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MASTERS OF DEFENCE STUDIES THESIS

## **Canadian Army Domestic Operations Plans**

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## **ABSTRACT**

The Canadian Army has a stellar reputation of meeting domestic operations challenges to protect the safety and security of Canadians. From the 1970 October Crisis, to Native unrest in the 1990s to the responses to natural disasters such as the Winnipeg Floods of 1997 and Ice Storm of 1998, the men and women of the Army have always displayed the professionalism and dedication to overcome many challenges to ensure mission success. An increased focus on domestic safety and security in Canada and the resultant changes in national and departmental domestic operations policies and procedures will affect the conduct of domestic operations in the future. Additionally, ongoing Army initiatives such as transformation, managed readiness, whole fleet management and Land Force Reserve Restructure will create challenges and opportunities during future domestic operations.

Based on a review of the history of domestic operations in Canada, legal issues affecting domestic operations and national and Army policies and plans, this paper proves that the Army cannot meet its domestic operations tasks. Although the late release of the Defence Policy Review did not permit detailed consideration in this paper, many of its initiatives may overcome these shortfalls and may improve the Army's ability to conduct domestic operations in the future.

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# **CHAPTER 1**

## **INTRODUCTION**

Several events that have occurred abroad and within Canada in recent years have highlighted that the security of Canadians does not only involve defeat of an adversary on a distant shore. Within Canada, events including natural disasters such as the Manitoba floods, the 1998 ice storm, medical emergencies such as Severe Acute Respiratory Syndrome (SARS), attacks by terrorists, international criminal activity and others that threaten our economy and way of life indicate that armed force is not the only solution to protect Canadians.

While the employment of an armed force within a nation's borders has always been controversial<sup>1</sup>, there are many examples in history where the Army, on behalf of the Canadian Forces (CF), has been asked to assist to protect the safety and security of Canadians. Indeed, the

disciplined and highly trained forces for rapid deployment to emergencies...”<sup>5</sup> The Army, being the most geographically dispersed element of the CF and primary military response to any land-centric domestic operations, must be prepared to support domestic operations.

Moreover, the success of recent domestic operations has resulted in an expectancy of Army support when something happens, even if it is not within its mandate to act. However, in accordance with Canadian domestic operations doctrine, the use of military forces in domestic operations should always be a force of last resort to allow the Army to carry out other duties included in its tasks of:

- Protection of Canadians at home and abroad,
- Defence of North America and the United States, and
- Contributing to international peace and security.<sup>6</sup>

Nevertheless, while the Army is structured primarily to support national interests internationally, it possesses many capabilities that civil powers have little of, if at all.<sup>7</sup> The Army provides communications, management (leadership and coordination), mobility and the armed force that may be required for certain domestic operations scenarios. The dichotomy is that the civilian agencies that have the specific legal authority and obligation to protect Canadians do not often have some of the resources and skills required to complete their task. This situation can create conflicts for the Army as it is often asked to provide support, such as medical support to civilians, that it is not legally authorized to provide.

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<sup>5</sup> *Ibid.*, 11.

<sup>6</sup> Department of National Defence. *1994 Defence White Paper*.

<sup>7</sup> Maloney, “Domestic Operations: The Canadian Approach”, 135.

Given this demand and these capabilities, the CF is embarking on an increased focus on domestic operations and the creation of a national theatre of operations.<sup>8</sup> Under this new construct, there will also be a greater domestic operations focus for the Army and particularly for the Army Active Reserve (hereafter referred to as Reservists or the Reserve Force)<sup>9</sup>.

Future Security Environment 2025, a strategic planning paper designed to encourage planners to ensure that the CF has the capabilities to meet the demands of today as well as the requirements of the future highlights some areas that indicate that there may be a greater demand for military forces in domestic operations in the future. While the paper focuses on resource conflicts, failed and failing states, a “bifurcated world” (with winners and losers) that will affect international security and the defence of Canada, it also paints a picture of the changing domestic environment in the future. Criminal activity, pandemic disease and climate change issues will all affect future domestic operations. Police may not be able to stand up to well organized and equipped international criminal elements operating in Canada. While Health Canada would be the lead during a pandemic, the scale of illness and could require military support.<sup>10</sup>

Global warming and other climatic changes are also associated with a trend towards increasing incidences of extreme weather conditions such as floods, droughts, typhoons and cyclones. While many of these events occurring abroad may result in the need for Army support to international humanitarian operations, there is an expectation that they will also lead to future demands for employment of military force domestically as well.<sup>11</sup>

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<sup>8</sup> Department of National Defence, *Canada's International Policy Statement: A Role of Pride and Influence in the World – Defence* (Ottawa: DND, 2005), Message from the Minister.

<sup>9</sup> *Ibid.*, 1, 3 and 15.

<sup>10</sup> Peter Johnston and Dr Michael Roi, Department of National Defence, *Future Security Environment 2020*,

This paper will prove that current Army plans to support domestic operations fall short of what is required to meet this critical task. First, the history of domestic operations in Canada and the legal basis for domestic operations will be reviewed to identify key criteria issues that Army plans will be compared against. Next, applicable national and North American policies and plans will be assessed to determine Army actual and probable tasks. With changes that have occurred in domestic security since the terrorist attacks on the United States in September 2001 many federal, provincial and regional government and departmental domestic operation plans are in draft form or incomplete. Nonetheless, these plans will be analyzed to confirm linkages between what the Army is supposed to do and what it is planning and preparing to do. Although many Army plans are also in a state of change due to ongoing initiatives such as transformation, managed readiness and Whole Fleet Management (WFM), these plans will be compared against the following criteria to prove the gaps in current Army domestic operation planning:

- Training, including individual and collective training.
- Readiness. Specifically, does the Army have the forces available to meet assigned domestic operations tasks?
- Vehicles and equipment. Does the Army have the vehicles and equipment available to be self-sustainable during future domestic operations?
- Command, control and liaison. Are Army units and formations poised to command, control and conduct required liaison to support domestic operations?
- Employment of Reservists. Is the employment of Reservists in domestic operations workable?

The conclusion will wrap up with a review of the relevant domestic operations portions of the Defence Policy Review section of the International Policy Statement released on 19 April 2005.



Figure 1. CF Domestic Operations Spectrum.<sup>12</sup>

The domestic operations spectrum is shown in figure 1. This paper will not deal with the defence of Canada or other tasks that are generally completed by the Navy, Air Force or specialized units such as Joint Task Force 2 (JTF 2) or the Nuclear Biological and Chemical Response Team (NBCRT). It is assumed that if the Army is prepared for Assistance to Law Enforcement Agencies (ALEA), Aid of the Civil Power (ACP) and disaster relief operations, it is possible to provide other general support to Navy or Air Force operations when required. Support to other specialized tasks such as Counter-terrorism is beyond the scope of the Army without specific training.

<sup>12</sup> Department of National Defence, *Army Council Brief* (Ottawa: DND, 1 November 2004).

Throughout this paper, the term security is used to represent the safety and security of Canadians. While many domestic operations issues are CF-level issues, where appropriate, this paper will discuss these issues in an Army light to identify actions that Army formations and units can take to support the conduct of domestic operations in the future.

## **CHAPTER 2**

### **HISTORY OF DOMESTIC OPERATIONS IN CANADA**

This chapter will review key Canadian domestic operations to identify the types of operations that the Army can expect to be employed in as well as identifying training, readiness, vehicles and equipment, command, control and liaison, and the employment of Reservists as the key criteria to success on domestic operations. Specific operations that will be reviewed include penitentiary and Aid of the Civil Power (ACP) operations including the October Crisis, Native unrest in the 1990s, and Assistance to the Civil Authority operations including the Winnipeg Floods and the Ice Storm. While much of the information presented below provides general information to the reader and lessons learned, review of these operations will highlight information related to the criteria that had a positive or negative affect on these operations. These issues will be summarized under the criteria headings at the end of this chapter and will be compared against Army plans in Chapter 6.

The history of domestic operations in Canada, specifically ACP, had its origins in England when Kings or Parliament issued proclamations to “restrain, arrest and imprison rioters”<sup>13</sup> to make up mainly for the lack of an organized police force to maintain law and order. Although the Police Act of 1856 reduced military participation in ACP operations, the requirement does still exist to this day.<sup>14</sup> In the Canadian context, the lack of policing in Canada before Confederation<sup>15</sup> resulted in British troops, occasionally reinforced by Canadian

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<sup>13</sup> Dr Jean Pariseau, Department of National Defence. Collège militaire royal de Saint-Jean. Department of Strategic Studies. *Aid to the Civil Power in Canada: A Historical Perspective*, (Saint-Jean: CMR, 1994), 3.

<sup>14</sup> *Ibid.*, 3.

<sup>15</sup> *Ibid.*, 3. No provincial policing in BC and only embryonic municipal forces in Halifax, Quebec, Montreal, Toronto and Victoria.

militiamen, being called out “approximately 100 times to quell religious riots, election riots, labour and miner strikes and sundry disturbances.”<sup>16</sup>

### **AID OF THE CIVIL POWER AND PENITENTIARY OPERATIONS**

From Confederation to 1990 there were 150 cases of ACP and 19 penitentiary actions roughly broken down into public disorders, labour conflicts and penitentiary disturbances.<sup>17</sup>

These events consisted of election riots, religious and language quarrels, demonstrations by Communists or unemployed workers, miscellaneous health, public works, customs, transport and immigration disorders and national crises including the Quebec Conscription Crisis of 1918, the October Crisis of 1970 and the Oka Crisis of 1990.<sup>18</sup>

Major labour conflicts that required military assistance have not occurred recently and, with the advent of essential services legislation, the employment of the Army in this manner would be possible, but rare. Included in recorded penitentiary operations to 1990 are three occasions when the Army had to replace striking prison guards in 1975 and 1976-1977.<sup>19</sup>

Specific observations from these operations include:

- Fifty percent of ACP cases occurred before 1900, due mostly to the lack of police forces. Today, municipal and provincial police forces and the Royal Canadian Mounted Police (RCMP) have effective working relationships that allow them to pool their resources to resolve most major disturbances without military assistance.
- Since 1933 when the government recognized the right to strike and ceased using the military as strikebreakers, ACP incidents have dropped off considerably.

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<sup>16</sup> *Ibid.*, 4.

<sup>17</sup> *Ibid.*, 6.

<sup>18</sup> *Ibid.*, 6-8.

<sup>19</sup> *Ibid.*, 10.

Essential services legislation would also protect against the deployment of Army personnel to counter a strike except in the most extreme cases where striking police, prison guards or emergency services personnel such as firefighters caused undue risk to the safety and security of Canadians.

- The Army only used bayonets or fired on persons in 13 of 156 cases and was generally able to restore order in 92 percent of the cases simply with their presence.<sup>20</sup>

Based on these observations, Army support to future ACP operations would be rare and would likely only occur in the most extreme national crises such as the October Crisis or Oka. Additionally, essential services legislation should ensure that Army support to labour unrest would again be rare and only required in the most extreme cases. Although the military use of force against Canadian citizens is extreme, the Army must be prepared for this possibility and most importantly, must be prepared to provide an immediate, robust, professional response to major incidents to possibly resolve them simply with their presence.

### **Operations ESSAY and GINGER - October Crisis 1970**

The Front de Libération du Québec (FLQ), a separatist terrorist group that included some members trained by the Front de la Libération Nationale (FLN) in Algeria, was formed in 1963. The organization conducted a series of bombings targeting provincial and federal sites in Quebec, raided Army Reserve Armouries and stole automatic and anti-tank weapons in 1963. Attacks spiked again in 1968-1970 when increasingly sophisticated and violent attacks in Quebec and Ottawa occurred. The CF speculated that the FLQ was pursuing the five-staging Maoist revolutionary war doctrine that had been successful in Cuba and Algeria. Following a mass demonstration in Montreal in March 1969 and a Montreal police strike, the Quebec

government submitted a request for ACP to the Chief of the Defence Staff (CDS). The police strike ended quickly and the request was withdrawn.<sup>21</sup>

After National Defence Headquarters (NDHQ) was bombed in late 1970 and a terror campaign against foreign diplomats including the kidnapping of British trade representative James Cross, Quebec Premier Robert Bourassa asked Prime Minister Pierre Trudeau to “send in the Army” and “think about invoking the War Measures Act (WMA).”<sup>22</sup> Prime Minister Trudeau only agreed to provide ACP if it was formally requested by the province. After a short delay, Premier Bourassa formally requested ACP and CF operations, consisting mainly of Army personnel, began on 15 October with 900 troops deployed to protect 150 potential targets including diplomats, government buildings, Ministers of the Province of Quebec and hydroelectric stations. Prime Minister Trudeau believed that ACP legislation was too restrictive, as it did not cross provincial borders, therefore could not deal effectively with incidents that were occurring in both Quebec and Ontario. Deciding that civil law enforcement was not adequate to deal with the FLQ, Trudeau implemented the WMA on 15 October 1970.<sup>23</sup> Quebec Labour Minister Pierre Laporte, who had been kidnapped earlier, was executed the next day. The Army assisted the police in cordon and search operations, mobile patrols in rural areas and explosive ordnance disposal. Airborne forces conducted special operations. All operations were coordinated with provincial authorities, but conducted under Army command. Military operations ended in January 1971.

