U.S. Navy hospital corpsman assists dehydrated patient during medical civil action project in Philippines

DOD (William H. Ramsey)

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Operation *Enduring Freedom—Philippines*

Civilian Harm and the Indirect Approach

BY GEOFFREY LAMBERT, LARRY LEWIS, AND SARAH SEWALL

This study examines the military support provided by U.S. Joint Special Operations Task Force–Philippines (JSOTF-P) to Philippine military operations. Building upon the 2010 *Joint Civilian Casualty Study*—the first comprehensive examination of U.S. prevention and mitigation of civilian casualties based on U.S. operations in Afghanistan—this current effort aimed to assess civilian casualties in the different context of *indirect* U.S. operations. We found that the evolution of Philippine civilian and military strategy since the mid 2000s has reduced the occurrence and salience of civilian casualty issues during combat operations. Additionally, the study revealed many related best practices in JSOTF-P and Operation *Enduring Freedom–Philippines* (OEF-P) more broadly, and provided insights into the possible future evolution of the mission and wider implications for foreign internal defense (FID) in the 21st century.

This article provides a historical background of the insurgency and the evolution of the JSOTF-P mission and its impact. The next section describes a change in the nature of Philippine operations, followed by best practices, limitations, and a discussion of the issue of civilian casualties and broader violence against civilians in the Philippines. Finally, the article looks at overall implications for the U.S. Government in the future.

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Given its narrow mission, JSOTF-P has been highly successful—particularly considering its relatively small size and low cost. This success has been driven both by effective U.S. military support at the tactical and operational levels and by decisions and events outside of U.S. control. Key questions are whether the partnership has been able to achieve maximum strategic impact and what it teaches about the need to expand the flexibility and integration of U.S. responses to buttress weak states and combat regional instability.

A History of Insurgency in the Philippines

The history of the Philippines is marked with active resistance to standing governments. These resistance movements can be roughly divided into two camps: insurgencies rooted in religion (specifically, Islam) and those stemming from political ideology (communism). At the same time, the persistence of these insurgencies spans ideology, stemming from underlying factors that fuel discontent within insurgents and much of the population alike: widespread poverty, systemic corruption, ties to criminal interests, and weak governance over the roughly 7,000 islands that comprise the Philippine archipelago.

Islamic Insurgencies. Religious insurgency groups in the Philippines are rooted in external influences that arose five centuries ago. Over time, Islamic beliefs had been largely embraced by many of the islands. In 1521, Ferdinand Magellan claimed the Philippine islands for Spain (hence the name of the islands, after King Philip II of Spain), bringing both a Western and Catholic influence to much of the Philippines. However, the people of the southern islands resisted this influence (including the Dagohoy Rebellion, which lasted 85 years, making it the longest lasting such movement in the history of the country) and were never completely subjugated to Spanish rule. After the Spanish-American War, these same southern islanders resisted the U.S. claim to the Philippines, leading to the Moro Rebellion, which constituted a southern front of the Philippine-American War.[1]

After the establishment of the Philippine government in 1946, Moro elements in the southern islands complained about neglect and discrimination on the part of the Philippine government. General resentment crystallized into armed opposition when dozens of Moro Armed Forces of the Philippines (AFP) recruits were killed by other soldiers during their training in early 1968, followed by a government coverup. This event was the impetus for the formation of the Moro National Liberation Front (MNLF), which took up arms against the government in 1970. Peace talks were held in 1976 after significant losses on both sides, which led to a general standdown of operations amid the government's agreement to give Moro areas more autonomy. A few years later, more conservative elements created a splinter group, the Moro Islamic Liberation Front (MILF).

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President Corazon Aquino negotiated with MNLF leadership after President Ferdinand Marcos stepped down in 1986; these discussions resulted in the establishment of the Autonomous Region of Muslim Mindanao in 1989, which created autonomy for districts with significant Muslim populations in the

southern islands while preserving the territorial integrity of the Philippines overall. MNLF reached a comprehensive peace agreement with the government in 1996. Key aspects of this agreement included promises to provide farmland for enemy fighters, government resources for southern areas, and integration of MNLF fighters into the army.[2] The U.S. Agency for International Development (USAID) reinforced this initiative through focused development initiatives in the southern Philippines, such as the Livelihood Enhancement and Peace project.[3] This move appeased the MNLF but not the MILF, and the latter continued active resistance against the government. The MILF and Philippine government have engaged in several peace negotiations since 2005.

Another Islamic orgnanization, the Abu Sayyaf Group (ASG), was created in 1990 as elements of the resistance to Soviet occupation in Afghanistan returned to the Philippines and joined forces with radical elements of largely nascent resistance groups. The ASG held the goal of establishing an Islamic state within the Philippines and used bombings coupled with extortion and kidnappings (to raise needed funds) to meet its ends. The Philippine government regards the ASG as a terrorist group, not a political group to be bargained with.

Both the MILF and ASG have been aided operationally via training, funding, and operational assistance by cooperating with international terrorist organizations such as Jemaah Islamiyah (JI) and al Qaeda.

Communist Insurgencies. Communist resistance groups have also challenged the government since the country's inception as a sovereign nation. During World War II, an underground communist movement created in 1932 began a resistance movement to the Japanese occupation, known as Hukbalahap. It was strongest on the island of Luzon but had presence in other areas. After the Philippines was established as a sovereign state in 1946 with leadership that opposed Marxist positions, the Hukbalahap movement (and its members, the Huk) resisted the newly established government. The Huk were aided in their efforts by significant operational experience gained during their opposition to the Japanese occupation. Early Philippine efforts to oppose the "Huk Rebellion" were largely heavy-handed, and they mostly increased the population's sympathy toward the movement, doubling the size of the insurgency.

In the early 1950s, the Philippine military began to employ a more discriminatory use of force and adopt unconventional warfare methods. Guidance provided to the Philippine forces was first "to act as an ambassador of good will from the government to the people; second, to kill or capture Huk."[4] Philippine forces were instructed to appear as unthreatening as possible to the population and were supplied with candy and gum to give to children in order to recraft their image as friendly to the people. Philippine Army Chief Ramon Magsaysay also took a personal role in investigating and court-martialing troops accused of mistreating civilians. This resulted in improved professionalism of the force and an enhanced reputation among the population. Meanwhile, the Huk insurgency adopted practices that alienated the civilian population, and they lost their support base as a result. Combined with a surge in military forces in the early 1950s and a program for reintegration and land grants for surrendering Huk members, these factors led to the Huk force negotiating for peace in 1954.

