

can provide lessons in developing a Hemispheric response capability.

5. *Invest in civilian capacity.* In countries where police and first responder agencies are weak or where there is little experience among civilians in public administration, political leaders must commit to improving civilian leadership and training. Failure to do so leads to over-reliance on the military for fighting crime, protecting infrastructure, and responding to disasters – all roles better suited for properly-trained civilian forces. Soldiers should be trained in respect for human rights, though their basic combat mission leads them to act in ways that make it hard to follow procedures required of law enforcement personnel to prosecute criminals and promote general citizen safety. Again, today's threats require mostly civilian leadership and military support to deter criminal behavior.

6. Larger countries must help smaller ones. This almost goes without saying. Those with means and resources must share

with smaller countries in order that we can all participate in promoting peace and security throughout our neighborhood.

CONCLUSION

The Hemisphere is not the same place it was 20 or 30 years ago when few governments were democratic and hundreds of thousands were subject to border wars and ideologically-based conflicts. Still, we swim in a sea of change. New and less traditional threats prey upon our societies, threats that require both law enforcement and military action, sometimes working together to defeat the foe. While soldiers must still train to defend their country's sovereignty, they must also be ready to support civilian agencies in combating criminal and natural threats in ways that local populations agree are appropriate. The mix of defense and law enforcement roles will continue to differ widely by country and sub-region. To the degree we can do so, we should cooperate for the good of our societies.



The Center for Hemispheric Defense Studies is a premier DoD regional forum for strategic level education, research, outreach, and dialog on security and defense issues within the Western Hemisphere. As the title implies, CHDS Regional Insights uses the Center's unique access to regional policy and opinion makers to produce timely analysis of events and issues throughout the region.

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DEFENSE COOPERATION IN A SEA OF CHANGE

by *Stephen C. Johnson*



Abstract: This issue of the CHDS Regional Insights presents the comments by DASD Johnson at the 16-18 September 2008 conference entitled Defense Support to Civilian Authorities. The author discusses the various ways of interpreting the issue of homeland security throughout the Hemisphere, and how the recent changes in how the United States addresses the issue affect its relations outside its borders. With emphasis on increased and enhanced international cooperation, the paper proposes six ways to take advantage of existing relations and changes in order to improve homeland security for the region.

INTRODUCTION

Like a lot of phrases we use these days, the term 'defense support to civilian authorities' presents a dilemma. It just happens to be the subject of this conference, and yet I have found that throughout the Hemisphere, it has different meanings in different countries. In some, it simply means that the armed forces are subordinate to civilian leadership; in others, it might mean that the army helps out the police occasionally; in still others, it could mean that the army carries out a range of missions normally assigned to civilian institutions. Each country has a slightly different defense structure and purpose as defined by national laws.

So, who cares and why does it matter? To put it bluntly, we do not have the defense missions we used to have. In years past, border disputes and ideological differences increased the likelihood of conflicts between states, making war a possible threat. Now, most countries in our Hemisphere face more diffuse problems such as transnational crime, drug and arms trafficking, terrorism, and natural disasters, all of which can affect growing population centers. However, the significant issue is that these threats are bigger than any one country can handle alone. Drug trafficking is a huge, global enterprise that overwhelms small countries with limited defense and law enforcement budgets and has proven intractable in larger countries as well. Natural disasters – like earthquakes and hurricane – can dwarf even large nations' abilities to cope. Moreover, neither armies, police forces, nor first responders can tackle them alone.

'Defense support to civilian authorities' is something our security institutions are more and more being tasked with, and there is a need for us to cooperate to an increasing degree if we are to meet current threats head on and defeat them. But international cooperation will not be easy, because each country's armies and police have evolved in different ways as our countries seek to modernize government structures. A sea of change.

CRITICAL JUNCTURE

Today's non-traditional threats require primarily a law enforcement response. Drug trafficking and other forms of smuggling are largely police matters; response to natural disasters depends on local first responders and relief agencies; pandemics most likely will require public health ministries to take the lead. In many cases, national leaders are mindful of the need to maintain military missions and support capabilities to confront traditional threats. In fact, where law enforcement and civilian agencies are clearly not yet up to the task – where police are underpaid and under-trained, and where little civilian expertise exists in public administration, intelligence

functions, and in developing national strategy – the armed forces will be called in by default to resolve the problem at hand.

In the United States, the separation between the armed forces, intelligence services, and local law enforcement that worked well for nearly 130 years left the country somewhat unprepared for the attacks of September 11, 2001. We have changed that situation by building bridges of inter-agency support and cooperation.

