

SANCTUARIES: A STRATEGIC REALITY, AN OPERATIONAL CHALLENGE

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USAWC STRATEGY RESEARCH PROJECT

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by

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ABSTRACT

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Sanctuaries are a strategic reality and an operational challenge today more than ever. Sanctuaries or “safe havens” exist in all regions and mediums to include space and cyber. "Sanctuary"--that is to say, a secure base area within which an insurgent group is able to organize the politico-military infrastructure needed to support its activities--is central to the process of insurgency. It is from such sanctuaries that operations against the enemy are planned and launched. Theorist and practitioners such as T.E. Lawrence, Mao Tse-Tung, Che Guevara, Bin Laden to name a few have utilized sanctuaries. Twenty-first Century sanctuaries include cyber, offshore banking, space, and ideological. The operational challenge is daunting when neither joint nor service doctrine does not address the enemy's use of safe havens. In analysis, a paradigm shift must occur away from bottom-up tactical approach and include a joint and interagency top-down approach to develop a “counter-sanctuary” strategy for the future. Enemies thrive in sanctuaries, the U.S. must address in strategy, policy and doctrine.

SANCTUARIES: A STRATEGIC REALITY, AN OPERATIONAL CHALLENGE

There can be no place on earth where it is safe for these monsters to rest, to train, or practice their cruel and deadly skills. We must act together, or unilaterally, if necessary to ensure that terrorist have no *sanctuary*—anywhere.¹

—President Ronald Reagan, 1985

President Reagan, who defined the “evil empire,” was the first president to grasp the terrorism threat. In the 1980’s, state sponsored terrorism was on the rise and was supported by a few rogue countries like Libya, Iran, North Korea, Cuba, and Nicaragua. On October 23, 1983 at 0620, the barracks of the 1st Marine Division at the Beirut International Airport was attacked by a suicide bomber using the equivalent of 12,000 pounds of high explosives in a truck killing 241 U.S. servicemen. Two minutes later, the French 1st Parachute Infantry Regiment was also attacked in a similar manner killing 58 French soldiers.^{2 3}

In 1985, President Reagan gave a speech to the American Bar Association with the remarks focused on terrorism and its growing trend.

So, let us go to the facts. Here is what we know: In recent years, there's been a steady and escalating pattern of terrorist acts against the U.S. and our allies and Third World nations friendly toward our interests. The number of terrorist acts rose from about 500 in 1983 to over 600 in 1984. There were 305 bombings alone last year -- that works out to an average of almost one a day. And some of the most vicious attacks were directed at Americans or U.S. property and installations. And this pattern has continued throughout 1985, and in most cases innocent civilians are the victims of the violence. At the current rate, as many as 1,000 acts of terrorism will occur in 1985. Now, that's what we face unless civilized nations act together to end this assault on humanity.⁴

The Libya air strike against a state sponsored terrorist sanctuary in December of 1986 was a manifestation of President Reagan’s strategy.⁵ Although these remarks by

President Reagan were made over 20 years ago, they ring louder today in the aftermath of 9/11.

The idea that sanctuaries are a new concern must be considered in today's strategic environment. In the post-Cold War period, the U.S. armed forces have been called upon to participate in an unprecedented number of complex contingency operations ranging from simple noncombatant evacuations to extensive, protracted, and dangerous peace enforcement and peace keeping duties. The most persistent challenges of recent years have been the chronic instability born of flawed regional order marked by severe impoverishment, unequal development, frustrated nationalism, ethnic rivalry, and the "failed state" phenomenon, where weak polities lose the capacity to carry out the basic tasks of governance. Embedded terrorism, exploiting failed regional systems as sanctuaries for the pursuit of global agendas, has been dramatic consequence.⁶ September 11th has changed the strategic calculus. Small disparate groups like Al Qaida with some form of WMD, either an airliner full of gas or a ship full of nitrogen used to attack U.S. is not acceptable. Globalization's intertwined logistical support of airlines and shipping, directly support noncontiguous sanctuaries. This paper will explore and define sanctuaries, discuss why are they important for terrorists and insurgents, and question whether the U.S. is prepared strategically and operationally to deal with sanctuaries some 20 years after President Reagan spoke those words. Finally, the paper will analyze current doctrine and offer recommendations to codify "counter-sanctuary" theories.

Strategic Reality

Sanctuaries or “safe havens” exist in all regions and mediums to include space and cyber. The next section defines sanctuaries from multiple sources. Then the paper will review known theorist and practitioners who utilized sanctuaries, and lastly explore Twenty-first Century trends to complete the survey.

Sanctuaries Defined

The word *sanctuary* is based on the root word *sanctus*, invokes sanctity and the religious right to shelter. Then there is its derivative, the especially challenging contronym *sanction*, which can either be a license to operate or a penalty for doing so. But today in this post-Cold War era, sanctions refer primarily to a diplomatic bargaining tool between states.⁷ Dictionary.com has eight variations with five of the definitions related to religion:

1. A sacred or holy place.
2. Judaism. a) the Biblical tabernacle or the Temple in Jerusalem. b) the holy of holies of these places of worship.
3. An especially holy place in a temple or church.
4. The part of a church around the altar; the chancel.
5. A church or other sacred place where fugitives were formerly entitled to immunity from arrest.
6. Immunity afforded by refuge in such a place.
7. Any place of refuge; asylum.
8. A tract of land where birds and wildlife, esp. those hunted for sport, can breed and take refuge in safety from hunters.⁸

In the last three variations, the sixth and seventh are related to a safe location minus a religious connotation, and the eighth is related to a wildlife refuge.⁹

In 2006, the U.S. State department wrote in their Country Reports on Terrorism... “because the term ‘sanctuary’ is commonly associated with places of worship, we have, for greater clarity and for consistency with the terminology used elsewhere in Country Reports on Terrorism, referred instead here to terrorist ‘safe havens.’ We interpret terrorist ‘safe haven’ to have the same meaning as terrorist ‘sanctuary’”.¹⁰ Further, the report defines safe havens.

