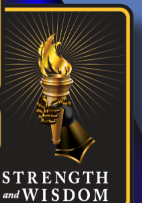
SOLLIMS LESSONS LEARNED SAMPLER

Transitional Public Security

VOLUME 10, ISSUE 1 DECEMBER 2018

SOLLIMS



Stability Operations Lessons Learned & Information Management System

The Stability Operations Lessons Learned & Information Management System (SOLLIMS) is an advanced knowledge management database serving the global peace and stability community and providing an online environment for sharing information and lessons learned. [sollims.pksoi.org]

The Peacekeeping and Stability Operations Institute (PKSOI) was initially established in 1993 as the Peacekeeping Institute, and its work has included creation of the SOLLIMS database in 2008. The mission of PKSOI: The Peacekeeping and Stability Operations Institute collaboratively develops and integrates stability and peace capabilities across the US government, international organizations, and the community of interest in order to enable achievement of national objectives. [pksoi.armywarcollege.edu]

PKSOI Publication Team

Publication prepared by:
Mr. David Mosinski,
Lessons Learned Analyst
Reviewer:
Dr. Karen Finkenbinder,
Rule of Law Advisor
Cover format:
Mr. Chris Browne,
Publications Coordinator

PKSOI Director:
COL Mike Rauhut
PKSOI Deputy Director:
COL Jim Lowe
Lessons Learned/KM Branch Chief:
Mr. Sam Russell

FOREWORD

Welcome to the 39th edition of the SOLLIMS Lessons Learned Sampler – **Transitional Public Security.**

This lessons-learned compendium contains just a small sample – thus the title "Sampler" – of the observations, insights, and lessons related to **Transitional Public Security** available within the SOLLIMS data repository. Selected lessons may be shared as 'food for thought' among civilian, military and police practitioners throughout the peace and stability community, planners, personnel involved in Stability doctrine, training, leadership and education, policy, and so on.

Several links in this publication will take you to specific lessons and resources within SOLLIMS or to the registration/login page. For those who do not yet have a SOLLIMS account, please take a moment to register for one. Then you will be able to take advantage of the many features of SOLLIMS and view the various peacekeeping- and stability-related products referenced in this publication.

We encourage you to take the time to provide us with your perspective on any given lesson in this document or on the overall value of the Sampler as a resource for you and your unit/organization. By using the "Perspectives" text entry box found at the end of each lesson in the SOLLIMS database – seen when you open the lesson in SOLLIMS – you can enter your own personal comments on the lesson.

We welcome your ideas, and we encourage you to become a regular contributor to SOLLIMS.

Disclaimer: The views expressed in this publication are those of the author(s) and do not necessarily reflect the official policy or position of the Department of the Army, Department of Defense, or the U.S. Govt. All content in this document, to include any publication provided through digital link, is considered unclassified, for open access. This compendium contains no restriction on sharing/distribution within the public domain. Existing research and publishing norms and formats should be used when citing Sampler content.

Cover photo – source: dvids.hub.net, by SSG David Overson, Joint Multinational Readiness Center, Hohenfels, 7 March 2018. Inside photos – sources: army.mil and JFQ issue 59.

Transitional Public Security

TABLE OF CONTENTS

FOREWORD	Page 1
"QUICK LOOK" (Preview of the Lessons)	3
INTRODUCTION	4
LESSONS	5
• Transitional Public Security – Operations Just Cause and Promote Liberty [Panama]	5
• Civil Security and Public Order – Operation Uphold Democracy [Haiti]	10
• Transitional Public Security – the Case of the Implementation Force [Bosnia-Herzegovina]	14
• Transitional Public Security – Work By, With, and Through Local Power-holders and Local Justice Systems [Afghanistan]	18
• Establishing a Safe and Secure Environment [Sierra Leone and Iraq]	23
• Combined Security Mechanism: Framework for Security at Disputed Boundaries [Iraq]	25
CONCLUSION	31
Author Information	32
ANNEXES	33
Annex A. Quotes on Transitional Public Security	33
Annex B. References on Transitional Public Security	35
Annex C. PKSOI Lesson Reports and SOLLIMS Samplers (2014-2018)	36

"QUICK LOOK" (Preview of the Lessons)

Click on [Read More ...] to go to full lesson.

A. The U.S. military played a key role in restoring civil security & public order and supporting detention operations (i.e., "transitional public security") during Operation Just Cause (20 December 1989 to 11 January 1990) and the concurrent Operation Promote Liberty (which had the same start date, but continued on through September 1994) – successfully accomplished in spite of shortfalls in "whole of government" planning. **[Read More ...]**

B. In Operation Uphold Democracy in Haiti (1994), combat arms leaders/units – without any civil security training and little to no Haitian cultural understanding – almost jeopardized the entire operation early on through certain missteps, including heavy-handed actions. In contrast, military police (MPs) – i.e., soldiers/units specifically trained for law enforcement and prepared to deal with the public – were able to effectively accomplish civil security/ public order tasks and showcased their value for such operations/ scenarios. Also, Special Forces (SF) personnel demonstrated keen cultural awareness and partnering skills – establishing security throughout rural areas. **[Read More ...]**

C. Transitional Public Security was successfully accomplished by the Implementation Force (IFOR) in Bosnia-Herzegovina because of four factors: (1) IFOR was largely perceived by the population groups as being legitimate (authorized to be present in the country); (2) IFOR was largely perceived by the population groups as being not only powerful, but overwhelmingly so; (3) IFOR's leadership placed emphasis on understanding the culture and working with diverse groups of people/stakeholders; and, (4) IFOR worked with an international police force. **[Read More ...]**

D. The U.S./Coalition (ISAF) failed to restore civil security and public order ("transitional public security") in the aftermath of successful military operations in Afghanistan that ousted the Taliban from the central government in fall 2001. ISAF failed at the restoration of civil security and public order because of not working by, with, and through (BWT) the local power-holders and the local/traditional systems of law and order. Moreover, ISAF failed because there was no peace agreement reached among the power-holders (warlords) and factions (including the Taliban). **[Read More ...]**

E. Establishing a safe and secure environment involves much more than initial policing actions. The reduction of violence in the given operating environment over time requires a range of other actions and appropriate resourcing. **[Read More ...]**

F. The Combined Security Mechanism (CSM), a framework agreement set up in 2009 between the Iraqi Security Forces (ISF), Kurdish Peshmerga forces, and U.S. forces in Iraq, helped to prevent tensions along Arab-Kurdish lines in the governorates of Ninewa, Kirkuk, and Diyala. The main features of the CSM were combined patrols and checkpoints operated by the Iraqi Army, Kurdish Peshmerga troops, and U.S. forces (covering disputed boundaries/areas within the three governorates), as well as coordination centers that served to improve communication and trust between the two groups (Arabs and Kurds). **[Read More ...]**

INTRODUCTION

During and immediately following armed conflict, the Army, as part of the Joint Force, must be prepared to conduct transitional public security tasks and may be responsible for public order in place of the host nation. The Army must execute Transitional Public Security (TPS), as a subset of Establish Civil Security, when the rule of law has broken down, is nonexistent, or when directed by the JTFHQ. The purpose of Establish Civil Security is to:

- consolidate friendly gains during and after armed conflict[1]
- prevent adversaries from re-igniting conflict or re-imposing their will
- set conditions for transition to other competent authority

Transitional Public Security is a military-led effort to restore civil security, protect the civilian population, and maintain public order until the Joint Force is able to transfer that responsibility to a competent authority. Key tasks during TPS include:

- Establish civil security[2] and public order
- Conduct interim detention
- Conduct interim adjudication

TPS tasks, by their nature, are usually or best performed by police; however, because of the conditions and/or required capacity to conduct them, will likely be performed by combat forces.

As civil security improves, efforts to establish civil control will increase. TPS enables this process. TPS does not establish civil control[3] nor lead foreign humanitarian assistance, economic stabilization, rule of law, or governance and participation efforts. These stability activities are civ-mil efforts and are outside the scope of TPS.[4]

Although not a doctrinal term in the past ("Transitional Public Security"), numerous past operations offer noteworthy lessons for the TPS concept. This SOLLIMS Sampler therefore highlights key lessons from:

- Operations Just Cause and Promote Liberty [Panama]
- Operation Uphold Democracy [Haiti]
- Operation Joint Endeavor [Bosnia-Herzegovina]
- Operation Enduring Freedom [Afghanistan]
- Operation Iraqi Freedom [Iraq]

Recommendations from these lessons are summarized in the Conclusion section of this publication, and additional reference material is provided at Annex B.

[1] HQDA, ADP 3-0 Operations (Washington, DC: The Pentagon, October 2017), 7. Consolidate Gains are the "activities that set the conditions for a stable environment."

[2] HQDA, *FM 3-07 Stability* (Washington, DC: The Pentagon, June 2014), p 1-2. Civil Security is the provision of security for state entities and the population, including protection from internal and external threats (para 1-7).

[3] Civil control fosters the rule of law. It is based on a society ensuring individuals and groups adhere to the rule of law and that society embraces the rule of law to provide equal access to a legal system consistent with international human rights principles. It is a long-term process guided by civilian entities.

[4] "Appendix B: Transitional Public Security," pp. 63-65, from Stephen Marr's PKSOI paper, "Stability in Multi-Domain Battle."

LESSONS

Transitional Public Security – Operations Just Cause and Promote Liberty [Panama] (Lesson #2683)

Observation:

The U.S. military played a key role in restoring civil security & public order and supporting detention operations (i.e., "transitional public security") during Operation Just Cause (20 December 1989 to 11 January 1990) and the concurrent Operation Promote Liberty (which had the same start date, but continued on through September 1994) – successfully accomplished in spite of shortfalls in "whole of government" planning.

