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Rules of Engagement



Peace Operations

Force Protection

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From the Staff

The important lessons learned for all personnel to know are in the field with you, not with us. The JCLL has the mission and the means to share those lessons with the rest of the joint community. If you or your unit have a “lesson” that could help others do it right the first time, then send it to us. Don’t wait until you have a polished article. The JCLL can take care of the editing, format, and layout. We want the raw material that can be packaged and then shared with everyone. Please take the time to put your good ideas on paper and get them to the JCLL. We will acknowledge receipt and then work with you to put your material in a publishable form with **you as the author**.

We want your e-mail address, please send your command e-mail address to us at jcll@jwfc.jfcom.mil. Our future plans call for electronic dissemination of various material.

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TIMELY SUBMISSION OF INTERIM REPORTS, AFTER-ACTION REPORTS, AND LESSONS LEARNED RESULTS IN MORE TIMELY, QUALITY PRODUCTS AND ANALYSIS FROM THE JCLL STAFF.

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Message from the Commander

MG William S. Wallace, USA
Commander, JFCOM JWFC

This issue of the JCLL Bulletin contains articles dealing with various aspects of Joint Training, Joint Doctrine, Peace Operations, Rules of Engagement, and Force Protection. The authors of these articles come from the US Army, the US Marine Corps, the US Air Force, the Navy League of the United States, and the School of Advanced Airpower Studies at Air University.

Feedback From the Field contains an article by Mr. Tom Williams describing his experiences as a member of a JWFC Joint Training System Support Team. Mr. William's article discusses his use of lessons learned information while working with a JTF staff as they designed training objectives for a major exercise. The second article, **Integrating Joint Operations Beyond the FSCL: Is Current Doctrine Adequate?** introduces a series of pieces adapted from a paper written by LTC Dwayne Hall (US Army) while he was a student at the Air War College. This first installment analyzes the role of doctrine in the integration process at the operational level of war.

The next four articles discuss Peace Operations, Rules of Engagement (ROE), and Force Protection.

Airpower and Peace Enforcement, by Dr. James Corum, describes the problems inherent in conducting peace enforcement operations and how those problems differ from conventional warfare. In **Deadly Force is Authorized**, Colonel Hays Parks, USMC (Ret), cites numerous examples of ROE that have been unsuitable and too restrictive for today's environment. Colonel Parks states that realistic ROE must be both mission and threat driven to be useful.



The next article, **Striking the Balance: Airpower Rules of Engagement in Peace Operations**, is by Major Richard Perry, USAF. Major Perry discusses the evolution of ROE and the difficulties that are a part of today's multinational environment. The last article in the Bulletin is one written by Mr. Scott Truver. **A Seam in our Force Protection Armor** describes the US Coast Guard Port Security Unit mission to provide maritime security in US and Foreign ports. It may be of particular interest to readers in light of the recent terrorist attack on the USS Cole.

WILLIAM S. WALLACE
 Major General, US Army
 Commander, JFCOM JWFC

JCLL Update



Mr. Mike Barker
JCLL Director

You know the saying, “Be careful what you ask for because you just might get it.” One of my goals was to ensure the Joint Center for Lessons Learned was recognized as a center of knowledge. Although we still have a long way to go, we have made significant strides in that direction. Looking at my calendar just for the month of March will attest to our growing importance to the worldwide joint community, particularly for staff assist visits. These include the Department of State, the Single Integrated Air Picture (SAIP) System Engineering Task Force, and the Air, Land, Sea Applications Center (ALSA). This is due not only to the dedicated people assigned directly to the JCLL at the Joint Warfighting Center, but to several visionaries who we support on the Joint Staff J7/Joint Exercise and Assessment Division. It is for this reason I would like to extend a heartfelt thanks to two of our “Joint Staffers” as they prepare to detach from their present jobs. The first is Lt Col Robert Stradford. He has been prominent in many of the worldwide planning conferences to include the Worldwide Joint Lessons Learned Conference. He is preparing for the ultimate move. After a distinguished career in the Air Force, Lt Col Stradford will soon be known as ‘Mister Stradford’. He intends to remain in the Hampton Roads, Virginia area. The second “Joint Staffer” we need to say good-bye to is CDR Hank Turner. CDR Turner is best known as the Remedial Action Program (RAP) Coordinator. He will be detaching around 1 May and reporting to the USS STENNIS as the Air Operations Officer. For you non-navy types, Air Ops owns the air traffic controllers on board a carrier. These men and women figure prominently in getting the aircraft safely on board during conditions of poor visibility such as bad weather or night recoveries. Those of us who participate in the RAP Working Group will be able to extend our good-byes to him at the April RAP Working Group.

During the last three months, JCLL has supported either the training audience or the JECG in Agile Lion 01 (EUCOM) and Fuertes Defensas 01 (SOUTHCOM). We are in the process of supporting the Department of State in their endeavor to establish a Lessons Learned program. The Single Integrated Air Picture System Engineering Task Force (as part of the DOD acquisition process) is looking at JCLL to help them set up a process to capture observations as they investigate ways to “fix” the SIAP problems.

Since late last summer, we have been unable to update the database. As with many of you, we were using the JEMP 6.2 version software to help manage the database. After the introduction of UJTL 4.0, we found the links to UJTL 4.0 were being lost. This is due to the fact that JEMP 6.2 only recognizes UJTL 3. USJFCOM is also in the process of converting to Windows 2000. Windows 2000 does not support DOS-based programs. To remedy this problem, we are in the process of adopting the web version of AFIP for our use (Note: see JCLL Bulletin Special Issue for an article on Advanced Lessons Management System). Dave Free has been a tremendous help to both JCLL and to the system engineers here at the Joint Warfighting Center. JALLT (JCLL Automated Lesson Learned Tool) as we will be calling this program, was placed on our SIPRNET last week for final testing. If we don’t encounter any last minute problems, you should be seeing a new look to the search page in the next several weeks. We intend to demo this capability at the CMB once a new date is established.

That’s it for this quarter. Be looking for the new date of the CMB. Keep sending in your articles and “Feedback From the Field.”

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FEEDBACK FROM THE FIELD

Our goal in this “feedback From The Field” section is to include articles and comments that we receive from individuals in the Joint Community, similar to a “Letters to the Editor” page. We will include the “Feedback from the Field” section whenever there are articles that do not belong in another section, articles that cannot stand alone, or articles where the author desires to remain anonymous.

Lessons Learned Analysis for Exercise SHARP EAGLE 02

*Mr. Tom Williams
JWFC JTSST Member*

Lessons learned data provided by the Joint Center for Lessons Learned (JCLL) at the Joint Warfighting Center (JWFC) was of significant assistance in developing Training Objectives (TOs) for the upcoming joint exercise SHARP EAGLE 02. SHARP EAGLE 02 will involve a Foreign Humanitarian Assistance (FHA) mission, executed by a Joint Task Force (JTF) built around the Third Air Force core staff.

As a member of the JWFC Joint Training System Support Team (JTSST) assigned to support the United States European Command (EUCOM) and its subordinates, I was tasked with preparing for and facilitating a Training Objective Workshop (TOW) for SHARP EAGLE 02 at Third Air Force headquarters at Mildenhall U.K.

In keeping with the Joint Training System (JTS), outlined in the Joint Training Manual (CJCSM 3500.03 series), Training Objectives are designed to serve as the link between training requirements identified for a particular training audience (in this case JTF SHARP EAGLE 02) and the exercise where the training will occur. Training Objectives identify the Performance to occur in a training event (what), the Training Audience (who), the Conditions under which the training will occur (how), and the Level of Performance expected (how well).

At the TOW, JTS experts from the JTSST are brought together with functional experts from the JTF staff who are also the Training Audience, to identify the Training Objectives for the exercise. Largely through the efforts of CAPT Vince Cassara, USAF, Third Air Force was unusually well prepared for the TOW. Further, Third Air Force had significant recent experience as a JTF staff executing an FHA mission in sub-Saharan Africa.

Information provided by the JCLL can prove an invaluable supplement to JTF staff experience in identifying potential TOs. In the case of SHARP EAGLE 02, the JCLL provided me with a number of Lesson Learned reports dealing with FHA. One report in particular, a “real-world” After-Action Report from Operation GUARDIAN ASSISTANCE seemed to closely parallel the scenario being developed for exercise SHARP EAGLE 02. JTF GUARDIAN ASSISTANCE conducted an FHA mission in Central Africa in November and December of 1996. In my review, I noted that both Operation GUARDIAN ASSISTANCE and exercise SHARP EAGLE 02 involved the movement of large numbers of displaced persons/refugees from a neighboring country to the country in which the JTF would be conducting FHA operations.

After receipt, I took the report provided by the JCLL and gleaned key lessons learned which seemed to have merit as TO candidates for the SHARP EAGLE 02 TOW. Candidates were selected based on relevancy in light of information about the exercise scenario, provided at the SHARP EAGLE 02 Concept Development Conference. During the TOW, these key lessons were raised with the Third Air Force staff functional experts from the various staff codes (A2, A3, etc.) as candidate TOs for their exercise. In most instances agreement was reached that the Lesson Learned situation provided by the experience of the GUARDIAN ASSISTANCE JTF staff should result in training on that issue for the SHARP EAGLE 02 JTF staff.

The JCLL and the JTSST are currently working on procedures to institutionalize the use of Lessons Learned information in preparing for Training Objective Workshops in support of joint exercises.

Editors Note: This article was previously published by the US Air Force's Air War College, Maxwell Air Force Base, Alabama, as Maxwell Paper No 12. Due to its length, this article has been broken into four sections. Section one is published in this issue while sections two, three, and four will be published in the next three issues of the JCLL Bulletin. This first section analyzes the role of doctrine in the integration process at the operational level. This section also gives an assessment of basic guidelines, terminology, and control measures. In the second section, doctrine will be evaluated and the results will be contrasted with lessons learned and current operational issues to arrive at shortfalls or fallacies in doctrine. The third section further analyzes doctrinal control measures solidifying doctrinal shortfalls. Finally, the fourth section will provide corrective action to resolve the issues.

INTEGRATING JOINT OPERATIONS BEYOND THE FSCL: IS CURRENT DOCTRINE ADEQUATE? (Section 1)

By Dwayne P. Hall, LTC, USA

Abstract

This study examines the adequacy of current doctrine for operations in the deep battle area and beyond the Fire Support Coordination Line (FSCL). Lessons learned from Operation Desert Storm and contentious operational issues between the Army and Air Force, indicate a lack of consensus on who is responsible for the integrated employment of assets beyond the FSCL. This lack of consensus divided rather than integrating combat operations. The FSCL was used as the dividing line for separating areas of responsibility between the Services. It's intended purpose has always been facilitating integration.

The study first analyzes the role of doctrine in the integration process at the operational level. An assessment of basic guidelines, terminology, and control measures is then conducted. The results are contrasted with lessons learned and current operational issues to arrive at shortfalls or fallacies in doctrine. Considering the results of this comparative analysis, suggested corrective actions are made to resolve the issues. The study uses Operation Desert Storm (ODS) as the basis since it encompasses the latest doctrine and technology.

The study concludes that current joint doctrine does not adequately establish procedures for integrating assets beyond the FSCL (deep battle area). The most prevalent shortfalls are comprehensive terminology, control measures, and doctrinal references that result in unified and complementary operations between the Services in deep battle operations.¹

Introduction

Control of joint assets employed beyond the fire support coordination line, regardless of boundaries, is the responsibility of the Joint Force Air Component Commander.

—US Air Force Position.

Control of assets (fires) within the boundaries of the ground maneuver commander is the responsibility of that ground maneuver commander.

—US Army Position.

The Problem

These two service positions, taken from “Army-Air Force Operational Issues,”¹ are but the tip of the iceberg. There are numerous diverging views between the Services on battlefield integration (in some cases, battlefield separation) at the operational level. One of the most prevalent points of contention is who controls fires, targeting and interdiction beyond the FSCL, the area where operational and tactical level operations overlap (Figure.1).

