



**STRATEGY
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**DECISIVE MILITARY FORCE IN RESPONSE TO
TRANSNATIONAL THREATS**

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USAWC CLASS OF 2001



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20010430 124

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ABSTRACT

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TITLE: DECISIVE MILITARY FORCE IN RESPONSE TO TRANSNATIONAL THREATS

FORMAT: Strategy Research Project

DATE: 8 MARCH 2001

PAGES: 29

CLASSIFICATION: Unclassified

Transnational crime is a serious threat to the international system affecting political and economic stability worldwide. Consequently, the United States National Command Authority (NCA) determined that transnational threats undermine the nations vital interests. These transnational threats are organized criminal acts that transcend national borders and are normally committed by non-state actors. Traditional diplomatic, economic and law enforcement ways and means are the primary method for fighting these threats. However, globalization, information age technology and the large profits gained from these illegal enterprises allow transnational criminal leaders to gain power by militarizing their operations. Can traditional means fight this threat or must the United States develop a decisive military force option? The purpose of this paper is to answer the following questions. Is the current United States Strategy to respond and preferably preempt transnational threats sufficient? Or is there a need to develop a comprehensive decisive military force strategy that supplements the United States International Organized Crime Control Strategy (ICCS) to effectively combat transnational organized crime and the subsequent transnational threats to the International system? This paper answers first by defining the threat, and briefly reviewing the ICCS and the current Department of Defense (DOD) support to the ICCS. Then, describes a decisive military force strategy to enhance the ICCS. Next, conducts an analysis examining the case for and against the current policy as well as the case for and against the suggested decisive military force options. Finally, the paper concludes with a policy/strategy recommendation for the future.

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DECISIVE MILITARY FORCE IN RESPONSE TO TRANSNATIONAL THREATS

The Maximum Use of Force

"Kind-hearted people might of course think there was some ingenious way to disarm or defeat the enemy without too much bloodshed, and might imagine this is the true goal of the art of war. Pleasant as it sounds, it is a fallacy that must be exposed: War is such a dangerous business that the mistakes that come from kindness are the very worst. The maximum use of force is in no way incompatible with the simultaneous use of the intellect. If one side uses force without compunction, undeterred by the bloodshed it involves, while the other side refrains, the first will gain the upper hand."¹

-Carl Von Clausewitz, On War

The wars of the foreseeable future, that are to be fought by the United States, may be against transnational criminals and not nation states. Trends suggest that ruthless transnational criminals will seek to gain enough power to threaten the vital interests of the United States. Does the United States have the moral authority and political will to conduct the type of operations that would be required? To be successful the United States must apply its power in a decisive and overwhelming way. If so is the United States prepared to use all elements of national power to include decisive military force to preempt transnational criminals? These are serious questions currently being debated as futurists, policy advocates, political leaders, government officials and military leaders look into the future and try to develop a strategy to combat transnational threats. Policy has been established, procedures are in place and operations are under way. But are these actions enough to proactively address and preempt the transnational threat problem?

Is the current United States policy laid out in the International Organized Crime Control Strategy (ICCS) sufficient to respond to and preferably preempt transnational threats? Or is there a need to develop a comprehensive decisive military force strategy that supplements the ICCS to effectively combat transnational organized crime and the subsequent transnational threats to the International system? I will answer these questions by first defining the current and potential threat. Second, I will briefly review the ICCS and the current Department of Defense (DOD) support to the ICCS. Then, I will describe a decisive military force strategy to enhance the ICCS. Next, I will conduct an analysis examining the case for and against the current policy as well as the case for and against the suggested decisive military force options. And finally, I will conclude with a summary and a policy/strategy recommendation for the future.

THE THREAT

"Agathocles, the Sicilian, not only from the status of a private citizen but from the lowest, most abject condition of life, rose to become king of Syracuse. At every stage of his career this man, the son of a potter, behaved like a criminal; nonetheless he accompanied his crimes with so much audacity and physical courage that when he joined the militia he rose through the ranks to become its commander."²

-Machiavelli, The Prince

Ruthless criminals (like Agathocles who became a general and a prince) will rise in the twenty first century and will acquire the power normally associated with heads of state. Criminals of this nature will give the United States the same type of problems Agathocles gave the Carthaginians. This is our future threat. What are the trends that make this possibility conceivable?

Since the end of the cold war, transnational threats have been identified as a serious problem to United States national security. Transnational threats are the most common and pervasive problems facing the international system. Transnational threats are a destabilizing influence to other governments all around the world. They also threaten international business and banking systems. And finally, transnational threats are responsible for world wide human suffering.