Discussion:

Along with Operation Just Cause – which was launched to protect American lives and facilities, bring Panamanian dictator Manuel Noriega to justice, neutralize the Panamanian Defense Force (PDF), and restore Panamanian democracy – the United States also conducted Operation Promote Liberty (OPL) … the follow-on stabilization operation that was originally planned under Operations Order (OPORD) Blind Logic. OPL's purpose was to "secure Panama in the wake of chaos and looting in some cities and support efforts to restore services and reconstitute the PDF in a new, democratically controlled security sector" (Jayamaha et al, pp. 13-14). OPL had been solely planned by the military. The core of the stabilization mission in OPL was the restoration of law and order in Panama and then building new civilian law enforcement capabilities. The USG ultimately utilized at least five departments and agencies to accomplish this mission. Key among them were: the Department of Defense (DoD), the Department of State (DoS), and agencies of the DoJ including the Drug Enforcement Administration (DEA), the U.S. Marshals Service (USMS), and the International Criminal Investigative Training Assistance Program (ICITAP). However, the original planning of Blind Logic not only lacked civilian (DoS and DoJ) involvement, it also lacked cohesion between military commands (SOUTHCOM and XVIII Airborne Corps):

> SOUTHCOM J5 and XVIII Airborne Corps planners discussed the implications of OPORD Blind Logic … and reached some tentative agreements, which SOUTHCOM believed would inform the planning efforts back at Fort Bragg. The XVIII Airborne Corps headquarters, however, did not regard these agreements as formal taskings and continued to focus almost exclusively on [the] combat mission. Unfortunately, the realization of this disconnect between the two planning shops did not come until much later, on the eve of Operation Just Cause. In the meantime, [SOUTHCOM's] CA planners working on OPORD Blind Logic incorrectly believed the XVIII Airborne Corps fully grasped and was acting on the fact that, if it became the warfighting headquarters, "the law and order mission and emergency service restoration mission would belong to the JTF" manned by the XVIII Airborne Corps' commanding general and his staff. (Yates, pp. 48-49)

Fortunately, Operation Just Cause (OJC) was highly successful, with its mission accomplished and objectives attained in a matter of just 22 days. The first few days, however, did see a breakdown of civil security/order in Panama City and Colón:

…Looting in the capital (and in Colón on the other side of the isthmus) that began on 20 December went unchecked for several days, with a cost to the Panamanian economy of an estimated $1 to $2 billion. …U.S. MPs were stretched too thin to stop the looting. They found themselves running a detention center, guarding convoys, and performing other security tasks instead. There simply were not enough MPs to cover all the law and order problems that needed to be addressed in the first days of the operation. (Yates, p. 51)

Along with restoring civil security/order, OJC's concept of operation included other law enforcement-related tasks, such as conducting detention, screening detainees, and clearing detainee warrants:

Clearing warrants became an important aspect of the OJC mission that, while not planned for in advance, was readily performed by deployed U.S. personnel.

Organization and accomplishment of this line of operation required **close USMS and military collaboration. The USMS team worked with MPs to check the identities of prisoners of war against the warrants.** Some USMS Special Operations Group (SOG) deputies accompanied the military to prisons and detention centers to seek out and arrest those with outstanding warrants issued against them.

As the detention mission was larger than expected, it became a challenge for the USMS team. The task grew to include processing several thousand detainees. Normally, U.S. personnel supporting host-nation officials would accomplish this, but the collapse of the Panamanian government left this entirely to a small group of U.S. officials.

[Also] … it became quickly apparent that there was a need to extend screening for wanted persons to passengers traveling in and out of the airport. This task fell primarily to USMS personnel who were already screening detainees for outstanding warrants. The USMS team began to screen passengers traveling through the airport to ensure that they were not among those on USG wanted lists and to prevent the smuggling of contraband. **MP canine units supported the search for contraband.** The USMS team also maintained coordination and communication with the DEA and Federal Bureau of Investigation (FBI).

The military provided airport security (U.S. Army Rangers provided perimeter security) while agents from the USMS, DEA, and FBI operated inside. Some MPs and regular army personnel conducted static post and roving patrols inside the airport premises (including MP dog handlers). MPs also manned checkpoints at the airport's perimeter. (Jayamaha, pp. 17-19)

For the simultaneously-conducted Operation Promote Liberty, key law enforcement tasks were: (1) "maintain law and order" and (2) "reestablish host nation law enforcement capacity." For the 1st task:

From January through June 1990, **approximately 200 U.S. Army personnel patrolled the streets of Panama City and the outlying provinces to maintain order.** The new Panamanian government with U.S. assistance screened former PDF personnel and after weeding out those who were known to have been corrupt or violated human rights, incorporated the screened personnel into the new forces. When these

new **Panama National Police (PNP)** personnel became available, the **U.S. military began to conduct joint patrols with them.** At first the U.S. Army personnel were mostly general-purpose forces (GPF), and included a minority of MPs and reservists/ National Guard who were police in civilian life. [However] the GPF were untrained for the tasks of either providing law and order or partnering with local forces. (Jayamaha, p. 22)

For some units, the adjustment from warrior to police officer or mayor caused serious problems, especially when restrictive rules of engagement (ROE) for combat were replaced by even more highly restrictive ROE for the stability operations that followed.… That most U.S. combat units had not been prepared to conduct stability operations was seen as a shortcoming in the planning and preparation for the invasion… (Yates, p. 51)

Concurrent with the joint patrolling, the U.S. military established the **U.S. Forces Liaison Group (USFLG)** and **Judicial Liaison Group (JLG)** to take on the work of training and setting up a new host nation police force and judicial system (i.e., "reestablish host nation law enforcement capacity").

The [selected] option was to use the former PDF members to **reconstitute the police force.** This would allow for a Panamanian force to **quickly** restore order and allow the U.S. forces to assume a secondary, less visible role in Panamanian internal affairs. … The new Endara government in concert with the U.S. mentors agreed that with **proper screening** the PDF could be used as a basis from which the new police force would be created. (Conley, pp. 32-33)

The **U.S. Forces Liaison Group (USFLG)** assisted the Panamanian government in setting up the Panamanian Fuerza Publica (Public Force) and oversaw its division into the **PNP,** air service and maritime service, investigative arm, immigration service, port police, presidential guard, and prison guards. The USFLG ensured that the Public Force began to deploy vetted forces by the end of January 1990. … one of the USFLG's first activities under its key task of addressing enforcement and maintenance of law and order was to develop a basic 20-hour curriculum for a transition training course for the HN forces, … The development of the course by the USFLG was not ideal, but the staff found reservists who were police officers in their civilian lives to help shape it.

As a means of reconstituting the PNP, [SOUTHCOM's] Military Support Group (MSG) used MPs to administer the 20-hour basic police training course to PNP personnel. [However] In February 1990, Congress invoked the Section 660 of the Foreign Assistance Act (FAA) of 1961 which limits U.S. assistance for the training of foreign police, causing the military to curtail the training of the PNP. The U.S. military continued to *mentor* the PNP under an FAA Section 660 provision that permitted the use of residual security assistance funds to equip a police force. The MSG was left in a difficult situation – with no civilians to transition the mission to and restricted authority for providing direct support to police efforts in Panama, the urgency to find a civilian answer increased. The DoS [then] approached the [DoJ's] ICITAP to advise and support the transition of the former PDF into the new PNP. …[and] the ICITAP's role was broadened through a special congressional authorization in February 1990, allowing the agency to implement a comprehensive reconstitution and training program for the PNP. (Jayamaha pp. 23-25)

The USG's work of reestablishing host nation law enforcement capacity thus went under **civilian leadership.** The DoJ's ICITAP implemented the "reconstitution and training program"

for the PNP in conjunction with host nation authorities, while the MSG continued to provide "mentorship" and conduct joint patrols with the PNP. While the MSG worked in an advising/ mentoring capacity to help develop the PNP, the U.S. military's Judicial Liaison Group also worked in the same way to help develop the host nation's judiciary.

> … The creation of the **Judicial Liaison Group (JLG)** helped to advise and assist the Panamanians on legal and judicial matters. The JLG [consisting of U.S. Army South lawyers] was able to help organize and assist the new Panamanian government in setting up the beginnings of a judicial system. (Conley, p. 33)

Closing Thought: "In retrospect, Operations Just Cause and Promote Liberty were quite successful. But, that is not to say the plans for each were flawless or that they had been adequately coordinated during the planning process. Consider, for example, the **mindset** reflected in the terminology used to describe the operations. In discussions before, during, and after the invasion, Operation Just Cause was generally referred to as the conflict phase, and Operation Promote Liberty was referred to the post-conflict phase. **These terms suggested sequential operations when, in fact, the two began almost simultaneously. The overlap had been anticipated, but few planners or troop units had prepared themselves for its ramifications.**" (Yates, p. 51)

Recommendations:

1. Planning: Institute comprehensive, coordinated interagency planning for transitional public security (TPS) efforts with clear allocation of roles/responsibilities, joint prioritization of resources/capabilities, and common understanding of the operational environment, assumptions, and contingencies. Ensure that DoD and DoJ (i.e., U.S. Marshals Service) are linked in planning for clearing detainee warrants.

2. Command and Control: Develop a system of command relationships and trigger points for when the military command and participating law enforcement agencies [e.g., U.S. Marshals Service (USMS), Drug Enforcement Administration (DEA), International Criminal Investigative Training Assistance Program (ICITAP), etc.] shall assume "supported" and "supporting" roles throughout operations.

3. Training: Provide training for the General Purpose Forces on TPS tasks – particularly "establish civil security and public order" and "conduct interim detention."

4. Organization: Ensure that the deploying force is sufficiently resourced with law enforcement personnel/units – both military and civilian. Under the overall direction of the U.S. Country Team, consider establishing specialized groups to help manage transitional public security efforts [along the lines of the U.S. Forces Liaison Group (USFLG) and Judicial Liaison Group (JLG).] In future Coalition stability operations, consider requesting the deployment of **para-military police** units (e.g., French Gendarmerie, Italian Carabinieri, etc.).

> - "**Law enforcement … represents a particular challenge during stability operations.** Post-conflict situations are often chaotic; the presence of insurgents and armed criminals gangs, as well as the ready availability of small arms, can cause both foreign and indigenous police forces to be diverted to deal with these high-end threats, thereby limiting their effectiveness in dealing with basic crime prevention and law enforcement at a local level. Population control and protection are likely to be important

police functions during all stability operations. These tasks require a high level of skill and robustness as they include public order management tasks such as riot control, the enforcement of curfews and checkpoints, and the general protection of the population against armed gangs. Formed units of **para-military police, such as the French Gendarmerie or Italian Carabinieri, are normally better suited for this role than conventional military forces because the former are trained to deal with public order issues and the application of force.**" (Wither and Schroeter, p. 3)

- "Perhaps MP teams should have gone along with the infantry during the initial process of clearing the cities, then stayed behind to maintain law and order, says Sergeant Major Banks of the 7th MPs. 'In a low-intensity conflict, **you need more MPs** than you do infantry, because the MPs can fight as infantry, then they can stay on to reconstruct.' In Operation Just Cause, 'There just weren't enough MPs,' he says. 'They were just scattered to the wind,' especially in the more populous western region of Panama." (Donnelly et al, p. 376)

Sources:

1. Primary reference: "**Lessons Learned from U.S. Government Law Enforcement in International Operations**," by Dilshika Jayamaha et al, PKSOI, December 2010.

2. Other references:

- "**Panama, 1988-1990: The Disconnect between Combat and Stability Operations**," by Lawrence Yates, Ph.D., in Military Review, May-June 2005
- "**Operations 'Just Cause' and 'Promote Liberty': The Implications of Military Operations Other Than War**," by Major William J. Conley, Jr., USMC Command and Staff College, 1 April 2001
- "**Police Primacy: The Challenges of Developing Host Nation Police Capacity on Stability Operations**," by James Wither and Thilo Schroeter, the George C. Marshall European Center for Security Studies, May 2012
- "**Operation Just Cause: The Storming of Panama**," by Thomas Donnelly et al, Lexington Books, 1991

Panamanian citizen with Just Cause banner.

U.S. Army Soldiers / M-113 in Panama City.