A contributing factor is that this area has no universally accepted official name or function. Army references describe this area as the *deep battle area*. When a ground commander implements an FSCL, he is simply freeing up a portion of his deep battle area for engaging targets of opportunity by *supporting* organizations, to include the Air Force. He is not relinquishing control of that part of his battlespace.

Air Force references describe the area beyond the FSCL simply as an area where *interdiction* occurs. Current doctrine states that the Air Force is responsible, overall, for interdiction. Joint doctrinal manuals do not specifically address the area beyond the FSCL. However, references do reflect that a ground commander is responsible for operations inside his boundary or area of responsibility. A ground commander’s area of responsibility extends beyond the FSCL. Joint doctrine also states that geographic boundaries should not be applied to interdiction. If the Joint Force Air Component Commander (JFACC) is responsible for interdiction theater-wide, and the Joint Force Land Component Commander (JFLCC) is responsible in his area, which includes the FSCL, then who really is responsible for operations beyond this line (Figure 1)?

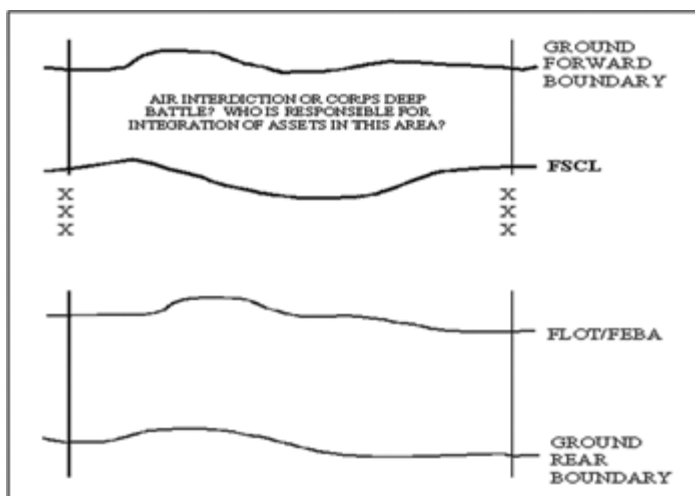


Figure 1. Linear Battlefield

The results of this question remaining unanswered had negative effects during combat operations. It contributed to missed opportunities to further de-militarize the Iraqi Army during the latter part of Operation Desert Storm (ODS). The Army and Air Force reverted to physically dividing the battlefield rather than integrating it. Iraqi forces escaped to Baghdad as the two services sought answers.

The problem—Service rivalry over control of a particular part of the battlefield (beyond the FSCL), has gone unresolved since at least 1989. According to current joint doctrine, both services are right and both are wrong in their positions. There are no clear accepted directives (terminology, graphics) in current joint doctrine that resolves the differences.

Doctrinal Assessment

The USAF views the area beyond the FSCL as their area of responsibility. It is extremely difficult to coordinate ATACMS and Apache attacks beyond the FSCL within the Corps' area of responsibility

—G3, VII Corps

At least fifty to sixty percent of the Republican Guard Divisions escaped with their equipment due to this joint warfighting problem...

—US News and World Report

These two problems resulted from the Services dividing the battlefield. Are there doctrinal implications in these scenarios? If so, is this the result of faulty doctrine, non-compliance with established doctrine, or, misinterpretations of established doctrine? The purpose of this chapter is to analyze current joint and Service doctrine to answer these questions.

Overview

Doctrine is the foundation of military operations. It establishes the guidelines and principles under which the military train, equip, organize, deploy, and fight. The principles for joint operations are found in Joint Pub 3-0, Doctrine for Joint Operations. Military departments use this as a guide for everything from professional military education, to designing tanks and aircraft. Commanders in Chief (CINC) use this basic doctrine to organize their forces and assign missions. The spirit of this doctrine finds its way down to the lowest soldier on the battlefield as he presses the fire switch on his ATACMS to engage an enemy SCUD position. Joint doctrine then stretches from the Pentagon to front line of troops.

Doctrine Defined

Military Doctrine—presents fundamental principles that guide the employment of forces. Doctrine is authoritative. It provides the instilled insights and wisdom gained from our collective experience with warfare. Doctrine facilitates clear thinking and assists a commander in determining the proper course of action under the circumstances prevailing at the time of the decision. Though neither policy nor strategy, joint doctrine deals with the fundamental issue of how best to employ the national military power to achieve strategic ends.²

Joint Doctrine—fundamental principles that guide the employment of forces of two or more services in coordinated action toward a common objective...³

To be totally effective, joint doctrine should be flexible enough to allow the combatant commander to use it as a guide to fit his particular situation. Yet, it must be descriptive and directive enough to require service components to function in a unified and synchronized manner. Doctrine must have a clear language (terminology and graphics), and must be precise in its principles. Above all, it must be understood and accepted by those who must execute it.

Doctrinal References

Doctrine for joint operations that address the issue specifically, is contained in several joint publications. Joint Publication (JP) 3-0, Doctrine for Joint Operations, is the basic doctrine for the conduct of joint operations. It is supplemented by JP 3-56.1, Command and Control for Joint Air Operations, which focuses on the air portion. JP 3-03, Doctrine for Joint Interdiction Operations, goes one step farther and deals specifically with interdiction operations at the joint and operational level. JP 3-09, Doctrine for Joint Fire Support (Draft), is not published. This document has been in draft form since at least 1989, partially due to controversial issues contained within over the FSCL. [Editors Note: JP 3-09 was approved and published in 1998.] JP 1-02, Department of Defense Dictionary of Military and Associated Terms, provides common definitions relating to the issue. All of these documents, directly or indirectly, address the issue surrounding the FSCL, deep operations, and interdiction.

Deep Battle Doctrine

Operations beyond the front line of troops, often referred to as the “deep battle or deep operations area,” require the synchronized and integrated efforts of all services and all available assets. Ground commanders traditionally use this area to set the conditions for the close battle. Air commanders traditionally use this area for strategic attack, offensive counter air (OCA), and air interdiction operations. From a joint perspective, this is where tactics end and operational and strategic operations become the focus. From the operational perspective, deep operations for ground and air are referred to as joint and interdiction operations, and are contained in the fundamental principles of operational art. Two of the applicable fundamental elements of operational art are synergy, and simultaneity and depth.

Considering a peer competitor concept, while the close battle is waged near the forward line of troops (FLOT) or forward edges of the battle area (FEBA), joint and combined assets interdict enemy forces, in depth, out to the limits of their weapon systems. Strategic and joint assets also strike at the enemy’s center of gravity and war-making abilities. This concept provides a synergistic effect on the enemy and prevents his follow-on forces from massing with a well coordinated effort. The synergy achieved by synchronizing the actions of air, land, sea, space, and special operations forces in joint operations and in multiple dimensions, enables Joint Force Commanders (JFC) to project focused capabilities that present no seams or vulnerabilities to an enemy to exploit.⁴

The fact that multiple Services participate simultaneously in this “deep battle,” dictates that joint doctrine must clearly delineate roles and responsibilities. Control measures must be focused to facilitate rather than eliminate joint and combined operations. The doctrine or tactics, techniques and procedures (TTP) must be simple and incorporated in all peacetime training and exercises to ensure all service personnel are well versed on the operational parameters. This process will reduce the risk of fratricide, exploit overlaps in capabilities, eliminate redundant engagements, and enhance joint cooperation and operations. A comprehensive joint doctrine will also facilitate simultaneity and depth—the foundations of deep operations. Again, the intent of the simultaneity and depth concept is to bring force to bear on the opponent’s entire structure in a near simultaneous manner, that is within the decision making cycle of the opponent.⁵

Notes.

1. "Army-Air Force Operations Issues," 25 April 1996, 7.
2. Joint Publication 1-02, *Department of Defense Dictionary of Military and Associated Terms*, 23 March 1994, 120.
3. Ibid., 201.
4. Joint Pub 3-0, *Doctrine for Joint Operations*, 1 February 1995, III-10 & 11.
5. Ibid., III-11.

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"Army-Air Force Operations Issues," 25 April 1996.

Joint Publication 1-02, *Department of Defense Dictionary of Military and Associated Terms*, 23 March 1994.

Joint Pub 3-0, *Doctrine for Joint Operations*, 1 February 1995.

About the Author

Lt Col Dewayne P. Hall, US Army, is an artillery officer with previous assignments as a fire support observer and controller, operations officer, and commander. He has worked closely as a battlefield coordinator of issues between Army and Air Force elements in the field. Colonel Hall is a graduate of the Air War College, class of 1997.

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JAAR DATABASE CONNECTION TO PEACE OPS, ROE, AND FORCE PROTECTION

The focus of this issue is on Peace Operations and Rules of Engagement, however several of the articles also discuss Force Protection as an integral part of Peace Operations so it has been included in this lessons learned listing (some lessons learned are repeated under different categories since they are applicable to both areas). Although the list below contains some of the more relevant lessons learned from the current JCLL database relating to the focus areas, it is not all-inclusive. The list is provided only to allow for additional study and use by the Joint Community. In addition, remember that new lessons learned are being added to the database as they are received.

Peace Operations

<i>Number</i>	<i>Operation/Exercise</i>	<i>Title</i>
53102-98272	NORTHERN EDGE 94	Assessment-Provide Support to Allies/ regional Governments
70657-03051	Operation JOINT ENDEAVOR	Policy Regarding Casualties
30956-89325	UNIFIED ENDEAVOR 98-2	Assessment-Provide protection for Op Forces, Means, and Noncombatants
31032-37797	UNIFIED ENDEAVOR 98-2	Observation-Integration of Force Protection

Rules of Engagement

<i>Number</i>	<i>Operation/Exercise</i>	<i>Title</i>
51356-08348	COBRA GOLD 93	Development of Combined Rules of Engagement
11951-47216	UNIFIED ENDEAVOR 96-1	Firepower in Support of Maneuver for OOTW
20849-58635	UNIFIED ENDEAVOR 96-1	Rules of Engagement
12957-13899	UNIFIED ENDEAVOR 96-1	Employment of Barriers, Obstacles, and Mine Warfare
92860-41161	ELIGIBLE RECEIVER 92-1	Rules of Engagement (ROE)
70737-97109	Operation GTMO	Rules of Engagement (ROE)
00180-01411	RESOLUTE RESPONSE	Observation-JTF Force Protection during Operation RESOLUTE RESPONSE

Force Protection

<i>Number</i>	<i>Operation/Exercise</i>	<i>Title</i>
10434-57735	UPHOLD DEMOCRACY	Deception Operations in OOTW
11950-29686	UNIFIED ENDEAVOR 96-1	Force Protection
00180-01408	RESOLUTE RESPONSE	Lesson Learned-Uncoordinated Deployment of Personnel and Equipment to JOA
00180-01411	RESOLUTE RESPONSE	Observation-JTF Force Protection during Operation RESOLUTE RESPONSE
10669-93435/ 34979-12398	JOINT ENDEAVOR	Observation-Operational Planning (Same as above)
10661-57691	FUERTES DEFENSAS 98/99	Assessment-Provide Protection of Operational Forces, Means
10851-21719	FUERTES DEFENSAS 98/99	Issue-Force Protection Cell
70654-03388	Operation JOINT ENDEAVOR	Force Protection Responsibilities
31032-37797	UNIFIED ENDEAVOR 98-2	Observation-Integration of Force Protection
02747-35362	Operation ALLIED FORCE	Contractors on the Battlefield

“We have no greater responsibility than the defense of our people against terrorist attack.”
President George W. Bush

Airpower and Peace Enforcement

JAMES S. CORUM

IN THE LAST 8 years there has been a dramatic increase in peace-enforcement operations conducted by multinational forces in locations such as Somalia, Haiti, and Bosnia. One major problem is a lack of clear doctrinal guidance for the particular issues and conditions typically faced by military forces during these operations.

