal of information was shared during the hearing, including nearly four hours of testimony by Blackwater CEO Erik Prince, no immediate answers were found for these important questions. IPOA would like to bring attention to a report recently published by the Peace Operations Institute that seeks to examine the issue of the cost-effectiveness of contracting to the private sector for support in peace, stability and disaster relief operations throughout the world. This report has been undertaken with the support of IPOA and several of our member companies, and is now available to the public at www.peaceops.org.

The media attention generated by the Oversight Committee hearing was closely matched by that given to the House's passage of Rep. David Price's (D-N.C.) *MEJA Expansion and Enforcement Act of 2007*. The bill, which was publicly endorsed by IPOA, passed with the overwhelming bipartisan support of 389 in favor and only 30 against.

Price's bill will now head to the Senate, where leaders have promised to act swiftly in passing a similar version. Once written into law, Rep. Price's bill will extend the jurisdiction of the *Military Extraterritorial Jurisdiction Act* (MEJA) to cover all contractors working for the government in a war zone. The bill also ensures that the Administration has the tools it needs to

investigate and prosecute allegations of abuse, requiring the FBI to have staff in place to investigate alleged crimes wherever there is a significant contractor presence.

Several other pending bills that seek to regulate the peace and stability operations industry are also under consideration in both the House and the Senate. Of particular note are the *Transparency and Accountability in Security Contracting Act of 2007*, also introduced by Rep. Price, and its companion bill in the Senate, the *Transparency and Accountability in Military and Security Contracting Act of 2007*, introduced by Sen. Barack Obama (D-Illinois). Although recent action has not been taken on either of these bills, they have generated significant interest on Capitol Hill, and will likely be passed later this year, in one form or another, along with several other key bills.

This is an interesting and exciting time for companies active in the peace and stability operations industry. There can be no doubt of the need for practically applied and enforced government oversight and accountability. Reliability, responsibility, and professionalism are requisite for the private sector to be able to truly contribute to peace and stability. IPOA members should be recognized for their commitment to these principals, and look forward to a productive partnership with governments around the world for years to come.

Email Derek Wright at dwright@ipoaonline.org
The author is the Director of Development at IPOA.

PRACTICAL SOLUTIONS TO SMALL ARMS CONTROL IN AFRICA 2007

14-16 NOVEMBER 2007

HOLIDAY INN PRETORIA, SOUTH AFRICA

This event is designed to provide a platform to discuss at regional level the practical small arms measures in place for the control of illicit proliferation, trafficking, trade and safe disposal of small arms and light weapons.

Please feel free to contact Noxi Mshumpela with any questions you may have regarding this event at the following number: + 27 (0) 11 669 5106 or via email: noximshumpela@iqpc.co.za

A Re-Evaluation of Iraq Operations

Recommendations for the Way Forward



ONE are the triple-digit temperatures, Autumn has come to Iraq. Soon the rains will come and the dryness and heat of summer will be a distant memory. Along with the change of season, there is also a sea change in the number of contacts private security companies are experiencing. Today the numbers are at all-time lows. Now, it must be said, when a contact occurs, it can and will be as deadly as any contact we have ever received. But the trend is unmistakable.

Against that backdrop, recent incidents have prompted an entire re-evaluation of private security company operations in Iraq. The PSCAI has also reviewed the operating environment and has defined its challenges into several areas including regulation, contracts, accountability, arming policy & authorization and operational support issues.

There are myriad regulations that have been promulgated that have a bearing on private security operations in Iraq. These regulations are not harmonized. They include Coalition Provisional Authority (CPA) Memorandum 17 and its addendums from the Iraqi government. These have made the registration and licensing requirements even more stringent than what was originally developed by American Military lawyers in the CPA. There are Department of Defense regulations and Multi-National Forces Iraq (MNFI) regulations. Furthermore, contracts come from multiple sources, including the Department of Defense, MNFI, coalition force partners (e.g. NATO), the Iraqi Government, and increasingly, commercial (non-reconstruction or non-U.S. taxpayer dollar funded reconstruction). Many Iraqis are employed through these contracts.

At this point in time, our understanding of the legal battlespace is that if you perform a contract for which the dollars do not flow from the U.S. Government in some manner (directly or as a subcontractor), you are not subject to the provisions or constraints of the "accompanying the force" criteria. You are therefore subject to host nation (Iraqi) law. However, so far this has not proved a problem.