Civil Security and Public Order – Operation Uphold Democracy [Haiti]
(Lesson #2685)

Observation:

In Operation Uphold Democracy in Haiti (1994), combat arms leaders/units – without any civil security training and little to no Haitian cultural understanding – almost jeopardized the entire operation early on through certain missteps, including heavy-handed actions. In contrast, military police (MPs) – i.e., soldiers/units specifically trained for law enforcement and prepared to deal with the public – were able to effectively accomplish civil security/ public order tasks and showcased their value for such operations/scenarios. Also, Special Forces (SF) personnel demonstrated keen cultural awareness and partnering skills – establishing security throughout rural areas.

Discussion:

Forces from the 82d Airborne Division (XVIII Airborne Corps) as well as an amphibious assault force (USMC) were deploying to invade Haiti on 18 September 1994 and oust the military junta headed by Lieutenant General Raoul Cédras (which had overthrown Haitian President Jean-Bertrand Aristide three years earlier), but were called off the mission while en route to Haiti when diplomatic efforts (led by former U.S. President Jimmy Carter) succeeded and the junta agreed to relinquish power. Other forces – namely the 10th Mountain Division (XVIII Airborne Corps) – then deployed to Haiti with the mission to **restore and preserve civil order**; protect U.S. citizens and interests and designated Haitians and third-country nationals; **create a secure environment** for the restoration of the legitimate government of Haiti; and, provide technical assistance to the government of Haiti. (Kretchik, p. 78). The combat arms leaders/units of those forces, however, did not receive civil security training or cultural awareness training to prepare them for such a mission.

With regard to partnering in/with the host nation, the U.S. Government's position was that the host nation security forces (many of which were tied to/associated with the Cédras-led junta) would continue to work in the public order realm, while the U.S. forces would ensure **establishment of a safe and secure environment** suitable to restoration of the Aristide presidency. As spelled out in the U.S.-Haiti Agreement of 18 September 1994, "the Haitian military and police forces will work in close cooperation with the U.S. military mission." (Kretchik, pp. 95-97, 108, and 249)

> As a practical matter, the Armed Forces of Haiti (FAd'H), for all its grave faults, remained the only fully functioning public institution in Haitian society. In recent years, this situation, by default, had conferred on the FAd'H far-reaching civil and judicial authority. Its immediate dissolution would have left none but the American forces (and their multinational partners) in Haiti to fill the void, a role for which they were not adequately equipped due, among other things, to a shortage of Creole linguists and lack of cultural familiarity. Fulfillment of such a role by the Americans, furthermore, would have made the United States and its multinational partners entirely responsible for civil order and welfare across Haiti. Conversely, employment of the popularly despised FAd'H to establish a stable and secure environment in Haiti during the transition of power seemed at best paradoxical. (Kretchik et al, p. 96)

That said, U.S combat arms leaders/units were not properly prepared to carry out their mission (restore and preserve civil order; create a secure environment), as evidenced by the following early incidents:

> (1) The day after the mission began, on September 20, a tragic incident illustrated the initial illogic of the situation. Near the harbor, astonished and frustrated American troops stood by passively while members of the FAd'H lunged into a peaceful crowd that had gathered to celebrate and observe the extraordinary events unfolding in the capital. The police swiftly attacked the Haitian civilians and brutally beat one man to death. Witnessed by television crews and an international audience, the affair created a public relations crisis. In point of fact, similar incidents had already occurred outside the view of the media. …The painful result was a loss of prestige and legitimacy among the U.S. and the Multinational Force (MNF), not to mention their initial failure to establish order in Port-au-Prince." (Kretchik et al, pp. 97-98)

> (2) The [U.S.] Marines began aggressive foot patrols upon arrival, thereby establishing a high-visibility presence. On September 24, as one such patrol led by a Marine lieutenant approached the Cap Haitien police station, FAd'H members outside began to make what the lieutenant perceived to be threatening gestures, including one man reaching for a weapon. The Marines opened fire (spraying the building with 1,000 rounds), killing ten of the FAd'H in a brief fight; no Marines were hit. …Major General David Meade [Commander, 10th Mountain Division] noted, news of the episode inevitably strained working relations with the FAd'H. …Word of the firefight spread like wildfire, first throughout Cap Haitien and then the entire country. The Haitian people in the main responded… On the following day, September 25, mobs in Cap Haitien looted four police stations. In a related occurrence, rioting and pillage broke out at a warehouse in the city. …Three days later, on the 29th, [an individual] hurled a grenade into a crowd at a ceremony marking the reinstallation of popular Port-au-Prince mayor, Evans Paul. To calm the capital, maneuver elements of JTF 190 poured into the city in force. (Kretchik, pp. 98-99)

In contrast to combat arms units, U.S. Army **MPs** – trained for law enforcement and prepared to deal with the public – performed civil security/public order tasks with great skill and success.

> U.S. Military Police proved invaluable in many street situations in Port-au-Prince. More accustomed by training than infantrymen to carrying out arrests and other missions at the low end of the violence continuum, MPs demonstrated the ability to seize suspects, while exercising restraint and preventing situations that might have degenerated into exchanges of gunfire. In one instance, when a group of U.S. infantrymen was in pursuit of a notorious and armed fugitive, MPs on the scene calmly approached the suspect, instructed him to leave his vehicle and turn over his weapons, and took him into custody without creating any disturbance. The MPs exercised extraordinary latitude in the arrest and detention of suspects, who were taken to a holding facility upon apprehension. MPs at the facility had not only to maintain humane conditions but were prepared to receive attorneys, family members, and even diplomats who came to visit detainees. … Throughout Port-au-Prince, MPs began to take shifts at Haitian police stations, both to provide supervision and to set a professional example. (Kretchik, p. 104)

Thanks in large part to the work of U.S. Army MPs in urban areas, the actions of U.S. Army Special Forces operating in rural areas (discussed below), and the subsequent efforts of the 25th Infantry Division (which relieved the 10th Mountain Division in January 1995), Haitians

came to appreciate the U.S. military/security forces and their ability to oversee civil security/ public order.

Of note, culture shock (due to gaps and deficiencies in cultural awareness preparation/ training) was a significant, adverse factor in the overall security equation – handicapping 10th Mountain Division's performance of its security mission:

> Culture shock also made American troops more than willing to follow strict orders to limit contacts with the local population. An information packet on Haitian culture and history distributed to American soldiers aimed at increasing cultural awareness, but it contained so many inaccuracies that it proved counterproductive. As a result, many soldiers saw all Haitians as Voodoo sorcerers ready to throw magic powders in their face and to attack them with HIV-infected syringes. …Gen. David C. Meade, who commanded the 10th Mountain Division and took over as head of the entire multinational force in October 1994, insisted that his troops stay inside heavily protected barracks, and that they not talk or give food to anyone outside. …Such strict orders contradicted FM 41-10, the standard field manual on civil-military affairs, which encourages "direct involvement with the civilian populace" and lists among an occupying force's main duties the protection of law and order and the prevention of human rights abuses. (Girard, pp. 6-7)

In contrast to 10th Mountain Division, U.S. Army **Special Forces** did a much better job of appreciating the culture of the host nation and engaging its populace:

> While the main elements of the 10th Mountain Division operated out of Port-au-Prince and Cap Haitien, both regarded as centers of gravity in Uphold Democracy, the remainder of the country belonged to U.S. Army Special Forces in an '"economy of force" role. …As they radiated out from forward operating bases in Jacmel, Cap Haitien, and Gonaives (the "hubs"), SF A-Teams demonstrated a remarkable ability to adapt to local conditions and take the initiative. Above all, they quickly implemented a policy of maximum engagement of the populace. Their assessment upon arrival was that the threat to U.S. forces in Haiti was relatively low, and they reached out accordingly. Given their small numbers, Special Forces teams needed all available hands if they were to make a difference by their presence. They established contact with community leaders (or, on occasion, even appointed them if none could be found), patiently explained the nature of their mission, and enlisted the cooperation of locals in moving quickly to establish area security. …
>
> As they carried out arrests and engaged the population, Special Forces soldiers remained attuned to Haitian cultural concerns. They cuffed the hands of detainees in front of their bodies, rather than in back, the latter method having associations with slavery and thus regarded as particularly humiliating. In another instance, a Special Forces medic brought a Voodoo priest with him to treat a seriously ill Haitian patient. Rather than clash with Haitian beliefs about the spiritual dimensions of sickness, the medic applied conventional, modern medicine within the prevailing belief system of rural Haiti. (Kretchik, pp. 115-116 and 118)

Closing Thought: "Uphold Democracy introduced U.S. forces into a culture vastly different from their own. Yet, in planning for the Haiti operation, the Army, in general, had little appreciation of Haitian history and culture. Few planners knew anything about Haiti, other than its basic geography. In a combat operation, where overwhelming firepower achieves objectives, sensitivity for the local population's culture and traditions clearly is not a top

priority. **In a peace operation such as Uphold Democracy, however, knowledge of how a people think and act, and how they might react to military intervention arguably becomes paramount.** (Kretchik, p. 188)

Recommendations:

1. Training: Provide training for the General Purpose Forces on TPS tasks – particularly "establish civil security and public order" and "conduct interim detention."

2. Organization: Ensure that the deploying force is sufficiently resourced with **law enforcement personnel/units** – both military and civilian. In future Coalition stability operations, consider requesting the deployment of para-military police units (e.g., French Gendarmerie, Italian Carabinieri, etc.) (See: Wither and Schroeter, p. 3). Finally, leverage Special Forces for their abilities to readily adapt to local conditions, engage local community members with cultural understanding, and work/partner with them to establish and sustain security in their areas. (See: Kretchik, p. 116).

3. Cultural understanding: Provide cultural awareness training/education for **all** deploying personnel. As emphasized in the conclusion of the PKSOI lessons learned publication *Leadership in Stability Operations: Understanding/Engaging the People* and detailed in the lessons therein: **Ensure that deploying organizations are sufficiently resourced and trained to address the "human domain."**

Sources:

1. Primary reference: "**Invasion, Intervention, 'Intervasion': A Concise History of the U.S. Army in Operation Uphold Democracy**," by Walter E. Kretchik, Robert F. Baumann and John T. Fishel, U.S. Army Command and General Staff College Press, January 1998.

2. Other references:

- "**Peacekeeping, Politics, and the 1994 US Intervention in Haiti**," by Philippe R. Girard, The Journal of Conflict Studies, Vol. XXIV No. 1, summer 2004
- "**Police Primacy: The Challenges of Developing Host Nation Police Capacity on Stability Operations**," by James Wither and Thilo Schroeter, the George C. Marshall European Center for Security Studies, May 2012

U.S. troops and Port-au-Prince airport security personnel.

Transitional Public Security – the Case of the Implementation Force [Bosnia-Herzegovina] (Lesson #2663)

Observation:

Transitional Public Security was successfully accomplished by the Implementation Force (IFOR) in Bosnia-Herzegovina because of four factors: (1) IFOR was largely perceived by the population groups as being legitimate (authorized to be present in the country); (2) IFOR was largely perceived by the population groups as being not only powerful, but overwhelmingly so; (3) IFOR's leadership placed emphasis on understanding the culture and working with diverse groups of people/stakeholders; and, (4) IFOR worked with an international police force.

