

JIPO

JOURNAL OF INTERNATIONAL PEACE OPERATIONS

CEJA: Filling the Accountability Gap

A Conversation with Andrew Natsios

Managing Conflict and Inspiring Hope at USIP

UN Peacekeeping in Africa



The Publication of the International Stability Operations Association

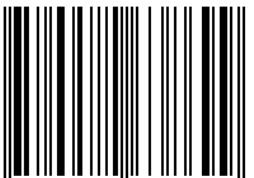


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Providing a vast array of services in conflict and post-conflict environments

Jessica Vogel



Hot Summer in the City

A Bi-Monthly Review of ISOA's Activities: July & August 2011

With emotions running high, and temperatures higher, D.C. has been a veritable hotbed of disagreement and controversy. With the Arab Spring hurtling in to Summer, politicians remained split over the decision to intervene in Libya and butted heads over the debt ceiling, creating turmoil in international financial markets. The budget arguments in every nation around the world echoed those from the spring and now austerity is the word of the hour as big-spending governments combat unsustainable spending. In Afghanistan the drawdown looms and new faces took over key U.S. positions. As this Journal goes to print, Libyan rebels have overtaken Tripoli, and the Commission on Wartime Contracting Report is rolling off the presses. The fall has officially begun.

SPOTLIGHT ISOA Member Services

July

July Networking Reception

The July Networking Reception brought the ISOA staff out to American Tap Room in Reston, VA. Attendees included many new and returning faces, and several requests for future events in Reston. ISOA is planning another networking reception in Reston for early 2012.

New ISOA Membership Packet

ISOA staff, under the leadership of Business Development Manager, Melissa Sabin, has been working to update ISOA Membership materials. New membership certificates have been distributed throughout the summer, along with an updated membership packet, outlining ISOA's membership benefits and ways to get involved in the association. ISOA encourages all member points-of-contact to read through the new membership packet and share how membership can benefit everyone at your company or organization from compliance officers to business development managers to human resources specialists.

Afghanistan Trip

As part of ISOA's ongoing advocacy effort regarding Afghan taxation of U.S. aid dollars, ISOA President, Doug Brooks, travelled to Kabul to meet with U.S., UK and Afghan officials. Doug

brought back important information for members, including Afghan government publications, and was able to share valuable insights with ISOA's Government & Legal Affairs Committee and the general membership.

August

August Networking Reception

Wrapping up a busy summer, ISOA hosted the August reception at a Dupont Circle favorite, the Madhatter. The hot topic of conversation was the recent CWC report, released during the last week of August, and the ISOA Annual Summit, coming up at the end of October.

Member Portal Launch

The long anticipated Member Portal launched at the end of August, marking the beginning of a new era of member access to exclusive ISOA resources and communications. The Member Portal is an exclusive space for all things ISOA, from interactive forums to committee calendars to members-only resources. ISOA staff looks forward to engaging the membership on the new web-based interface, and welcomes any feedback as we launch this fall. An interactive webinar introducing the new ISOA Member Portal will be hosted by Operations Manager, Jessica Vogel, this September. ■

Advocacy Highlight

Government & Legal Affairs Committee

As a global partnership of private sector and NGOs dedicated to the establishment, support and good conduct of international stability operations, ISOA relies on our membership to drive our many advocacy and education initiatives. In order to support our extensive member services and programs, member organizations volunteer their time to Chair and serve on ISOA committees, such as the Government & Legal Affairs Committee, or GLAC.

On behalf of our members, ISOA is engaged with policy-makers and key government agencies on issues that effect the industry every day, across the globe. The member-driven GLAC provides a platform for ISOA member organizations to identify common challenges and best practices, communicate important issues and brainstorm potential solutions.

For example, ISOA can bring together construction companies, NGOs and aviation and fleet providers from our diverse membership, all working in one country, all experiencing similar problems. The GLAC can discuss the problems and work to find a strategy to engage that common client and/or government to move toward a mutually beneficial solution, fostering improved operations.

Upcoming Events

22 September

ISOA September Networking Reception

Hudson Restaurant
Washington, D.C.

24-26 October

2011 ISOA Annual Summit

Ronald Reagan Building & International Trade Center
Washington, D.C.

Current Issues

- Afghan Taxation of U.S. Aid Dollars
- National Defense Authorization Act
- Commission on Wartime Contracting Final Report
- International Code of Conduct for Private Security Providers

Doug Brooks

Losing in Afghanistan

A view from the ground in America's longest war



ISOA President Doug Brooks visited Kabul this summer to find out more about the Afghan Tax Issue, among other topics. Credit Doug Brooks

IN July I travelled to Kabul to see how ISOA might address several issues that are plaguing our Member companies working in support of the international effort in Afghanistan. First, the Afghan government is requiring taxes from Western-funded companies for projects that should be tax-exempt; the second issue is the viability of the Afghan Public Protection Force (APPF) which is optimistically planned to be fully operational and replacing Private Security Companies in just a few months.

In short, the dispute over when companies are tax exempt is directly undermining Western efforts for a stable Afghanistan; and few experts have any confidence that the APPF will be capable of replacing tens of thousands of security contractors which could leave infrastructure, foreign experts and thousands of reconstruction sites highly vulnerable. With no change in these two situations, ultimate policy success may be unlikely in the face of so many impediments.

Compared to my previous visit to Afghanistan in

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2006, I encountered significantly less optimism among the Afghan and Westerners serving the mission. Some considerable improvements in the mission are necessary if we hope that Afghanistan will be truly operating and standing independently by 2014.

The Afghan government personnel I met with were frustrated by their own governmental capacity limitations and unreasonable edicts from above, but also felt trod upon by international partners, especially the U.S. Government. More often than not, messages from ISAF or the embassies are seen as 'edicts' rather than requests, almost inviting obstructionist behavior that benefits no one. Worse, what should be routine and informal intergovernmental agreements on policies and procedures are elevated to rare diplomatic-level discussions creating impediments and delays to addressing critical issues.

On the tax issues specifically, the Afghan government is under pressure to become self-financing – certainly a worthy and valuable goal. Unfortunately, they are faced with the reality that the vast majority of business is conducted under negotiated agreements with their international partners which do not allow taxes to be

levied on the firms doing the work. Thus, the Ministry of Finance is left with few options other than trying to find loopholes in the agreements that allow them to tap into the huge reconstruction and developmental revenue stream, or by rendering the tax exemption requirements so onerous and bureaucratic that eligible companies find it cheaper and significantly faster to give up and pay taxes anyway – a problematic notion in a highly competitive industry with razor-thin margins. This unfortunate reality is compounded by the numerous corruption issues related to customs and visas required to bring in essential equipment and expertise. As a result, a growing number of truly professional stability operations firms are making the decision to forego competing for Afghan contracts, which reduces industry competition, capability and capacity, and weakens the already foundering international effort.

The United States Congress has been frustrated as well. In an era of remarkably tight budgets, they are keen to ensure that scarce taxpayer dollars are maximized in supporting the U.S. policy of stabilizing Afghanistan. Thus, Congress is on the verge of passing legislation that would forbid U.S.-funded companies from paying taxes to the

► 06

◀ 05 | Losing in Afghanistan | Doug Brooks

Afghan government at all. Such a bill could provide leverage to the U.S. Embassy if it decides to address the issue with the Afghan government, but it may also put stability companies in a bind – prevented from paying taxes for any reason while required to pay taxes in order to obtain an Afghan business license. Resolving this impasse will take some real leadership and diplomacy in the field – ideally from the U.S. Embassy.

Although they were generally experienced and professional, few Western diplomats I met with had time for optimism; I encountered a bit of a ‘bunker’ mentality. Travel and safety restrictions keep most of the Westerners locked up in their compounds, and while my brief trip was limited to the Kabul area, it was dismaying to see government representatives focusing on ensuring successful projects in their own lanes with scant enthusiasm for reaching out to address larger, cross-disciplinary problems. The truly competent personnel need to be supported and encouraged to do more energetic troubleshooting on larger issues that seriously jeopardize the entire mission. On the second issue, in 2010 President Karzai issued an edict to close the PSCs that he feared were not under effective governmental control but were in fact a threat to his government. In subsequent speeches, he actually focused more on the Afghan PSCs which he sees as an extension of warlord militias; indeed he is not the first to make such a connection among some of the low-end Afghan national PSCs. Although his original comments on the issue may not have been intended to become policy, they were widely publicized and perhaps inadvertently initiated a far too rapid hand over of security services from the private sector to the APPF. To convert tens of thousands of Afghans providing private security for foreign and domestic firms, and train tens of thousands more would be daunting enough in light of how far behind the military and police training has fallen. Worse, pay and benefits for the APPF tend to be significantly below what PSCs currently provide their personnel, thus the question of how many PSC personnel will be interested in joining the APPF. And the final and more significant concern is the quality of the APPF – will foreign firms and government aid organizations trust the APPF to provide the same level of protection as their current PSCs?

The ISAF folks I met tasked to sort out the APPF issue were a breath of fresh air in many

ways. They had been assigned the task of making the APPF functional and they are taking to the job with gusto. Although they recognize that the obstacles are daunting, I came away with the sense that they will do their damndest to make the handover from PSCs to the APPF successful. They were under no illusions about the enormous challenge of their mandate, but frankly, most analysts I talked to believe the move to the APPF is far too premature and expect or hope the APPF handover will be kicked down the road months or years further. The consequences of failure are dire; reconstruction and development could come to a sudden halt if no reliable security is in place to protect the effort.

These are only two of many issues facing the contracting community, which has been frustrated endlessly by bureaucratic impediments – visa refusals, astronomically high fines for minor (sometimes only alleged) infractions of Afghan policies, months-long customs delays, frequent check-point confiscations of vehicles and equipment. Many of these problems trickle down from a fundamental need for better intergovernmental coordination.

Addressing these issues will take a significantly more energetic leadership from the diplomatic

community, and the good news is that the new U.S. Ambassador, Ryan Crocker, brings with him a phenomenal reputation as an effective diplomat. With the stability effort increasingly dysfunctional, tireless efforts will be necessary to get it back on track. From the contracting community perspective, U.S. government clients have been conspicuously absent in assisting implementing partners to address the challenges that have grown between the Afghan government and the international community. A far more effective relationship will be required between the key governments at all levels. Implementing partners should be focused on their missions, rather than negotiating international tax policy or fighting through bureaucratic smoke screens. Ambassador Crocker has his work cut out for him to address these issues and thereby vastly enhance the reconstruction and development effort, and allow Afghanistan to move significantly closer to the stability necessary for a smooth transition.

With time running out, only the diplomatic community can address the critical tax and APPF issues at the level of interaction necessary. While a defeatist mentality may not yet have taken hold in Afghanistan, neither did I encounter much enthusiasm or expectation of success. ■



A series of tax books released by the Afghan Revenue Department. Credit ISOA

Christopher Hunter

Filling the Accountability Gap

How CEJA picks up where MEJA fell short



Senator Patrick Leahy (D-VT) first introduced CEJA in the Senate last year. Credit TalkMediaNews, flickr

LIKE many areas of post-9/11 law relating to national security issues, the regulation of private security and stability contractors has developed by fits and starts. Since the 2007 Nissour Square incident, however, ensuring accountability for criminal conduct engaged in by contractor employees overseas is one area that has received sustained attention from Congress and commentators. The Military Extraterritorial Jurisdiction Act of 2000 and the amendments to it in 2004 (commonly referred to as MEJA) achieved the accountability objective only in part. MEJA applies on its face only to contractor employees working overseas for the Department of Defense (DOD). An accountability gap remains for contractor employees working overseas for other government agencies, a gap that frustrates many, including contractors themselves.

The Civilian Extraterritorial Jurisdiction Act of 2011 (CEJA) is designed to fill that gap. In June 2011, Senator Patrick Leahy introduced CEJA in the Senate and Congressman David Price introduced a companion bill in the House.

Christopher J. Hunter is a former Assistant United States Attorney and FBI agent. He also has served as Council at LibbyHoopes, P.C., www.libbyhoopes.com, in Boston.

Senator Leahy had introduced a version of CEJA in the last Congress, but the legislation did not pass. This version may not pass either, assessing what it could accomplish is worthwhile. After all, the bill already has been reported out of the Senate Judiciary Committee, and if it does become law, federal enforcement activity will increase.

Creating Jurisdiction

The primary purpose of CEJA is to ensure accountability for crimes contractor employees commit overseas while working under contract for government agencies other than DOD. Section 3272(a) does that by creating federal jurisdiction over anyone employed by or accompanying any federal government agency other than DOD who “knowingly engages in conduct (or conspires or attempts to engage in conduct) outside the United States” that violates certain federal crimes. The federal crimes CEJA covers include certain crimes of violence, such as assault and murder of foreign officials, and integrity offenses such as bribery and obstruction of justice. Section 3272(b) provides limited double jeopardy protection when a foreign government prosecutes a contractor employee for any of the covered crimes, but the Attorney General can

override that protection.

CEJA’s jurisdiction is intended to be expansive and to simplify investigations and prosecutions. This is precisely how the Department of Justice (DOJ), the end-user of CEJA, views the legislation, as Assistant Attorney General Lanny Breuer’s testimony before the Senate Judiciary Committee in support of CEJA demonstrates. Breuer observed that DOJ presently can charge an overseas contractor employee using MEJA only when DOJ “can prove that the defendant’s employment ‘relates to supporting the mission of the [DOD] overseas.’” As a result, “Cases that would otherwise be straightforward can turn into complex investigations focusing not just on the underlying criminal conduct, but also on the scope of the defendant’s employment, his or her specific work duties, and other jurisdiction-related facts.” CEJA would largely eliminate this jurisdictional investigation so that, instead, DOJ would have “clear and unambiguous jurisdiction to prosecute [non-DOD] personnel for overseas misconduct without wasting valuable resources on unnecessary [jurisdictional] litigation[.]”

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Organizing and Dedicating Resources

The aggressive enforcement approach that CEJA's broad jurisdictional reach is supposed to enable is further reflected in CEJA's regulatory, investigative and reporting requirements. Section 3273 requires DOJ to take the lead in an inter-agency regulatory process to organize the way in which "the investigation, apprehension, detention, delivery, and removal" of offenders will be handled. DOJ would also have to create investigative task forces specifically to investigate misconduct by overseas government contractors. Finally, CEJA would empower DOJ to request assistance for these investigations from DOD, the Department of State (DOS), and other government agencies.

Because CEJA would mandate investigating overseas government contractor misconduct, DOJ will have to allocate financial and personnel resources to this work. Senator Leahy's original version of CEJA contemplated a specific congressional appropriation to fund these investigations and prosecutions, but in the version of CEJA reported out of committee, the funding provision was changed so that now DOJ would have to use funds from its general appropriation. The political consequences of how DOJ would incorporate what would effectively be a new, unfunded investigative mandate into its budget – and what types of investigations would be de-prioritized in order to free up money – could cause Congress to revisit the appropriation issue before final passage of the bill and dedicate funding to this work.

Wherever the money comes from, time will be of the essence. CEJA would become effective immediately upon enactment, and DOJ would have to comply with the regulatory, task force, and other provisions of CEJA within 90 days of enactment. Then, every year for five years, DOJ would have to report to Congress with metrics showing how DOJ has implemented CEJA and acted on its extension of prosecution authority.

Protecting the Intelligence Community

When the Detainee Treatment Act of 2005 was being debated, the possibility of it unintentionally exposing intelligence community professionals to liability risk was a significant concern. Protecting intelligence community professionals from this

risk was so important that the bill nearly foundered before a last-minute compromise between the White House and Senator John McCain, the bill's chief sponsor, salvaged it. The same concern exists with CEJA, with the same potentially derailing effect.

CEJA contains a statutory exception for intelligence activities. The exception is supposed to protect intelligence professionals – government employees and contractors – from criminal liability for otherwise authorized activities. However, the current version of CEJA affords that protection in a cumbersome and uncertain fashion. In order for an intelligence professional to avoid liability, the intelligence activity that otherwise could trigger CEJA must be (1) "authorized," presumably by a responsible supervisor at an agency or contracting entity; (2) performed by an employee or contractor on behalf of the statutorily-defined intelligence community; and (3) "authorized in a manner consistent with applicable United States law," which some could argue means that specific legal authorization must accompany supervisory authorization. To compound the complexity, a companion section to the exception is a double negative, and redundant at that: CEJA does not provide immunity or an affirmative defense to intelligence professionals who engage in actions that are not authorized by the first part of the intelligence activities exception.

CEJA's Uncertain Fate

The complicated and potentially under-protect intelligence activities exception is the primary reason why CEJA may not become law, at least not in its present form. An amendment Senator Charles Grassley, ranking member of the Judiciary Committee, proposed to address this problem was rejected in committee. The amendment would have conformed CEJA's intelligence activities exception with other statutory protections for intelligence, law enforcement and protection personnel. Specifically, Senator Grassley's amendment would have substituted the protections codified at 18 U.S.C. §§ 1029(f) and 1030(f) for CEJA's intelligence activities exception. Section 1030(f), for example, is a model of simplicity compared to CEJA's current exception. It provides as follows: "This section does not prohibit any lawfully authorized investigative, protective or intelligence activity of a law

enforcement agency of the United States, a State or a political subdivision of a State, or of an intelligence agency of the United States."