This article draws primarily from the experience of the U S Air Force in supporting peace-enforcement operations to assess present doctrine, or lack thereof, and to pinpoint areas in which we need to make changes in our force structure and operational methods in order to carry out these operations more effectively.

Defining Peace-Enforcement

The definition of peace-enforcement is vague. Traditional *peacekeeping* has been between nations with recognizable borders and military forces. *Peacekeeping* is with consent of combatant parties and operates under the principles of neutrality, consent and self-defense. In contrast, *peace-enforcement* usually applies to warring factions within a country, factions that may not have clear boundaries, uniformed forces or a coherent government. Peace-enforcement is the imposition of peace by outside powers that do not operate under the principles of consent, neutrality or self-defense. Although US doctrine calls it a “peace operation,” peace enforcement is decidedly **not** peacekeeping. For the UN, the US, and regional organizations, the term *peace-enforcement* has become a euphemism for military intervention, usually in a country undergoing civil war. In the most dramatic cases of peace-enforcement, the world community must deal with countries that have imploded or moved beyond a war between recognizable factions to a collapse of the economy and of social and governmental order. Given the state of the world the UN, NATO, and other multinational bodies probably will conduct more peace-enforcement operations.

The Problem

An examination of airpower’s record in peace-enforcement reveals several major areas in which airpower can make a significant contribution. These include humanitarian operation support, troop/equipment airlift, force protection, psychological operations (psyops), reconnaissance, and surveillance. The USAF and other services have proven themselves capable of conducting these operations within the context of a conventional war. However, in peace-enforcement operations the US military and other air forces have often exhibited a doctrinal vacuum.

Peace-enforcement operations are more complex than conventional wars, which entail defeating the opposing armed forces and imposing our will upon the enemy. Targeting an enemy military for destruction requires considerable operational finesse but no great degree of political sophistication. A peace-enforcement operation, however, does not aim for the destruction of an enemy force or for the submission of an enemy state. The mission “to impose peace” is vague. We are authorized to use military force but not too much. Targeting enemy armed forces is difficult when we are not even sure who the enemy is. Our opponents may not have conventional armed forces to target. Moreover, if the mission is to promote peace and to reestablish a functioning government and economy, it is best not to use too much military force. Overkill would increase devas-

tation and add to the humanitarian problem, compounding it with the ill will directed against foreign troops and organizations that military intervention is likely to provoke.

For all the above reasons, this mission is not popular with the military. Since it will not go away, however, the only reasonable response is to attempt to create—or at least modify—airpower doctrine to try to deal with some of the problems specific to this mission

Humanitarian Operations

Most peace-enforcement operations have provided humanitarian relief—as will most future operations. The Somalia operation is an example as is the operation in Bosnia 1991-95. Such operations required large amounts of humanitarian airlift.

One major problem of deploying airpower in humanitarian operations is the effective coordination of relief efforts with civilian nongovernmental organizations (NGO) such as the International Red Cross, CARE, and so forth. The prime providers of humanitarian aid in situations such as Somalia are UN agencies and large NGOs that usually operate under contract to the UN to organize and provide relief. US military doctrine says that the military should cooperate with NGOs, coordinating efforts through a civil/military operations center (CMOC). Still, effective cooperation and coordination by civilian agencies is a hit-or-miss affair.

No requirement presently exists for civilian and military agencies to coordinate their efforts. In many cases, the lack of cooperation and coordination has needlessly complicated humanitarian missions. The UN needs to renegotiate the relationship between NGOs and supporting military forces in UN-sponsored humanitarian missions.

Command and Control

Command and control (C²) is one of the most difficult aspects of any multinational operation. At the outset of the operation in Somalia, no single agency coordinated the air effort in that country. The United Nations Task Force (UNITAF) coordinated the tactical aviation effort through two agencies and the command setup generated confusion. The lesson learned from Somalia is that, we should deploy an adequately staffed and trained ACA/air operations headquarters at the very beginning of the operation and regulate and coordinate all fixed-wing operations through one central agency.

The UN system of planning, deployment, and budgeting for peace-enforcement operations needs fundamental reform. UN peace operations have become, in effect, moneymaking opportunities for many of the poorer, third world militaries. UN regulations allow countries to deploy obsolete—even broken—equipment to UN operations and pay governments \$1,000 a month for each soldier provided— even if that soldier arrives poorly trained, barely clothed and unequipped. The United States and Western nations should insist upon reforms to eliminate such practices. Changes in military aid programs might be appropriate. Instead of funding poorly equipped third world infantrymen for deployment in peace operations, Western nations could provide the equipment and training to help poor nations create engineer units, logistics units, and air transport squadrons—precisely the types of units needed for future peace-enforcement operations.

Psychological Operations

One of the most important services that an air force can provide in a peace-enforcement operation is psyops support. In Haiti, USAF aircraft transmitting messages prepared by Army psyops specialists carried out an intensive campaign aimed at the Haitian population weeks before the US invasion in 1994. During the US invasion the psyops message disseminated by radio and leaflet informed the populace of US intentions and played an important role in keeping people calm. Much of the credit for the lack of Haitian resistance can be attributed to an effective psyops campaign. The lesson of Haiti is that the US military should enact a comprehensive psyops campaign *before* fully initiating a peace-enforcement operation.

Intelligence

Because USAF and US military intelligence is geared, in general, toward conducting conventional war, it emphasizes the technological side of intelligence gathering. Low intensity conflict (LIC) operations, however, require accurate political/human intelligence, which can be gathered and analyzed only by well-educated people with operational experience. Furthermore, they must possess a thorough understanding of the language, culture, and politics of the nation in which they are operating. The difficulty of peace-enforcement intelligence is that, normally, the threat does not come from large conventional forces that we can observe from spacecraft. Rather, it comes from small factions or militias, often dressed in civilian clothes, who live among the civilian population.

The US military does not have enough language-capable intelligence officers with the regional expertise to provide commanders with accurate analysis and advice about LIC threats. Indeed, ours is the only major military force in the world that does not require, or even expect, intelligence officers to be fluent in a foreign language. The US Army's Foreign Area Officer (FAO) program produces a very small number of officers who can provide a commander with in-depth knowledge of the politics and military forces of a foreign country. However, this lack of FAOs is compounded by the shortage of enlisted linguists to serve as translators/interpreters. The Army seldom fills intelligence units with multiple contingency requirements at 100 percent of their linguist authorizations. The shortage of linguists has a serious effect on intelligence gathering in peace operations.

The USAF is in even worse shape. Only a handful of USAF officers are truly capable of providing accurate advice to commanders concerning countries where peace-enforcement interventions are likely to occur. The employment of force in politically sensitive situations requires that the Air Force develop more area and language expertise. The lack of linguists and area-expert officers makes it difficult to mount an effective psyops campaign since only culturally knowledgeable personnel can plan and conduct such operations. We can solve these problems by making a relatively small investment in funds and personnel.

If the US military's problem is a bias against political/human intelligence, then the UN has a bias against dealing with military intelligence at all, viewing collection of intelligence as incompatible with the peacekeeping ethic. The UN does not follow careful procedures to control classified documents or information, a deficiency that became evident in Somalia when UN authorities failed to secure—and even abandoned—classified US documents. This episode not only demonstrates problems that can arise when a doctrinal vacuum exists but also provides another example of the need for reform in UN operations.

Reconnaissance and Surveillance

The ability of military airpower to provide timely, comprehensive surveillance and reconnaissance in peace operations remains vital to a peace operation's chances of success. Unmanned aerial vehicles (UAV) have undergone rapid evolution in the last 20 years and are likely to become the primary means of reconnaissance and surveillance in future peace operations.

Airfield Security

In peace-enforcement operations we shall have to operate from rough, forward airfields, normally with poor facilities and an openly hostile environment—or at least an insecure one.

In Somalia between July and December 1992, US aircraft flew relief supplies into airfields where armed Somalis posed a threat to both the airlifters and relief providers. The USAF needs to put considerably more effort and doctrinal thought into security for rough, forward airfields. The present, lightly armed security police detachments used by the USAF for air base defense are not large enough or properly equipped to meet the current threats. A RAND report proposes some practical solutions, including increasing the weapons training given to aircrews and ground personnel. A practical solution calls for establishing additional security police companies of 150 or more people, each equipped with light-armored vehicles and intelligence teams that would replace sensors, as well as a full array of ground surveillance equipment. This unit would specialize in security for rough, forward airfields. In addition, the USAF should provide more light-weapons training to aircrews and ground personnel if they are to operate in insecure forward environments.

The Limits of Airpower

The coercive use of airpower in peace-enforcement operations is important. Operation Deny Flight in Yugoslavia, for example, had some success. However, many American airpower thinkers have taken the admittedly impressive performance of airpower in the Gulf War and Yugoslavia as evidence that airpower is now the predominant means of exerting military force and some airpower theorists have taken their analysis to extremes, arguing that airpower alone can force a hostile faction or state to conform to our dictates.

The idea that one can coerce factions on the ground in a civil war through airpower alone is fundamentally flawed. Part of the enthusiasm for this idea comes from a historically inaccurate view of the British policy of “air control” in the interwar period. Supposedly, the British were able to control large native populations solely by air action. In fact, fairly large ground forces were required throughout the British colonies to suppress anything but the most minor banditry. The historical operations held up by some current USAF thinkers as a model for using airpower as the primary or sole force in peace-enforcement were, in fact, joint operations in which aircraft served as a “force enhancer”. (See James Corum, “The Myth of Air Control: Reassessing the History”, *Aerospace Power Journal* Winter 2000, pp. 61-77).

There have been numerous recent examples that demonstrate that airpower cannot decisively defeat rebels or factions on the ground in a low intensity conflict. Numerous, large-scale Israeli air strikes against Southern Lebanon in the 1980s and 1990s caused significant personnel losses to Hizbullah and other factions but engendered no curtailment of terrorist activity against Israel. The failure of Russian airpower to coerce highly motivated Afghans who were prepared to fight and take losses is another example of airpower failing to coerce groups in a civil war.

In the long term, the use of airpower in Yugoslavia might ensure some minor concessions from the Yugoslavian factions. Airpower will also remain essential for the protection of US and NATO forces in the Balkans. However, the use of airpower in an attempt to compel any one faction to substantially disarm or to force any faction in Bosnia into major territorial concessions will most likely fail. The ethnic groups in Bosnia and Kosovo are motivated by ethnic nationalism and by the conviction that their surrender on any major issue will lead to their destruction. In Yugoslavia today, people prefer to flee their hometowns and villages rather than live under the control of another ethnic group. Consequently, even a massive application of force would not likely compel a significant number of people in Bosnia or Kosovo to live under a multiethnic government, which is the long-term US objective.

In general, peace-enforcement operations have had a poor record of success. The Congo, Lebanon 1982 to 1984, and Somalia are certainly not model operations. In each case, the introduction of some UN or multinational force was supposed to help bring about peace within a fairly short period of time but failed to do so. In reality, if peace-enforcement missions are to be effective, they will have to be of long duration. For example, the West African states have maintained a multinational force in Liberia since 1990 and stability is only now slowly returning. Conditions in Haiti improved after the US intervention, but now that the US and UN have withdrawn corruption, poverty and crime are almost as bad as in 1994.

Conclusion

If political leaders wish to commit US forces to peace-enforcement missions, numerous changes will have to be made in doctrine, policy, force structure, and service culture. The Air Force and other branches of the US military will need more money and personnel—not less—in order to field the right kind of people and equipment for these operations. Additionally, our military will have to change several of its cultural attitudes and develop more officers capable of conducting psychological and intelligence operations in low-intensity conflicts. The US military has only begun to establish anything resembling a comprehensive doctrine for peace operations.

