THE CIP REPORT

CENTER FOR INFRASTRUCTURE PROTECTION   VOLUME 8 NUMBER 12
AND HOMELAND SECURITY

In this issue of *The CIP Report*, we highlight international infrastructure protection. We feature programs that enhance infrastructure in countries such as Afghanistan, Africa, and China.

First, a representative from the U.S. Department of State provides an overview of the Bureau of Diplomatic Security. Then, an internationally recognized law enforcement and security professional discusses the challenging but very rewarding task of protecting the Olympic Games. A professor at the Pacific McGeorge School of Law also describes a project funded by the U.S. Agency for International Development (USAID) that seeks to train Chinese law professors in the teaching of professional skills and clinical courses. A graduate fellow from the Institute for Infrastructure and Information Assurance at James Madison University examines the state of infrastructure in Afghanistan. The Director of Water Studies at the Public Utility Research Center explains the development of the Body of Knowledge on Infrastructure Regulation (BoKIR) website. We also provide information on the new Unified Combatant Command, United States Africa Command or AFRICOM.

Finally, we provide brief information on the ramifications of the eruption of the Eyjafjallajökull Volcano in Iceland and the oil spill in the Gulf of Mexico on international infrastructure.

This month's *Legal Insights* analyzes the role of women during an international disaster.

We would like to take this opportunity to thank the contributors of this month's issue. We truly appreciate your valuable insight.

We hope you enjoy this issue of *The CIP Report* and find it useful and informative. Thank you for your support and feedback.

Mick Kicklighter
Director, CIP/HS
George Mason University, School of Law

GEORGE MASON UNIVERSITY
School of Law
CENTER for INFRASTRUCTURE PROTECTION and HOMELAND SECURITY

U.S. Department of State: Eyes on the World

by Special Agent Gentry Smith*

February 21, 2008 was a dark day for the U.S. Embassy in Belgrade, Serbia. Thousands of angry Serbian nationalists had gathered outside the U.S. diplomatic mission, bitter over a decision by the United States and key European allies to recognize the independence of Kosovo, a former Serbian province that had been run by the United Nations (UN) since 1999.

To ensure the safety of those working at the U.S. Embassy, the facility had been closed earlier that day and employees sent home. But inside, a skeleton crew of embassy security professionals — the U.S. Marine Security Guard Detachment, Diplomatic Security

(DS) Regional Security Officers (RSOs), and a few other embassy officers — remained to monitor the situation and safeguard classified U.S. Government materials.

Back in suburban Washington, D.C., the DS Command Center — a recently renovated and technologically upgraded, state-of-the-art, 24/7 operations center — was alerted by the Regional Security Officer in Belgrade of escalating problems. At that point, watch officers in the Command Center began monitoring imagery from Embassy Belgrade's security cameras.
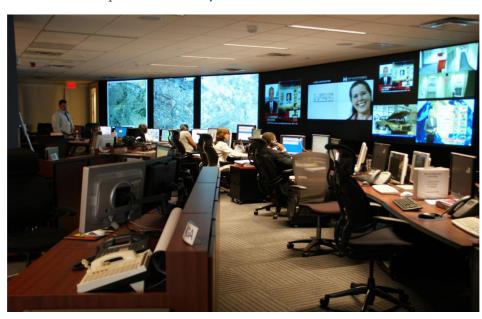
As the situation continued to

destabilize, Command Center personnel transmitted these video feeds to the U.S. Department of State's Operations Center, the Department's communications and crisis management facility which manages communications between the Department's bureaus and the offices, as well as with the White House, National Security Council, and other Cabinet agencies. At the Operations Center, an Under Secretary of State and other senior State Department officials monitored the video and other data from the embassy and used this information extensively in their emergency response decision-making process.

As night fell, embassy cameras transmitted images of several hundred hooded protestors attacking the U.S. diplomatic mission as Belgrade police stood watching. The predominantly youthful, male mob broke windows, threw flares into the building, smashed cameras with rocks, and ignited exterior fires. Some of the attackers eventually broke into a non-critical reception area of the embassy and set fires on the ground floor.

In emergency situations like this, U.S. Department of State officials need timely and accurate information to make key decisions

At the DS Command Center in metropolitan Washington, D.C., DS personnel can view a variety of data about remote Department of State facilities, including maps, intrusion-detection alerts, closed-circuit video images, and three-dimensional graphical models of U.S. structures for "virtual" walkthroughs of U.S. consulates and embassies abroad. *Photo courtesy of U.S. Department of State.*

Diplomatic Security *(Cont. from 2)*

on how to save U.S. lives, protect U.S. property, and safeguard classified information. In the Belgrade embassy attack, the Bureau of Diplomatic Security rapidly delivered information on the attack to U.S. officials through sophisticated technology that gathers data from intrusion-detection systems, video cameras, and sensors at U.S. consulates and embassies worldwide.

At the Command Center, personnel in the DS Watch Officer Group monitored the video feeds of events at the facility and were in constant telephone communication with DS Regional Security Officers inside the embassy. In fact, Command Center personnel continued to provide situational updates to the RSOs, Marine Security Guards, and other staff even after they had retreated to the embassy safe haven — a hardened, protected, and secure area of the building.

After the U.S. Department of State issued strong protests to senior Serbian Government officials in Belgrade, Serbian riot police were ordered to quell the violence. Serbian firefighters quickly extinguished the embassy fires. The one fatality was a protestor who apparently became trapped inside by an arson fire. Order was restored and eventually the Serbian Government assumed full responsibility, apologized, and agreed to fund the restorations and repairs to the building.

The protestors were unable to penetrate embassy hard-line doors and were contained in peripheral areas of the embassy. U.S. Embassy security staff weathered the attack from the protection of the embassy's safe haven. Catastrophe was averted. Diplomatic Security, around the world, breathed a collective sigh of relief.

The DS Mission

As the law enforcement and security arm of the U.S. Department of State, the Bureau of Diplomatic Security's mission is to provide a safe and secure environment for the conduct of U.S. diplomacy. DS fulfills this mission with a workforce of highly trained special agents, engineers, security technicians, civil service specialists, foreign national technicians, surveillance-detection staff, security guards, investigators, U.S. Marines Security Guards, and Navy Seabees.

As a Federal law enforcement agency, DS focuses on the investigation of visa and passport fraud, terrorism, and related crimes such as identity theft, human trafficking, and weapons smuggling. As a security organization, DS protects the U.S. Secretary of State, other senior Department of State officials, visiting foreign dignitaries, U.S. interests at major international events such as the Olympics, as well as U.S. diplomatic facilities and information worldwide.

DS is responsible for the security of 107 U.S. Department of State offices throughout the United States and 285 facilities in 189 foreign nations. DS meets this challenge through a very robust technical and physical security program that relies on its security professionals and the application of advanced technology.

The Security Management System enterprise Network (SMSeNET)

An advanced technology that has proven itself invaluable in the Belgrade example and in other similar emergencies is DS' worldwide Security Management System enterprise Network, or simply SMSeNet.

SMSeNet is deployed to 270 of the Department's 285 Foreign Service posts. The technology permits the capture and re-distribution of historic digital video from U.S. embassy and consulate security cameras and recorders. This capability has allowed U.S. Department of State officials to observe attacks on our facilities in Jeddah, Saudi Arabia; Damascus, Syria; Rabat, Morocco; Belgrade, Serbia; and Sana'a, Yemen, to name just a few, and to use archived video of these incidents to conduct post-attack analysis. SMSeNet has permitted DS to provide U.S. diplomatic posts abroad with essential life-safety and life-saving situational awareness information while in the middle of terrorist attacks.

