

# The US Troops “Unconventional” Presence

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## Are U.S. Special Operations Forces engaged in an ‘offensive war’ in the Philippines?

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NOW THAT the U.S. Marine convicted of raping a Filipina is in the custody of U.S. Embassy officials, the United States has announced that it will push through with the “Balikatan” training exercises involving U.S. and Filipino troops scheduled next month. It had earlier cancelled the exercises to protest the Philippine courts’ refusal to release Lance Corporal Daniel Smith to U.S. authorities while his case is on appeal. Yet unknown to many, a contingent of U.S. Special Operations Forces that had been stationed in the southern Philippines since January 2002 was clearly staying on despite the “Balikatan” exercises’ cancellation.

While the U.S. and Philippine governments maintain that these troops are not doing anything beyond training Filipino soldiers and conducting humanitarian projects, questions persist regarding their actual mission here. In 2002, a petition was lodged before the Philippine Supreme Court claiming the U.S. troops about to be deployed here were going to war “under the guise of an exercise.” But while the Court agreed with the petitioners that U.S. troops are indeed constitutionally banned from engaging in an “offensive war” in the Philippines, it held that whether they are actually going to do so was “a question of fact” that had to be proven first.

Five years after the deployment and in the midst of the uproar over Smith, new and accumulated information on the actions of U.S. troops in the Philippine south provide grounds for revisiting this question.

## **DISTINGUISHING “EXERCISES” FROM “SPECIAL OPERATIONS”**

It is important, however, to first draw a distinction between U.S. soldiers who join the regular joint training exercises in various parts of the country and those who are part of the Joint Special Operations Task Force-Philippines (JSOTF-P). Media coverage and public discussion on the presence of U.S. troops in the country have tended to lump those who take part in the JSOTF-P with those who take part in the exercises, but there are important differences.

For instance, while participants of the regular training exercises come from different branches and services of the U.S. military, those under the JSOTF-P are drawn specifically from the Special Operations Forces (SOFs), or those units that, as their name implies, conduct “special operations.”

According to the SOF's own definition, "special operations" are those "conducted in hostile, denied, or politically sensitive environments" and that require "covert, clandestine, or discreet capabilities." The U.S. Army Field Manual — a guide for military missions and procedures — meanwhile says that SOFs are the "force of choice" for "dynamic, ambiguous, and politically volatile situations."

The number of participants in the training exercises is also publicly disclosed prior to each exercise. In the case of the JSOTF-P, however, this information has been withheld. Various media reports place the number of troops deployed to the southern Philippines between 160 and 350, but it isn't clear what the actual figure is for a specific period. U.S. embassy spokesman Matthew Lussenhop has said that it "wouldn't be above 100." But U.S. Lt. Col. Mark Zimmer, JSOTF-P public affairs officer, also said it varies "depending on the season and the mission."

Too, many of the exercises are conducted inside military training camps or other designated training areas, and are done so with no specified target or enemy in mind. By contrast, the JSOTF-P has been operating in an area in which combat with forces seen as hostile to the Philippines government has ensued and is still ongoing. The exact coverage of its area of operation remains unclear, but the JSOTF-P has been explicit in targeting "terrorists," in particular the Abu Sayyaf Group (ASG), and lately, the Jemaah Islamaiah, both of which are listed as "designated foreign terrorist organizations" by the U.S. State Department.

In truth, from the very start, U.S. and Philippine officials announced that the deployment was part of the U.S.-led "global war against terror." The JTF's deployment here was even labeled by the U.S. military as "Operation Enduring Freedom-Philippines" (OEF-P), signifying that the nature and the goal of the deployment was in the same league as the original "Operation Enduring Freedom" - the invasion of Afghanistan in October 2001.

Finally, the regular training exercises are close-ended and usually last for no more than a week or two, after which the participating units return to their home bases. But the JSOTF-P's stay has been indefinite. Contrary to then National Security Adviser Roilo Golez's assurance in 2002 that the U.S. troops would "be gone" after six months, the troops remain. U.S. and Filipino officials are mum about any exit date. In an interview last March, Capt Eddie Paruchabutr, then JSOTF-P information officer, could only say, "It's continuous as long as we are allowed to stay."

