THE CIP REPORTATION VOLUME B NUMBER 12

AND HOMELAND SECURITY

JUNE 2010 International CIP

10110

Diplomatic Security2
Olympic Security4
Chinese Legal Infrastructure6
Afghanistan Infrastructure9
Infrastructure Regulation10
AFRICOM11
Icelandic Volcano14
Oil Spill15
Legal Insights

EDITORIAL STAFF

EDITORS Devon Hardy Olivia Pacheco

STAFF WRITERS Joseph Maltby

JMU COORDINATORS Ken Newbold John Noftsinger

> **PUBLISHER** Liz Hale-Salice

Contact: <u>CIPP02@gmu.edu</u> 703.993.4840

Click here to subscribe. Visit us online for this and other issues at http://cip.gmu.edu 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



School of Law

CENTER for INFRASTRUCTURE PROTECTION and HOMELAND SECURITY

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.

DUTGOING MAIL

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.

richtighten

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

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-ofthe-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



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*.

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 decisionmaking 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

(Continued on Page 3)

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 intrusiondetection 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

(Continued on Page 24)

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.

(Continued on Page 5)

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 timeframe 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-theart 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

(Continued on Page 18)

A Train the Trainers Program for Building Legal Infrastructure in China

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

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

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.

(Continued on Page 7)

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

(Continued on Page 8)

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 problemsolving 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 practiceready 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

(Continued on Page 22)

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

(Continued on Page 19)



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 capacitybuilding 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

• 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 wellfunctioning 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

(Continued on Page 20)

United States Africa Command

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

by Devon Hardy CIP/HS

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:

 Supporting strong and sustainable democracies and good governance;
 Fostering sustained economic growth and development;
 Increasing access to quality health and education; and
 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

(Continued on Page 12)

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).

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

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).

AFRICOM (Cont. from 11)

concert with other U.S. government agencies and international partners, conducts sustained security engagement through military-tomilitary 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

(Continued on Page 13)

⁷ http://www.africom.mil/getArticle.asp?art=1644.

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).

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.