Video is not the only component of SMSeNet. Currently, certain alarm systems, automated access-control devices, attack alarms, and other systems and sensors can be monitored remotely from about 100 U.S. diplomatic posts around

Protecting Olympic Venues

by Mark Camillo
Senior Vice President, Strategic Planning, Contemporary Services Corporation
Senior Fellow, CIP/HS

The Challenge

An event of national or even international significance requires multiple governmental agencies to work with non-government organizations in such a way that the event occurs as planned with all stakeholders satisfied that their best efforts contributed to its successful outcome. When a city wins an Olympic bid, it begins with a feeling of exhilaration, followed by a countless number of days of exhaustion experienced by those responsible for crafting a seamless plan that provides a safe and secure environment. The magnitude, timetable, and worldwide expectations of the Olympic Games will humble any event security planner.

When contemplating how one planner or many might tackle the challenge of designing, planning, and executing an operational security plan to protect all affected infrastructure, it is important to distinguish how an Olympic event differs from other events of national or international significance. Additionally, the differences between Summer Games and Winter Games must be considered. These nuances will affect staffing, resources, lodging, and a host of other elements essential to providing an effective security operation. Consider the fact that

whether it is the Summer or Winter Games, there are indoor events, outdoor events, competition events, and non-competition events all conceivably happening at the same time.

To set the stage, a review of the factors that distinguish Olympic Games from other major events is worth taking note:

• High-profile with national pride at stake for the host country;
• Mass gathering consisting of athletes, coaches, staff, sponsors, media, spectators;
• Large viewing audience both from host country and from around the world;
• Long duration due to arrival of athletes, and schedule of events, including opening and closing ceremonies;
• Multiple venues spread over a large geographical area; and
• Multiple venues operating on a simultaneous schedule.

Today's standards for developing an operational security plan differ from event planning two decades ago. As early as the late 1990s, the U.S. Government recognized the need to establish a coordinated approach to securing major events. This effort was exemplified at the 2002 Salt Lake Winter Olympics, where the protection of Olympic venues was accomplished through a methodical

process that included direct participation in a collaborative fashion by local, State, and Federal agencies. What was put in place was a layered security approach blending people, process, and technology. This system was a significant advancement from the "guns, guards and gates" solution historically put in place. Rapid response had carried more weight in the classic plan than preventing or precluding an incident by proactively closing the gaps that presented vulnerabilities.

This refined method of designing and implementing secure environments was not a revelation in protecting Olympic venues. Rather, it was an approach resulting from both best practices gleaned from previous Olympic events, fused with the current events of the day. Who would have championed the merits of a proactive plan to counter weapons of mass destruction (WMD) on U.S. soil before 1993?

Within the last two decades, the United States has sadly experienced a series of tragic events both on domestic and foreign soil. The world watched the United States as it coped with destruction and loss of life at the hands of terrorists, both at home and abroad.

Olympic Security *(Cont. from 4)*

The 1996 Atlanta Summer Olympics was the first United States-hosted Olympics in this era of WMD. Planners appeared to take careful steps to address the protection needs at official venues, but as witnessed, those that choose to do harm often take the pathway of least resistance. In this case, a nearby festival venue, not an official Olympic venue, was the target.

The Olympic security community now had another area of concern: the protection of associated venues that offer both a large public assembly and notoriety. These venues, although not part of the official organizing committee venue list, nevertheless have an Olympic connotation, and therefore have to receive some level of security presence.

To better understand and appreciate the desire of local communities to celebrate is to be on site while the games are underway. The environment is predictably charged with excitement. Since the time-frame is set by the Olympic organizing committee's schedule of events, celebrations by local communities that occur within the Olympic schedule of events should be expected. These celebrations, ancillary to the official venue activity, increase the need for unofficial venues to receive a reasonable level of security. This necessity will put a further strain on available public safety resources if not planned for in advance.

Protecting infrastructure is a relative term in Olympic security. Public safety officials and Federal level anti-terrorism efforts must consider a variety of infrastructure that are specifically constructed, transformed, or put into Olympic service. To adequately address the spectrum of threats, the following are examples of venues or conveyances that must be addressed:

- **Buildings/Physical Venues**
    - Stadiums
    - Arenas
    - Hotels
    - Convention centers

- **Transportation**
    - Public transportation, i.e. trains, subways, and busses
    - Aircraft
    - Watercraft
    - Athlete and Team vehicles

The preferred method of approach in today's world of "smart security planning" is to create overlays that transform existing venue security features into a layered system of enhanced capabilities. By carefully adding components and personnel for specific events such as Olympic competitions, planners may benefit by not spending limited funds on wholesale purchases of systems that are later found to have duplicity with some of the existing security components. Security requirements for a "one-off" event like an Olympics need not be an expensive duplication of existing on-site capabilities. With that said, antiquated systems in existing venues may not meet the basic requirements, or may not be compatible with the state-of-the-art components needed to address current threats. This is a job for a systems integrator which would be of particular value when fusing together old and new technologies.

A nuance to mega events like Olympic Games is major private sector sponsors who provide, in addition to money, value-in-kind items. This is often referred to in event planning as "VIK" products. Companies who offer security products are often the providers of items such as surveillance cameras, metal detectors or x-ray machines. Items such as these, that meet official specifications, may be brought in and installed for usage in areas determined by the operational security plan. The bottom line with VIK products is if they meet the requirements and integrate into the planned security architecture, they are most welcome. What is not welcome are leading-edge technologies with unsubstantiated claims of 100% effectiveness. Major international sporting events, particularly Olympic Games, are not "test beds" for innovative ideas. The tools put into use at protected infrastructure should be well-known and proven to work in conjunction with other interfaced security systems.

Changing Times

Stadiums are being built with materials lighter than ever. Security operations with the assistance of technology are moving in a concurrent direction, using lighter, more durable equipment with combined capabilities. Apparel and equipment for personnel on the front line are also benefiting from

A Train the Trainers Program for Building Legal Infrastructure in China

by Brian K. Landsberg
Distinguished Professor and Scholar
Pacific McGeorge School of Law

A critical part of any country's development is its legal infrastructure. The proper functioning of civil and commercial society depends upon the existence of a reliable system of law administered by dependable courts. Foreign and domestic businesses want some assurance that commercial disputes will be settled in accord with the law and the facts, and neither can thrive without some protection of fundamental human rights. Tourists and expatriates are also reluctant to visit countries that do not provide reliable legal protections. All this we commonly refer to as the rule of law. In 2006, the Pacific McGeorge School of Law received a rule of law grant from the U.S. Agency for International Development (USAID) to train

Chinese law professors in the teaching of professional skills and clinical courses. The lessons that future lawyers, prosecutors, judges, and government officials learn in law school will stay with them for life. While it is important to train existing legal professionals in professional skills and values, our program offers a potential long term multiplier effect through the creation of a cadre of law professors who will train many generations of lawyers, prosecutors, judges, and government officials.

Law professors have the opportunity and the obligation to advance the rule of law and social justice. A precondition to the rule of law is the existence of competent, ethical, and professional lawyers and judges.

As Professor Luo Wenyan wrote:

In China, the fast-growing economy and the construction of rule of law needs a great amount of legal professionals. As one of the crucial aspects of rule of law, legal education should prepare and qualify more and more lawyers, judges, procurators, government officials and other professionals relating to law practice.

Without skilled lawyers and judges, the law truly is, as Professor Li Chao characterized, just a piece of paper. Therefore, law schools must help their students become skilled practitioners. It is not enough to help students learn the substantive rules of law and legal theory. In addition, as Professor Hu Minfei has noted, "[s]tudents' capacity for solving problems should be emphasized and developed during their study in law school, as well as their legal knowledge." This is why experiential legal education is an essential element in creating skilled professionals.

It is difficult for a U.S. institution, such as Pacific McGeorge, to facilitate meaningful change in another country unless it has some understanding of the culture, law, and legal education system. While we disclaim extensive knowledge of Chinese law, the endeavors of

Luo Wenyan of Zhejiang Gongshang University teaching at 2008 Hangzhou Workshop.