Terrorist safe havens are defined in this report as ungoverned, under-governed, or ill-governed areas of a country and non-physical areas where terrorists that constitute a threat to U.S. national security interests are able to organize, plan, raise funds, communicate, recruit, train, and operate in relative security because of inadequate governance capacity, political will, or both. Physical safe havens provide security for terrorist leaders, allowing them to plan acts of terrorism around the world. Global communications and financial systems, especially those created by electronic infrastructure such as the internet, global media, and unregulated economic activity, further allow terrorists to carry out activities, particularly the dissemination of propaganda and misinformation, without the need for a physical safe haven. These "virtual" havens are highly mobile, difficult to track, difficult to control, and are not based in any particular state.¹¹

In this paper, the term sanctuaries as used by Presidents Ronald Reagan and George W. Bush will be used and can be interchanged with safe havens.

Theorist and Practitioners

For the 1929 edition of the Encyclopedia Britannica, the editor commissioned T.E. Lawrence to write a piece on guerrilla warfare. Lawrence's article is a concise but comprehensive treatment of a complex subject viewed through the lens of his own experience during the Arab Revolt against the Turks in 1916-18. His discussion of the importance of sanctuary stands out stating that “the guerrilla striking force must possess

a safe haven, enabling it, in Lawrence's case, to always keep a means of 'sure retreat' into an element which the enemy cannot enter." Lawrence concludes...

Rebellion must have an unassailable base, something guarded not merely from attack, but from the fear of it: such a base as the Arab revolt had in the Red Sea ports, the desert, or in the minds of men converted to its creed. It must have a sophisticated alien enemy, in the form of a disciplined army of occupation too small to fulfill the doctrine of acreage: too few to adjust number to space, in order to dominate the whole area effectively from fortified posts. It must have a friendly population, not actively friendly, but sympathetic to the point of not betraying rebel movements to the enemy. Thus in order to have any hope of success, a guerrilla force must be able to operate from a secure base. That base may be geographical but it may also be conceptual - lying within the minds of a friendly or sympathetic population.¹²

This principle applies to the strategic level as well as the operational, making "sanctuary" the cornerstone of the geopolitics of insurgency and terrorism and the reason that insurgents, terrorists, and other armed groups must rely on the likes of Waziristan (for the anti-Musharraf insurgents), the Sierra Maestre (for the Cuban revolutionaries), or Shaanxi (for the Chinese Communists). The likelihood that an insurgency will succeed increases significantly if it can gain sanctuary in neighboring states and obtain assistance from state and non-state actors. But armed groups can also find sanctuary in remote areas within a state, e.g. a backwoods or highland area, as illustrated by the examples above.¹³

"Sanctuary"--that is to say, a secure base area within which an insurgent group is able to organize the politico-military infrastructure needed to support its activities--is central to the process of insurgency. It is from such sanctuaries that operations against the enemy are planned and launched. It is from here that troops and cadres are trained, logistics maintained, and leadership exercised--all relatively free from enemy interference. The structures and institutions of the insurgent state-in-waiting may first

take form within the shelter of a sanctuary area. And it is here that (in the classic model of guerrilla warfare) guerrilla resources are built up to the point where the insurgents can challenge their opponent in semi-regular warfare. It comes as no surprise, then, to find that many guerrilla leaders--Mao Tse-Tung, Vo Nguyen Giap, Che Guevara, to name but a few--have devoted considerable attention to the importance of base areas in their writings.¹⁴ Mao, for example, identified the establishment of base areas as one of seven "fundamental steps" necessary to a successful guerrilla campaign:

A guerrilla base may be defined as an area, strategically located, in which the guerrillas can carry out their duties of training, self-preservation and development. [The] ability to fight a war without a rear area is a fundamental characteristic of guerrilla warfare, but this does not mean that guerrillas can exist and function over a long period of time without the development of base areas.¹⁵

Insurgent sanctuaries may differ widely in terms of geography, usage, and political context. Some--what we might term internal sanctuaries--are so-called "liberated zones" sited within the territory in contention. Generally these bases are established in areas of high insurgent activity and entrenched insurgent political influence near to major political targets, yet protected by geography (mountains, heavy vegetation, or otherwise protective terrain) or confused boundaries of administrative responsibility and political loyalty.¹⁶

Che Guevara utilized his unique geographical position, from the sparsely populated areas in southeastern Bolivia, guerrillas could strike at neighboring countries with a secure sanctuary in easy reach. But this attribute also became a liability;

The challenges facing every guerrilla force, equipment/supplies, communications, and sanctuary, presented unique problems for Che. Initially well equipped with weapons, ammunition, and supplies, his logistics support gradually disintegrated as the Bolivian army captured his base camp caches. As the campaign progressed, the guerrillas became totally isolated from their sources of supply. Communications failed

internally as evidenced by the failure of Che and Joaquin's group to reunite. When the military situation worsened, the guerrilla force had no safe sanctuary in which to re-group. Tied down to a permanent base camp in his area of operations, Che was stranded in "enemy territory" after the army destroyed the Nanchahuazu site.¹⁷

The partisans in Yugoslavia, the Red Army in China, the struggle of the Viet-Minh against the French, and the revolution against Batista in Cuba all represent examples of successful insurgencies based almost entirely on internal sanctuaries of this type. Still, such examples are relatively rare.¹⁸ More often insurgents opt for (or are forced into) significant dependence on external sanctuaries, utilizing the very different shelter of international borders by establishing major base areas within the territory of a proximate, but politically distinct, sanctuary state. Some are careless or even involuntary hosts, unwilling or unable to deny use of their territory to the insurgents--hence the use of Cambodian and Laotian territory by the Viet-Cong during the Vietnam War.