What are Transnational Threats? "The term transnational means a phenomenon that cuts across national borders and is not directly controlled by national governments. Transnational threats include terrorism, organized crime, drug trafficking, smuggling of illegal aliens, smuggling of weapons of mass destruction (WMD), wide spread environmental degradation, and a host of others."³

In particular, transnational organized crime and the money derived from these illegal enterprises is the mother's milk of the transnational threats mentioned above. And the groups that perpetrate this transnational organized crime are involved in a wide range of illegal global activities. They readily traffic in conventional arms, narcotics, and humans. But they will also do anything else to make money, which also includes trafficking in metals and minerals, endangered flora and fauna and Freon gas. They also engage in large scale money laundering, fraud, extortion, bribery, economic espionage, smuggling of embargoed commodities, multinational auto theft, international prostitution, industrial and technological espionage, bank fraud, financial market manipulation, counterfeiting, contract murder and corruption.⁴

Why are Transnational Threats Different? Transnational threats are frequently interrelated. Politically motivated, terrorists and/or insurgent groups often provide armed protection to narcotics operators in exchange for money or arms or very well may become profiteers themselves.⁵ A couple of examples of this are the current condition in Afghanistan where Islamic terrorists traffic heroin and in Columbia where Marxist Guerillas traffic cocaine. Conversely,

organized crime groups and drug traffickers commit terrorist acts that target government agencies and personnel who attempt to bring them to justice.⁶ An example of this is the corruption and assassinations commonly associated with Mexico and Columbia.

Transnational threats are also different because these criminal activities rely on clandestine networks that operate across the frontiers of several states.⁷ These illegal operations also violate international laws. "Thus, while their motivations may not intersect, many of the actions of international criminal narcotics networks and terrorist groups frequently do. The point is that these actors are clandestine networks that operate fluidly across the frontiers of several states to threaten public order, undermine the rule of law, and disrupt good governance."⁸

Who are the Perpetrators of these Threats, Specifically Transnational Organized Crime? "Transnational organized crime is more than an extension of domestic crime. It consists of complex, clandestine, hierarchically organized networks that operate internationally with little regard for the borders of states."⁹ The perpetrators of international organized crime are predominantly non-state actors. They include terrorists and members of crime syndicates from Russia, China, Japan, Italy, Mexico, Columbia, Nigeria, etc. These non-state actors can also undermine legitimate governments and use the legitimate government's territory as a safe haven. Then these non-state actors further undermine the government by using the government as an instrument to further their illegitimate aims.

However, the worst-case example of this type of threat is a rogue nation state using organized crime and other transnational threats as a policy instrument to undermine another government. Evidence exists that North Korea, Vietnam, and Cuba have pursued such policies. However, even more serious is the fact that a popular Chinese strategic book urged that China engage in "unrestricted war" against the United States by employing various transnational threats such as information and biological warfare, drug smuggling, environmental attack, and other types of asymmetrical warfare techniques.¹⁰

Is Transnational Organized Crime a Threat to America's Vital National Interests? According to the President of the United States National Security Strategy for a New Century, December 1999, transnational threats are a serious threat to US national interests.

"These are threats that do not respect national borders and which often arise from non-state actors, such as terrorists and criminal organizations. They threaten US interests, values and citizens in the United States and abroad. Examples include terrorism, drug trafficking and other international crime, illicit arms trafficking, uncontrolled refugee migration, and trafficking in human beings, particularly women and children. We also face threats to critical national infrastructures, which increasingly could take the form of a cyber attack in addition to physical attack or sabotage and could originate from terrorist or criminal groups as well as hostile states."¹¹

"Transnational organized crime presents a real and protracted threat to the nation state. It can undermine political institutions in countries with nascent democratic governments and foster mistrust of legitimate governments. This criminal activity can also cause wide spread death and social destruction."¹² "The threat is insidious rather than direct. It does not overtly threaten a state in the same manner as conventional military power. Rather it covertly challenges the states prerogatives and control over its own activities."¹³

If unchecked will this Threat be Worse in 2010? In his book, Fighting for the Future, Ralph Peters describes a world in the not too distant future where the third world is nothing more than failed and rogue states. Transnational criminals and profiteers will be leading mercenary armies filled with third world primitives. They will be armed with former cold war weapons and have access to the latest technology. These transnational criminals will enjoy safe haven in these , corrupted failed states or rogue states. They will profit from their international criminal enterprises. They will maintain local power through the use of their mercenary forces and with cooperation from other criminals along with religious fundamentalist and fervent ethnic nationalist attempt to gain regional power.¹⁴

If and or when the world situation falls to this level, our political, diplomatic, and normal law enforcement means will be ineffective. Many of our vital interests will be threatened and we will have two options retreat to fortress America or Military action.

Bottom line: Transnational organized crime is a serious threat to our national security and international stability. If unabated transnational criminal leaders will gain power (to include military power) that may make it impossible in certain countries or regions to ensure law and order, free trade, military access, and security for United States citizens and our allies. The United States Government has a legal and moral responsibility to attack this threat. All elements of national power political, economic, and military can and should be appropriately applied to the control and elimination of transnational threats. Preemptive action in the near term may be required to prevent transnational criminals from exploiting their opportunities and acquiring the power normally associated with nation states.