Chinese Infrastructure *(Cont. from 6)*

Pacific McGeorge in China date back to an exchange program that existed from 1982 to 1989. Since then, a number of Chinese students have taken Master of Laws (LLM) degrees at our school, including Zhu Suli, Dean of Beida Law School. In addition, Professor Li Feinan of Zhongshan University Law School in Guangzhou was a visiting professor at McGeorge. More recently, I helped start an ambitious summer program of skills education for Chinese, American, and German law students at the Kenneth Wang School of Law in Suzhou, under the leadership of our Distinguished Visiting Professors Frank Wang and Laura Young of the Wang Family Foundation and Dean Ai of the Kenneth Wang School of Law. Dean Ai has also lectured at our school. Our Dean, Elizabeth Rindskopf Parker, and I attended the 2005 conference in Beijing on clinical education, which was jointly sponsored by the Guidance Commission on Higher Legal Education under the State Education Ministry, the China Legal Education Research Association, and the Association of American Law Schools. The conference was hosted by The China University of Political Science and Law. At the conference, we learned that Chinese legal educators have a great interest in experiential legal education and that they welcome help from U.S. legal educators. In the fall of 2005, Pacific McGeorge held a conference in Sacramento on judicial independence and legal infrastructure, with Justice Dr. Jing Liu of the Supreme People's Court, Professor Wang Juan of the National

Guangzhou workshop, summer 2007.

Judges College, and Distinguished Visiting Professor Laura Young addressing this topic from the Chinese standpoint.

All of these exchanges, combined with our nationally recognized advocacy program, inspired us to apply to USAID in the summer of 2006 for a grant to promote the rule of law in China. Our proposal builds upon the work of the Committee of Chinese Clinical Education and the Ford Foundation, as well as on our experience in providing advocacy education in Chile. We also recruited, as a partner, the American University Washington College of Law due to its outstanding clinical education program. We sought as Chinese partners distinguished law schools that were geographically dispersed and with diverse histories and needs. We were very pleased that the China University for Political Science and Law, the Zhejiang Gongshang University

Law School, and the South China University of Technology Law School agreed to enter into partnerships with us. Our program is designed to assist Chinese law schools that wish to begin or strengthen their advocacy and clinical programs.

In the fall of 2006, USAID approved our proposal. Under the grant, we held workshops for Chinese law professors over two summers, first in Guangzhou and then in Hangzhou, on advocacy skills and clinical legal education. Chinese law professors completed LLM programs at Pacific McGeorge and Washington College of Law. Visiting faculty exchanges took place. We discussed the prospects for experiential legal education at conferences in Sacramento in 2008 and Beijing in 2009. A distinguished Board of Advisors, composed of Chinese and American

Chinese Infrastructure *(Cont. from 7)*

legal scholars and practitioners, has advised the program.

The substance of our program teaches Chinese law professors how to provide skills based legal education. Skills based legal education can be generally divided into two categories: advocacy courses and clinical courses. Advocacy skills courses primarily use simulation as the teaching method. Clinical courses differ because the students are assigned to real clients and cases. Both types of courses develop practical problem-solving and implementation skills, the key concepts in both advocacy and clinical courses. I am told that Confucius once said, "[i]f a man confronts a problem and does not ask himself, 'What can I do? What can I do,'? I don't know what I could do with the man."[1]

The economics of modern law practice seem to demand that law schools produce so-called practice-ready new lawyers. So for the past forty years or so, American legal education has been undergoing some fundamental changes. A big question facing law faculties throughout the world is whether they should undertake similar changes, and if so, how to tailor these changes to the particular legal system and legal education system of the country. To what extent is the American experience transferable? An important goal of the USAID grant is to help answer this challenging question.

Our program has been highly successful. Other Chinese law schools have sought to join it, and alumni of the program are actively using experiential education techniques in their classrooms as well as teaching other Chinese educators how to teach professional skills and clinical courses. We attribute our success to several factors.

First, we decided at the outset that it is not for outsiders to advise Chinese educators on what is best for Chinese legal education. It would be presumptuous for us to tell the Chinese that their schools should adopt the American methods for advocacy and clinical education. In addition, frequent country visits and consultation with local leaders in the field are necessary for a program to be successful. We did not formulate our training curriculum until we had consulted with Chinese legal educators, judges, practitioners, and students. Second, many law schools in China are anxious to provide experiential legal education; while some have already begun to offer clinical education, a few already offer advocacy skills education outside of their clinics. Closely related is the fact that the demand for such courses is driven by three important sources: demand by legal employers, by students, and by the Chinese government.

We have learned that short one-time trainings will have little impact; a successful program requires a significant amount of time and dedication. Our best results have come from our year-long LLM programs and from successive multi-week trainings in China. The conferences have provided the opportunity to exchange information about what the Chinese and United States participants have learned. In addition, the publication of course materials and scholarly works substantially enhance our program. Their existence is a lasting contribution to the experiential classroom. Perhaps the accomplishment for which we feel the greatest pride is that many of the participants in our 2007 and 2008 program have now become trainers as we expand our program to five more schools in China. The creation of a cadre of capable trainers ensures long-term sustainability of the program and increases the scale of the program.

Our program teaches Chinese law professors how to guide their students to make choices about client representation, fact investigation, negotiation, what arguments to make and what arguments not to make; how to organize their arguments; how to characterize the issues; and how to persuade the decision-maker. They learn, through their own work and through observing the arguments of fellow students, that there are many ways to present a case and that they not only need to understand the underlying law but need to be able to exercise sound judgment in applying the law to the facts. Here is what one of our students wrote

---

[1] Tom Te-wu Ma and Pan Zhiyong, *Confucious Said,* (Shanghai World Library Publishing. Co., 2004), 213.

The State of Afghanistan's Infrastructure: An Examination of Modernization Efforts over Two Centuries

by Sami Nuristani*
Graduate Fellow, Institute for Infrastructure and Information Assurance
James Madison University

Introduction

One of the major characteristics that separate the developed and developing world is *infrastructure*. Developed countries have advanced their infrastructure systems over many decades, and thus, have allowed future generations to reap the benefits associated with sustained development efforts. Countries that have exhibited strong dedication to modernize their nations have excelled in other aspects of life as well. Nations without a historical, common goal toward infrastructure development need to undertake serious modernization efforts in order to join the global community of the 21st century.

Strong and committed leadership, dynamics and structure of society, political stability, external threats, and fiscal capabilities are among the chief factors that determine national progress. Countries with less than favorable dispositions have endured miseries and have exhibited inadequate emergency preparedness capabilities when hit by disasters, both natural and man-made. As a result, catastrophic events have proven to be more fatal and deadly in these countries as compared to those with modern infrastructure systems containing a much higher degree of resiliency, robustness, and redundancy.

One country in particular, Afghanistan, has lagged behind as several modernization attempts have failed to provide a foundation to grow highways, information technology services, public health outlets, and other necessary features of modern society. Although greed and the self-serving nature of certain Afghan leaders are partially to blame, the failure of many modernization efforts can be attributed, in great extent, to factors such as political instability, lack of effective leadership, internal rebellions and uprisings, external threats, and foreign interferences. For instance, the Great Game in general and the *buffer zone* status of Afghanistan between the then British Empire and Russia were major obstacles preventing the modernization of Afghanistan in the 19th and early 20th centuries, as Afghanistan's territory was utilized as a battlefield by the two major powers and under constant threat from both ends.

Afghanistan witnessed a similar fate later in the 20th century, when it was once again transformed into a peripheral warzone by the two superpowers of the time, the United States and the USSR. This race led to the eventual invasion of

Figure 1: The Khyber Pass, located along the Pakistan/Afghanistan border.
Photo courtesy of Anthony Maw.

Body of Knowledge on Infrastructure Regulation

by Sanford Berg
Director of Water Studies, Public Utility Research Center
University of Florida

With the global expansion of independent regulatory agencies for infrastructure sectors, the World Bank provided seed money to the Public Utility Research Center (PURC) at the University of Florida to develop and implement a two week training program. Since 1997, the *PURC/World Bank International Training Program on Utility Regulation and Strategy* has hosted over two thousand two hundred participants from 141 nations — for two weeks each January and June.