Discussion.

Although not termed "Transitional Public Security" in 1995-1996, such work (restoring civil security, protecting the civilian population, and maintaining public order) was indeed performed by IFOR in Bosnia-Herzegovina after the signing of the Dayton Accords. Not only did IFOR perform such work, IFOR accomplished this work with great success.

The primary factors for IFOR's success in Bosnia-Herzegovina were twofold: (1) the warring sides had agreed to the Dayton Peace Accords, which gave legitimacy to IFOR, and (2) the force that deployed into Bosnia-Herzegovina left no doubt among the former warring factions that it possessed overwhelming combat superiority.

> The majority of the peacekeeping action participants judge the deployment of IFOR to have been one of the most important and successful phases of the operation. The attention with which the IFOR command approached the deployment is confirmed in the NATO Supreme Allied Commander Europe's (SACEUR's) instructions to his staff. These instructions were given during the planning of the operation. "By the organized way in which we will begin the deployment, the warring parties in Bosnia-Herzegovina will see that they are confronting totally new approaches from the world community … that we are fully determined to carry out the task assigned to us – to force them to comply with the principles of the peace accords." (FMSO report, pp. 32-33)

IFOR was not simply a NATO force. Notably, it included a Russian contingent. Overall, military contingents from 36 countries (15 NATO countries and 21 non-NATO countries) contributed to IFOR. The total number of ground forces in Bosnia-Herzegovina was approximately 84,000. Of those, some 71,000 personnel were from NATO countries and 12,000 from non-NATO countries. The main component of the IFOR ground forces was NATO's Allied Rapid Reaction Corps (ARRC) – composed of three multi-national divisions. Assets included: 475 tanks, 1,367 artillery pieces/rocket systems/ mortars, 1,654 armored combat vehicles, 66 air defense missile systems, and 180 attack helicopters.

The Dayton Accords mapped out an Inter-Entity Boundary Line (IEBL) with a Zone of Separation (ZOS) (roughly 2 km on both sides of the IEBL) to keep the former warring factions apart. IFOR's three multinational divisions (French-led division, British-led division, and U.S.-led division having a Russian brigade and a Nordic-Polish brigade) – deployed in December 1995. They initially established strongpoints within the ZOS, continuously

patrolled the ZOS to prevent violations, and worked to restore security and maintain public order throughout their designated areas of operations.

Just as IFOR was legitimized through agreement of the warring factions in the Dayton Peace Accords, so was the International Police Task Force (IPTF). Annex 11 of the Accords stated that responsibility for maintaining a safe and secure environment for all persons rests with the signatories themselves; however, to assist in discharging their public security obligations, the parties request that the IPTF be created and that it perform the following functions:

- Monitor and inspect judicial and law enforcement activities, including conducting joint patrols with local police forces.
- Advise and train law enforcement personnel.
- Analyze the public security threat and offer advice to government authorities on how to organize their police forces most effectively.
- Facilitate law enforcement improvement and respond to the requests of the parties, to the extent possible.

Throughout IFOR's operations aimed at maintaining a safe and secure environment, the IPTF was focused on monitoring local police and judicial authorities for compliance with internationally accepted standards and checking whether they were properly treating/ protecting all citizens (especially minorities / members of other ethnic groups). Additionally, the IPTF provided support to ensure public safety for the September 1996 national elections.

Of note, the IPTF was not placed within the IFOR organizational structure or under its control. Instead, it fell under the United Nations Mission in Bosnia-Herzegovina (UNMBIH). Unfortunately, however, UNNMBIH was not adequately staffed or prepared to provide the logistical support needed by the IPTF. The IPTF continuously confronted problems and delays attempting to gain requisite resources and support. Another major issue was that host nation/local police officers continued to abuse ethnic minorities in their areas in spite of language in the Dayton Peace Accords. Compounding this issue, certain municipal police chiefs were notoriously corrupt and enmeshed in networks of illicit activity – along with certain political leaders/sponsors. Fortunately, the IPTF was able to call upon IFOR to back them up when they needed help with certain law enforcement or detention problems. This IPTF-IFOR coordination and responsiveness proved to be a suitable mechanism for dealing with unlawful activities – roadblocks, weapons caches, illegal detentions of people of ethnic minorities, etc. – periodically instigated and/or conducted by prejudicial local officials, local police, and supporters.

Certain IFOR assistance, principally in the form of Civil Affairs personnel (especially those with police specialties), was invaluable in establishing an initial operational capability for the IPTF and reducing resource gaps. Their role was especially crucial in planning the pivotal transfer of six Sarajevo suburbs to Moslem control and in organizing the IPTF's limited resources to oversee each of the transfers. Once the IPTF had become fully operational, Civil Affairs personnel provided liaison between the IPTF and IFOR, ensuring that operational information was exchanged daily between the two entities. Especially vital was the involvement of IFOR Civil Affairs personnel in the establishment of the IPTF's Command Center – including the overall design, the standard operating procedures, and development of a communications net that linked IPTF Headquarters to its out-stations and to IFOR.

Both IFOR and the IPTF continuously engaged with the local police:

> Coordination with the local police was carried out as follows: informing the sides as to their compliance with the Dayton Accords; clarifying and compelling compliance with the essential points of the Accords, as well as conveying information from one side to the other based on their mutual consent; resolving civilian conflicts jointly with the police of the sides as an intermediary; and monitoring fulfillment of the Accords, particularly the requirements placed on the police formations of the sides. In addition, coordination was accomplished for the following: jointly provided security for mass events in the zone of separation (rallies, Serbian-Moslem meetings, exchange of detainees, etc.); settling various types of incidents that arose between the Serbs, Moslems and military service personnel during the course of daily life (traffic accidents, petty theft, damage to crops, cutting down trees, etc.); helping the police support the negotiation process; and, conducting joint investigation of the facts involved in various types of extraordinary events (the blowing up of bridges, injuries caused by mines, illegal deals between brigade personnel and the local population, attempts by the local population to penetrate to outposts, etc.). (FMSO report, p. 38)

Besides possessing legitimacy, overwhelming force, and international police, the overall Transitional Public Security effort was also successful because IFOR's leadership placed emphasis on understanding culture and working with diverse groups of people/stakeholders. Knowing that Bosnia-Herzegovina would be much different than previous deployments of NATO personnel, General Crouch (U.S. Army Europe Commander and IFOR Commander) conversed with former British commander of the United Nations Protection Force (UNPROFOR) (which had previously operated in Bosnia-Herzegovina) to try to gain insights into the problems senior leaders would confront once on the ground. Because of those insights and the challenges foreseen, General Crouch called for development and implementation of a whole new training program that brought experts on negotiation & conflict resolution from the U.S. Army War College over to Europe. They provided 1st Armored Division's senior leadership with specific training on historical, ethnic, political, and cultural awareness issues in Bosnia; conflict resolution and negotiation techniques; how to use language translators; how to conduct joint military commissions; how to deal with hostile and friendly media; and, how to work with civilians in the international community. In addition, the new training program included a self-study packet of literature on Bosnia and the Balkans, covering various cultural, political, and military subjects. Once the 1st Armored Division was on the ground in Bosnia, its members provided feedback to General Crouch. Training was continuously adjusted based upon new, first-hand information from personnel in-country.

Major General Byrnes, 1st Cavalry Division's Commanding General, built upon General Crouch's training program – adding visits to the Department of State; the Central Intelligence Agency (CIA), the U.S. Army's Intelligence and Security Command (INSCOM); the Plans Directorate of the Joint Staff (J-5); the Office of the High Representative (OHR); the Organization of Security and Cooperation in Europe (OSCE); the International Police Task Force (IPTF); and, the International Court Tribunal for the former Yugoslavia (ICTY).

At the senior leader level, putting training into practice in Bosnia-Herzegovina required patience and thoughtfulness – and General Crouch set the example:

According to U.S. Ambassador Menzies, General Crouch was deliberate: “He took his time to make decisions.” Ambassador Menzies explained that Crouch was very “thoughtful,” meaning he would carefully consider the problem before reacting. Mr. Jock Covey (Chief of Staff, Office of the High Representative in Bosnia-Herzegovina) echoed that sentiment when he said General Crouch “would listen and was willing to change.” With the multiple complexities inherent in Bosnia, Ambassador Menzies explained, “You need a lot more deliberation. What you need is someone who will take time to examine the issues and take time to make decisions. You have to have much greater sensitivity. You aren’t warfighting. You are building it up. You aren’t destroying things. It isn’t a battlefield. It is a completely different environment.” (USIP report, p. 6)

Recommendations:

To maximize success of any Transitional Public Security operation:

1. Provide security forces that are recognized as “legitimate” and “vastly superior in comparison to host nation armed groups.”
2. Include an international police force. Such a component can bring both legitimacy and rule-of-law expertise to the table.
3. Connect the international police force to Civil Affairs personnel of the international/ multi-national security force. The expertise, liaison, and information from Civil Affairs can be highly contributory to police/security efforts and will enhance the broader support to civil control.
4. Provide cultural awareness to all deploying military leaders and security force personnel. Throughout operations, these personnel should take/tailor actions to understand and appropriately engage with local societal groups, local officials, and local security/police personnel.

Sources:

- “**Lessons and Conclusions on the Execution of IFOR Operations and Prospects for a Future Combined Security System: The Peace and Stability of Europe after IFOR**” – a Joint US/Russian Research Project of the Foreign Military Studies Office, Center for Army Lessons Learned, U. S. Army Combined Arms Center, Fort Leavenworth, Kansas and the Center for Military-Strategic Studies, General Staff of the Armed Forces, Moscow, Russia – by Dr. Jacob W. Kipp et al, November 2000.
- “**Lessons From Bosnia: The IFOR Experience**,” – a DoD Center for Advanced Concepts and Technology (ACT) / National Defense University (NDU) collaboration – edited by Larry Wentz, February 2004.
- “**Training U.S. Army Officers for Peace Operations: Lessons from Bosnia**,” by Howard Olsen and John Davis, United States Institute of Peace (USIP), 29 October 1999.
- “**Gaining the Peace in Difficult Places: Why we succeeded in Bosnia but struggled elsewhere**,” by David Mosinski, 5 May 2017.
- **“Strategic Lesson Number 4: Understanding and Engaging the People**,” by David Mosinski, 28 March 2012.
- “**Leadership in Stability Operations: Understanding / Engaging the People**” (lesson compendium), by David Mosinski, 2 April 2013.

Transitional Public Security – Work By, With, and Through Local Power-holders and Local Justice Systems [Afghanistan] (Lesson #2681)

Observation:

The U.S./Coalition (ISAF) failed to restore civil security and public order ("transitional public security") in the aftermath of successful military operations in Afghanistan that ousted the Taliban from the central government in fall 2001. ISAF failed at the restoration of civil security and public order because of not working by, with, and through (BWT) the local power-holders and the local/traditional systems of law and order. Moreover, ISAF failed because there was no peace agreement reached among the power-holders (warlords) and factions (including the Taliban).