The Policy

Now there are five circumstances in which victory may be predicted. He who knows when he can fight and when he cannot fight will be victorious. He who understands how to use both small and large forces will be victorious. He whose ranks are united in purpose will be victorious. He who is prudent and lies in wait for an enemy who is not will be victorious. He whose Generals are able and not interfered with by the sovereign will be victorious.¹⁵

-Sun Tzu, The Art of War

What is the Current United States Strategy to Combat Transnational Organized Crime? Presidential Decision Directive-42 (PDD-42), issued on October 21, 1995, ordered agencies of the executive branch of the U. S. government to: *(1) increase the priority and resources devoted to this effort; (2) achieve greater effectiveness and synergy by improving internal coordination; (3) work more closely with other governments to develop a global response to this threat; and (4) use aggressively and creatively all legal means available to combat international crime.*¹⁶

In response to PDD-42, The International Crime Control Strategy (ICCS) dated June 1998, undertakes a long-term approach to the solution of the nation's international crime problem. The ICCS is monitored by the National Security Council and is given priority at the highest levels of our government. The ICCS focuses the use of law enforcement, diplomatic, political and economic means to fight transnational organized crime. The ICCS is to remain dynamic, flexible and responsive as the international crime threat changes. The ICCS goals and objectives, quantitative measures and inter-governmental and intra-governmental division of labor appear to be comprehensive, appropriate and have the potential to be effective. The ICCS goals and objectives are found in TABLE 1 on page 13.

The measurement system in the ICCS is designed to track the ICCS progress on the goals and objectives set forth above. The measurement system allows decision makers to identify maintain and enhance the most effective components of the strategy, understand trade-offs that might emerge as the strategy is implemented, improve any components of the strategy which may have proved less effective, and undertake rigorous cost-benefit analyses to ensure that U.S. government resources are used efficiently and effectively. The measurement system will seek to quantify ICCS success in those items listed in TABLE 2 on page 15.

Chapter X of the ICCS describes the role of the NSC and the procedures for Intragovernmental and intergovernmental responsibility, coordination, synchronization, support relationships and supported relationships to fight transnational threats. The NSC is clearly responsible for the overall implementation of PDD-42 and the ICCS. The NSC convenes an interagency working group and provides policy direction and guidance to the government departments and agencies responsible for executing the ICCS. The role of the NSC, division of labor between government agencies, inter-departmental coordination, law enforcement-intelligence coordination, and overseas coordination, is described in TABLE 3 on page 16 in more detail.

How is the Military Being Used to Combat Transnational Organized Crime? In the Secretary of Defense's Annual Report to the President and the Congress in TABLE 4 on page 18 is a report of how DOD is specifically addressing the problem of transnational threats. Specific activities and operations by each service and some Unified Combatant Commands consist primarily of training and equipping some foreign counter drug forces and support to the U S Drug enforcement

Agency (DEA), U S Customs and the U S Coast Guard in their effort to interdict drugs, illegal aliens and Contraband at our borders and shores.

As described above the United States National Command Authority (NCA) has correctly identified transnational crime as a threat to the vital interests of the United States. The NCA has provided policy and guidance to fight transnational threats. The ICCS attempts to harness national power, intergovernmental and intragovernmental cooperation to fight transnational crime. DOD is performing a support role but not a leadership role in this fight. What if anything more needs to be done?

Has the NCA underestimated the threat? Is the interagency organization effective and efficient enough and is international cooperation significant enough to fight an increased, adaptable and well organized transnational criminal leaders and their associates? Are we holding back potential power to be applied to this threat? And finally, is the United States on the offense or the defense and are we reacting to or preempting these threats as they emerge? These are questions that must be answered by the NCA. However, a decisive military force strategy as part of the ICCS may provide the NCA with the requisite tools to preempt transnational criminals before they are a significant threat.

THE DECISIVE MILITARY FORCE STRATEGY

Strategic Goals and the Use of Force

The military component of the national security strategy focuses on the use of military force-in demonstration or operation-as an element of national power. Its combination with other elements of national power seeks to preserve, to protect, and to advance the vital interests of the United States. Military operations in war or in operations other than war influence and are influenced by other elements of policy. The objective of the military in war is victory over the opposing military force at the least cost to American soldiers. How that victory contributes to the overall policy objectives is determined before the war is joined. War makes the most manifest use of military force. However, successful military operations in any form require that military commanders have a clear sense of strategic policy goals and objectives, how the use of military force fits into the overall national security strategy, and the desired military end state.¹⁷

-FM 100-5 Operations, June 1993

PDD-42, The International Crime Control Strategy, and the precedent set by current DOD operations allows for additional military involvement to combat transnational organized crime. First, PDD-42 calls for the aggressive and creative use of all legal means available to combat international organized crime. Next, many of the goals and objectives of The International Crime Control Strategy could have a direct military component especially *Goal 1: Extend the First Line of Defense Beyond U.S. Borders, Goal 2: Protect U.S. Borders by Attacking Smuggling and*

Smuggling-Related Crimes and Goal 3: Deny Safe Haven to International Criminals. Finally, ample precedent has been established by the Armed Forces that military operations can be successful. Many of the OCONUS transnational organized crime threats can be addressed and fought by military forces in cooperation with other elements of the federal government and officials of foreign governments. Training, material and intelligence support are current examples. Additionally, operations similar to DODs Small Scale Contingencies (SSCs) may be required against the threats of the future.