To complement this capacity-building initiative, the Private-Public Infrastructure Advisory Facility (PPIAF) funded PURC to develop a Body of Knowledge on Infrastructure Regulation (BoKIR). The website was developed to complement regional and international training initiatives and to enable professionals to stay abreast of recent analytical developments and lessons emerging from cross-country studies. This site is a comprehensive online resource for utility and regulation professionals, policy makers, and academics focusing on regulatory reform and the promotion of strong performance in energy, telecommunications, transportation, and water sectors.

It initially had three main features:

• An annotated reference list (ARL) covering all of the areas of knowledge expected to be known by regulatory practitioners;
• A survey of key articles and studies, summarizing main points; and
• A glossary of terms that would provide the standard definition of the main terms used in the annotated reading list and likely to be used in assessing the body of knowledge.

The ARL, survey, and glossary were prepared by a team of experts and reviewed during an expert review workshop held in Washington D.C. in November 2003. Based on feedback from the team of experts, a revised version of the BoKIR was produced along with a Glossary of Terms. This document represented an important step in strengthening professional development among regulatory staff and infrastructure managers in developing countries. It is utilized in in-house programs and has become an important resource for international training. Based on feed-back received since its launch, it is clear that researchers and practitioners have found it to be very helpful in their work.

The on-line version of the BoKIR is available at http://www.regulation bodyofknowledge.org/. This website offers a resource to practitioners, researchers, students, and anyone interested in learning about utilities regulation. By providing summaries of key concepts and arguments and links to over 500 references and case studies, the BoKIR improved awareness of regulatory best practice and helped regulatory professionals to efficiently access both established and cutting edge learning on issues central to instituting a well-functioning regulatory system.

As a result of feedback, a number of additions and improvements have been completed and implemented since 2008. These modifications include updates and revisions of the content related to telecommunications, energy, and water; new references; the addition of the transportation sector; and the translation of the Infrastructure Glossary into Chinese, French, Italian, Portuguese, and Spanish.

To make the site more accessible and timely, a Frequently-Asked Questions (FAQ) section has been added with sub-questions and answers. This feature allowed additional new material to be accessible without excessively expanding the set of core references.

• What is the state of art in

United States Africa Command

by Devon Hardy
CIP/HS

Introduction

In 1995, the *U.S. Security Strategy for Sub-Saharan Africa* declared that Africa held little strategic interest to the United States.[1] However, following the foray of Al-Qaeda into Sudan and Somalia in the early 1990s and the bombing of two U.S embassies in Nairobi, Kenya and Dar es Salaam, Tanzania in 1998, the United States began to recognize the growing strategic importance of Africa. Specifically, the United States became increasingly concerned that political instability, or state failure, was inviting terrorism into unstable regions of Africa. This apprehension is evident in the 2002 *U.S. National Security Strategy*, which states that "America is now threatened less by conquering states than we are by failing ones."[2] While the validity of the link between state failure and terrorism is debated in academic literature, according to the Africa Policy Advisory Panel, there are five factors that have earned Africa a "new strategic place in U.S. foreign policy."[3] These factors include the abundance of natural resources, particularly oil; the increased opportunities for global trade; the persistence of armed conflicts; the lethality of HIV/AIDS; and the mounting threat of terrorism in Africa. This elevation in U.S. foreign policy is apparent in the 2006 *U.S. National Security Strategy*, which states that "Africa holds growing geo-strategic importance and is a high priority of this Administration."[4] On February 6, 2007, this pledge was confirmed when former President George W. Bush announced the establishment of a new Department of Defense (DoD) Unified Combatant Command (COCOM): United States Africa Command or AFRICOM.[5]

Mission and Objectives

In July 2009, President Barack Obama spoke to the Parliament in Ghana about the four priorities of the United States in Africa. The 2010 AFRICOM Posture Statement summarizes the four priorities, which include:

1) Supporting strong and sustainable democracies and good governance;
2) Fostering sustained economic growth and development;
3) Increasing access to quality health and education; and
4) Helping to prevent, mitigate, and resolve armed conflict.[6]

The current mission of AFRICOM supports these priorities by pledging to promote security and stability in Africa, its island states, and its surrounding waters. At present, the mission statement is as follows:

United States Africa Command, in

---

[1] The Department of Defense, *U.S. Security Strategy for Sub-Saharan Africa*, (Washington DC: Office of the Assistant Secretary of Defense (Public Affairs), August 1995).

[2] President George W. Bush, *The National Security Strategy of the United States of America* (Washington DC: The White House, September 2002), 1.

[3] Africa Policy Advisory Panel, *Rising U.S. Stakes in Africa: Seven Proposals to Strengthen U.S.-Africa Led Policy*, (Washington DC: Center for Strategic and International Studies), May 2004, vi.

[4] President George W. Bush, *The National Security Strategy of the United States of America* (Washington DC: The White House, September 2006), 37.

[5] There are currently ten Unified Combatant Commands. The six geographic combatant commands include Africa Command (AFRICOM), European Command (EUCOM), Pacific Command (PACOM), North Command (NORTHCOM), Southern Command (SOUTHCOM), and Central Command (CENTCOM). The four functional combatant commands include Transportation Command, (TRANSCOM), Special Operations Command (SOCOM), Joint Forces Command (JFCOM) and Strategic Command (STRATCOM).

[6] United States Africa Command, Posture Statement, (Stuttgart, Germany: U.S. Africa Command), March 2010, 4.

AFRICOM *(Cont. from 11)*

concert with other U.S. government agencies and international partners, conducts sustained security engagement through military-to-military programs, military-sponsored activities, and other military operations as directed to promote a stable and secure African environment in support of U.S. foreign policy.[7]

This mission statement is unique in that this new command, as opposed to other COCOMs, seeks to prevent rather than react to conflicts in Africa by promoting regional stability.[8] In order to achieve this mission, AFRICOM has set forth the following goals:

…helping African states build capable and professional militaries that are subordinate to civilian authority, respect human rights, and adhere to the rule of law. We are assisting our African partners in building capacities to counter transnational threats from violent extremists organizations; to stem illicit trafficking in humans, narcotics, and weapons; to support peacekeeping operations; and to address the consequences of humanitarian disasters — whether man-made or natural — that cause loss of life and displace populations.[9]

Currently, the UN is overseeing 17 peacekeeping operations around the globe. According to the 2010 AFRICOM Posture Statement, 8 of these 17 operations are conducted on the continent of Africa. Therefore, along with other U.S. government agencies, including the U.S. Department of State and USAID, as well as African and international partners, AFRICOM is developing and administering a variety of programs to support its mission to improve security and stability in Africa.

AFRICOM Components and Programs

Prior to the establishment of AFRICOM, the continent of Africa was divided among three COCOMs: CENTCOM, EUCOM, and PACOM. While Egypt remains under the command of CENTCOM, due to its ties to the Middle East, the remaining nations of Africa fall under the jurisdiction of AFRICOM. AFRICOM is comprised of four component commands (U.S. Army Africa, U.S. Naval Forces, Africa, U.S. Air Forces, Africa, and U.S. Marine Corps Forces, Africa); a sub-unified command (U.S. Special Operations Command, Africa); and the Combined Joint Task Force-Horn of Africa, previously under the command of CENTCOM. At present, due to some initial resistance by leaders in Africa to host the new command, AFRICOM's headquarters are located in Stuttgart, Germany.[10]

In conjunction with domestic and international partners, AFRICOM funds and coordinates a number of programs. Some of these programs include:

• **Natural Fire 10:** In October 2009, the Uganda People's Defense Force and U.S. Army Africa co-led a humanitarian and disaster relief exercise in Uganda. During the two-week exercise, soldiers from Burundi, Kenya, Rwanda, Tanzania, Uganda, and the United States responded to simulated humanitarian emergencies, including an influenza pandemic, to foster collaboration between African and U.S. militaries and improve the capabilities of countries in Africa to respond to humanitarian emergencies.