Discussion:

No "peace agreement" was established upfront to "legitimize" the presence/basing of foreign forces in Afghanistan in 2002.

Moreover, the U.S./Coalition did not deploy a large enough force from the outset to restore security.

> ISAF deployed in January 2002, and by summer had 5,000 troops from 19 countries. ISAF's responsibility was limited to providing security in the capital, where it conducted routine patrols with local police. ISAF's purpose was to provide "breathing space" during which the Afghans could create their own security forces. In October 2003, the UN Security Council, responding to requests from President Karzai, expanded ISAF's authorized area of operations to include all of Afghanistan ... (Miller and Perito, p. 4.)

NATO was slow to generate the forces needed for such significant expansion. Arguably, generation of the "right-size" force was an impossible task to begin with:

> … the forces required to conduct COIN properly, based on the ratio of 1 soldier or policeman per 50 civilians, requires a force which is simply enormous and beyond the means of most NATO states. In the case of Afghanistan, which had a population of 28.4 million, this required a NATO ISAF force of **568,000** … (Kuhar, p. 32.) [Note: By 2009, the force had reached only 110,000 personnel.]

Local "buy-in" with the power-holders/warlords was huge, but was not accomplished:

> In developing the military-political campaign for Afghanistan, what matters most is engagement with locals – and conducting this engagement within their own cultural frame of reference. In order to engage within that frame, military commanders and governmental administrators **need to garner local allies/forces**. Moreover, in order to engage successfully, military commanders and governmental administrators need a means to understand the social systems of the various communities and tribes, and also a way to understand and predict how military initiatives may affect those social systems. (See "Planning Considerations" reference.)

2+ years into the stability operation (March 2004), USIP gave this account of the warlords:

> They have refused to disband their private armies, and routinely engage in armed clashes over control of territory, border crossings, and transportation routes**.** [… but seriously, why would they disband their private armies? In doing so, they would lose power.] They (warlords) also use intimidation and violence to control the local population, and rely upon criminal activities including narcotics trafficking and extortion to finance their activities. In many cases, the most senior warlords serve as provincial governors or hold other official positions, but refuse to accept direction from or provide revenue to the central government**.** [… again, though, why would they accept direction from a central government that they traditionally have not trusted or respected?] The problem of regional warlords is particularly serious in the north, where ethnic divisions and personal rivalries among commanders persist. (Miller and Perito, p. 15.)

Again, there were no cooperative agreements gained from / inclusive of the many warlords (no arrangements for de-centralization of power), nor any terms with (or "nominal" inclusion granted to) the ousted Taliban through any peace agreement. So …

> Nearly two years after their defeat by U.S. and allied Northern Alliance forces (2004), the Taliban has re-emerged as a growing security threat along Afghanistan's southeastern border with Pakistan. Taliban forces have staged attacks and have tried to regain political influence in Pashtun areas. … al Qaeda's training camps in Afghanistan have been destroyed and a substantial proportion of its cadre eliminated, but it retains the capacity to conduct military operations. **From sanctuaries in Pakistan's lawless tribal areas,** bands of al Qaeda extremists have staged cross-border raids on U.S. bases. At the same time, forces loyal to renegade militia commander Gulbuddin Hekmatyar operate in the northern border provinces of Kunar and Nuristan, where they have declared their own jihad against the United States and Coalition forces. Taliban insurgents have also attacked and killed foreign aid workers, Afghan police, and road crews. These events have caused a dramatic scaling back by international agencies, and a consequent lack of capacity to provide assistance to a significant portion of the country. (Miller and Perito, pp. 14-15.)

Public order was dependent on the local power-holders/warlords. The Coalition should have worked **by, with, and through them** … because:

> In most of the country, **regional power holders** – whether they hold official positions or not – exercise political, police, and judicial authority through their control of militia forces. (Miller and Perito, p. 3.)
>
> During the past decades of conflict there has been no national civilian police force in Afghanistan. Though figures are uncertain, there are estimated to be about 50,000 men working as police, but they are generally untrained, ill-equipped, illiterate (70-90%), and **owe their allegiance to local warlords and militia commanders** and not to the central government. (Miller and Perito, p. 10.)

Likewise, **law and justice** were dependent on the local, traditional system of justice. The Coalition should have worked **by, with, and through it.**

Most civilian rule-of-law development projects are based on a flawed assumption that there is a legitimate government in the host country seeking to improve governance and quell violence. In many cases of extreme violence, governments rule for self-interest, not the good of their citizens, creating a populace that views the state as illegitimate. … International efforts also assume that most of the local population is uncommitted rather than supportive of insurgents. But citizens in disaffected communities often back violent groups, not just against the state but also toward goals inimical to rule-of-law values. (Kleinfeld, p. 1.)

… in rural areas [of Afghanistan], **where about 77% of the population reside,** functioning courts, police and prisons are often non-existent. **Therefore, the majority of Afghans rely on a more traditional, "informal" justice system.** Disputes are settled, if at all, at the local level by village elders, district governors, clerics and police chiefs. … The term "informal" generally includes ***shuras***, a Dari word referring to permanent and quasi-permanent local councils, and ***jirgas***, a Pashto term typically used for more ad-hoc meetings intended to address a specific dispute. … The *jirga* is a traditional institution that is more strongly bound up with the tribal economy and society of the Pashtuns of Afghanistan. It is therefore more commonly and effectively used as a mechanism of conflict resolution among the Pashtuns. However … the *jirga*, or its equivalents, are used as "informal" mechanisms of conflict resolution in rural or less urbanized areas where Afghan Tajiks, Hazaras and Uzbeks are the majority of the population. … A *shura* is primarily an advisory council that does not have decision-making powers. It is a group of individuals which meets only in response to a specific need in order to decide how to meet the need. In most cases, this need is to resolve a conflict between individuals, families, groups of families, or whole tribe. … In the context of the resolution of disputes and crimes, *jirgas* and *shura*s are more often an ad-hoc body rather than a standing institution with fixed membership or, in some cases, a combination of these two forms – a standing body with additional members chosen according to the issue at hand. Both *jirgas* and *shuras* involve groups of community leaders, respected elders, landowners and religious leaders, generally, but not always, men, who discuss disputes and other political issues with the communities. The fact that members of the *jirga/shura* are respected community members with established social status and a reputation for piety and fairness is cited as one of the reasons **why the Afghan population is turning to this system for dispute resolution and justice.** (CFC, pp. 2-3.)

One of the principal ways the Taliban were able to attack and undermine the Afghan Government was their **ability to deliver justice quickly and effectively** and it became an important way in which to win the support of the people. In simple terms our aspirations and ambitions were too ambitious and **failed to recognize** how important the provision of this basic facility was to people – **they needed justice today not in five or ten years.** (Kuhar, p. 47.)

Through much of the first decade of the ISAF counterinsurgency campaign, Afghans would give up on [seeing] timely, fair justice disbursed by their government officials and resort to the harsh justice dealt by the Taliban. Once again the Afghan government had failed and left the door wide open for parallel governance by the Taliban who gladly took the initiative. The ISAF counterinsurgency campaign was no winner either and the notion of protecting the people and providing a safe and secure environment was something that regrettably the Taliban seemed more capable of delivering. (Kuhar, p. 88.)

In Afghanistan, villagers even in pacified areas have sometimes expressed a preference for the crude certainties of Taliban justice rather than a corrupt, official law enforcement system. (Wither and Schroeter, p. 4.)

Note: The discussion above should **not** be taken in any way as advocacy of the Taliban (and their often brutal and inhumane activities). Without, however, some sort of “nominal” inclusion, the end-result was incessant violence – the **same outcome** as happened in Iraq with de-Baathification.

Bottom Line:

- **Peace agreement: Must gain a peace agreement from / among the conflict parties**
- **Neighboring country sanctuaries: Must neutralize spoilers’ safe havens and support systems**
- **Engagement: Must understand the cultural fabric and social systems of the local communities**
- **Civil security and public order: Work by, with, and through the local power-holders**
- **Justice: Work by, with, and through the local/traditional systems of justice**

Recommendations:

1. Must gain a peace agreement from the parties in conflict. Only then can the U.S. (and its Allies) deliver security forces that are recognized as “legitimate” by the people of the host nation. …If there’s no such agreement, don’t even bother with a long-term deployment/ commitment of security forces. (See this reference: “Stage-setting and Right-sizing for Stability – Learn the Right Lessons”.)

2. Work by, with, and through the local power-holders for restoring/maintaining civil security and public order.

3. Work by, with, and through the local/traditional systems of justice.

4. Law enforcement represents a particular challenge during stability operations. Post-conflict situations are often chaotic; the presence of insurgents and armed criminals gangs, as well as the ready availability of small arms, can cause both foreign and indigenous police forces to be diverted to deal with these high-end threats, thereby limiting their effectiveness in dealing with basic crime prevention and law enforcement at a local level. Population control and protection are likely to be important police functions during all stability operations. These tasks require a high level of skill and robustness as they include **public order management tasks** such as riot control, the enforcement of curfews and checkpoints, and the general protection of the population against armed gangs. **Formed units of para-military police, such as the French *Gendarmerie* or Italian *Carabinieri*, are normally better suited for this role than conventional military forces because the former are trained to deal with public order issues and the application of force.** (Wither and Schroeter, p. 3.)

5. Assuming NATO is forced to play the role of an occupying power again in a future operation, it will need to address this deficiency [lack of capacity to establish an effective justice system]. This could include the following:

- A deployable paramilitary or military police force capable of surviving in hostile environments and able to impose law and order in NATO's orbit, which [goes] back to **the need for careful planning.**
- The capacity to **resurrect the existing criminal justice system in the occupied country.**
- A willingness to look at sanctions and punishments that do not involve expensive solutions like courts which require professional legal experts and prison and rehabilitation facilities, but something more rough and ready that **fulfils the people's expectations.** (Kuhar, p. 47.)

Sources:

This lesson is based on these sources:

- "**Establishing the Rule of Law in Afghanistan**," by Laurel Miller and Robert Perito, USIP, 13 March 2004.
- "**NATO's Counterterrorism and Counterinsurgency Experience in Afghanistan**," edited by Kathryn S. Kuhar, Lessons Learned Workshop Report, NATO Centre of Excellence-Defence Against Terrorism, 1 October 2015.
- "**Planning Considerations for Military-Political Engagement in Afghanistan**," by David Mosinski, 18 August 2010.
- "**Extreme Violence and the Rule of Law: Lessons from Eastern Afghanistan**," by Rachel Kleinfeld and Harry Bader, Carnegie Endowment Int'l Peace, April 2014.
- "**The Informal Justice System in Afghanistan**," by Anne-Catherine Claude, Civil-Military Fusion Centre (CFC), 30 November 2010.
- "**Police Primacy: The Challenges of Developing Host Nation Police Capacity on Stability Operations**," by James Wither and Thilo Schroeter, the George C. Marshall European Center for Security Studies, May 2012.
- "**Stage-setting and Right-sizing for Stability – Learn the Right Lessons**," by David Mosinski, 20 July 2018.
- "**Political Strategy and Peace Settlement Absent from Afghanistan**," by David Mosinski, 18 February 2011.