There are multiple documents and orders involved. The 'top three' would be CPA Order 17, CPA Memorandum 17 and the CENTCOM Arming Authority. There exists both overlap and gaps in the last two. The PSCAI, created by the industry to self-regulate, also has a Voluntary Code of conduct, which is mandatory for PSCAI

members.

Department of Defense regulations are generally fine. No professional and responsible private security company has a problem with appropriate legal remedy for wrong-doing. The implementation of the *Uniform Code of Military Justice* (UCMJ) on all contractors has been problematic for a number of reasons. But accountability is accountability and good private security companies do not want to have miscreants in their midst anymore than the government does. A benefit of the UCMJ over the *Military Extraterritorial Jurisdiction Act* (MEJA) for the companies is that it is a two-way street — companies will be subject to the constraints, but it will also level the playing field and allow remedies for companies toward the U.S. Military which previously they have not enjoyed. How third country nationals such as Nepalese or South Africans will be tried under the UCMJ is less clear.

A MEJA strengthened by the recent bill proposed by David Price (D-N.C.) has a better opportunity for successful applicability. The final aspect of accountability is through the registration of private security companies with the Logistics Movement Coordination Center and the Reconstruction Operations Center. After registration of a movement, a private security operation is approved to move through the *tactical* battlespace. A company's registration with the Ministry of Interior means that they are approved to move through the *political* battlespace.

Arming Policy and Authorization is provided by CENTCOM for Department of Defense and U.S. Government contracts. Additionally, the Ministry of Interior, using CPA Memorandum 17, provides authority for licensing and thus issuance of weapons cards. The CENTCOM Arming Authority does not recognize the validity of the Ministry of Interior registration and weapons cards.

The tables, right, identify several areas for consideration. The PSCAI is closely engaged with Iraqi and Coalition authorities as the way forward is defined and refined. It is worth reiterating that private security companies operating in Iraq are intensely concerned that they remain engaged with appropriate authorities as the battlespace continues to evolve. The PSCAI and member companies are committed to a long-term relationship with Government of Iraq authorities and with the Iraqis themselves.

Operational Support Issues

- Badging remains a key concern;
- Access to Forward Operating Bases can be problematic;
- Fragmentary Orders, which concern contractors, are virtually always posted on secure, secret military web servers and have U.S. Military phone system points of contact - contractor civilians are able to access neither;
- Blue on white concerns, where coalition military engage private security;
- Quick Reaction Force and Casualty Evacuation Assistance;
- Visa and Immigration Issues.

Recommendations

- Review Status of diplomatic security details - exemptions and licensing (this is an area where the PSCAI has no remit due to diplomatic and sovereignty issues);
- Place appropriate Liaison Officers from MNFI with the PSCAI office. Seniority, rank, integration, liaison and cooperation are vital. A Multinational Security Transition Command Iraq liaison is also involved with the Ministry of Interior private security company office;
- Review arming policy, and tie it to the company, not the contract.
- Review Ministry of Interior Licenses, PSCAI membership, Mandatory Logistics Movement Coordination Center compliance for all movement and MNFI wide authority to carry weapons;
- Incident investigation to be between the MNFI, Iraqi Government and PSCAI;
- Fragmentary Orders should identify PSCAI member activities theater-wide;
- All private security companies should be licensed by the Ministry of Interior, be members of PSCAI and be compliant with arming policy and authorization either through the U.S. Government or Iraqi Government (preferably both).

Email Lawrence T. Peter at director@pscai.org
The author is the Director of the Private Security Companies Association of Iraq.



J. J. MESSNER



Credit Where Credit is Due

Private Contractors Honored for Going Above and Beyond

ON JUNE 10, 2007, a suicide bomber targeted a bridge six miles east of the city of Mahmoudiya, Iraq. His act of terrorism cost the lives of three U.S. soldiers. However, the death toll could have been far higher. In the chaotic aftermath, a passing private stopped to lend assistance. They helped a U.S. Army quick reaction force for 45 minutes to pull trapped survivors from the rubble. But the heroic actions of those in the convoy did not qualify them for any special military honor. Rather, they were private contractors.