• **Africa Partnership Station (APS):** This international initiative, which was launched by U.S. Naval Forces Europe-Africa in 2007, essentially serves as a floating "base of operations" that is responsible for ensuring maritime safety and security in West and Central Africa. The first deployment, which took place aboard the USS Fort McHenry in November 2007, visited ten countries, including Sao Tome and Principe and Gabon. In 2009, APS embarked upon missions to South and East Africa, including

---

[7] http://www.africom.mil/getArticle.asp?art=1644.
[8] Theresa Whelan, *Africa Command: Opportunity for Enhanced Engagement or the Militarization of U.S.-Africa Relations?* Testimony Before the House Committee on Foreign Affairs (HCFA) Subcommittee on Africa and Global Health, August 2, 2007.
[9] United States Africa Command, Posture Statement, (Stuttgart, Germany: U.S. Africa Command), March 2010, 4.
[10] Lauren Ploch, *Africa Command: U.S. Strategic Interests and the Role of the U.S. Military in Africa,* (Washington, DC: Congressional Research Service, 2009).

AFRICOM *(Cont. from 12)*

Mozambique, Kenya, and Tanzania. While the primary mission of APS focuses upon supporting African partners build maritime security capabilities and infrastructure, the program also strives to improve stability in Africa. In March 2010, sailors aboard the USS Gunston Hall helped renovate the Sekondi School for the Deaf in Ghana. The APS program is currently on its fifth rotation.

• **Africa Endeavor**: This program, which was launched in 2006 in South Africa, hosts annual communications exercises to foster information sharing between countries in Africa. Specifically, the primary objective includes enhancing the command, control, and communications capacities of African nations during humanitarian emergencies and peacekeeping missions. In 2009, the African Union, the Economic Community of West African States, the Economic Community of Central African States, Switzerland, Sweden, the United States, and 25 African nations participated in Africa Endeavor in Gabon. At present, 30 countries in Africa plan to participate in Africa Endeavor 2010 in Ghana.

• **Operation Enduring Freedom Trans Sahara (OEF-TS)**: This program, conducted by the Special Operations Command, Africa, provides military support to the U.S. Department of State-led initiative Trans-Sahara Counterterrorism Partnership (TSCTP) program. This program,

formerly the Pan-Sahel Initiative, works to enhance the capabilities of African nations to combat terrorism, secure borders, and promote democratic governance. Currently, ten countries in Africa, including Algeria, Morocco, and Nigeria, have partnered with the United States to support the OEF-TS.[11]

Combined Joint Task Force-Horn of Africa

In 2002, the Combined Joint Task Force – Horn of Africa (CJTF-HOA) was established under CENTCOM. Its headquarters are currently located in Camp Lemonnier in Djibouti City, Djibouti and its Combined Joint Operating Area (CJOA) includes Sudan, Ethiopia, Eritrea, Djibouti, Somalia, Kenya, and Seychelles. However, at present, CJTF-HOA is not operating within Eritrea and Somalia. In 2008, CJTF-HOA began integrating into AFRICOM. According to the CJTF-HOA website, its mission is as follows:

CJTF-HOA employs an indirect approach to counter violent extremism. We conduct operations to strengthen partner nation and regional security capacity to enable long-term regional stability, prevent conflict and protect U.S. and Coalition interests.[12]

Since the creation of CJTF-HOA, its mission has evolved. Its first mission, which was a result of the 2002 *U.S. National Security Strategy* notionthat unstable regions

provide safe havens to terrorists, primarily related to combating transnational terrorists in Africa. While CJTF-HOA does continue to counter terrorist threats from organizations such as Al-Qaeda and Al-Shabaab, a group operating in Somalia that was designated as a Foreign Terrorist Organization by the U.S. Department of State in 2008, it now focuses upon improving infrastructure to facilitate regional stability. For example, CJTF-HOA is coordinating a series of well-drilling projects to improve the quality of drinking water in Kenya. In addition, personnel from CJTF-HOA have partnered with residents and water engineers to repair wells in Tanzania. Engineers from CJTF-HOA and the Uganda People's Defense Force have also worked together to construct a bridge in Uganda, which will allow residents to travel to the market and receive humanitarian supplies year-round. The Veterinary Civic Action Project (VETCAP), facilitated by CJTF-HOA, works with veterinarians in Africa, including Ethiopia and Tanzania, to improve the health of livestock. The Medical Civil Action Project (MEDCAP), similar in scope to VETCAP, assembles members from CJTF-HOA to travel throughout Africa, including Djibouti, to provide public health services. CJTF-HOA is also striving to improve educational facilities in Africa. In early 2009, service members from CJTF-HOA, USAID, and local government officials from Uganda

---

[11] For more information about AFRICOM and its programs, please visit http://www.africom.mil.
[12] http://www.hoa.africom.mil/AboutCJTF-HOA.asp.

Erupting Eyjafjallajökull and European Air Travel

by Hasan Aijaz, J.D.
CIP/HS

The Eyjafjallajökull Volcano in Iceland erupted on April 14, 2010, causing major disruption to various sectors of international commerce, politics, and travel. The volcano ejected approximately 330,000,000 cubic yards of material, which created an ash plume more than 5 miles tall. This caused the greatest disruption to air travel since World War II and cost the worldwide airline industry an estimated $200 million per day.[1]

European governments responded to the eruption primarily based on information provided by the London Volcanic Ash Advisory Centre (VAAC).[2] There are nine VAACs established under the International Civil Aviation Organization, an agency within the UN, responsible for standards setting and recommended practices in air travel. Each VAAC works alongside adjacent VAACs as well as the national meteorological offices of their nation and of neighboring nations to use satellite imagery and other data in order to determine if an alert should be issued in the form of a Volcanic Ash Advisory. On the basis of the London VAAC Volcanic Ash Advisory, air travel was initially shutdown over most of northern

Europe for one week after the April 14th eruption. After this initial period, Ireland, Northern Ireland, and Scotland shut down air travel on the 4th and 5th of May; Spain, Portugal, northern Italy, Austria, and parts of Germany shut down air travel on the 9th of May; and Ireland and the United Kingdom restricted travel on the 16th of May.[3]

This fragmented approach to responding to the situation has been used by some to push the "Single European Sky" (SES) initiative — the second of its kind — which aims to standardize air traffic controls in Europe.[4] Currently, European air travel is governed by 27 different air traffic authorities of the European Union's member states — the SES initiative would centralize decision making and provide centralized authority with

Photo courtesy of Fridgeirsson Creative Commons Attribution-NoDerivs.

greater information. At present, the European Organization for the Safety of Air Navigation (EUROCONTROL) is the coordinating body for the member states and the European Union on issues of air travel and it aims towards making SES a reality.[5] EUROCONTROL played a significant role in the European response to the eruption by hosting a telephone conference comprised of the European Commission, member states, service providers, and technical experts. These stakeholders created a unified strategy to respond to the eruption and decided that a harmonized

[1] http://www.guardian.co.uk/business/2010/apr/16/iceland-volcano-airline-industry-iata.
[2] http://ec.europa.eu/dgs/health_consumer/icelandic-volcanic-cloud/docs/JRC-report-17042010_en.pdf.
[3] http://www.eurocontrol.int/corporate/public/standard_page/volcanic_ash_cloud_chronology.html.
[4] http://www.europarl.europa.eu/news/public/story_page/062-73457-116-04-18-910-20100426STO73413-2010-26-04-2010/default_en.htm.
[5] http://www.eurocontrol.int/corporate/public/standard_page/lp_about_us.html.