Communist insurgents continued to exist at low levels through 1968, when the

movement divided into pro-Soviet and pro-Maoist groups, mirroring an overall tension in communist ideologies espoused by the Soviet Union and China, respectively. While the pro-Soviet group adopted an engagement strategy with the Philippine government, the Maoist group, known as the Communist Party of the Philippines, took on active resistance to the government through its armed group, the New People's Army. This group had the broadest presence of all insurgent groups in the Philippines, an active decision based on a lesson from the Huk Rebellion—that local resistance movements can be more easily isolated and defeated. After 20 years of insurgent activity, events in 1986, including the People's Revolution and the stepping down of President Marcos, removed a number of grievances held by the general population, and the group lost much of its support from the population. More recently, their activities have narrowed to extortion and shadow governance.

Abu Sayyaf Terror Campaign and U.S. Response

In 1998, ASG leadership changed to Khadifi Janjalani,[5] who took the group in a new direction: kidnapping and demanding ransoms to finance operations and gain a platform to emphasize its demands for a separate Islamic state. The year 2000 marked a series of operations reflecting this new approach. For example, in March 2000, ASG kidnapped over 50 students and teachers from two schools in Basilan. Four were killed before the group was released. The following month, ASG kidnapped 21 people from a neighboring Malaysian resort island, Sipadan. Libya served as mediator and eventually paid a ransom of over $20 million for their release. These and similar events in the southern Philippines led to Philippine President Gloria Macapagal-Arroyo asking U.S. Pacific Command for assistance with ASG terror threats. The command responded by having Special Operations Command, Pacific (SOCPAC) conduct counterterrorism training for a Philippine Light Reaction Company (LRC) between March and July 2001.

In May 2001, another ASG operation took 20 hostages from the Philippine resort island of Palawan. Three of the hostages were American, including one who was beheaded a few days later. This incident intensified U.S. support to Philippine counterterrorism operations, with SOCPAC providing intelligence assistance in addition to training the LRC. SOCPAC had planned a terrorist coordination and assistance visit to help determine the capabilities and limitations of the AFP and inform future support. The visit occurred in October 2001, in the aftermath of the 9/11 attacks, which raised the relative importance of the issue of terrorism for the United States. In November 2001, in the aftermath of that visit, Philippine President Arroyo and President George W. Bush agreed to a plan of action to improve the ability of the Philippines to combat terror. The United States would provide the Philippines with military assistance and economic aid, and U.S. forces would deploy to the Philippines to "advise and assist" the AFP. These initiatives became Operation *Enduring Freedom–Philippines*, the second OEF mission addressing terrorist threats to the United States.[6]

JSOTF-P Mission and Impact

Prior to 9/11, Admiral Dennis Blair, commander of U.S. Pacific Command, funded the training of Philippine LRCs in order to improve the host nation's capability to address its internal insurgent threats. The training mission was assigned to 1st Battalion, 1st Special Forces

Group (Airborne). The LRC project served to build personal relationships that would assist in partnerships that arose after September 2001.

After 9/11, initial U.S. planning for counterterrorism operations on Basilan Island included a course of action for a maritime joint task force (JTF) to conduct U.S. combat operations on the island. This plan was discarded quickly when it became apparent that the Philippine constitution forbade direct unilateral operations by other nations within the country. Therefore, an indirect/FID approach had to be developed.

When SOCPAC was given the preliminary counterterrorism mission, it first assessed the situation on Basilan to gain understanding of the environment. This assessment revealed that the AFP did not view the population as the center of gravity, abuses were not uncommon, and corruption was endemic. In addition, AFP tactics were based on maneuver of battalion-sized forces that were often unable to find and close with terrorists on the island. Complicating factors were the AFP's lack of maintenance capability, mobility, functioning weapons, and training ammunition, as well as weaknesses in platoon and company maneuver.

The initial intent of U.S. OEF-P forces was to train and equip AFP on Basilan, focusing specifically on increasing AFP tactical proficiency against terror elements of concern to the United Sates (such as JI and ASG). Restrictions on foreign military forces' use of force (except in self-defense) kept U.S. forces from a "trigger-puller" role, and, in deference to this restriction, guidance was given that U.S. troops had to be at least "one hill" removed from locations where contact with the enemy could be anticipated. In January 2001, initial forces deployed under the command of the SOCPAC JTF 510, a rapidly deployable task force for responding to contingencies. In July 2002, JSOTF-P was established to replace JTF 510.

Special operations forces (SOF) trainers built ranges and taught basic rifle marksmanship and platoon- and company-base defense and maneuver. The host nation provided 30,000 new rifles and 1 million rounds of ammunition to support the training. The result was small units that could engage targets and conduct maneuver with confidence.

a course of action for a maritime JTF was discarded when it became apparent that the Philippine constitution forbade direct unilateral operations by other nations within the country

As tactical forces became more proficient through JSOTF-P efforts, SOF trainers began to shift to the professionalization of higher level headquarters. Once joint goals for training and equipping targeted AFP units were met, subsequent assessments resulted in downsizing JSOTF-P and a change in mission to "advise and assist," with a prohibition on military training. Operations were extended beyond Basilan Island to Jolo, Mindanao, and other areas of concern. After this change, JSOTF-P shifted to operating primarily at higher echelons, with advisors located at the brigade and higher levels and additional liaison coordination elements at other critical locations.

The vast Philippine archipelago complicated Philippine security force efforts to maintain presence and eliminate terrorist sanctuaries. JSOTF-P capabilities assisted Philippine efforts to provide security in the southern islands. The JSOTF-P focus transitioned from supporting the tactical edge of AFP counterterrorism operations to a more operational-level

focus, helping units to structure balanced campaigns in their local areas.