The passing convoy was operated by ArmorGroup, a member company of IPOA. The ArmorGroup contract did not include a

This event is significant for two reasons. Firstly, it is often forgotten that thousands of private contractors voluntarily risk their lives on a daily basis. Without their work, much of the Iraqi reconstruction effort would not be possible. Some critics may claim that the motivation of private contractors to work in such a dangerous situation is merely financial. But even if that were the case, it does not mean that contractors leave their morals, ethics, honor and sense of duty at the door. Common negative descriptions of contractors as “war-profiteers” do a great disservice to average people who put their lives on the line in pursuit of a greater purpose they are serving

discouraged by the companies, clients or both. Unfortunately, for an industry that is naturally risk-averse, the incidence of employees rendering assistance in the aftermath of disaster may place them outside of their contract, and thus outside of a company’s or client’s insurance arrangements, rendering themselves, their companies or their clients liable for anything that may result from their actions taken outside of the bounds of their contracts. That does not mean that if a private contractor stumbles across a life-threatening situation, they are not going to render assistance simply because such actions are not in their contract. Indeed, contractors (many of whom tend to be former military personnel) would be the last to sit back and allow lives to be lost. Thus, it is imperative that any form of insurance arrangement be flexible enough to allow for the uncertainties of conflict and post-conflict zones, and to ensure that where private contractors ‘come to the rescue’ they are duly covered from exposure to liability.

In instances such as these, it reminds us all that regardless of one’s perception of private companies within the peace and stability operations industry, the reality is that the work of these companies is being carried out by real people in often life-threatening circumstances. Although accurate tallies of civilian contractors killed during the Iraqi conflict are difficult to ascertain (icasualties.org estimates the number to be at least 1,000, although some other estimates are higher¹), it is clear that many hundreds have died. While contractors’ personal motives for working in conflict zones are often brought into question, their sacrifice is often sadly ignored.

Critics often attempt to paint the peace and stability operations industry as consisting of faceless “war-profiting” corporations and their employees as “soldiers for hire.” But when the heroism of individuals is on display, demonstrating the honor and compassion of these employees, such negative perceptions are much more difficult to sustain. Thus, while this award is a step in the right direction and is definitely well-deserved by its recipients, it is probably unwise for anyone to hold their breath waiting for the often extraordinary exploits of this industry to be properly recognized and appreciated on a more regular basis.

ENDNOTES

1. iCasualties.org. 2007. Iraq Coalition casualty count. URL located at <http://icasualties.org/oif/Contractors.aspx>.



Iraq is an unpredictable environment, and often contractors are thrust into unexpected situations. PHOTO: SPC RONALD SHAW, JR./U.S. ARMY

clause that required their employees to save people from disaster. There was no contractual obligation requiring these employees to do what they did. Regardless, these contractors put their own safety on the line and provided assistance where it was needed, with no thought to anything other than the lives of the trapped survivors.

Recently, the six ArmorGroup employees who stopped to assist with the recovery effort on June 10 were honored by the British Royal Humane Society. The Testimonials on Vellum were presented to Donald Campbell, Marcus Hammond, Michael Natynczyk, Christopher Powell, Ray Moore and John Walmsley, all British employees of ArmorGroup.

even beyond what is outlined in their contracts.

Secondly, this award is an important step to recognizing the contributions of private contractors above and beyond their contractual obligations. This is not a case of the industry simply wishing to pat itself on the back. Indeed, in many ways, the industry tends to prefer shunning the spotlight. This is more a case of credit where credit is due. If a private contractor does something that would otherwise earn them some form of honor if they were wearing a military uniform instead of a contractor’s polo shirt, then surely such acts of heroism should be duly recognized and rewarded.

But before we get carried away believing that private contractors of any ilk have the ability and capacity to be roving first responders and part-time life-savers, a key hurdle should be recognized. Often such behavior, though admirable, may be

*Email J. J. Messner at JMessner@IPOAonline.org
The author is the Editor-in-Chief of the Journal of International Peace Operations and is the Director of Programs and Operations at IPOA.*



AMBASSADOR HERMAN COHEN (RET.)

North Kivu Conflict Compounds DRC Woes

For a Country With Plenty of Ills, Here's Another One



AFTER a decade of external invasions, internal rebellions, United Nations peacekeeping, and a successful series of local, provincial, and national elections, the Democratic Republic of the Congo continues to suffer from an intractable conflict in its North Kivu province on the border with Rwanda, about one thousand miles east of the capital, Kinshasa. As in previous periods of fighting, the conflict is causing substantial refugee flows, disruption of economic recovery, and major humanitarian hardship.