In Vietnam, adjoining sanctuaries were a significant factor in the war. In a 1999 book, *A Better War*, Lewis Sorley identified three standout causes of South Vietnam's collapse. The first had to do with the termination of political support, reduction of material support, and eventually the denial of fiscal support to South Vietnam. Second, effective leadership in the South Vietnam's military..." the junior South Vietnamese officers were good, competent and courageous, but the commanding general officers were inept." Lastly, and to the thesis of this paper, the third key cause was failure to isolate the battlefield, to cut off enemy infiltration, and resupply, and to deny the sanctuaries in Cambodia, Laos, and North Vietnam.¹⁹ Specifically, the use of "search and destroy" missions utilizing "big battalions" were costly in time, effort, and material, but often disappointing in terms of results. "The reality was that the enemy could avoid

combat when he chose; accepted it when and where he found it advantageous to do so; and break contact at will as a means of controlling casualties. He was aided in this by the use of sanctuaries in adjacent Laos and Cambodia, off limits to allied forces because of political restraints." Further, the principal logistical support route, Ho Chi Minh Trail, branched from the Laos and Cambodia into South Vietnam.²⁰

In many other cases, the extension of shelter to insurgents is a deliberate act of policy motivated by ideological sympathy, outside rewards or pressures, or in pursuit of more complex realpolitik objectives (especially as a tool of covert punishment or destabilization). Under such conditions it is the principal of state sovereignty, coupled with the willingness and ability of the host state to defend its territory from incursions by the insurgents' opponent that generates the necessary protection.²¹

Conversely, the loss of such bases through the loss or withdrawal of sanctuary will almost invariably have a devastating--and perhaps fatal--effect on the insurgents in question. Aware of this dangerous possibility, Che Guevara warned that "unconditional help should not be expected from a government, whether friendly or simply negligent, that allows its territory to be used as a base of operations"; on the contrary, insurgents should treat the situation with a degree of caution and discipline "as if... in a completely hostile camp." The susceptibility of the Irish Republican Army in Northern Ireland to the changing political environment in the Irish Republic during the 1920s and 1930s illustrates the point, as does the collapse of the communist insurgency in Greece after the closure of the Yugoslavian frontier in 1948. For the Kurds, it was a lesson underscored once more in the 1980s. Having fought against the Iraqi government (with significant success) almost from the outset of the Iran-Iraq War in 1980, Iraqi Kurds

again found themselves abruptly cut off from Iranian aid and shelter when the latter agreed to a ceasefire in August 1988. With this, another Kurdish insurgency collapsed amid a brutal Iraqi offensive in Iraqi Kurdistan.²²

Bin Laden and the United States

When a terrorist network possesses a sanctuary, it can grow larger because physical security and proximity permit it to operate as a hierarchy along military lines, complete with middle management. Before the U.S. responded to 9/11, al-Qaida operated in this mode in Afghanistan, while maintaining distributed network outside of Afghanistan. Once it was driven from Afghanistan, it fragmented into smaller, less effective groups.²³

During 1995 and 1996, President Clinton devoted considerable time to seeking cooperation from other nations in denying sanctuary to terrorist.²⁴ Further, the 9/11 Commission Report credits President Clinton for raising terrorism to a high priority for the nation, and specifically for his administration by awarding a seat on the NSC as the chief counter-terrorism coordinator, the position was held by Richard Clarke. During a commencement speech at the Naval Academy, in May 1998, the President Clinton said:

...we will use our new integrated approach to intensify the fight against all forms of terrorism: to capture terrorist, no matter where they hide; to work with other nations to eliminate terrorist sanctuaries overseas...²⁵

The CIA, FBI and State Department all worked on independent plans in an attempt to capture and arrest Bin Laden. After the CIA's capture plan was tabled for collateral damage issues, assassination like concerns and cost, the U.S. requested Saudi Arabia's help. In 1998, Saudi directly requested the Taliban hand over Bin Laden, they said they would but never did.²⁶

On August 7, 1998, simultaneous bombs ripped apart two U.S. Embassies in Africa, one in Kenya and the other in Tanzania. Al Qaida was quickly linked to the bombings. On 20 August, U.S. warships in the Arabian Sea launched scores of Tomahawk cruise missiles in an attempt to kill Bin Laden and his group of deputies as they plotted in the Afghanistan sanctuary and a pharmaceutical plant that was producing a precursor to VX nerve gas with Bin Laden's financial support. Bin Laden and his key deputies were not present when the missiles impacted. According to the 9/11 Report, Pakistan was warned of the firing so as not to mistake the missiles as an Indian attack...tensions were high between the two countries during this time frame. But it has been speculated that Pakistan, or someone in the intelligence service, warned Bin Laden and he escaped hours prior.²⁷

After the U.S. Embassies attack, Richard Clarke drew up a strategy paper titled "Political-Military Plan Delenda." The Latin *delenda*, meaning that something "must be destroyed" evoked the famous Roman vow to destroy its rival, Carthage. The overall goal of the Clarke's paper was to "immediately eliminate any significant threat to Americans" from Bin Laden network. The paper called for diplomacy to deny Bin Laden sanctuary; covert action to disrupt terrorist activities but above all capture Bin Laden and his deputies and bring them to trial; efforts to dry up his money supply; and preparation for follow-on military action.²⁸

The military component of Clarke's plan was its most fully articulated element. He envisioned an ongoing campaign of strikes against the terrorist sanctuary in Afghanistan and elsewhere. In the 9/11 Commissions Report, the term sanctuary is mentioned 19 times.