JSOTF-P provided support, such as fusing intelligence and developing targeting approaches, to specific counterterrorism operations. It also provided mentoring in areas that aided the AFP in separating terrorists from the population, such as civil-military operations,[7] public affairs, and Military Information Support to Operations. JSOTF-P also contributed enabling capabilities in support of AFP high-value individual operations, including full motion video from Scan Eagle and video-equipped low-signature aircraft.

recent U.S. military assessments state that the major counterterrorism campaign objectives of OEF-P have been accomplished

The consensus between the U.S. and Philippine governments is that OEF-P has been successful, as terrorist groups in the southern Philippines since 2001 are isolated in smaller and smaller geographical areas, have increasingly ineffective and uncoordinated leadership, are unable to effectively recruit personnel and move them into the Philippines, are unable to garner significant financial support, and are unable to conduct significant operations. The 2010 Quadrennial Defense Review points out OEF-P as a successful model for operations that is applicable to operational environments beyond the Philippines.[8]

Evolution of the AFP Approach and Accounting for Civilian Harm

A key component of the success against terrorist groups in the Philippines in the past decade appears to be the AFP transition from employing a brute-force approach to a highly focused procedure that has considered the population and minimized civilian harm.

Prior AFP Approach: Scouring and Civilian Casualties. In the early 2000s, Philippine security forces (both AFP and Philippine National Police [PNP]) faced a series of high profile ASG operations in addition to continuing pressure from the New People's Army, MNLF, and MILF. Similar to the early days of the Huk Rebellion in the late 1940s, Philippine forces were seen as heavy handed in their response, causing significant numbers of civilian casualties and extensive damage to property.[9] One factor was their indiscriminate approach to operations, engaging all individuals in areas where the enemy operated and considering civilians as the enemy or enemy supporters. Forces were rewarded for that because a metric for success was the body count from each operation.[10] Forces also used imprecise methods of engagement, such as unguided air munitions, unobserved artillery, and naval gunfire to soften targets.[11]

At the same time, Philippine security forces tended to be ineffective because of poor operational security. As a result, the enemy could evade AFP operations or prepare an ambush for the AFP, causing large numbers of friendly casualties.[12]

New Approach: Restraint and Considering the Population. By the end of the decade, the Philippine forces, particularly the AFP, had developed a different approach to dealing with terrorist groups. The AFP moved from indiscriminate operations to giving significant consideration to the general population, including civilian casualties, property damage, human rights, civil-military operations, and the welfare of displaced persons.[13] This change of approach was illustrated in 2008 when MILF resorted to kinetic operations after a Supreme Court ruling that threw out

the proposed terms of a negotiated peace accord. The AFP responded with restraint and consideration of the population, establishing camps for displaced persons and providing food and water. The response from the population was positive, and the AFP was seen as protectors of the population, building trust that aided their overall campaign. One member of the U.S. Embassy team described this transformation, stating, "They were seen as the savior of the people—it was a watershed moment for them."[14] That reinforced the value of the population-centric approach they had recently adopted. This and other instances gradually showed the AFP that, as one officer noted, "Constraint is a weapons system"[15] that can be effective in countering terrorist groups. Elements of the new approach are described below.

An 80/20 approach. The AFP changed its approach to focus on the population through the use of civil-military operations geared toward improving the relationship between the AFP and the population, winning civilian support for the AFP and Philippine government, and discouraging support for terrorist groups. Civil-military operations were seen as so valuable that the AFP established an 80/20 approach, where 80 percent of AFP activities were to consist of civil-military operations and 20 percent were to be targeting/combat operations. The shift began in April 2007 under AFP Chief of Staff General Hermogenes Esperon, Jr., who indicated that the military would abandon its previous procedure, focused on kinetic operations, and instead would concentrate on civil-military operations.

Under this new approach, battlespace owners would conduct the population-centric activities (the "80 percent"): protecting the population, gathering human intelligence, and performing civil-military operations. The "20 percent" activities were mainly conducted by specialized units, specifically Joint Special Operations Groups (JSOGs), which specialized in direct action operations and targeting, and Philippine National Police–Special Action Force (PNP-SAF), a police element dedicated to warrant-based captures of high-profile individuals.[16] The use of these specialized, highly trained elements for targeting helped to combat operational security problems and spared garrison forces from the fallout resulting from direct action operations.[17]

Civil-military operations. Following the early example of U.S. forces in Basilan in 2002,[18] the AFP largely embraced the use of civil-military operations, providing services to the population overall and specifically flooding areas affected by kinetic operations with aid to win the support of the population and maintain freedom of action.[19] Because the employment of civil-military operations created greater contact with the population, the AFP could better understand the local environment and know which areas were permissive or nonpermissive.

The AFP's use of civil-military operations tended to sway the population as well as aid in counterterrorism operations. For example, in Cotabato City, one local stated that the AFP "used to come in with guns, missiles, and heavy weapons. Now, they are messengers of peace and building our schools."[20] Similarly, in Basilan, the use of civil-military operations helped to communicate the message that the AFP was opposing only the ASG, with the goal of protecting the population.[21] Activities included providing food, water, and shelter for displaced individuals and humanitarian assistance during natural disasters. These activities served to separate JI/ASG terror elements from

the population.[22] In one example, an individual in Jolo was so impressed by local AFP care of the population that he provided the tip that led to Abu Solaiman in 2007, a key high-value individual in the southern Philippines. When the AFP formalized this method in 2007, Khaled Musa, the deputy chairman of the MILF committee on information, commented that the AFP's use of civil-military operations was "more lethal than brute force" to the organization, and noted that a similar approach to MNLF led to a mass surrender of insurgent fighters in the 1996 peace agreement with the government.[23]

Focused operations. Specialized elements of the army and police conducted a large number of targeting operations comprising the 20 percent of the Philippine 80/20 approach. These operations were highly focused, aimed at capturing or killing the intended target with a minimum of civilian casualties or damage. This process began with solid and complete intelligence. JSOG tended to develop its own intelligence for its operations, though it did at times rely on intelligence from the United States to verify what it had.[24] PNP-SAF required intelligence and information adequate for obtaining a warrant before they could operate.[25] Both groups stated that they were careful about intelligence they gave to ground commanders to ensure it was reliable. On AFP direct action missions, the forces took great pains to obtain accurate positive identification of the target during the operation and chose precise means of engagement with a low risk of civilian casualties. They did not engage others on the objective even if they had weapons, unless the force was compromised and they needed to engage those individuals in self-defense. They also displayed tactical patience, where, despite having the opportunity to engage their intended targets, they chose not to engage due to collateral damage concerns: "We will get them another day."[26]