The UN also needs to make numerous reforms in the way it finances and controls peace operations. Although the UN, from the American perspective, is often very difficult to work with, it would be far more difficult for the US to conduct peacekeeping or peace-enforcement operations without the support of a respected multinational political organization.

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Editor's note: I'd like to thank Dr. Corum for his efforts in updating and rewriting this article for the JCLL Bulletin. The original article was published in the *Airpower Journal*, Winter 1996 Edition.

Deadly Force Is Authorized

By Colonel W. Hays Parks
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Overly restrictive and unsuitable rules of engagement handicap and endanger U.S. forces, especially ground troops on peace-support missions. Individual Marines, sailors, and soldiers need to know when they may resort to deadly force to protect their lives.

On 6 June 1975, Senator Barry Goldwater (R-AZ) introduced into the *Congressional Record* the rules of engagement (ROEs) for forces that had operated in the Republic of Vietnam. In doing so, he declared:

I am ashamed of my country for having had people who would have allowed such restrictions to have been placed upon men who were trained to fight, men who were trained to make decisions . . . and men who were risking their lives. . . . I pray . . . such foolish restrictions never be formed again and applied to our troops.¹

Senator Goldwater's prayers were not heard. ROEs for U.S. forces on peace-support operations today place greater constraint on individual soldiers, sailors, airmen, and Marines than existed during the Vietnam War. Consider:

- > In Bosnia, Special Forces personnel were threatened by a heavily armed mob. The senior soldier present directed his men to run to avoid the confrontation. As they began to run, the senior soldier was struck in the back by a club. Realizing that were he or any of his men to fall, they would be beaten and possibly killed, he drew his pistol and shot his assailant. Although his action clearly was in self-defense, authorities weighed his court-martial for violating ROEs before ordering him out of the area of operations.
- > In Bosnia, Serbs armed with nail-tipped clubs assaulted four U.S. soldiers. Two of the soldiers were so severely injured they were discharged with medical disabilities. Although legally entitled to use deadly force, they endured the beatings because the senior soldier present ordered them not to use their weapons to protect themselves. He was awarded a medal for following his ROEs and exercising restraint.
- > Following the attack on the USS *Cole* (DDG-67) in Yemen that severely damaged the ship and killed 17 of her crew, a Navy officer was quoted in *The Washington Post* as saying he would court-martial any sailor who fired on a boat participating in port support, even if the sailor perceived a threat. This is inconsistent with U.S. law, which authorizes deadly force if there is a reasonable belief of imminent threat of death or serious bodily harm.

These are representative rather than isolated incidents. In addition to frequent and repeated deployments on open-ended missions, overly restrictive ROEs are a key factor in the loss of confidence by company-grade officers and enlisted soldiers and Marines in their senior leaders and in the exodus of good men and women from the military. Worse, operating under bad ROEs invites mission failure, usually with fatal consequences to men and women who deserve better. The Kosovo beatings, the fatal shooting at point-blank range of a U.N. peacekeeper in Sierra Leone in May, and the murder of three U.N. workers in West Timor in September are examples of the risks faced by peace-support forces.

The problem is attributable to several factors.



One Document Does Not Fit All

Although rules of engagement have been with us for some time, their formalization is recent. In 1979, Admiral Thomas B. Hayward, Chief of Naval Operations, directed standardization of the Navy's peacetime maritime rules of engagement. The Joint Chiefs of Staff (JCS) adopted the Worldwide Peacetime Rules of Engagement for Seaborne Forces in 1981, their primary purpose being to protect carrier battle groups from a preemptive strike by the Soviet Navy.

During his tenure as Commander-in-Chief, U.S. Pacific Command, Admiral William J. Crowe Jr. directed that the Joint Chiefs' ROEs apply to all Pacific Fleet forces, including ground forces. Subsequently, as Chairman of the Joint Chiefs, he saw to their application to all forces in the renamed JCS Peacetime Rules of Engagement, adopted 26 June 1986.

General self-defense principles apply to all forces at the major unit or higher level, but applying ROEs written for blue-water naval operations to ground forces at all levels for all missions, or to a U.S. Navy ship in port, is forcing a square peg into a round hole. A ground forces annex was prepared hastily, but it consisted primarily of law of war principles, such as "do not murder prisoners of war" or "looting is prohibited," rather than ROEs.

Following the 17 May 1987 Exocet missile attack on the USS *Stark* (FFG-31) by an Iraqi F-1 Mirage fighter, the JCS rules of engagement were repromulgated. Their previous language was strengthened to emphasize that "these rules do not limit a commander's inherent authority and obligation to use all necessary means available and take all appropriate action in self-defense of the commander's unit and other U.S. forces in the vicinity." This mandate is repeated throughout the current JCS ROEs. It has not been followed, however, with respect to small-unit and individual self-defense in current operations.

Experience in Operations Just Cause (Panama, 1989-90) and Desert Shield and Storm (Saudi Arabia, Iraq, and Kuwait, 1990-91) made it clear that ground force ROEs needed improvement, particularly with respect to assisting small-unit leaders and individual soldiers, Marines, or sailors in determining when deadly force is authorized. At a post-Desert Storm meeting at the U.S. Army's Center for Law and Military Operations (CLAMO) senior Army and Marine Corps judge advocates improved the ground force annex and recommended that consideration be given to establishing ROEs for self-defense by individual servicemen.

Army and Marine Corps representatives supported the CLAMO recommendations at a JCS ROEs conference in January 1993. The recommendations were accepted, but Navy resistance to acknowledgment of individual self-defense relegated it to the glossary when the JCS Standing Rules of Engagement (JCS SROE) was promulgated on 1 October 1994.²

The problem was again highlighted when, on 17 May 1997, Marines supporting the U.S. Border Patrol in guarding the U.S.-Mexico border shot and killed a Mexican-American boy who had fired in their direction. The investigating officer asked me to determine whether the Marine who fired the fatal shot complied with Joint Task Force Six (JTF-6) rules of engagement. I declined, agreeing with the task force commander's decision not to do so because of his (and my) "inability to place myself in the shoes of the Marines on the ground and to fully understand and appreciate their thought processes while they moved from the point where they were initially fired upon to the point where the fatal shot occurred."

I did agree to review the ROEs and ROEs training, and I found each a recipe for failure. The source for the faulty JTF-6 rules of engagement-reviewed and approved by at least six echelons of lawyers, up to and including the legal counsel for the Chairman of the Joint Chiefs and the Department of Defense general counsel-was the JCS SROE. That document is based on the Charter of the United Nations. The Constitution of the United States, not the U.N. Charter, applies in domestic operations. The 1997 JTF-6 rules of engagement mirrored the poorly drafted, cobbled-together, highly ambiguous, and confusing ROEs being provided ground forces for peace support and other operations worldwide. The JCS SROE did not fit JTF-6 operations, and it does not fit current peace-support operations, particularly at the small-unit or individual level.

In the revised JCS Standing Rules of Engagement promulgated 15 January 2000, individual self-defense is given slightly greater focus, with the admonition that "commanders have the obligation to ensure that individuals within their respective units understand and are trained on when and how to use force in self-defense." That statement stands alone, however, unsupported by tools to assist the commander. The problem remains: the JCS

SROE is a poor document for assisting an in-port ship commander or a ground force commander in informing individuals when they may use deadly force to protect themselves and others. The question for the individual soldier, Marine, or sailor remains as it was for U.S. forces in Vietnam, Beirut, Grenada, and Somalia: if a civilian whom I have been trained to respect and protect engages in acts that pose a direct threat of serious bodily harm or death, when may I use deadly force to protect myself? The JCS SROE provides no answer.

Micromanagement

Senior leaders who authorize air strikes, naval bombardments, and cruise missile attacks with slight attention to ROEs are for some reason drawn to the fine details of ground force ROEs like moths to a flame. A senior official in the Carter administration sought to require the forces executing the ill-fated April 1980 Iranian rescue mission to shoot to wound. During the Reagan administration, Marines in Beirut were subjected to ROE tampering at all levels, contributing to the deaths on 23 October 1983 of 241 service personnel in the Marine barracks bombing. Personal weapons (pistols only) for U.S. military advisers in El Salvador were specified in a National Security Council meeting. In the opening moments of Operation Just Cause, four SEALs from SEAL Team Four died and nine were seriously wounded in their seizure of Paitilla airfield, and the mission and members of SEAL Team Two in Balboa Harbor were jeopardized, in large measure because of unnecessarily restrictive ROEs. ROEs a carrier battle group commander and his seniors would reject out of hand were imposed from higher level down through the chain of command without so much as a hiccup from the SEALs' intermediate commanders.³

The Clinton administration began with two catastrophes. On 28 February 1993, Bureau of Alcohol, Tobacco, and Firearms agents launched a raid on the Mount Carmel Center, near Waco, Texas. Four agents were killed, as were six members of the Branch Davidian sect. After a 51-day standoff, a federal law enforcement assault resulted in the deaths of the remaining 74 men, women, and children sheltered there. On 3 October 1993, Task Force Ranger engaged in a day-long battle with the forces of Somali warlord Mohammed Farrah Aidid. When it ended, 18 U.S. soldiers and 500 Somali were dead. It was the second time within a year that the national leadership learned the hard way that bad things can happen when force is used. Reality eviscerated administration enthusiasm for Somalia operations, and U.S. troop withdrawal followed quickly.

Chastened, the national leadership conceived the policy of "do no harm"-meaning, harm no one, and let no one be harmed-for operations in which U.S. interests have been neither defined nor articulated. The resultant rules of engagement for the Balkans peace-support operation place the men and women serving there at undue risk while making U.S. forces the butt of jokes. At the American-British-Canadian-Australian Army meeting at Sandhurst in May 2000, the United States was berated constantly for its "ninja turtle" (heavily armed and armored, cowering within its shell) approach to peace-support operations by senior British officers, who suggested that U.S. forces were ineffective as a result of leadership timidity. It might be an unfair characterization of U.S. field commanders, who are constrained by administration-driven ROEs, but the British charges have foundation.

Rules of engagement are defined as "directives issued by a competent military commander which delineate the circumstances and limitations under which United States forces will initiate and/or continue combat engagement with other forces encountered." This was altered from the earlier definition that stated "a government may establish" to emphasize the responsibility of the combatant commander and (in theory) to eliminate the Vietnam-era perception that all ROEs come from the National Command Authority. But national-level policy and supervision of peace-support operations have resulted in micromanagement for ground forces far worse than at any time during the Vietnam War. This has hindered development of effective individual self-defense rules of engagement. In the course of the Vietnam War, no soldier or Marine was prosecuted for violation of his ROEs, despite hundreds of confrontations daily with civilians who were potential threats. In current peace-support



Ground force rules of engagement for peace-support missions—here, a checkpoint in Bosnia—provide more protection for a hostile foreign citizen than the U.S. Constitution provides U.S. citizens, and U.S. troops receive less than police officers at home.

operations, the threat of prosecution for ROE violation looms large, prompting the view that “if I fire my weapon—even in self-defense and to save my own life—I’m in trouble.”

The First Thing, Should We Kill All the Lawyers?

The JCS Standing Rules of Engagement and subordinate command ROEs largely are the product of military lawyers, but the rap lawyers receive for ROEs is not entirely fair. Today’s military judge advocates are trained to support mission and client—the commander—and ROEs are prepared with the commander’s intent clearly in mind. Problems exist in part because commanders and their staffs have defaulted on their responsibilities in this area, often leaving relatively junior judge advocates to fend for themselves in drafting ROEs and ROEs training, areas in which they may have neither expertise nor experience.⁴

By and large, ROEs produced by the most lawyer-heavy military in the world are cut-and-paste, copy-cat products lacking in original thought or analysis and unsuitable for current missions. Particularly because of the no-notice, high-frequency nature of recent operations, judge advocates turned to the JCS SROE—and were misled. The JCS Standing Rules of Engagement states that ROEs drafters should “consider tactical and strategic *limitations* on the use of force imposed by (a) higher headquarters, (b) international law, including the U.N. Charter, and (c) U.S. domestic law and policy” (emphasis in original). It fails to acknowledge that the law also provides *rights*.