## **SPECIAL WARFARE**

In writings meant principally for internal U.S. military consumption, JSOTF-P members reveal how they actually understand the nature of their mission in the Philippines. For example, in an article for the U.S. Army Combined Arms Center's Military Review journal, the first commander of the JSOTF-P, Col. David Maxwell said their mission was "to conduct unconventional warfare in the southern Philippines through, by, and with the AFP [Armed Forces of the Philippines] to help the Philippine government separate the population and destroy the terrorist organization." Their key tasks included "denying the ASG sanctuary," "surveilling, controlling, or denying ASG routes," and "surveilling supporting villages and key personnel."

In an apparent rebuff to the Supreme Court, Maxwell also pointed out that — contrary to the justices' reading — the Philippine constitution "does not prohibit combat operations." According to Maxwell, the "correct reading" of the charter would show that it proscribes only the stationing of forces, not combat operations. Reappointed as JSOTF-P commander in October 2006, Maxwell described the operations he led as being conducted "under the guise of an exercise."

Maxwell's description is shared by members of the 1<sup>st</sup> Special Forces group who wrote a history of

their unit's engagements in the Philippines for Special Warfare, the bulletin of the U.S. Army John F. Kennedy Special Warfare Center and School. According to their own account, their unit took part in "the ongoing unconventional warfare operations..." Dr. C.H. Briscoe, the command historian of the U.S. Army Special Operations Command, interviewed soldiers "who participated at all levels of operations." In 2004, he wrote how their mission "transformed from unconventional warfare to foreign internal defense and development." The ensuing ground campaign, said Briscoe, was best described by referring to the "counterinsurgency model."

Eric Wendt, also writing for the same publication, cited the Joint Task Force's actions as "a superior example of successful counterinsurgency." Similarly, Cheryl Walley, another U.S. military historian, noted how the Special Forces in the country turned "from performing tactical missions to implementing the counterinsurgency model that had been practiced by the American military in Vietnam." An analyst writing for the National Bureau of Asian Research meanwhile observed, "[A]lthough US training of Philippine forces in both Luzon and Mindanao is labeled counter-terror, in fact, the effort seems to be more counterinsurgency against the paramilitary forces of the Abu Sayyaf and the MILF [Moro Islamic Liberation Front]."

The terms "unconventional warfare," "foreign internal defense," and "counterinsurgency" are rarely, if at all used, by U.S. and Filipino officials in publicly describing the JSOTF-P's work. But they are the words of choice of members of the U.S. military writing on their own mission in the Philippines. In U.S. military jargon, "unconventional warfare" and "foreign internal defense" are among the key missions of SOFs. Considered their *raison d'être*, "unconventional warfare" refers to all those operations that SOFs conduct "through, with, or by indigenous or surrogate forces who are organized, trained, equipped, supported, and directed in varying degrees by an external source." This covers "guerilla warfare, subversion, sabotage, intelligence activities, and unconventional assisted recovery."

The operations under "foreign internal defense" refer to those activities conducted "to organize, train, advise, and assist host-nation military and paramilitary forces." According to the U.S. Army Field Manual, this mission's goal is to ensure that the kind of assistance the United States gives to its host's troops "support U.S. national interests." "Counter-insurgency" covers all those "military, paramilitary, political, economic, psychological, and civic actions" performed by a government to defeat internal enemies.

## **IN THE THICK OF IT**

U.S. and Philippine officials portray the U.S. troops role as passive "advisers" indirectly engaged in the operations from a distance. But reports indicate that their role has been more active and direct. From the beginning, the U.S. troops were authorized under the terms-of-reference between the U.S. and Philippine governments to fire back if shot at. Under this arrangement, U.S. Special Forces have "intentionally ventured into known Abu Sayyaf territory in an attempt to reassure locals while also dissuading the rebels from operating openly, as well as possibly tempting them to confront the Americans militarily," noted an analyst with the Washington D.C.-based Center for Defense Information.

Even as "advisers," Briscoe observed that the "guys were in thick of it" and were anxious to "get in the fight." He said the U.S. troops "expected to shoot or to be shot." Such an expectation would not seem misplaced for, as one writer for a war veterans' publication pointed out, "Though the Philippines (sic) constitution prohibits foreign soldiers from fighting within the island nation, U.S.

troops are exposed to the same risks they would see in combat.” In fact, in a June 2002 incident reported by the Los Angeles Times and confirmed in the Army magazine, U.S. Marines exchanged gunfire with alleged ASG members. Another incident reportedly had at least one U.S. soldier “killed in action,” though not during a patrol. In March 2006, a Huey helicopter carrying U.S. troops to Sulu was attacked by unidentified assailants.