The anti-government militia operating in North Kivu is led by Colonel Laurent Nkunda, a former officer of the Congolese national army. He claims to be defending the ethnic minority Tutsi population of the eastern Congo from discrimination, repression and possible genocide. This ethnic group came under considerable pressure in 1998 after the DRC was invaded by the Rwandan army led by the dominant Tutsi minority in that country. At that time, a significant number of Congolese Tutsis living in Kivu were recruited to join anti-DRC militias sponsored by Rwanda, giving the entire Tutsi community a treasonous image in the eyes of the population.

After the end of hostilities, and a peace agreement mediated by the government of South Africa in 2004, all opposition militias were integrated into the Congolese army to reflect the new government of national unity. On the political level, the Congolese parliament enacted legislation to guarantee the Tutsi ethnic minority full citizenship rights and protections against discrimination. Despite these measures, the Nkunda militia in Kivu refused to be integrated and continued anti-government operations even after the completion of elections in 2006. The Congolese army has been engaging in counter-insurgency operations against the Nkunda militia, but so far without much success.

The underlying causes of the North Kivu violence are somewhat complex. There are remnants of anti-Rwanda insurgents making up of the majority Hutu ethnic group still operating in Kivu. The Government of Rwanda rightly sees these insurgents as a threat. The Congolese military does not appear to be making an effort to disarm and reintegrate these Hutu insurgents.

The Congolese authorities believe, with probable justification, that the Nkunda insurgents are being supplied by the Rwanda Government. Why would the Rwandan regime want to do this after a decade of violence in the sub-region? Maintaining a

counter-force against the anti-Rwandan Hutu insurgents is one reason, but probably only a minor one since the security threat, if any, is minor.

Of greater importance is the mineral wealth concentrated in North Kivu province. Between 1998 and the elections of 2008, the province was controlled either directly by Rwanda military forces or by armed agents of the Rwandan Government. During this period, Rwandan businessmen developed networks within Kivu that organized the export of minerals such as coltan, gold, diamonds and cassiterite through Rwanda. In a normal situation, these minerals would be controlled, licensed, and taxed by the Congolese government. The Nkunda conflict thwarts efforts by the Congolese government to regain control of the area so as to redirect the flow of wealth through the Congolese economy. In this context, even the presence of anti-Rwandan militias in Kivu facilitates the continued economic control of the province by Rwandan economic operators because of the security vacuum surrounding all unofficial armed activities.

For the time being, the DRC's response to the continued Nkunda campaign is a combination of military action and extended offers of cease-fire, amnesty and reintegration. In view of the extreme hardship being inflicted on the Congolese population, including reliable reports of rape and abduction as weapons of war, Nkunda is becoming a likely candidate for the international war crimes tribunal.

What can the international community do to help restore peace and stability to the sub-region encompassing eastern Congo, Rwanda, Burundi and southwestern Uganda?

First, it is important that the DRC have the capability to defend itself within its own borders. This will require substantial training and reorganization of the Congolese army that has never been an effective fighting force since the nation's independence in

1960. In addition to unit training and equipment updating, the Congolese army needs a very deep dose of management reform.

Secondly, it is time to revive long-standing plans to develop an economic free trade area in the region so that the natural flow of business can be toward east Africa rather than back toward Kinshasa, a thousand miles away. If such a free trade area could be established, including measures to facilitate the free flow of persons in all directions, the economic interests of all the states bordering the "Great Lakes" could be safeguarded and enhanced. Indeed, one could envisage Rwandan business organizations purchasing minerals in Kivu legally, and paying normal export duties to the Congolese Government.

BACKGROUND PHOTO: MONUC/NORTH KIVU BRIGADE



Email Amb. Herman Cohen at hancohen@aol.com. The author is a former Assistant Secretary of State for Africa, and is President of Cohen & Woods International.

IPOA MEMBERS

Our Scandinavian security force is ready to deploy, anytime, anywhere



Dynsec Group AB
At your service



www.dynsecgroup.com

YLANA GRACIELLI

Murkiness. Secretiveness. Impunity.

The Industry Faces an Onslaught of Inaccurate Descriptors

A RECENT study published by a well-known media outlet showed that out of 100,000 news media accounts of the Iraq war, less than 0.25 percent of those stories mentioned contractors. [1] This figure illustrates the nearly insignificant space that has been dedicated to the peace and stability operations industry when discussing a conflict where it plays such a major role.