What are the assumptions that make a DOD decisive military force strategy feasible? The DOD decisive military force strategy first of all is for Out of the Continental United States (OCONUS) transnational threats only. The DOD decisive military force strategy assumes the overt use of military force is only legitimate if the perceived threat is so serious that international stability is at stake and that vital United States national interests are endangered. This strategy will not be feasible without both domestic and international political support. Most importantly the American people must understand the nature of the threat and the reason for the use of military power. This DOD decisive military force strategy is also based on an assumption that the chasm between the first world information age western democracies and third world will grow and if unchecked it will create a very dangerous and unstable world.

The result of the chasm if unchecked and preemptive measures are not taken will be the following. 1) A state of high tech feudalism will exist throughout the third world, failed states and significant non state criminal enterprises will be led by intrinsically corrupt autocratic strong men who are funded by the proceeds of transnational organized crime. Consequently, transnational criminals will gain power and evolve into high tech feudal lords. Like Saddam Hussein, Manuel Noreiga and Pablo Escobar the level of terror and ruthlessness perpetrated by these high tech feudal lords will be boundless in their pursuit and maintenance of power. 2) Some of these third world failed states or the transnational non state actors will be pawns of a potential peer competitor of the United States who seeks to use surrogate states and non state actors to perpetrate asymmetric threats against the United States, its allies and other members of the legitimate international system. 3) There is no shortage of young desperate military age men in the third world to fill in the ranks of an irregular militia, armed gang, or a mercenary force whose services will be available to the high tech feudal lord. Additionally, there is also no shortage of highly skilled mercenary leaders and trainers who have significant professional military experience whose services are available to prepare and lead the forces for the high tech feudal lord. 4) Globalization, the access to off the shelf information age technology, the ample supply of conventional weapons on the open market and the proliferation of weapons of mass destruction (WMD) will be available to these high tech feudal lords who will possess the ability to dominate

their local area with military like power, influence their region with terrorism, and possibly develop anti-access strategies aimed at local and regional nation states and maybe even the United States itself. 5) The diplomatic and economic elements of national power will have little or no effect on these high feudal lords. They simply will not care. Civilized behavior is perceived as a weakness. Ruthlessness and unpredictability is part of their strength and the means by which they influence other actors. 6) These high tech feudal lords will be too powerful to be brought to justice by traditional law enforcement means. The fact that they will have military like power and that they are likely to use bribery, extortion and assassination as techniques to influence local and regional officials means local or regional law enforcement will not be effective and U S law enforcement will not be secure to operate in such situations.

How can a DOD decisive military force strategy supplement the ICCS? The DOD decisive military force strategy is critical to preventing and or preempting this state of high tech feudalism from evolving. This strategy must combine the strength of our armed forces with the expertise of law enforcement, the Justice Department, the Treasury Department, and the State Department. The strategy must include the Armed Forces' ability to plan and lead operations. The strategy must make use of the Armed Forces Command, Control, Communication, Computers, Intelligence, Surveillance, and Reconnaissance (C4ISR) infrastructure. The strategy must develop, train and organize special operators, both military and law enforcement personnel, to do battle with transnational organized criminals. The strategy must maximize all the military resources available to the Joint Staff and the Unified Combatant Commands, which may at some point and on a recurring basis, mean the employment of conventional forces. And finally, the strategy must be decisive in nature, directing an appropriate defeat mechanism at the transnational organized criminal's center of gravity.

In order to accomplish the requirements outlined above the decisive military force strategy must start with a doctrine on how to fight transnational organized crime. From that doctrine clear, ends, ways and means must be developed. And finally, the strategy must allow for the conduct of decisive operations against the international organized criminals.

First, develop a doctrine to combat transnational organized crime. The doctrine must be consistent with other doctrine specifically FM 3-0 and Joint Pubs 3.0 and 5.0. At a minimum, the doctrine must explain the strategic and operational environment, enemy centers of gravity, methods for planning strategy, campaigns and operations, methods for training, the available means and resources available for execution of operations, and the methods for conducting operations to defeat transnational organized criminals.

Second, the strategy must have clear ends and ways. The end is our aim and it must be to identify and defeat the criminal leaders. The ways are the defeat mechanism. It is the ability to

take away the criminal leaders money and their freedom. The possibility of death, prison, bankruptcy and the fear that it is about to happen at any time, will have a significant impact on the criminal leader's decision cycle. This may influence many transnational organized criminals out of the business.