U.S. officials describe the Special Forces’ role as “training, advising, and assisting” Filipino troops. During the on-the-job training against hostile forces, giving advice, helping, and actually being part of the action may well have overlapped. As Walley explained in her 2004 Special Warfare article, “Security-assistance missions preclude the trainers from being combatants or from performing duties in which they are likely to become combatants. But the trainers’ credibility and effectiveness as teachers mandated that they accompany the AFP troops on their graduation exercise, of which combat was an integral part.” Briscoe, for his part, pointed out that while their primary role was to train, their “unspoken” mission later changed to include “facilitating the rescue” of ASG hostages. He said this entailed assuming a more assertive and central role in the planning, decision-making, and execution of the operations.

At first, the U.S. troops were allowed to operate only at the battalion level, which left them frustrated. At one point, several U.S. media reports said, former U.S. Pacific Command chief Admiral Dennis Blair “tried to get too aggressive” while others in the military pressed for a “longer and more intense mission.” JSOTF-P commander Maxwell also argued that confining the troops at the battalion was a “strategic error.” But then U.S. Defense Secretary Donald Rumsfeld later authorized U.S. troops to operate at the company level and join patrols “as often as possible.” This set-up is similar to the U.S. war in Afghanistan, where Special Forces troops joined and commanded 120-member companies of the Northern Alliance.

And so in June 2005, local residents told journalists that U.S. forces had joined the Philippine military in their operations against Abu Sayyaf members in Maguindanao province in mainland Mindanao — even when no training exercises or civil projects had been announced. A P3-Orion plane was seen flying over the area. In November of that year, the AFP launched operations allegedly against the Abu Sayyaf, even as those who were fighting back claimed to belong to the Moro National Liberation Front, a group whose peace agreement with the government had frayed but which was not tagged a “terrorist group” by either Manila or Washington.

Eyewitnesses said U.S. troops joined the Filipino soldiers in operations at the immediate vicinity of the fighting. U.S. soldiers were seen aboard military trucks with their Filipino counterparts and in rubber boats, mounting heavy artillery, operating military equipment, removing landmines, or evacuating casualties. Throughout the clashes, a spy plane — which locals said had been flying over the skies for months — hovered above the area where fighting was ongoing.

## **‘SPECIAL RECONNAISSANCE’**

U.S. officials dismissed these reports as “absolutely not true.” Asserted JSOTF-P public affairs officer Lt. Col. Mark Zimmer: “We are not in any way involved in military operations conducted by the Philippine Armed Forces.” Other military officials and reports, however, support the claims of the witnesses. The Filipino commander during the November 2005 operations, Gen. Nehemias Pajarito confirmed that U.S. troops were indeed at the vicinity of the fighting, but that they were just repairing water pipes while hostilities were ongoing. Another Filipino colonel attested that he had requested the U.S. troops’ help in clearing landmines.

The U.S. troops’ role in evacuating troop casualties had previously been reported and confirmed by

the U.S. military itself. In 2002, A U.S. Air Force magazine reported that U.S. soldiers “helped infiltrate and extract ground forces” in the Philippines. In subsequent operations last September, a Filipino military spokesperson also confirmed that U.S. troops assisted in evacuating soldiers.

As for their role in spying, last February local residents in the south recovered an unmanned U.S. aerial vehicle that had crashed. A U.S. military spokesperson then said the spy planes were used for “humanitarian” projects, but other U.S. officials, including a general, have since stated that these have been used to hunt down targets. A report to the U.S. Congress also said P-3 aircraft provide “intelligence and communications support” to the AFP. Last September, Executive Secretary Eduardo Ermita himself acknowledged that U.S. troops were using surveillance equipment to track down the ASG. That the surveillance was meant for combat had been confirmed as early as 2002 by then National Security Council adviser Golez, who was quoted as saying U.S. pilots on surveillance flights could “call in air strikes” if they spot ASG fighters.

In at least two reports, the Philippine Star has noted the U.S. troops’ use of “unmanned planes, electronic tracking devices, eavesdropping mechanisms, experimental laser beacons, and a full range of US intelligence gadgets.” Such use attests to the “special reconnaissance” mission that is a forte of Special Forces troops. According to the Army Field Manual, the mission’s objective is “to confirm, refute, or obtain — by visual observation or other collection methods — information on the capabilities, intentions, and activities of an actual or potential enemy.”