In proposing this amendment, Senator Grassley emphasized the importance of protecting government employees and contractors in a bill whose chief purpose is to enable prosecuting them. "[W]e need to make sure that this legislation will not harm government employees or contractors that we send abroad to protect our national security. This includes intelligence operatives and agents of the law enforcement community [...] Under the current [exception], an intelligence agent may not be protected from prosecution, even though he was following orders from his supervisor [...] At worst, this language leaves the agent exposed to criminal liability, and at best, slowed or stuck in bureaucratic paperwork." Senator Grassley's concerns are, of course, well founded. The intelligence community and its contractor partners are often subjected to recrimination for, on the one hand, carrying out executive policy in theater and, on the other, failing to carry out executive policy due to bureaucratic obstacles. Strengthening CEJA's intelligence activities exception is so important that Senator Grassley cited it as one of the reasons why he will hold CEJA on the Senate floor unless the language is changed.

Conclusion

In the meantime, the contracting community continues to be forced to function within the incomplete legal architecture that governs its conduct – despite a strong desire for clarity and completeness. In a thoughtful statement, Tara Lee, former Naval officer and current transnational litigation specialist at DLA Piper, submitted to the Senate Judiciary Committee in support of CEJA. She illustrated one of the problems for the contracting community with the presently incomplete legal architecture: "A company with both Department of Defense and Department of State contracts might, under the current statutory framework, accurately advise employees working on its Defense contracts that they 'are' subject to MEJA jurisdiction, while advising employees doing similar work in the same location but on a State Department contract that they 'might be' subject to MEJA jurisdiction," [author's emphasis added]. The

From the Editors

Feature | Aviation & Logistics

Get it there: Challenges, Risks & Innovations in Aviation & Logistics



Credit: Graphic constructed by Jessica Vogel

THE United Nations officially declared the food crisis in the Horn of Africa a famine on July 20, 2011. With more than twelve million people in the region suffering from the combined effects of drought, famine, disease, displacement, and political instability, the demand for aid in Somalia and neighboring countries is monumental, drawing in more than a billion dollars in aid and dozens of humanitarian NGOs and IGOs.

Subsequently, the challenge became logistics: how do you get the necessary aid and supplies from donor countries into the Horn of Africa, despite rampant piracy along Somalia's coast, a lack of airports large enough to support large cargo planes, and threats of further violence and terrorism in-country? Who coordinates distribution on the ground when tons of food and other goods overwhelm local infrastructure and aid theft is already becoming a problem?

The ongoing famine in the Horn of Africa is a prime example of the complexity of logistical challenges that face stability operations around the world. World Food Programme in particular has taken on a leadership role in coordinating that relief effort, a subject that is covered in greater

detail in the highlight section, **Logistics of Famine Relief**. This feature section takes a step back to gain a broader view of some of the modern-day challenges and innovations in aviation and logistics in all types of operations.

Jim Lanning leads off this feature by considering the importance of preparedness for humanitarian and emergency response. While significant strides have been made in the direction of better disaster response, notably a burgeoning understanding that providing disaster aid is a moral imperative, improvements can be made. He sets out several issues that the international community needs to address, such as more effective pre-disaster coordination and a new approach to donor funding. He concludes that stability cannot be ensured if basic needs are not met and a more effective disaster response is a necessary step in that direction.

Logistics involves not only procurement and distribution, but also preparing for the risk associated with that work. In his piece, **Jon Gerlach** discusses the risks inherent in stability operations and the importance of preparing for those security threats before the first boot hits the ground. Through a hypothetical example, he

explores how a company can best insure both its local and expatriate employees, and what are the implications if an accident catches the company unprepared?

Aviation is undoubtedly an important component of stability operations. As one of the preferred methods not only of transportation, but also surveillance and mission coordination, aviation also comes with its own set of risks. **Bernhard Charlemagne** explores these risks with an adapted *Aviation in Stability Operations Risk Matrix*, which takes important mission factors into account. The overall risk of a mission can be estimated with preparation and calculation.

Finally, **Karen Richardson** covers the innovations in the use of GIS technology to further logistics and development. Focusing on post-earthquake Haiti, she discusses gathering and organizing data, such as maps of shelter sites in Haiti, and their importance in coordinating development efforts from the field while also improving communication between different offices and/or organizations.

Next issue, the feature will be **Maritime Law and Security**. ■

Jim Lanning

Saving Lives by Improving Response

Exploring ways to create a more proactive logistics model



When disaster strikes, the efficient delivery of food and other emergency supplies can save lives. Credit IRD

IN any corporate or political campaign, logistics can be central to success. This is certainly true for humanitarian response and emergency relief operations as well. The growing capacity of international organizations to quickly provide relief and other stabilization goods and services is truly impressive. We take it for granted that tons of food, clothing, temporary shelter and other humanitarian support commodities can be quickly provided after a natural or man-made disaster virtually anywhere in the world. For instance, my organization has an ability to send an assessment team within hours after a disaster strikes. Once a relief assessment is made, we immediately contact our partners to obtain the necessary water, sanitation, food, and medical or shelter goods to assist disaster victims. At the same time, we contact our donors to obtain the funds necessary to ship and distribute the goods. Commodities are usually in peoples' hands within days.

The inability to act this rapidly – such as after

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Hurricane Katrina struck the U.S. Gulf Coast – is regarded as a major failure of both the public and private sectors. Of course the scale of the Katrina disaster was unprecedented and out of that disaster came many changes to how the U.S. approaches disaster response domestically.

Unfortunately, for most of history and in many parts of the developing world, suffering through disaster and violence was a given, part of the human condition. State and non-state actors had neither the capacity nor, most often, the will to help vulnerable people suffering from “an act of God.” It is a notable advance in organizational development that it is now understood that vulnerable people should receive assistance to help them and their communities to recover.

Like all human achievements, the logistics of disaster relief and stabilization can be improved. More people can be helped, and helped more quickly, effectively and efficiently. The key to doing so is to move the international community's relief and stabilization efforts from a reactive to a proactive model.

An example of where this has started to happen is the Libyan conflict. As protests against the Libyan

regime increased and tensions rose, the U.S. government and its partners prepared to assist possible Libyan refugees. Even before starting work with the USAID's Office of Foreign Disaster Assistance in April, our organization prepared to distribute medical relief supplies, oral re-hydration salts, broad spectrum antibiotics and other non-food items to Libyans displaced by conflict. Supplies were pre-positioned in Egypt via both air and ship. IRD's logistics team preceded the arrival of the goods, coordinating with Egyptian officials to enable our partners to transport the medical and other supplies to Benghazi.

As the relief effort progressed, IRD partnered with USAID and Libyan private voluntary organizations, which have been critical in helping to reach more than 9,000 displaced Libyan people. In addition to providing goods, IRD and our partners have arranged dental and gynecological exams and established a women's social committee for psychological support. Delivering these items has been challenging, given security risks, and inadequate phone and Internet connections, but the challenges would have been that much greater had we not put the pieces in place early in the conflict. Based on our organiza-

tion's experience managing logistics from humanitarian assistance in Libya, Georgia and Haiti, to large-scale stabilization in Afghanistan and Iraq, we believe the following are necessary elements of a more proactive logistics model.

Improved Global Coordination Before Disaster Strikes

Ideally, the United Nations would take the lead on coordinating disaster relief and stabilization logistics planning. It has the reach, experience and relationships to give institutional shape to a proactive logistics framework. The United Nations could use these traits to plan and coordinate its activities with its U.S. counterparts at the USAID's Office of Foreign Disaster Assistance as well as similar national and bilateral aid organizations and global NGOs. This has been done to some degree in Haiti and other places, but it must be improved. Our experience shows that these efforts have been reactive, occurring after disaster struck, and governments and NGOs arrived in the country with people and resources. The goal of improved global coordination would be a permanent set of clearly understood disaster response networks and relationships that enable ongoing planning, pre-positioning and response implementation on the basis of pre-determined roles and procedures.

More Stable Funding for Disaster Organizations

Of course, such coordination and planning requires sufficient resources that can be accessed on an ongoing basis. We all know how the process works today: disaster strikes, emotional appeals are made through the media and other means, and money flows in to NGOs or government responders to purchase supplies and transport them to the disaster zone. At the same time, money flows out from governments and international organizations usually through some form of emergency supplemental appropriations process. The amount of resources available to particular communities in need of assistance and stabilization thus depends on unpredictable political, social and media factors. A solution to this problem is not inconceivable: the establishment of longer-term and immediately available funding is a goal that the entire disaster response community can reach toward. Our organization is in the early stages of developing a sustainable donation model in which individuals or organizations can make regular contributions to a

“Disaster Preparedness Fund.” The monies would be immediately and continuously available to purchase emergency commodities and transport any donated goods to those who need them most before the previously necessary appeals are made. It is important appreciate that a sustained effort will be required to educate donors on the importance of such a steady source of funds. However, both private and public organizations need to get beyond the feast and famine model of disaster relief and stabilization funding if they are to move to the next level of logistical effectiveness and efficiency.

Develop and Implement a Unified Online Disaster Response System

There is at present a great deal of overlap in activity when a disaster strikes globally. For example, multiple organizations often deliver similar goods – when it comes to disaster relief, there actually can be too much of a good thing. The flipside is that there can also be too little of things people desperately need. The misallocation of resources, especially in a situation of acute need, has been tolerated far too long. This

“There is at present a great deal of overlap in activity when a disaster strikes globally”

problem calls for something along the lines of a unified Online Response Management System to be managed by the United Nations and funded programmatically by the largest international disaster response organizations globally. This planning model, which would be a more efficient method for leading NGOs and international organizations, would help to collectively identify and accept a strategic ordering of response activities focused on delivering specific types of goods and services. One organization could deliver tents and blankets while another medicines and basic health care services, water and sanitation devices and so on. There would also be forums in which to discuss and negotiate these arrangements, and doing so would greatly increase the effectiveness and efficiency of delivering relief and stabilization goods.

Step Up Regional Prepositioning

After a disaster, goods are shipped from

warehouses around the world. Time and cost of delivery could be significantly reduced if goods were pre-positioned in more regional locations, such as Nairobi, Bangkok, Dubai and Lima. Not only would this increase efficiency, it would also encourage planning and coordination by regional public and private organizations. Furthermore, it would help encourage the development of mechanisms for sustained and stable funding.

Need to Develop New and Improved Contracting Models

International organizations and NGOs respond immediately when disaster strikes. To continue their work, however, especially the kind that encourages stability, disaster responders must obtain contracts from governments, a very time and labor-intensive process. It is a less-than-ideal use of limited human resources when disaster and upheaval are overwhelming communities and even entire nations. After Katrina, FEMA started using indefinite quantity contracts (IQC). An IQC provides for an indefinite quantity, within stated limits, of supplies or services during a fixed period. These have been around for years, including in military contracting, but they are still fairly rare in the relief sector. A more wide scale adoption of this contract model by the U.S. government and other funders would enable and encourage a quantum leap in planning and coordination by the NGOs that deliver relief and stabilization goods and services. It would also free logistics and other staff to focus on delivering goods after a disaster, rather than on responding to proposals.

Each of the aforementioned recommendations, if implemented, would help save lives when disaster strikes. Delivering needed goods to people in disaster, conflict and post-conflict situations does not in and of itself produce stability, but stability will never occur if basic needs go unmet. Efficient logistics are necessary to all the other things we in the relief, stabilization and development community seek to achieve. It is time to move to the next stage of logistics support. That means a comprehensive change from a reactive to a proactive model. This will take time, resources and unprecedented coordination and cooperation among all those involved, but the results – in saved lives, stabilized communities and sustainable development – will be well worth it. All that is needed is the leadership and will to get it done. Fortunately, that is one thing that is never been in short supply in the logistics business. ■

Jon Gerlach

The Logistics of Risk

The need for expat and local national insurance



In a high-risk environment like Afghanistan, even a drive down the street can be dangerous without the proper preparations. Credit USACE/Karla Marshall

LOGISTICS has developed to include all aspects of planning and preparedness for a mission or task—including risk assessments and insurance. This article illustrates the financial cost and human consequences of a hypothetical automobile accident involving an expatriate relief worker and his Local National (LN) driver to demonstrate the dangers of poor insurance planning.

Background

Stability operations professionals working in the field face great uncertainty in terms of health and safety. Unique risks are ever-present in most field situations, ranging from endemic disease to work-related accidents, war or terrorism-related injuries, robbery, kidnap, ransom and extortion. Among these many risks, automobile accidents top the list.

Effective security protocols for field staff necessarily include insurance. Several insurance companies offer travel and war risk insurance

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tailored to the needs of NGOs and stability operators. These plans cover the medical expenses incurred to treat, stabilize and evacuate the injured worker. Disability benefits – which make the policy resemble Worker’s Compensation – may also be available. Policies typically include emergency medical evacuation coverage to pay transportation and other non-medical costs of responding to serious accidents in the field.

Additionally, stand-alone 24/7 emergency assistance plans are available to provide emergency response coordination, such as arranging for local medical care and emergency medical evacuation to a suitable hospital and even back home once the patient can safely be moved again. This often duplicates the assistance service available through the travel and war risk insurance policy, a source of potential confusion that can have serious financial consequences, as will be discussed shortly.

One might assume that having an insurance plan, or a separate emergency assistance plan, is sufficient. Don’t be fooled: not all insurance is created equal, nor are all assistance plans.

As we will see from the scenario in this article, effective risk management requires a careful

assessment of your current insurance coverage, in light of the risks faced by field staff. Gaps in coverage or confusion about who to notify in case of an emergency could spell financial trouble for your organization and staff. Identifying and filling gaps in coverage, and creating appropriate emergency protocols, should be handled in consultation with your insurance professional.

The Accident

Two relief workers set out for their project area in Afghanistan one morning under a blazing sun. Normally an uneventful drive, today would be different, life-changing. Abdul, an Afghan LN hired to assist on the project – he knew the roads and customs better than anyone – was the driver. Edward, a U.S. based employee of XYZ Relief working as an expatriate on the project, rode shotgun as Abdul’s passenger. Rounding the corner on a busy street, the vehicle was hit head-on by a large truck. Each vehicle was only going 25 mph, but the impact was equivalent to driving into a stone wall at 50 mph.

Edward suffered two shattered legs, a broken arm, broken ribs, a punctured lung, numerous lacerations, and a concussion. Abdul was killed instantly.

Edward was taken to a local hospital where he was admitted in critical condition. The attending physician called Edward's employer, XYZ Relief, to alert them and arrange payment. The receptionist at XYZ Relief called the company's international assistance provider, Help Is On the Way, Inc. (HELP). HELP was not the official assistance provider identified in XYZ Relief's travel and war risk insurance policy; instead XYZ Relief had a separate assistance plan with HELP. HELP coordinated Edward's medical care with the local physician, paid the local medical/hospital bills using Edward's credit card, and arranged to have Edward flown back to the A with a medical escort. Once Edward was admitted to a U.S. hospital, HELP arranged for Edward's father to fly from his home in London to join him at the hospital.

It wasn't until a few days later, once Edward and his father were united at the U.S. hospital, that XYZ Relief notified their insurance company of the accident. Edward's prognosis was good, but medical expenses were mounting rapidly, approaching \$100,000 between the local physicians, local ambulance company, in-flight medical escort and the medical bills for treatment at the U.S. hospital. Additionally, there was \$10,000 in non-medical costs: \$7,500 for Edward's air evacuation and \$2,500 to fly his father in from London.

Insurance in Edward's Case

XYZ Relief was surprised to discover that HELP's role in the incident was limited. Primarily, HELP arranged payment to the Afghan medical providers using Edward's credit card, coordinated his treatment before and during the evacuation, and arranged the air transportation for both Edward and his father. XYZ Relief assumed, mistakenly, that HELP would reimburse some or all of Edward's medical expenses and transportation costs. HELP correctly pointed out that the 24/7 assistance package was not insurance: it was a service that would coordinate Edward's medical care and evacuation, but it was never intended to pay for any expenses.

Naturally, one would expect the travel and war risk insurance company to cover the medical and transportation expenses in such a situation. However, XYZ Relief's insurance policy did not cover the emergency evacuation transportation or Edward's father's flight from London, services

that HELP arranged under the stand-alone assistance plan. This \$10,000 would be Edward's responsibility. Why?

As is typical in the insurance industry, the travel and war risk insurance policy contained its own 24/7 assistance service, which was very similar to the stand-alone assistance service provided by HELP, but the assistance provider in the insurance policy was a different company, not HELP. The policy stated that the transportation costs of an emergency medical evacuation would be covered under the policy only if the insurance company's authorized assistance provider (i.e. not HELP) handled the assistance services. This is to say, if XYZ Relief had called the insurance company's own assistance provider instead of HELP, the \$10,000 transportation costs would have been covered by the insurance. XYZ Relief ended up reimbursing Edward for those costs, and recorded the loss of \$10,000 on its books.

“Companies should work with their insurance professionals to develop protocols for responding to a medical emergency”

Fortunately, the insurance plan did cover Edward's Afghan and U.S. medical expenses, now approaching \$100,000 and expected to rise above \$250,000 after future surgeries and months of physical therapy Edward needed to make a complete recovery. In addition, a disability benefit in the insurance plan ensured that Edward would continue to collect income during the time he was not able to return to work.

In short, Edward's medical bills were covered by the travel and war risk insurance policy, and his lost income was protected under the disability benefit, but \$10,000 in transportation costs became XYZ Relief's ultimate responsibility.

Lessons Learned

Given this scenario, it is clear that NGOs and private stability operations companies should work with their insurance professionals to develop protocols for responding to a medical emergency in a way that guarantees full reimbursement of medical bills and transportation costs. As in this case, whenever the insurance policy dictates that their approved assistance provider coordinate the

medical evacuation, the appropriate provider must be utilized.

XYZ Relief had no insurance for local nationals. Abdul was survived by his widow and three children. Unfortunately his family would have to get by as best they can without him. XYZ Relief donated \$1,000 to his widow to help with burial and family expenses.