Currently, therefore, AFP conduct of focused operations is centered on consideration of civilian casualties and protecting the population.[27] This consideration even includes a medical evacuation response: if civilian casualties occur, the AFP will take those casualties to a military hospital to receive medical care. The AFP reported giving civilians a higher evacuation priority than its own forces to emphasize AFP concern for the civilian population.[28]

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Philippine leadership: A forcing function for new approach. Philippine forces discussed how their changed focus toward the population and avoidance of civilian casualties and human rights was driven by senior leaders in the government. They ascribed prior heavy-handed practices to the legacy of the Marcos dictatorship and a lack of appreciation for how counterproductive these practices were. A pivotal year for this change in focus was 2007, when General Esperon emphasized civil-military operations in AFP operations. President Arroyo and the rest of the government reinforced this change in direction by establishing the National Development Support Command and putting human rights into laws governing Philippine counterterrorism operations.[29] Other senior AFP leadership promoting this new approach included Lieutenant General Raymundo Ferrer and General Alexander Yano. Leaders we spoke to noted that the Arroyo

government's emphasis on a negotiated solution also represented an important turning point. The momentum appears to be continuing in the new Internal Peace and Security Plan issued by the Aquino government on January 1, 2011, which recasts the ongoing counterterrorism campaign as "winning the peace." It focuses on an integrated interagency approach, nonkinetic aspects of the campaign, and trust-building in support of a negotiation process.

One senior leader concern also traced the new approach to policies and laws that affected rank and promotion decisions. For example, the AFP "relieves commanders a lot more than we [the U.S. military] do" for human rights concerns and civilian casualty incidents.[30] Philippine law now allows individuals to charge AFP and PNP forces with human rights violations, such as civilian casualties and violating the rights of detainees.[31] A charge of a human rights violation is forwarded to the appropriate army or police office (for example, the human rights office for the AFP) and an unresolved charge can prevent promotion of officers accused of violations.[32] Consequently, commanders and forces are aware of civilian casualties and how detainees are treated in their commands.

The change in mindset, while driven by Philippine leadership from above, was likely enabled in part by U.S. military efforts. JSOTF-P "advise and assist" efforts helped to professionalize the AFP and improve proficiency and professionalism, enabling both the more effective use of civil-military operations and the conduct of focused operations with minimized collateral damage. International Military Education and Training efforts also exposed AFP officers to U.S. doctrine and tactics, techniques, and procedures that aided in operationalizing the intent of the Philippine leaders in their counterterrorism campaign. So, while the changes in the AFP approach to more carefully conform to human rights considerations and reduce civilian casualties was a Philippine-led transformation, JSOTF-P probably provided tools that helped the AFP achieve those changes.

Limiting second-order effects: Civilian casualties and political primacy. The Philippine security forces face a number of challenges that affect their ability to maintain security and neutralize terrorist elements. Specialized units of the AFP tended to capture and kill the majority of the targets. Because the specialized units[33] were better resourced and trained to support their missions so they could operate in confidence, the two main concerns of these units appeared to be mission success and avoiding civilian casualties. AFP concerns about not only potential civilian casualties but also any form of cost or blowback from an operation appeared to be a constraining factor in the AFP approach to offensive operations. As noted earlier, the AFP had come to see civilian casualties through a domestic rather than international legal lens. This meant that instead of a proportionality assessment of the potential risks of civilian casualties, they were effectively defaulting to a zero-casualty goal. This was reinforced by their keen perception that their careers were vulnerable to abuse allegations.

Additionally, the AFP was highly sensitive to the government's desire for a political settlement with insurgent (instead of terrorist) groups. The AFP thus sought to avoid alienating potential negotiating partners or otherwise prejudicing the political process. The effect of these political priorities allowed terrorist sanctuaries to exist, since the JI group enjoyed protection from an insurgent group (the MILF).

Nonetheless, most observers argued that JI was actually contained within this "sanctuary." Political concerns also appeared to constrain military operations in specific geographic areas or times. One of the roles of U.S. intelligence support was to provide reassurance regarding the likely success and limited second-order effects of raids.

In one sense, this evolution of the AFP's attitude represented a victory for civil-military relations, respect for human rights, and long-term effectiveness and internal trust of military institutions.[34] However, it also had accompanying near-term effects that reinforced "the speed of sovereignty" and the political, vice technical, limits on military operations. While American partners sometimes found this frustrating considering swiftly fulfilling the JSOTF-P counterterrorism mission, they fully accepted the need to allow the Philippine government and AFP to conduct operations as those actors deemed appropriate. Though difficult for some initially, this acceptance reflected the broad and sophisticated understanding of the indirect approach evident in JSOTF-P.

Shifting counterterrorism to law enforcement. One of the major advances in Philippine thinking was the need to integrate police into counterterrorism operations, both to expand capacity to handle terrorists "downstream" and to reinforce the notion that this is a criminal law enforcement effort. The ANP also noted that this minimized the potential for false claims of mistreatment of civilians.

However, both the PNP and Philippines criminal justice system in general are weak, limiting the effectiveness of this shift in approach.[35] Examination of the professionalism and capacity of Philippine administrative institutions is beyond the scope of this article, but a wide range of reports and reporting suggests that corruption and a lack of effective ministry capability remain major impediments to sustainable progress in field operations. International Crime Investigative Training Assistance Program (ICITAP), a U.S. Department of Justice training program for improving Philippine police effectiveness, is one solution for addressing this key shortfall. However, the program has a tactical focus only, so institutional shortcomings were not being addressed in U.S. efforts. While the overall Philippine goal is to move the counterterrorism mission to law enforcement agencies, this goal is undermined by a police force that often lacks the capacity for that mission, with the exception of the PNP-SAF.

The next two sections contain the study team's observations of best practices exhibited in OEF-P. The best practices include approaches by JSOTF-P, the Country Team in the U.S. Embassy, and Philippine forces, as well as observations concerning key constraints that limited the benefits and sustainability of the overall OEF-P effort.