In these operations, the Special Forces were aided by the U.S. Central Intelligence Agency, which has admitted in one of its annual reports that it supported the Joint Task Forces by using “human intelligence” and through other technical operations. Ex-Philippine Ambassador to Washington Albert del Rosario also confirmed the establishment of an “intelligence fusion center” staffed by both U.S. and Filipino troops and the setting up of satellite equipment.

Moreover, U.S. soldiers have apparently enjoyed a special vantage point inside Philippine military headquarters during operations. (During the rescue of Abu Sayyaf hostages, for instance, some U.S. soldiers were reportedly stationed in the Philippine military command post.) What their role in decision-making is exactly and how they relate with Filipino officials they supposedly “advise” is not known. U.S. soldiers, however, are legally barred from being put under the command of foreign officers. And in at least one incident, Briscoe said, the U.S. commanders “steer(ed) the AFP leadership” into supporting a particular plan of action. To describe what is going on as “unconventional warfare” may not be farfetched, since the U.S. military itself defines such missions as those in which U.S. troops “direct” indigenous forces.

## **THE FULL RANGE OF OPERATIONS’**

In denying that U.S. troops are engaged in “actual combat” in the Philippines, U.S. and Philippine officials have sought to reduce the coverage of the definition of the phrase to only those actions that involve the direct application of force. This implies that U.S. troops could be considered as engaging in combat only when they themselves personally pull the trigger and fire guns at their enemies. Yet while U.S. troops have actually found themselves in this position, U.S. public information officers continue to stress that their actions are confined to performing “non-combat” roles, such as training or undertaking humanitarian missions.

But even as U.S. and Filipino officials take pains to publicly draw distinctions between U.S. troops’ missions, the U.S. military apparently does not. As its own Army Field Manual states, “Military power is not limited to acts of violence and overt hostilities to achieve strategic objectives.” This view, says the manual, is particularly valid for U.S. Special Operations Forces. It adds, “The

principles of war apply to the full range of operations, specifically where the use of force is more selective and where restraint and nonlethal aspects of power are dominant.”

The U.S. military also defines “civil-military operations” or CMOs, including the construction of deep wells, roads, and school buildings, as well as medical and dental missions as a “group of planned activities in support of military operations that enhance the relationship between the military forces and civilian authorities and population and which promote the development of favorable emotions, attitudes, or behavior in neutral, friendly, or hostile grounds.” Testifying about their CMOs in Basilan, former U.S. Pacific Command chief Admiral Thomas Fargo said these “acted as force multipliers for U.S. and AFP operations because the programs separated the citizens of Basilan from supporting the terrorist threat.”

The goal is not just to earn the locals’ sympathy, but also to extract information necessary for combat. As one military writer pointed out, the humanitarian projects’ underlying aim is “not simply to provide feel-good projects that achieve positive perceptions among the local populace.” He added, “The purpose is to utilize the correct... carrots... that will yield actionable intelligence that can be used to target and destroy the insurgent infrastructure...”

After the carrots come the sticks. Or as Wendt put it: “After the infrastructure has been identified and exposed by the local population, its members can be killed or captured.”

Even infrastructure projects — the extension of airport runways, construction of piers and jetties, road-paving, and so on — which have won over many local authorities have larger military goals. Pointing out how they enabled troops to move around more quickly, Walley says these projects “benefited U.S. trainers and advisers and contributed to force protection.” They are also useful for meeting the troops’ supply and logistics needs. Likewise, training AFP troops serves U.S. combat-related goals. In U.S. military terminology, indigenous troops act as “force multipliers” in projecting power and in achieving U.S. military objectives but — as the Army Field Manual says — “with minimum visibility, risk, and cost.” To put it another way, AFP members are trained so they can be put out front and first in line when the enemies start firing.

## **‘LONG-TERM LOW-VISIBILITY PRESENCE’**

Rather than just lone-standing missions, the U.S. troops’ actions in the Philippines are part of a comprehensive and wide-ranging transformation of the U.S. military organization and its global posture. In fact, their interrelated missions conform to the overall U.S. military strategy, as articulated in various official documents, including the Quadrennial Defense Review (QDR), the National Security Strategy (NSS), the National Military Strategy (NDS), the National Defense Strategy (NDS), and the National Strategy to Combat Terrorism (NSCT), among others.