Why did Abdul not have insurance? Until recently, no insurance company was willing to extend their travel and war risk insurance to LNs. However, as LNs play an increasingly important role in the overall success of relief and development operations, NGOs and private sector actors are voicing their desire to fill that gap, and one insurance company recently introduced LN coverage into their portfolio of travel and war risk insurance plans. The policy differentiates between professional LNs (e.g. highly compensated workers) and non-professional LNs, such as laborers and drivers. Non-professional LNs have a \$5,000 benefit for Accidental Death & Dismemberment, whereas the same benefit for professional LNs can go up to \$100,000. The professional LN also enjoys medical benefits up to \$100,000, whereas there are no medical benefits for non-professional LN.

In this case, if XYZ Relief had purchased LN coverage for its drivers, Abdul's widow would have received a lump sum payment of \$5,000 for Abdul's accidental death. That would have significantly eased the financial impact of their loss of the family breadwinner.

Conclusion

For any company working in high-risk environments, it is important to carefully review travel and war risk insurance policies and any stand-alone 24/7 assistance plan with an insurance professional. Consider the scenario presented in this article, and know precisely where any gaps in coverage might exist. Your insurance professional can assist in filling those gaps and training your staff on appropriate protocols including which phone number to call in the event of a medical emergency in the field. Finally, consider purchasing LN coverage. Had XYZ Relief followed these steps, the financial impact of the accident would have been significantly lessened; and XYZ Relief's LNs and their families would have peace of mind knowing they are protected too. ■

Bernhard Charlemagne

Preparing for Take-Off

Logistics and risks in aviation



Aircraft can make significant contributions to stability operations with proper planning. Credit IIP State, flickr

THE radio room in the U.N. camp gets busy after a U.N. convoy is six hours overdue and no contact can be established. Did the convoy get attacked by rebels? Do they need help? To answer these questions, the operations manager sends out a Search and Rescue (SAR) aircraft to the last known position of the convoy and the airplane conducts a creeping line search. When the pilot detects smoke in the distance, a closer examination reveals a burning vehicle from the convoy. He presses a button on his GPS to give the exact latitude and longitude and calls the coordinates into the U.N. base. No one is found near the burning truck and the pilot presses another button on the G1000 to program an extended square search originating at the point of the burning truck to find the rest of the convoy. The autopilot flies the exact search pattern and the incident commander is updated about the situation via satellite phone and images from the on-board camera. After ten minutes, the rest of the convoy is found and help is sent to their location. The photos from the mission are later used in legal

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proceedings against the perpetrators and to implement sanctions.

This is just one example of the important contributions aircrafts can make to successful stability operation missions. They not only fly surveillance missions, but also deliver people, material and real time information to decision makers. This article will cover the use of aircraft in stability operations, how to develop safe and efficient air operations and how to reduce risk.

“Long before the first propeller rotates, there is a great deal of planning and preparation required for a mission”

Logistics

Long before the first propeller rotates, there is a great deal of planning and preparation required for a mission. Having safety and operational guidelines as well as air ops policies in place can standardize air ops significantly. This is especially important when there are aircrafts from different

countries with different languages operating in a shared area, a typical situation in U.N. operations. Since the beginning of 2011, the United Nations has awarded air contracts to the following companies:

- Euro Atlantic Airways (Portugal)
- Jordan Aviation
- UTAIR Aviation (Russia)
- Trans Capital Air LTD (Canada)
- Ethiopian Airlines
- Shree Airlines LTD (Nepal)
- Egypt Air
- Pakistan International Airlines
- Ukrainian Helicopters

These operators come from a wide range of countries and speak a number of languages. Therefore, agreed upon operations, such as standardized English communication, are essential to assure the safe operation of air assets. In a post -conflict environment, there is no Air Traffic control or radar system available to help pilots avoid collisions, so radio position calls are essential for separating airplanes and assuring a smooth and safe operation. Only a well-designed operational plan used by all participants can assure

a safe operation.

On top of this, civilian aircraft radios operate on different frequencies than military aircrafts. Therefore, if it is a joint mission, this should be considered and maybe an additional radio installed. For long distance communication HF radios are recommended.

Another way of reducing collision risks is to install TCAS or G1000 systems in the aircrafts.

Incoming traffic is shown to the pilot on a monitor: its position, distance, and whether it is below or above the pilot. This information is especially useful in difficult weather situations, as pilots can have a hard time detecting traffic by looking outside into a haze or when flying into the sun.

In addition to these logistical issues, there are several other considerations that must be taken into account when preparing aircraft for a mission, including flight crew, aircraft, and environmental considerations.

Flight crew selection

Selecting suitable, well-trained and motivated flight crews is the key to a successful operation.

A crewmember's personal attitude is an oft-neglected characteristic, despite its ability to affect the whole team and other organizations and companies with which one works. A professional person and team player will easily get assistance from other organizations, and this can make the difference between an operation's success or failure.

In-country experience is another factor to consider. A person who is familiar with a country and its challenges knows what he or she is signing up for and is therefore less likely to quit in the middle of the contract. Not everyone is well-suited to live in potentially uncomfortable accommodations and may become a drain on resources, which affects the overall profitability of the company, or even leave before the end of the contract, creating problems with hiring and training a new pilot. Sufficient training is also an important skill, as it means pilot is able to make full use of all their equipment. For example, a GPS can do more than just "direct to" navigation. To make the most efficient use of the equipment, additional training should also be scheduled and budgeted.

The pilots' currency is another important consideration in all flight operations, but especially in stability operations. In the United States it is easy to land on a long asphalt runway and get away with rusty flying skills. Flying into a short and narrow dirt strip, however, has no margin for error and requires top performance on the first try. This is especially important because an airplane that is damaged during landing may be unable to be flown out for repair, meaning maintenance crews and a replacement aircraft have to be brought in. If training is required, the Federal Aviation Administration's Industry Training Standards (FAA FITS) concept should be used. This training is scenario-based, and is endorsed by the FAA and most flight instructors for its efficiency. Finally, in addition to a first class FAA medical check obtained by the pilot, recruiters should consider medical problems or personal habits, like alcohol or tobacco consumption. An independent background check is also recommended to avoid surprises.

Aircraft selection

The key element in any air operation is the aircraft. The selection of the equipment depends on cargo weight, volume or amount of people, and luggage to be transported over variable distances. Are suitable airports or landing sites available? Is the right type of fuel available? Turboprop and jet aircraft use Jet A fuel, while piston engine airplanes use 100LL. In an emergency a turbine engine can run on diesel fuel, whereas the piston engine needs special 100LL aviation fuel.

The equipment available on-board should also be accounted for during the planning stages. Outdated equipment like LORAN will not prove as useful as GPS and a satellite phone. Technical Advanced Aircraft (TAA) are equipped with new generation avionics, modern navigational aids, weather and terrain information capacity and a moving map display. They have an Instrument Flight Rules (IFR) approved GPS navigator and an auto-pilot. Examples of these TAAs are Cessna 182, Cessna 206, Beechcraft G36 Bonanza, Columbia, Diamond DA40 and DA42 and the Mooney Ovation. The G1000 navigation system allows the pilot to store flight plans and change a plan in-flight within a minute. The coupled autopilot can fly much more precisely than a pilot, which is important for grid searches and ISR operations. Pilots can even be trained to use the G1000 on a PC simulator instead of an expensive

aircraft, saving training costs and increasing pilot performance. With software updates, mission-specific functions can also be made available. The G1000 is also capable of getting satellite weather and XM radio with a subscription. The satellite weather is a great safety feature. The pilot can see the thunderstorm cells and can avoid flying into dangerous weather. The G1000 has 2 monitors and can also display other traffic near the aircraft. It shows the other aircraft and its position and altitude relative to the pilot's aircraft.

The advantages of TAA aircrafts can fill a book, but here I will just point out a few more specific features that can be useful for air operations in a stability operation setting. New aircrafts offer the latest technologies and they can make flying safer and reduce risks. For long missions, for instance, the pilot can plug his I-phone into the intercom or enjoy satellite radio for entertainment, and the entertainment automatically stops when there is an ATC transmission on the aircraft radio. Pilots can also get weather updates for their route or destination. Using these updates, the pilot can see thunderstorm cells and movement on the Multi Function Display (MFD) and can select a safe route around the thunderstorm or to an alternate landing site.

Terrain warning is another useful safety feature, especially at night when it is difficult to see large natural obstacles, such as mountains. The G1000 shows the terrain in different colors, with red representing high terrain. The pilot can select from ninety-nine mission's flight plans, pre-programmed on the ground or in the air. If the pilot deviates from his planned route to a new destination, he can immediately check his fuel range and ETA – the onboard computer uses GPS and engine data to compute the fuel consumption and flight time. A green fuel range ring then shows the pilot his maximum range and

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Prep for air mission. Credit UN Photo/Martine Perret

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if he can fly safely to his new destination. The onboard computer can also calculate the wind direction and speed, and display it with a wind vector.

A further major advantage of TAAs is that they employ the Commercial Off The Shelf (COTS) concept. This means that it is possible to take a normal flight school Cessna C-182, download Garmin Search and Rescue software, insert it into the G1000 unit and in five minutes the flight school Cessna becomes a SAR airplane. The SAR software has pre-programmed parallel track, sector search and extended square search patterns like the one used in the scenario at the beginning of this article. This automation also saves training costs for pilots.

When determining the best aircraft, it is important to consider the requirements of the mission. The Beechcraft King Air is a great airplane and can be used for Intelligence, Surveillance, and Reconnaissance (ISR) operations. However, using a King Air for ISR operations is like using an 18-wheel tractor-trailer to bring a pound of butter home from the grocery store – there are more cost efficient solutions. For example, a powered glider, an unmanned aerial vehicle (UAV) or, for short distances, a powered parachute, can all do perform some ISR functions. A powered parachute can also be transported in a pick-up truck and deployed from a small clearing, making it a more portable solution.

Comparing the operational costs and capacities of aircrafts before a selection can save significant operating costs. For instance, older airplanes may be cheaper to acquire, but need more frequent maintenance and the dispatch ability can suffer from numerous breakdowns. Newer aircrafts often have an advantage as they come with the previously discussed technologies. Some even have satellite uplinks to send real time-images to the mission base.

Finally, all aircraft need regular maintenance and inspections. The maintenance intervals are specified by the manufacture. The most common

inspections are 100 hour and annual inspections. If an aircraft is flying several hundred hours in the assigned area, these inspections must be integrated in the planning process. If necessary, a replacement aircraft must be allocated.

Let's now compare two aircrafts used in ISR operations (left): the Cessna 337 Skymaster/ O-2 from 1965 and the new Diamond DA42 TAA. The Cessna 337 needs special 100LL aviation fuel and the DA42 can run with Jet A or diesel fuel.

The longer range and the use of diesel fuel combined with the numerous advantages of the TAA concept make the DA42 a more desirable aircraft. The C-337 has a higher fuel consumption and a shorter range: in ISR missions range is an important factor. During test flights for the USAF at 8000 ft, the author experienced a fuel consumption at low cruise of 3.9 gal/engine – that is less than 8 gal of fuel per hour, which makes the DA42 very fuel efficient.

To summarize some of the technology-related observations above, the author, a Diamond Factory Flight Instructor, has experienced the advantages of TAAs numerous times.

Environmental considerations

Obviously, the available landing site determines what kind of aircraft one can use. If there is a road or runway, airplanes can be used, whereas if there is only a small landing area, helicopters should be employed. On an island, or near a river or lake, float planes can be used. There are even float planes that can land on water or hydraulically lower landing wheels out of the floats to land on runways.

Temperature, humidity and density altitude can limit the load of an airplane. An airplane can take off on a cold dry day at 32 F with more cargo than on a hot and humid day at 95 F, so scheduling flights during the cooler morning hours can help avoid these performance losses. When the ambient temperature is very high there is also the risk for a hot start of a turbine engine, which



Credit: Bernhard Charlemagne

damages the engine and will require maintenance or an expensive engine overhaul. Blowing snow, whiteout, or dust, brownout can endanger helicopter operations, specifically during take offs and landings. Many aircrafts have an anti- or de-icing capacity to enable flights in icy conditions.

In summary, air operations can be conducted in a safe, efficient and profitable way when there are standard operation procedures and operational risk management procedures employed.

Using the Risk Matrix

To determine the risk of a given mission, select the risk number of the line item, transfer it to the end of the line and then add the individual risk numbers to get the total risk number. Compare the total risk number with the risk level and who can release the flight.

For example, consider a 500-hour pilot who has not flown for two months, has a cold and only got five hours of sleep last night. The mission is to fly a partially functional aircraft with 17kt wind over the water outside gliding distance. How high is the risk? Can he dispatch himself or should his supervisor review his flight? Here is the risk assessment for that mission:

- 500hr Pilot = 10 points
- Not having flown for two months = 20 points
- 5hrs sleep and cold = 10 points
- Partly functional aircraft = 15 points
- 17kt wind = 50 points

With a total of 105 risk points, this flight would require a supervisor release.

Aircraft data above is for academic discussion only. Please refer to your specific POH (Pilots Operating Handbook) since the data may vary depending on your make and model and mission equipment installed. ■

Performance	Cessna 337	Diamond DA42/ MPP
Maximum speed	200mph	222mph
Range	764 miles	1055 miles
Service ceiling	19,500 ft	18,000 ft
Rate of climb	1,200 ft/min	1280 ft/min
Fuel consumption at 65% power	19 gal/hour	11 gal/hr

Aviation in Stability Operations Risk Management Matrix

		LOW RISK POINTS		MODERATE RISK POINTS		HIGH RISK POINTS		TOTAL
MAN								
Pilot total experience	>1500hr	0	800-1499hr	10	<799 hr	20		
Pilot experience make and model	>500hr	0	50-499hr	10	<49hr	20		
Pilot currency	>10hr within last 30days	0	5-10hr within last 30days	10	< 5hr within last 30days	20		
Pilot Crew Rest	Good health, proper crew rest	0	Fair health, some fatigue	10	Poor health, serious fatigue	No Go		
Pilot English proficiency	Fluent	0	Basic	10	Poor	40		
MACHINE								
Maintenance	Fully functional	0	Partly functional	20	Non functional	No Go		
Performance factors	Seal level	0	1,000-4,000ft/DA	10	>5000ft/DA	20		
Search altitude	>2,500ft<7,000ft	0	>7,000ft	10	<1,500ft	20		
Communication capacities	Good comms.	0	Some blind spots	20	Poor comms.	30		
Survival equipment	Good survival kit	0	Some survival equipment	10	No survival equipment	30		
GPS capacities	IFR or G1000GPS	0	Hand held GPS	10	No GPS	20		
Collision avoidance equipment	TCAS, G1000	0	ATC, Radar	10	No radar or G1000	20		
MISSION SPECIFIC								
Participants involved	1 or 2 aircraft	0	3-4 aircraft	10	>4 aircraft	50		
Operation complexity	Simple task	0	Complex task	10	Complex with new technology	80		
Ground forces	Friendly territory	0	Some spoilers	10	Hostile ground forces	80		
Safety Briefing	Today	0	Last week	10	No briefing	20		
ENVIRONMENT/WEATHER								
Icing	None	0	None	0	Light	No Go		
Ceiling	None	0	< 1,500 ft	10	< 500 ft	80		
Hazards	None	0	Moderate	10	Severe	80		
Wind	< 5 kt	0	> 5, <15 kt	10	> 15 kt	20		
Wind gusts	5 kt	0	5-15 kt	10	> 15 kt	No Go		
Crosswind	5kt	0	>5, <15kt	10	>15kt	50		
Visibility	>10 sm	0	>3, <10 sm	10	<3 sm	50		
Terrain	Low, flat	0	Foothills	25	Mountains	50		
Airfield	Familiar	0	Unfamiliar	25				
Area, Route	Familiar	0	Unfamiliar	25				
Night OPS			VFR	25	IFR	75		
Over water, warm climate			Within gliding distance of land	50	Outside glising distance	100		
Over water, cold climate			Within gliding distance, water temp > 60 F	75	Without immersion suit, water temp < 60 F	No Go		

RISK ASSESSMENT		
Low Risk	0 – 75 points	Pilot can make go decision
Moderate Risk	76 – 150 points	Supervisor needs to agree
High Risk	> 151 points	Director of operations must agree
NO GO if unexpected events occur or a direct mission participant has serious concerns		

Adapted for stability operations by Bernhard Charlemagne from a US Air Force risk matrix.

Karen Richardson

Creating Shelter in Earthquake-torn Haiti

Innovation and technology in humanitarian response



GIS Technology is being used to locate and map rebuilding efforts in post-earthquake Haiti. Photos: Karen Richardson

HEADQUARTERED in London, England, the Salvation Army was founded in 1865 and is known for its charitable work in more than 121 countries. Providing humanitarian aid and focusing primarily on emergency response, the organization was one of the first responders to the magnitude 7.0 earthquake that rocked Port-au-Prince, Haiti on January 12, 2010. The organization's work continues today as a U.N.-designated "lead agency" for approximately 20,000 Haitians who are living in tents within a soccer stadium near the organization's Port-au-Prince headquarters. The Salvation Army is making it a priority to graduate refugees from this camp into transitional shelters, and has established a New Recovery and Development Office in Haiti, hoping to better match international assistance to local need. Geographic information systems (GIS) have been an important tool to ensure that the transitional shelters are built.

The team began a Haiti Earthquake Transitional Shelter project to assess the need for shelter around Jacmel, a city on the Caribbean coast in southeast Haiti, about 86 kilometers south of Port

au Prince. Jacmel serves as the capital city of the southeast department, one of ten in the country. In March of 2010 the team completed a 12-day shelter site assessment, logging more than 400 assessments in the townships of Jacmel, Cay Jacmel, Bainet and Decouze. Later in May, the planning group returned to the country to begin construction of the shelters. In the fall of the same year, the group returned once again to complete construction of 1,500 more temporary shelters.