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Best Practices

Creation of Precision Units. With U.S. assistance, the Philippines created and improved upon several specialized precision units that have additional training and higher levels of technology and resourcing than other host nation security forces: the Philippine JSOG, the Light Reaction Company, and the PNP-SAF. Operating with JSOTF-P advice and assistance,

these units allow the Philippines to be more surgical in the execution of combat operations, improving effectiveness against terrorist elements while lessening civilian casualties and human rights abuses.

Full Integration across U.S. Embassy Country Team: *Mindanao Working Group*. The Country Team/JSOTF-P relationship has improved significantly over the past year due to concerted attention. Weekly Country Team meetings and JSOTF-P's full-time liaison in the Embassy have been helpful in integrating JSOTF-P efforts into the overall Country Team plan. JSOTF-P elements working with the Deputy Chief of Mission crafted the Embassy's Mindanao Work Group, which by mid-2011 was essentially a steering group effort for the Country Team's initiatives in the southern Philippines. The JSOTF-P commander stated that such an integrated effort was essential for a comprehensive approach to addressing U.S. counterterrorism goals in the Philippines.

Robust Liaison. JSOTF-P liaison activities range well beyond a narrow U.S. counterterrorism focus, reaching broadly into host nation combat units, civic actions, police, and other locations, reflecting a deliberate effort to pursue an indirect approach. Resultant relationships with key influencers provide for optimal exchange of information, strengthened understanding of terrorist and insurgent operations, greater acceptance of U.S. presence, and opportunities for synergy and force multipliers in support of shared goals.

Activation of a National Civic Action Command. The AFP established a National Development Support Command, which includes forces such as civil affairs, medical, engineer, and other units charged with the old U.S. doctrinal mission of civic action as part of internal defense and development strategy. This move enables the AFP commitment to a larger role for civil-military operations in its overall approach, a role that JSOTF-P has encouraged. The population views these units favorably since they demonstrate the government's will to improve the lives of its citizens, and the resulting operations have aided the effectiveness of counterterrorism operations. Corruption does, however, remain an issue.

Replacing Search-and-Destroy Tactics with Focused Operations. The Philippine approach to combating terror and insurgency has moved from counterproductive search-and-destroy tactics to focused targeting operations. Focused operations are characterized as having clearly articulated objectives, detailed planning and rehearsal, robust intelligence on both the target and the immediate environment, and the ability of ground commanders to abort operations when there are concerns of civilian casualties.

Partnered Control of Technology. U.S.-Philippine combined/joint fusion cells facilitate partnered use of U.S. weapon systems technology to enable host nation operations and give them capability they otherwise lack. Partnered control of precision weaponry equals partnered accountability and responsibility while allowing host nation use of advanced capabilities to maximize mission effectiveness.

Combining Direct and Indirect Approaches to Counterinsurgency. The Philippine political, military, and police leadership agree that the previous heavy-handed strategy for prosecuting the 40-year war against multiple simultaneous insurgencies, characterized by human rights violations and civilian casualties, has failed. The Philippines has adopted a new approach that combines direct and indirect methods in concert to combat terrorism. It uses a division of labor to blunt terrorism

while fostering national reconciliation. While precision security force units will focus on critical kinetic direct action operations, the battlespace owners in the AFP and locally based PNP will carry 80 percent of the load by conducting security operations, civic action, and intelligence-gathering to separate the people from the terrorists.

Strategic Tempo and Tactical Patience. Philippine counterterrorism operations are conducted in the context of an internal 40-year conflict. There is no timetable for Philippine forces to withdraw—unlike U.S. forces in Iraq and Afghanistan—since they stand on national sovereign territory. Civilian casualties and human rights are key concerns that can outweigh temporary military gains from specific operations. Therefore, Philippine forces have learned the benefits of tactical patience—if necessary, many targets can wait for opportunities when they can be actioned and these key concerns can be avoided. JSOTF-P advisors have learned to adjust their tempo to avoid stressing host nation sovereignty, governance, and trust.

Host Nation Human Rights Officers and Training. The Philippine security forces require that an officer in each battalion serves as a human rights officer, usually as an extra duty. The officers train the units on human rights policy and ensure that human rights are a consideration during operations. Any citizen may accuse a member of the police or armed forces of a human rights violation. Those accused have their careers flagged until the matter is resolved in civilian court. The Armed Forces Joint Staff has a human rights office on it, and human rights training is part of the AFP National Police academy's curriculum. The AFP human rights office was established as a single point of contact for concerns about violations by the AFP. Soldiers met by the study team mentioned that this office was helpful to individuals who had been falsely accused of such violations. This overall approach appears to clearly fix personal responsibility for conduct and avoidance of human rights violations, facilitating a change in mindset of host nation forces in ways that have helped the population welcome their presence and activities, leading to improved success in counterterrorism operations.

Low Visibility Dispersion. Having widely dispersed JSOTF-P air operations, command and control, and liaison coordination elements enhance force protection by lowering visibility of U.S. presence. Living in safe areas on host nation bases also reduces force signature and the likelihood of adversary attack.

Attention to Internally Displaced Persons. IDPs have been a significant problem throughout the Philippines' troubled past in light of its history of internal conflicts and natural disasters. IDPs are now considered in military and police operational planning. Capabilities of military, police, and governmental social welfare agencies can be integrated to mitigate IDPs caused by military operations or natural disasters. Such aid helps to influence the population and improve relationships between civilians and security forces. In contrast, failure to consider and factor in considerations for IDPs in operations in Afghanistan harmed the relationship with the population and provided material for enemy information operations.

Key Constraints

Indirect Operations Equal No Use of Force from the United States. A key aspect of planning by the United States for operations in the Philippines was the prohibition against the United States using force in offensive operations. Therefore, an indirect/FID approach was developed to accomplish the U.S. objectives

by, with, and through the Philippine security forces. What might have initially been perceived by the U.S. military as a constraint resulted in an operational strategy that helped the AFP avoid fueling the decade-long Philippine insurgency. Nonetheless, there were several other constraints that limited the benefits and sustainability of the indirect approach in the Philippines.