Similarly, in Latin America's democratic evolution over the last 30 years, military institutions generally began separating themselves from backing authoritarian leaders or

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parties and shed their roles of enforcing internal order. Civilian leadership has begun to supplant military control in defense ministries and there is a clearer understanding that armed forces exist to defend national territories and ways of life. How this is done may differ by country and sub-region within the Hemisphere. In Colombia, the defense and security functions are separate, but led by the defense ministry; in Argentina and Chile, a rural guard or gendarmerie bridges the gap between law enforcement, territorial defense, and external defense; in the Caribbean and some Central American countries, defense and law enforcement are combined in one service. However, the emerging pattern seems to be that in larger countries defense and law enforcement institutions are separate, whereas in small countries the two functions are performed by one service.

Our mix of defense and law enforcement roles will continue to differ widely by country and sub-region. To the degree we can do so, we should cooperate for the good of our societies.

Still, militaries in various forms provide capabilities that law enforcement does not have. As an example, military surveillance assets are absolutely essential in tracking drug traffickers across borders and over international waters; military cargo planes, helicopters, and naval transports are often needed by local first responders to move personnel, equipment, and relief supplies to disaster sites. In the event of a pandemic, soldiers may be needed to man critical posts if the government workforce is affected.

Where some countries do not have traditional armies, national security services are finding the need to add military capabilities to the mission sets of these services – such as air mobility, maritime patrol, search and rescue, and border surveillance. Panama is an example where the national security services were recently reorganized to provide a combined air-seaborne patrol capability as well as a new national border protection force.

THE EVOLVING NATURE OF COOPERATION

Cooperation has become a way to overcome weaknesses in individual countries, particularly where resources are an issue. Today, however, some threats are bigger than any one country can handle because criminals exploit differences in laws, areas where there is minimal state presence, and porous borders to conduct their extremely lucrative business.

A recent tour of an airplane graveyard in Guatemala provided evidence of the problem. I saw dozens of wrecked jets and turboprops that traffickers had crash-landed in an environmentally sensitive wilderness area. Authorities believe they transferred their contraband to vehicles for continued transport north into Mexico. Maintaining sovereign control of territory is not easy. Across the border from Mexico are some of the poorest counties in South Texas. Whereas Mexican federal police

in helicopters chase drug traffickers fleeing across the Rio Grande, law enforcement on the Texas side could be a lone sheriff and a deputy in a single squad car, who may or may not be there depending on what else is happening in that county. The situation could be reversed in other locations. The point is that while the security forced on both sides of the border may not be equal, a means for cooperation must be found to work with what is available.

Some of this is being addressed bilaterally and multilaterally through, for example, bilateral border task forces between Mexico and the United States. The Central American Integration System (SICA) now promotes information sharing between militaries and law enforcement agencies through its Security Dialogue process. In 1997, four Central American presidents created the Conference of Central American Armed Forces to improve the integration of defense institutions. The Caribbean Community's Security Commission has developed protocols to share security missions such as counter-narcotics among the sub-region's island-states. All of these efforts involve increased information sharing.

SIX STEPS TO ENHANCE COOPERATION

Still, there are questions we must ask ourselves, as Secretary of Defense Robert Gates asked the Conference of Defense Ministers of the Americas in Banff, Canada: are governments organized to support a more whole-of-government approach to confronting threats? Is there civilian expertise available to develop capacity in police and first-responder functions? Is there a legal framework for intelligence collection that supports law enforcement, defense, and strategic planning requirements? Are legislatures prepared to support security forces in their new roles? Along the lines of those questions, I would suggest six steps to better security cooperation.

1. *Build strength by working together.* Current threats are more diffuse and complex than any one nation can handle alone. Drug trafficking is a global, corporate enterprise that uses disposable airplanes and boats, submersibles, and people; arms trafficking takes advantage of weak laws and inventory controls, and porous borders; disasters often overwhelm local efforts to cope. As neighbors, we should cooperate wherever possible. Sometimes our governments refrain from doing so on the erroneous idea that cooperation will encroach upon our sovereignty. In reality, we can strengthen our exercise of sovereign control when we agree to cooperate and thus keep threats away from our borders.

2. *Respect differences.* Our defense forces must work with friendly governments in ways that make sense for all

parties. In the United States, the *Posse Comitatus* Act of 1878 prohibits soldiers under federal authority from acting in a law enforcement capacity within the United States – although they may provide support to police and first responders under specific conditions. Not all nations in the hemisphere share such constraints. As we have discussed [in the conference], national charters, laws, and unique traditions, force structures and missions may be quite different. We should not be afraid of dealing with countries that have security services that encompass both police and national defense responsibilities, though the U.S. may have to limit defense assistance in some cases. Where militaries are proscribed from aiding law enforcement – such as in the Southern Cone countries, the U.S. should be respectful of that limitation while cooperating on military support to civilian authority.