Using GIS on the ground provides disaster relief

A significant aspect of the field assessment was to accurately map and record shelter site locations. The team, comprised of an interpreter and an interviewer, used high performance geoXT/Nomad Trimble data collectors combined with ArcPad, a mobile field mapping and data collection software, to digitally record transitional shelter site locations. The interpreter records the GPS location of the home site, and photographs the people present as well as the home to assess condition and need. The interviewer obtains host family information such as who the homeowner is, the number of people present, and their

demographics, including whether amputees or single women live at the home site. Other important information the team captures includes the distance to fresh water sources and latrines. This data helps disaster recovery unit members decide which site to attend to first. Using Esri ArcPad software, the data is captured and can be edited and displayed while out in the field. That evening back at the makeshift office, the data from these field assessments, along with other GIS data layers, is then compiled using Esri ArcGIS. From this, the team performs a damage risk assessment. Homesteads that belong to women with young children and structures that have sustained significant damage and either no longer exist or are dangerous to inhabit are put at the top of the list. Maps and reports created from this information are shared throughout the Salvation Army and with other NGO staff to plan shelter construction.

Colorado Pine in Haiti

Construction began in May with Lodgepole pine (*Pinus contorta*) from the Colorado forests. The lumber has been milled by Intermountain Resources, LLC in Montrose, Colorado from trees killed by the mountain pine beetle. As long as the

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tree that has been affected by the beetle is cut down within 8 to 10 months of dying, the wood's integrity is preserved and it is structurally sound. Using this lumber instead of disposing of it serves as an environmentally conscious solution and the milling itself provided job opportunities in Colorado.

Transitional shelters are comprised of one large room, can house up to 15 people and are able to withstand winds of up to 30 miles per hour. Raised wooden floors prevent inhabitants from contracting diseases by using water flowing through their homes for hygiene or cooking. In many instances, these homes provide a safer and more structurally sound environment than has been available traditionally to the people in Haiti. The Salvation Army trains crews and hires local workers in Haiti to construct the shelters, which not only creates jobs through cash-for-work programs, but also provides the opportunity for technical skill building, such as in carpentry, for Haitians to use in future construction projects. Lyle Laverty, a volunteer with the Salvation Army and former U.S. Assistant Secretary of Interior for Fish, Wildlife and Parks, along with a technical working group, designed the frame specifications and a proposal for what the shelter should look like, as well as what construction materials were needed. A model was built in one day and used to

demonstrate the construction process to the USAID.

Viewing Field Data in the Home Office – in Real Time

Teams bring some heavy GIS artillery out into the field, including many licenses of GIS software that send data as it is collected to those who need it, all over the world. The Salvation Army also uses BlackBerry devices donated by Research in Motion – a company based out of Ontario, Canada, that designs and manufactures the BlackBerry smartphone – to provide the mobile access necessary to publish GIS data directly from the field. Working in concert with the Trimble devices, smartphones are equipped with Freeance, a web mapping application from Dayton, Ohio Esri business partner TDC Group, Inc. Freeance allows the assessment teams to work directly with those not out in the field by making the GIS data available to everyone, no matter their location. Assessment team members use their BlackBerry handsets to browse their local GIS data stored on ArcGIS Server, as well as to read and write custom forms. Freeance Mobile uses GPS location to ensure the data position is accurate. GIS applications display live data on a map as the assessment teams input information, displaying map features and the location of field crews, and

have the ability to display and search records created in the field. The application is created with a web-based Silverlight application using the ArcGIS API for Microsoft Silverlight to ensure people can easily browse the data that is collected and to save money and time by providing the data online instead of relying on printed maps to convey information.

The Salvation Army is taking advantage of Esri's Nonprofit Organization Program that is designed to bring humanitarian organizations an affordable means of acquiring ArcGIS software and services. "Before, the Salvation Army had to rely on consultants to provide them the necessary GIS software," says Finn Dahl, GIS director at DES, Inc. and manager of GIS operations in Haiti for the Salvation Army Transitional Shelter Project. "This program will allow us to build up our capacity around the world and share the data we collect more efficiently with Salvation Army headquarters." ■

◀ 08 | Feature | Hunter

CEO of Triple Canopy, who endorsed CEJA, recognized another problem. Without firm accountability measures, the beneficial work that reputable private contractors perform will continue to be obscured by "reckless actors" who take advantage of the current "legal loopholes."

Whether CEJA becomes law or not, DOJ will of course continue to look for ways to use existing law to investigate and prosecute such reckless actors, whether they are DOD or non-DOD contractors. As Assistant Attorney General Breuer said, "Where we can hold U.S. Government personnel and contractors [including non-DOD contractors] accountable for crimes committed while they are working on behalf of the U.S. Government, we will do so." The Nissour Square incident is an example. The individuals DOJ charged worked under a contract with DOS, not DOD.

The contracting community itself is calling for passage of CEJA, as are groups such as Human Rights First and the Commission on Wartime Contracting in Afghanistan and Iraq. Where the latter specifically recommended passing a law just like CEJA, Congress ought to improve upon the intelligence activities exception so that this bill can be carried across the goal line. Clarity and accountability will be the victors, and nearly everyone is rooting for them on. ■

The Logistics of Famine Relief: World Food Programme and the Crisis in Somalia

With only two ports large enough to accommodate cargo ships and the added piracy threat, Somalia is a logistical nightmare. Internal infrastructure is such that about 90% of deliveries are made by sea. Inland, convoys are faced with unmaintained roads, hundreds of security check-points and threats from militant groups. Overland supply lines through neighboring Kenya, which is more accessible via air and sea, consist of unreliable roads and border crossings.

A Somalia Logistics Cluster was established in June 2006 to address the logistics challenges. The WFP Somalia office has established a "hubs and spokes" system in both Somalia and Ethiopia, with central storage units from which food and non-food items are transported to more than 800 distribution points, or spokes, in the two countries. Coupled with a Joint Hub Committee to coordinate with local authorities and pre-established private sector contractors and partners, this system has been effective in addressing the famine in the Horn of Africa this year. As of early August, WFP had already airlifted more than 82 tons of food into the region through Nairobi and on to Mogadishu. That is enough food to supply 28,000 children for a month.

World Food Programme is renowned for its logistical capacity, and aims to reach a total of 90 million people in more than 70 countries this year alone. Specializing in rapid response, WFP sources half of its food supplies from the affected region, and then is able to divert hundreds of tons of food into a disaster area via chartered ships and planes and coordinate distribution of supplies on the ground.

Research and Copy by Laura Reiter, ISOA Publications Associate

Jessica Vogel

Managing Conflict, Inspiring Hope

What is the United States Institute of Peace?



Graphic constructed by Jessica Vogel. For all photo credits, visit USIP.org

The United States Institute of Peace is not a think tank, an NGO nor a federal agency but it has a remarkable and valuable niche in international policy. It is unlikely that those who fund USIP, American taxpayers, even know what it is or what it does. So what is the United States Institute of Peace? The simplest answer is that USIP is a conflict management organization. But, in reality, that isn't a simple answer at all. There is truly nothing simple about USIP and the subject its experts address every day: conflict.

Conflict has been a cornerstone of international relations for decades, while peace persists as the most elusive goal. Both have defined how we think of entire periods in history, and continue to define the relationships between and among governments, communities and people.

When the United States Institute of Peace was chartered in 1984, conflict was widely understood as a simple zero-sum game between well-defined sides. The ever-present East versus West nuclear showdown was applied as the theoretic model and

real motivator for stakeholders in the largest of stand-offs and the smallest of outbreaks of violence. Since the fall of the Berlin Wall and 9/11 terrorist attacks, the only thing that any theorists, think-tanks and practitioners in the field of international relations can agree on is that we are in the post-Cold War, post-9/11 period - whatever that means.

The virtually undefinable nature of our current international system is in part due to the exponential increase in the complexity of conflict, blurring concrete definitions and commonly accepted laws. Modern terrorism, insurgency and revolution require new approaches by traditional actors and an increasing number of new actors on the ground. Over the past two decades, an entire subsidiary field within the international affairs community has emerged focusing on conflict and its resolution. Thought leadership flows from think-tanks and cutting edge universities offering conflict resolution courses and degrees. Aid implementers in conflict and post-conflict environments tailor specific programming for conflict mediation and resolution. Governments and militaries attempt to restore peace and assist with the development of peaceful institutions.

Yet even as we pour increasing resources in to such programs, conflict continues to rise and gaps continue to develop. The transition from active fighting to transparent elections involve a myriad of complicated sociopolitical and economic issues. Preventing peaceful peoples from falling in to conflict in the wake of a contentious election is often tenuous. Those gaps have now become the real weakness in conflict management, while at the same time providing the real opportunity for USIP fill a distinctive niche.

USIP in Sudan

"USIP is unique in its ability to link the academic and analytical world with the more policy and on-the-ground world - which doesn't happen enough in our field," says USIP's Jon Temin. As Director of the institute's Sudan Programs, he has seen first-hand the ability of USIP to be a "convening tower" for addressing conflict. Before the historic elections earlier this year, Temin's programs focused on identifying the lesser known challenges and possible outcomes resulting from pre-election tensions. As with its many programs, USIP produced special reports, shorter Peace-works products, op-eds and monthly newsletters focused on Sudan. Despite a lack of permanent

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USIP staff on-the-ground in Sudan, the institute was able to implement successful programs focusing on hot button issues, such as electoral violence prevention workshops throughout the country, and highlighting some lesser-known issues, such as the popular consultation process. “We do a pretty good job of helping to identify the challenges and upcoming crises over the horizon,” comments Temin. “We have the ability to be forward looking and act on that information in the prevention context.”

The result in Sudan? Most experts assessed the election as impressively peaceful, though it was followed by violence in targeted and predicted hotspots, such as Abyei. There is no doubt that tension and unrest still exists in Sudan, but it is foolish to disregard the impact of prevention programs in the lead up to the election. However, there is no way (right now, anyway) to measure how much violence was prevented through programs such as those implemented by USIP.

USIP & the American Taxpayer

While everyone can agree that it is more efficient and cost-effective to prevent crises, prevention of conflict is, by its very nature, virtually unmeasurable. The unfortunate side-effect of the lack of this kind of data is a miscalculation and misunderstanding of the value of USIP’s programs to its most critical stakeholders: the United States Congress. An early summer vote to revoke the charter of the institute passed the House of Representatives along party lines. As it currently stands, the institute could face having its charter revoked along with its funding, if the final language is included in the version set to pass through both halls of Congress this fall. The supposed budget savings of such a yes vote, however, are hardly justified, especially when compared to Department of Defense spending in hot-button locations.

Many continue to argue that USIP is a drain on the American taxpayer, often pointing to their new building off of the corner of the National Mall in Washington, D.C. as a symbol of waste. While it is nearly impossible to ignore the large, bright façade as you drive in to the District across the Memorial Bridge, or fly in and out of Regan National Airport, its supposed wastefulness is a mischaracterization. USIP had its humble beginnings sharing small office spaces downtown for over two decades until an empty U.S. Navy parking lot was transferred to the institute for a

permanent headquarters.

The building was funded by other funding sources, not American taxpayer dollars, and provides valuable space for USIP to physically be the “convening tower” in conflict resolution. A snapshot of one day at the USIP building tells it all: on June 14, 2011, the building played host to the Vice-President of South Sudan, a panel discussion on Pakistan’s health and education sectors, and the first day of a four day practitioners course on peacebuilding organizations and institutions – alongside offices for hundreds of staff members. None of this would have been possible without the generous funding from private sources – and an empty Navy parking lot.

USIP in Iraq & Afghanistan

Budget discussions, including those on the wars in Afghanistan and Iraq, have rarely centered on the true value of USIP’s work – value determined by costs in the ledger and on the battlefield. The institute’s impact on-the-ground in both countries is significant, and accepted by local populations, according to Paul Hughes, USIP’s Director of Special Initiatives. A former colonel in the U.S. Army, Hughes’ resume is impressive to say the least. He holds two Masters of military arts and sciences and his experience includes Deputy Director in the Office of the Secretary of Defense, Director of National Security Policy on the Army staff, and senior staff positions in the Office of Reconstruction and Humanitarian Assistance and later with the Coalition Provisional Authority in Iraq. Hughes knows, firsthand, what stability operations truly entail – foreign internal defense, counterinsurgency, security assistance, humanitarian assistance, to name just a few pieces – and the important role that USIP plays. “There

are certain tasks that are inherently military, and some that are inherently civilian,” says Hughes. “In these types of complex environments, USIP provides training and capability as a gap filler between the two.”

USIP’s Iraq presence focuses on managing conflict and preventing it from re-emerging in a way that meets the needs of the people in that conflict. Local populations in Iraq easily understand that USIP is not an arm of the U.S. government, nor a grantee or privately funded NGO, and is instead funded by general American taxpayer dollars, giving it a unique neutrality. This helps to ease the often difficult relationship-building necessary for effective programming on the ground.

Unlike other types of on-ground programmers in Iraq and Afghanistan, USIP’s consistent funding source provides much needed continuity, where other organizations fall short, allowing for cross-pollination of programs. Lessons-learned in one conflict can be applied in another context with the appropriate tools and oversight needed for success. This means that Hughes’ valuable experience with insurgents in Iraq can be applied elsewhere, with a careful understanding of contextual differences across borders and cultures. “Insurgents make their money at the local level,” explains Hughes, as he recounts his experiences in Iraq. “By getting people involved with taking care of their locale, we prevent insurgents from taking over.” He has been involved in Congressionally mandated initiatives, Department of State programs and training Department of Defense advisors to Afghanistan.

What is the United States Institute of Peace?

As a conflict management organization with experts and trainers all over the world, it is the nexus of thinkers and doers in conflict prevention, mitigation and resolution. Perhaps the opening statement of this article was wrong. USIP is simply a breed all its own – equal parts think-tank, NGO, federal agency, training organization, facilitator, publisher, capacity builder and event hub. They fill the gap between military and civilian operations and supplement valuable efforts of the stability operations industry. Through their work, USIP staff save not only dollars, but human lives, in some of the most dangerous and unstable places in the world. As an American taxpayer, I see the value in USIP, for not only America, but also the world. ■



*ISOA President, Doug Brooks, met with Shahm Mahmood Miakhel, USIP’s Afghanistan Country Director, during a visit to Afghanistan in July 2011. An Afghan-American, Miakhel brings years of experience in the Afghan government, UNDP, UNOPS, USAID, and VOA to his important work for USIP.
Photo Credit: Doug Brooks*

Barry Skidmore

Legislating Defense

The process and passing of the FY12 NDAA



With budget cuts on the horizon, draw downs and transitions like the one in Afghanistan become even more important. Credit DoD

WITH the threat of default on the national debt behind us, most defense policy watchers have returned their gaze to one of the most pressing legislative issues for the defense industry: passage of the National Defense Authorization Act (NDAA).

The NDAA authorizes all programs, policies, and funding for the Department of Defense (DoD) and defense-related programs in the Department of Energy. Congress must pass the act annually and no major defense program or funding allocation can be changed, begun, or ended, without this document approving it first.

The often-byzantine process of writing and passing this bill can be bewildering to those not familiar with the intricacies of Congress. However, because it impacts all aspects of the defense industry, it is important to understand how this legislation is crafted and how it will affect the interests of stability operation contractors.

This article describes the yearly process of passing

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the NDAA and discusses sections of the bill that could impact stability operations industry and how ISOA is working address them. It concludes with a review of the current status of the bill and its prospects for passage this year.

The Legislative Process

While the NDAA is part of the appropriations process, it is not an appropriations bill. Though the two are sometimes confused, the NDAA, which authorizes funding, is a separate bill from the Defense Appropriations Act, which allows the funds to be dispersed from the Treasury. If you think of the appropriations process as giving money to your child to buy groceries, the NDAA tells the child what items to buy and in what quantity. The appropriations bill hands over the money.

In February, the process of writing the NDAA begins when the President releases his budget request for the coming fiscal year. The request includes thousands of pages of documents outlining funding needs for every program and sub-program throughout the entire US government, including the Department of Defense.

The House Armed Services Committee (HASC) and the Senate Armed Services Committee (SASC) spend the next two months reviewing the defense portion of the President's request and use it to begin writing the bill. The committees hold numerous posture hearings with senior leadership of the Department of Defense where the budget requests must be justified. They also receive and consider supplemental requests from the Army, Air Force, and Navy outlining requirements not funded in the President's official budget request to provide additional funds necessary for operations in the current fiscal year.

“The often-byzantine process of writing and passing [the NDAA] can be bewildering”

During this period, industry representatives, advocacy organizations, and other stakeholders meet with HASC and SASC members and staff to lobby for, or against, policy issues and funding allocations in the bill. Despite the ban on earmarks in Congress this year, committee members have broad authority to influence policy provisions and high-level programmatic funding

in the NDAA.

The HASC and SASC then draft separate versions of the bill. The House usually begins this process before the Senate. By late-April, the HASC completes a draft committee version of the bill known as the Chairman's Mark.

The bill then goes through Markup: a two-week process in early May where the bill is reviewed and amended by the HASC. It begins with each legislative subcommittee holding markups of those sections of the bill over which they have jurisdiction. These proceedings usually last no more than 15 minutes and end with approval from subcommittee members for the section to be sent to the full committee for review.

In contrast to the subcommittee markups, the final full committee markup is a contentious, day-long affair where dozens of amendments are introduced and debated. The hearing often goes late into the night or early into the following day. Once debate is completed, the committee holds a final vote to approve the amended bill.