Twenty-first Century Sanctuaries

Globalization has significantly increased the interactions of people around the world. States have been the dominate force in limiting or supporting sanctuaries since the treaty of Westphalia. States and their relationship with other states are based on some or all important factors; diplomatic, informational, military, economic, financial, infrastructure, and legal. The reason a person can fly on an airline to any corner of the globe or communicate and conduct commerce is because these states have agreed on standards, protocols, and procedures within their body of laws and norms.

Recently, the term sanctuary has been utilized in a few new age mediums. The first is the idea that cyber is a virtual sanctuary for communications, ideas, illegal trade, and so on. The second area includes space, the final frontier, which has been considered a sanctuary until January 2007, when the Chinese intercepted and destroyed one of its own satellites. The third area of interest is offshore banking, a financial sanctuary that protects individuals, organizations, and companies from state tax and certain fiduciary interactions. Lastly, as T.E. Lawrence explained in 1929, “the minds of men converted to its creed” or what is being referred to as the ideological sanctuary.

Cyber Sanctuaries

Conspirators no longer need a physical sanctuary in which to meet: they have found it on the web.²⁹ Deputy Secretary of Defense, Paul Wolfowitz, described Cyber sanctuaries as “the ‘space’ that exists through communications networks made possible by modern technology.”³⁰ Recently, a terrorist known as Terrorist 007 was captured in

London. From his bedroom he had become one of the most notorious cyber-jihadists in the world.

The story of Younis Tsouli, or Terrorist 007 as he styled himself, reveals how virtual terrorist networks can emerge out of sight of the authorities and not only radicalise the young online but also help them carry out terrorist attacks.

Tsouli had begun browsing the web for extremist material but quickly became much more than an observer. He took on the user name of Irhabi 007 - Irhabi meaning Terrorist in Arabic.

He began posting advice on hacking and uploaded extremist propaganda but soon began to try to help those planning attacks.

He was explicitly looking for home movies from US soldiers that would show the inside of U.S. bases in Iraq, so they could do a better job at launching attacks into those bases," explains Aaron Weisburd, a private cyber-tracker based in the US who watched Tsouli closely.

Extremists also began to recognise Tsouli's skills and his potential. As Iraq descended into violence, al-Qaeda's leaders there contacted Tsouli. They asked him to build websites and run web forums for them and soon he became the main distributor of video material from al-Qaeda in Iraq. "Over the space of only two years, he become the undisputed king of internet terrorism," explains cyber-terrorism consultant Evan Kohlmann.

He also became first a moderator and then the administrator of one of the most important extremist websites which facilitated contacts between thousands of individuals.

He... provided a link to core al-Qaeda, to the heart of al-Qaeda, and the wider network that he was linking into through the internet," explains Peter Clarke, the head of the Metropolitan Police counter-terrorism command.³¹

Terrorist organizations have been able to find sanctuary in cyberspace. In the case of al-Qaida, jihadis are able to use the internet to spread its ideology, raise money, gain recruits, and signal operatives. Al-Qaeda operates in cyberspace with impunity, using 6,000-plus web sites to recruit, proselytize, and plan, exploiting the virtual reality of Islam's global ummah.³²

In 2006, General Abzaid, the U.S. CENTCOM Commander, spoke about the cyber sanctuaries.

But there are other safe havens used by the enemy that are truly safe. These are places where al Qaida also conducts military training, propaganda operations, and plans for future terrorist attacks. It is also where they do most of their fundraising. It is the virtual world. And this safe haven of websites and the internet is proliferating rapidly, spreading al Qaida's hateful ideology well beyond its birthplace in the Middle East. Parts of Europe, for example, have now become intellectual hubs of extremist Islamic thought, largely because of the internet and lax government policies regarding extremist activities. Yet we have done little to contest these safe havens, even though they are at least as dangerous to our security as the enemy's physical sanctuaries have been.³³

Jihadist are not an idle enemy and have grown increasingly familiar with cyber monitoring laws and widely discuss changes to those laws in their own internet forums. These posts are usually accompanied by updates to their own standard operating procedure manuals for online activity, which often includes details about using Web-proxy software, IP masking software, and illegal copies of other computer software. Thus, while countries grapple with increasingly complex legal challenges, terrorists are finding new ways to exploit critical vulnerabilities that allow them to sustain and expand their virtual sanctuaries.³⁴

Policymakers have referred repeatedly to terrorist use of the internet for online recruitment, training, and so on, and called the process "virtual" or the place "cyber" (or vice versa). But virtuality, meaning a perceived or imagined sense of things, is also the basic psychological factor that separates terrorism from other forms of political violence. Multiple meanings of virtuality also indicate that this pillar of official policy formulations is clearly inadequate to the problem set.³⁵

Offshore Banking

While the most valuable terrorist-oriented uses cyber space involves the exchange of information, the growing dominance of online commerce has not gone unnoticed. Several terrorist web sites now solicit directly or raise funds by selling videos, CDs, and t-shirts. A major source of terrorist funding in recent years has been the abuse of charitable organizations, shell companies, and offshore trust.³⁶ Furthermore, the privileged elite of almost any nation can hide their wealth in offshore financial and tax havens while *hawaladar* conduct untraceable businesses off the digital grid.³⁷ In many offshore centers...unregulated offshore jurisdictions—locations with limited bank supervision, no anti-money laundering legislation, ineffective law enforcement regimes, and a culture of no-questions-asked banking secrecy, such as Antigua, the Bahamas, Cayman Islands, Malaysia, Malta, Mauritius, and Vanuatu, there are minimal regulations on international business companies and trust arrangements.³⁸ This helps promoters mask their true identities and the value, nature, and location of their assets, creating opportunities for criminal money laundering and financing terrorist activities.³⁹ Transnational terrorist groups have mastered transborder movement of funds, using a variety of means. These include use of credit or debit cards, wire transfers, and cash smuggling (by courier or bulk cash shipments). This cross-border movement of capital has been especially facilitated by the process of globalization.