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<sup>20</sup> *Ibid.*, 10-12. All stats quoted from this section.

<sup>21</sup> Maloney, “Domestic Operations: The Canadian Approach”, 137.

<sup>22</sup> *Ibid.*, 138.

<sup>23</sup> *Ibid.*, 138.

While the crisis resulted in many changes to Quebec and Canadian policy, including Defence Policy on how Canada must prepare to defend herself,<sup>24</sup> it jumpstarted transformation that supports domestic operations to this day. Legal reforms as well as the reorganization of command structures for the police forces in the Greater Montreal Region and the newly formed National Capital Region were completed. These reforms permitted “close and speedy cooperation”<sup>25</sup> among provincial and municipal police, the RCMP and members of the CF.

Prior to the conduct of military operations in 1970, the Army was prepared for high-intensity conflict on the NATO Central Front.<sup>26</sup> While operations were clearly supported by experiences in the Middle East, Cyprus, Indo-China and India-Pakistan, it was clear that it took much less time and effort to revert from a high-intensity Army to a low-intensity force conducting domestic operations.<sup>27</sup> It would take much more time and resources to move in the other direction. In a crisis, “quality, quantity and effectiveness are adjusted to what you can muster in the time available”.<sup>28</sup> The need for Army HQ to prepare and issue military plans to adapt to domestic operations was stressed.<sup>29</sup>

At the soldier level, Loomis commented that it was “training as usual with a few new twists for dealing with the public.”<sup>30</sup> While this may seem simple, the risks of such an approach, especially during operations where force may be used, are not acceptable in the face of the Canadian public.

### **NATIVE UNREST – 1990**

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<sup>24</sup> Dan G. Loomis, *Not Much Glory: Quelling the FLQ* (Toronto: Deneau Publishers, 1984), 158.

<sup>25</sup> *Ibid.*, 160.

<sup>26</sup> *Ibid.*, 162.

<sup>27</sup> *Ibid.*, 162.

<sup>28</sup> *Ibid.*, 162.

<sup>29</sup> *Ibid.*, 165.

<sup>30</sup> *Ibid.*, 165.

The Army was involved in several ACP operations in the 1990s in response to native unrest. Varying in degrees of violence and resultant military response, these operations were generally fueled by disagreements among different native factions, illegal activity such as cigarette, alcohol or weapon smuggling and land disputes. The incidents were complemented by similar problems on US Reserves where increased violence peaked when a US Army helicopter was shot at and forced to land. Some of the personnel responsible for the US violence fled to Canada and were involved in several of the Canadian incidents. The events also benefited from support from other Native Reserves, either through linked actions near the Reserve or the provision of personnel to support the local cause. The Mohawk Warrior Society and American Indian Movement were involved in several of the incidents.

#### **Operation AKWASASNE – Akwasasne 1990**

Initially referred to as Op FEATHER, due to political sensitivities, this operation was later re-named Op AKWASASNE.

In 1987, violence among Natives on the Akwasasne Reserve located on the Canada-US border near Cornwall, Ontario started over differing views about smuggling and gambling. It reached a peak in 1990 when two Natives were murdered on the Reserve. When the OPP investigation into the murders was met with interference and the police felt that their safety was at risk, they requested armoured personnel carriers (APCs) from the military to safely transport their personnel. Once the situation escalated, a military response was provided including 1<sup>st</sup> Battalion, The Royal Canadian Regiment (1 RCR), engineers from 2<sup>nd</sup> Combat Engineer Regiment (2 CER), twenty Reserve Force personnel from the Stormont, Dundas and Glengarry Highlanders and the Brockville Rifles and military police to assist civil authorities to extract police, non-combatants, women and children from the Akwasasne Reserve should negotiations

fail. If required, the police and Army were prepared to enter the Reserve and advance to the US border. At that time, there was “no indication of what US Forces would do.”<sup>31</sup>

Following a 1 RCR amphibious exercise near the Reserve, negotiations moved forward and the situation quieted for the time being. Army units returned to their bases without incident.

submitted, Bourassa met with CDS General John de Chastelain. It was estimated that there were 200 insurgents at Khanasatake and 400 at Khanawake, 50-70 who were classified as extremists from the Mohawk Society. They were equipped with small-arms, .50 calibre snipers rifles and rocket propelled anti-tank weapons and had developed a dug in defensive position.

The CDS assessed the military tasks to be:

- removal of barricades at both sides of the Mercier Bridge,
- restoration of freedom of movement on the bridge,
- removal of native strong points, and
- restoration of public order and security.<sup>34</sup>

Commander 5 Groupe-brigade mécanisé canadienne (GBMC) decided to conduct a massive show of force to quell threats by disgruntled Montrealers as well as intimidate the Mohawks. Approximately 4400 personnel from the Base at Valcartier arrived on 10 August with their armoured vehicles.

Throughout the operation, there was extremely effective command and control and coordination of plans between the SQ, RCMP, military and their parallel political chains. The military took over tasks from the exhausted SQ on 13 August and immediately conducted cordon and search operations to secure the area and patrolling. Contingency plans were developed for an assault on the defensive positions should negotiations fail.

The military stressed that its main objective was the use of minimum force that included constant pressure and psychological operations aiming to decrease the Mohawk footprint and psychologically unhinge their leadership. This approach worked as insurgents who had not escaped were quickly corralled into one building on the Reserve and, under increased

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<sup>33</sup> *Ibid.*, section 10.

<sup>34</sup> *Ibid.*, section 10.

psychological operations, realized that resistance was futile. The incident ended in October 1990.

#### **Operations MAPLE and PANDA – Ipperwash 1994**

DND had planned to turn a small training area at Ipperwash, Ontario over to the Kettle and Stoney Point Band (KSPB) in 1994 immediately following an environmental assessment to ensure that no live ammunition remained on the site. When DND refused to pay and allow the KSPB to participate in the assessment and hired a contractor to complete the task, band members immediately started harassing a small security force working at the site. Learning from the Oka Crisis, DND employees adopted a policy of non-confrontation with the band.

When and splinter organization, the Stoney Point Group, occupied Ipperwash Provincial Park and shot at the OPP, fears were raised that this would be another Oka as there were indications that Warrior Society and American Indian Movement personnel were in the area. A bus with Native protesters ran through an OPP checkpoint and fired on the police. OPP returned fire killing Dudley George, a member of the KSPB. The OPP Tactical Operations Centre was immediately overrun resulting in the loss of all weapons and equipment and compromising several documents.

The OPP submitted an immediate request for a Bison APC to safely move their personnel. Although there was a contingency to move 1 RCR from Petawawa to Ipperwash, negotiations quickly resolved the situation.

#### **Operation WALLABY – Gustafsen Lake 1995**

Following a land dispute with a local municipality, the Shuswap band from Gustafsen Lake, British Columbia threatened violence against police and local citizens. The military provided Bison APCs and the situation was once again resolved by negotiation.

The CF was well represented during the above ACP incidents, particularly the October and Oka Crises. According to Dr Jean Pariseau in his paper on the history of Aid of the Civil Power operations, while the SQ actions during the October Crisis were characterized as amateurish and the RCMP performed well but were not prepared to cooperate with the SQ, CF personnel “acquitted themselves with measure and competence and fully cooperated with civil and police authorities at all times.”<sup>35</sup> At Oka, the SQ lacked training for the type of operation and operations were poorly planned and executed, resulting in the loss of respect of the Canadian public. Throughout, military operations were “carried out with precision and professionalism”<sup>36</sup> earning the respect of all involved in the incident.

Although it is very difficult to verify all details concerning the above operations, comments concerning the chosen criteria are provided below.

## **TRAINING**

The fact that the Army rarely conducts ACP or penitentiary operations does not negate the requirement to be properly trained for these events when they occur. The cost of inadequate training was shown during the ill-fated SQ assault at Oka that resulted in one police officer being killed. While it can be argued that almost every observation noted in the above scenarios has a training element to it, the requirement for training will be broken down into the following categories:

- The requirement to conduct **general domestic operations training** such as general policies and procedures.
- The requirement to conduct **general military training to support domestic operations**, such as cordon and search and vital point protection procedures.

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<sup>35</sup> Dr Jean Pariseau, Department of National Defence. Collège militaire royal de Saint-Jean, 13.

<sup>36</sup> *Ibid.*, 15.

- The requirement to conduct **specific training for domestic operations** including preparations for penitentiary operations or mission-specific rule of engagement (ROE) training.

Within each of the above training categories, there may be various levels of training that are required. For example, one may recognize the requirement for general domestic operations training for individual soldiers, formed units, headquarters staff, senior commanders or even combined training including military and civilian personnel.

Although there were no specific comments provided concerning the lack of knowledge or poor application of domestic operations procedures, the need to restructure and improve civilian-military command and control procedures after the October Crisis indicate that established operating procedures had not been followed leading up and during the operation. The level of knowledge required and proper training method to ensure that these policies and procedures are known and accurately applied varies for different ranks and appointments. Senior military and civilian commanders and headquarters staffs may have to participate in regular training sessions and continuation training exercises to validate procedures. Formed units and individuals may only be required to complete continuation theory training to review the general scope of policies and procedures.

The CF position is that the skills that soldiers acquire through general military training are sufficient to support the conduct of most domestic operations.<sup>37</sup> It was noted that many of the soldiers had United Nations experience in the Middle East, Cyprus, Indo-China and India-Pakistan that prepared them to conduct general military duties such as cordon and search, vital point protection and patrols. Given the vast experience of today's soldiers, this is likely still

valid. Nevertheless, Loomis' comment that preparations for the October Crisis was as usual, with a twist to deal with the media may be very risky considering the consequences if a member of the Army fails to do their duty to the highest standard in front of the Canadian public.

Although it may be unreasonable to expect units to regularly conduct general military training in preparation for an ACP event that may not occur, the availability of quality training manuals and aide-memoires may allow units to complete sufficient required training during preparations for an operation to drastically reduce the risk of failure or poor performance in front of the public.

While Army units will only conduct i-0.ae

Montrealers who were threatening to add to the ongoing confrontation. The 1 RCR amphibious exercise at Akwasane was sufficient to force the Natives to a negotiated settlement.

### **VEHICLES AND EQUIPMENT**

Without comments concerning the availability of sufficient vehicles and equipment for the units to deploy self-sufficient, one must assume that there were not significant issues in this area for any of the operations presented.

### **COMMAND, CONTROL AND LIAISON**

Although effective command and control of civilian and military forces and liaison at all levels were key to the success of the operations, it was noted that operations conducted near the US border were problematic. The Bi-National Planning Group is mandated to develop plans and procedures to deal with such situations in the future.

### **EMPLOYMENT OF RESERVISTS**

Employment of Reservists in ACP operations was very limited and, as will be shown in Chapter 5, is not part of Area domestic operations plans. The requirement to confirm training standards, Reserve liability issues and the difficulty maintaining Reservists on short notices to move all conspire against their participation in ACP operations.

## **ASSISTANCE TO THE CIVIL AUTHORITY OPERATIONS**

Although the CF assisted in many missions providing support to natural disasters, the events from Op ASSISTANCE, support to the Winnipeg floods in 1997 and Op RECUPERATION, support the ice storm in eastern Ontario, Quebec and the Maritimes in 1998 will be reviewed. These two operations provide excellent examples of large-scale disaster assistance operations and highlight some aspects of the identified criteria that will be summarized at the end of this section.

### **Operation ASSISTANCE – Winnipeg Floods 1997**

The Red River that runs from North Dakota to Manitoba has a long history of spring flooding. After the 1950 flood caused the evacuation of 100,000 residents of Winnipeg, a floodway was built to protect the city.<sup>38</sup> The spring 1997 flood was the worst in 150 years affecting most of southern Manitoba. The slowly developing disaster challenged civilian and military planners alike resulting in problems during the warning and preparation phases as mounting and deployment timings were severely compressed.<sup>39</sup>

During the winter of 1996-1997 the Land Force Western Area (LFWA) domestic operations cell conducted regular liaison with the Province of Manitoba Inter-agency Emergency Preparedness Committee. Despite the fact that provincial authorities did not believe that they would need military support to deal with the pending flooding, NDHQ, LFWA HQ and Air Command HQ discussed command and control architecture for a possible mission and an initial intent was issued to LFWA units. Anticipating a request for support, Commander LFWA redirected one infantry battalion to move its planned training from Alberta to Canadian Forces

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<sup>38</sup> Department of National Defence, *Comd LFWA 3350-105-26 (Op Assistance) Op Assistance Post Operation Report* (Edmonton: LFWA HQ, 1997), Anx D, 2.

<sup>39</sup> *Ibid.*, Anx D, 1.

Base (CFB) Shilo in Manitoba to reduce the response time if military assistance was requested.<sup>40</sup> Air Command was also preparing to relocate helicopters to Winnipeg on short notice.