Limited Authorities/Capabilities/Resources for the Indirect Approach. Some limitations hindered JSOTF-P ability to influence the host nation. U.S. forces did not have all of the resources they believed they needed to build influence and relationships with Philippine forces and government elements. For example, the need for a low level of discretionary funding was an early lesson in Iraq and Afghanistan, which has been addressed by providing military forces with Commander's Emergency Response Program (CERP) funds to aid them in influencing the population and local leaders. JSOTF-P lacked such a mechanism, however. Another lost opportunity was JSOTF-P inability to travel with AFP leaders on military aircraft without prior coordination and U.S. military four-star approval. JSOTF-P stated that the inability to host AFP leaders in certain occasions precluded taking advantage of opportunities for influence. Overall, military forces require flexibility to apply resources in unconventional ways to empower the indirect approach. Thus, the lack of an agile mechanism to get needed resources for influence operations led to missed opportunities.

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Efforts Did Not Feature Institutional Reform (Sustainability). The later phase of OEF-P was an advise-and-assist mission in

DOD (Michael J. Carden)

U.S. Soldier serving in Operation *Junior Heroes* in Philippines looks at children's book teaching IED awareness

support of Philippine counterterrorism operations and was not geared toward improving institutional capability. For example, JSOTF-P was not authorized to conduct training. While there were ways to work around this restriction, the study team sensed that this limitation was frustrating to some elements in JSOTF-P because their impact was limited to the forces with whom they could work directly. Authorization to include training in their mandate, even without additional resources, might have allowed them to create greater synergies and expand their impact. For example, they wished to use available resources to tie together advise/assist topics for inclusion in curricula for AFP schoolhouses, which would have helped make their advising mission more sustainable and increased the impact of U.S. efforts. This challenge is one example of the inherent stovepipes created by limited authorities granted in Title 10 (for example, operational advise and assist) and Title 22 (security assistance) missions.

Inconsistent Interagency Teaming. Ideally, OEF-P would be an integrated interagency effort, pulling in different aspects of national power to best effect. Different phases of OEF-P have featured such interagency integration. At the same time, this integration has been inconsistent, pointing out the ad hoc and personality-dependent nature of interagency teaming. Integration was reported by both military and Department of State elements to be strong between 2002 and 2007. During this time, different elements of the U.S. Country Team would meet weekly to focus and synchronize effects in Mindanao. Such strong integration appeared to emerge again in 2010 and 2011. While it is not clear why interagency teaming was not as strong in the years between these two periods, Iraq and Afghanistan have many examples of senior leaders actively establishing and maintaining these relationships.

Even with an integrated U.S. Country Team effort in 2011, many of those interviewed expressed a lack of understanding or appreciation of a common plan or coordinated approach within the team. It was not clear whether a more conscious counterterrorism approach could be agreed upon across the U.S. Government or would be accepted by the Philippine government. Nonetheless, from the JSOTF-P perspective, it would be a welcome development. For example, despite USAID priorities having a strong focus on the southern Philippines, the agency dedicated $400 million to work in Mindanao, which was 60 percent of the total USAID investment. JSOTF-P members noted that it was hard to see any impact from that development. Military officials perceived development work as conducted to "better the lives of people in the Philippines" instead of "make development work [to] reinforce [U.S.] interests."

Another example is justice system reform. This appeared critical to military actors since the process to prosecute terrorists was lengthy and sometimes ineffective. To improve this process, JSOTF-P pursued a team effort with the Department of Justice's ICITAP program. But the ICITAP program appeared to be a poor fit to the challenges in the Philippines. ICITAP trains police skills, but without a higher level program to reform police leadership accompanied by addressing pay issues, training basic skills to police forces can simply help make a corrupt force more efficient in its corruption. Importantly, this situation has changed in the past few months because of the work of the Mindanao Working Group within the U.S. Embassy, which started to

move U.S. efforts back toward an enterprise approach with increased unity of effort.

These considerations point to the fact that, for all its successes, OEF-P was not designed to be sustainable. There is no component of OEF-P that is chartered to fold key components of the advise-and-assist mission into AFP institutions so they can be perpetuated. Therefore, hard-fought progress could be lost when the U.S. effort is reduced in scope or eliminated. OEF-P also stands as an example of how the U.S. Government has not been consistently able to synchronize and synergize its efforts in the Philippines for maximum effect. In a time of decreasing U.S. resources, it becomes even more important to consider how effects can be made sustainable and how limited resources can be used to obtain maximum effect.

Lessons for the United States

The lessons of OEF-P are instructive for the United States over the next decade as it is faced with maximizing desired effects in an austere budgetary environment.

Use of the Indirect Approach for Security Concerns. Progress in the Philippines suggests the importance of the indirect approach to FID and security assistance in addressing U.S. national security concerns. While U.S. direct action operations alone can make short-term gains against global terrorism, a U.S. kinetic approach is unsustainable in itself. Partners are essential in the struggle against violent extremism, and partners may require the United States to adopt an indirect approach to a common challenge. In addition, the history of the Philippines experience with extremism shows that direct action without addressing underlying factors that lead to grievances can be a temporary solution to a problem that will likely reemerge.

One corollary to this is that U.S. military forces require resources that are unconventional yet appropriate to the use of the indirect approach and influence operations in the name of national security. These can include a process for agile resourcing of requirements, such as a CERP-like mechanism, as well as the ability to obtain requirements that may seem unconventional to a procurement system that normally operates for conventional military resources.

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Other resources that can be useful in pursuing the indirect approach are intelligence products that support an accurate understanding of the population as well as threat groups, since this facilitates efforts to separate terrorists from the population. At the same time, assessments to understand host nation capabilities and limitations—including operations analysis for understanding what elements of the host nation approach were or were not working—would be valuable in helping the U.S. military tailor its advise-and-assist efforts to areas where they are most needed. It may also be valuable to provide expeditionary intelligence, surveillance, and reconnaissance platforms to give intelligence support to host nation targeting and boost its confidence.