Space

On January 11, 2007, the Chinese launched an anti-satellite weapon to destroy one of their aging weather satellites. The impact about 850km (530 miles) above Earth

created a huge field of space debris, contributing about 28% of the “junk” now floating around in space.

The missile shot put America on notice that it can be challenged in space. The Chinese routinely turn powerful lasers skywards, demonstrating their potential to dazzle or permanently blind spy satellites. “They let us see their lasers. It is as if they are trying to intimidate us,” says Gary Payton, a senior Pentagon official dealing with space programs. The only conclusion, he argues, is that “space is no longer a sanctuary; it is a contested domain.”⁴⁰

Forty years of cold war history had show a successful pattern of U.S. policy aimed at supporting space as a sanctuary. The reason was that the US has more to lose if space is weaponized. Since the Eisenhower era, the open-skies philosophy has sought to bolster space ISR/MCG/Comm legitimacy—not space dominance. Theoretically, weaponization is overtly threatening and destabilizing, while a robust ISR environment—everyone spying on everyone—reduces paranoia and is ultimately stabilizing. This motivated the many signatories of the Outer Space Treaty of 1967 to agree that no proprietary claims could be made of space, thereby legitimizing global space reconnaissance.⁴¹ There are those that have argued that space should remain a sanctuary because states that pursue militarization of space actually detract from the security of the same states. Space is already militarized, and after 17 January 2007, there seems little chance of putting the genie back in the bottle.⁴²

Ideological Sanctuary

Paul Wolfowitz theorized that in addition to the geographic space terrorist occupy, the “911 terrorists themselves were able to create a kind of sanctuary inside the U.S. and other democratic countries, exploiting the very freedom and openness they were attacking in order to hide their evil plans.”⁴³ A narrative that has become virtually

ubiquitous in contemporary terrorism texts suggests that Islam, particularly militant forms of political Islam or what is often called “Islamism,” also function as a “terrorist sanctuary.” In this narrative, Islamic doctrines and practices provide ideological or religious support for terrorist activities. Many experts assert an “inherent, even organic connection that has always existed between Political Islam and violence” due to the fact that “Islam does not separate the realms of religion and politics.” Similarly, it is often argued that in the Islamic world one cannot differentiate between the political violence of Islamic groups and their popular support derived from religion... the present terrorism on the part of the Arab and Muslim world is Islamic in nature. The terrorism-Islamism association contained in these discursive formations works to construct the widely-accepted “knowledge” that certain forms of Islam provide an ideological sanctuary or “breeding ground” for terrorism and violence.⁴⁴

Further as an extension ethnic diaspora, armed groups may also find sanctuary within an ethnic areas, either within the insurgency state or without.⁴⁵ Diasporas often provide a source of recruits, training, finance, arms, logistics, and diplomatic backing. In the case of Islamic terrorism and insurgency, this form of sanctuary has been boosted by the emergence of a transnational jihadi network, which creates synergy between local and global groups.⁴⁶ Understanding the current dialog on sanctuaries...the what, informs the operational context but are we prepared for the challenge?

Operational Challenge

Military doctrine, recent operations, and Laws of Armed Conflict (LOAC) plus Rules of Engagement (ROE) considerations frame the ways and means utilized to counter sanctuaries.

U.S. Military Doctrine

In a survey of U.S. military doctrine, the Department of Defense's (DoD) Joint Publication (JP) 1-02 of Terms defines sanctuary as:

A nation or area near or contiguous to the combat area that, by tacit agreement between the warring powers, is exempt from attack and therefore serves as a refuge for staging, logistic, or other activities of the combatant powers.⁴⁷

At the joint capstone level, which is considered to be the DoD's strategic doctrine, the primary pillar documents in U.S. military are JP 3-0, *Joint Operations* and JP 5-0, *Joint Operation Planning*. In JP 3-0, sanctuaries are addressed only two times, under Chapter 5, "Major Operations and Campaigns." The first instance is under the section titled *Isolating the Enemy*.

JFCs strive to isolate enemies by denying them allies and sanctuary. The intent is to strip away as much enemy support or freedom of action as possible, while limiting the enemy's potential for horizontal or vertical escalation.⁴⁸

The second time the term is mentioned, also in Chapter 5 under the title *Considerations for Dominance*, the JP states that

Some missions and operations ((i.e., strategic attack, interdiction, and IO) continue throughout to deny the enemy sanctuary, freedom of action, or informational advantage. These missions and operations, when executed concurrently with other operations, degrade enemy morale and physical cohesion and bring the enemy closer to culmination. When prevented from concentrating, opponents can be attacked, isolated at tactical and operational levels, and defeated in detail. At other times, JFCs may cause their opponents to concentrate their forces, facilitating their attack by friendly forces.⁴⁹

In the second doctrine pillar, JP 5-0, *Joint Operation Planning*, the term sanctuary is not used or addressed. Further, in key supporting joint publications like JP 3-03, *Joint Interdiction*, sanctuary is only mentioned once.