At one level, the deployment of troops in the Philippines is in keeping with Washington’s determination to “focus decisive military power and specialized intelligence resources to defeat terrorist networks globally.” This is because the challenge to U.S. interests, as seen by U.S. strategists, no longer comes just from state but also non-state actors, especially those taking shelter in states incapable of controlling their own territory. Says the NSS: “America is now threatened less by conquering states than we are by failing ones.”

This “failing state” label has been increasingly pinned on the Philippines, with former U.S. embassy officials describing Mindanao as “a doormat for terrorism in the region” or as the “next Afghanistan.” Faced with these kinds of threats, the NSS asserts, “The fight must be taken to the enemy, to keep them on the run.” In this fight, the lines between a defensive war and what the

Supreme Court terms “offensive war” are blurred, if not indeterminate. For as the NSCT points out, “[T]he best defense is a good offense.”

As a result, the QDR calls for a shift in emphasis “from conducting war against nations — to conducting war in countries we are not at war with” — a category that fits the Philippines. U.S. journalist Seymour Hersh has written about a presidential order that allows the Pentagon “to operate unilaterally in a number of countries where there is a perception of a clear and evident terrorist threat.” He didn’t name the countries, but the description of some of them again covers the Philippines: “...friendly to the United States and are major trading partners.” He also said, “Most have been cooperating in the war on terrorism.”

In these countries, the United States will strive to work with willing governments, but it reserves the right to act alone and preemptively if they so refuse. One analyst described the new strategy thus: “countries that harbor terrorists, either by consent or because they are unable to enforce their laws within their territory, effectively forfeit their rights of sovereignty.” According to a memorandum prepared by former Joint Chiefs of Staff chair Gen. Richard Myers — who had earlier been reported as pushing for deeper involvement in the country — the Philippines has been included in the list of “emerging targets for preemptive war” of a new U.S. military unit authorized to conduct clandestine operations abroad.

Beyond pursuing “terrorists,” however, the SOF’s stationing in the Philippines is an important component of the U.S. military’s evolving global positioning. As the United States embarks on the most radical realignment of its worldwide presence since World War II, the aim, according to the QDR, is “to develop a basing system that provides greater flexibility for U.S. forces in critical areas of the world, placing emphasis on additional bases and stations beyond Western Europe and Northeast Asia.” This includes the need to “provide temporary access to facilities in foreign countries that enable U.S. forces to conduct training and exercises in the absence of permanent ranges and bases.” It also entails a change in emphasis from “from static defense, garrison forces” — such as those the United States had in Subic and Clark — “to mobile, expeditionary operations” as exemplified by the operations of the JSOTF-P in Sulu.

While discussing the current realignment of U.S. military presence, then U.S. Defense Secretary Rumsfeld had confirmed plans to establish “nodes” for Special Operations Forces in Asia. In 2004, then U.S. Pacific Command head Admiral Thomas Fargo also announced their intention to expand SOF presence in the region by setting up more “cooperative security locations (CSLs),” or military installations to which the United States will have access to, in Asia. The Overseas Basing Commission, an official body that reviews the U.S. overseas military infrastructure, has confirmed the Philippines is among the Asian countries where such “CSLs” are being developed. In November 2002, the Philippine and U.S. governments signed the Mutual Logistics and Servicing Agreement that, according to a military publication, made the Philippines a “supply base” of the United States.

In these plans, Special Forces hold a special place. More than other units, SOFs have usually been the contingent to count on to “gain or maintain U.S. access to strategically important foreign countries.” In fact, another military contingent also composed mostly of Special Forces — the Combined Joint Task Force — Horn of Africa, US — was also established in Djibouti in 2002. With its mission and objectives very similar to the JSOTF-P, the Task Force has been described as a “model for future military operations.”

These small and inconspicuous units fulfill the stated need of “maintaining a long-term, low visibility presence in many areas of the world where U.S. forces do not traditionally operate.” And as Briscoe noted, the deployment in Sulu has “established an acceptable American military presence in the Southeast Pacific...” In other words, the JSOTF-P may not only be conducting war within the

Philippines, it may have also entrenched a new form of U.S. bases in the country.

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\* From PCIJ website: <http://www.pcij.org/i-report/2007/us-troops.html>.

\* Herbert Docena is with the Focus on the Global South, a policy research institute. This article is based on a longer special report published by the institute:  
[http://www.focusweb.org/index.php?option=com\\_remository&Itemid=105&func=showdown&id=23](http://www.focusweb.org/index.php?option=com_remository&Itemid=105&func=showdown&id=23)