The JCS SROE incorrectly ties all ROEs to Article 51 of the U.N. Charter, which reaffirms the inherent right of self-defense for governments. Nothing in the history of the Charter suggests that it was intended to apply to the actions of individual service personnel defending their lives or to a sailor or Marine protecting a ship in port. This legal misapplication has resulted in vague ROEs that are of limited relevance or value in explaining to a commander or an individual Marine or sailor when he may resort to deadly force to protect his life.

Military and DoD civilian lawyers have eschewed federal case law relating to law enforcement use of deadly force because of the natural (and correct) reluctance to involve the military in domestic law enforcement, failing to distinguish between applying it and using its resources for assistance. This is wrong. Law enforcement officers daily face scenarios similar to those faced by the military in peace-support operations and, because this is the United States, the post-

Consequences of Compliance?

The wide distribution of this e-mail by an anonymous author suggests it represents the perception of many.

Scenario: A soldier on a peace-support operation is walking down the road when he is confronted by a ten-year-old pointing an AK-47 rifle at him.

1. Following his rules of engagement, the soldier radios his platoon sergeant for permission to fire.
2. The platoon sergeant responds, “Wait one,” and calls the platoon leader.
3. The platoon leader calls the company commander, who calls the battalion commander, who calls the brigade commander.
4. The brigade commander calls the division G-3.
5. The G-3 puts together a Power Point presentation for the division commander, laying out his options.
6. Following review and approval by the staff judge advocate, the presentation is briefed to the division chief of staff, who sends it back for revision.
7. Once it is approved, the G-3 makes the presentation to the division commander. He calls the corps commander, requesting permission to fire.
8. Division G-3 faxes a copy of the presentation to the corps G-3, who prepares a new presentation to brief the corps commander. The presentation is forwarded to the corps judge advocate, who reviews and approves it.
9. The corps commander is briefed. He accepts his staff’s proposal that the soldier should engage the threat but holds clearance while he calls the combatant commander.
10. The combatant commander asks that the briefing be forwarded to him so he can pass it to higher authority.
11. He forwards it by message to the Chairman, Joint Chiefs of Staff, who places it on the schedule for the next tank session, necessitating preparation of a Joint Staff position, clearance by legal counsel to the Chairman, and coordination with the services.
12. Legal counsel to the Chairman discusses the recommended course of action with DoD general counsel and the legal adviser, Department of State, to determine whether a report to Congress consistent with the War Powers Resolution might be necessary.
13. During the JCS tank session, the Air Force and Navy announce they wish a part in the operation, now code-named Operation Return Fire.
14. After considering various options, the Chairman confers with the Secretary of Defense, who instructs the Chairman to prepare a briefing for the National Security Council (NSC). A colonel stays up for a week straight preparing slides and charts for the briefing.
15. At the NSC briefing, the President states that he wants an “eyes on target” assessment before proceeding with Operation Return Fire.
16. Special operations forces are dispatched after two days of planning and coordination. A carrier battle group in the Mediterranean is diverted to provide additional air cover to that being provided from bases in Italy. B-52 bombers at Barksdale Air Force Base, Louisiana, are placed on alert.
17. On reaching the point where the soldier reported the threat, the special operations team finds his bullet-riddled, badly decomposed body, still clutching a hand mike to his ear, looking as if he were waiting for a response to whatever question he asked.

—Anonymous “Rules of Engagement in Today’s Army”
(Condensed and edited)

shooting litigation record is extensive. Judicial decisions provide a wealth of detail for deciding when resort to force is warranted. With one exception, military lawyers have ignored this valuable resource.⁵

Lacking a reference point, judge advocates have grasped for straws. Ironically they created ROEs from service deadly force directives, doctrine for military police, or domestic riot-control doctrine—each of which is more restrictive than U.S. case law for use of force by law enforcement authorities.

Many ROEs are based on the level of force continuum (see Figure 1). This continuum may be useful in basic law enforcement education, or for military police responding to a dispute at the Burger King at Camp Lejeune, but it is highly academic and unrealistic. It was to be and should only be used as a training aid, not as a basis for ROEs. The U.S. Supreme Court has made it clear that a law enforcement officer is not required to select the least intrusive alternative, only a reasonable one.⁶ The level of force continuum when used for ROEs incorrectly infers an obligation to exhaust all other means before resorting to deadly force, even when deadly force is warranted.

In the movie *Raiders of the Lost Ark*, a sword-wielding assailant threatens hero Indiana Jones. Standing out of range, Indy draws his pistol and disposes of the threat—an act consistent with U.S. law. Applying VEWPRIK or the Five Ss, Indy would have been required to close with his assailant, risking injury or death and giving the assailant an opportunity to take his firearm. In the United States, 9.1% of police officers feloniously killed died at the hands of an assailant using a weapon taken from the officer. The percentage increases markedly when one includes weapons taken from an officer's partner. The lesson of this sad experience has been lost in preparing ROEs.

The third example in Figure 1 is wrong as a matter of law and common sense. “Minimum deadly force” is an oxymoron, as is “proportionate deadly force.” Requirements to “shoot to wound” or to “fire no more rounds than necessary” indicate a serious lack of knowledge of the law, close-quarter marksmanship under stress against a hostile moving target, wound ballistics, and the impracticality of round counting in a gunfight. Wound ballistics expert Martin L. Fackler, MD, states:

The most common reaction to being struck in the torso by a bullet is to show no immediate sign of being hit. . . . [Law enforcement officers] often become confused and sometimes terrified because the person shot continued shooting back at them.

“One shot and stop” may happen in movies but seldom in reality. The contrast between peace-support operations’ ROEs and present law enforcement guidelines for use of deadly force is telling:

Military ROEs	Justice Department Guidelines/U.S. Law
Requires/encourages warning shots	Prohibits warning shots
Shoot to wound	No shoot to wound
Deadly force last resort	No requirement to use least intrusive option
Minimum or proportionate deadly force	Force necessary & reasonable to address threat ⁷

Figure 1: Sample Rules of Engagement

(Source: These and other ROEs are in CLAMO’s “Rules of Engagement Handbook for Judge Advocates,” 1 May 2000)

Example 1: 1st Infantry Division ROE Annex Template (VEWPRIK)

- | | |
|---------------------------|------------------------------------|
| 1. V erbal warning | 5. R iot control/rifle butt |
| 2. E xhibit weapon | 6. I njure with fire |
| 3. W arning shot | (shoot to wound) |
| 4. P epper spray | 7. K ill with fire |

Example 2: 1st Cavalry Division Standing ROE (Graduated force against noncombatants (the Five S’s))

1. **S**hout (verbal warning)
2. **S**how (show weapons or threat of force)
3. **S**hove (use physical force to restrain threat)
4. **S**hoot to warn (warning shot)
5. **S**hoot to wound, or Shoot to kill

Example 3: SFOR, Operation Constant Guard, and 26th Marine Expeditionary Unit ROEs

1. You may use minimum force, including opening fire...
2. Minimum Force—if you have to open fire, you must:
 - * Fire only aimed shots
 - * Fire no more rounds than necessary

Example 4: Marine Corps

WARN THEM—Verbal warnings

SCARE THEM—Show of force including use of riot control formations and positioning of armored vehicles; blocking of access.

FORCE THEM—Use of:

- * Riot control agents (when authorized)
- * Warning shots (after an order to halt is given)
- * Deadly force (**ABSOLUTE LAST RESORT**)

The JCS SROE declares, “The commander . . . should consider all available information to determine hostile intent. . . . No list of indicators can substitute for a commander’s judgment.” Yet individual self-defense ROEs provide soldiers and Marines complicated checklists. Hicks’ law states that if a response is trained for a given stimulus, the subconscious mind must examine each response prior to reacting. Therefore, were a Marine trained to VEWPRIK or the Five Ss, he must decide between wrestling a threat to the ground, shooting to wound, or shooting center of mass, increasing his reaction time. This is a luxury not always available.

Carrier battle group rules of engagement permit commanders to engage a threat before the threat can employ its weapons effectively. Fighter pilots train to a similar goal, using our superior technology to outrange the threat and ROEs that take advantage of U.S. capabilities. Ground force ROEs for peace-support operations are far more restrictive and unnecessarily endanger individual personnel. They provide more protection for a hostile foreign citizen than the Constitution provides U.S. citizens, and a Marine or SEAL receives less protection than a police officer in the United States. ROEs for ships in port are equally restrictive. Worse, peace-support and in-port ROEs are inconsistent with the JCS SROE self-defense mandate.

Change may be in the wind. A two-day workshop at the FBI Academy in July 2000 exposed military judge advocates to objective criteria for use-of-force decision making at the small-unit and individual levels. This included discussion of U.S. case law, such factors as physiological responses to a threat and wound ballistics, and training on the Fire Arms Training System, which shows why a “shoot to wound” requirement is unrealistic (increased probability of missing, bullets seldom incapacitate rapidly, and a wounded threat is still a threat). Similar training will be made available to commanders and other judge advocates to aid them in developing more realistic ROEs and ROEs training.

Commanders Must Lead

Rules of engagement are mission- and threat-driven policy. Far too often, judge advocates are made the fall guys for command indecision. It is easier for a commander to say, “The JAG says that’s the law” than to admit he is unwilling to stand up to bad policy decisions.

It can be done. In 1986, the commander of the 75th Ranger Regiment was ordered to deploy a battalion for an exercise in Honduras across a major guerrilla infiltration route. He refused to accept the mission until the ROEs had been changed from no live ammunition authorized to one magazine of live ammunition, but only in a pouch taped shut, to live ammunition authorized in the weapon, but no round in the chamber, to (finally) live ammunition in the weapon, including a round in the chamber. He accepted responsibility for his soldiers’ actions, while refusing to allow them to be placed at undue risk by politicians and military seniors far from the battle. His insistence was not career ending.

ROEs are a commander’s, not a lawyer’s, responsibility, but in too many cases commanders and their staffs have defaulted. In one instance, a judge advocate tried repeatedly without success to get his commander and the staff to review his draft ROEs. In desperation, he inserted clearly ridiculous rules, such as “if an individual stays in a telephone booth for more than three minutes, nuclear weapons are authorized.” Members of the staff cleared the ROEs, making it apparent they had not read them.

Force protection is a responsibility, not a mission. Rules of engagement should not be used to cover up training or other failures. For example, some commanders rely on restrictive ROEs to avoid negligent discharge of firearms. Higher levels fail individual Marines, sailors, or soldiers by not providing adequate ammunition for training so they can learn to handle firearms competently and safely. There are unconfirmed reports of Marines and soldiers purchasing their own ammunition to accomplish annual weapons requalification, the minimum level of firearms training. The *Cole* investigation is likely to find her crew received little firearms or ROEs training for in-port protection and overly restrictive ROEs to compensate for these shortfalls. Restrictive ROEs that endanger lives should not be used to gloss over such deficiencies.

The FBI deadly force policy begins, “This policy is not to be construed to require Agents to assume unreasonable risks. In assessing the need to use deadly force, the paramount consideration should always be the safety of the Agents and the public.” The current JCS SROE-or, if necessary, a new JCS document prepared by designated Navy Special Warfare and Army and Marine Corps infantry representatives-should begin with a similar premise.

U.S. Supreme Court Chief Justice William Rehnquist once commented, “It does this court no good to write rules that run counterintuitive to a law enforcement officer’s well-honed sense of survival.” Senior leaders, commanders, and ROEs drafters should substitute “serviceman” and tattoo this statement on their souls.

The FBI policy also declares, “The reasonableness of an Agent’s decision to use deadly force . . . must be viewed from the perspective of the Agent on the scene—who may often be forced to make split-second decisions in circumstances that are tense, uncertain, and rapidly evolving—and without the advantage of 20/20 hindsight.” This was the policy followed in Vietnam, with success. No one wants a soldier, sailor, airman, or Marine looking over his shoulder for approval at the time his attention should be on the threat.