Interdiction is more difficult against an enemy that employs a covert force structure, a simple logistic net, and unconventional tactics. However, with timely, accurate intelligence and persistent operations, interdiction can disrupt supply operations, destroy weapons caches, and deny sanctuary.⁵⁰

While little is written with direct reference to sanctuaries, the main theme of interdiction is to delay, disrupt, deter, and destroy the enemy, all very important to “counter sanctuary” doctrine. Previous doctrine such as the 1998 version JP 3-07, *Joint Doctrine for Military Operations Other Than War* (MOOTW) did not mention sanctuaries nor did the now defunct JP 3-70, *Strategic Attack Doctrine*.⁵¹ Current Doctrine such as JP 3-60, *Joint Targeting*, JP 3-07.1, *Joint Tactics, Techniques, and Procedures for Foreign Internal Defense*, JP 3-18, *Joint Doctrine for Forcible Entry Operation* and *Joint Doctrine for Psychological Operations*, JP 3-53, does not mention the word.⁵²

The Marine Corps famous *Small Wars Manual* of 1940 does not use the word sanctuary in its 492 pages.⁵³ Subsequent and recent Marine publications like MCDP 1-0, *Marine Corps Operations*, 27 September 2001, MCDP 1, *Warfighting*, 20 June 1997 and MCDP 3, *Expedition Operations*, 16 April 1998 do not tackle the problem of sanctuaries.

Prior to the 15 December 2006 Counter Insurgency US Army Field Manual (FM) 3-24 and Marine Corps Warfighting Publication No. 3-33.5 the problems of sanctuaries was only addressed in the Army’s 1986 publication *Counter guerrilla Operations*, FM 90-8.

Sanctuaries. Guerrillas may establish base camps and conduct cross-border operations from countries adjacent to the host country. They will take advantage of an international boundary to launch operations or evade pursuit with impunity. Commanders operating in border areas must respect the sanctity of international boundaries, but they can conduct combat operations against the guerrilla force once it crosses back over the border. Ambush patrols are excellent means of dealing with guerrillas who attempt to use an international border as sanctuary.⁵⁴

Prior to 1982 and FM-100-5, the US Army did not codify the operational level of war. The concept of deep battle was introduced with AirLand Battle Doctrine, although the concept for the employment of ground forces in deep operations was not fully articulated. *Deep operations* were defined as activities directed against enemy forces in the deep area. FM 100-5 of 1982, stated that, at the operational level, deep operations should "...include efforts to isolate current battles and to influence where, when, and against whom future battles will be fought."⁵⁵ Although ground maneuver is mentioned as a possible means of conducting deep operations, the priority in the Army's key stone warfighting manual is clearly on operational fires and electronic warfare, both explicitly and implicitly.⁵⁶ At the time, "no concept existed at the corps, echelons above the corps, or, indeed, U.S. Army doctrine within which the division can plan, train, and ultimately execute deep operations to achieve operational objectives."⁵⁷

The new US Army and Marines *Counterinsurgency Field Manual* (FM) 3-24 partially details some current thought on sanctuaries.

1-86. The meaning of the term sanctuary is evolving. Sanctuaries traditionally were physical safe havens, such as base areas, and this form of safe haven still exists. But insurgents today can also draw on "virtual" sanctuaries in the internet, global financial systems, and the international media. These virtual sanctuaries can be used to try to make insurgent actions seem acceptable or laudable to internal and external audiences.

1-87. Historically, sanctuaries in neighboring countries have provided insurgents places to rebuild and reorganize without fear of counterinsurgent interference. Modern target acquisition and intelligence gathering technology make insurgents in isolation, even in neighboring states, more vulnerable than those hidden among the population. Thus, contemporary insurgencies often develop in urban environments, leveraging formal and informal networks for action. Understanding these networks is vital to defeating such insurgencies.

1-88. Insurgencies can also open up sanctuaries within a state over which the host nation's forces cannot extend control or significant influence. In these sanctuaries, nonstate actors with intentions hostile to the host nation

or U.S. can develop unimpaired. When it is to their advantage, such elements provide support for insurgencies. The issue of sanctuaries thus cannot be ignored during planning. Effective COIN operations work to eliminate all sanctuaries.⁵⁸

FM 3-24 does not address roles and missions nor battlespace ownership in its thin discussion of sanctuaries. The “what” is covered but not the “who, how, and why” that comprehensive doctrine should explore.⁵⁹ The overall concept of FM 3-24, clear-build-hold is articulated well in the manual. If troops are available, this strategy is sound. Future joint doctrine should include a joint and interagency perspective.

The USAF has two doctrine publications that should address the sanctuary question. Air Force Doctrine Document (AFDD) 2-1.3, *Counterland Operations*, 2006 version, only mention the word sanctuary once and it relates to weather. Safe haven is not mentioned. Further, and more specifically *Strategic Attack* doctrine, AFDD 2-1.2, 2003 version, nor *Counterspace Operations* doctrine, AFDD 2-2.1, 2004 version, does not mention either word. In 1986, in response to a bombing of German discotheque that was frequented by US service personnel and after multiple skirmishes with Libya, President Reagan order a strike or “strategic attack” on multiple targets that were related to terrorist activity. In 1998, President Clinton ordered Operation Infinite Reach in retaliation for the bombings of American embassies in Kenya and Tanzania which killed 224 people (including 12 Americans) and injured 5,000 others.⁶⁰ Both strikes did not end support and in fact emboldened both Libya and Bin Laden.