Following Markup, the HASC writes an explanatory report on the bill to elaborate on certain provisions and provide additional policy provisions, known as items of special interest, not directly addressed within the bill itself. The report is considered to be part of the bill and the provisions within are expected by the committee to be treated as if they have the same force of law as the bill itself.

The bill and report are then submitted to the full House which debates and amends the bill in late May or early June. During the House floor debate in May, over 200 amendments to the bill were submitted for consideration. Once debate on the bill and all amendments is finished, a process that can take several days, the bill is voted on and, if passed, moves to the Senate.

The Senate then refers the House bill to the SASC, which releases and marks up their own version of the bill, usually in June, starting the whole process again on the Senate side. Finally, the full Senate debates the SASC approved version of the bill. This usually occurs prior to the August recess but will take place in September or later this year.

Once the House and Senate each pass their version of the bill, a conference committee

composed of members of both chambers is established to merge the two bills and work out any differences between them. Conference committees have wide authority to amend bills or remove provisions included in both the House and Senate versions. Conference committees are sometimes referred to as the "third house" of Congress.

After the conference committee has merged the bills and approved the changes, the committee releases the merged bill along with a "conference report" explaining the changes made and signed by a majority of committee members. From there, the House and Senate can vote on passage of the merged bill but cannot add additional amendments. The first chamber to vote on the final bill can also vote to recommit it to the conference committee for additional changes.

Once both houses of Congress approve the final bill, it goes to the President for signature.

Important Provisions in the FY2012 NDAA

There are a number of provisions included in both the House and Senate versions of this year's NDAA that may affect the defense contracting community. The following provisions have the potential to significantly impact the stability operations industry in particular.

Taxation of Foreign Assistance

According to media reports, the Afghan government has been pushing to tax U.S. government contractors performing reconstruction work there. Some Afghan agents have even gone so far as to threaten contractor personnel with arrest if payments are not made.

The HASC, in its explanatory report, condemned these actions as a violation of US laws and bilateral agreements between the US and Afghanistan that were counter-productive to both Afghan and U.S. national security. The report directed personnel from the Departments of Defense and State to eliminate any confusion or disagreement with their Afghan counterparts on the tax-exempt status of U.S. Contractors.

Though the Senate committee did not include similar language in their report, the ISOA is advocating that they include similar language in the conference report to prevent either contractor or government funds from being used to pay

taxes to the Afghan Ministry of Finance.

Restrictions on awarding contracts to adverse entities

According to the SASC's explanatory report, recently improved oversight work on contracts in the Central Command Theater of Operations has revealed contractors are working with or have hired organizations that also support forces engaged in hostilities with US troops or coalition forces.

Both the House and Senate versions of the bill include provisions to void contracts, or place restrictions on awarding new work, to contractors found to be supporting enemies in hostilities with US troops or coalition forces.

The wording in each differs slightly but both could have the unintended consequence of punishing prime contractors who are unaware of the actions of their subcontractors. While contractors should be required to perform due diligence in overseeing their contracts and subcontractors, they should not be punished for violations they are not aware of. The ISOA is working to make sure this stipulation is specified in the final conference report.

Prohibition on collecting political information

In April, President Obama issued a draft executive order that, if implemented, would require all federal contractors, when submitting a contract bid, to provide a list of any political contribution over \$5,000 made by the company in the preceding year.

In response to this order, both the House and Senate bills include a provision banning the disclosure requirement. The provision has faced little opposition and is expected to be in the final conference bill.

Cost-consciousness in contingency contracting

In February, the Commission on Wartime Contracting released a report that indicated federal agencies do not treat contingency contracting as a "core function" and, as a result, have a tendency to "not consider costs as a significant factor in their pre-award planning or post-award performance-management decisions."

Richard Weitz

Gates' Pentagon Wars

Insight into a SecDef's fight for change



Credit gregwest98, flickr

ROBERT GATES had many goals during his four and a half years as defense secretary, but perhaps his most important was to change the military's culture in order to conduct peace and stability operations more effectively. Within the Defense Department, Gates aimed to counterbalance what he saw as the Pentagon's natural tendency to focus excessively on winning conventional conflicts rather than "irregular wars" against terrorists and insurgents, such as those in Iraq and Afghanistan. Within the broader national security community, Gates strived to enhance the non-military instruments of U.S. power, which are often most effective at providing enduring stability to regions in conflict.

The Pentagon developed considerable expertise in fighting guerrillas during the Vietnam War. When the U.S. military role in that conflict ended, however, senior commanders reverted to their longstanding focus on preparing to win major conventional wars in Europe and Asia. This neglect of low-intensity warfare contributed to the

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difficulties the armed forces experienced in Afghanistan and Iraq when converting initial battlefield victories into an enduring political success. Throughout his years as defense secretary, Gates sought, through his speeches and authoritative defense documents, to institutionalize a more balanced orientation that gives due consideration to fighting irregular as well as conventional wars.

In a prominent Foreign Affairs article written shortly before the end of the Bush administration, Gates justified his stress on irregular warfare by observing, "Support for conventional modernization programs is deeply embedded in the Defense Department's budget, in its bureaucracy, in the defense industry, and in Congress. My fundamental concern is that there is not commensurate institutional support – including in the Pentagon – for the capabilities needed to win today's wars and some of their likely successors."

Soon after he assumed office in December 2006, Gates vocally warned against repeating the post-Vietnam memory-wipe, of forgetting how to wage successful counterinsurgencies. Gates argued that for at least the next few years, the U.S. armed forces would more likely fight non-state actors

such as guerrillas and terrorists than wage another large-scale, state-on-state conflict such as the 1990-91 Desert Storm War. Even state adversaries, he maintained, would seek to circumvent U.S. conventional superiority through asymmetric tactics and technologies (e.g., using ballistic missiles or cyber attacks).

Gates sought to ensure that this new perspective shaped the Pentagon's war plans, budgetary decisions and career choices. His 2008 National Defense Strategy states that "improving the U.S. Armed Forces' proficiency in irregular warfare is the Defense Department's top priority." In December 2008, the Pentagon issued a directive that assigned achieving success in irregular warfare the same level of importance as winning conventional battles. The text defines irregular warfare as operations to fight terrorists and insurgents, enhance the defense capacity of foreign governments, and promote stability in conflict-prone regions. During Gates' tenure, the Pentagon published Counterinsurgency Field Manual 3-24, a comprehensively revised U.S. counterinsurgency doctrine.

Although the U.S. armed forces have long performed these tasks, most recently in

Afghanistan and Iraq, the military traditionally has done so only with great reluctance. Gates too encountered much opposition to his push for increased emphasis on preparing for irregular wars.

Gates' fight to provide U.S. forces in Iraq and Afghanistan with superior protective equipment against insurgent attacks symbolized his struggle with an acquisition bureaucracy that has traditionally favored purchasing aircraft carriers, long-range bombers and expeditionary vehicles, all of which have limited utility against guerrillas and terrorists. The bureaucracy even sought to keep spending down on irregular warfare items to free up funds for these more conventional systems. After evidence mounted that the Army and Marine Humvees could not cope with the exceptionally powerful improvised explosive devices used by the insurgents in Iraq and Afghanistan, Gates demanded that these services purchase thousands of Mine-Resistant Ambush-Protected (MRAP) vehicles despite their considerably higher cost. In May 2007, Gates directed that the Department make buying MRAPs its highest acquisition priority, a move that saved countless American soldiers from death or injury. Gates also had to circumvent standard procurement procedures to deliver urgently needed intelligence, surveillance and reconnaissance (ISR) capabilities in Iraq.

Disagreements over the most likely future adversaries of the United States engendered resistance to Gates' preoccupation with irregular threats. Opponents feared that the Defense Department's recent focus on irregular warfare could leave the United States inadequately prepared to respond to more conventional challenges, which in turn would decrease the country's ability to deter aggressive behavior by Iran, China or other nation state.

Service interests also impeded Gates' effort to institutionalize a focus on irregular warfare within the military establishment. Although the operational Army and Marine Corps have adopted new doctrines and tactics to fight unconventional conflicts more effectively, Air Force and Navy leaders still demand sophisticated warplanes to deter, and if necessary defeat, more conventional adversaries.

Budgetary considerations partly motivate this resistance. The U.S. military services are now competing for post-Iraq roles, missions and

funding. Although useful for countering potential, great power rivals, aircraft carriers and long-range bombers have limited utility for fighting terrorists and insurgents. Many members of Congress, motivated by defense industrial considerations as well as important defense employers in their districts, have continued to direct Pentagon funding towards buying more of certain conventional major weapons systems than requested by the Bush or Obama administrations.

How long the new emphasis on preparing for irregular warfare will remain a Pentagon priority is unclear. Gates has retired and Pentagon planners are eagerly planning a comprehensive military withdrawal from Iraq and Afghanistan, while seeking to bolster U.S. anti-access capabilities for East Asian contingencies. Yet, the reluctance to deploy ground forces in Libya reflects Gates' warning to West Point cadets this February against "send[ing] a big American land army into Asia or into the Middle East or Africa." In addition, the new U.S. counterterrorism strategy envisages less frequent use of conventional military power and greater employment of Special Forces and other irregular instruments. John Brennan, assistant to the President for Homeland Security and Counterterrorism, explained shortly after Gates retired that "our best offense won't always be deploying large armies abroad, but rather delivering targeted, surgical pressure."

In addition to winning irregular wars, Gates emphasized the need for the Pentagon to embrace an extended partnership that included state and local governments within the United States, multilateral institutions and NGOs such as private sector businesses and universities – all potential contributors to realizing U.S. security objectives at home and abroad. He described the war in Afghanistan – where a coalition of almost 50 countries, hundreds of NGOs, and some of the world's most important multilateral institutions like NATO, the United Nations and the



Sec. Gates in Afghanistan. Credit DoD

European Union, are seeking to establish a prosperous and peaceful nation – as a model for applying "the full range of instruments of national power and international co-operation to protect our vital interests."

In his November 2007 speech at Kansas State University, Gates stressed the need to balance military force with diplomatic and economic instruments in order to "integrate and apply all of the elements of national power to problems and challenges abroad." Gates added that the experience of recent years, as well as his decades of public service, had reaffirmed the wisdom of "strengthening our capacity to use 'soft' power and for better integrating it with 'hard' power."

This whole-of-government perspective stresses that, especially in today's complex security environment, military means are most effective when employed in concert with other tools. Using the full spectrum of U.S. power requires applying an adaptive blend of such instruments, which in addition to military force include economic, diplomatic, information, legal and intelligence assets. For example, in countering regional terrorist threats, the Pentagon must collaborate with U.S. civilian agencies as well as foreign partners to design and apply tailored defense, diplomatic and development (the three "D's") strategies. Gates recognized that an enduring solution to the problem of extremism requires strengthening and applying the non-military elements of power available to U.S. civilian agencies and their foreign partners.

Gates' commitment to whole-of-government solutions was more than rhetorical. He met weekly with Secretary of State Hillary Clinton to iron out differences between the two national security agencies. More importantly, Gates repeatedly urged Congress to provide more funds to the traditionally under-resourced civilian agencies that had vital national security missions, especially the State Department. Gates understood that due to the weakness of these non-military tools, the White House often turn to the Pentagon to solve major foreign policy problems because, while the military might not be the most appropriate means to solve a problem, it was better resourced and often more easily used overseas than other U.S. national security instruments.

The continuing under-resourcing of these vital

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Naveed Bandali

Pitfalls of the Federal Regulatory Apparatus

A Conversation with Andrew Natsios



Natsios visits Sudan while USAID administrator. Credit USAID

ANDREW Natsios is a Distinguished Professor in the Practice of Diplomacy at Georgetown University's Edmund A. Walsh School of Foreign Service. Previously, he served as U.S. Special Envoy to Sudan from October 2006 to December 2007 and as Administrator of the U.S. Agency for International Development (USAID) between May 2001 and January 2006. Natsios has also served as Special Coordinator for International Disaster Assistance and Special Humanitarian Coordinator for the Sudan in the Bush Administration. He retired from the U.S. Army Reserves in 1995 with the rank of lieutenant colonel after 23 years as a civil affairs officer. Natsios is author of two books with a third forthcoming book, *Sudan, South Sudan, and Darfur: What everyone needs to know*, to be published by Oxford University Press.

JIPO: What were your greatest accomplishments as Administrator of USAID?

Natsios: The first accomplishment was the reorganization of USAID to focus on the challenges of the post-9/11 world, specifically

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with the creation of the Democracy, Conflict, and Humanitarian Assistance (DCHA) bureau. In DCHA, we created the Office of Conflict Mitigation and Management and the Office of Military Affairs — sister agencies for the Office of Foreign Disaster Assistance, Food for Peace, and the Office of Transition Initiatives. These are all sort of the humanitarian assault troops or Marine Corps of USAID. And by creating the Office of Military Affairs we established a coordination mechanism with the Pentagon and combatant commands to deal with the military in conflict situations. In the Office of Conflict Mitigation and Management, we also developed some very important templates for assessing the developmental causes of conflict and how they can be remedied. The purpose of DCHA was to focus on fragile and failed states, which I view as the principle development and foreign policy challenge facing the international community.

The second accomplishment was to rebuild and automate the business systems of USAID. We put in place new financial management and budgeting systems, and started automating the procurement system. This process allowed us to get a lot more information about what we were doing, how we were doing it, how to manage it better, and to

spend money and run programs much more rapidly. Some foreign policy and development challenges require speed of action.

The third accomplishment was the strategic realignment of USAID. We developed a series of policy and strategic papers on topics such as conflict, agricultural development, education, human trafficking, trade, capacity building, economic growth, and humanitarian assistance. We also produced a paper to guide the strategic direction of USAID for the next 15 years from the time it was written called, "Foreign in the National Interest." The next initiative, the Global Development Alliance, was to build into the business systems and programs of USAID a closer integration of private flows of aid to developing countries from non-traditional partners such as foundations, corporations, and religious groups. This results ultimately in the spending of \$9 billion a year through public-private partnerships. The Alliance is regarded as a great success in realigning aid with private sector spending of money in developing countries and a much closer relationship with American partners and private markets.

We also launched a branding campaign, adding

the tagline “USAID: From the American People” to the current logo. And we developed a set of rules and strategies for making our presence in the developing world much more visible, strategic, and public. An information campaign publicized what USAID was doing in developing countries. Every USAID mission was required to have a trained Development Information Officer who would talk to the local media, civil society leaders, and political figures. In some cases we did public information campaigns with billboards and media purchases, which raised the visibility of the American aid effort in a major way.

JIPO: What lessons may be drawn from the reconstruction missions in Afghanistan and Iraq?

Natsios: I personally think we made a serious mistake in not putting USAID in charge of the reconstruction programs in both countries. In fact, the further USAID gets from the table, the more dysfunctional the programs gets. First, the focus was wrong. I think the Pentagon is dominated by engineers who took the meaning of reconstruction to literally mean giant engineering projects. Reconstruction or state-building is about institution building. Engineering projects are a waste of money unless there are institutions behind them to maintain the infrastructure being built. You can build schools all you want, but if there are no teachers or textbooks, what use are the schools? This was a problem in both Iraq and Afghanistan where the focus was not on building institutions.

Second, development, particularly institution building, takes a long time. The time horizon for USAID is traditionally 10-20 years; the time horizon for policymakers in Washington, DC, and in-country — regardless of the Administration in charge — is based on wanting results in six months to a year. We know from decades of research and thousands of books and studies that institutions cannot be built in less than a year. And so development theory and practice confronted policymakers demanding things that were not achieved. As a result, a lot of money was wasted and there were failures. The time horizon of development programs is very different from the demands that our foreign policy and political leaders make for results.

Third, we still grapple with asking aid programs to do contradictory things. We ask them to increase local participation, authority, decision-making, and ownership. But, we want rapid results, high levels

of accountability, and a lot of metrics with data on what is accomplished. Those things are completely contradictory. If you have local partners, they take a much longer period of time because of weak institutions. With high-level corruption in some governments, money is diverted and as a result you do not get the results you want. Policymakers still have not come to terms with that.

The final of the many other lessons is that of absorptive capacity. We know that we wasted money in Iraq and Afghanistan and caused widespread inflation in building, personnel, and transportation costs simply by pumping too much money into local economies that could not handle it. These countries are failed or weak states for a reason; their economies do not have the capacity to absorb massive amounts of money. What we ended up doing was actually increasing the level of

“We know that we wasted money in Iraq and Afghanistan and caused widespread inflation in building, personnel, and transportation costs”

corruption by putting in too much money, which led to questionable investment decisions because the principle metric being used by the Office of the Management of the Budget (OMB), the U.S. Congress, the White House, the State Department, the Defense Department, and USAID was the disbursement of money, however rapidly, which is probably the stupidest and most counterproductive metric possible for a development program. Yet they continue this despite the very disruptive consequences for reconstruction and development.

JIPO: Incoming U.S. Ambassador to Afghanistan Ryan Crocker recently testified that his goal is “good enough governance” in Kabul such that the country does not once again degenerate into a terrorist haven. How would you evaluate the past decade of aid and development in Afghanistan?

Natsios: I think that it has had some notable successes, but they are unrelated to the amount of money being spent. For example, the development of private and independent media, television, radio, and newspaper through a USAID-run program does not cost a lot of

money, but is a huge success with major implications for transforming Afghan culture and creating a counterbalance to some of the Afghan government’s abuses. I think the health program is a great success by creating a chain of health clinics around the country. The child mortality rate was among the highest in the world when we started measuring in the fall of 2001, and the data show a reduction of 25% or 30%. We have also had a great success in education and getting kids back into school. I think USAID has published 67 million textbooks in all subjects except religion for grades 1-12. For the first few years from 2002-2004, a USAID voucher program covered teachers’ salaries, we had a distance-learning program using radio to teach them, and we built a teachers’ college in Kabul to train them. The number of school children went from around one million to around six million now. I think the roads system — the Kabul to Kandahar to Herat highway that USAID rebuilt in the 1960s — has been a success. And the reconstruction of the irrigation and agricultural systems has also been successful in terms of the building of private markets.