¹Congressional Record (6 June 1975), pp. S17551-17558, at 17558.

²The Navy origins of the JCS SROE resulted in opposition to individual self-defense on the theory that the Navy fights as units only. This ignores the Navy Special Warfare community and its missions. As units in peace-support operations extend their footprint by sending out two-man teams, it could be argued that the term unit could be applied to them, resolving this concern.

³A critical analysis of the SEAL Team Two and Four ROE and missions is contained in LCdr. Michael S. Reilly, USN, “The Rules of Engagement for the Conduct of Special Operations” (thesis, Naval Postgraduate School, December 1996).

⁴See, for example, Maj. Karen V. Fair, USA, “The Rules of Engagement in Somalia-A Judge Advocate’s Primer,” *Small Wars and Insurgencies* 8, no. 1(Spring 1997), pp. 107-26. Major Fair’s performance of duty was regarded by her superiors as exceptional. Not all units fare as well.

⁵The single exception is Capt. David G. Bolgiano, USA, “Firearms Training System: A Proposal for Future Rules of Engagement Training,” *The Army Lawyer* (December 1995), pp. 79-82.

⁶*Illinois v. Lafayette*, 462 U.S. 640 (1983).

⁷Department of Treasury (Secret Service) guidelines are similar. In a March incident in Baltimore, a man murdered four people before taking others hostage. Following several days of failed negotiations and threats to kill the hostages, a SWAT team assaulted the hostage site, killing the murderer, who was shot 27 times. The county attorney correctly observed, “When deadly force is warranted, it makes no difference whether a man is shot once or twenty-seven times.”

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STRIKING THE BALANCE: AIRPOWER RULES OF ENGAGEMENT IN PEACE OPERATIONS

BY RICHARD M. PERRY

Abstract

Following the dissolution of the Soviet Union and demise of the Cold War, the United States has embarked on a national security policy principally focused on democratization and economic engagement. A natural outgrowth of this Wilsonian response to the strategic environment has been an increased number of operations colloquially called operations other than war. These operations may be very much like war in the conventional sense or may be confined to humanitarian assistance or peacekeeping. In such operations, the US may intervene unilaterally if vital interests are at stake, but typically, the US will attempt to garner consensus and create a multinational or coalition effort before crossing into uncharted territory alone. A corollary and necessary consideration when contemplating intervention either in a failed or failing state is the role and relationship the United Nations plays as a supranational organization to the multinational force providers. United Nations Security Council Resolutions often set the parameters and establish the legal precedence for intervention. Yet the United Nations itself has a difficult time in defining some of these operations as either peacekeeping or peace enforcement under existing language in the UN Charter. In some cases, operations include elements of both peacekeeping and enforcement occurring at the same time. A natural result of such ill-defined operations is equally difficult and confusing Rules-of-Engagement (ROE).

This paper describes the evolution of ROE and analyzes two case studies from an airman's perspective designed to illustrate the difficulty in creating concise and effective ROE when peacekeeping efforts are occurring simultaneously with enforcement. The writer evaluates the relationship of ROE and the Laws of War and then addresses peacekeeping and peace enforcement under the broader rubric of peace operations. Each case study is measured against common characteristics such as correctly identifying the type and nature of the conflict, command and control, multinational factors and the subsequent ROE implications. Despite a tenuous and often difficult balance, the conclusion suggests that ROE can be formulated that will fit both the requirements for strict ROE in peacekeeping and enhance the effectiveness of force application in enforcement operations.

US Foreign Policy may succeed or fail on the basis of how well Rules of Engagement are conceived, articulated, understood and implemented.

- *Naval Justice*

Introduction

The current National Security Strategy, although not explicitly addressing peace operations, conceptually groups it under the broader rubric of the "imperative of global engagement," and through activities like the promotion of prosperity and the expansion of democracy.¹ The 'imperative' suggests not only the primacy and importance of maintaining US diplomatic, economic, and political involvement throughout the world, but also the implied use of military force as an enabler to facilitate, when required, the declared policy of engagement. The policy of engagement, however, is not new. One could argue that World War I and World War II represent the highest level of engagement and sacrifice. What is different since World War II, however, is the desire on the part of the US to gain and maintain political legitimacy and consensus from the community of nations as either a condition of or justification for the use of military force. As a result, since the end of the Cold War, the United Nations has often been used by the US as an "institutional stamp of approval" especially regarding peace operations around the world. In many cases, multilateral action in concert with the UN best serves US interests in preserving or restoring peace while at the same time helping the UN establish its own institutional credibility.

During the Cold War, the UN was restricted in its use of multilateral action in peace operations when the interests of the US and former Soviet Union did not conflict.² Additionally, the use of military force in peace operations was carefully and judiciously applied in most cases by the US only when and if diplomatic and political efforts failed to avoid the perception of escalation. In a few cases, however, such as the creation of a multinational force in the Sinai in 1980, the US engaged in peacekeeping operations without UN support because the Soviets vetoed the effort in the UN Security Council.

Since the Cold War, however, there appears to be a temptation on the part of the US and UN to apply military force, specifically airpower, to peace operations as a preferred means to reconcile diplomatic and political shortfalls. In some cases, such as Operation Provide Comfort in Northern Iraq, and Operation Deny Flight in Bosnia, peace operations involved both peacekeeping and peace enforcement missions occurring simultaneously. One unintended consequence of the blurring between peacekeeping and peace enforcement missions, are the often confusing and overlapping rules of engagement that are generated to span the spectrum of peace operations.

Peace Operations

Although no formal definition of peace operations (PO) exists within the UN Charter, Joint Publication 3-07 broadly defines it as “military operations to support diplomatic efforts to reach a long-term political settlement.”³ The implied notion in this definition is that peace is defined by establishing the conditions for long-term political stability—a fleeting and ambiguous target at best. As alluded to, the UN Charter is equally vague regarding the broader term of peace operations. However, sensing the demand for clarity given the changing geopolitical environment following the Cold War and the concomitant increase in the type and variety of UN operations, Secretary Boutros-Boutros-Ghali in his 1992 *An Agenda for Peace*, mentioned the need for a UN military role covering the spectrum of operations from peacekeeping to all out war.⁴ Yet contrary to popular belief, the UN Charter does not specifically address peace operations. In fact, as Glenn Bowers points out in a *Parameters* article:

The word peacekeeping does not even appear in the Charter. The use of military forces in peace operations evolved out of the Security Council’s desire to facilitate the adjustment or settlement of international disputes or situations that might lead to a breach of the peace.⁵

Peace operations is rather a US term derived from Presidential Decision Directive 25 (PDD-25) authored by the Clinton administration and promulgated in Joint US military doctrine. In essence, the term has been adopted by the political, military, and diplomatic community as the overarching descriptor that includes not only peacekeeping and peace enforcement but also describes the *spectrum* between peacekeeping and peace enforcement.

Additionally, the UN Security Council uses the term peace operations to describe those cases which fall under Chapter VI and Chapter VII of the Charter.⁶ Yet given the complex strategic environment, the line of demarcation between Chapter VI missions which are in theory purely peacekeeping and Chapter VII which imply enforcement, is often blurred. For example, in a case like Bosnia in 1993-94, when there was both peacekeeping conducted by the UN Peacekeeping Force (UNPROFOR) and peace enforcement operations applied against the Serbians by NATO, then the operation falls somewhere in the middle between chapter VI and VII on the scale of peace operations. Those cases that include both peacekeeping and enforcement are often called Chapter 6 and a half missions.

Peacekeeping

As stated, the term “peacekeeping” is not listed in the UN Charter, yet the definition has evolved from Chapter VI of the UN Charter entitled, *the Pacific Settlement of Disputes*. Under Article 34:

The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.⁷

Although, not defining the activity of peacekeeping in a formal doctrinal sense, Article 34 does give the Security Council authority and precedent to “investigate” a situation peacefully in order to maintain peace and security. Peacekeeping, a term first coined by Dag Hammarskjöld in 1948 to describe the UN contingent sent to the Sinai, defines the very essence of the UN. More recently, in an address commemorating the fiftieth anniversary of the UN, Secretary General Kofi Annan stated that since 1948, there have been “49 United Nations peacekeeping operations—36 of those were created since 1988.”⁸ The term peacekeeping, therefore, is both a process of historical evolution and a function of the UN recognizing its own supranational role as a keeper of the peace in a changing world. Indeed, the UN has had a fairly good track record of traditional peacekeeping (Chapter VI) missions in countries like Namibia, Mozambique, El Salvador, and also its share of failures in places like Rwanda and the former Yugoslavia which were, in effect, not clear peacekeeping missions. Traditional peacekeeping missions, as defined by *Joint Pub 3-07*, are designed to monitor and facilitate implementation of an agreement (cease fire, truce, etc.) in order to support and enhance a peaceful diplomatic and political solution.⁹ More importantly, peacekeeping involves the principles of consent, impartiality, and the use of force only in self-defense.¹⁰

Consent on the part of the belligerents is a necessary precondition for a peacekeeping mission. In fact, belligerents often welcome peacekeeping forces in order to monitor the process towards peace and reconciliation fairly. Peacekeeping forces are perceived to be objective. The notion of consent has evolved along with the changing nature of conflict. In its original form during the early part of the Cold War, consent generally meant that belligerents, typically following an *interstate* conflict, had established a cease-fire and were accepting UN peacekeepers to pave the way for a diplomatic solution. Following the UN deployment to the Middle East shortly after the Suez crisis in 1956, for example, the notion that peacekeeping forces could create the conditions for peace without the full consent of belligerents was tested.¹¹ As a result of the Suez crisis, the consent of belligerents often became a condition for traditional peacekeeping involvement from the very start of an operation. The UN involvement in the Congo, however, demonstrates that entering a civil war without consent can have disastrous consequences. As Professor Donald M. Snow argues, peacekeeping works fairly well when the shooting has stopped and when there is consent:

Traditional peacekeeping was feasible because two conditions adhered before peacekeepers were inserted: fighting had ceased, and both or all parties preferred the presence of the peacekeepers to their absence. Under those circumstances the prototypical peacekeeper arose: the lightly armed, defensively oriented observer force that physically separated former 35 combatants and observed their adherence to the cease-fire while negotiations for peace occurred.¹²

Yet more recently, the full consent of belligerents is often a difficult and often unworkable proposition because the number and nature of operations that fall between traditional peacekeeping and peace enforcement have increased. This is a sizeable problem both for the UN and the US who often must commit troops to blurred Chapter VI and a half operations. Closely linked to the principle of consent is the concept of impartiality and the use of force only for the inherent right of self-defense on the part of peacekeepers. Again, remaining impartial is often less difficult when addressing an interstate conflict where a cease-fire and clear lines of demarcation have already been established. What is more difficult is remaining impartial during intrastate conflicts such as Lebanon or Bosnia where there was no viable centralized government and numerous factions were conducting attacks while simultaneously claiming victimization. In the case of Lebanon in 1983, the US as part of a Multinational Force (MNF) peacekeeping element, abrogated its impartiality by effectively siding with the Lebanese Armed

Forces (LAF) in what had become a civil war between numerous factions.¹³ This loss in impartiality resulted in attacks on French and US positions that claimed 342 soldier's lives. In Bosnia, UNPROFOR clearly sided with the Bosnian Muslims against the Serbians despite atrocities committed by both parties.