On 19 April 1997, the Government of Manitoba formally requested open-ended support from the CF. What would initially start as 100 soldiers filling sandbags would escalate into the largest domestic operation to that point in history involving 8,500 CF personnel, 2,850 vehicles, 131 water craft and 34 aircraft.<sup>41</sup> The majority of these personnel were from the Army, including the Reserve Force.

Aside from the obvious benefit to the people of Manitoba, Op ASSISTANCE provided an excellent opportunity for the CF to validate joint doctrine. NDHQ, LFWA HQ, Air Command HQ and Maritime Forces Pacific Headquarters (MARPAQ HQ) exercised excellent command and control forming the Joint Force Headquarters (JFHQ) (based on Headquarters 1<sup>st</sup> Canadian Division) and subsequently creating effective Joint Task Forces (JTFs) that included land, maritime and air components of the Regular and Reserve Force.<sup>42</sup>

Untimely planning and the promulgation of orders, particularly in the warning and preparation phases, did not support a smooth transition to operations. While Commander LFWA attributed some of this to the nature of the disaster<sup>43</sup> and noted that there “must be a balance between prudent preparations, that permit a useful heightening of readiness, and production of detailed plans which, without specific knowledge of the mission and participating forces, could cause wasted effort”,<sup>44</sup> it should be incumbent on all planners, civilian and military, to conduct prudent planning to provide maximum time for effective execution of a task.

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<sup>40</sup> *Ibid.*, Anx D, 2.

<sup>41</sup> *Ibid.*, Anx D, 1.

<sup>42</sup> *Ibid.*, Anx D, 3.

<sup>43</sup> *Ibid.*, 3.

<sup>44</sup> *Ibid.*, 3.

The distinction between the various types of assistance to the civil authorities was not widely understood by military or civilian representatives.<sup>45</sup> The military and civilian chain of command must know this doctrine. Being the face on the ground, commanders at all levels, key headquarters staff and individual soldiers should also be aware of their rights, duties and responsibilities.

It was noted that even during events such as natural disasters, in all likelihood, there will be some local assistance to law enforcement agencies provided by the Army.<sup>46</sup> As with general assistance to the civil authority doctrine that must be known and applied by military personnel, use of force and armed assistance rules must also be understood by commanders and staff at all levels. All future domestic operations should include contingency plans to transition to assistance to law enforcement operations.

The only training point noted by Commander LFWA in the Post Operation Report (POR) was the requirement of Canadian Forces College (CFC) Command and Staff Course qualified staff officers in order to operate in a joint environment.<sup>47</sup>

It was noted that major domestic operations are unique and occur infrequently and that a “re-education process is often required when such operations are launched” thus the importance of recording lessons learned and including these lessons in future plans.<sup>48</sup>

While the process was in place to effect liaison between LFWA and the Manitoba Emergency Measures Organization (EMO) representatives, a newly posted and under-ranked Captain who had not had sufficient time to establish required contacts was the LFWA Domestic

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<sup>45</sup> *Ibid.*, 4.

<sup>46</sup> *Ibid.*, 5.

<sup>47</sup> *Ibid.*, 6.

<sup>48</sup> *Ibid.*, Anx D, 1.

Operations Desk Officer when Op ASSISTANCE was launched.<sup>49</sup> Fortunately, the Army benefited from local expertise provided by a Reserve Force brigade commander, Colonel Tabernor, who resided in Winnipeg and recently relinquished the domestic operations liaison function to the LFWA HQ G3 Domestic Operations cell. This lesson reinforced the need for domestic operations cells in each provincial capital to develop a personal relationship and mutual understanding and confidence.<sup>50</sup> Essential points of contact were identified as:

- Provincial EMO and Attorney General Staff,
- Emergency planning staff in major urban centres, and
- Provincial law enforcement agencies.

As will be discussed in Chapter 5, Reserve Force units may be involved in the liaison process in the future providing local (provincial and municipal) liaison teams. The provision of liaison teams below provincial level may be in conflict with EMO policies that direct military-civilian liaison to occur through provincial EMO offices, and not directly to municipal representatives. Given that any response for military support to municipalities should only occur once it has been determined that the incident is beyond the combined scope of municipal and provincial governments to resolve, the EMO position may be valid.

As with most domestic operations, a process of understanding, credibility and trust had to be constructed.<sup>51</sup> While the confusion between military and civilians is caused by many factors, increased Army interaction with provincial and municipal EMO representatives and the general populace will improve understanding, credibility and trust as well as allay fears of the Army rolling through the streets with their fighting vehicles, as was the case during Ops ASSISTANCE and RECUPERATION. Regular training exercises will support this goal.

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<sup>49</sup> *Ibid.*, Anx D, 6.

<sup>50</sup> *Ibid.*, Anx D, 6.

Op ASSISTANCE was the first opportunity to employ CF Assistance to Provincial Police Force Directives (CFAPPDs), created by Order in Council on 23 May 1996. Confusion ensued at the provincial EMO level where they believed that their open-ended request for military support included Assistance to Law Enforcement Agencies (ALEA). While the RCMP and Winnipeg municipal police recognized the difference between the various types of military support, the police still employed Army personnel believing that it was general support and not ALEA, such as escorting or transporting police to conduct security checks in abandoned communities. The result was that, early on in the operation, military personnel were providing low-level ALEA without authority.<sup>52</sup>

While it will be the responsibility of higher headquarters to ensure that civil authorities submit necessary requests for ALEA support and to monitor the employment of military personnel, it will ultimately fall on the individual soldier on the ground to understand if what he or she is being asked to do is beyond what is authorized. Specific training is required for all personnel and these points must be reinforced before deployment, even for responses to natural disasters.

### **Operation RECUPERATION – Ice Storm 1998**

In response to a crippling ice storm that paralyzed eastern Ontario, the city of Montreal, the Monteregie region of Quebec and parts of the Maritimes, the CF deployed 15,800 personnel to support Op RECUPERATION from 8-31 January 1998. Included in this figure were over 3,800 Reservists and 6,200 military and civilian personnel behind the scenes, bringing the total to over 22,000 personnel.<sup>53</sup> In the end, hundreds of major transmission towers collapsed and

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<sup>51</sup> *Ibid.*, 10.

<sup>52</sup> *Ibid.*, Anx D, 14.

<sup>53</sup> Department of National Defence, 3301-2-4-3 (*J3 Lessons Learned*) Deputy Chief of the Defence Staff *Op Recuperation Lessons Learned Staff Action Directive* (Ottawa: DCDS, 1999), 1.

thousands of kilometers of hydro lines were damaged. Over four million citizens lost power in the heart of winter, some for over one month. Major tasks completed during the operation were to:

- Assist in the prevention of the loss of life.
- Help re-establish essential services.
- Assist in the clearance of debris.

While Op RECUPERATION had the benefit of lessons learned from the military response to floods during Op ASSISTANCE, as will be shown below, it was clear that some shortfalls had not been rectified and, if not explicitly addressed, could affect the conduct of large-scale domestic operations in the future. Major lessons learned that are of concern to Army domestic operations planning follow.

The extensive use of liaison officers (LOs) at all levels once again proved invaluable in the face of no electricity and disrupted phone service. When provincial EMO representatives lost visibility of the level of need in communities across the area of operations, Army formations and units deployed LOs to towns and villages as well as key contacts in major corporations affected by the storm, including Hydro Quebec, Ontario Hydro and Bell Canada. In addition to supporting situational awareness, these LOs also provided much needed information to municipal emergency representatives who did not completely understand Army capabilities and limitations.<sup>54</sup> Emergency Preparedness Canada (EPC) Regional Directors, who are permanently co-located in provincial capitals, are responsible to educate provincial and municipal emergency representatives about federal departmental capabilities that may be available during emergencies. As will be shown, Reserve liaison teams that will be created under Land Force Reserve

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<sup>54</sup> *Ibid.*, 7.

Restructure (LFRR) may support this effort during future domestic operations. Although the use of LOs during an operation may be valuable, the use of low-level liaison teams during the request and planning stage for a domestic operation may cause confusion as provincial EMO representatives deal with conflicting reports from municipal representatives who are already in contact with the military. In the end, the CF should fully support EPC Representatives to improve this education process.

Supported by lessons learned from Op ASSISTANCE, Army formations and units proved capable of mounting large-scale joint operations, however, CFBs had difficulty supporting domestic operations.<sup>55</sup> Specifically, successive reductions in personnel and capabilities on bases and extensive contracting of services had a negative affect on the ability of bases to provide personnel, vehicles and materiel in a timely and efficient manner.

This effect may be slowly transferred to Regular and Reserve Force formations and units as continuous shaving of the ice cube with respect to personnel, vehicles and equipment and more reliance on civilian support to operations domestically and abroad may create units that are no longer self-supporting when they need to be.

Reservists represented approximately 25 percent of the military personnel deployed on Op RECUPERATION. While the deployment of Reservists was extremely important to mission success, it was noted that “wholesale introduction of individuals and sub-units from the Reserve Force, which are not integrally self-supporting, is problematic.”<sup>56</sup> With Regular Force brigades and CFBs having fewer resources, in some cases barely enough to deploy self-supporting, Reservists should deploy, as a minimum, as formed sub-units with integral lift and stores to be self-supportable. As will be shown in Chapter 5, many Army initiatives, including Whole Fleet

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<sup>55</sup> *Ibid.*, 14.

<sup>56</sup> *Ibid.*, 14.

Management, may present challenges in achieving this standard and must be addressed before the next major domestic operation.

Most units preferred to deploy with their integral vehicles and trailers contradicting the restrictions that we imposed during the warning and preparation phases of the operation.<sup>57</sup> The decision to deploy units without their integral transport “proved disastrous”.<sup>58</sup> Units had no reliable means of communicating or method to effectively transport personnel. In one extreme example, 12e Régiment Blindé du Canada (12 RBC) had an area of responsibility of 1,630 square kilometers and no integral vehicles or radios.<sup>59</sup>

While there were many shortages of personnel noted that were specific to Op RECUPERATION, the shortage of LOs, Signalers, Cooks and Medical Assistants will generally affect the self-supportability of Army units during major domestic operations in the future. Without a plan to ensure that these and other identified key capabilities are available to support deployed units, Regular or Reserve, this problem will continue to exist in the future.

While the Army Lessons Learned Centre Analysis Report recognized that domestic operations doctrine was being taught at the Canadian Land Force Command and Staff College (CLFCSC) Course and the CFC Command and Staff Course, the report recommended ongoing ACP, domestic operations and media training for all personnel.<sup>60</sup> Regular Force formations that received Reservists during Op RECUPERATION were uncertain of Reserve individual capabilities, qualifications and personal equipment holdings.

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<sup>57</sup> Department of National Defence. *Army Lessons Learned Centre Analysis Report Op Recuperation* (Kingston: ALLC, 1998), 1.1.

<sup>58</sup> *Ibid.*, 1.4.

<sup>59</sup> *Ibid.*, 1.4.

<sup>60</sup> *Ibid.*, 4.2.

The creation of domestic operation aide-memoires or handouts was recommended to improve knowledge of general domestic operation doctrine and use of force guidelines.<sup>61</sup>

To deal with the training shortfalls noted above and the recognition that neither the Regular nor the Reserve Force chain of command generally knew or understood key domestic operations documents,<sup>62</sup> regular exercises were recommended.<sup>63</sup> All Land Force Areas conducted higher-level command post and staff exercises in 2004,<sup>64</sup> but regular exercises in the community will support continuation training for junior personnel with domestic operations doctrine and procedures as well as educating EMO representatives and familiarizing the local community to military operations so they will not be intimidated when actual operations occur, as was the case during both Op ASSISTANCE and Op RECUPERATION.

## **TRAINING**

General lack of knowledge of domestic operations procedures and policies once again indicates the requirement for some level of initial, regular and continuous training to ensure that senior civilian and military commanders and staff and, more generally, all participants are aware of their duties and responsibilities. Recognition that, even during benign disaster assistance operations, Army personnel have often been involved in minor ALEA operations indicates the need to ensure that military personnel are properly educated and trained to conduct these operations should the need suddenly arise. It is unlikely that this training could be easily completed during the conduct of assistance to the civil authority operations, such as disaster relief; therefore, consideration should be given to ensure that all participants are prepared for these tasks before deployment.

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<sup>61</sup> *Ibid.*, 3.3.

<sup>62</sup> *Ibid.*, 2.2. It was noted that DNDP 55 and DCDS Directives for Support to Law Enforcement Agencies was not generally known.

<sup>63</sup> *Ibid.*, 4.1.

The desire for CLFCSC and CFC trained staff officers focused on the need to operate in a Joint environment. Lost in this is the fact that both courses offer specific domestic operations training to their students<sup>65</sup> that would support them, and their commanders, while employed on a domestic operation. Recent graduates of either college may provide the most current link to relevant policies and procedures.

One aspect of training that may not be obvious is the requirement to maintain the trust and understanding between civilian and military participants in any operation. This training may vary from command post and staff exercises for senior commanders and planners, tactical exercises without troops (TEWTs) designed to discuss a specific scenario on the ground to validate plans, to full-scale deployment exercises designed to exercise all levels of personnel as well as educate and familiarize the general public to the capabilities, vehicles and equipment that the Army can provide in a time of need. Although EPC Regional Directors that are located in each provincial capital are mandated to familiarize their municipal counterparts about the capabilities of other federal departments, including the CF, the Army should take a more active role in supporting their efforts through the conduct of combined training activities.