Today's non-traditional threats require mostly a law enforcement response.

HEMISPHERIC DEFENSE COOPERATION

- Organization of American States (OAS)
- Commission on Hemispheric Security
- Secretariat for Multidimensional Security
- Inter-American Defense Board
- Inter-American Defense College
- Central American Integration System (SICA)
- Conference of Defense Ministers of the Americas (DMA)
- Proliferation Security Initiative (PSI)
- Caribbean Community Security Commission
- Caribbean Disaster Emergency Response Agency
- Conference on Central American Armed Forces (CFAC)
- South American Defense Council
- North American Defense Command (NORAD)
- Joint Inter-Agency Task Force – South (JIATF-S)
- UNASUR
- Andean Nations Community
- Naval Inter-American Conference
- Alianza para la Seguridad y Prosperidad de America del Norte (ASPAN)
- Security and Prosperity Partnership (SPP)

3. *Maximize opportunities for interaction.* Everyone knows exercise is a good way to stay healthy. Co-sponsoring military exercises with friendly neighbors is a way to share costs and learn from others. As an example, Fuerzas Aliadas PANAMAX¹ is an annual U.S. Southern Command joint and multi-national training exercise co-sponsored with the

government of Panama. In 2008, military and civilians from 20 nations converged in Panama to exchange views and simulate scenarios involving Canal defense. The underlying concept was cooperation to defend a resource crucial to the economic well-being of most of the American states.

Official exchanges and study opportunities enhance mutual understanding and prepare forces to be able to work together. Most of our countries have war colleges that admit foreign students; Brazil's jungle warfare school offers specialized training for survival in tropical habitats; in the United States, DoD's Center for Hemispheric Defense Studies (CHDS) sponsors dialogues with senior defense leaders with seminars and conferences on such subjects as national defense planning, civilian careers in defense ministries, and situational simulations. In fact, most of our countries have programs that could expose foreign military personnel and civilians to democratic values and could positively influence leaders in their formative years. We should take advantage of them.

4. *Use existing forums.* Through participation in the Proliferation Security Initiative (PSI), Argentina, Bahamas, Belize, Canada, Chile, El Salvador, Honduras, and Panama are part of a global effort to keep weapons of mass destruction away from dangerous terrorists. The Conference of Defense Ministers of the Americas helps focus the Hemisphere's defense leaders on such themes as subordination to civilian authority and support for democratic rule. As suggested by Assistant Secretary of Defense Paul McHale,² we should encourage the Organization of American States to hold dialogues on defense cooperation in its Commission on Hemispheric Security, and urge follow-up through its Secretariat for Multidimensional Security and its Inter-American Defense Board which could serve as the locus for task forces on subjects such as disaster response. Groups like SICA, the Conference of Central American Armed Forces, the Caribbean Community's Security Commission, and the newly formed South American Defense Council should be used to advance cooperation in sub-regional settings.

Functional forums can be helpful too. The North American Defense Command (NORAD) has joined the United States and Canada in defending mutual airspace for more than 50 years. The U.S. Joint Inter-Agency Task Force-South (JIATF-S) combines U.S. law enforcement and military agencies with liaison personnel from some 12 countries to combat drug trafficking in the Caribbean. That region's Caribbean Disaster Emergency Response Agency (CDERA) facilitates mutual assistance in responding to disasters and

¹Fuerzas Aliadas PANAMAX is an annual multinational training exercise designed to simulate the defense of the Panama Canal. In 2007, the exercise combined more than 30 ships, a dozen aircraft, and 7,500 personnel from 19 nations, all working together in developing and implementing ground, sea, and air responses to various scenarios such as maritime interdiction, command and control, and disaster relief operations. Participants included: Argentina, Brazil, Canada, Chile, Colombia, the Dominican Republic, Ecuador, France, Guatemala, Honduras, Nicaragua, the Netherlands, Panama, Peru, the United States, Uruguay. El Salvador, Mexico, Paraguay, and the United Kingdom sent observers. See <http://www.southcom.mil/AppsSC/factFiles.php?id=25> <<http://www.southcom.mil/AppsSC/factFiles.php?id=25>> .

²The text of Mr. McHale's presentation is forthcoming as *CHDS Regional Insights* #10 in January, 2009.