Afghan judges, police and correction department members attend rule of law conference in Jalalabad.

Establishing a Safe and Secure Environment [Sierra Leone and Iraq] (Lesson #1152)

Observation:

Establishing a safe and secure environment involves much more than initial policing actions. The reduction of violence in the given operating environment over time requires a range of other actions and appropriate resourcing.

Discussion:

Establishing a safe and secure environment:

On the surface, most members of the military will likely look at establishing a safe and secure environment as simply providing a policing function with an aim at keeping violence at a minimum. In actuality, it seems that providing a lasting secure environment entails much more. Once basic security is established in a peacekeeping situation, the stabilizing force or team must start building the basic foundations of society based upon a thorough needs assessment of the operating environment. In the Sierra Leone case [1999-2000], 2.6 million homeless individuals was a staggering number that represented a significant source of potential violence and criminality based on individuals simply trying to fulfill their basic needs. With a population this large, one challenge was attempting to keep them at peace with each other while the basic needs of shelter, water and food were addressed by the peacekeeping force. If too many of the limited resources were put into law enforcement and security, then the effort to provide for basic needs would have moved too slowly, causing the security situation to potentially get out of hand due to a restless and suffering population. Yet, if the law enforcement function was under-resourced in order to speed up the humanitarian effort, then the likelihood of opportunistic criminality would have spiked dramatically in a "survival of the fittest" environment.

Options for reducing violence:

One "ground level" challenge is attempting to reduce violence in an operating environment. As a military police company commander in Iraq in 2003, my company was charged with supply route patrols. One of our tasks was to enforce the weapons ban placed on the Iraqi population. While we confiscated many AK-47s and other weapons, the Iraqi populace that we were now charged with protecting frequently reminded us that we were removing from them their basic ability to protect themselves in their homes. Opportunistic crime was still rampant at this point in the war. While we were carrying out orders to remove weapons from the battlefield, we may have also been creating a situation where many Iraqi civilians could no longer defend themselves against the many criminal elements still roaming the country. This likely created a significant anti-American sentiment that would continue to challenge the coalition in the coming years of the war. The point is that if the peacekeeping forces are not available on the ground to provide the security the population requires, then creative approaches that include utilizing indigenous police and military forces in a partnering approach must be considered. This was a big problem in Iraq, however, because the previous indigenous forces were all disbanded, leaving U.S. forces, like my company,

having to start from scratch training Iraqi police units – using individuals with no experience and little capability to provide for their own security.

In addition to providing for basic security, other means for reducing violence must include ensuring an equitable distribution of humanitarian assistance resources such as food, water, medical support, power generation, and shelter requirements. This encourages a sense of fairness throughout the population. This was also an issue in southern Iraq in 2003 (where I was initially located), because the population in southern Iraq was watching hundreds of convoys passing through their region on their way to Baghdad while the southern population was left with far less in support and assistance. This was a significant issue – the “Baghdad first” approach that was taken.

Recommendations:

Some suggestions for post-hostility security, reducing violence, and stabilizing a society:

1. Think through the long term ramifications of completely disbanding established security force capability (e.g., de-Baathification in Iraq) before taking such a radical step. Are rank and file officers really part of the displaced regime? Can they be "salvaged" and re-trained under a new rule of law philosophy?
2. Plan thoroughly for "Phase IV" operations and plan accordingly for suitable and sufficient resources capable of securing the entire population and holding terrain until such time that a logical and responsible transition to a new government can take place.
3. If there is neither the will nor the resources to execute a successful Phase IV campaign, then strongly recommend modification to the desired end-state and objectives of the "Hostilities" phase of the campaign. It seems that as a general rule of thumb, if the desired end-state is something that resembles regime change, then you need to plan for a fully resourced, comprehensive "Post-Hostilities" phase that includes a COIN capability should the situation develop into an insurgency.
4. Allow population to retain small arms weapons for personal protection, an accepted practice in international peace operations.

Implications:

Remembering lessons learned from an under-resourced post-conflict campaign during OIF, the following implications are possible:

- Significant challenges re-establishing rule of law institutions
- Fueling support for an insurgency due to an inability to provide for the basic security needs of the indigenous population
- Related challenges to establishing economic and political institutions necessary to address the basic needs of the society

Sources:

This lesson is based on personal experience as a company commander in theater during Operation Iraqi Freedom I and II and insights gained during the PKSOI Elective Course PS2219 taken at the United States Army War College (USAWC).

Lesson Author: LTC Timothy Connelly – while a student at USAWC.

Combined Security Mechanism: Framework for Security at Disputed Boundaries [Iraq] (Lesson #2549)

Observation:

The Combined Security Mechanism (CSM), a framework agreement set up in 2009 between the Iraqi Security Forces (ISF), Kurdish Peshmerga forces, and U.S. forces in Iraq, helped to prevent tensions along Arab-Kurdish lines in the governorates of Ninewa, Kirkuk, and Diyala. The main features of the CSM were combined patrols and checkpoints operated by the Iraqi Army, Kurdish Peshmerga troops, and U.S. forces (covering disputed boundaries/ areas within the three governorates), as well as coordination centers that served to improve communication and trust between the two groups (Arabs and Kurds).

Discussion:

In November 2009, Government of Iraq (GoI) Prime Minister Maliki and GoI-Kurdistan Regional Government (KRG) President Barzani gave approval of a CSM architecture consisting of 12 Combined Security Areas (CSAs) throughout Ninewa, Kirkuk, and Diyala; Combined Coordination Centers (CCCs) (3 total; one in each of the three governorates); combined checkpoints (22 were established), and combined security operations. Within the 12 CSAs, no single military force would be allowed to operate independently; security operations within the CSAs were to be tripartite. On 30 January 2010, combined patrols of the CSM were initiated, and the CSM continued to operate over the course of the year.

Besides aiming to prevent tensions and enhance residents' security, the CSM created a coordination process in which the ISF (Iraqi Army and Federal Police) and Kurdish Peshmerga forces could build trust at an operational level in locations where they might otherwise be at odds. By requiring transparency and collaboration on operations, the CSM reduced the chances of violence between Iraqi and Kurdish forces. The U.S. ambassador to Iraq, James Jeffrey, testified at a Senate Foreign Relations Committee hearing that the CSM, which he called "extraordinarily successful," was "an important tactical tool in the field to suppress possible violence or possible disputes or possible, frankly, sparks that then ignite a confrontation." (Hanauer et al, p. 8)

Members of the combined forces (ISF, Kurdish Peshmerga forces, and U.S. personnel) wore the insignia of the "Golden Lion." Their combined operations were designed to show the populace that Arabs and Kurds could participate in a cooperative security force that operates according to the rule of law. When the CSM was agreed upon, the GoI and the KRG also agreed upon a set of rules ("CSM Guiding Principles") managing the deployment of their respective troops within the CSAs of the three governorates. Iraqi and Kurdish forces' collaboration on both operational and mundane tasks, combined with shared quarters and a campaign to portray the "Golden Lions" as an elite unit, helped to build a cohesive unit identity that transcended ethnic differences.

The CSM was administered through provincial-level Combined Coordination Centers (CCCs), which brought the parties together to plan deployments and operations in disputed areas. Disagreements on operations or deployments that could not be resolved at a CCC were escalated to higher-level mechanisms, including a Senior Working Group and a High Level Ministerial Committee.

U.S. forces were represented at all levels of the CSM. An American lieutenant colonel oversaw each governorate's CCC. An American colonel served as the U.S. representative on the Senior Working Group. U.S. troops participated in combined patrols and in 22 combined checkpoints – 11 in Ninewa, 6 in Kirkuk, and 5 in Diyala governorates. Additionally, the U.S. military provided extensive training for the ISF and Kurdish Peshmerga forces of the CSM.

Checkpoint Location Selection:

- U.S. leadership that established these checkpoints took lessons/experiences from Implementation Force (IFOR) in Bosnia (1995-1996), where checkpoints were established along the Inter-Entity Boundary Line (IEBL) to separate the former warring factions.
- U.S. leaders talked to local Iraqi force and Peshmerga force commanders individually and then together ... and then selected locations along the Arab-Kurd fault line (generally the final line of advance of the Peshmerga in 2003 with some nuanced exceptions in cities and towns) – i.e., specific points along the line that were the most sensitive/controversial/scenes of fights/high casualties in 2003, as well as current "flashpoints" between Iraqi Arabs and Kurds.
- Some locations – because they were so sensitive – already had existing "stand-off" checkpoints to control (deny) movement between Arab and Kurd sides of the lines. The CSM checkpoints replaced those existing points.
- Almost every CSM checkpoint selected (but not all) was astride a major roadway to allow emplacement of a traffic control point (TCP) as part of the checkpoint. Those not astride a major roadway were selected, however, because they were close enough to a main roadway to facilitate quick establishment of a "snap" checkpoint on the roadway if desired.
- Urban checkpoints were obviously more numerous than rural checkpoints. Most urban checkpoints were on the edge of town on a key approach.
- Where feasible (but this was rare), checkpoints were placed on defensible terrain. At the very least, terrain was selected where a Helicopter Landing Zone (HLZ) could be contiguous or at least very close to the checkpoint for Medical Evacuation (MEDEVAC) and resupply.

Combined Coordination Centers: Combined Coordination Center locations were agreed upon by Iraqi, Kurdish Peshmerga, and U.S. military leaders – most often placed at an existing base roughly center of sector of the checkpoints for which it was responsible.

Checkpoint Construction:

- Careful analysis was done by U.S. Army Combat Engineers to generate the bill of materials (BOM) for each checkpoint and the Combined Coordination Centers. U.S. Army Engineers built them, with minor help from locals on earth-moving and concrete purchase.
- Essentially, most checkpoints were a lived-in company defensive position with a blast-protected TCP that had both vehicle and individual search areas all rolled into one – with heavy use of HESCO, T-walls, wire, and wood.
- On every checkpoint there was a sleeping area (some had a combined sleeping area, but most had separate sleeping areas for each force), a combined chow

area, a makeshift kitchen, and a small company command post (CP) with redundant communications (FM and TACSAT).
- Force protection measures were significant. Some checkpoints had towers. All had extensive blast protection and denial measures.
- Checkpoints took an average of 25-30 days to construct and be force protection ready for occupation.

Checkpoint Operations:

- Checkpoints served four purposes: 1) build confidence and relieve tension at flashpoints along the disputed line; 2) show the local population that Arab and Kurdish security forces were working together; 3) control traffic; and, 4) serve as a patrol base from which to execute combined security patrols on both sides of the lines.
- Checkpoints ran traffic control and random searches, as well as executed "be on the lookout" (BOLO) and intel-driven local operations.
- Also, U.S. forces sometimes used micro grants in areas where influence was needed. On a combined security patrol, the leadership could introduce the "Golden Lions" and say, "We're here to protect you, how can we help, what do you need?" That was huge in the impoverished areas of Kirkuk and Diyala provinces – paying off significantly. Patrols started gaining information and were seen by the local populace as the hope for the future.