Peace Enforcement

Peace enforcement, like peacekeeping, is ill defined by the UN Charter. However, the precedent for peace enforcement is stated in Chapter VII, article 42 of the UN charter:

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of members of the United Nations.¹⁴

Yet the precondition for UN armed intervention in order to enforce a peace is that the Security Council first determines if a belligerent state constitutes a threat to international security. The fundamental difference between peacekeeping and peace enforcement is underscored below by Professor Donald M. Snow:

For the peacekeeper, the environment is comparatively benign; the peacekeeper is the invited guest of the participants and is the positive part of the process of reconciliation. The environment facing the peace enforcer, on the other hand, is likely to be intensely hostile. By interposing themselves between combatants who have not eschewed continuing violence, peace enforcers will be an unwelcome addition by some or all combatants.¹⁵

Table 1. Peacekeeping versus Peace Enforcement

	Peacekeeping	Peace Enforcement
Environment	<ul style="list-style-type: none"> - Post conflict combatants prefer negotiations - Truce in place 	<ul style="list-style-type: none"> - War/ongoing combat or conflict - Combatants prefer fighting - No Truce
Context	<ul style="list-style-type: none"> - Consent by belligerents 	<ul style="list-style-type: none"> - Unwelcome and possibly opposed - Some belligerents may need to be coerced to comply/negotiate
Mission	<ul style="list-style-type: none"> - Neutral forces - Relatively simple - Traditional, good doctrinal foundation - Small, lightly armed forces, defensive orientation, passive, less expensive 	<ul style="list-style-type: none"> - Likely that the peace enforcers will not be seen as neutral - Relatively more difficult, may be too hard to do compared to interests at stake - No doctrine, controversial - Combat troops with offensive potential and firepower more robust C2, logistics and intel organizations, expensive
Policy and strategy	<ul style="list-style-type: none"> - Generally noninflammatory commitment of US forces, even if protracted - Overwhelming force is inappropriate - No vital national interest - No sovereignty issue 	<ul style="list-style-type: none"> - May become unpopular if protracted, which is likely - Maximum overwhelming use of force may not be appropriate even if required - No vital national interests - Sovereignty of nation may be violated - Little guidance to tell US when to intervene

Source: Donald Snow, *Peacekeeping, Peacemaking and Peace-enforcement: The US Role in the New International Order* (Carlisle Barracks: Strategic Studies Institute, Feb 93), 21-29.¹⁶

Peace enforcement, unlike traditional peacekeeping, did not realize its full potential as a peace operation option by the UN until the demise of the Cold War because of the fear that enforcement might lead to superpower intervention and possible escalation. One could argue, however, that Korea represented a peace enforcement operation due to the Soviet boycott of the Security Council. However, partly in response to the changing strategic environment that highlighted intrastate conflict following the Cold War, and partly in response to a desire to exert institutional primacy and legitimacy, the UN in 1992 pushed a more robust interventionist policy.¹⁷ As David Jablonsky and James S. McCallum argue, “it was a concept of peace enforcement that clearly went beyond the traditional Chapter VII focus on interstate acts of aggression and implied the UN forces could play a role in the domestic affairs of failed or troubled states.”¹⁸

Additionally, UN Secretary Boutros-Boutros Ghali wrote a *Foreign Affairs* article in 1992 that called for enhancing and strengthening UN capability to “maintain peace and stability” around the globe.¹⁹ Under this mandate, the UN expanded its role from traditional peacekeeping to full-blown conflict resolution through the use of peace enforcement. Clearly, the UN could neither fund nor provide forces enough to fulfill this larger more aggressive role on its own. As a result, Boutros-Ghali expanded the meaning of Chapter VII, article 43 to include the following:

Member states should provide assurance that they will undertake to make armed forces, assistance, and facilities available to the Security Council not only on an *ad hoc* basis but on a permanent basis.²⁰

In practice, however, what often happened, as in the case of Bosnia and Somalia, were “inappropriately sized and inappropriately armed force projections into gray areas, which could not be helped, and in fact were endangered, by ad hoc peace enforcement interventions.”²¹ As the table above indicates, peace enforcement is less like peacekeeping in many respects and more like a conventional war. As Glenn Bowens suggests, when a crisis reaches a point at which intervention is contemplated by either the US or the UN the first item on the agenda is determining the type and nature of the operation.²² The US uses existing Operational Plans (OPLANS) or Concept Plans (CONPLANS) along with crisis planning documents, PDD-25, the UN Charter and specific UN Security Council Resolutions to provide a legal basis for intervention. Typically, the US will seek a UN mandate for intervention but certainly is prepared to act unilaterally in the absence of UN support. The UN uses its broad authority under Chapters VI and VII as well as Security Council Resolutions before embarking on peace operations.²³

The basic problem of peace operations in today’s context is reconciling the traditional peacekeeping philosophy and intent with the very real combat mission demands of peace enforcement. There is a tangible difference between the two. One is committed to impartiality and the garnering of consent, the other often is attempting to compel belligerents to seek settlement through armed and often non-permissive intervention. As a result, the “graying” between peacekeeping and peace enforcement under the larger rubric of peace operations has some very important ROE implications for the application of force.

ROE Implications

The most significant ROE implication flowing from the previous discussion on peace operations is attempting to reconcile overly conservative constraints on the use of force in traditional peacekeeping with the requirement for tailored force application and associated ROE in peace enforcement operations. The very nature of peacekeeping is impartiality and the use of force is only authorized to exercise the inherent right of self-defense. In contrast, as Professor Snow mentions:

Peace enforcers will have to be quite different. They will have to be combat troops, since they will be thrust into conditions of war. They will require offensive orientation and equipment to protect themselves in combat and to conduct offensive missions.²⁴

Secondly, a less obvious but no less important implication for ROE occurs during the command and control of peace operations when there is an inherent incompatibility between the UN's role as peacekeepers on the ground and the role of US or NATO as peace enforcers in the air. This was precisely the state of affairs in both Operation Provide Comfort (OPC) and Operation Deny Flight (ODF) and the subject of following chapters. In both cases, peacekeeping and humanitarian missions were conducted on the ground while airpower was simultaneously engaged in peace enforcement operations. Consequently, the "graying" of ROE not only occurs along the horizontal spectrum of peace operations but can also occur along the vertical axis of warfare. As a result, complex and confusing ROE at the operational level can lead to frustration and even tragic consequences at the tactical level.

While ROE will never limit the right of self-defense or defense of US forces, it is imperative that US commanders also understand the other individuals and facilities that their forces may defend. Commanders need to know if the US military can defend allied military forces, international organizations, UN agencies, and nongovernmental organizations.²⁵

Semantics and terminology in the formulation of ROE as part of a multinational force is a significant challenge. Each participating nation "must have a common understanding of ROE terms, e.g. warning shots and hostile intent."²⁶ Without an effort to standardize ROE throughout the theater, peace operations may compromise both the concept of force protection and the undue escalation of hostilities.

Summary

Peace operations are likely to continue to define the vast majority of operations following the Cold War. However, traditional peacekeeping missions have evolved into a combination of both peacekeeping and peace enforcement to meet the complex challenges often presented by imploding states and intrastate conflict. The problem is reconciling the need to gain and maintain consent and impartiality on the part of peacekeepers with the simultaneous operational demands and coercive nature of peace enforcement. The playing out of this dilemma has significant implications for ROE to include balancing constraint with operational effectiveness and meeting the challenges of multinational participation under a set of common rules.

Notes

- 1 William J. Clinton, "A National Security For a New Century," (Washington DC: White House, October 1998)
- 2 "The Clinton's Administration Policy on Reforming Multilateral Peace Operations," *Presidential Decision Directive 25, White House Fact Sheet*, (Washington DC: White House: 1994), 4.
- 3 "Joint Doctrine for Operations Other Than War (OOTW)," *Joint Pub 3-07*, III-12.
- 4 Boutros Boutros-Ghali, *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peacekeeping* (New York: United Nations, 31 January 1992). See also David Jablonsky and James S. McCallum, "Peace Implementation and the Concept of Induced Consent in Peace Operations," *Parameters*, Vol. XXIX (Spring 1999): 55.
- 5 Glenn Bowens, "Legal Issues in Peace Operations," *Parameters*, Vol XXVIII (Winter 1998-99): 53.
- 6 *Ibid*, 53.
- 7 United Nations Charter, Chapter VI, Article 34. 42
- 8 "United Nations Daily Highlights," *World Affairs Monitor*, (United Nations: 6 Oct 1998), 2.
- 9 *Joint Pub 3-07*, III-12.
- 10 "JTF Commander's Handbook for Peace Operations," xv.
- 11 David Jablonsky and James S. McCallum, "Peace Implementation and the Concept of induced Consent in Peace Operations," *Parameters*, Vol XXIX (Spring 1999): 56.

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- 12 Donald M. Snow, "Peacekeeping, Peacemaking and Peace-Enforcement: The US Role in the New International Order," (Carlisle, PA: US Army War College, 1993), 19.
 - 13 Phillip L. Brinkley, *Tactical Requirements for Peacekeeping Operations*, (Fort Leavenworth, KS: Army Command and Staff College, 1985), 17.
 - 14 UN Charter, Chapter VII, Article 42.
 - 15 Snow, 24.
 - 16 See also Major James Tubbs SAAS Thesis entitled, "Beyond Gunboat Diplomacy: Forceful Applications of Airpower in Peace Enforcement Operations," (Maxwell AFB: Air University Press, 1997), 8-9.
 - 17 Jablonsky and McCallum, 57.
 - 18 Ibid, 58.
 - 19 Boutros Boutros-Ghali, "Empowering the United Nations," *Foreign Affairs*, Vol VI (Fall 1992): 89-102.
 - 20 William H. Lewis, "Peacekeeping: The Defense Debate," *Strategic Review* 21 (Summer 1993): 28.
 - 21 Jablonsky and McCallum, 57.
 - 22 Bowens, 54.
 - 23 Ibid, 54.
 - 24 Snow, 26.
 - 25 Bowens, 59.
 - 26 Ibid, 59.

About The Author

Major Richard M. Perry graduated from Case Western Reserve University in 1983 with an M.A. in History. He was commissioned a second lieutenant following Officer Training School in 1984. After graduating at the top of his class from UNT at Mather AFB in 1984, he flew F-111s at Cannon AFB and Royal Air Force Base Upper Heyford, England from 1985 to 1991. Following a staff tour in AF/XOO, Maj Perry transitioned to F-15E Strike Eagles and was assigned to the 48th Fighter Wing Royal Air Force Base Lakenheath, England from 1993 to 1996. Maj Perry has over 2000 fighter hours and has flown more than 85 combat missions over Bosnia and Northern Iraq. He is a graduate of the Air Force's Fighter Weapons School (FWS) and a distinguished graduate of Air Command and Staff College. He recently graduated from the School of Advanced Airpower Studies where he was awarded a Master of Airpower Art and Science degree. In July of 1999, Maj Perry pinned on Lt Colonel and was assigned as US Military Advisor to the Commander, NATO Allied Forces Central (AFCENT) located in Brunssom City, Netherlands.

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“A Seam in our Force-Protection Armor”

By SCOTT C. TRUVER

Dr. Scott C. Truver is vice president, national security studies, and executive director of the Center for Security Strategies and Operations, Anteon Corporation.

Seventeen dead and 39 injured. Time and cost to repair now estimated at one year and \$240 million. Questions raised about command responsibility, threat conditions, intelligence support, and rules of engagement.

Immediately in the wake of the terrorist attack against the Arleigh Burke-class guided-missile destroyer USS *Cole* in October last year, questions also were raised about port security—or the lack of it—as the ship took on fuel in Aden’s harbor. Indeed, in early December news media reports attributed to anonymous Navy officials hinted that the commanding officer and crew failed to follow established security procedures, and by so doing allowed a skiff loaded with high explosives to work its way alongside and blow a 40-foot by 40-foot hole in the ship’s hull.

In January, following release of the Department of Defense (DOD) commission report on the attack on USS *Cole*, then-Secretary of Defense William S. Cohen said, “It’s clear that there was a seam in our force-protection armor. . . .” From all accounts, the diabolical courage and cunning of a fanatical foe, an apparent lapse in attentiveness, and a lack of specific intelligence tailored to *Cole*’s visit to Aden all played a role in the tragedy. Heroic damage-control efforts, inspiring leadership, and unwavering determination were needed in full measure during the crew’s days-long battle to save their ship.