Due mostly to the infrequency of domestic operations and general thoughts that the Army doesn't really have to train or prepare for these events, lesson learned from each operation are not adequately captured and common mistakes are often made on subsequent operations. The conduct of regular training may resolve many of these incidents and could be complemented by capturing lessons in doctrine. Development and regular review of domestic operations doctrine from the tactical to the strategic level would ensure that lessons were captured and properly

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<sup>64</sup> LFA exercise instructions are available on the respective Area DIN Intranet websites.

<sup>65</sup> CFC and CLFCSC course timetables are available on the respective DIN Intranet websites.

applied in the future. This doctrine would also support all levels of training in support of domestic operations.

Finally, significant uncertainty concerning Reserve Force qualifications no doubt affected the employment of these personnel. Aside from general domestic operations policies and procedures that should be known by everyone before they deploy, domestic operations rely mostly on the general military training that soldiers have conducted to support them during the operation. However, commanders who are not aware of the qualified ability of their soldiers place significant risk on the mission and the individual soldier themselves. Drivers who do not possess specific qualifications to carry personnel or haul fuel, Medical Assistants who do not possess standard Regular Force levels of training and soldiers who are not physically fit to handle strenuous work, such as filling sandbags, are a liability. The Army must ensure that there is no confusion concerning or conflict between Reserve and Regular Force qualifications and suitability to participate in domestic operations.

### **READINESS**

Large-scale operations such as the Winnipeg floods and the Ice Storm are unique in that they are truly an entire Army and CF effort. The Army can never be expected to have sufficient personnel available to respond to the most extreme cases without affecting ongoing training activities. This was the case during both operations as units that were otherwise occupied were diverted to support the mission.

While there is usually a requirement for specialists and personnel from unique trades, such as Engineers, to support specific aspects of an operations, there is also the need for sufficient supporting personnel, such as Cooks, Medical Assistants, Liaison Officers and Signallers, to name a few, to ensure that units are self-supportable and capable of conducting

continuous operations over an extended period. Army plans should positively address these recognized needs to ensure that general mission and self-sustainability requirements can be met.

### **VEHICLES AND EQUIPMENT**

Considering the reduced personnel and equipment in units and on CFBs, reliance on non-integral vehicles and equipment to top-up deploying units may be faulty and could affect deployment timelines and the ability of units to complete their mission. The Army should ensure that, at the very least, the minimum required vehicles and equipment for designated domestic operations units must be positively identified and available without significantly affecting the unit's deployment timelines and capabilities. As shown in the 12 RBC situation during the Ice Storm, the option of deploying units in non-operational vehicles without integral communications and stores may have a direct negative affect mission success.

### **COMMAND, CONTROL AND LIAISON**

Application of Joint doctrine and the deployment of a Joint Headquarters simplified command and control across the Maritime, Land and Air environments and with civilian counterparts.

Orders and plans were not always received in a timely manner. This was normally overcome by local initiative and foresight, but efforts should be made to streamline the process to provide maximum warning and time to allow units conduct required preparations, including mission-specific training, prior to deploying.

Liaison Officers proved to be an integral part of both operations with the recognized need for plenty of LOs at all levels and specifically for a military domestic operations cell providing this function with EPC Regional Directors and Provincial EMO Representatives in provincial capitals. This euphoria for the employment of LOs should be tempered with the recognition that

there are clearly defined civilian and military chains of command and procedures exist that may be obstructed through too much local initiative by LOs and Army units that may result in poor prioritization of effort and an uncoordinated response to a disaster.

**EMPLOYMENT OF RESERVISTS**

While Reserve Force participation in the Winnipeg Floods and the Ice Storm contributed to the success of these operations, several issues must be addressed for future operations, specifically if independent Reserve sub-units or units support future operations.

First, the graph of domestic operations conducted by the CF since 1990 is shown in Figure 2 highlights unique characteristics about domestic operations. Domestic operations are conducted less frequently and usually require an immediate spike of a significant number of personnel for relatively short durations. Designated Reserve domestic operation units may have to complete limited initial, continuous and regular training as well as tie up vehicles and equipment for operations that may never occur. Issues of Reserve obligation to deploy, retention, pay and liability are beyond the scope of this paper but add to the problem of employing Reserve domestic operations units. These trends may be useful in deciding whether Regular or Reserve Force units support future domestic operations.

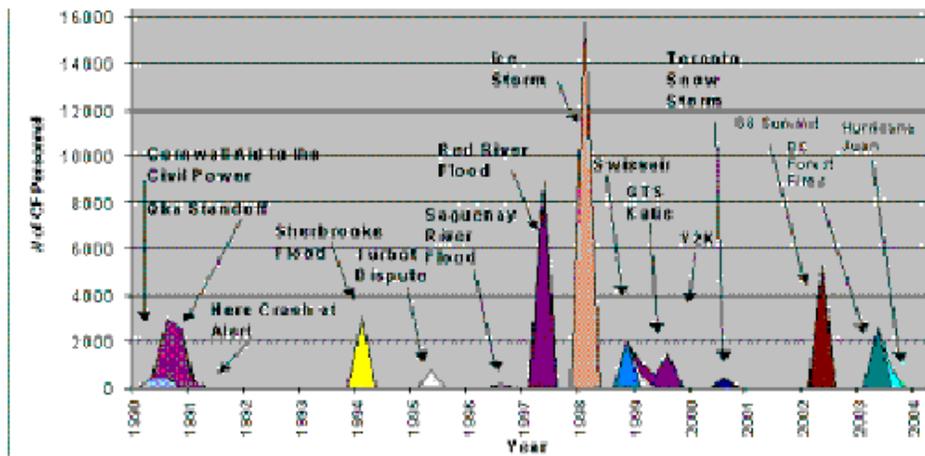


Figure 2. CF Domestic Operations since 1990.<sup>66</sup>

Op RECUPERATON benefited from the lessons learned from Op ASSISTANCE in Manitoba as many of the same formations and units were involved in both events. The Op RECUPERATION Staff Action Directive and Army Lessons Learned Centre Analysis Report identified new issues but also provided excellent linkage to Op ASSISTANCE shortfalls that were repeated. In the end, the most important recommendation from Op RECUPERATION may be that “the Army must have a minimum level of capability for domestic operations”.<sup>67</sup>

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<sup>66</sup> Lieutenant-Colonel Ron Puddister, “The Canadian Forces Joint Operations Group.” lecture, Canadian Forces College, Toronto, ON, December 2, 2004.

<sup>67</sup> Department of National Defence. *Army Lessons Learned Centre Analysis Report Op Recuperation* , 1.4.

## **CHAPTER 3**

### **LEGAL BASIS FOR DOMESTIC OPERATIONS**

In order to analyze military participation in domestic operations, one must first understand the legal basis for the conduct of these operations. Does this legislation support the operations that the CF must be prepared to conduct to support the security of Canadians? Is the CF planning or willing to commit to operations that are beyond their legal authority? What does the CF or Army have to do to ensure that its personnel operate within the law? What legal changes need to be made to support the security and safety of Canadians by the CF in the future? This chapter will review historical and current legal bases for domestic operations to show the development of laws that support civilian and military responders while protecting the rights of Canadians. Relevant points concerning training and the employment of Reservists will be presented at the end of the chapter.

#### **NATIONAL DEFENCE ACT**

The legal basis for all defence matters is the National Defence Act (NDA) that was created in 1922 and has been modified on several occasions since then.<sup>68</sup> Canadian domestic operations legislation is imbedded in the NDA. Some amendments to legislation had been as a result of lessons learned and experiences gained from specific domestic operations such as the creation of ALEA legislation after the 1990 Oka Crisis. The chain of command for all operations is through the Minister of National Defence (MND) and the CDS who is responsible to issue all instructions to the CF.

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<sup>68</sup> Maloney, "Domestic Operations: The Canadian Approach.", 135.

While there are many NDA references that pertain to domestic operations, the following sections are key to military participation in domestic operations:

- s. 275. The Canadian Forces, any unit or other element thereof and any officer or non-commissioned member, with materiel, **are liable to be called out for service in aid of the civil power** in any case in which a riot or disturbance of the peace, beyond the powers of the civil authorities to suppress, prevent or deal with and requiring that service, occurs or is, in the opinion of an attorney general, considered as likely to occur.<sup>69</sup>
- s. 276. Nothing in this Part shall be deemed to impose liability to serve in aid of the civil power, without his consent, on an officer or non-commissioned member of the **reserve force** who is, by virtue of the terms of his enrolment, liable to perform duty on active service only.<sup>70</sup>
- s. 282. Officers and non-commissioned members when called out for service in aid of the civil power shall, without further authority or appointment and without taking oath of office, be held to have, in addition to their powers and duties as officers and non-commissioned members, all of the **powers and duties of constables**, so long as they remain so called out, but they shall act only as a military body and are individually liable to obey the orders of their superior officers.<sup>71</sup>

### **CRIMINAL CODE OF CANADA**

The Criminal Code of Canada specifies who may be recognized as a “peace officer”.

Those appointed under section 156 of the NDA in the article below are Military Police:

Peace officers are:

(g) officers and non-commissioned members of the Canadian Forces who are:

(i) appointed for the purposes of section 156 of the NDA, or

(ii) employed on duties that the Governor in Council, in regulations made under the NDA for the purposes of this paragraph, has perceived to be

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<sup>69</sup> NDA R.S., 1985, c. N-5, s. 275; R.S., 1985, c. 31 (1st Supp.), s. 60; available at <http://laws.justice.gc.ca/en/N-5/index.html>; Internet; accessed 10 February, 2005.

<sup>70</sup> NDA R.S., 1985, c. N-5, s. 276; R.S., 1985, c. 31 (1st Supp.), s. 60; available at <http://laws.justice.gc.ca/en/N-5/index.html>; Internet; accessed 10 February, 2005.

<sup>71</sup> NDA R.S., 1985, c. N-5, s. 282; R.S., 1985, c. 31 (1st Supp.), s. 60; available at <http://laws.justice.gc.ca/en/N-5/index.html>; Internet; accessed 10 February, 2005.

such a kind as to necessitate that the officers or non-commissioned members performing them have the powers of peace officers.<sup>72</sup>

## **DOMESTIC OPERATIONS PRIOR TO 1988**

Prior to 1988, the only three different circumstances when the CF could be called upon to assist civil authorities were Aid of the Civil Power (ACP), Assistance to the Civil Authority (ACA) and the War Measures Act (WMA).<sup>73</sup>

### **Disturbance of the Peace: Aid of the Civil Power**

Regular or Reserve Force members of the CF could be called out in ACP in the event of a “riot or disturbance of the peace, beyond the powers of the civil authorities to suppress, prevent or deal with.”<sup>74</sup> In times of need, provincial premiers could request assistance in writing through their Attorney General to the CDS. Although the CDS was legally bound to respond to the request, the CF decided the magnitude of the response, in terms of resources and effort.

### **Assistance to the Civil Authority**

Assistance for other than civil disturbances was generally achieved through memoranda of understanding (MOU) with provincial governments and other federal departments. These MOUs dealt with a wide range of operations from fishery surveillance, counter-narcotic missions and ice reconnaissance to other support to law enforcement short of troop deployment. Operations were generally short term and conducted on a contingency basis.<sup>75</sup>

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<sup>72</sup> Criminal Code of Canada, Section 2, quoted in Department of National Defence, Canadian Forces College, Canadian Forces College Domestic Operations Reading Package, (Toronto: CFC, 1999), 5.

<sup>73</sup> Maloney, “Domestic Operations: The Canadian Approach.”, 136.

<sup>74</sup> NDA XI s. 275; available at <http://laws.justice.gc.ca/en/N-5/index.html>; Internet; accessed 10 February, 2005.

<sup>75</sup> Maloney, “Domestic Operations: The Canadian Approach.”, 136.

## **War Measures Act**

Aside from special legislation to ensure continuity of government and public order after a nuclear attack<sup>76</sup> the War Measures Act was the only other mechanism to secure CF support to domestic operations in the event of “war, invasion or insurrection, real or apprehended.”<sup>77</sup> The WMA was a broad reaching act that empowered cabinet to do whatever was required to deal with a situation. This included the deployment of military forces to impose censorship, arrest and detain suspected subversives and aliens, ban subversive organizations, expropriate property and exert government control over all aspects of transportation and trade.

Cabinet was bound to report to Parliament after the implementation of the WMA when Parliament could revoke the act if it did not support Cabinet’s decision. Unlike ACP procedures, one of the weaknesses of the WMA was that it could only be employed nationwide. This was seen as too powerful.<sup>78</sup> The WMA was invoked to resolve the 1970 October Crisis.