The Gulf of Mexico Oil Spill

by Hasan Aijaz, J.D.
CIP/HS

On April 20, 2010, an explosion on board the Deepwater Horizon offshore oil drilling platform, located in the Gulf of Mexico, injured 17 people and killed 11 others. The explosion led to one of the largest oil spills in history, which covers at least 9,100 square miles.[1] Estimates of the amount of oil being released from the well vary. The company that leased the oil drilling platform from Transocean, BP, initially estimated that 5,000 barrels per day were being released into the Gulf.[2] However, the U.S. government and independent scientists announced a new flow rate estimate on June 15th. According to their data, 35,000 to 60,000 barrels of oil is flowing into the Gulf per day.[3]

Federal regulations require that the responsible parties establish a Unified Command structure. According to Lamar McKay, Chairman and President of BP America, a Unified Command Structure was created two days prior to the sinking of the Deepwater Horizon on April 22.[4] At present, the Unified Command is led by

Photo courtesy of NASA/Earth Observatory.

National Incident Commander, Admiral Thad Allen. The Unified Command provides a centralized structure to coordinate the cleanup efforts of, among others, BP, the Coast Guard, the Minerals Management Service, Transocean, and State governments. This command structure currently has two main goals: (1) stop the flow of oil and (2) minimize the impact on the environment.[5]

The response to the spill has taken on an international dimension with the United States and Cuba conducting "working level" talks on how to respond to the spill, with the United States providing information about the spill and its projected movement.[6] Although the location of the spill and the ocean currents make it likely that these are the

[1] http://www.reuters.com/article/idUSTRE6424KO20100503.
[2] http://www.bp.com/genericarticle.do?categoryId=2012968&contentId=7061565.
[3] http://www.energy.gov/news/9078.htm.
[4] Lamar McKay, Full Committee hearing entitled, "Economic and Environmental Impacts of the Recent Oil Spill in the Gulf of Mexico." (May 11, 2010).
[5] For more information about the current status of the oil spill, including visuals, please consult the BP website at www.bp.com.
[6] http://seattletimes.nwsource.com/html/businesstechnology/2011901768_apcboilspillcuba.html.

Legal Insights

International Disasters: Safeguarding Children and Families through the Expansion of Local Women's Roles

by Meghan Butasek, JD, MPH*
Director, Office of Public Health Preparedness and Response
Baltimore City Health Department

Introduction

On International Women's Day in 2000, former UN Secretary, General Kofi Annan, pointed out that "[w]hen society collapses, women play a critical role in ensuring that life goes on," and "[w]hen considering the impact and implications of war and peace, women think first of their children and their future, before themselves."[1] In disaster situations, like times of war, women have exemplified this truism.

For both international peacekeeping and disaster response efforts, women have been identified as instrumental in mitigation and response and recovery efforts even while they are rarely a part of the formalized processes or decision-making.[2] In parallel to the aims of the UN mandate for member states to include women in peacemaking under the authority of Security Council Resolution (SCR) 1325, a renewed call for women's participation in disaster preparedness and response could serve to protect the legal rights and preserve the welfare of both women and children in situations where they are otherwise at risk of abuse, much as they are in times of conflict situations. A disaster situation is analogous in many ways to conflict situations. What undermines peace and security in a conflict situation may also occur in the context of the post-disaster environment where populations compete for survival and the rule of law can be undermined. Both conflicts and disasters lead to highly insecure situations for children and women that lead to vulnerabilities for physical violence, trafficking in persons, and sexual abuse. Exclusion of women from the peacekeeping process is like exclusion from emergency preparedness efforts, with equally serious consequences.[3] Local women who are directly involved in their communities on an ongoing basis are best positioned to safeguard the health and safety of themselves and their children and families after disasters because of their insights into the existing infrastructure, the context of cultural and social norms as well as resource needs and challenges.[4]

---

[1] UN Security Resolution 1325: *Recognizing Women's Vital Roles in Achieving Peace and Security*, Hearing before the Subcommittee on International Organizations, Human Rights and Oversight. May 15, 2008, Serial. No. 110-185, page 25, available at http://internationalrelationshouse.gov/110/42424/pdf.

[2] Lin Chew and Kavita Ramdas, *Caught in the Storm: The Impact of Natural Disasters on Women*, The Global Fund for Women, December 2005, page 3, available at: http://www.globalfundforwomen.org/. Women are "rarely included in policy and decision-making and frequently go unrecognized for their roles."

[3] Connie de la Vega, *The Role of Women in Peacekeeping and Peacemaking: Devising Solutions to the Demand Side of Trafficking*, "The William and Mary Journal of Women and the Law," 12:437, 2006, page 9. Exclusion of women from the peace process has led to silence in peace agreement and lack of accountability for gender crimes committed during the war – perpetuation of sexual violence, trafficking, etc.

[4] *See* note 2, *supra*, Lin Chew and Kavita Ramdas, page 4. In recognition of women's important roles in communities, the Global Fund for Women advocates that women be included in pre- and post-disaster planning, that relief agencies keep women safe by prevention of violence and creation of physical safe space, protect girls' education, target women's health needs, help women become self-sufficient (particularly those who are family providers), ensure equal aid distribution, bring women in all decision-making processes.

Legal Insights *(Cont. from 16)*

The Context of Disasters and Conflicts

Internationally, women are more likely to live in poverty and occupy social roles as caregivers that make emergency evacuation and response and recovery for themselves and their children difficult.[5] Catastrophic disasters such as the recent earthquake in Haiti and the tsunami of 2004 in Indonesia demonstrated how major emergencies disproportionately impact the survival of women and children, including equal access to food and water, safe shelter, health, and recovery opportunities.

While response efforts from other jurisdictions, international agencies, and non-governmental organizations may take days, weeks, or longer to arrive, women in the local community are among the first to be available to render aid and are likely to remain involved through long-term recovery efforts. Relief agencies that enter a foreign context do not often come prepared with baseline data about a community and must spend time orienting to the area in order to navigate and carry out relief operations in the impacted area. Additionally, local women are more likely to identify human rights abuses against other women and children. Women have the knowledge of their communities

but need to be more formally linked with emergency preparedness and response efforts in order to improve overall post-disaster aid capabilities and human rights protections. International emergency preparedness efforts often fall short of fully addressing the needs of women and children because baseline data does not exist about local community resources and needs. Problems are particularly pronounced in the collection of real-time data from the field about health and safety needs, coordination of emergency response, tracking of children and family members, and equitable distribution of relief aid. Since considerations were not made for their special needs in advance of the incident, lack of planning and coordination leads to exacerbation of problems for women and children in the response and recovery phases.

Current Initiatives under UN Security Council Resolution 1325

To address the involvement of women in peacekeeping, the UN Security Council adopted Resolution 1325 in October of 2000 with the aim of assuring international human rights protections for women and girls in the context of armed conflict situations. The Resolution called for

increased representation of women in decision-making within institutions for prevention, management, and resolution of conflicts; for provision of training and materials on protection, rights, and needs of women; for allocation of funding, technical, and logistical support; and for member states' implementation of strategic planning to achieve the SCR1325 goals with consultation of local and international women's groups.[6] SCR 1325 also called for the creation of country-specific Action Plans by member states with some funding made available for training of women in how to identify abuse and applicable protections under international law.

After nearly a decade, progress has been made in many countries who have implemented programs but significant vulnerabilities still exist. Increased access by women to program involvement is still a challenge, particularly where the appointment of them to decision-making roles is outside of social norms. In recognition that local women's groups can play a key role in identifying risk of violence and other abuses, additional collaborations are needed at the grass-roots level for training and participation. To make SCR 1325

---

[5] *Ensuring Haitian Women's Participation and Leadership in All Stages of National Relief and Reconstruction*, A Gender Shadow Report of the 2010 Haiti PDNA, page 7, referencing Inter-American Commission on Human Rights: *The Right of Women in Haiti to be Free from Violence and Discrimination*, (Mar. 2009), available at: http://org2.democracyinaction.org/. "Women in Haiti are disproportionately impacted by the earthquake, both because they face gender discrimination, exposing them to higher rates of poverty and violence; and because they are responsible for meeting the needs of the most vulnerable, including infants, children, the elderly and thousands of newly disabled people."
[6] United Nations Security Council, Resolution 1325 (2000). S/RES/1325.