Next, the strategy must have a clear means. The means is a system and an infrastructure to accomplish the aim. This will include an infrastructure to develop strategy and policy. This requires significant assets allocated from the Joint Staff specifically dedicated to interagency synchronization, the planning of strategy, campaigns and operations to combat transnational organized crime, and the management and supervision of military and interagency forces as they conduct campaigns, operations and battles against organized criminals. The infrastructure will also include a system to plan and conduct coordinated and synchronized operations to directly combat transnational organized criminals. This piece of the infrastructure will require each Unified Combatant Commander to dedicate planning and C4ISR assets and form JTFs and Joint Interagency Task Forces to address all aspects of transnational organized crime in his Area of Responsibility (AOR). This infrastructure will finally include a system to provide trained personnel to the Unified Combatant Commanders for the purpose of conducting operations to fight transnational organized criminals. This piece of the infrastructure requires DOD to develop "Special Operators" for this business. This will require a training system similar to the current special operations training system which trains military and law enforcement personnel in the tactical, technical and leadership skills required for the types of operations that may be conducted.

Once the doctrine and infrastructure are developed, each Unified Combatant Commander with his staff conducts contingency and campaign planning in his AOR using the full capability of his C4ISR. This is also a critical piece of the Unified Combatant Commander's shaping and engagement policy. Each JTF and Joint Interagency Task Force must be properly resourced to conduct planning, training and operations. We must accept the fact that military special operations and conventional forces will be required to support and provide security for the actual operators who are required to make direct contact with the transnational criminals.

Finally, we must conduct decisive operations. In each AOR, transnational criminals, especially the leaders must be identified, evidence must be gathered, they must be indicted, their assets must be seized, and they must be apprehended. These are primarily law enforcement functions. The military role here is to provide planning support and security so law enforcement can operate effectively. Of course support to interdictions and seizures would be normal operations. But where military power would be most effective will be prisoners snatches, strikes and raids as well as conventional holding, blocking, and guarding operations against rogue

militaries or mercenaries while we conduct direct action against the criminal or terrorist leaders and their infrastructure. Each operation will require interagency synchronization and cooperation as well international cooperation. Bottom line: an operation is decisive only when you defeat the transnational organized crime leader and the strategy is successful only when you are conducting decisive operations.

Noncontiguous, joint operations in permissive and non-permissive environments may be required in extreme cases. This would require conventional land forces to conduct forced entry, and then hold, fix and isolate irregulars, mercenaries and even possibly rogue/corrupted state conventional forces led by corrupted leaders. The use of precision fires may be effective in attacking perceived centers of gravity, attriting massed forces, and breaking the high tech feudal lords will. But most likely Special Operators, Rangers, Marines, and even conventional infantry, cavalry and armor will have to conduct close combat operations. In order to conduct operations of this nature it will require from political and military leaders as well as the American people a force of will not seen since WWII. But failure to meet the challenge and take decisive preemptive measures may rest the bulk of the third world in a perpetual state of lawlessness and eventually the barbarians will be at our gate.

THE ANALYSIS

What is Case for the Current ICCS?

There are numerous points to be made for the current ICCS. First of all the ICCS has support at the highest levels of our government. Second, it is comprehensive across all elements of national power except for the military. Third, it is consistent with current law, both United States and international. Fourth, it seems to be appropriate for the current perceived threat. Finally, since it has only been in place for two years it may be too early to make any radical adjustments.

What is Case Against the Current ICCS?

The case against the current ICCS depends on your belief in the Ralph Peters argument that the threat is bad now and getting worse. First of all, traditional law enforcement when operating in corrupted/failed states is at risk as well as American businessmen and tourists. Second, as transnational criminals become more powerful, political and diplomatic means as well as traditional law enforcement will have less impact if not become totally ineffective. Third, transnational criminals/perspective high tech feudal lords are not bound by convention. They have no legislature to answer to and their ruthlessness and illegal activity is not hampered by the press or world opinion. Consequently their decision cycle for action is quicker and their influence over their local surroundings is absolute. Finally, unchecked transnational criminals/ perspective high tech feudal lords will over time gain enough power to directly challenge nation states.

What is the Case for the Decisive Military Force Option?

Once again you have to be of the Peters school to be a proponent of the military option. First, a comprehensive military strategy used in a preemptive manner could effectively role back the trends toward transnational criminals gaining and using military power, committing terrorist acts and subverting legitimate governments. Second, the use or threat of the use of decisive military power may be the only way to ensure security for our diplomatic and law enforcement officials to work. Third, the use or threat of the use of decisive military power may be the only way to give confidence to borderline governments to work with us in the fight against transnational organized criminals. Finally, if indeed this is the oncoming threat in 2010 now is the time to write the doctrine, develop the war plans, and develop and test the capability.

What is the Case Against the Decisive Military Force Option?

The case against the military option is significant. First of all there is not any visible political will inside or outside DOD to implement this strategy. Second, DOD is not resourced to implement this strategy. Third, under current manning and funding this would take too many assets away from the two MTWs and the current ongoing SSCs. Fourth, operations of this nature may be perceived as too high risk for the possible benefit. Finally, although it is a matter of opinion the threat generally is not perceived at this time to be serious enough to implement a strategy of this magnitude.