## **DOMESTIC OPERATIONS FROM 1988 TO PRESENT**

Mainly from lessons learned from the October Crisis, the first comprehensive review of defence policy since 1971 produced the 1987 Defence White Paper. The WMA was deemed to be “too broad and too sweeping”<sup>79</sup> and although acceptable for war it had “few safeguards against abuse” in domestic operations. A comprehensive restructuring of domestic operations laws and policies resulted in creation of the Emergencies Act in 1988.

## **The Emergencies Act**

The Emergencies Act recognizes four types of emergencies:

- Public Welfare Emergencies (PWE) such as natural disasters,

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<sup>76</sup> Civil Defence Order (1959) quoted in Maloney, “Domestic Operations: The Canadian Approach.”, 136.

<sup>77</sup> War Measures Act quoted in Maloney, “Domestic Operations: The Canadian Approach.”, 137.

<sup>78</sup> Maloney, “Domestic Operations: The Canadian Approach.”, 137.

<sup>79</sup> *Ibid.*, 137.

- Public Order Emergencies (POE) that include threats to national security,
- International Emergencies when intimidation, coercion or the use of serious force or violence threatens the sovereignty, security or territorial integrity of Canada, and
- War.<sup>80</sup>

The Emergencies Act recognizes four classes of support:

- Class 1: CF assistance, in support of provincial or territorial law enforcement operations, **where a disturbance of the peace is occurring or may occur**, and where the support is in the form of **CF personnel and/or operational equipment**.
- Class 2: CF assistance, in support of provincial or territorial law enforcement operations, **where a disturbance of the peace is occurring or may occur**, and where the support is limited to **non-operational equipment**.
- Class 3: CF assistance, in support of provincial or territorial law enforcement operations, **where there is no potential for a disturbance of the peace**, and where the support is in the form of **CF personnel and/or operational equipment**.
- Class 4: CF assistance, in support of provincial or territorial law enforcement operations, **in support of other than law enforcement operations**, where the support is in the form of **CF personnel and/or operational or non operational equipment and/or the use of ranges, training areas or other infrastructure facilities**.<sup>81</sup>

Figure 3 shows a simplified matrix of classes of assistance and the approval authority for each.

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<sup>80</sup> Emergencies Act quoted in Maloney, “Domestic Operations: The Canadian Approach.”, 140.

<sup>81</sup> Department of National Defence, Canadian Forces College. Canadian Forces College Domestic Operations Reading Package, (Toronto: CFC, 1999), 19.

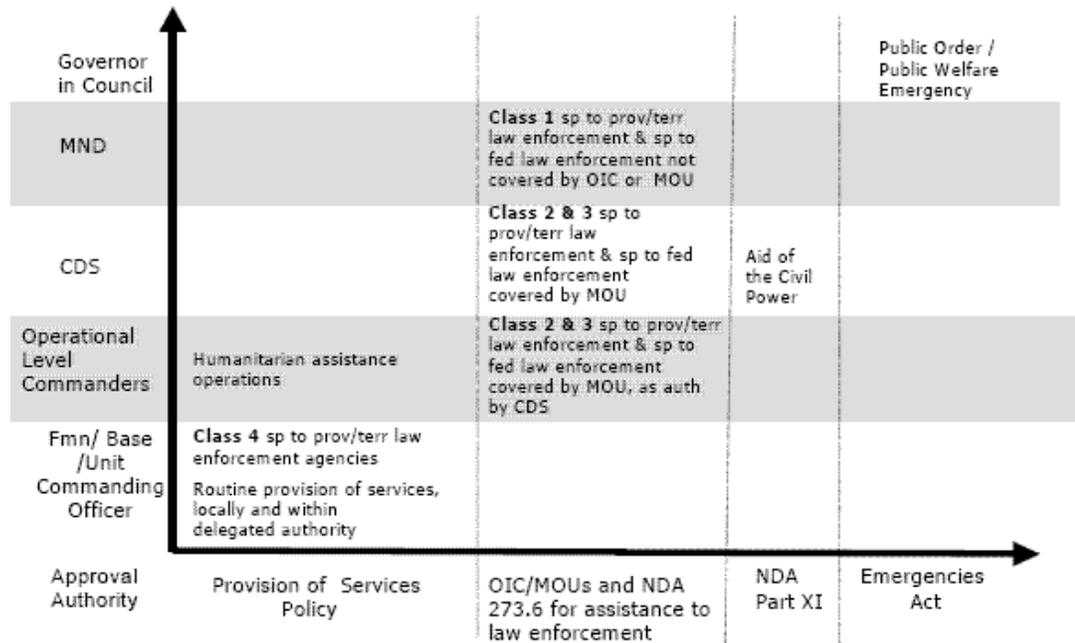


Figure 3. Simplified matrix of authorities for domestic operations.<sup>82</sup>

The Emergencies Act overcame many of the shortfalls of the WMA by specifying the types of powers that government is allowed to exert under each type of emergency noted above. In general, the separation of POE, International Emergencies and War gives the government the power to deal with a graduated threat without imposing the broad range of situations.<sup>83</sup> There is also tighter control and accountability as Cabinet decisions must be reviewed by Parliament within seven days and there are time limits on military responses. Suspension of civil liberties is subject to specific parliamentary oversight.<sup>84</sup>

### **Emergency Preparedness Act**

The Emergency Preparedness Act placed Emergency Preparedness Canada (EPC) under the Department of National Defence and legislated federal and provincial governments to be prepared to respond to the four types of emergencies noted above. As will be shown, this will be

<sup>82</sup> Department of National Defence, *B-GL-005-300/FP-000 Canadian Forces Operations*, (Ottawa: DND, 2004), 12-3.

overcome by planned changes to EPC in *Security and Open Society: Canada's National Security Policy* (NSP).

### **TRAINING**

Aside from the need for all Army participants in domestic operations to be cognizant of the laws and regulations concerning domestic operations, that could be included in general training conducted prior to deployment, there may be a unique and specific requirement for personnel to complete training related to their designation as a constable or peace officer. The CDS maintains positive control over the conduct of this type of training, and it would not be required often, but the Army must be prepared to conduct this training should the need arise. Development of doctrine and training packages that include the participation of military and civilian police should be available.

### **EMPLOYMENT OF RESERVISTS**

The Army must clarify the legal obligation for Reservists to participate and ensure that plans for designated domestic operations and hastily deployed Reservists meet these requirements. Liability for pension should also be included to ensure that Reservists who are injured during domestic operations are adequately protected.

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<sup>83</sup> Maloney, "Domestic Operations: The Canadian Approach.", 141.

<sup>84</sup> Emergency Act quoted in Maloney, "Domestic Operations: The Canadian Approach.", 141.

## **CHAPTER 4**

### **CANADIAN AND NORTH AMERICAN DOMESTIC OPERATIONS**

#### **CONCEPT OF OPERATIONS**

The Canadian approach to supporting domestic

- Changes to DND security responsibilities and the scope of support that may be requested in the future.

### **SECURING AN OPEN SOCIETY: CANADA'S NATIONAL SECURITY POLICY**

In his executive summary to the National Security Policy (NSP), Prime Minister Martin noted that “security issues are not new to Canada” and linked the need for security to our prosperity in an open and interdependent world.<sup>89</sup>

The NSP outlines an integrated security system that initiated several major changes to how and who is responsible for all aspects of the protection of Canadians at home and abroad. This paper will deal only with the domestic aspects of the NSP. It is clear that the NSP sets the stage for improved security, but much of the detailed work required in many departments will take time.

As “there can be no greater role, no more important obligation for the government, than the protection and safety of its citizens”<sup>90</sup> the government focused the NSP on three core national security interests:

- Protecting Canada and Canadians at home and abroad,
- Ensuring Canada is not a base for threats to our allies, and
- Contributing to international security.<sup>91</sup>

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<sup>88</sup> Privy Council Office, *Securing an Open Society*, (Ottawa, PCO, April 2004), Exec Summary vii, viii.

<sup>89</sup> *Ibid.*, Exec Summary.

<sup>90</sup> *Ibid.*, Exec Summary.

<sup>91</sup> *Ibid.*, 1-2.

One of the critical attributes indicated in Strategy 2020, *Shaping the Future of the Canadian Forces*, is to “ensure a capability to respond to domestic crises.”<sup>92</sup> The NSP has directed the coordination of capabilities including the following initiatives:

- Creation of an Integrated Threat Assessment Centre. National and CF elements will be intimately involved with the centre that should integrate information on threats to security that may translate into increased warning for Army units before domestic operations. Identification of the most probable threats, whether they are natural or man-made, should allow the Army to focus regular domestic operations training and plan development for the most likely scenarios.
- National Security Advisory Council. Should provide more coordinated effort for all aspects of security. Other Government Departments (OGDs) will know what is available (from other federal departments) as well as the capabilities of CF units therefore Army units should be employed more effectively and efficiently when called out.<sup>93</sup>
- Government Operations Centre. Will operate 24/7 providing coordination and support across all departments.<sup>94</sup>
- Critical Infrastructure Paper. Will be issued summer 2005. This paper may provide likely tasks for the Army. Specifically, what infrastructure or types of infrastructure might the Army be asked to protect. If so, military plans, including reconnaissance, can be conducted, required resources can be procured and

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<sup>92</sup> Department of National Defence, *Shaping the Future of the Canadian Forces: A Strategy for 2020*, (Ottawa: DND, 1999), 6.

<sup>93</sup> Privy Council Office. *Securing an Open Society*. April 2004, Exec Summary, vii, viii. The Emergency Preparedness Act will be reviewed and modernized to improve national security management.

<sup>94</sup> Treasury Board of Canada Secretariat. *RPP 2004-2005 Public Safety and Emergency Preparedness*, 17. Full implementation is planned for March 2005.

specific training goals (including focused domestic operations exercises) can be planned. Currently, penitentiary assistance follows a similar model where regular reconnaissance is conducted, plans are current and units often participate in exercises to validate plans.

- Co-location of federal government centres with provincial, territorial and municipal centres. This will provide more effective liaison, ensuring that suitable Army support is requested.
- International Security. The requirements of the International and Defence Policy Reviews may direct other national and international tasks to the Army that will put a strain on CF resources available for domestic operations. Due to the very recent issuance of policies, they have not been included in the body of this paper. Rather, relevant issues from these documents will be presented at the end of this paper to provide a view of the way ahead with domestic operations.

The NSP also notes that the government was taken “specific measures to bolster the capabilities of the CF” including: setting up the Bi-national Planning Group (BPG) with the US, creating a dedicated NBC response to assist civilian first-line responders, enhancing the DART to provide some domestic capability.

### **PUBLIC SAFETY AND EMERGENCY PREPAREDNESS CANADA**

A major initiative that fell out of the terrorist attacks on the United States in September 2001 was the creation of the Department of Public Safety and Emergency Preparedness Canada (PSEPC) on 12 December 2003. This department integrates the core activities of the former Department of the Solicitor General with those of the Office of Critical Infrastructure Protection and Emergency Preparedness (OC�PEP), Emergency Preparedness Canada (EPC) and the

National Crime Prevention Centre.<sup>95</sup> The new department is part of the Portfolio of Public Safety and Emergency Preparedness that includes the RCMP, the Canadian Security Intelligence Service (CSIS), Correction Services Canada (CSC), the Canadian Firearms Centre, the National Parole Board and newly created Canada Border Security Agency.<sup>96</sup> PSEPC was created to ensure “a broad approach to criminal justice, national security and public safety.”<sup>97</sup>

While provincial and federal governments may not totally understand the civil-military relationship in domestic operations or the military capabilities, they recognize that “there are limits to the civil authority’s capability in terms of coordination, communications, mobility, organization, discipline and force and have allowed the military to take over when the situation required it.”<sup>98</sup> The creation of PSPEC may produce greater synchronization of responders across all departments and provinces that may fill some of gaps currently covered by the Army. So long as the civil service has shortfalls in these key areas, there will be a demand for military support and the military must be prepared to provide the coordination, communications, mobility, organization, discipline and force required. The CF should identify and be prepared to fill gaps in capabilities.

EPC, the agency responsible for disaster response, has adopted the “all-hazards approach” which states that it is unrealistic to prepare contingency plans for all potential hazards, rather a common response capability that would cope with hazards would be created. There are exceptions to this including nuclear accidents and marine spills.<sup>99</sup>

Effective emergency management is made up of several phases:

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<sup>95</sup> *Ibid.*, 2.

<sup>96</sup> *Ibid.*, 2.

<sup>97</sup> *Ibid.*, 2.

<sup>98</sup> Maloney, “Domestic Operations: The Canadian Approach.”, 144.

<sup>99</sup> Emergency Preparedness Canada, *Report to Parliament on the Emergency Preparedness Act* (Ottawa: Minister of Supply and Services, 1993), 1.

- Mitigation,
- Prevention,
- Preparedness,
- Detection,
- Response,
- Recovery, and
- Evaluation.<sup>100</sup>

First-line responders are the heart of the emergency management system, including individual, municipal and provincial responsibilities before federal assistance is provided. The federal government will often play only a supporting role during incidents and the Army will likely be involved mostly with consequence management – the response to the need to help Canadians.<sup>101</sup>

The DND Inter-Agency Handbook for Domestic Operations “provides a concise description of other Federal Government departments and national-level governmental organization with which the CF may co-operate in a domestic contingency or major emergency.”<sup>102</sup> Relevant elements of this handbook will be presented in the following paragraphs.