Olympic Security *(Cont. from 5)*

the development of materials that keep personnel comfortable during long periods working in the elements. These advancements in equipment and apparel, along with more efficient approaches to site post scheduling, are producing better dressed, better equipped, and more attentive personnel that provide the eyes, ears, and sound judgment critical to a robust plan composed of people, process, and technology.

Remediation of property and material at the conclusion of Olympic Games has become the norm in Olympic architectural design. Acquired technologies to intensify the security architecture will be either returned to its original owner or if purchased, repositioned as a legacy component within the enterprise of the parent owner. In a similar fashion, security personnel are pulled together for Olympic security assignments with the ultimate plan of returning to their normal duties at the conclusion of the Games.

This approach, shared by both security and facility architects, is rapidly becoming institutionalized in cost-efficient Olympic operational planning.

Private Public Partnerships

A bid on an Olympics by a city is a promise to deliver a successful event. The reality is that Federal, State, and local resources will be exhausted quickly once the preliminary survey of security needs is determined. The expansive nature of an Olympics puts greater pressure

on locales to dedicate resources, particularly its most precious resource which is trained personnel. Outsourcing with strict guidelines and direct supervision is now coming into the picture of Olympic security. A recent example is the 2010 Vancouver Winter Olympics, where magnetometer and x-ray screening operations were provided by an event security services provider who hired, trained, and deployed personnel at all the official Olympic venues for the duration of the Games. This approach satisfied the huge problem of where to find trained personnel to provide these specialized functions without mobilizing thousands of law enforcement personnel who would have to receive special training, be transported, and housed for a period of 3-6 weeks. A full-time functioning model of non-law enforcement screening workforce can be found at airports across North America. With proper training and official oversight in place, this option dramatically reduces one of the major challenges faced by host public sector agencies: where to find a non law enforcement workforce that can be integrated into the overall security plan. As Olympic security planners study their available resources, outsourcing functions that do not require armed law enforcement personnel will likely become a more attractive option.

The Proper Perspective on Olympic Security

After reading all that was previously described in this article regarding the sheer size and scope of securing

an Olympic theatre of operation, one might conclude that supporting security operations should naturally rise to the top of the list of Olympic priorities. To be clear, sport should be the focus of the Games, not security. If the right combination of people, process, and technology are incorporated into the planning process at a reasonable time, security will quietly do its job of ensuring all in attendance, whether they are athletes or spectators, have an enjoyable experience. ❖

Afganistan Infrastructure *(Cont. from 9)*

Afghanistan by the USSR in 1979. Committed to halt the spread of communism in South Asia and defend its interests, the United States succeeded in defeating the Soviet Union by helping the Afghan Mujahideen and their guerilla warfare tactics in Afghanistan. However, this compounded the misery of Afghanistan as neighboring countries, such as Pakistan and Iran, took advantage of the power vacuum in Afghanistan and each tirelessly sought to install a "friendly" government in Kabul that would safeguard their interests in the region. This race between Iran and Pakistan ultimately led to the emergence of the Taliban, as Pakistan orchestrated the movement in a bid to silence a decades-long border dispute between Pakistan and Afghanistan over the Durand Line (see Figure 1 on page 9).

The emergence of the Taliban sent Afghanistan into a modern "dark age" and forced the country to live in isolation from rest of the world. The Taliban leadership created a fertile environment for Islamic fundamentalist groups to take safe haven, particularly Al-Qaeda, whose roots can be traced to the Afghan jihad against the invading Soviets. The Taliban's control over such a large territory afforded militant Islamic groups the opportunity to orchestrate large-scale and deadly attacks against many nations. The terrorist attacks of September 11, 2001 changed the world's attitude toward Taliban rule,

as the United States invaded Afghanistan and destroyed the Taliban regime, thought to be responsible for harboring Osama Bin Laden.

The majority of Afghans see this U.S. involvement as a golden opportunity to modernize their nation by developing new critical infrastructure systems in virtually all sectors, while uniting with the many other nations already committed to peace and prosperity. However, the lessons of history suggest that true responsibility lies with the Afghan leadership, who must prove that such an opportunity is being utilized to the fullest extent possible to benefit the citizens of Afghanistan. The world is waiting

for policies and strategies, coupled with a strong internal security force that will allow Afghanistan to live peacefully and join the global economy, while preserving its sovereignty and national pride.

For more information related to this work, please contact Sami Nuristani at nuristsx@jmu.edu. ❖

Sami Nuristani is a Graduate Fellow with the Institute for Infrastructure and Information Assurance working toward a Master of Public Administration at James Madison University.

Figure 2: The Kajakai Dam, located in Southern Afghanistan on the Helmand River. *Photo courtesy of the U.S. Army.*

Infrastructure Regulation *(Cont. from 10)*

regulatory practices?
• How are regulators addressing emerging issues?
• Which basic principles can be relied upon to guide regulatory decisions during times of change?

The answers to these questions, and many more, can be found on the newly updated website. The website can be accessed by clicking on http://www.regulationbodyofknowledge.org/ or by selecting the click here button in the BoKIR image. ❖

Icelandic Volcano *(Cont. from 14)*

from EUROCONTROL to the member states in six hour intervals so that they could determine what areas of their airspace were open for travel. This agreement was adopted by a meeting of the European Transport Ministers and helped ensure that travel could commence "where safety was not compromised."[6]

The Eyjafjallajökull eruption demonstrated the devastating effects that natural disasters can have on international critical infrastructure.[7] Governments, companies, and individuals must continue to evaluate the possibility of such disruptive events and formulate effective responses to mitigate their adverse consequences.

---

[6] http://www.eurocontrol.int/corporate/gallery/content/public/docs/pdf/pressreleases/2010/PressRelease_Revisedapproach.pdf.
[7] For more up to-date information on the activities of the icelandic volcano, please visit http://www.metoffice.gov.uk/aviation/vaac/vaacuk.html.

AFRICOM *(Cont. from 13)*

celebrated the construction of new school facilities, including student dormitories, latrines, water-harvesting tanks, and solar panels for a computer laboratory, at the St. Theresa Secondary School in Lira, Uganda. In 2010, the President of Comoros, the U.S. Ambassador to the Comoros, local government officials, and personnel from CJTF-HOA attended a ceremony to celebrate the completion of a project, funded by CJTF-HOA, that built eight classrooms and ten latrines.[13] According to a report by the U.S. Army War College, as of 2007, "CJTF-HOA has built over 50 schools and nearly 30 clinics. It has dug dozens of wells for irrigation and drinking water, and has inoculated thousands of East Africans and their livestock against disease."[14]

Conclusion

The establishment of AFRICOM has been met with both enthusiasm and skepticism. While some have embraced the policy shift towards Africa, others have expressed concern that AFRICOM was primarily created to support the self-serving interests of the United States.[15] Specifically, AFRICOM's critics are concerned that the priorities of the United States, which they allege primarily includes combating terrorism, protecting natural resources, and reducing the influence of China on Africa, do not coincide with the priorities of Africa, such as mitigating armed conflict and reducing poverty.[16] Consequently, these critics argue that the relationship between the United States and Africa may become strained and further incense violence, especially in regions where armed conflict is already rampant such as Nigeria, Somalia, and Sudan. The initial response of governments in Africa toward the new command, especially with regards to the location of AFRICOM's headquarters, was predominantly negative.[17]   Given that their cooperation is crucial to the success of AFRICOM's mission, leadership within the newest command must persist in persuading African nations that the mission of AFRICOM to promote security and regional stability through infrastructure building is genuine. ❖

---

[13] For more information about CJTF-HOA, please visit http://www.hoa.africom.mil.

[14] Robert G. Berschinski, *AFRICOM's Dilemma: The "Global War on Terrorism," "Capacity Building," Humanitarianism, and the Future of U.S. Security Policy in Africa*, U.S. Army War College Strategic Studies Institute, (November 2007), 44.