But since the unfortunate events of September 16 in Baghdad, suddenly newspapers, journals, weblogs, online and TV news outlets were flooded with reports of the shootings, accompanied by so-called “expert” analysis. For the media, who previously did not seem particularly interested in the role of contractors in Iraq, one tragic incident sparked their interest instantly.

Words such as “murky” and “secretive” were among the most used to describe the industry, demonstrating a clear angle that was pursued with much of the reporting. These have been remarkable observations given how open and forthcoming IPOA and its member companies have been. During the latest media storm, there has been a notable upswing in the number of references to private contractors as “mercenaries” or “private armies.” Indeed, some “experts” have even gone so far as to deride the term “peace and stability operations industry” as being a slick public relations move by companies who are nothing more than “mercenaries.” There has been no attempt at qualification of descriptors used for the



IPOA staff made numerous contributions to television, radio and newspaper reports during recent months.
PHOTO: IPOA

industry, and definitely no recognition of the pejorative nature of the term “mercenary.”

The issues that were of most interest to the media recently tended to concern the supposed lack of accountability and oversight. In particular, the issue was discussed in terms of the perception of “contractor impunity,” the legal aspects of the former Coalition Provisional Authority’s Order 17, and how the Military Extraterritorial Jurisdiction Act (or the Uniform Code of Military Justice) could be used to prosecute contractors alleged to have committed criminal acts.

In the weeks that followed the September 16 incident, countless news articles were dedicated to the issue. Most of these articles contained questionable facts and analysis, and on the whole largely repeated old arguments while presenting little new information. Indeed, it did not take long for parts of the mainstream media to seek the opinions of industry critics

Jeremy Scahill and P.W. Singer, who tended to reinforce negative perceptions of the industry. In many of these instances, the negative reportage was, as previously described by J. J. Messner, nothing but “a thin mask to a broader criticism of the current U.S. administration, its foreign policy and the war in Iraq.” [2]

An unfortunate truth for the peace and stability operations industry is that sensationalism sells. The media tends not to be interested in the good that the industry brings to the pursuit of peace worldwide. Nevertheless, some reportage has been quite reasonable. Nicholas Guariglia, in

an article published at familysecuritymatters.org, disputed much of the media’s negative reporting.

He asks, “are these chastised ‘war profiteers’ any more or less amoral than, say, a cardiologist which addresses, and thus profits from, the treatment of heart disease? Or a clean-up conglomerate which rebuilds towns devastated by natural disaster? Is not the continuity of disease, plight, and disaster in the financial interest of these parties? Why would a war theater be an exception to the rule, the one realm in which this code of conduct does not apply?” [3]

Benjamin Perrin, writing in Toronto’s *Globe and Mail*, addressed the issue of

regulation and accountability, arguing that “[m]any of these companies welcome regulation as a way of gaining some legal certainty” and that IPOA members “have agreed to a form of self-monitoring, in the absence of significant governmental oversight.” [4] It is gratifying to see that some industry observers recognize that some companies are determined to improve legal and regulatory frameworks, and in lieu of such effective frameworks, strive to implement their own code of ethics through IPOA. Sadly, this reporting tends to be less spicy, and thus quite rare.

Fair criticism, intelligent analysis and honest opinions based on the true account of facts instead of rushes to judgment are what should be offered to the public. Ignoring the positive contributions of the industry, contriving conspiratorial arguments about private contractors (and often, with resulting politicization of the discourse) and continually wheeling out re-hashes of old arguments is counter-productive.

ENDNOTES

1. Cannon, Scott. 2007. War is now a corporate affair. *Detroit Free Press*. October 2. URL located at <http://www.freep.com/apps/pbcs.dll/article?AID=/20071002/NEWS07/710020362/1009>
2. Messner, J. J. 2007. From one extreme to another: An object of negative reportage, the industry finally gains some credit. *Journal of International Peace Operations* 3, no. 2 (September-October) : 33.
3. Gauriglia, Nicholas. 2007. Defending Blackwater and company: Understanding the western way of war. *Family Security Matters*, September 19. URL located at: <http://www.familysecuritymatters.org/challenges.php?id=1352895>.
4. Perrin, Benjamin. 2007. Tightening the leash on the ‘dogs of war.’ *Globe and Mail*, October 10 : A21.