Doctrine for Special Operations is for most part classified. JP 3-05, *Doctrine for Joint Special Operations*, 3 December 2003, does not mention sanctuaries and only mentions safe havens in the context of Noncombatant Evacuation Operations. SOF are organized, trained, and equipped specifically to accomplish nine core tasks: direct

action, special reconnaissance, foreign internal defense, unconventional warfare, counterterrorism, psychological operations (PSYOP), civil affairs operations, counterproliferation of weapons of mass destruction, and information operations.⁶¹

Current operations include “capture or kill” raids, which have been successful in many areas. “Capture or Kill” missions by special operations teams go back to Vietnam, and not since the termination of the legendary Phoenix program in Vietnam in the mid-1970s. The Phoenix Phung Hoang (or Operation Phoenix) was a stroke of manifest brilliance by a former Saigon CIA station chief (and later CIA Director) William Colby. The CIA relied upon the Special Forces as key players in the Phoenix program. The soldiers were often dispatched into the “denied-areas” in the war zone to perform their dangerous missions. They successfully established and maintained numerous intelligence networks in collusion with the CIA. Phoenix was basically the shortest distance between two points during the Vietnam War – those points being (1) the decision to liquidate an adversary, normally a well placed Viet Cong official, or his minions, and (2) the end-game of the operation: the capture, disappearance, or publicized assassination of the target.⁶² "When you have enemies that are hidden, diffuse, secret in their movements, asymmetrical in their tactics, the only alternative is to find out exactly where they are, and then to go in and get them -- one at a time, if necessary." In contrast to the conventional Cold War military strategy of massing large forces at borders, today's security environment often requires "small teams of men searching caves, going over mountain peaks, and walking along narrow ledges in the pitch-black night," Vice President Cheney said. "And for that kind of work, we turn to the 'silent professionals.'"⁶³

In Iraq and Afghanistan, U.S. and Coalition counterterrorist forces destroyed and disrupted al Qaida cells and worked to deny al Qaida operatives secure safe havens.⁶⁴ Militarily, the U.S. continues to capture and kill al Qaida leaders, shut down training camps, destroy operational cells, and prevent al Qaida and associated movements from exploiting ungoverned spaces. Certainly, such action requires precision targeting and highly sophisticated intelligence networks of our own. Nonmilitary measures to defeat al Qaida will be increasingly decisive in ultimately bringing about the network's defeat. In order to counter its fanatical ideology and diminish its sources of strength, all elements of international and national power – diplomatic, political, economic, financial, the private sector – must be used to pressure the entire al Qaida and associated movement network over time.⁶⁵

Current Joint Publication 3-07.1, *Joint Tactics, Techniques, and Procedures for Foreign Internal Defense* (FID), does not mention sanctuary and only mentions safe haven once. FID is the participation by civilian and military agencies of a government in any of the action programs taken by another government or other designated organization, to free and protect its society from subversion, lawlessness, and insurgency. The specific tools used in executing the Department of Defense portion of the FID program are indirect support, direct support (not involving combat operations), and U.S. combat operations. Further, Interagency coordination during joint operations becomes extremely important. FID is designed to bolster the internal stability and security of the supported nation. Only a comprehensive planning process at both the national and regional level can provide the means to reach this goal.⁶⁶ On 12 November 2001, the US Secretary of State, Colin Powell, stated at the UN Security Council;

The war on terrorism “will be fought with increased support for democracy programs, judicial reform, conflict resolution, poverty alleviation, economic reform, and health and education. All of these together deny the reason for terrorist to exist or to find safe haven within borders.⁶⁷

Beyond FID, the interagency plays an increasingly important role in preventing destabilization and supporting potential failed states. Congruent with doctrine, the Law of Armed Conflict and Rules of Engagement frame legal operational boundaries.

Law of Armed Conflict (LOAC) and Rules of Engagement Considerations

In any military actions, LOAC and ROC must be considered up front. During military operations, the president and secretary of defense approve rules of engagement to govern use of force by military forces. These rules are written consistent with both U.S. and international law and reinforce principles of the LOAC. Rules of engagement (ROE) may vary by conflict. Furthermore, ROE is altered to fit changing circumstances in a given conflict. Legal professionals on our Warfighting staffs look for the rules to be applied, including what we call discrimination -- distinguishing between combatants and non-combatants and between military objectives and protected property. Usually, only combatants and military objectives may be targeted. Warfighters also try to ensure the weapon we use will not create unnecessary collateral damage. Collateral damage includes unintended civilian casualties and damage or destruction to cultural, religious or historic buildings or objects. However, there are exceptions to LOAC that could make a building that is otherwise safe from attack a target of opportunity. "Under LOAC, any normally protected entity, such as a mosque or cultural site can lose its protection if the enemy uses it in a way that makes it a military target," he said. "It would be a tough assessment, but if the commander determined it was of sufficient military necessity ... it could be targeted."

One of the major areas of consideration in the LOAC is that of targeting. There are few absolutes in targeting, but the application of the general principles applies. Commanders must confirm that targets support military objectives. The following may be considered to be in that category: (1) members of the armed forces having the status of combatants; (2) noncombatants who lose their protected status by taking a direct part in hostilities; (3) objects that by their nature, location, purpose, or use are either military property, or they contribute to the adversary's war effort, and their destruction provides a military advantage. Although civilians, noncombatants, and civilian property may not be specifically targeted, incidental injury and collateral damage are not unlawful if: caused incident to an attack on a lawful target, and the incidental injury and collateral damage are not excessive in light of the anticipated military advantage from the attack. Targeting issues are important not only in urban combat operations, but also in unconventional situations where an adversary, in violation of the LOAC, may use civilians to mask attacks or as unlawful combatants.⁶⁸

After reviewing basic LOAC and ROE, an important approach includes the words above when contemplating sanctuaries..." any normally protected entity, such as a mosque or cultural site can lose its protection if the enemy uses it in a way that makes it a military target" and "noncombatants who lose their protected status by taking a direct part in hostilities."