PSEPC is responsible for the National Support Plan that provides an organizational structure, concept of operations and framework for response by the Federal Government to national or international emergencies. This framework is based on Emergency Support Functions (ESFs) each of which has one federal department designated as for primary

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<sup>100</sup> Privy Council Office. *Securing an Open Society*, 22.

<sup>101</sup> Privy Council Office. *Securing an Open Society*, 12.

<sup>102</sup> Department of National Defence, *B-GL-005-308/FP-010 Inter-Agency Handbook for Domestic Operations*, (Ottawa: DND, 2004), v.

responsibility and one or more as supporting. DCDS Directive for Domestic Operations (OPI is COS J3 Continental) is a detailed directive governing CF activity in domestic operations and intra-Canada emergencies. The most current DDDO is DCDS 2/98.<sup>103</sup>

DND is responsible for major contingency operations, including major domestic and all international operations, as conducted by task forces placed under the DCDS. A small number of JTFs permanently exist to support these tasks including the Joint Operations Group (JOG), JTF2 and the NBC Response Team (NBCRT).<sup>104</sup>

The recognized need to respond to disasters quicker is driving many initiatives in PSEPC to ensure better coordination of federal and provincial resources. The PSEPC Report on Plans and Priorities (RPP) 2004-2005 details clear direction for the new department laying a foundation for work over the next three years. Specifically, the following initiatives are progressing:

- The National Emergency Response System (NERS) has been created that provides harmonized federal, provincial and territorial responses to all types of emergencies. This will be fully implemented in March 2005<sup>105</sup> and should result in fewer gaps that the Army must be prepared to fill.
- The Emergency Preparedness Act will be updated in 2005/2006 “to deal with the full range of public safety emergencies including mitigation programs, critical infrastructure protection (CIP) and cyber security.”<sup>106</sup>

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<sup>103</sup> *Ibid.*, v.

<sup>104</sup> *Ibid.*, 14-1.

<sup>105</sup> Treasury Board of Canada Secretariat. *RPP 2004-2005 Public Safety and Emergency Preparedness*, 18.

<sup>106</sup> *Ibid.*, 18-19.

- An updated National Support Plan will be updated by 2005 to “clarify roles and responses of federal departments and agencies in the event of a provincial/territorial disaster.”<sup>107</sup>

## **THE CANUS MILITARY COOPERATION COMMITTEE AND THE BI-NATIONAL PLANNING GROUP**

The Military Cooperation Committee (MCC) was formed in 1945 as a vehicle for combined military planning for the defence of North America.<sup>108</sup> Under the auspices of the MCC, the Bi-National Planning Group (BPG) was established in December 2002 to address the future of Canadian-US (CANUS) defence relations.<sup>109</sup> The creation of this planning group has resulted in many studies indicating how to improve security for all North Americans.

Basic North American security is based on the Ogdensburg Announcement, signed by President Roosevelt and Prime Minister Mackenzie-King in 1940<sup>110</sup> that acknowledged the indivisible nature of continental security. The NORAD agreement is an extension of the NATO agreement but only includes the aerospace domain. Detailed political agreements for maritime, land and assistance to civil authority missions do not exist.

Increased dialogue among NDHQ, the Joint Chiefs of Staff (JCS), NORAD and US NORTHCOM staffs has resulted in increased sharing of intelligence from a need to know to a need to share model.<sup>111</sup> Specifically relevant to this paper is the inclusion of Canadian exchange personnel in several US headquarters and intelligence centres. Participation in the US Domestic Operations Warning Centre may affect the tasks that the Canadian Army may be expected to

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<sup>107</sup> *Ibid.*, 20.

<sup>108</sup> Department of National Defence. *1994 Defence White Paper*, Chap 5, 3.

<sup>109</sup> US NORTHCOM, Bi-National Planning Group. *Interim Report on CANUS Enhanced Military Cooperation*, (Colorado: BPG, October 2004), preamble by General (USAF) Ralf E Eberhart.

<sup>110</sup> *Ibid.*, 7.

<sup>111</sup> *Ibid.*, preamble by General (USAF) Ralf E Eberhart.

support during future public welfare and public order emergencies. Although the US likely has sufficient capacity to unilaterally deal with the most extreme public order or public welfare situations, a request for Canadian participation may be symbolic, such as CF assistance provided to hurricane relief in Florida in 1998, therefore Army units must be prepared to complete any tasks agreed to by the MCC.

The Canada-US agreement for Enhanced Military Cooperation (December 2002) directed the BPG to “determine the optimal defence arrangement in order to prevent or mitigate disasters and or other major emergencies in Canada and the United States.”<sup>112</sup> Exactly what this will mean to the Canadian Army will not be known until the BPG process is allowed to run its course, but given recent media comments about the mandate of NORAD to expand to land operations as well as the creation of a Canadian Theatre of Operations (and resultant Joint HQ, similar to US NORTHCOM) may generate situations where Canadian Army personnel would provide support to a natural disaster in a remote US area along a populated area of Canada.

The BPG Interim Report 2004 does note that many of the relevant CANUS documents are out of date including the Basic Security Document (BSD) and Land Operations Plan (LANDOP). The LANDOP addresses defence against armed aggressors and military support to civilian authorities. It has not been updated since 1993 and has never been rehearsed.<sup>113</sup> Also, the BSD and LANDOP do not address asymmetric threats, many of the organizations in these plans no longer exist and they generally address military-civilian cooperation and do not recognize the newly created Department of Homeland Security (HLS) and PSEPC as lead federal

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<sup>112</sup> *Ibid.*, Exec Summary, i.

<sup>113</sup> *Ibid.*, 10.

agencies. The CF and Army should be involved in the development of future plans to ensure that the Army is able to complete potential future tasks.<sup>114</sup>

The BPG also addresses exercises, training and validation of plans.<sup>115</sup> Progress of these events should be tracked with appropriate Army input where required. The BPG determined that “there are many levels of cooperation that may be attained.”<sup>116</sup> Keep in mind that this applies to the Canadian Navy and Air Force and that there are significant civilian and US military (including Active Component, Reserve Component and National Guard) available that will complicate the coordination and interoperability process.



Figure 4. Bi-national Planning Group seamless North America concept.

The work of the BPG is seen as “an opportunity to make bold and meaningful strides towards streamlining continental defence and security policy.”<sup>117</sup> While “NORAD has enjoyed bi-national success in reducing the seams and gaps within the aerospace domain over the last 46 years, it is now recognized that the end state for the future is a command that can address all domains” – maritime, land and air.<sup>118</sup>

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<sup>114</sup> *Ibid.*, Exec Summary, i.

<sup>115</sup> *Ibid.*, Exec Summary, i.

<sup>116</sup> *Ibid.*, Exec Summary, i.

<sup>117</sup> *Ibid.*, Exec Summary, ii.

<sup>118</sup> *Ibid.*, Exec Summary, ii.

BPG planning sessions included key stakeholders discussing the DND/DoD role in Homeland Defence (HLD) as well as planning, mitigation and response and recovery activities (disaster relief operations).<sup>119</sup> While US and Canadian representatives agreed with increased inter-agency cooperation, PSEPC and other agencies recognize that bi-national Military Assistance to Civilian Authorities (MACA) would only be needed in the most extreme situations involving over 1000 casualties.

### **Lack of Joint Plans**

Even where CANUS plans exist, they are “combined” involving Canadian and US elements of a single domain, they are not Joint.<sup>120</sup> This should be specifically addressed during the development of future plans and the Canadian Army must be prepared to operate with US Active and Reserve Component land units as well as the National Guard.

### **Military Support to Domestic Operations – US versus Canada**

While the CF can support federal and provincial law enforcement agencies, US federal and state statutes restrict the ability of Active Component to assist civilian law enforcement agencies and other agencies.<sup>121</sup> Use of National Guard personnel generally overcomes this restriction, but it remains as an area of concern for future continental security plans. This will complicate interoperability.

### **Development of a Common Civil Assistance Plan**

The BPG recommends the creation of a Civil Assistance Plan (CAP) to bridge the command gap between the DCDS, who runs CF operations, and Commander US NORTHCOM. This plan would clarify the roles and responsibilities of CANUS Commanders and synchronize

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<sup>119</sup> *Ibid.*, 4.

<sup>120</sup> *Ibid.*, 10.

<sup>121</sup> *Ibid.*, Appx V, p5.

bi-national military-civilian assistance in support of civil support (CS) missions.<sup>122</sup> Given the “lack of a bi-national political agreement at Foreign Affairs Canada (FAC) and the US Department of State (DoS) level” that “impedes progression towards fully enhanced military cooperation against threats”,<sup>123</sup> it is questionable whether such a plan will ever exist.

### **Cross-border Operations**

The agreement between Canada and the US outlining the principles and procedures for temporary cross-border movement of Land Forces dated 13 March 1968 may have to be updated to allow CANUS forces to support one another in extraordinary circumstance. It is stressed that even if plans ever advance to this point, the sovereignty of each nation will always be affirmed.<sup>124</sup>

The BPG vision is to “provide comprehensive, seamless defence for CANUS across all mission areas and all domains, and, when required, provide bi-national military assistance to civilian authorities in either nation.”<sup>125</sup> This vision must be translated into actions that both nations desire while avoiding those that could impinge on sovereignty of each nation.<sup>126</sup> Some ad hoc agreements and relationships exist, but defence and safety of Canada and the US cannot be left to chance.<sup>127</sup> There are many obstacles and challenges identified above that may halt the enthusiasm of the BPG and MCC, but the Army must always be aware of the potential for CANUS assistance to civil authority operations and plan accordingly. Unclassified highlights of the most recent MCC update (March 2005), include initiatives for MCC Transformation, Geospatial and Imagery Cooperation, Information Operations, common Critical Infrastructure

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<sup>122</sup> *Ibid.*, 27.

<sup>123</sup> *Ibid.*, 32.

<sup>124</sup> *Ibid.*, 32.

<sup>125</sup> *Ibid.*, 12.

<sup>126</sup> *Ibid.*, 12.

<sup>127</sup> *Ibid.*, 15.

Protection training and the ongoing work of the BPG, including the re-write of the combined defence plan and preparations for the renewal of the NORAD agreement in 2006.<sup>128</sup>

Canadian and North American plans noted above raise several areas of concern that must be included in Army domestic operations plans. These concerns are highlighted below under the identified criteria headings.

### **TRAINING**

The PSEPC CIP plan may result in standing tasks for the Army to protect critical infrastructure in the event of a national emergency. If this occurs, the Army could complete reconnaissance of these sites and prepare contingency plans for the tasks, similar to the procedures current followed for penitentiary contingency operations. Execution of these plans could form part of a coordinated domestic operations training plan, focusing on the most likely sites as identified by PSEPC.

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<sup>128</sup> Department of National Defence, DCDS 031 CANFORGEN 054 211915Z Mar 05, CANUS MCC Update, available at [http://barker.cfc.dnd.ca/admin/canforgen/2005.cfg05054\\_e.html](http://barker.cfc.dnd.ca/admin/canforgen/2005.cfg05054_e.html); DIN Intranet, accessed 28 March 2005.

## **READINESS**

The development of PSEPC plans, such as the National Support Plan, CIP Plan and National Emergency Response System and amendment of the Emergency Preparedness Act may increase or decrease the domestic operations burden on the Army. More effective coordination among federal departments may result in a more efficient response that may provide some resources and support from outside DND, therefore, tasks to the Army may decrease. Conversely, better liaison at the departmental level and coordinated plans may result in identification of unique military capabilities that can assist other departments that may result in increased tasks for the Army. It is difficult to predict the end result of changes within PSEPC, but it may ultimately affect the domestic operations burden on the Army. Increased PSEPC coordination may also result in early warning of potential Army tasks. This valuable time could be used to conduct mission-specific training.

Although BPG plans for a coordinated North American security plan may never result in Canadian Army personnel deploying to the United States to assist with a security or civil support event (such as a natural disaster with over 1000 casualties), development of this concept may place a greater burden on Army resources.

## **CHAPTER 5**

### **THE CF AND ARMY CONCEPTS FOR DOMESTIC OPERATIONS**

This chapter will present the CF and Army concepts for the conduct of domestic operations. Given the structure of domestic operations, with the CDS maintaining command through operational commanders, normally Land Force Area (LFA) Commanders for Army units, formal Army domestic operations plans do not exist per se. Rather, LFAs produce plans and the Land Staff or Army Headquarters is simply a force generator. Relevant CF, DCDS, Land Force Area and Army documents that affect the conduct of domestic operations by Army units will be reviewed. This will provide the background for detailed analysis in accordance with the selected criteria of training, readiness, vehicles and equipment, command, control and liaison and employment of Reservists that will be presented in Chapter 6.