Monitoring and Reducing Civilian Harm. When host nation security forces injure civilians, the political costs can be significant both domestically and internationally. In the Philippines, extra-judicial killings (noncombat-related deaths of civilians) alleged to have

been perpetrated by government officials have been of particular concern over the past decade. Nongovernmental organizations have issued critical reports about extra-judicial killings, and, in 2007, the U.S. Government and United Nations Special Rapporteur for extra-judicial killings both issued critical reports about them in the Philippines.[36] Human rights violations remain liabilities for the host nation government and its partners, so much so that they become evidence of the government's failure to protect civilians or effectively prosecute human rights abusers. Moreover, where government employees are directly involved in such abuses, they bespeak the failure of government and its institutions. Such considerations impact U.S. assistance to foreign militaries such as the Philippines due to legislation prohibiting aid to nations with established human rights abuses. Therefore, human rights abuses committed by government actors, even if outside official military operations, are cause for concern of the Country Team as well as U.S. and host nation forces.

Despite this importance, neither the Philippine military nor partnered forces successfully tracked or analyzed violence against civilians. This is a common omission. For example, the United States and North Atlantic Treaty Organization were both unaware of any civilian harm during Operation *Odyssey Dawn* and Operation *Unified Protector* in Libya in 2011, despite the mission being civilian protection and the likelihood of civilian harm during airstrikes.[37] The exception appears to be International Security Assistance Force operations in Afghanistan, where coalition forces both tracked civilian casualties and analyzed them to find opportunities for reducing civilian harm. Importantly, Afghanistan shows that focusing on civilian casualties can be a win-win situation. For instance, several examples exist in which forces significantly reduced civilian casualties while maintaining or improving operational effectiveness. Other examples show that when the military does not address this issue, it can find its freedom of action seriously curtailed. Given these lessons, the U.S. military and Embassy team should be more deliberate in tracking and remediating civilian harm given its strategic impact, including in partnered operations.

Tailored Human Rights Training for Host Nation Forces. The Philippine forces' attitudes toward civilian casualties suggested the need for a more nuanced appreciation of civilian casualty issues and frameworks by U.S. Country Teams and forces working indirectly with host nation security forces. In the case of the AFP, concern about the potential personal career ramifications of causing civilian casualties appeared to induce significant caution with regard to combat operations. One contributing factor was the fact that AFP operated under domestic law, which served to reinforce consequences for their actions during operations. This stands in substantive contrast to the Law of Armed Conflict (LOAC), which is more permissive with regard to civilian casualties, and in procedural contrast to the more insulated U.S. military justice system. The result for AFP soldiers was a desire to avoid military action in populated areas or without adequate intelligence or real-time verification that no civilians would be harmed. This case suggests that FID efforts should not simply assume the current U.S. framework for understanding human rights and LOAC (both of which are international in focus) when working with other forces. Instead, U.S. forces should develop the awareness to assess, discuss, and accommodate local national law and political considerations

regarding civilian casualties or human rights.[38] Failure to do so may make it more difficult to communicate and effectively shape host nation force thinking and behavior.

Training on Nonlethal Skill Sets. Military forces working in an indirect role would also appear to benefit from a focus on enhancing host nation nonlethal skill sets, such as civil affairs, military information support to operations, and public affairs. In the case of the Philippines, U.S. civil affairs and engineering initiatives provided an alternate population-centric approach to counterterrorism, addressing root causes that have fueled cycles of violence for decades. This model was so effective that Philippine forces adopted the practice in their own operations and established a permanent command to foster its practice.

Sustaining Progress: Supporting Both Operations and Institutions. Security assistance activities should also attempt to make their benefit as sustainable as possible given overall cost constraints and U.S. national interests in global stability. This is a matter of making the most of available resources to make long-lasting benefit. For example, training could be conducted now within JSOTF-P with little impact, given its expertise on AFP capabilities and limitations and its relationships that provide natural openings with AFP personnel in its schoolhouses. Funding restrictions for Title 10 and Title 22 activities can thus create an artificial impediment to U.S. forces when there are simultaneous requirements to provide support to operations and institutional security assistance activities.

Limited Authorities for Support to Police Forces. Most U.S. forces currently lack authorities needed to provide information and operational support to host nation nonmilitary agencies, such as the police or justice system.[39] Given that many nations approach counterterrorism as a law enforcement activity, this lack of authority is a significant limitation to supporting partner nation counterterrorism activities. This limitation is exacerbated by current shortfalls in scope in other U.S. Government programs that could potentially fill this gap, such as ICITAP.

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A Model for Interagency Teaming. Joint Publication 3-08, *Interagency, Intergovernmental Organization, and Nongovernmental Organization Coordination During Joint Operations, Vol II*, notes the challenges of interagency coordination and the value of a clear mission statement. The Philippines shows both that such interagency coordination can occur and success tends to be ad hoc and personality dependent. The Mindanao Working Group suggests a way ahead for formalizing such coordination in a focused geographical area that might be expanded across the country. The military often instigates innovation within the interagency, as was true in the exemplary example of Joint Interagency Task Force–South. U.S. Special Operations Command has a charter through its Global Synchronization Conferences to help coordinate the U.S. effort against terrorism, although this remains largely a top-down undertaking. The JSOTF-P support for the Mindanao Working Group represents a bottom-up approach that may be more successful because it more closely reflects agency capacity and self-interest in developing a common strategy and implementation plan.

Conclusion

The United States faces a host of national security concerns, which includes the threat of terrorist attacks and the global challenge of combating violent extremism. Given U.S. budget challenges and the exhausting legacy of two lengthy wars, future military operations to address these concerns will likely be characterized by presence and shaping combined with direct action against discrete threats and individuals. SOF will continue to be in high demand for direct action to counter more immediate threats to U.S. interests. SOF also have an opportunity to showcase their unique skills and value in FID, security assistance, and other shaping missions in order to address underlying factors that lead to violent extremism. Such activity can both sustain progress against terrorist elements and reduce the baseline of violent extremism in the future.

This indirect approach is a critical component of sustaining U.S. national security. However, while many resources and much attention have been placed on improving means of direct action and degrading terrorist networks, the indirect approach has not received the same attention. Indeed, the 2011 *National Strategy for Counterterrorism* concludes that a redoubling of efforts is needed in addressing "specific drivers of violence"[40] and terrorist messages. Seizing this opportunity may require some additional action, a slight rebalancing of resources, and creative thinking about partnerships. The alternative, however, would be to repeat post-Vietnam U.S. withdrawal from indirect activities with the resulting reduced influence and effects throughout the world.[41] Given the strategic challenges the United States faces in a world of changing power dynamics, this would be a shortsighted approach. Overall, military forces require flexibility to be able to apply resources in unconventional ways to empower the indirect approach.