Training:

- It took about ten days to build two training centers – one on a corner of Camp Marez (in Ninewa), the other at the end of the airfield on Camp Warrior (in Kirkuk).
- U.S. forces provided the training cadre, determined the Mission Essential Task List (METL) (for running a checkpoint, executing day/night foot and mounted patrols, and defending a position), selected training areas, built Situational Training Exercise (STX) lanes, conducted a dry run with U.S. troops, and scheduled a start date for the training.
- The training audience was a Combined Security Force – Iraqi Army, Kurdish Peshmerga, and U.S. troops. Essentially three platoons were trained together, as one force for a given checkpoint. Training duration was about three weeks. U.S. forces led all training.
- All the troops arrived at the same time at the training center: Picture a large formation (about 90 personnel) of Iraqis, Kurdish Peshmerga, and U.S. troops in ranks, placing their gear on the ground, getting inspected by U.S. leaders (with Iraqi and Kurdish Peshmerga peer trainers) for completeness (especially weapons, personal protective equipment, and cold weather kit), being assigned to tents, holding platoon leader meetings, platoon leaders passing instructions on to their personnel, and then eating together (with cultural food considerations).
- Each training day started with physical training and then moved on to a given METL task. The training approach was to "crawl, walk, run" through STX lanes as a combined force for each of the METL tasks.
- Training included certain intangibles: The force was given an identity ("Golden Lions") and an ethos ("Ethos of the Golden Lion"); each company-size force did

everything "together" with trainers making it clear that a force would face danger and death "together" as one unit; and the cadre tried to build trust across the three parties during physical training and individual MEDEVAC drills (e.g., American and Kurd pulling an Iraqi on a litter).
- Graduation was showcased as a significant event/accomplishment – including unit demonstrations of drilled capabilities [e.g., dismounted movement and react to contact, clear a room in a mixed stack, call for and adjust fire/Close Air Support (CAS), apply buddy aid, etc.]. Graduation was attended by significant personalities. Distinctive unit insignia was awarded to graduates.

Deployment:

- After graduation, the combined units were posted to their checkpoints. Each checkpoint was manned by a combined company consisting of one platoon of U.S. Soldiers, one platoon of Iraqi Army, and one platoon of Kurdish Peshmerga (or in the case of inner city Kirkuk, a platoon of Kirkuk Police Force – Kurdish).
- Operations at checkpoints were U.S.-led, but included consensus and peers/ partner lieutenants involved in executing operations.
- U.S. MRAPs (Mine-Resistant Ambush Protected vehicles) were allocated to the checkpoints. Initially, the checkpoints had a mix (U.S. MRAPS, Iraqi HMMWVs, and no vehicles with the Kurds), but then U.S. leaders decided that it was inappropriate for only the U.S. personnel to be traveling in the safest vehicle. Additional MRAPS were allocated to the checkpoints, and all personnel then travelled in the safest vehicle. U.S. Soldiers drove, manned crew served weapons, and TC'd (track commanded, i.e., were in charge of) the vehicles.

Key Issues (potential pitfalls, if not properly addressed):

- The Combined Security Mechanism only worked with U.S. force presence. For example, during the drawdown, U.S. platoons were removed from certain checkpoints and "area coverage" was provided by frequent patrols of U.S. forces from other checkpoints nearby; however, the performance by the remaining force of just Iraqi Army and Kurdish Peshmerga severely deteriorated.
- The CSM must be manned by combined forces who pass through a crucible of training together; they must know each other and trust each other.
- MEDEVAC and fire support response time. All checkpoints were within a 30-40 minute ring for MEDEVAC, but this was not the case for fire support. Fire support was a cause for concern for U.S. leadership. Most checkpoints could be covered by Guided Multiple Launch Rocket System (GMLRS), but response time varied. At some of the more distant rural checkpoints, mortar tubes were then allocated.
- Equipping status of partner forces. Kurdish Peshmerga troops were poorly equipped (uniforms, cold weather and rain gear, weapons, individual protective equipment, etc.), while most Iraqi personnel were well equipped in American gear. This problem should be addressed/fixed at the outset, during combined training.
- Personnel issues – pay and leaves. This is huge. It was important for Iraqi and Kurdish Peshmerga personnel to receive pay that was consistent, carefully

managed, and equal or higher to that of their peers. Additionally, it was important for leaves to be carefully managed – predictable and supported.

- Present for duty strength of partner forces. CSM guidelines called for partner platoons that consisted of a minimum of 20 personnel who would run 24-hour operations and execute combined patrols at each checkpoint. Although the numbers started out strong at the checkpoints, after 30 days, partner units' strength diminished to roughly squad-size, while the U.S. maintained full-strength platoons.
- Talent and training for partner manning of the Combined Coordination Centers. Initially, the partners provided adequate manning, but this quickly tapered off through high personnel turnover, particularly among the Iraqis. Every day was "discovery learning" for some of the new personnel, as opposed to routine operations – which was not a good situation for the CCC regarding handling information, sharing information, and responding to crises.
- "Direct line to Baghdad" and "Direct line to Erbil" from the Combined Coordination Center. It was important for U.S. leadership in the CCC to be aware that personnel manning the CCC might have external communications unrelated to the CSM.
- Partner communications from the Combined Coordination Centers to the checkpoints. Based on reliability of functioning of those communications, communications from U.S. to U.S. liaison may be needed/better option.
- "Local" forces manning the checkpoints. In western Diyala Province, local Iraqi Army and local Kurds manned the checkpoints. Some of these individuals had previously been manning standoff checkpoints in same areas and had bones to pick with each other. Although U.S. forces managed this situation, it could have been avoided early on by bringing in Iraqi and Kurdish forces from another location, vice "local" personnel.
- Interpreters. The CSM had high interpreter/translator requirements. Often had to shuffle these personnel and reprioritize their work to have coverage in the right places.

As far as an **overall assessment** of the CSM, in most locations along the fault lines, the "Golden Lions" were viewed by the local populace as the most trusted force. Most people believed that they would get a fair shake from the "Golden Lions" at checkpoints and whenever/wherever they were seen out on patrol. Additionally, the "Golden Lions" proved to be a tremendous asset during the Iraqi national elections of 2010 for confidence-building and area security around polling sites, particularly in Mosul and Kirkuk.

Recommendations:

1. When U.S. forces are conducting a Stability mission, and the Area of Operations includes territory in which two (or more) local groups/factions have disputed boundaries, then the U.S. should consider establishment of a security framework/mechanism like the CSM.

2. If establishing a CSM-like framework/mechanism, then ensure that the recognized leaders of the local groups/factions establish a set of rules for the forces involved.

3. If establishing a CSM-like framework/mechanism, pay heed to the key issues / potential pitfalls identified in this lesson.

4. If establishing a CSM-like framework/mechanism, it would be wise to contact the leaders involved in the CSM in Iraq – to learn from their experiences.

Implications:

If a multi-party security framework/mechanism (such as the tripartite CSM) is not established to ensure security coverage of disputed boundaries/areas, then incidents/sparks/confrontations occurring in those areas could lead to greater outbreaks of conflict – adversely impacting/jeopardizing Stability operations.

Comments:

1. Note on local police: The "CSM Guiding Principles" permitted autonomy for local police – specifying that local police within the CSAs could continue to undertake their normal duties without consulting with the CCC.

2. Note on U.S. support/resourcing: One concept for resourcing the CSM would be to establish a One-Star HQ for management (small staff, like a Division Tactical Operations Center) and provide a modified Brigade Combat Team (BCT) to help man 24-26 checkpoints (with counterparts), conduct combined patrols, provide logistical support, etc.

Sources:

This lesson is based on the following sources:

- Notes from a senior U.S. Army officer
- "**Managing Arab-Kurd Tensions in Northern Iraq After the Withdrawal of U.S. Troops**," by Larry Hanauer, Jeffrey Martini, and Omar Al-Shahery, RAND Corporation, 25 July 2011
- "Section 3.6 – Iraq" in "**Review of Political Missions 2011**," published by Center on International Cooperation (CIC)/New York University (NYU), 3 October 2011
- "**Measuring Stability and Security in Iraq**," DoD Report to Congress, March 2010
- "**Combined Security Mechanism Slides from Civilian Chamber of Commerce Briefing**," 14 December 2016

Civilians at CSM checkpoint in Ninewa. **"Golden Lions" with children in Kirkuk**

CONCLUSION

Numerous past operations – OEF, OIF, Joint Endeavor, Uphold Democracy, and Just Cause/ Promote Liberty – have illustrated both the importance and the challenges of Transitional Public Security efforts. Key recommendations/takeaways from those operations with regard to TPS include:

Training:

1. Provide training for the General Purpose Forces on TPS tasks, particularly "establish civil security and public order" and "conduct interim detention."
2. Provide cultural awareness training/education for all deploying personnel. As emphasized in the conclusion of the PKSOI lessons learned publication *Leadership in Stability Operations: Understanding/Engaging the People*: Ensure that deploying organizations are sufficiently resourced and trained to address the "human domain."

Organization:

1. Ensure that the deploying force is sufficiently resourced with police personnel/units – both military (MP) and civilian.
2. In Coalition/multinational stability operations, consider requesting the deployment of paramilitary police units (e.g., French Gendarmerie, Italian Carabinieri, etc.), which are better suited than conventional military forces for police roles because they have been trained to deal with public order issues and have expertise on the appropriate applications of force.
3. Include Special Forces within the organizational construct; leverage their abilities to readily adapt to local conditions, engage local community members with cultural understanding, and work/partner with local personnel to establish and sustain security in their areas.
4. With overarching direction from the U.S. Country Team, the U.S. military force in-country should consider establishing special groups to help manage Transitional Public Security efforts [e.g., Judicial Liaison Group (JLG), U.S. Forces Liaison Group (USFLG), etc.]

Doctrine:

1. Work by, with, and through the local power-holders for restoring/maintaining civil security and public order.
2. Work by, with, and through the local/traditional systems of justice to meet adjudication requirements.
3. Connect U.S./Coalition police personnel (e.g., MPs, paramilitary police, etc.) with Civil Affairs/CIMIC personnel. Liaison, expertise, information, and analysis from Civil Affairs/CIMIC can be highly beneficial for law enforcement/security efforts and for optimizing understanding of the environment.
4. Throughout operations, personnel conducting TPS should take/tailor actions with cultural astuteness – engaging (appropriately) with local security/police personnel, local officials, and local societal groups.

Planning:

1. Conduct comprehensive interagency planning for TPS efforts (Departments of State, Defense, and Justice) – to ensure common understanding of the operational environment, clear allocation of roles and responsibilities, and joint prioritization of applying resources/capabilities.
2. Develop a system of command relationships and trigger points for when the military command and participating law enforcement agencies [e.g., U.S. Marshals Service (USMS), Drug Enforcement Administration (DEA), International Criminal Investigative Training Assistance Program (ICITAP), etc.] shall assume "supported" and "supporting" roles throughout operations.
3. For territory with disputed boundaries among two (or more) local groups/factions, the U.S./Coalition should consider establishing a security framework/mechanism like the Combined Security Mechanism (CSM) utilized in northern Iraq in 2009-2010.