THE RECOMMENDATION

Transnational crime and the criminal leaders who perpetrate them have been defined examined and it is established they are a threat to the national interests of the United States. The NCA has established policy (PDD 42) and a strategy (The ICCS) to fight this threat. A decisive military force strategy has been presented to supplement the NCAs strategy to hedge against the worst possible threats. Subsequently, an analysis was conducted presenting the case for and against the ICCS and the decisive military force strategy. All things considered, I recommend that DOD support a continuation of the ICCS without an additional supplemental decisive military force strategy. At this time the current ICCS appears to be adequate and should be given time to work and then assess results. The current threat does not require an immediate need for a supplemental decisive military force strategy. The barbarians are not at the gate yet. And finally, the public perception of the threat and the current domestic and international political environment are not right for a high-end military strategy directed at transnational criminals. Consequently, in a time of constrained resources if you can't demonstrate the requirement it is impossible to resource the strategy.

However, I also recommend the decisive military force strategy be examined and a concept developed for possible implementation in the out years past 2005. First, if the threat becomes significant and transnational criminals/high tech feudal warlords are on the scene and becoming powerful. Second, if the current ICCS appears to be falling short of its goals and objectives and it appears that diplomatic and economic means and traditional law enforcement are not effective. And finally, it becomes obvious that vital and important national interests are likely to be threatened, this is a significant reason to pursue concept development and if required be prepared to implement a decisive military force strategy.

WORD COUNT = 5,160

TABLE 1

ICCS Goals and Objectives

Goal 1: Extend the First Line of Defense Beyond U.S. Borders.

Objective 1: Prevent acts of international crime planned abroad, including terrorist acts, before they occur.

Objective 2: Use all available laws to prosecute select criminal acts committed abroad.

Objective 3: Intensify activities of law enforcement, diplomatic and consular personnel abroad.

Goal 2: Protect U.S. Borders by Attacking Smuggling and Smuggling-Related Crimes.

Objective 1: Enhance our land border inspection, detection and monitoring capabilities through a greater resource commitment, further coordination of federal agency efforts, and increased cooperation with the private sector.

Objective 2: Improve the effectiveness of maritime and air smuggling interdiction efforts in the transit zone.

Objective 3: Seek new, stiffer criminal penalties for smuggling activities.

Objective 4: Target enforcement and prosecutorial resources more effectively against smuggling crimes and organizations.

Goal 3: Deny Safe Haven to International Criminals.

Objective 1: Negotiate new international agreements to create a seamless web for the prompt location, arrest and extradition of international fugitive.

Objective 2: Implement strengthened immigration laws that prevent international criminals from entering the United States and that provide for their prompt expulsion when appropriate.

Objective 3: Promote increased cooperation with foreign law enforcement authorities to provide rapid, mutual access to witnesses, records and other evidence.

Goal 4: Counter International Financial Crime.

Objective 1: Combat money laundering by denying criminals access to financial institutions and by strengthening enforcement efforts to reduce inbound and outbound movement of criminal proceeds.

Objective 2: Seize the assets of international criminals through aggressive use of forfeiture laws.

Objective 3: Enhance bilateral and multilateral cooperation against all financial crime by working with foreign governments to establish or update enforcement tools and implement multilateral anti-money laundering standards.

Objective 4: Target offshore centers of international fraud, counterfeiting, electronic access device schemes and other financial crimes.

Goal 5: Prevent Criminal Exploitation of International Trade.

Objective 1: Interdict illegal technology exports through improved detection, increased cooperation with the private sector, and heightened sanctions.

Objective 2: Prevent unfair and predatory trade practices in violation of U.S. criminal law.

Objective 3: Protect intellectual property rights by enhancing foreign and domestic law enforcement efforts to curtail the flow of counterfeit and pirated goods, and by educating consumers.

Objective 4: Counter industrial theft and economic espionage of U.S. trade secrets through increased prosecution of offenders.

Objective 5: Enforce import restrictions on certain harmful substances, dangerous organisms and protected species.

TABLE 1

ICCS Goals and Objectives (cont.)

Goal 6: Respond to Emerging International Crime Threats.

Objective 1: Disrupt new activities of international organized crime groups.

Objective 2: Enhance intelligence efforts against criminal enterprises to provide timely warning of changes in their organizations and methods.

Objective 3: Reduce trafficking in human beings and crimes against children.

Objective 4: Increase enforcement efforts against high tech and computer-related crime.

Objective 5: Continue identifying and countering the vulnerabilities of critical infrastructures and new technologies in telecommunications, financial transactions and other high tech areas.

Goal 7: Foster International Cooperation and the Rule of Law.

Objective 1: Establish international standards, goals and objectives to combat international crime by using bilateral, multilateral, regional and global mechanisms, and by actively encouraging compliance.

Objective 2: Improve bilateral cooperation with foreign governments and law enforcement authorities through increased collaboration, training and technical assistance.

Objective 3: Strengthen the rule of law as the foundation for democratic government and free markets in order to reduce societies' vulnerability to criminal exploitation.