[15] Theresa Whelan, *Africa Command: Opportunity for Enhanced Engagement or the Militarization of U.S.-Africa Relations*,? Testimony Before the House Committee on Foreign Affairs (HCFA) Subcommittee on Africa and Global Health, August 2, 2007; Brett D. Schaefer and Mackenzie M. Eaglen, *U.S. Africa Command: Challenges and Opportunities*, (Washington DC: The Heritage Foundation, November 2008); Sean McFate, "US Africa Command: Next Step or Next Stumble,"? *African Affairs*, 107:426 (2008); and Robert G. Berschinski, "AFRICOM's Dilemma: The "Global War on Terrorism," "Capacity Building," Humanitarianism, and the Future of U.S. Security Policy in Africa," Strategic Studies Institute, United States Army War College (November 2007).

[16] Colin Thomas-Jensen, "Beyond AFRICOM: Toward a Comprehensive U.S. Africa Policy," *Yale Journal of International Affairs*, Vol. 3, Issue 1 (Winter 2008).

[17] Lauren Ploch, *Africa Command: U.S. Strategic Interests and the Role of the U.S. Military in Africa* (Washington, DC: Congressional Research Service, 2009).

Chinese Infrastructure *(Cont. from 8)*

after becoming a lawyer:

My most profound lesson in law school came from role-playing a negotiation in the Negotiations and Settlement Seminar. I chose a very ineffective strategy. I was surprised when, instead of striking a great deal, I struck no deal. When I began law practice, this trial and error was behind me, thankfully, for me and my clients.

A professor who has taught in our clinic related the following story to me. An elderly woman came into the Pacific McGeorge neighborhood clinic, very upset and uncertain what to do about a situation. She and her husband owned a small house in a poor neighborhood. Her husband had suffered a severe health problem and was now in a nursing home and, unfortunately, not expected to live much longer. She was overwhelmed with her caretaking responsibilities and unsure where to turn for help. She was concerned that he had not written or signed a will and had not provided written instructions regarding his end of life health care. What would happen to ownership of the house when he died? The student assigned to help this woman, under the supervision of the professor, drafted a will and health care directive. They took the documents to the nursing home and the husband properly executed the documents. Later, as the woman was leaving the clinic office, she turned around and exclaimed, "[i] just can't believe that I have a lawyer." Chinese law schools are now helping people like this woman obtain justice by training skilled professionals in the law. ❖

Oil Spill *(Cont. from 15)*

only two countries that may be directly affected, some have suggested that global treaties will be required to "stop industries from discarding harmful substances into the sea or the air."[7] Domestically, oil companies have a 1 cent tax per barrel to help pay for the clean-up, which would provide an estimated $500 million over ten years. Another $118 million of financial assistance will be provided to people affected by the spill in terms and will help Federal agencies monitor the slick and assess its impact.[8]

In President Obama's Oval Office Address on June 15, he declared that, "this oil spill is the worst environmental disaster America has ever faced."[9] The size of the spill requires that the recovery and containment efforts involve the Federal government and the private companies responsible for the incident as well as international cooperation. It remains to be seen what the environmental and economic impact will be on the United Statess, the Gulf of Mexico, and international partners. ❖

---

[7] Roger Payne, Subcommittee on Oversight and Subcommittee on Water and Wildlife Joint Hearing, *EPA's Role in Protecting Ocean Health*. (May 11, 2010).

[8] http://www.timesonline.co.uk/tol/news/world/us_and_americas/article7124502.ece.

[9] http://www.whitehouse.gov/the-press-office/remarks-president-nation-bp-oil-spill.

Legal Insights *(Cont. from 17)*

more effective, there is also need for improved accountability of member states through defined metrics for goal achievement that are monitored.[7]

Expansion of SCR 1325

Amendments to SCR 1325 could include the addition of language on disasters in order to increase the reach and applicability of the resolution beyond conflict situations. This would also make it relevant to member states that may not foresee armed conflict but are still vulnerable to disaster events. Additional expansion of SCR 1325 could also include formalization of the role for women in decision-making related to children in both disasters and conflicts.

To ensure progress is made on SCR 1325 implementation, language can also be added to provide transparency by formalizing how member states will report on progress. This could include outlining a schedule for tracking and reporting on SCR 1325

activities that are undertaken to comply with the resolution. Objectives formulated in National Action Plans should all be specific, measurable, attainable, relevant, and time-bound.

Potential Impact of Changes

Expansion of UN Security Council Resolution 1325 to urge women's participation in emergency planning and response has significant potential to improve the outcomes of women and children after a disaster. The impact of disasters, like conflict situations, causes chaos that can undermine their rights. Understanding the law can empower women to report abuses to authorities, and advocate for themselves and their children for access to survival resources, housing, health, and preservation of legal rights following a disaster. Training efforts focused on local groups could educate participants on key aspects of International Human Rights Law such as the UN Convention on the Rights of the

Child, recognizing childhood as entitled to special care and assistance;[8] and the Convention on the Elimination of All Forms of Discrimination against Women, recognizing equal rights between men and women.[9]

Pre-planning efforts can also offer an opportunity to establish mechanisms for channeling field-level observations and reports of abuse from established community contacts.[10] Reporting of data by women in the community could be invaluable for all aspects of emergency planning, response and recovery.[11,12] Women who are trained can assist with tracking children to prevent problems with unaccompanied minors in the aftermath of a disaster or conflict.[13] ❖

*Submitted by:
Meghan Butasek, JD, MPH
Director, Office of Public Health
Preparedness and Response
Baltimore City Health Department
1001 E.Fayette St.

---

[7] Global Justice Center, *Human Rights Through the Rule of Law, Advancing the Legal Enforcement of SCR 1325: Structural and Political Obstacles imposed by the United Nations architecture*, available at: http://www.globaljusticecenter.net/publications/Advancing-legal-enforcement-of-SCR-1325.pdf.

[8] Convention on the Rights of the Child, November 1989.

[9] Convention on the Elimination of All Forms of Discrimination against Women, September 1981.

[10] *Core Commitments for Children in Emergencies*, UNICEF, page 3, available at: http://www.unicef.org/emerg/files/CCC_EMERG_E_revised7.pdf. "Drawing upon data compiled in the preparedness phase, this situation analysis will determine the exact nature of the crisis, including potential developments, implications for the rights of women and children, and the required programmatic response, operational modalities and security."

[11] Ibid., page 4. In UNICEF's outline of Core Commitments for Children in Emergencies, recommended assessment includes health and nutritional, education, child protection, water supply and sanitation, HIV/AIDS and other children's rights issues; as well as presence of infrastructure, including communications, transportation and human resources.

[12] Ibid., page 3. The Core Commitments emphasize rapid post-disaster assessment as a necessary step in order to formulate strategy to address the needs of children and women.

[13] Ibid., page 11. The assessment steps outlined in the Core Commitments include activities that local women could be trained to assist in performing: collection of situational awareness information for the response, helping identify children, ensuring tracing mechanisms are in place to reunite lost children, and monitoring for abuse.

Diplomatic Security *(Cont. from 3)*

the world. There is no practical limit on what types of systems and sensors can be connected to the SMSeNET. These capabilities will eventually extend to all U.S. Department of State facilities abroad.

SMSeNET is especially important for securing "lock and leave" posts, which are posts that do not have a U.S. Marine Security Guard presence 24/7. Lock and leave posts' security systems are monitored by Marine Security Guards at the posts' parent embassy and by the DS Command Center in suburban Washington, D.C.

SMSeNet uses existing Department of State communication infrastructure as well as commercial communication channels, and the data traveling across these networks are appropriately encrypted.

SMSeNet has become a vital component in protecting the Department's critical infrastructure around the world — its staff, facilities, information, and operations. It is an essential tool that allows DS technical staff to evaluate remotely the functionality of various integrated technical security systems. But most

important of all, SMSe provides a window on the world vis-à-vis Department assets, and is an invaluable system for ensuring security situational awareness at critical U.S. diplomatic facilities worldwide. ❖

*Special Agent Gentry Smith is the Assistant Director of the Countermeasures Directorate in the Bureau of Diplomatic Security, U.S. Department of State.