Where we have not been successful is in the building of strong, central ministries, with the exception of the health ministry and maybe the rural development and finance ministries. Most government ministries are patrimonial systems where people are hired not based on merit but on politics or tribe. They suffer from a lot of corruption and do not follow professional standards. And they do not have the capacity to administer public services.

JIPO: The June 2011 Senate Foreign Relations Committee report on aid efforts in Afghanistan found limited evidence that development helps stabilize territory, which is imperative for counterinsurgency efforts. Misspent aid funds fuel corruption, which undermines the host government and contributes to insecurity. What must be done to address these issues?

Natsios: First, I am not sure that I agree with the Committee’s conclusions. I think a well run development program of the right size would have accomplished more. By putting too much money into development, it made things worse. We doubled the budget in the last couple years, which makes no sense at all given the absorptive capacity limitations of the Afghan economy and of Afghan institutions. But foreign aid or USAID

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are not at fault; it is because of the political decisions to put too much money and spend in the wrong areas. 80% of the aid in Afghanistan went to Taliban-dominated areas, which are very difficult to work in and have the weakest institutions. So in my view, putting all that money into Taliban areas was a strategic blunder.

I think there is a scholarly debate about whether or not any kind of aid program — no matter who is in charge, how it is run, or whatever the circumstances — will, in fact, reduce insurgency. The military is convinced otherwise and a lot of scholars are now saying that the empirical evidence shows that it is not true. Some of the reasons for people believing this was a function of the communist insurgencies in Vietnam, Malaysia, and Thailand, which were entirely different than the insurgency in Afghanistan. So I think we drew the wrong conclusions from the Cold War. A lot of people trying to remember Vietnam try to associate that experience with Afghanistan, when they should not.

JIPO: Is there a difference between development and stabilization?

Natsios: Stabilization is more ambiguous and its definition is evolving. Stabilization is the effort to convince people in an area to support the government that we are aligned with through the use of projects or programs, and providing a dividend for cooperation. Whereas, most people in these villages simply want to be left alone. Do they want better health care or education for their children? Yes, but if the Taliban then goes into a village threatening to kill all the elders and blow up the school if they do not oppose the U.S., and we cannot provide them security, frankly none of these projects will convince them.

One of the most important factors USAID has found is the people's demand for security. If U.S., UN, or NATO troops cannot provide security, then it is going to be very hard to do a development program at all, whether it works or not. So I think we are putting the cart before the horse by suggesting that stabilization is going to result in more peace and cooperation, when you first need security before we can do the stabilization.

And another problem if you look at the American strategy is time sequencing. The amount of time it takes to establish the rule of law, police departments, a judicial system, and education and health

institutions is 10-20 years. There is no evidence that it can be done as rapidly as a few years. The American strategy of stabilizing an area with our troops and then all of a sudden finding evidence of improvement and competent governance simply flies in the face of all that we know about development.

JIPO: What are your thoughts on the Academy for Educational Development being suspended as a USAID contractor in December 2010 due to an investigation of administrative and financial improprieties in Afghanistan and Pakistan?

Natsios: I am not at all convinced that the actions taken by USAID or the Inspector General were prudent or wise. I think they exaggerated the

“The American strategy of stabilizing an area with our troops then all of a sudden finding evidence of improvement and competent governance simply flies in the face of all that we know about development”

abuses, which are problems that exist in any warzone, especially where the local government is extremely corrupt such as Afghanistan and Pakistan — and they were corrupt long before the U.S. had any aid programs there. The punishment did not meet the crime. The argument that the failure to comply with the 1,965 pages of the Federal Acquisition Regulations (FAR) as a reason for suspension is nonsense; in fact, it is a good reason for us to consider whether the FAR system should be used at all in development programs. I think that the whole federal regulatory apparatus — the Inspector General's office, the OMB, the Government Accountability Office, the State Department Foreign Assistance office, the General Services Administration, and the Office of Personnel Management — is counterproductive to good development programs and management. What you are looking at is trying to punish partners and USAID itself for the failures of the federal regulatory system. I wrote a paper about this called, “The Clash of the Counter-

bureaucracy and Development.” It is a little controversial, but I stand behind what I wrote.

JIPO: Is it fair to suggest that USAID is too risk averse as opposed to risk tolerant when it comes to security and safety in potentially hostile environments? Can you speak to the tendency of aid organizations to ‘bunkerize’ in the face of threats while operating in insecure places?

Natsios: There have been security problems since the Cold War ended — I think it started with attacks against aid workers in Somalia in the early 1990s. It is not new, but the volume and the scale have changed. As of 2009, the Taliban has murdered 800 aid workers from the United Nations, USAID and other aid agencies, and NGO and private development contractors. That is more casualties than from all aid programs combined over the last twenty years. We normally do not have casualty rates like that among aid workers. But they are being targeted in countries where there is an insurgency going on — Somalia, Sudan, Pakistan, and Iraq, with the highest rate seen in Afghanistan. And this is costing a lot of money in overhead for security firms to come in and protect the NGOs, contractors, and universities that partner with USAID. In addition to that, the Embassy Security Act of 1998 has made embassies and USAID missions abroad — not just in warzones — virtual prisons. It is almost impossible for our diplomats and aid workers to lead. I think the Congress' insistence on no casualties for the State Department and USAID is simply destroying the effectiveness of our diplomacy and aid efforts.

We have a contradiction. It is getting harder to work because of the insecurity and targeting of aid workers is worse. And on the other hand the way in which we reacted over the past couple decades is by virtually imprisoning our aid workers and foreign service officers, which has reduced their effectiveness because no one can get out to see or manage projects. The Embassy Security Act needs to be repealed because it was an overreaction to the US Embassy bombings and the notion that an official commission has to be done every time an American gets killed abroad is ridiculous. That one provision itself has done a lot of damage to the ability of our diplomats and aid workers to work because the message to our ambassadors and mission directors is to not take any risks whatsoever. There is no point in having an

USAID Mission at an embassy if you cannot get out and see people. I think Congress really is at fault for this and has refused to admit the mistake or change the law.

If you have an area like southeastern Afghanistan, getting any aid work done under any circumstance — unless you are with troops, and even then — is very difficult. The other parts of Afghanistan are actually easier to work in and much more stable. A lot of the aid worker murders have taken place in Pashtun concentrated areas, which is the Taliban's tribal support base. For American diplomats and aid workers, the 'bunkerization' mentality is a function of federal law and oversight gone out of control. But there is a problem of legitimacy in the Pashtun areas of Afghanistan and Pakistan. These areas are difficult for anybody to work in, particularly as part of a development program, and no amount of Congressional oversight is going to change that.

JIPO: To what extent are U.S. diplomacy and development being militarized?

Natsios: Well, when I created USAID's Office of Military Affairs, some European nations said I was militarizing development, but then they did the same thing by establishing coordinating mechanisms within their own aid agencies. Some NGOs argue against this, but the fact is that in a warzone, if you do not deal with the military, you cannot get your work done. NGOs, contractors, and universities who want nothing to do with the U.S. military should not be in countries like Afghanistan, Iraq, or Pakistan. That does not mean that the military should be running aid programs — I do not think it does a good job of it or that it understands basic development theory well. I am not anti-military; in fact, I am a retired lieutenant colonel, I helped design reconstruction programs, and I was the executive officer of the Kuwaiti Task Force while on active duty during the First Gulf War. But that is not why this office was set up and it is not how our officers are trained. Development should be left to aid agencies. On the other hand, NGOs claiming neutrality and involved with reconstruction in Afghanistan right now are not neutral, and the Taliban does not see them as neutral.

JIPO: Civilian contractors serve parallel to armed forces, diplomats, and aid workers involved with stabilization and reconstruction operations. How can governments better utilize contractors supporting overseas contingency operations?

Natsios: I think the worst thing that has happened to our use of contractors and private firms in doing development work is the Commission on Wartime Contracting (CWC). The CWC has no development or reconstruction experts. Its staff is very well intentioned but they are not development people, they do not understand either development theory or practice; and they are saying and doing a lot of things that are counterproductive. I think that the worst thing that we can do is to continue the existing regulatory apparatus overseeing all this. We say we want improved management, yet we have a set of counterproductive federal laws that were not designed for managing programs during wartime.


I think that we should experiment with what I call 'charter' USAID missions. The World Bank has an extraordinarily oppressive level of regulation in the same way as USAID, but it tried an experiment by suspending all of its regulations in several field offices to see if the level of accountability improved or deteriorated. And the World Bank found no deterioration of accountability. I do not think that the rules USAID has in place are having the effect the Congress thinks they are. They are not improving transparency or accountability, many are put in place to satisfy domestic political interests, and they are tying the hands of our aid managers in the field and making it very difficult to work in a collaborative way with our implementing partners. We are instead making our partners into enemies. And I think the Congress is particularly at fault for this 'gotcha' mentality — we will find some regulation that you are not following and then penalize you for it.

JIPO: You have previously called for USAID to be made autonomous or to be elevated into a cabinet-level department. Do you have any advice for the Obama Administration in


this regard?

Natsios: Actually, the deterioration of USAID's autonomy has accelerated in the last few years, which is opposite to what I thought Senator Obama committed during the 2008 presidential campaign. Even though I am a Republican and supported John McCain for President, we were hoping in the aid area that the next Administration would implement reforms to make USAID more independent and autonomous from the State and Defense departments. I think USAID was weakened and it has meant that there is no de facto seat for USAID at National Security Council meetings. The notion that the State Department can now represent USAID at these meetings is nonsense. There are fundamental contradictions between our development and foreign policies; there has to be a clash because of the nature of what we are doing. And career officers who know this have and tell political appointees about it are simply ignored. The micromanagement of what USAID has been doing in a lot of highly tense or crisis areas is counterproductive and reduces the efficiency and effectiveness of our programs. So I am disappointed and hope things will change, but do not think they will. ■

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Mike Faessler and Mark Morgan

Improving Security Risk Management

A case for enterprise risk management



There is no mistaking the risk in this situation. Credit DoD

THE security industry is moving towards placing greater importance on risk management, especially where it converges with security management. This reality will eventually affect all security professionals at all levels of an organization: it will change the way we think about our jobs and the way we communicate what we do for our organizations. In some cases, it will require that we acquire and apply new skills. To be successful, we will also need to find and employ better tools.

The View From The Top

ASIS International is the preeminent global association of security professionals. In April 2011, their CSO (Chief Security Officer) Roundtable published *How Great Risks Lead to Great Deeds: A Benchmarking Survey and White Paper*, which surveyed of 80 CSOs and 200 security professionals indicated 80 percent of those organizations have formalized their risk

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analysis processes. For instance, 50 percent of those participating in the survey stated they have a regulatory mandate to conduct enterprise risk management (ERM). ERM is a framework that includes the methods and processes that drive risk management for an entire organization, including managing risks and leveraging opportunities. Those “highest risks” within the organization often must be communicated to the Board, and likewise disclosed to stakeholders.

Intellectual leaders at the Security Executive Council echo the survey’s results and state that ERM is one of the universal issues that will come to significantly impact the security industry. ERM is not a new concept, but senior security professionals’ participation in the ERM process is more recent and on the rise.

For any organization to determine its highest, or “board level,” security risks, it must assess and know about security risks from its various business units, as well as those security risks from within the corporate offices. That would seem easy enough. Yet, the key question is often not IF one should perform security risk assessments, but rather how one does them. Is everyone even using a common methodology? That challenge is

magnified for multinationals or organizations operating in dozens of countries, with different languages and different levels of maturity and basic understanding of risk management.

The Quest for a Common Methodology

While many security professionals have recognized the importance of using risk management practices in daily duties, only recently has a consensus regarding a common methodology come forth. ISO 31000 – Risk Management – Principles and Guidelines is the most recent international standard on the general subject of risk management. Published in November 2009, it is a relatively new publication. It is intended to be a broad-based “best practice” that can be applied to a “wide range of activities, including strategies and decisions, operations, processes, functions, projects, products, services and assets,” and “applied to any type of risk, whatever its nature, whether having positive or negative consequences.” This standard is accompanied by ISO 31010 – Risk Management – Risk Assessment techniques.

In drilling down from the macro (ERM or ESRM) toward the micro (Performing a Security Risk

Assessment), ASIS already has a guideline entitled ASIS General Security Risk Assessment Guideline. According to the guideline, it “provides a seven-step process that creates a methodology by which security risks at a specific location can be identified and communicated.” Although it was published in 2003, predating ISO-31000, many of the tenets in this seven-step process are consistent with the new ISO standard. ASIS is also now forming a committee to develop a new Risk Assessment Standard (201X). According to Dr. Marc H. Siegel, Commissioner of the Global Standards Initiative at ASIS International, this new ASIS Standard “will be aligned with the ISO-31000.” All indicators seem to point to the new ISO-31000 standard becoming that base for a common methodology.

“To be successful they will need to acquire the tools, skills and the necessary comfort level to accurately estimate risks: the probabilities that future security events might occur and what consequence events could have on your organization”

Challenges in the Application of Security Risk Management Principles

Even with an industry trending toward risk management and a common methodology, there remain challenges in accepting and applying these principles. A colleague, who is a CSO, recently told me, “Statistics make my head hurt.” He explained that thus far his security department has been able to opt out of participation in their corporate ERM process. As he opined, “Security is more like art and security risks really can't be calculated.” I agree, in part, that applying principles of risk does require some “estimation” and that calculating the “probability of a future event,” like any forecasting exercise, can be somewhat subjective. Often it requires using a “gut feeling,” which might be more akin to “art” than science. So, the exercise of estimating risk does require a new skill set, one that can sometimes discomfort a professional security manager who has not yet acquired said ability.

However, I would disagree with a system in which the security department may “opt out” of the ERM process. Peter Drucker, a well-known management consultant, is often credited with the quote, “You can't manage what you don't measure.” His quote is cited in an April survey from the consulting firm KPMG, “Risk Management - A Driver of Enterprise Value in the Emerging Environment.” This recent survey highlights that there remain significant challenges within organizations when it comes to how risk management is understood and communicated. Specifically noted are the challenges in aggregating and quantifying risks, and embedding a risk culture within an organization. A security department operating as an island within an organization cannot, almost by definition, be maximally effective. The constantly changing and fluid nature of the new global environment demands integration and communication with the other sections of a company. Succeeding in tomorrow's security industry will require security professionals to buy into the concept of “risk management” and learn how to apply it in the security field. To be successful they will need to acquire the tools, skills and the necessary comfort level to accurately estimate risks: the probabilities that future security events might occur and what consequence events could have on your organization.

What to Look for When Leveraging Technological Solutions

If one seeks to improve security risk management, even when armed with a common methodology, technological “tools” may be desirable to effect change throughout the organization. Multinational corporations and other world-wide organizations need new tools to insure that security risk assessments done in Bangkok are done the same way, and to the same standard, as those done in Buenos Aires and Lagos. Those tools need to be user-friendly, saving time at the user-level, with the objective of producing as accurate an estimate of security risks as possible, reducing “subjectivity” along the way. To be of value to the organization, tools must enable better, more rapid communication of security risks, both horizontally and vertically, within the hierarchy – from the business unit to the Board – for faster, better decision making. These tools must also connect back into any given corporate ERM (or ESRM) processes. To enhance the security professional's effectiveness, technological solutions have to go beyond software that merely registers or reports a

risk. As security professionals, we are charged with knowing as much as possible about the security environments in which we operate. The ASIS General Security Risk Assessment Guideline (2003) says one must look at the history of any area, which we call “situational awareness,” and that the task begins with reviewing a number of sources of information, efficiently and continually. Tools like digital maps or GIS based applications can dramatically assist security professionals in this effort.

“As security professionals, we are charged with knowing as much as possible about the security environments in which we operate”

As the ASIS guideline indicates, most of those sources of information are local. The marketplace so far has focused on providing subscription-based information services. Those products provide a broad, overarching strategic account of “what is happening and where.” Unfortunately, many of them often fail to provide and track the locally relevant tactical data in which one so desperately needs to have fidelity when it comes to security risk assessments. High quality tools will help guide an organization in the estimation and management of security risks when using an approved methodology – such as ASIS guidelines or ISO 31000. Those types of tools help bridge the gaps between language and risk culture within different operating environments to insure a more consistent and effective outcome within any organization.

A Final Thought

It is clear that in today's fast-paced and rapidly changing world the security professional's job is becoming more and more difficult and demanding. Yet, the means exist to convert that challenge into an opportunity to become more effective and more proactive workers, as well as more integrated with, and more integral to the overall organization. ■

Doug Petty

Training and Risk Management

Balancing employee safety and corporate interest



United Nations disaster preparedness training in Haiti. Credit UN Photo/Victoria Hazou

IN a corporate sustainability context, risk management has a broad meaning. As a best business practice, it is imperative to corporate survival that we not only identify internal and external risks to our companies, but also devise strategies to mitigate and in some cases even eliminate risks that threaten our day-to-day operations and our companies' continued existence. Clearly, when in the business of private security and contingency contracting, those operational risks are compounded with the need to protect human assets and our companies' good names.

Although the practice of putting civilian contractors in theater in support of military operations is as old as our nation, the explosive growth of our industry is a recent phenomenon. Many of the companies working in contingency and peacekeeping operations have been in existence for less than ten years. However, while our industry is fairly young – at least in its current iteration – the leadership of these companies is made up of seasoned business professionals and

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former military leaders.