Goal 8: Optimize the Full Range of U.S. Efforts.

Objective 1: Enhance executive branch policy and operational coordination mechanisms to assess the risks of criminal threats and to integrate strategies, goals and objectives to combat those threats.

Objective 2: Mobilize and incorporate the private sector into U.S. government efforts.

Objective 3: Develop measures of effectiveness to assess progress over time.

Table extracted from chapter I-1 of the ICCS.

William J. Clinton, International Crime Control Strategy (Washington, D. C.: The White House, June, 1998), available from <http://www.fas.org/irp/offdocs/iccsi.htm>. Internet; accessed 14 October 2000. X

TABLE 2

ICCS Measures of Effectiveness

1. Disrupting major criminal organizations.
2. Reducing criminal activity at our borders.
3. Improving coordination among U.S. agencies.
4. Improving coordination with other nations against criminal targets.
5. Increasing adoption of international standards and norms to combat crime.
6. Securing passage and implementation of major anti-crime conventions internationally.
7. Reducing incidence and costs to the United States of intellectual property theft and economic crime.
8. Improving the coordination of international investigations into and prosecutions of high tech crime.
9. Strengthening international capabilities against smuggling and raising the cost of smuggling activities to smugglers.
10. Strengthening international cooperation against alien smuggling and reducing the flow of illegal migrants to the United States.
11. Fighting money laundering and financial crime.
12. Increasing the number of nations that extradite nationals and that provide mutual legal assistance.
13. Combating illicit smuggling in firearms.
14. Combating illicit trafficking in women and children.
15. Decreasing the production and distribution of child pornography.
16. Combating corruption and improving the administration of justice in foreign criminal justice systems.
17. Achieving the other goals and objectives of the strategy.

Table extracted from chapter X of the ICCS

William J. Clinton, International Crime Control Strategy (Washington, D. C.: The White House, June, 1998), available from <<http://www.fas.org/irp/offdocs/iccsi.htm>>. Internet; accessed 14 October 2000. X

TABLE 3

Governmental Organization to Implement the ICCS

The National Security Council (NSC) is responsible for coordinating the U.S. response to transnational crime. The NSC oversees the implementation of Presidential Decision Directive 42, the directive that specifically targets international crime. To ensure sustained and focused attention to international crime fighting, this presidential directive establishes the Special Coordination Group (SCG), an interagency team chaired by a senior member of the NSC staff and comprised of high-level officials from the Departments of Justice (including FBI and DEA), State, the Treasury (including Secret Service), and Transportation (including Coast Guard), the Office of National Drug Control Policy (ONDCP) and the intelligence community.

Inter-Departmental Coordination

Specific aspects of international crime fighting are coordinated by different mechanisms that include groups led by ONDCP, and the Treasury, State and Justice Departments. These groups each include representatives from the intelligence community, as well as law enforcement and foreign policy specialists. ONDCP chairs the key interagency working group coordinating implementation of international counter narcotics policy. In addition, the Financial Crimes Enforcement Network (Treasury) and the Asset Forfeiture and Money Laundering Section (Justice) co-chair a working group on anti-money laundering operations. The Bureau for International Narcotics and Law Enforcement Affairs (State-INL) coordinates the overseas training and technical assistance components for these and our other international law enforcement activities. The operational component agencies of these departments also work hand in hand. Justice agencies such as the FBI and Treasury agencies such as the Customs Service regularly send liaison officers to the Department of State to help coordinate investigative and training assistance.

Law Enforcement-Intelligence Coordination

To facilitate and improve our international anti-crime operations, federal law enforcement officials work in conjunction with the intelligence community in strict compliance with oversight laws prohibiting intelligence agencies from engaging in domestic law enforcement. The Administration has received statutory authority to permit law enforcement agencies to request support from the intelligence community to identify criminals who operate beyond our shores, track their movements and collect other information about their activities. This has added an important tool to our crime fighting efforts. To enhance cooperation and coordination between their legally separated primary functions, the law enforcement and intelligence agencies regularly exchange liaison officers and serve together on specialized teams. An FBI official serves as the deputy director of the Counter terrorist Center at the Central Intelligence Agency, and a CIA official serves as the deputy chief of the International Terrorism Section at the FBI.

Overseas Coordination Mechanism

The placement of more than 2,000 U.S. law enforcement agents and support personnel abroad is a vital tool to combat the growing threat of international criminal activity. Our missions overseas are the forward bases for protecting and advancing U.S. national interests, including our law enforcement interests. The FBI, DEA, INS, Coast Guard, Customs Service, Secret Service, Internal Revenue Service and other federal law enforcement agencies have personnel abroad. Some of their overseas representatives are assigned regional responsibilities encompassing both the countries in which they are posted and other nations in the region. The Diplomatic Security Officers at overseas posts support operations and investigations for law enforcement agencies that do not have a permanent representative at that location. Our missions have created law enforcement teams to coordinate country-specific law enforcement policies and programs. These teams also coordinate foreign institution building and training and technical assistance efforts with their foreign counterparts. These teams then report their activities to Washington so that strategies, policies and programs are updated in light of the realities in the field.