Analysis

Upon analysis of sanctuaries, the definitions, theories, practitioners, and current U.S. doctrine, it becomes apparent that there is no coherent "counter-sanctuary" body of knowledge much less any coherent service doctrine. Joint doctrine has not codified the problem nor solutions. Dismantling terrorist enclaves is a critical component of anti-terrorism and counterinsurgency. This was the lesson of Afghanistan in 2002, Fallujah in 2004, and arguably Vietnam. It also explains why al-Qaida has been able to reconstitute itself in Waziristan and why this sanctuary cannot be tolerated.⁶⁹

Terrorist and insurgents utilize sanctuaries as an asymmetric approach and reaction to domination in one domain or another. The seam between physical, geographical and legal domains has been central to lesser powers strategy. It has always been a path of least resistance and minimal friction, a niche to be exploited. Today, the sanctuaries of cyber, space, financial and ideological have been added to the already complex environment.

The utilization of seams and sanctuaries is effective, but why? Upon further analysis, joint doctrine is developed and morphed from service doctrine. In the current joint area, battlespace ownership or what is now called “operating environment” drives operations and missions based on roles. The doctrine of a supported and supporting command has taken a dogmatic turn against jointness and towards subservient servicing. The concept of battlespace becomes the heart of the discussion...who owns the space, the domain? Why, because that determination gives lead and responsibility to some organization. The services train, equip, deploy, and employ based on roles and missions codified in joint and service doctrine and manuals. The association of battlespace ownership dictates ways and means but not ends or endstates. Currently in Iraq and Afghanistan, the ground commander owns a particular area...his battlespace, regardless of his capability to “effect” the total area. The tactical commanders leading in the COIN fight utilize bottom-up planning and execution. Ironically, “counter-sanctuary” requires a joint and interagency top-down approach to bring to bare capability focused on the endstate. Currently, the joint planning and execution process has been abandoned in lieu of bottom up COIN approach. Both approaches, a balance between the two needs to be utilized in a COIN and counter-terror environment.

Understanding the ways or methods has been the focus for much of the discussion but when tied to ends, the lack of a “counter-sanctuary” approach becomes obvious. Because sanctuaries exist in all mediums of warfare and they are increasingly intertwined, a paradigm shift must occur. Taking what we know about sanctuaries and how the enemies uses them, transporting the practice of engagement, FID, interdiction, raids and strategic attack, plus the COIN concept of clear-build-hold for use in cyber, space, financial, and ideological sanctuaries is possible. Fungible concepts can be extracted and utilized.

Sanctuaries that protect aggressors, those that have intent of harm should be the focus of effort. The LOAC and the current ROE have codified the way the U.S. and her allies determine if a site is legal to attack...either kinetically or non-kinetically. Some of the sites in question from the onset are related to religious, cultural, or some form of school or hospital. Once a location, any location is used for hostile intentions, the site loses it’s “sanctuary” status. This approach could be the framework to determine if these other twenty-first century sanctuaries should be acted upon.

Effective use of joint processes to strategize, plan, and execute joint capabilities against sanctuaries is within reach. There are at least six different current methods within the rubric of military action utilized to deny sanctuary or their benefits.

- Special Forces “capture or kill” missions – “Black Hawk down” venue; raids
- Air Strikes – El Dorado Canyon in Libya; strategic attack or interdiction
- COIN utilizing conventional forces – Iraq and Afghanistan operations; clear, build and hold
- Engage and support partner nations/regimes - Northern Alliance; proxy forces

- Diplomacy
- Land Mines (not discussed here)

Recommendations

Understanding the importance of sanctuaries to terrorists and insurgents is key to tackling the strategic realities and operational challenges. A handful of recommendations follow:

- Update JP 1-02 to include twenty-first century sanctuaries and include the word safe havens as a synonym.
- Develop a “counter-sanctuary” body of knowledge that builds upon what is known about physical sanctuaries and include space, cyber, financial, and ideological safe havens from joint and interagency perspective.
- Joint and service doctrine should address sanctuaries and levy historical perspective to inform the discussion on *Joint Operation Planning* JP 5-0 and *Joint Operations* JP 3-0. Specifically, sanctuaries should be addressed in Joint Interdiction, Strategic Attack, Joint Special Operations, Foreign Internal Defense, Space, Urban and future Cyber doctrine.
- Battlespace ownership and discussions of seams must be matured beyond the physical sanctuaries and include functional and domain, and how supported and supporting relationship with JFC leadership could mitigate voids.
- Engagement, empowerment, and proxy force approaches should be included in doctrine supporting a “counter-sanctuary” strategy.

Our goal should be to reduce the space in which terrorists find sanctuary to the maximum extent possible. There should be no room in this world for governments that support terrorism, no ungoverned areas where terrorists can operate with impunity, no easy opportunities for terrorists to abuse the freedoms of democratic societies, no ideological sanctuary, and no free pass to exploit the technologies of communications to serve terrorist ends. Approaching this goal will take time, and it will not be easy. It will involve difficult decisions about resources, it will require balancing diplomacy and the use of force, it will require protecting civil liberties while reducing the ability of terrorists to operate in our midst.⁷⁰

Sanctuaries exist in all mediums of warfare and they are increasingly intertwined. The strategic reality and complicated operational challenge requires a paradigm shift, a balance between tactical battlespace ownership of bottom-up COIN doctrine and top down joint/interagency “counter-sanctuary” strategy. Our enemies thrive in sanctuaries, the U.S. must address this void in strategy, policy and doctrine.

Endnotes

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¹⁹ Lewis Sorley, *A Better War*, (New York: Harcourt, 1999) 382.

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²⁸ Ibid,120.

²⁹ Gordon Corera, "The World's Most Wanted Cyber-jihadist," *BBC*, 16 January 2008; available from <http://news.bbc.co.uk/2/hi/americas/7191248.stm>; Internet; accessed 22 Jan 2008.

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