“Although the practice of putting civilian contractors in theater in support of military operations is as old as our nation, the explosive growth of our industry is a recent phenomenon”

Those of us from the business side have had risk management drilled into us from the early stages of our education and business careers. Those of us from the military side – especially military leadership – have received extensive training and education regarding the importance of risk mitigation. If you have a military background, you may remember the big push for Operational Risk Management (ORM) analysis in every aspect of operational planning and the importance of risk mitigation, which always included a thorough training of personnel. As our profession functions in operational risk environments, it is no wonder

that the *Journal of International Peace Operations* highlighted risk management in its July-August 2010 issue. All three risk management articles in that issue mentioned training of employees as a critical factor in managing risk, whether as the PSC or the government agency employing the PSC.

With this in mind, a recent post by a defense contractor employee blogging on the topic of processing through the CONUS Replacement Center (CRC) at Fort Benning caught my attention. In offering tips on how to get through the seven-day processing, the blogger noted, “The computer base training consists of about 15 PowerPoint slide presentations on veracious (sic) topics. The information is outdated. Just keep hitting return on the keyboard. Most people are through in about 30 minutes.”

I was not surprised. The adage “garbage in, garbage out” has special significance in the world of training and education. The study of adult learning – centered on the work of Malcolm Knowles¹ – draws a direct link between the quality of the education and materials and the adult student's ability to retain and apply the information. This hypothesis also recognizes their ability

to assign the correct degree of importance to the material. In the business of private security, especially in areas of contingency and peacekeeping operations, a person's ability to apply the information they are taught is paramount to saving lives and, in the case of corporate governance, responsible risk management.

So as business owners how do we balance corporate mission, training requirements and the bottom line? The vast majority of the business owners and managers I have met in this industry are committed to the principles of the International Code of Conduct for Private Security Providers. Many are involved in the standards development process spearheaded by ASIS International currently underway. As Eric Quist of EODT noted in a recent Journal article, "Solid business processes are the foundation of a responsible contractor." Appropriate training of the men and women who work for our organizations – who work in the field – definitely qualifies as a "solid business process."

As a rule, I believe our industry is meeting these development challenges with progressive thinking based on a seasoned, comprehensive view of the peacekeeping and contingency operations picture. Once complete, the ASIS project will define even more stringent business management practices that will apply to all of our firms. Unfortunately, the materials on which we depend to train our teams are insufficient. As our blogger noted, some

of the materials provided at the CRC are woefully outdated. A quick search on the Internet for training materials currently in use confirms this opinion.

This begs the question of whether bad or incomplete training is better than no training at all when considering corporate governance and risk management practices. When asking a lawyer friend of mine this question, I received the normal lawyer answer of "It depends." My friend went on to give me a short tutorial on liability exposure our industry faces providing security and logistical services overseas under various legal theories. Did you know that corporate management can be held criminally liable for the criminal activities of corporate employees if they are acting within the scope of their authority and their conduct benefits the corporation? He also explained that employee training distinguishing lawful from unlawful conduct will generally mitigate if not alleviate the possibility of corporate criminal indictment. He told me, however, that it is far more common for employers, not employees, to be subjected to civil liability risk for an employee's acts or omissions.

He offered examples of numerous civil cases in which defense contracting companies have been or are currently being sued under the civil liability theories of respondent superior, negligent entrustment, and negligent hiring/training/supervising for the acts or omissions of their employees in Iraq and Afghanistan. Germane to

all cases is the allegation of employer failure in providing adequate training to its employees. In some cases, the plaintiffs alleged no training at all, and in others inadequate or even incorrect training. As my friend practices in the area of tort liability, he confirmed the maxim that thorough training of employees should be one of an employer's key strategies to reduce the risk of criminal and civil liability.

Managing Cost and Return on Investment

There are no shortage of financial and economic models showing significant training offers great return on investment (ROI) for typical service and professional industries. According to the American Society for Training and Development (4), "Investment in employee training enhances a company's financial performance. An increase of \$680 in a company's training expenditures per employee generates, on average, a 6 percent improvement in total shareholder return." This figure does not take into account the potential legal savings, as civil liability cases often run in the millions of dollars – not including attorney fees.

We operate in a unique industry where money is not the only concern. That is not to say our companies do not incur the typical costs of doing business – staff salaries, equipment, recruitment costs, taxes, bad debts – we do. However, we also have expenses related to putting human lives at risk, while at the same time protecting the lives of citizens of other countries around the world. This mission sets our industry apart from all others, and adds a significant, complex layer to corporate management.

So, while it may be hard to nail down the specific return on investment for properly training our teams for deployment in contingency and peacekeeping operations, clearly it is a critical risk management solution and something paramount to best business practices in the industry in which we operate. Preserving corporate assets and reputation, and most importantly, protecting human lives is critical to completing the corporate mission, and part of that protection comes in the form of quality training that is usable in the field. ■

Endnotes

1. For more information on Malcolm Knowles, visit <http://www.infed.org/thinkers/et-knowl.htm>



United Nations disaster preparedness training in Haiti. Credit UN Photo/Victoria Hazou

Kendrick Kuo

Energy Security in Afghanistan

The importance of the energy sector in stability operations



Credit CENTCOM, Flickr

THE U.S. Army Corps of Engineers announced in mid-July that their technicians had successfully installed switching equipment at Kajaki Dam. The primary switch center increases the reliability and capacity of the South Eastern Electrical Power System, which covers Helmand and Kandahar – two of the hottest conflict zones in Afghanistan. This was a benchmark in the Afghan and U.S. governments’ plan to bolster Afghanistan’s energy grid and one of many similar investments in the power sector because of its importance to successful stability operations.

Launched in 2006, the Afghanistan Infrastructure and Rehabilitation Program (IRP) aims to help the war-torn country develop a sustainable society. Funded by USAID, IRP focuses on the availability of power and transportation infrastructure. Examples of progress include the Afghanistan Energy Assistance Project, Afghanistan Clean Energy Project, Kabul Electricity Service Improvement Project and many others; a host of them implemented by Louis Berger Group/Black

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& Veatch (LBG/B&V), the joint venture charged with implementing IRP.

Energy is vital for Afghanistan’s prosperity on two fronts: first, energy, electricity in particular, is required for economic growth; and second, energy is needed to fuel counterinsurgency strategies, both for the U.S. troops and the Afghan military slowly transitioning into the driver’s seat.

Energy for Economic Development

“Energy is the most important non-rule-of-law issue for economic success in Afghanistan,” observed CEO of Da Afghanistan Breshna Sherkat (DABS), Abdul Razique Samadi, at a U.S. Energy Association presentation. Afghanistan’s struggling energy sector must heal because a strong energy sector is capable of combating poverty by fostering economic growth. Energy is required to power equipment and facilities, which are needed for firms to function. It also creates jobs, as employees are needed to manage power plants and install distribution lines. Obviously, energy also provides basic services, such as lighting streets for security and providing refrigeration for medical supplies, as well as other health and social benefits. So what is the game

plan? Everyone, including the Afghan government, agrees: private investment.

“Energy is the most important non-rule-of-law issue for economic success in Afghanistan”

The private sector is needed primarily because of its primary benefit: efficiency. Currently, efficiency is more important than infrastructure. Energy infrastructure has developed so rapidly relative to efficiency, to the point of being problematic because building capacity without efficient execution increases losses. Afghanistan’s power grid faces a 30 percent energy loss through transmission and stealing. Some energy consumption is not billed. Even among those who are billed, some payments are not collected. The government is burdened even further because it subsidizes electricity so the price is below production cost. In total, the combination of poor infrastructure (technical) and government inefficiencies (commercial) amount to 40 percent losses. Private investment is the key to increasing

efficiency and lightening this weight on government coffers.

The Afghan government cannot sustain its current level of investment and needs private capital. Fortunately, it recognizes this and has a plan of action: establishing a multi-sector regulator, introducing legal frameworks for the industry and commercializing state-owned enterprises.

Regulators

Institutions responsible for the energy sector are cumbersome. Different ministries have jurisdiction over various energy subsectors with advisors and national programs to throw in the mix. This complexity breeds inefficiency and hinders unified planning. Institutional reform must simplify in order to streamline its bureaucracy and thus attract private investment. It must shrink to make room for commercialization and eventual privatization. With a unified bureaucratic machine, energy sector governance will improve.

Legal Framework

Sector governance will also require a modernized legal framework to protect investors and clients. Strict energy laws should be passed to encourage responsive energy legislation that meets needs as they arise. In a similar vein, Afghan institutions should continue to develop the capacity for public-private partnerships (PPPs), including contracts and tendering systems.

Commercialization

With these supportive pillars in place, commercialization can begin. In May 2008, DABS replaced Da Afghanistan Breshna Moassassa (DABM), the former national power utility. DABS describes itself as “an independent and autonomous company established under the Corporations and Limited Liabilities Law.” DABS has been piloting energy efficiency plans, such as meters that automatically read themselves and prepaid metering. USAID is supporting these efforts through its Clean Energy Program. Still, Afghanistan’s power grid only services 36 percent of the population.

The power grid is not the only cause of concern. Urban areas have been largely electrified, especially Kabul. Rural areas, however, are left in the dark. Mountainous terrain and the remoteness of villages are sizable obstacles to linking the

countryside to the grid. Therefore, the solution is not rural electrification, but a decentralized energy sector. Bringing in electricity from a national grid would only increase electricity costs and provides few opportunities to fuel businesses. Energy alone cannot create economic growth, but must come hand in hand with economic potential to fuel said growth, or else it is unsustainable.

What many have proposed instead is renewable energy. Renewable energy can come in the form of standalone power stations that do not require integration into a national grid. Afghanistan has anywhere between 19,000 to 23,000 megawatts of hydropower potential. The current mayor of Kabul, Mohammed Nowandish, has taken up the serious task of lighting up city streets using solar power. There is great potential for wind energy in the west and solar energy in the south.

Energy stimulates business when it is reliable and reasonably priced. Stirring economic development is integral to fostering stability, and to broader goals of military engagements and peace building.

Energy for Military Success

At the U.S. Department of Defense (DOD), energy has become a common topic of discussion. Fueling the U.S. war machine is expensive and stretching supply lines from the pump to the

“Energy infrastructure has developed so rapidly relative to efficiency, to the point of being problematic”

battlefront creates a number of weak links. With mounting difficulties and new energy security challenges, the DOD established the Office of the Assistant Secretary of Defense for Operational Energy Plans and Programs (OEPP).

At a recent address at CSIS, the inaugural Assistant Secretary Sharon Burke described the journey of a barrel of oil from Saudi Arabia to the “tactical edge” in Afghanistan. The path is costly and dangerous. The barrel must be moved on an oil tanker through the Straits of Malacca to a port in Pakistan, over large swaths of territory to a military base in order to be distributed to armored vehicles – and it makes the entire journey with its own escort. This is one of several routes and means to transport fuel to troops on the front

lines, all of which have high costs.

This directly affects the energy security of U.S. military forces in Afghanistan. Over 3,000 American troops and contractors were killed in fuel supply convoys in Iraq and Afghanistan between 2003 and 2007. Moreover, eighty percent of supply trucks operating in the region are carrying fuel.

Southern Afghanistan is the locus of most armed conflicts, in particular the provinces of Kandahar and Helmand, and thus, naturally, the location of most U.S. forces. With only 36 percent of Afghans connected to the national grid, the southern and eastern provinces of Afghanistan are prone to power shortages. DABS plans to connect the North East Power System (NEPS) and the South East Power System (SEPS). This circular circuit will reach 60 percent of the population while cutting through eastern Afghanistan, powering a key area to the counterinsurgency plan. Power running through SEPS will be augmented by borrowing energy from NEPS, coupled with energy imports from neighboring Central Asian Republics.

DOD spent \$15 billion on energy in FY2010, 75 percent of it on operational usage – the Air Force being the major fuel guzzler. The largest base in Afghanistan requires a 50 megawatts capacity to function. The U.S. military is weakest on the battlefield, where energy in the form of fuel is most needed. The Operational Energy Strategy has adopted a three-prong approach: reduce demand for energy; expand and secure supply; and build energy security into future forces (that is, make the logistics tail shorter by increasing capability at lower costs). To implement this plan, energy solutions that work in the commercial sector can be applied to the DOD. In fact, due to the Department’s size, it is a very good client for energy innovation investments.

During General Martin Dempsey’s confirmation hearing on July 26 2011, he acknowledged both institutional energy – powering stations and bases – and operational energy as topics of concern. Saving energy saves lives. Lower demand for energy and more efficient energy use translates into fewer supply convoys and soldiers being placed in harm’s way. On July 28, the U.S. Army’s Rapid Equipping Force announced an effort called “Energy on the Edge” to investigate hybrid and alternative energy systems.

M. Ashraf Haidari

Positive Momentum

Afghanistan Making Progress, Despite Setbacks



Credit US Army, flickr

THERE is no question that the Afghan people are having to face a set of complex challenges in their country, but as in every country ordinary citizens may often be overly worried about these challenges, or even panicked. In Afghanistan's complex environment—where more than forty nations are working to build peace—public perception can easily be misled by the frequent sensational media reports, which often fail to explain to the public, in rational terms, the sequence or cause of events that may not even be related to one another at all. This lack of objective information can provoke unnecessary concern among ordinary people and it certainly bolsters the enemy's terrorizing propaganda, turning the public against their government and its allies.

Indeed, for an ordinary Afghan, it is difficult to comprehend and not worry about the recent killing of Osama bin Laden in Pakistan, followed by the U.S. announcement of troop withdrawal from Afghanistan, which has coincided with the escalation of insurgent activity including complex suicide attacks and targeted killings of prominent

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Afghans. The concern created by these separately evolving events can further be compounded by the financial problems of the Kabul Bank, as well as judicial efforts to reinstate some of the previously disqualified winning candidates into the Afghan parliament.

“In an increasingly interdependent world... nations must work bilaterally or multilaterally to overcome their problems, which are often shared”

At the same time, Afghans can worry about a lack of sincere regional cooperation to help stabilize the country, as Afghan villages in a number of eastern provinces along the Durand Line have come under heavy rocket shelling of Pakistan, killing and maiming dozens of innocent Afghans and destroying their property. Moreover, despite NATO and Afghan efforts to stem the flow of insurgents into Afghanistan, militants continue to enjoy operational, intelligence, and financial support in Pakistan. Most Afghans can conclude that unless the enemy is defeated where they are incubated, nurtured, and then deployed to

destabilize Afghanistan, international military operations in the Afghan villages will not help secure the country on the long run. They may also worry about the lagging process of finalizing the US-Afghanistan strategic partnership agreement, since the Afghan people pin their hope for a secure future on a solid partnership with the United States.

These converging challenges are normal and any nation in Afghanistan's place can face them. Today, even developed countries are experiencing multiple domestic, regional and global challenges. In an increasingly interdependent world, however, nations must work bilaterally or multilaterally to overcome their problems, which are often shared. Afghanistan is hardly an exception. The Afghan government is keenly aware of the security and economic problems it shares with other states in the region and beyond, and is doing its part to address these problems on its own or in partnership with the international community.

At the same time, however, there is positive momentum for the Afghan people to be hopeful about. The fact that the enemy is resorting to ruthless suicide attacks and assassinations demonstrates the increased capability of the Afghan national security forces to fight and defeat

the enemy in conventional combat. It should also be reassuring that the Afghan government supports the phased withdrawal of NATO forces from Afghanistan as Afghans gradually gain the capacity and resources to rebuild and defend their country on their own. For that to happen, the Afghan government has initiated the implementation of a conditions-based transition to Afghan responsibility, where the international community increasingly focuses their reconstruction and stabilization efforts on enabling Afghanistan to execute its sovereign responsibilities on a sustainable basis.

Moreover, the Afghan government has taken serious steps towards resolving Afghanistan's financial and legislative problems, while pursuing a vigorous diplomatic and military dialogue with

the government of Pakistan to end the indiscriminate shelling of the Afghan villages in eastern Afghanistan. In the meantime, Afghanistan's national defense forces reserve the right to respond to any unwarranted foreign aggression that violates Afghanistan's sovereignty and territorial integrity under the United Nations Charter.

In an effort to consolidate their shared achievements of the past decade, Afghanistan and the United States are seeking to sign a long-term strategic partnership agreement. The first round of bilateral meetings between Afghan and U.S. officials took place last July, and both sides made significant progress in discussing their mutual concerns and interests to help solidify, institutionalize, and sustain the significant progress the

people of Afghanistan have so far made towards permanent peace and prosperity.

Hence, the Afghan people and the public in NATO countries, who continue to support Afghanistan generously, must recognize that the above converging challenges confronting Afghanistan are not extraordinary. They are simply complex problems that usually occur in difficult environments like Afghanistan. They can and should be resolved with time, patience, and cooperation from the international community. The Afghan government is doing its part to find durable solutions to current or emerging problems, while making sure that none of Afghanistan's hard-earned democratic achievements are overlooked for consolidation to secure the future of Afghanistan's suffering people. ■

◀ 37 | Insight | Kuo

As U.S. forces begin to pull out of Afghanistan, the need for energy security in conflict zones will remain crucial to the success of the Afghan military. Energy as the source of economic growth is tightly linked with military progress because energy efficiency, capacity and reliability serve both ends.

Afghanistan's Energy Future

The development of an energy strategy in Afghanistan is a key method through which to secure a sustainable economic and defense environment. Afghanistan's official Energy Security Strategy, part of the Afghanistan National Development Strategy, has proved to

be more than ink on paper. It has shown tangible results from the commercialization of the national power distributor to increasing power reliability for Afghans, which will translate into economic investments and business development.