TABLE 3

Governmental Organization to Implement the ICCS (cont.)

At our embassies and missions around the world, the Chief of Mission (usually the Ambassador) has the authority and responsibility for the direction, coordination and supervision of the various activities of all in-country official U.S. executive branch personnel, except military personnel under the command of a U.S. area military commander. The Chief of Mission also has the duty to keep fully informed with respect to all activities and operations of the U.S. government within that country. To facilitate that process, the Treasury, State and Justice Departments have signed a memorandum of understanding, dated November 14, 1996, clarifying the authority the Chief of Mission exercises over many individuals from a multitude of departments and agencies. The memorandum articulates clearly defined responsibilities with respect to the coordination, by the relevant Chiefs of Mission, of law enforcement activities abroad, including agreed principles to enhance coordination between each law enforcement entity's senior representative at post and the Chief of Mission or Deputy Chief of Mission.

Table extracted from chapter X of the ICCS

William J. Clinton, International Crime Control Strategy (Washington, D. C.: The White House, June, 1998), available from <http://www.fas.org/irp/offdocs/iccsi.htm>. Internet; accessed 14 October 2000. X

TABLE 4

DOD Support to the ICCS

Army Counter drug Efforts

In 1999 the Army supported the war on drugs through training and support of foreign counter drug forces in many nations of Latin America, the Caribbean and the heroin trafficking regions of Southeast and Southwest Asia. Activities in these regions included SOF training of host nation personnel as well as aviation, transportation, intelligence, planning and reconnaissance support. In Columbia, for example, Army support to U.S. counter drug efforts included training and equipping a special Columbian Army counter drug battalion. Among other things, the Army also provided nearly \$20 million in material, support under the provision of the foreign assistance act. This support ranged from spare parts for UH-1 and UH-60 helicopters to binoculars and trucks.

The Army support for the war on drugs extended into the domestic arena as well. More than two thousand active and reserve component soldiers performed tasks ranging from construction of fences along the border with Mexico to providing intelligence analyst support to drug law enforcement agencies. The Army National Guard provided additional unique support to 54 states and territories under the provision of Title 32, United States Code. This support involved over 3,000 people and included cargo inspections and drug demand reduction activities both at home and abroad, American soldiers played a significant role in stemming this transnational threat.

Air Force Counter drug Efforts

The Air Force continues to play an important role assisting drug enforcement agencies. The Air Force orchestrates airborne and ground based radar, intelligence, surveillance, refueling, and reconnaissance platforms to intercept and track smugglers far south of our borders.

USSOUTHCOM Counter drug Efforts

Counter drug activities form an important part of the United States Southern Commands, shaping mission and included exercise with host nations, information sharing, and various efforts to halt the flow of illegal drugs both at the source of production and in the transit zone. Joint interagency task force east is responsible for coordinating the departments support to the US counter drug effort in the USSOUTHCOM AOR. Examples of some of the successful counter drug operations include Operations Central Skies and Caper Focus in which coordinated efforts by DOD assets, US Coast Guard, customs, and drug enforcement agencies assets plus host nation forces resulted in significant disruption of illegal drug movements in the Eastern Pacific, Caribbean, and Central American transit zone regions.

Table extracted from Annual Report to the President and Congress
William S Cohen., Annual Report to the President and Congress, Washington, D. C.: Department of Defense, January, 2000.

ENDNOTES

¹ Carl Von Clausewitz, On War, trans. Michael Howard and Peter Paret (Princeton, N J, Princeton University Press, 1976), 75

² Niccolo Machiavelli, The Prince, trans. George Bull (Baltimore, MD, Penguin Books, 1961), 62

³ Institute for National Strategic Studies, Strategic Assessment 1999, (Washington, D. C.: National Defense University), 245

⁴ Ibid, 250

⁵ Ibid, 245

⁶ Ibid, 245

⁷ Ibid, 245

⁸ Ibid, 245

⁹ Ibid, 249

¹⁰ Paul J. Smith, "Transnational Security Threat and State Survival: A Role for the Military?" Parameters (Autumn 2000), 88

¹¹ William J. Clinton, A National Security Strategy for a New Century, (Washington, D. C.: The White House, December, 1999), 2

¹² Smith, 81

¹³ Institute for National Strategic Studies, Strategic Assessment 1999, 250

¹⁴ Ralph Peters, Fighting for the Future, (Mechanicsburg, PA Stackpole Books, 1999), 11-47

¹⁵ Sun Tzu, The Art of War, trans. Samuel B Griffith (Oxford, England, Oxford University Press, 1963), 82

¹⁶ William J. Clinton, Presidential Decision Directive-42 (Washington, D. C.: The White House, October, 1995)

¹⁷ Department of the Army, Operations, Field Manual 100-5, (Washington, D.C.: U.S. Department of the Army, 1993), 34

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