Policy:

Also, in order for TPS to be successful in a post-conflict operation, it is highly recommended that the USG/Coalition:

1. First undertake diplomatic efforts to gain a peace agreement from the conflict parties. Only then can the U.S. (and its Allies) deliver security forces that are recognized as "legitimate" by the people of the host nation.
2. Think through the 2nd and 3rd order effects of completely disbanding a host nation's security force (e.g., de-Baathification in Iraq) – before taking such extreme action.

Bottom Line: Through wider dissemination of the aforementioned recommendations and especially through consideration by planners of Stability operations, significant impacts can be made during future Transitional Public Security efforts.

Author: Mr. David Mosinski

While assigned to PKSOI, he was the lead author of 32 publications covering various peace and stability topics, as well as author of 7 lesson reports and 5 organizational studies. His previous assignments included: Senior Intelligence Officer at U.S. Army Space & Missile Defense Command, Senior Intelligence Officer at U.S. Army Japan, Professor at the University of Notre Dame, 319th Military Intelligence Battalion Commander, XVIII Airborne Corps Intelligence Plans & Exercises Chief, Partnership-for-Peace Exercise Program Manager at U.S. Army Europe, and Lead Balkans Analyst at U.S. Army Europe.

Combined Security Mechanism (CSM) patrol – Kirkuk, Iraq.

Annex A. Quotes on Transitional Public Security

- **Public Order**

"Public order is a condition characterized by the absence of widespread criminal and political violence, such as kidnapping, murder, riots, arson, and intimidation against targeted groups or individuals. Under this condition, such activity is reduced to an acceptable minimum, perpetrators are pursued, arrested, and detained, and the local populations – no matter which party to the conflict they may belong to – is able to move freely about the country without fear of undue violence.

…Establishing public order in war-torn societies requires unique capabilities that do not belong solely to either the military or the police. Incidents involving political violence and extremism, for example, may require greater force than the police can employ. Ultimately, military and police capabilities must be coordinated to fill this gap and share critical intelligence, while overcoming differences in culture, capabilities, legal constraints, and command and control structures.

…In the emergency phase, the military may have to perform critical law enforcement functions. These responsibilities, however, should be transitioned as quickly as possible to an international police force or, if they are reliable, the local security forces. Sound rules of engagement for the military should define the procedures for investigation, arrest, and detention. Public order activities by the military include protecting high-value facilities to prevent looting, run security checkpoints, perform vehicle inspections, regulate public gatherings, undertake high-risk searches, arrest and detain people who disrupt public order, and regulate the freedom of movement…"

Source: "Guiding Principles for Stabilization and Reconstruction," United States Institute of Peace (USIP) and PKSOI, October 2009, pp. 7-73 through 7-76.

- **Interim Detention**

"Depending on the nature of the mission mandate, detention may be handled early on by either the mission or host nation government. When capacity is low, which is often the case, the mission will have to assume responsibility, in which case a strategy for transitioning prisoners over to the host nation government must be developed. At all stages of this process, detainees must be handled in accordance with international standards. The "UN Standard Minimum Rules for the Treatment of Prisoners" is a good place to start. Some basic principles include the following:

- **All persons deprived of liberty shall be treated with humanity and with respect for the inherent dignity of the human person.**
- **Everyone charged with a criminal offense shall be presumed innocent until proved guilty.**
- **Pretrial detention shall be the exception rather than the rule.**
- **No detainee shall be subject to torture or to cruel, inhuman, or degrading treatment or punishment or any form of violence or threats.**
- **Detained persons shall be held only in officially recognized places of detention and their families and legal representatives are to receive full information.**
- **Decisions about duration and legality of detention are to be made by a judicial or equivalent authority.**
- **Detainees have the right to be informed of the reason for detention and charges against them.**
- **Detainees have the right to contact the outside world and to visits from family members and the right to communicate privately and in person with a legal representative.**

- **Detainees shall be kept in humane facilities, designed to preserve health, and shall be provided with adequate water, food, shelter, clothing, medical services, exercise, and items of personal hygiene.**
- **Every detainee has the right to appear before a judicial authority and to have the legality of his or her detention reviewed.**"

Source: "Guiding Principles for Stabilization and Reconstruction," United States Institute of Peace (USIP) and PKSOI, October 2009, pp. 7-79 and 7-80.

- **Interim Adjudication**

"An interim judiciary should not be an afterthought. In the aftermath of violent conflict when local institutions are still being built or transformed, an interim judiciary may be necessary to handle urgent cases of impunity and political violence and resolve disputes that arise over housing, land, and property. Work must also begin to assess which host nation institutions or actors in the judiciary can perform judicial functions. A weak or politicized judiciary, a prevalent phenomenon in societies recovering from violent conflict, can lead to corruption, extrajudicial murders, and arbitrary or politicized sentencing.

…Before a formal justice system is functioning or strengthened, it may be necessary to rely on informal mechanisms for resolving disputes. These could include independent bodies like complaint commissions or an ombudsmen office or even an informal, non-state justice system."

Source: "Guiding Principles for Stabilization and Reconstruction," United States Institute of Peace (USIP) and PKSOI, October 2009, pp. 7-77 and 7-78.

- **Policing**

"Policing needs on stability operations will vary. Universal 'lessons,' or more dangerously, 'templates,' must be applied with caution. Nevertheless, the experience of numerous police missions has demonstrated a need for both paramilitary police units to work with military forces to establish law and order as well as police advisors and trainers who can build local community-based police to sustain a durable peace."

Source: "Police Primacy: The Challenges of Developing Host Nation Police Capacity on Stability Operations," by James Wither and Thilo Schroeter, George C. Marshall Center, p. 17.

- **Local Policing Actors**

"While customary policing has its limitations, …findings suggest there are good reasons for external actors to practically engage with local policing services, rather than presuming the state is the only possible source of adequate policing. Local policing providers in Somaliland, Uganda, northern Mali and DRC have been able to provide crucial services to local people, in a manner that reflects local priorities and customs, enhances safety and welfare, builds trust and empowers. …

With whom should external actors engage regarding local policing actors? There are no perfect partners; no groups that meet all human rights requirements, respect due process and provide full accountability structures. However, there are groups that have local support, that are not willfully abusive and that are open to listening to proposals for change."

Source: "Policing for Conflict Zones: What Have Local Policing Groups Taught Us?" by Bruce Baker, *Stability: International Journal of Security & Development*, 6(1): 9, p. 13.

Annex B. References on Transitional Public Security (listed newest to oldest)

Documents:

- "Stability in Multi-Domain Battle," by COL Stephen Marr et al, PKSOI, June 2018. Appendix B of this publication is titled "Transitional Public Security."
- "Policing for Conflict Zones: What Have Local Policing Groups Taught Us?" by Bruce Baker, in *Stability: International Journal of Security & Development*, 6(1), 3 August 2017.
- "Navigating through the Challenge of Culture and Law in Post-conflict Stability Operations," by Lt. Col. John B. (J.B.) Shattuck, U.S. Army, Retired, in *Military Review*, July-August 2017.
- "The United Nations Police Role in the Restoration of Public Order and the Rule of Law (MONUSCO: A Case Study)," by Colonel Mpiana Mpoyi Baudouin, Peace Operations Training Institute (POTI), 8 May 2017.
- "Military Support for Public Order Management in Peacekeeping Missions (UN Guidelines)," UN Department of Peacekeeping Operations (DPKO)/Department of Field Support (DFS), 23 August 2016.
- "Policing in Peace Operations in Africa," Training for Peace (TfP) research network, 3 June 2016.
- "The United Nations Standard Minimum Rules for the Treatment of Prisoners," United Nations Office on Drugs and Crime (UNODC), 29 February 2016.
- "Social Capital, Policing and the Rule-of-Law: Keys to Stabilization," edited by Karen Finkenbinder and Paul M. Sangrey, PKSOI, July 2013.
- "Policing and COIN Operations: Lessons Learned, Strategies and Future Operations," by Samuel Musa, John Morgan, and Matt Keegan, Center for Technology & National Security Policy, Combating Terrorism Technical Support Office, 15 June 2011.
- "Lessons Learned from US Government Law Enforcement in International Operations," by Dilshika Jayamaha et al, PKSOI, December 2010.
- "Restoring Law & Order and Crime Prevention: The Importance of UN Military-Police Coordination in Integrated UN Peacekeeping Missions," by Viplav Kumar, Peace Operations Training Institute (POTI), 27 March 2010.
- "Guiding Principles for Stabilization and Reconstruction," USIP and PKSOI, October 2009.
- "Forged in the Fire: Legal Lessons Learned During Military Operations 1994-2008," Center for Law and Military Operations, The Judge Advocate General's Legal Center & School (TJAGLCS), September 2008. Section I.E. of this publication is titled "Detention Operations."

Sites:

- Transitional Public Security (TPS) Community of Practice in SOLLIMS
- Center of Excellence for Stability Police Units (CoESPU)

Annex C. PKSOI Lesson Reports and SOLLIMS Samplers (2014-2018)

2018

- Transitional Public Security
- Foreign Humanitarian Assistance: The Complexity of Considerations
- Stage-setting and Right-sizing for Stability – Learn the Right Lessons
- Complexities and Efficiencies in Peacekeeping Operations
- Inclusive Peacebuilding: Working with Communities
- Monitoring & Evaluation for Peace and Stability

2017

- Lessons on Disarmament, Demobilization, and Reintegration (DDR)
- Operationalizing Women, Peace, and Security
- Leadership in Crisis and Complex Operations
- Civil Affairs in Stability Operations

2016

- Refugees & Internally Displaced Persons (IDPs)
- Strategic Communication/Messaging in Peace & Stability Operations
- Job Creation Programs – Insights from Africa and Conflict-affected States
- Stabilization and Transition
- Lessons from the MSF Hospital (Trauma Center) Strike in Kunduz
- Investing in Training for, and during, Peace and Stability Operations
- Building Stable Governance
- Lessons Learned – Peacekeeping Operations in Africa
- Shifts in United Nations Peacekeeping

2015

- Foreign Humanitarian Assistance: Concepts, Principles and Applications
- Foreign Humanitarian Assistance [Foreign Disaster Relief]
- Cross-Cutting Guidelines for Stability Operations
- Lessons on Stability Operations from USAWC Students
- Security Sector Reform

2014

- MONUSCO Lesson Report
- Reconstruction and Development
- Veterinary Support, Animal Health, and Animal Agriculture in Stability Operations
- Women, Peace and Security
- Lessons on Stability Operations from USAWC Students
- Overcoming “Challenges & Spoilers” with “Unity & Resolve”
- Improving Host Nation Security through Police Forces

SOLLIMS Sampler

https://sollims.pksoi.org

Contact Info:
Peacekeeping & Stability Operations Institute (PKSOI)
ATTN: Lessons Learned
22 Ashburn Drive
Carlisle, PA 17013
usarmy.carlisle.awc.mbx.sollims@mail.mil