Most exciting is the Afghan strategy's commitment to commercialize and privatize the energy sector. International investment in Afghan energy is contributing to both economic development and military effectiveness. In essence, energy is being recognized as an important factor in stability operations. This line of thinking is taking root in Washington and also on the battlefield. ■

◀ 25 | Gov't and Legal | Weitz

civilian agencies now threatens to undermine all the success the American military has achieved in recent years in the Iraq War, snatching victory from defeat. Leon Panetta is also following Gates in calling for adequate funding of U.S. civilian agencies with essential national security missions. By the end of this fiscal year, the Defense Department is scheduled to transfer its lead agency status in Iraq to the State Department. Panetta warned that, "The biggest concern I am aware of is that the State Department may not receive the resources it needs for the transition." Enhancing Washington's civilian agencies, as well as their international counterparts, is essential for converting battlefield victories into war-winning strategies. ■

◀ 23 | Government and Legal | Skidmore

In response, the SASC included language in their report directing the Secretary of Defense to adopt the following recommendations of the Commission: (1) designate senior officials with responsibility for cost consciousness on major contracts; and (2) evaluate senior officials based on their performance in the area of contractor management and oversight and acquisition cost control.

This emphasis on cost, however, could undermine the current "best value" contracting principals already established and create the potential for a steady degradation in work quality. The ISOA is working to ensure that the language in the conference report does not

undermine "best value" contracting prerogatives.

What's next

Passing the NDAA this year may prove difficult. As of this writing, the House version of the NDAA (H.R. 1540) has passed the House and been referred to the SASC in the Senate. The Senate version (S. 1253) has passed the SASC but will not be taken up by the full Senate until Congress reconvenes in September.

Though the Senate is expected to act quickly, there is currently no timeline for forming a conference committee and no clear path to resolving the numerous differences between the

two bills. Furthermore, with a fight looming on a government-wide continuing resolution, the bill is not expected to pass Congress by October 1, start of the new fiscal year and official deadline for the completion of the appropriations process.

Yet, the NDAA is one of the few pieces of legislation still considered a "must pass" bill. Even as authorization bills for other agencies and departments go years without being renewed, Congress has passed some version of the NDAA every year for nearly the last half century. Considering this precedent, and despite the numerous challenges ahead of it, there is hope Congress will again find a way to pass the bill before the end of the calendar year. ■

Ambassador Herman J. Cohen (Ret)

UN Peacekeeping in Africa

Still a growth industry



Senegalese peacekeepers in Côte d'Ivoire (left); the UN mission in Congo is one of its largest (right). Credit: UN Photo Eskinder Debebe UN photo/Martine Perret.

TO begin, here are two questions to test your knowledge of U.N. stability operations in Africa:

1. Where was the first U.N. peacekeeping operation managed from New York headquarters?
2. What percentage of current worldwide U.N. peacekeeping operations take place in Africa?

The answer to the first question is the Democratic Republic of the Congo. In 1960, shortly after independence, the DRC fell into a chaotic situation, with the army in a state of mutiny and several of the provinces fielding their own militias and threatening to secede. U.N. peacekeepers, assisted by U.S. airlift, made sure the country was unified and allowed the central government to consolidate power. Lethal force was used in some instances. U.N. civilian experts also helped administer the government for several years while Congolese civil servants were in training.

The answer to question # 2 is about 50 percent. There are currently 16 active U.N. operations on

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four continents; seven of them are in Africa. The worldwide peacekeeping budget is 7.8 billion dollars and 4.7 billion of that is spent on Africa. The worldwide total of deployed U.N. personnel is 121,000 and in Africa there are 63,000 deployed in all categories. The pending FY-2012 U.S. appropriation for U.N. peacekeeping is US\$ 1.7 billion.

“All of the current U.N. operations in Africa are related to internal conflict”

All of the current U.N. operations in Africa are related to internal conflict. The one exception involves the July 9, 2011 secession of South Sudan. Immediate conflict broke out over the oil-rich border town of Abyei because its status is still under negotiation, and both national armies jumped in shooting to keep out the other. The United Nations negotiated the withdrawal of both forces and asked Ethiopia to send 4,000 troops under a U.N. resolution to keep the area demilitarized pending further talks. That force is called UNIFSA, the U.N. Interim Security Force for Abyei.

Four of the current missions may be categorized as “post conflict.” There is no ongoing violence in Western Sahara, Liberia, Côte d'Ivoire or South Sudan, but the last three of these countries are in a fragile state and need assistance to reform their militaries and reconstitute their institutions. The Western Sahara mission, which is ten years old, supervises a cease-fire and will help run a referendum when and if the main actors – Morocco and the indigenous Polisario Front – can agree on a process. It is an essentially dormant peacekeeping operation.

The U.N. missions in Darfur and the Democratic Republic of the Congo are up against active fighting, and are authorized to use lethal force to protect U.N. personnel and protect civilians. As would be expected, these two operations are the largest in the world, with 23,000 and 19,000 deployed personnel respectively.

It is interesting to note that in no African mission have U.N. peacekeepers been authorized to intervene to bring hostilities to an end or to defeat the seemingly well identified “bad guys.” The U.N. Security Council prefers to mandate lethal force only to protect civilians and U.N. personnel.

In the case of Darfur, for example, where Sudan's military has consistently bombed civilian villages to punish them for harboring rebels, the United Nations has limited its actions to protecting displaced people in refugee camps. In the Congo's eastern provinces, both the national army and rogue militias have been abusing civilians for years in a myriad of horrific ways. Human rights are virtually non-existent. The U.N. mission in the Congo has carved out areas for civilian protection, but has only rarely attacked the armed predators – again, mainly for self-protection.

Somalia is the one conflict in Africa in which foreign military combat intervention is currently an absolute requirement, but that intervention is purely African – the United Nations is not involved. The entire operation, known as AMISOM (African Mission in Somalia), is run by the African Union, with 9,000 combat troops from Uganda and Burundi. The A.U. troops are there to help the officially recognized Transitional Federal Government (TFG) repel the al-Qaeda linked Islamist fighters al-Shabaab. During the first week of August 2011, AMISOM enjoyed a significant victory when it forced al-Shabaab to abandon its position in the capital city of Mogadishu. However, the conflict continues and ongoing famine in the region only adds to the tension.

What are the future prospects for peace and for

peacekeeping in Africa?

The problems in Sudan and in the DRC are systemic and will not be resolved anytime soon. It is likely, therefore, that the United Nations will maintain a presence there for at least a few more years. If anything, Sudan, with its ruthless minority Islamic regime, is likely to get worse. There are current, reliable reports that the regime is engaged in ethnic cleansing, even genocide, against civilian populations in the south Kordofan province that borders South Sudan. The Congo has a dysfunctional government unable to cope with the internal security dilemmas by stealthy external intervention. Both the Sudanese and Congolese peacekeeping requirements are unlikely to end soon.

On the positive side, the African Union combat intervention in Somalia may be the beginning of a new trend when it comes to Africans dealing with their own conflicts. In the Sahel region, Mauritania, Mali and Niger are facing increasing insurgency from AQIM (al-Qaeda in the Maghreb). The foreign role in this region is essentially limited to American and French counter-insurgency training, with appropriate equipment supplies. The African Sahelian military appears to be acquitting itself well so far.

The African Union has also decided to establish its own stand-by intervention force. Former



Credit: UN Photo/Paul Banks

interim president of Guinea (Conakry), General Sekouba Konaté, has been designated to head up this new force. Will there be sufficient funding and troops for this force? It is still hard to say, but the political will appears to be there. In addition, we are likely to see fewer internal conflicts like the one that has just ended in Côte d'Ivoire, with an increasing acceptance of free and fair elections.

What are some of sub-Saharan Africa's potential, short-term vulnerabilities? Senegal is facing a crisis as President Abdoulaye Wade tries to reinterpret the constitution to give himself a third term. If he persists in this effort, Senegal is certainly facing a Tunisian type upheaval, with possible violence.

Nigeria is also starting to become worrying. Facing insurgencies in both the Christian south and Muslim north, the military appears unable to cope; and despite big oil revenues, desperate poverty continues to be an issue. In Zimbabwe, President Robert Mugabe's inevitable departure could very well unleash infighting between the military and the ruling ZANU-PF party. There are a significant number of military and political cadres waiting for their turn to eat.

The bottom line is that Africa is unlikely to turn away U.N. peacekeeping and stabilization support anytime soon, despite expanding efforts to resolve its own conflicts. ■



African Union troops set up outside Mogadishu, Somalia. Credit: UN Photo/Stuart Price

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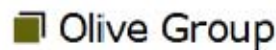
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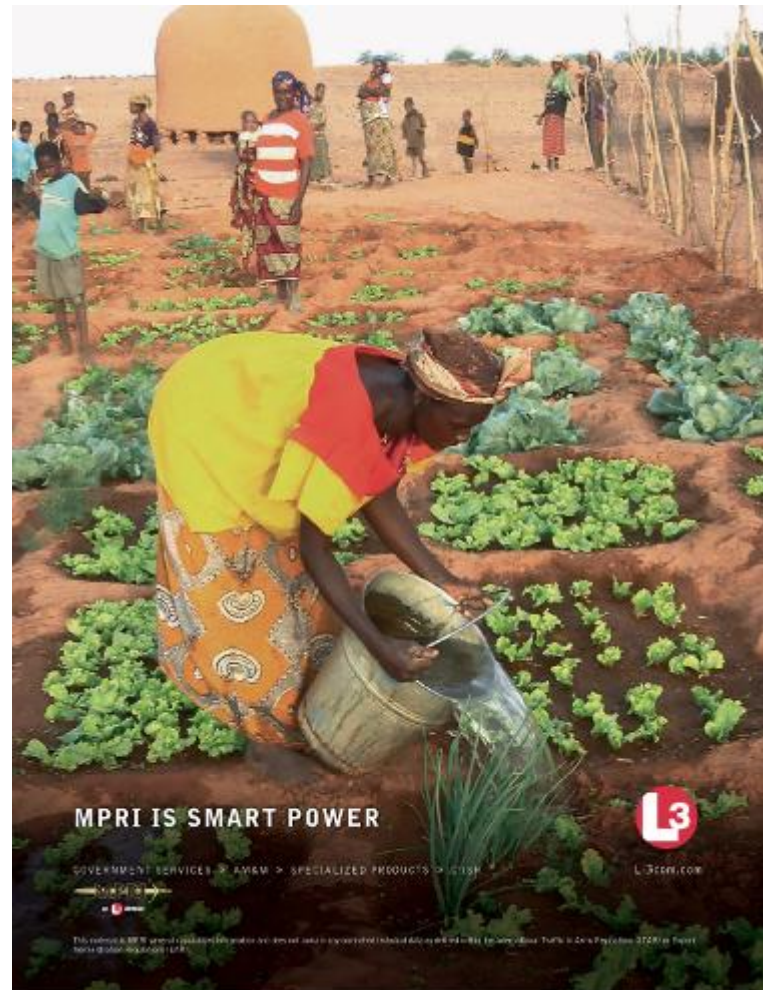
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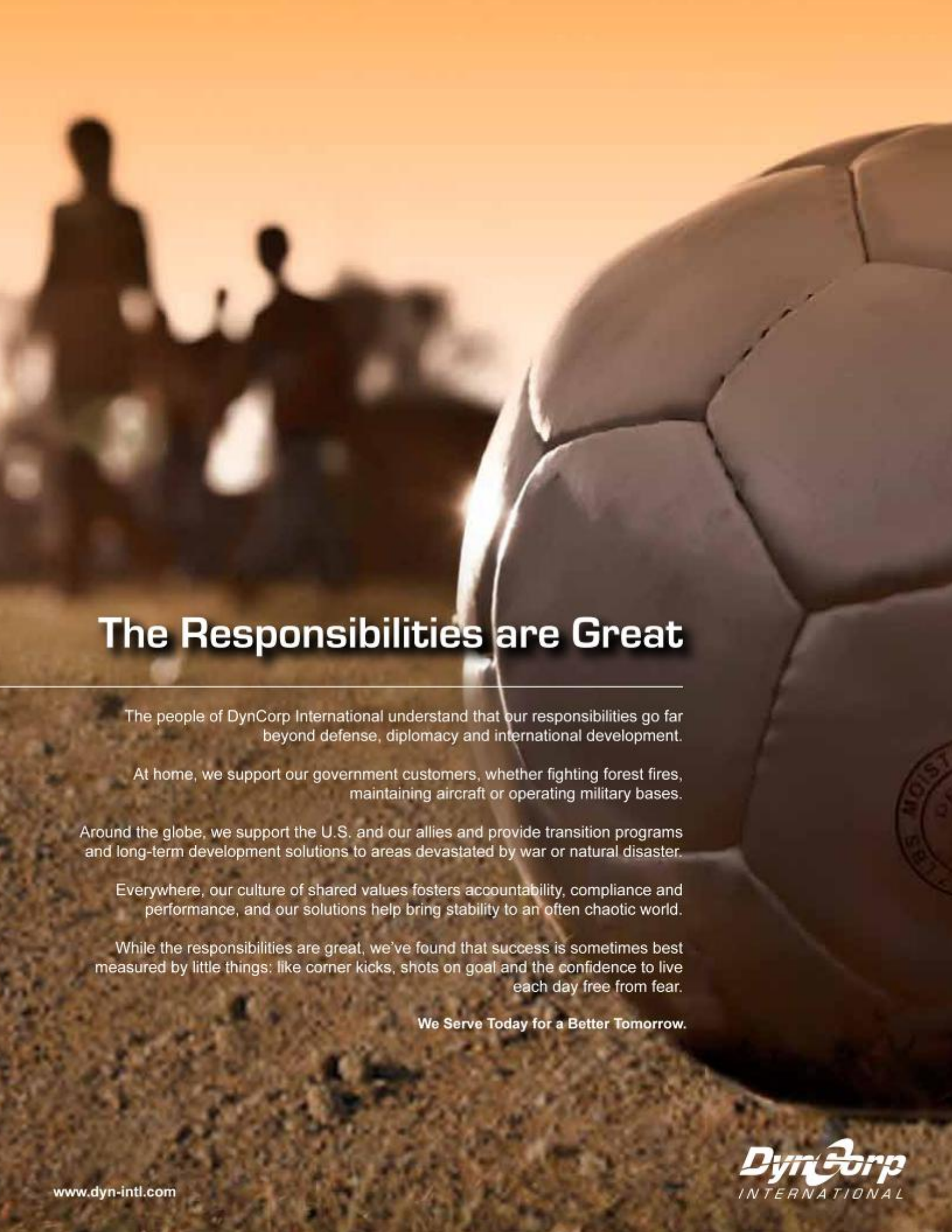


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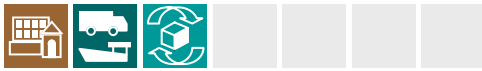
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Abbreviations HQ Location of company headquarters W Website PC ISOA Point-of-Contact/Designated Delegate M Membership approved

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HQ Safat, Kuwait
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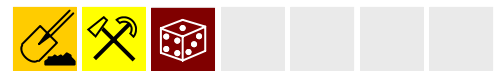
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HQ Rockville, Maryland
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 PC Mary Robinson
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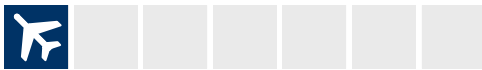
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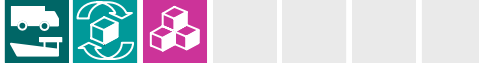
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HQ Surrey, United Kingdom
 W www.aircharter.co.uk
 PC Tony Bauckham
 M March 2010



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 W www.bmmigroup.com
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 PC Nicola Lowther
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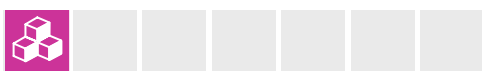
DLA Piper LLP

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 W www.dlapiper.com
 PC Tara Lee
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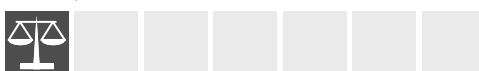
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 PC David Hammond
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DynCorp International

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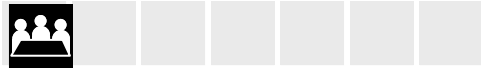
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GardaWorld

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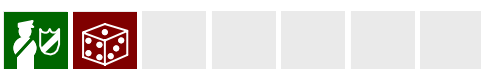
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Global Integrated Security—USA

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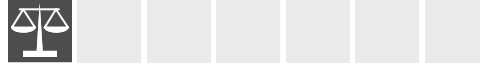
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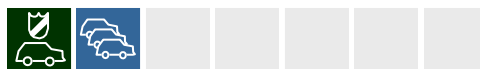
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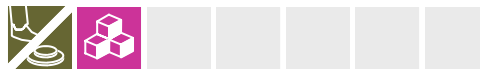
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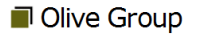
New Century U.S.

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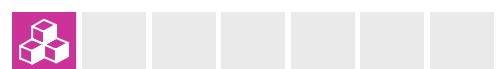
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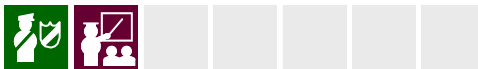
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HQ Bridgeville, Pennsylvania
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Telum Protection Corp

HQ Southern Pines, N. Carolina
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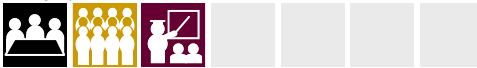
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 W www.unityresourcesgroup.com
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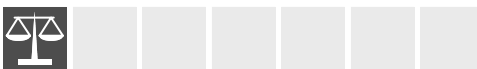
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 PC Susan Lynch
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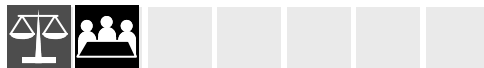
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