Email Ylana Gracielli at ygracielli@ipoaworld.org
The author is an Intelligence Services Consultant for IPOA in Brazil.

New. Improved. PeaceOps.com

Visit peaceops.com to download previous issues of the *Journal of International Peace Operations*, search our online article database or purchase subscriptions to the print edition.





JENNIFER BROOKE



Non-Intrusive Inspection: Transport Scanners

Developing Innovative Technology to Keep World Shipping Secure

IN an effort to maintain security, recent technological advances have been implemented worldwide at international sea ports. The Hong Kong Port Authority, the Canadian Port Authority and the U.S. Customs and Border Protection bureau, amongst others, have invested in mobile and stationary transport scanners.

Transport scanners are now using gamma ray technology – specific imaging systems, that provide a means to non-invasively scan crate contents prior to shipment, clearance and delivery. The impetus to install and proliferate this technology gained momentum after the attacks of September 11, 2001. The American

terrorists.

Containerized shipping is a critical component of global trade because most of the world's trade moves or is transported in containers. To date, 18 of the top 20 ports have agreed to join the Container Security Initiative and are at various stages of implementation. These ports are points of passage for approximately two-thirds of containers shipped to the United States.

Transport scanners are seen as a strategy to better secure the global shipping system by electronically scrutinizing every container, without unacceptably slowing the flow of international commerce. In the past year, the Hong Kong Terminal Operators Association, which includes several private companies that manage the world's second-busiest port after Singapore, has deployed scanning machines throughout their system. According to the *Wall Street Journal*, "trucks haul each container passing through the port through two of the giant scanners. One checks for nuclear radiation, while the other uses gamma rays to seek out any dense, suspicious object made of steel or lead inside the container that could shield a bomb from the nuclear detector." [1]

Not only are the images from the scan displayed on large flat panel screens for security personnel to examine, the images are recorded along with the container ID and other information. That data can then be passed along to other ports or security officials for any suspicious cargo, or to help identify the 'bad guys' if a security problem does occur later.

At the offices of Modern Terminals in Kwai Chung, four flat-screen monitors depict the scanning operations. X-ray-like images of the passing containers pop up on the screens and are stored on a computer server. The tracking code on each container is also recorded. The computer files can be reviewed immediately by local officials or,

Top 18 World Ports with CSI Implementation

Hong Kong	Antwerp, Belgium
Shanghai, China	Nagoya, Japan
Singapore	Le Havre, France
Rotterdam, Netherlands	Hamburg, Germany
Pusan, South Korea	La Spezia, Italy
Bremerhaven, Germany	Felixstowe, U.K.
Tokyo, Japan	Algeciras, Spain
Genoa, Italy	Kobe, Japan
Yantian, China	Yokohama, Japan

conceivably, passed on so that customs agents in Rotterdam, New York or Los Angeles could use them to help identify suspicious cargo before it gets loaded onto a ship, or at any point along its journey.

The new technology is safe, secure and fast. With the assistance of gamma ray scanning, operators view radiographic images of containerized goods on a computer to quickly and easily identify hidden compartments associated with the transportation of stolen or smuggled goods, illicit drug or money transportation, human trafficking, explosives, and weapons. They are then able to determine if commercial cargo is consistent with the declared manifest. Data can then be saved, transmitted and shared with other agencies responsible for cargo verification. Once scanned, the containers are sealed and tracked to their final destination.

ENDNOTES

1. Ortolani, Alex and Block, Robert. *Wall Street Journal*, July 29 2005. URL at <http://www.post-gazette.com/pg/05210/545822.stm>.

BACKGROUND PHOTO: SAIC



A truck passes through a port scanning machine. PHOTO: SAIC, INC.

'Container Security Initiative,' is an initiative that was developed by U.S. Customs in the aftermath of those attacks. Now, within the Department of Homeland Security, U.S. Customs is continuing to implement the Container Security Initiative at major ports around the world. Under the program, U.S. Customs officers are deployed to work with host nation counterparts to target high-risk cargo containers. Its purpose is to protect containerized shipping from exploitation by

[Email JBrooke@IPOAonline.org](mailto:JBrooke@IPOAonline.org)
The author is a Senior Associate at IPOA and Assistant Editor of the *Journal of International Peace Operations*.