Asymmetric Threats

How to defend U.S. ships and other maritime assets in crowded harbors and roadsteads against such “asymmetric threats” is now the focus of concerted study and review. The New York Times reported that orders from the Navy’s U.S. Fifth Fleet headquarters may have prohibited *Cole*’s armed security detail from firing warning shots at approaching boats. In addition to the potential for collateral damage from stray shots in a crowded harbor, diplomatic concerns about damaging U.S. relations with Islamic countries and inciting terrorist attacks demanded caution, The Times reported.

“We’re damned if we do, and we’re damned that we didn’t,” a senior Navy officer commented privately. “The last thing we needed was to have an over-anxious Sailor shoot at an innocent small craft that stupidly maneuvered too close. In retrospect, it’s amazing that something like this hasn’t happened before.”

Others questioned why the ship had not put its own small boats in the water with armed crewmembers to patrol port-and-starboard of *Cole*, ready to interpose themselves between their ship and any attacker. “The harder question,” a senior Pentagon official commented to The New York Times, “is, even if all these measures had been taken, would the attack have been averted?”

Not waiting for an answer, and concerned about intelligence warnings of possible additional attacks against U.S. forces in the region, DOD and the U.S. Coast Guard mobilized 37 men and women in early December from the Coast Guard’s Port Security Unit (PSU) 309, based at Camp Perry in Port Clinton, Ohio, to deploy to the Arabian Gulf to provide an enhanced level of security during the holiday season. The secretary of

defense understood that the Coast Guard, the smallest of the five U.S. armed services, brings unique skills and experience to the nation's maritime security needs—at home and abroad.

Organized for Defense

National defense is one of the Coast Guard's most important missions, and the service has worked closely with the Navy since 1797—and, since 1947, with DOD as well—to safeguard U.S. maritime security. The relationship waxed and waned until 3 October 1995 when the secretaries of the Departments of Defense and Transportation (where the Coast Guard has resided since 1967) signed a memorandum of agreement for use of Coast Guard resources and capabilities to support the National Military Strategy.

This memorandum is intended to align the Coast Guard's core competencies more closely with DOD's requirements by identifying specific areas where the Coast Guard can complement DOD's capabilities and operations. Annexes to the document define specific requirements and are continually being reassessed to validate the most appropriate employment of Coast Guard resources. Currently, the document assigns the following specific duties to the Coast Guard in the mission areas indicated:

- Maritime Interception Operations (MIO): deploy personnel and platforms for MIO operations;
- Military Environmental Response Operations (MERO): conduct planning, training, and deployment of personnel in direct support of the environmental-response requirements of the commanders in chief (CINCs);
- Port Operations, Security, and Defense (POSD): coordinate domestic requirements and deploy personnel and resources to support CINC in-theater harbor defense and port-security requirements;
- Peacetime Military Engagement (PME): deploy personnel and resources to support CINC engagement strategies.

Owning the Brown Water

The third of these requirements—port operations, security, and defense—has been assigned to the Coast Guard's PSUs. Throughout its history, the Coast Guard has developed experts knowledgeable in near-shore waterside security and the operation of small boats. “Between the Coast Guard and Marine Corps riverine forces, we have ‘owned’ the ‘brown-water’ region since 1790, and small-boat tactics are what we do,” said Cdr. Fred White, the officer in charge of the Coast Guard's PSU Training Detachment at Camp Lejeune, N. C. The PSU mission is linked directly to the Coast Guard's conduct of more than 45,000 law-enforcement boardings and several thousand search-and-rescue cases each year.

In U.S. territorial waters, the Coast Guard's Captains of the Port (COTPs) are responsible for the safety and security of ports and waterways. Their port safety and security mission efforts are coordinated with other Coast Guard units and can be further coordinated with other government agencies and industry through the National Port Readiness Network (NPRN). Representing the NPRN at the port level is the Port Readiness Committee, which is chaired by the COTP. In emergencies or wartime, the COTPs operate under the direction of the Coast Guard's two (Atlantic and Pacific) Maritime Defense Zone commands.

Using the same skills that would be employed domestically within the COTP architecture, the forward-deployed, expeditionary PSUs, operating within the Naval Coastal Warfare Command structure, are clearly poised at the “sharp end of the spear” when called upon to protect critical assets from a spectrum of dangerous threats.

As elements of a forward-deployed Harbor Defense Command, PSUs provide waterborne and limited land-based protection for shipping and critical port facilities at Strategic Ports of Debarkation (SPODs), the end points of the U.S. sea lines of communications. PSUs regularly carry out their tasks alongside U.S. Navy Mobile Inshore Undersea Warfare (MIUW) and Explosive Ordnance Disposal (EOD) units, as well as with other U.S. or coalition forces.

Teams With Many Tasks

Trained in a variety of small-boat tactics that are particularly useful within crowded harbors and ports, PSUs are ready to defeat high-speed waterborne craft, swimmer-delivery vehicles, and special operations swimmers, to maintain safety and security zones, to inspect suspect vessels, and to carry out numerous other tasks, some of them highly classified. The PSU teams also provide command-and-control capabilities, intelligence, logistics support, and waterside security to ships entering or leaving seaports and/or undergoing refueling operations. PSUs can protect the offloading operations of prepositioned logistics-support ships and commercial vessels.

PSUs are air-deployable, 117-person units that are task-organized for sustained operations. They are ready to deploy within 96 hours of receiving a mobilization order—and are equally ready on the other end. “We are prepared to establish limited operations within 24 hours of arrival in-theater, anywhere in the world except for ice-covered areas,” White said, “and are equipped for 30 days of operations before we need to be resupplied.”

Each PSU is equipped with six Transportable Port Security Boats (TPSBs)—25-foot Boston Whalers outfitted with 175-horsepower outboard engines—a variety of both lethal and nonlethal weapons and other equipment, and their own command, control, communications, and intelligence systems. Each PSU is considered a commissioned Coast Guard command, and is staffed by 140 Selected Reservists (SELRES) and five active-duty personnel. In addition, 28 SELRES billets are assigned to each PSU to provide each member with an opportunity for training and deployment preparations. Routine training for contingency operations is conducted regularly throughout the year.

Razor-Sharp Skills

All Coast Guard people assigned to PSUs complete basic-skills training that includes field operations, individual and squad defensive tactics, weapons handling and qualification, and general military combat training. Specialized training is conducted to prepare each individual for such specifically assigned duties as TPSB coxswain or crewmember, or for various security-force, logistics-support, or command-and-control duties. All PSUs participate annually in either a military exercise or in specialized Active Duty for Training to further hone the razor-sharp skills developed and practiced during routine training.

As an example, during Exercise Bright Star 1999-2000, a multinational coalition exercise in Egypt, Coast Guard PSUs 305 and 309, components of Naval Coastal Warfare Group Two, deployed to Port Dukhayla,

Egypt, along with some 70,000 troops from 11 countries. The PSUs' mission was to protect the naval ships and other designated high-value units—including the Military Sealift Command's maritime prepositioning ship M/V Cpl. Louis J. Hauge Jr.—participating in the exercise. PSU 309 deployed first—in early October 1999—to provide initial security for the offloading of equipment and materiel from the “prepo” ship. PSU 305 deployed 30 days later and used the PSU 309 equipment to provide port security during the backloading of equipment onto the ship.

The two PSUs' TPSBs conducted around-the-clock patrols of Port Dukhayla; they were aided and assisted by “24/7” visual, thermal, and radar surveillance conducted by MIUW Unit 207 from Jacksonville, Fla. Coast Guard tactical action officers used intelligence provided by the Navy MIUW unit to direct the TPSBs to ensure that the Hauge was not subjected to any waterside attack.

As a possible complement to the SELRES-staffed PSUs, an active-duty Battle-Rostered PSU (BR-PSU) concept was tested in March 1998 at Camp Lejeune. BR-PSUs, staffed by active-duty personnel specially trained in shoreside- and waterside-combat tactics and weapons, were disestablished last year. Studies continue regarding the right mix of active and reserve personnel for the port-security mission.

The need for an active-duty battle roster unit became apparent during Operation Uphold Democracy in 1994 when a PRC was not authorized for a PSU to be deployed at the outset. To meet the need for port security in the ports of debarkation the Coast Guard's Atlantic Area Commander called upon a composite active-duty team drawn from various commands—including a Coast Guard cutter—to provide initial port security in Port-Au-Prince and Cap Haitien, Haiti.

No Strangers to Danger

During the Vietnam War, the U.S. Army confronted a major logistics challenge: establishing harbor security and unloading cargo safely in South Vietnam's major ports (where more than 90 percent of the supplies, equipment, and war consumables needed by U.S. forces in-theater arrived). Army leaders turned to the Coast Guard for help—which the Coast Guard quickly provided. Several Coast Guard Port Security and Waterways Details traveled throughout the Republic of Vietnam, inspecting ports, harbors, and inland waterway facilities for security against attack and, among other tasks, ensuring the safe storage of munitions and other hazardous materials.

Coast Guard Explosives Loading Detachments also were established at major South Vietnamese ports to supervise the offloading of ships. The Coast Guard's PSUs, which after Vietnam were put under the jurisdiction of the Coast Guard Selected Reserve, were later mobilized for Operations Desert Shield and Desert Storm, and for Operation Uphold Democracy in Haiti. The BR-PSU also provided waterside security during the 1996 Olympic Games in Atlanta, Ga.

The men and women of PSU 309 who deployed to the Arabian Gulf in December live in Ohio, Indiana, Illinois, Michigan, and Wisconsin, and when they are not serving U.S. national-security needs they work as attorneys, builders, firefighters, electricians, mechanics, web designers, truck drivers, and students. Many members of PSU-309 have “been there” and “done that”—they provided waterborne security, for example, for U.S. warships and shipping in Manama, Bahrain, in 1990, served in Saudi Arabia and Kuwait City during and following Operations Desert Shield/Desert Storm, and deployed for Operation Uphold Democracy in Haiti.

In 1998, the Ohio-based unit received the Morris Award, sponsored by the Navy League of the United States, which recognizes the Coast Guard deployable contingency command with the best mobilization readiness.

Since the early 1980s, the Coast Guard has embarked Law-Enforcement Detachments (LEDETs) in numerous U.S. Navy warships to help in the nation's war against illegal drug traffickers. In summer 1999, during the WestPac (Western Pacific) deployment of the USS Constellation carrier battle group and the USS Peleliu amphibious ready group, a Coast Guard officer from the cutter USCGC *Midgett* was assigned to the ready group commander's staff to conduct training in VBSS—Visit, Board, Search, and Seize—tactics, techniques, and procedures.

Today, in the wake of the attack on the USS *Cole* and at a time when the Navy and Coast Guard are contemplating areas of mutual support under the "National Fleet" policy, some planners are wondering whether the time is right to establish a deployable-PSU Det concept for Navy warships and auxiliaries, and/or to train Navy personnel in small-boat/security tactics at the PSU training facility at Camp Lejeune.

The DOD USS *Cole* Commission, led by retired Adm. Harold W. Gehman and retired Gen. William W. Crouch, recommended a number of actions to improve the antiterrorism and force-protection (AT/FP) capabilities of U.S. forces deployed overseas. The unclassified summary of the commission's report, released in January, specifically recommends that the secretary of defense provide component commanders with full-time force-protection officers and staffs capable of meeting the force-protection requirements of transiting units.

Gehman and Crouch also found that the military services must accomplish force-protection training with a high degree of rigor—equated with the unit's primary mission.

As it did in December, the Department of Defense could do no better than to turn to the U.S. Coast Guard's PSUs to begin the urgent process of enhancing security for U.S. warships conducting port visits around the world.

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