Indirect military action can be a catalyst for reform of U.S. Government structures and processes to the requirements of national security. Best practices have been observed at the tactical edge of the interagency, such as the Philippines and certain activities in Iraq, as well as the counterdrug interagency command in Key West. These are examples where interagency partners, compelled by the need for success on the ground, overcame barriers of authority, resources, disparate goals, and culture and moved toward a synergistic whole-of-government approach. In times of limited resources and compelling global requirements, the need for better interagency integration is obvious, and the U.S. Country Team is a good starting point for pursuing such integration. PRISM

Notes

[1] Robert Day McAmis, *Malay Muslims: The History and Challenge of Resurgent Islam in Southeast Asia* (Grand Rapids, MI: William B. Eerdmans Publishing Company, 2002).

[2] Moro National Liberation Front fighters were promised positions in the Philippine army, with the ability to stay in their local areas.

[3] The Louis Berger Group currently maintains the Livelihood Enhancement and Peace (LEAP) project for the U.S. Agency for International Development, available at <www.louisberger.com/OurProjects/Asia/LEAP>.

[4] Michael McClintock, *Instruments of Statecraft: U.S. Guerrilla Warfare, Counterinsurgency, and Counterterrorism, 1940–1990* (New York: Pantheon Books, 1992).

[5] Khadafi Janjalani was killed in 2006 by the Armed Forces of the Philippines (AFP) during Operation *Ultimatum* in Jolo.

[6] The first Operation *Enduring Freedom* (OEF) mission focused on al Qaeda leadership in Afghanistan; the third OEF mission addressed al Qaeda and associated enemy networks in trans-Sahara Africa.

[7] *Civil-military operations* are the "activities of a commander that establish collaborative relationships among military forces, governmental and nongovernmental civilian organizations and authorities, and the civilian populace in a friendly, neutral, or hostile operational area in order to facilitate military operations that are nested in support of the overall U.S. objectives." See Joint Publication 3-57, *Civil-Military Operations* (Washington, DC: The Joint Staff, July 8, 2008).

[8] *Quadrennial Defense Review Report* (Washington, DC: Department of Defense, February 2010), 28.

[9] Interview with Joint U.S. Military Assistance Group (JUSMAG), May 2011.

[10] Interview with U.S. Joint Special Operations Task Force–Philippines (JSOTF-P) personnel, April 2011.

[11] Interviews with JSOTF-P personnel, April 2011.

[12] Interview with JUSMAG, May 2011.

[13] Interviews with JSOTF-P personnel, April 2011; and JUSMAG, May 2011.

[14] Interview with JUSMAG, May 2011.

[15] Interview with JSOTF-P personnel, April 2011.

[16] Several individuals pointed to Operation *Petas* in Western Sulu on December 6, 2010, as evidence that the Philippine National Police–Special Action Force (PNP-SAF) were becoming an effective targeting force.

[17] Interviews with JSOTF-P personnel, April 2011; and with Joint Special Operations Group (JSOG) and PNP-SAF, May 2011.

[18] For example, this approach was discussed in a memorandum from Secretary of Defense Donald Rumsfeld to the Chairman of the Joint Chiefs of Staff and Deputy Secretary of Defense in September 2003 as an example of how effective the use of the indirect approach can be in combating terrorism.

[19] Interview with JSOTF-P personnel, April 2011.

[20] Ibid.

[21] Ibid.

[22] "Global War on Terror (GWOT) Quick Look," Joint and Coalition Operational Analysis brief, 15, August 2007.

[23] B.A. Patty, "To Raise Them Up. Part 1: The Lesser and Greater Insurgencies of the Philippines," *Small Wars Journal*, October 15, 2007.

[24] Interview with JSOG, May 2011.

[25] Interview with PNP-SAF, May 2011.

[26] Interview with AFP, May 2011.

[27] "They're very aware of the fact that it's their own country," interview with JSOTF-P personnel, April 2011.

[28] Interview with JSOG, May 2011.

[29] Republic Act 9327, Human Security Act, 2007.

[30] Interview with JUSMAG, May 2011.

[31] For example, Philippine law affords much protection to detainees and specifies that detainees can only be held for 24 hours without being charged with a crime.

[32] Interview with JSOG, May 2011.

[33] JSOG and PNP-SAF; interview with JSOTF-P personnel, April 2011; interview with JSOG and PNP-SAF, May 2011.

[34] One of the contributions to this evolution appears to be the Leahy Amendment, which applies vetting of human rights practices and policies to decisions regarding U.S. funding. This policy was seen by some to have a restraining effect on the host nation regarding human rights violations.

[35] "Several key institutions, including the judiciary and law enforcement agencies, remain weak," *World Report 2012–Philippines* (New York: Human Rights Watch, January 22, 2012), available at <www.unhcr.org/refworld/docid/4f2007c83c.html>.

[36] U.S. Department of State, "2006 Country Report on Human Rights Practices: Philippines," March 2007; and United Nations Human Rights Council, "Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including The Right to Development: Report of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Appendix: Philippines, Philip Alston," 2007.

[37] For Operation *Odyssey Dawn*, Vice Admiral William E. Gortney, former director of the Joint Staff, stated that there were "no reports of civilian casualties caused by coalition forces," news transcript, Department of Defense, March 24, 2011. For Operation *United Protector*, North Atlantic Treaty Organization (NATO) Secretary General Anders Rasmussen stated that "We have no confirmed civilian casualties caused by NATO," transcript, Monthly Press Briefing, November 3, 2011. These claims are contrary to credible claims in the media and by the new government of Libya.

[38] This also suggests that Iraqi and Afghan forces that have been trained to U.S. military standards for operations governed under Law of Armed Conflict considerations may not have this mindset of restraint during their operations.

[39] U.S. Special Operations Command forces are an exception.

[40] 2011 *National Strategy for Counterterrorism*, 19.

[41] This point is emphasized in the 2010 *National Security Strategy*: "It would be destructive to both American national security and global security if the United States used the emergence of new challenges and the shortcoming of the international system to walk away from it."