INTERNATIONAL PEACE OPERATIONS ASSOCIATION
1900 L STREET NW SUITE 320 WASHINGTON, D.C. 20036 U.S.A. | T: +1 (202) 464-0721 | F: +1 (202) 464-0726 | WWW.IPOAONLINE.ORG

verify membership status at www.ipoaonline.org/members





MATHIAS HEDLUND

An Island Temporarily Divided (Permanently)

No End in Sight for the UN Presence in Cyprus

THE Republic of Cyprus declared independence from the United Kingdom in 1960, however it encountered difficulties from its inception. Accumulated tensions between Greek and Turkish Cypriots erupted in violence on December 21, 1963. On March 4, 1964 the UN Security Council unanimously adopted resolution 186 that led to the creation of United Nations Peacekeeping Force in Cyprus (UNFICYP). This mission is still running and is the longest UN engagement in history.

UNFICYP was initially mandated to prevent violence between the Greek and Turkish Cypriot communities and to restore law and order. But in July 1974 Greek Cypriots and Greeks sympathetic to the Greek Cypriot cause, performed a coup d'état. In response, Turkey invaded the northern part of Cyprus. The Security Council laid the foundation for negotiations between Turkey, Greece and the United Kingdom and a de facto cease fire was established on the 16th of August 1974.

After the cease fire a broadening of UNFICYP's duties included monitoring, buffer zone administration and humanitarian activities. The buffer zone between the lines covers about 3 percent of the island and it includes valuable agricultural land. By adhering to the status quo and diligent surveillance, UNFICYP has been vital in the prevention of renewed hostilities.

Because there is no official ceasefire



Former UN Secretary-General Kofi Annan (third from left) tours the buffer zone patrolled by UNFICYP. PHOTO: UN

between the parties, the mission is more complicated for UNFICYP. Where cease fire lines are geographically close, incidents tend to occur more frequently. All incidents are investigated and responded to in relation to the seriousness of the incident. At the same time, cease fire lines preserve the integrity of the buffer zone from unauthorized access. UN police cooperate with both parties on intercommunal matters. Together they provide law and order in the buffer zone and assist with investigations and humanitarian activities. The goal of humanitarian activities is to restore civilian life as much as possible. Presently 8000 Cypriots live and work within the zone with a steady flow of people and trade.

Cyprus has remained relatively calm since the events of 1974, having only periodical setbacks, but in general both parties have respected the status quo. However, despite efforts by the UN, proposals for unification of the island have been unacceptable to both parties. In 2004 a peace plan presented by the UN was accepted by the Turkish side but rejected by the Greek side. With no permanent political settlement in sight after 40 years, a continuous extension of the UN mandate by six month intervals has been the temporary fix.

A review of the mandate and reorganization to a more mobile and efficient concept of operations led the UN to reduce its troops from 1224 to 860. As an alternative, the UN police force was increased to the mandated ceiling of 69. Moreover, a recommended boost of civilian affairs officers was made, as their significance and work had grown within the communities. The then UN Secretary-General Kofi Annan stated: "These practical



measures will allow UNFICYP to continue to carry out the whole range of its mandated tasks, while taking into account the changed environment and achieving a more efficient utilization of resources ... They will also provide the basis for a further transformation of the mission, as warranted by developments on the ground, after a further review, which should take place before the end of the next mandate period."

The situation in Cyprus is calm, but persistent distrust remains in the absence of a viable political process. UNFICYP's presence is necessary for the maintenance of the ceasefire and for a more comprehensive settlement of the conflict. That is one perception shared by all parties involved.

UNFICYP's presence remains important in the absence of a comprehensive settlement, but this could change. Various actors in the international community have started to question the UNFICYP presence. Despite the absence of significant progress, steps in the right direction have been taken by both sides.