CF policies with respect to domestic operations state that they are conducted to provide “assistance during civil emergencies, support national development goals and/or restore the maintenance of public order and security.”<sup>129</sup> Except during ACP operations when DND is the lead agency to resolve an extraordinary situation until such time when civil authorities are able to resume control,<sup>130</sup> the CF will establish JTFs in a supporting role to other federal departments or agencies.

The CF is organized, equipped and trained for multi-purpose combat force. Provision of personnel, equipment and services for other purposes must be done within existing resources. Domestic operations will normally rely on “skills and equipment already possessed through general military training or trades training. Unique training will be conducted only on an

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<sup>129</sup> Department of National Defence. *B-GL-005-300/FP-000 Canadian Forces Operations*, 12-1.

<sup>130</sup> *Ibid.*, 12-1.

exceptional basis, as directed and authorized by the CDS.”<sup>131</sup> Given the increased focus on domestic operations that has arisen from the creation of PSEPC, it may be time for the CF to specifically plan to support domestic operations with a legislated mandate and required resources allocated. The CF is specifically not authorized to procure equipment to support police tasks such as riot control.<sup>132</sup>

CF plans explicitly state that employment of defence resources for non-defence tasks must not result in unacceptable degradation of CF capabilities and must not complete or duplicate similar services readily available in the private sector. The CF will generally be regarded as a source of manpower, material and expertise.

When a request for support has been received and approved in accordance with Figure 3, the CDS will normally designate an appropriate Joint Task Force Commander, usually one of the operational commanders. Operational level commanders are the Commanders Maritime Forces Atlantic (MARLANT) and MARPAC, Land Force Area commanders, Commander 1 Canadian Air Division (1 CAD) and Commander Canadian Forces Northern Area (CFNA). They are responsible to the CDS for the ly dl le(c d(ce wior tar D)not authilitire )Tj0.0002 Tc -0.0012 T21 13.25 -2.3 Tte t

essential augmentation in the form of personnel, command, control, communications and information systems support.

### **1994 DEFENCE WHITE PAPER**

The White Paper clarifies the roles and missions of the CF in domestic operations.<sup>134</sup>

Aside from emergency operations in accordance with ACP and the Emergencies Act, seven areas were identified where military forces would be deployed on an ongoing basis:

- Sovereignty Protection,
- Fisheries Protection,
- Disaster Relief,
- Counter-Terrorism,
- Counter-Narcotics,
- Environmental Surveillance, and
- Search and Rescue.

The CF also provides four broad categories of service to other departments and Canadians in general:

- Services provided under acts, regulations, existing contracts or agreements,
- Services provided to other governmental departments (OGDs) (Assistance to Civil Authority),
- Use of surplus defence capability, and
- Request for services provided in the public interest.<sup>135</sup>

In addition to other tasks, the CF must be prepared to:

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<sup>133</sup> Department of National Defence. *3301-0 (DCDS) NDHQ Instruction DCDS 2/98*, 2, 3.

<sup>134</sup> Department of National Defence. *1994 Defence White Paper*, Chaps 2 and 4.

<sup>135</sup> Provision of Services Manual as quoted in Maloney, "Domestic Operations: The Canadian Approach.", 141.

- Contribute to humanitarian assistance and disaster relief within 24 hours, and
- Sustain this effort as long as necessary and to respond to requests for Aid of the Civil Power and sustain this response for as long as necessary.<sup>136</sup>

### **DCDS 2/98 GUIDANCE FOR THE CONDUCT OF DOMESTIC OPERATIONS**

DCDS 2/98 is the CF keystone domestic operations directive. It will be replaced by the DCDS Directive on Domestic Operations (DDDO). This instruction provides specific guidance to the CF under the following headings:

- Command and Control.
- Provision of Services Policy.
- Humanitarian Assistance.
- Assistance to Law Enforcement.
- Aid of the Civil Power.
- Planning and Operational Guidance.
- Training and Force Generation.
- Service and Administrative Concepts.<sup>137</sup>

Command and control concepts have been presented previously, but it is worthwhile to highlight some of the key principles included in this directive. While the CDS commands all domestic operations, they are usually controlled by the DCDS on the CDS behalf. The CDS will maintain full command for all domestic operations involving or potentially involving the use of force. As Environmental Chiefs of Staff (ECSs) are only responsible for force generation, LFA Commanders are normally the senior Army commanders of domestic operations and may be

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<sup>136</sup> Department of National Defence. *1994 Defence White Paper*, Chap 4, 4.

<sup>137</sup> Department of National Defence. *3301-0 (DCDS) NDHQ Instruction DCDS 2/98*, 1, 2.

designated as Joint Force or Joint Task Force Commanders by the CDS. The LFA Commanders are responsible for maintaining liaison with civil authorities in their area of responsibility.<sup>138</sup>

Planning guidance states that while domestic operations will be conducted in accordance with standard CF doctrine, there are unique policy and legal limitations that apply which require special emphasis.<sup>139</sup>

The LFAs are each tasked to provide one stand-by Immediate Reaction Unit (IRU) of 350 personnel with a vanguard company at 12 hours and the main body at 24 hours notice to move. This unit must consist of a headquarters, three sub-units (company-sized) and integral service support and should deploy with their integral vehicles, stores and equipment.<sup>140</sup>

Detailed direction is provided with respect to the employment of Reservists. Of note, when there is a risk of injury, Reservists will be employed on Class C contracts, entitling them to the same compensation and benefits as Regular Force personnel. No Reservist will be employed in domestic operations without their own written consent to serve. While LFA Commanders can authorize the employment of individual Reservists on domestic operations, only the government can approve the mustering and deployment of formed Reserve units. Force generation agencies, likely Reserve units or brigades, are responsible to ensure that tasked Reservists meet required training standards.<sup>141</sup>

Aside from specific direction concerning use of force and law enforcement training that will only be approved by the CDS, there are no additional directed training requirements for

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<sup>138</sup> *Ibid.*, 2.

<sup>139</sup> *Ibid.*, 9.

<sup>140</sup> *Ibid.*, 19.

<sup>141</sup> *Ibid.*, 12.

domestic operations.<sup>142</sup> Given the comment above concerning specific policy and legal limitations, it is surprising that there is not a minimum training standard for all personnel.

### **ARMY PLANS RELATED TO DOMESTIC OPERATIONS**

As was previously noted, due to the CF concept for domestic operations, no formal Army-level domestic operations plans exist. However, several current Army documents including *Advancing with a Purpose – The Army Strategy*, *Purpose Defined – The Force Employment Concept for the Army* and the Army Transformation and Regeneration Plans provide insight into the Army's intent and capacity to support domestic operations. The Army Strategy and Force Employment Concept highlight the emphasis that the Army places on domestic operations and introduce the concepts detailed in transformation and regeneration documentation.

Army Regeneration is a plan to allow the Army to overcome the negative affects of unprecedented operational and personnel tempo. To allow the Army to recuperate and complete planned transformation initiatives that will lead towards the Army of the Tomorrow structures, the Government of Canada approved a period of reduced commitment from August 2004 to February 2006.<sup>143</sup>

Starting in February 2006, the Army will have a plan in place that will set the conditions to generate and sustain two task forces on operations for an indefinite period.<sup>144</sup> Included in this are action items to increase the sustainment base, increase capabilities and readiness posture and synchronize training with increased readiness.<sup>145</sup> Whole Fleet Management (WFM) and Land Force Reserve Restructure (LFRR) initiatives will also support these ends and will be explained

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<sup>142</sup> *Ibid.*, 13.

<sup>143</sup> Department of National Defence, *3350-1 (CLS) Army Regeneration Plan*, (Ottawa: DND, September 2004), 1.

<sup>144</sup> *Ibid.*, 2.

<sup>145</sup> *Ibid.*, 3.

below.<sup>146</sup> The end state of these plans will be an Army that is better trained, equipped and possesses more capacity to conduct domestic and international operations over an indefinite period. However, it will be shown that some of these initiatives may create domestic operations problems that have not been encountered in the past.

### **Managed Readiness**

The heart of managed readiness is show in Figure 5. A detailed plan has been developed to cycle task forces (formerly units, but now task-tailored organizations with elements from several different units) through three phases: support to training, high readiness training and high readiness. High-readiness task forces will likely to be deployed on international operations. In theory, this plan will enable the Army to field one brigade headquarters, two task forces for international operations, one surge/strategic task force on an emergency basis, one Disaster Assistance Response Team (DART) company while still maintaining one IRU task force in each LFA for domestic operations. From the domestic perspective, this plan was designed to develop a sustainable domestic operations structure to response to a forecasted increase in domestic operations tasks. The intent is to also integrate new Reserve Force capabilities, such as Civil Military Cooperation (CIMIC), Psychological Operations (PSYOPS) and possibly Chemical, Biological, Radiological and Nuclear (CBRN) sub-units for employment on international or domestic operations.<sup>147</sup>

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<sup>146</sup> *Ibid.*, 5.

<sup>147</sup> Department of National Defence, 3350-1 (DLFR) Planning Guidance for Managed Readiness Plan – Army Reserve Operational Readiness, (Ottawa: DND, November 2004), 2.

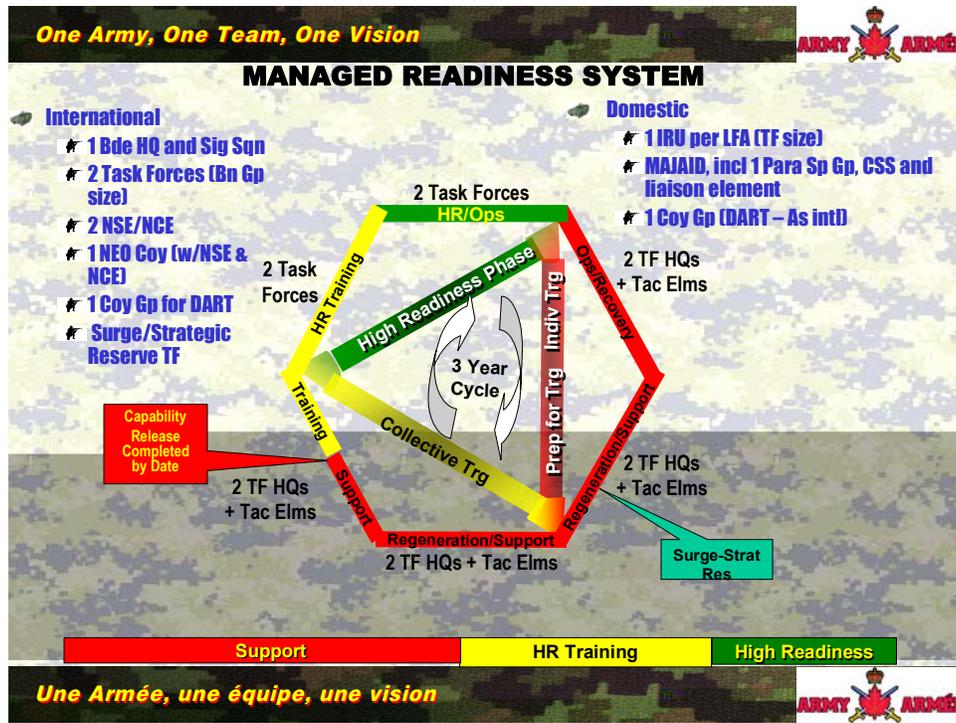


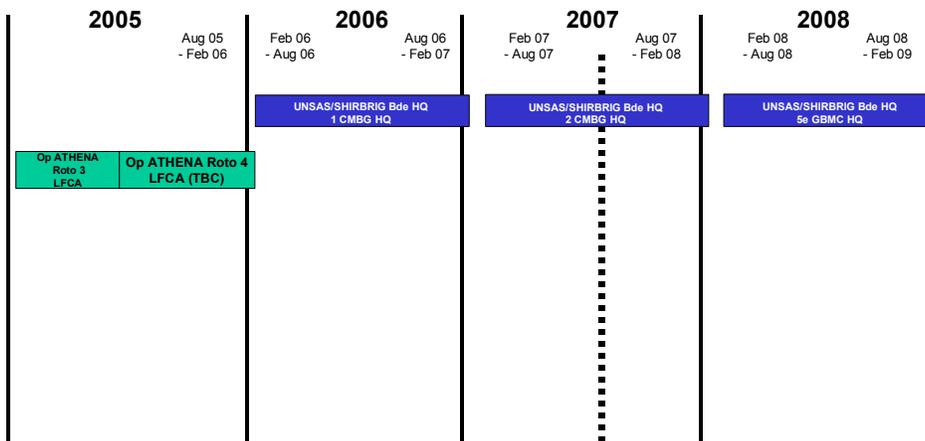
Figure 5. Army Managed Readiness System.<sup>148</sup>

An illustration of the high readiness synchronization matrix is shown in Figure 6. Note that while the LFA IRU task is clearly shown in the slide, there is no task force specifically earmarked for the task. This will be assigned to the support phase task force in each LFA, but this task force will also be reconstituting from their recent return from international operations as well as providing the bulk of the personnel and equipment to support units in the high-readiness training phase. The tentative Army plan to address this is to provide a task force with only two sub-units on a rotational basis. DCDS 2/98 currently indicates the requirement for a force of three sub-units. The strategic/surge task force would be available for unplanned international or large-scale domestic operations.<sup>149</sup> This will have to be managed extremely closely to ensure that each LFA is able to meet its assigned DCDS domestic operations task.

