

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* notion that 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

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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

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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

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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.
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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

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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.nwsources.com/html/business/technology/2011901768_apcboilspillcuba.html.

LEGAL INSIGHTS

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

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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

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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://internationalrelations.house.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

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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.democracyninaction.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. ♦

Afghanistan 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. ♦

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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 States, 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 ♦

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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. ❖

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The Center for Infrastructure Protection and Homeland Security works in conjunction with James Madison University and seeks to fully integrate the disciplines of law, policy, and technology for enhancing the security of cyber-networks, physical systems, and economic processes supporting the Nation’s critical infrastructure. The Center is funded by a grant from the National Institute of Standards and Technology (NIST).

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