UN Peacekeeping Force in Cyprus (UNFICYP)

SRSG:

Michael Møller (Denmark)
pictured right

Commander:

Maj-Gen. Rafael José Barni
(Argentina)

Commenced:

March 1964

Personnel:

Current Strength: 853 troops, 62 civilian police, 142 civilian staff

Contributors of Personnel:

Argentina, Australia, Austria, Bosnia-Herzegovina, Brazil, Canada, Chile, Croatia, El Salvador, Hungary, India, Ireland, Italy, Netherlands, Paraguay, Peru, Slovakia, United Kingdom

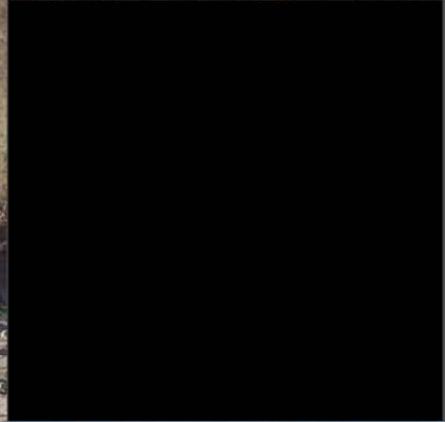
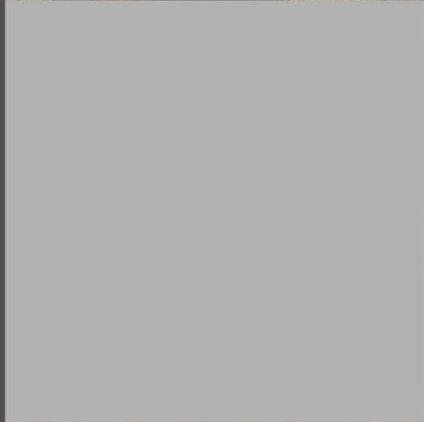
Approved Annual Budget

US \$48.85 million



PHOTO: UN

Email MHedlund@IPOAonline.org
The author is a Research Associate at IPOA.



Enabling human development and resource development
through global mine action



EOD Technology, Inc. is an employee-owned firm delivering professional services for munitions response, security services, and critical mission support since 1987.

www.eodt.com
+1-865-988-6063



Border delays TSA compliance Fuel costs Local customs officials Detour on the A10 Exchange rates
 Incomplete documentation Cross-docking No Fly Zones Port congestion New cargo security regulations
 Offshore manufacturing Holiday rush orders Oversized goods Untraceable shipments Network crashes
 Labor disputes Multi-SKU inventory issues Confidentiality and security Port tariffs Moved-up deadlines
 Military exercises UN sanctions Hazmat restrictions Vendor managed inventory Software incompatibility
 Weather-related delays Export licenses Free trade zones Shipper's Export Declaration – Form 7525-V
 Air traffic controllers Peak season surcharges Changing labor costs Roadblocks Trade finance HS coding
 Vandalism Excessive packaging Free trade agreements Outdated technology Supplier management
 Hard-drive crashes Air Cargo Manifest – Form 7509 Turkey Certificate of Origin and Consular Invoice
 Handshake deals Contingent liability Enlargement of the EU Regional protectionism Monopolies
 Government regulation of foreign investments New Port of Shanghai
 Political turmoil Cold chain temperature control Missing forms
 Consumer product recalls New infrastructure projects
 Six-sigma process improvement Hidden fees Regional conflicts
 Driver availability Proof of delivery
 Blockade at the Port of Beirut
 Landing rights Fuel surcharges
 Trade shows Digital positioning
 Population shift
 New road tax
 Shortages
 Lazy data entry
 Ordering delays
 Inflation
 Overage
 Staff training
 Material receipts
 Embargoes
 State regulators
 European distribution centers
 Shortcuts that aren't Grandfather clauses
 The unimaginable Cultural ignorance
 Category 5 hurricane in the Caribbean
 Last-minute redirects Misspelled labels Archaic M I W
 Two-digit fields when four are required Epidemics Damaged goods
 Security clearances Trade subsidies New product introductions Incomplete instructions
 Poorly written manuals Changing regulations Pick-up and delivery Routine maintenance Arson
 Work permits Production shut-downs Insufficient lighting Employee relocation Government tender
 procedures Political change Sudden market fluctuations Long labor negotiations Earthquake in Kabul
 Price controls Mountains of paperwork Port storage costs Multilateral treaties Coast Guard inspections
 New production technology VAT deferral Point-of-sale data collection Mismanagement Zoning restrictions
 Build-to-order Vehicle overloading Taxation Double-booked docking sites Remote distribution centers
 Special animal transport needs Telecommunications Airport neighborhood noise regulations Letters of credit
 Extra security measures Materials shortages Insect infestations Inventory carrying costs Split orders



A NEW LOGISTICS LEADER MEETING THE CHALLENGES OF GLOBAL TRADE.



Our name is new, but our reputation is proven.