<sup>148</sup> Department of National Defence, *Army Council Brief* (Ottawa: DND, 1 November 2004).

<sup>149</sup> Department of National Defence. 3350-1 (DLFR) Planning Guidance for Managed Readiness Plan, Anx A.

## HIGH READINESS TASKS SYNCHRONIZATION MATRIX



holdings will be continually adjusted as they move through the three phases of the managed readiness plan.<sup>152</sup> Planning guidance for units that will be tasked to support domestic operations is currently 1.5 companies worth of vehicles and equipment per task force.<sup>153</sup> Given that the domestic operations task force currently plans to deploy only two companies, even in a best-case scenario, this still leaves a shortfall of half a company worth of equipment. These same vehicles will be used to support task force field training, unit-run courses and support to Reserves.<sup>154</sup> Considering that this task force is the lowest priority for equipment and likely spare parts, it is reasonable to assume that the situation will be much worse than projected and could jeopardize the ability to meet domestic operations task.

### **LAND FORCE AREA DOMESTIC OPERATION PLANS**

Given the general domestic operation direction provided in DCDS 2/98, LFAs have significant flexibility in their domestic operation plans. Despite this freedom, LFA plans are very similar with best practices shared among Areas and often implemented in all plans.<sup>155</sup> For this reason, only one LFA domestic operations plan was reviewed and will be presented below.

Land Force Central Area (LFCA) Contingency Plan (CONPLAN) RAPTOR is a non-scenario specific plan that is used primarily as a command and control template for the deployment of personnel or equipment within LFCA in response to a request from civil authorities.<sup>156</sup> As a CONPLAN, it would be activated with an Implementation Order and subsequent Fragmentary Orders would detail the specific requirements of a particular domestic

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<sup>152</sup> *Ibid.*, Anx E, Appx 1, 1.

<sup>153</sup> *Ibid.*, Anx E, Appx 1, 4.

<sup>154</sup> *Ibid.*, Anx E, Appx 1, 9.

<sup>155</sup> Conversation Maj Cotton-LFAA, LFCA G3 Dom Ops, February 2005.

<sup>156</sup> Department of National Defence, LFCA. *3120-1 (G3 Dom Ops) Contingency Plan RAPTOR*, (Toronto: DND, March 2004), 2.

operation. CONPLAN RAPTOR has been prepared in accordance with all relevant domestic operations policies and procedures.

2 Canadian Mechanized Brigade Group (2 CMBG), the Regular Force formation from Petawawa, is tasked to provide the immediate response to a request for support in the form of an IRU as detailed in DCDS 2/98. All non-IRU units that are available could also be called upon to support a large operation. Reserve Force Brigades are tasked to establish liaison with regional EMO representatives and communities and to provide one Domestic Response Company (DRC) at 48 hours notice to move to augment the IRU, relieve in place forces or conduct limited independent operations.<sup>157</sup> Reserve Force personnel will not be employed on ACP or higher-class ALEA operations and, due to their lack of integral sustainment capability, will only be committed to short duration tasks in the vicinity of their home-station location. CFBs are tasked to support deployed units as required.<sup>158</sup> No general training, such as domestic operations policies and procedures, is directed. As well, specific training and administrative screening procedures are not indicated.<sup>159</sup>

### **EMPLOYMENT OF RESERVISTS DURING DOMESTIC OPERATIONS**

The employment of Reservists during domestic operations has been afforded special consideration in the paper as it will take on an ever greater role in future domestic operations, but the deployment of Reservists is fraught with significant challenges from the obligation to serve, compensation and benefits, training, equipment, maintenance of states of readiness and conflicts with civilian employment, to name a few. This section will review relevant aspects of Land Force Reserve Restructure (LFRR), Army Reserve Readiness as well as present some recommendation and concerns raised by Army and Area staffs, the Senate Standing Committee

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<sup>157</sup> *Ibid.*, 7

<sup>158</sup> *Ibid.*, 8

on National Security and Defence and private organizations such as the York Centre for International Security Studies.

### **Land Force Reserve Restructure**

LFRR is a project that was established in 2000 with a mandate to stabilize the Army Reserve and increase its strength to 18,500 by 2006. The project included development of new roles, missions and tasks that would complement the Regular Force during international and domestic operations.<sup>160</sup> The project would be conducted in two phases:

- Phase 1. The Reserve Force would be stabilized while mobilization plans and new missions were defined. Stabilization included improvements to administrative and recruiting procedures, adapting courses to allow Reservists with civilian jobs to complete their military training in an efficient manner and procurement of new equipment. All phase 1 goals have been met.
- Phase 2 involved a plan to continue expansion to the end goal of 18,500 while units were re-roled in-line with the Army Transformation Plan. This aspect resulted in changes that have occurred and are continuing for the Reserve Force to provide complementary capabilities such as CIMIC, PSYOPS, CBRN, Geomatics, Information Operations and Community-Based Contingency Planning and Liaison Officer (CCPLO) capabilities that can be used on international or domestic operations. While phase 2 has moved forward, funding limitations have slowed progress and it is doubtful that it will meet its original 2005-2006 timeline.

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<sup>159</sup> *Ibid.*, 12

<sup>160</sup> Major Wade L Alarie, "Canada's Reserves are on the Right Track," (Toronto: Canadian Forces College Command and Staff Course 29 New Horizons Paper, 2002-2003), 15-17.

Director General (DG) LFRR, Major-General Ed Fitch, has commented that local Reserve units will be a community's "portal to the entire Canadian Forces"<sup>161</sup> and that through CCPLOs, communities can access "anything that [they] need from the Canadian Forces."<sup>162</sup> It makes sense that CCPLOs, who live in the community, are the ones who will work with police, fire and ambulance officials in determining that types of incidents that could affect a community and draw up plans to deal with the crisis.<sup>163</sup>

Army Headquarters is dedicating significant effort to support LFRR initiatives. During a recent Army Reserve Readiness Working Group, the Director General of the Land Staff (DLGS) commented that Reserve readiness for domestic operations is critical – "We shall not fail domestically!"<sup>164</sup> Despite this enthusiasm, significant obstacles remain that may limit Reserve employment including identification of personnel policies that will enable the sustainment of Reserve capabilities and readiness for domestic tasks and identification of required vehicles and equipment.<sup>165</sup>

### **Senate Standing Committee on National Security and Defence**

DG LFRR comments above and employment of CCPLOs may cause additional problems as communities expect and call-upon Army resources more often than required. Certainly, even before their presence of CCPLOs. The Commanding Officer of the Seaforth Highlanders commented that:

"...although the Reserve Land Forces stationed in the area [Vancouver] do not officially have a first response role, municipal officials reportedly believe that they will provide emergency assistance. People in the area – be they informed or not – look at these establishments [Reserve Force units] as a source of immediate

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<sup>161</sup> David Pugliese, "Part-Time Soldiers To Play Key Role In Civil Defence," *Ottawa Citizen*, 4 October 2004, 1.

<sup>162</sup> *Ibid.*, 1.

<sup>163</sup> *Ibid.*, 1.

<sup>164</sup> Department of National Defence, 3350-1 (Asst DLFR) Record of Decision ARRWG Held 10-12 December 2004 at Cartier Square Drill Hall, Ottawa: DND, January 2005, 2

<sup>165</sup> Department of National Defence, 3350-1 (DLFR) Planning Guidance for Managed Readiness Plan , 4, 10.

disaster relief. There is a bit of a disconnect between what the public expects and what we can provide. We have contingency plans, but little else. We do not train for that and we are not funded for it...[first response] Should there be a major calamity in this area [Vancouver], we would be looked upon as not being up to the task.”<sup>166</sup>

Deputy Chief of Staff (DCOS) 39 Canadian Brigade Group in Kamloops, British Columbia echoes this concern: “I think... expectations do exceed what we are capable of doing. One of their [municipalities] top priorities is domestic operations. They expect us to be there in case of an emergency.”<sup>167</sup>

### **Vehicles and Equipment**

The Reserve Force has been suffering from severe shortages of equipment for several years<sup>168</sup> often lacking sufficient equipment to conduct company-level training.<sup>169</sup> It does not appear that WFM will improve this situation and the current practice of using existing civilian vehicle contracts and the provision of pooled radios to support domestic operations is unacceptable.<sup>170</sup>

### **Obligation to Serve**

No one doubts the commitment of the average Reservist to serve when asked, particularly when they are responding to a need in their own community, but several factors complicate this premise. First, many Reservists are civilian first responders – firefighters or police officers who will be correctly required to meet their civilian employment obligations first. Working Reservists may also refuse to serve as they simply do not have the flexibility to be away from their civilian job for an extended period, even if it is support of a domestic operation.

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<sup>166</sup> Parliament, Senate. Standing Committee on National Security and Defence. *National Emergencies: Canada's Fragile Front Lines*, (Ottawa: Senate, March 2004), 45.

<sup>167</sup> *Ibid.*, 45.

<sup>168</sup> *Ibid.*, 29.

Employment protection legislation is often offered as a solution for this situation. While some Reservists support the desire for employment protection legislation, others do not, indicating that smaller employers may be disinclined to hire Reservists as they would be forced to keep the job open while the member was on a callout.<sup>171</sup> Another route may for the Federal government to mirror provincial government job protection guarantees for those who are called out for Reserve service. Currently all provinces except Quebec have legislation allowing Public Servants to take time off for Reserve service.<sup>172</sup> During his testimony at the Senate Committee, Dr Kenneth Calder, Associate Deputy Minister (Policy), indicated that legislation that is before the House of Commons would protect employment of Reservists during emergencies declared by the government, but not for international operations.<sup>173</sup>

### **York Centre for International and Security Studies**

YCISS recommended the following to increase effectiveness of the CF in civilian emergencies:

- Provide a legislative mandate for planning for disaster assistance,
- Engage in regular training exercises between Reserve Force units and provincial and municipal emergency response agencies such as the RCMP, Ontario Provincial Police (OPP) and Sûreté de Québec (SQ), and
- Strengthen the CF ability to respond to disasters<sup>174</sup>

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<sup>169</sup> Parliament, Senate. Standing Committee on National Security and Defence. *Canadian Security and Military Preparedness*, (Ottawa: Senate, February 2002), 87.

<sup>170</sup> E-mail LFCA G3 Dom Ops – May Cotton 9 February 2005.

<sup>171</sup> Parliament, Senate. Standing Committee on National Security and Defence. *Canadian Security and Military Preparedness*, 28.

<sup>172</sup> *Ibid.*, 30.

<sup>173</sup> *Ibid.*, 30.

<sup>174</sup> Ryerson Christie, *et al*, *YCISS Working Paper No. 25*, 11

The Centre also recognized the need for Reserve units to be tailored to provide niche skills to the CF that are beneficial to a re-conceptualized security policy and useful on domestic and international operations.<sup>175</sup>

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<sup>175</sup> *Ibid.*, 17.

## **CHAPTER 6**

### **CONCLUSION**

As the York Centre for International and Security Studies noted, the CF and Army are well suited to respond to domestic events that are beyond the scope of first-responders, municipalities, provinces and other federal departments to handle. Indeed, Canadians expect the Army to respond when the need arises. Deployment of Reserve Force Community-based Contingency Planning and Liaison Officers may become a self-fulfilling prophecy increasing the expectation for assistance. A domestic military response relies heavily on a professional, precise and well-trained response to ensure mission success. Anything short of this risks not only injury or loss of life to Canadians or unnecessary damage to property and infrastructure if the mission fails, but also the loss of confidence in the Army in the eyes of its citizens.

Domestic demands on the military will increase in the future. Global warming causing flooding and extreme weather, international organized crime or pandemics are but a few of the future events that may require a military response. Fortunately, this increased demand may be somewhat offset by significant improvements in the response to emergencies stemming from increased emphasis on domestic operations in the National Security Plan and Defence Policy Review and Public Safety and Emergency Preparedness Canada initiatives such as the National Emergency Response Plan, National Support Plan and the Critical Infrastructure Protection Plan. Any developments in the Bi-national Planning Group, including the approval of a Canada-US Civilian Assistance Plan will improve operations close to the US border and may provide access to a greater pool of resources from the US is required.

Canadian domestic operations response is based on proven policies and procedures and an effective legal framework to support the military during operations while continuing to

protect the rights of Canadians. While the military has a great domestic operations track record, domestic operations plans are poor and outdated. The Army has relied on the professionalism of its personnel and an adequate response with whatever is available on the shelf. This has been recognized. Strong statements in the Defence Policy Review placing greater emphasis on domestic operations and innovative Army plans to ensure that the best possible domestic response is provided are both indications of the resolve to sort out current plans.

This paper has identified a series of issues that may contribute to improved domestic operations plans. These issues are presented below under the criteria headings of training, readiness, vehicles and equipment, command, control and liaison and the employment of Reservists on domestic operations.

## **TRAINING**

While CF and Army-level directives and orders made it clear what training was not authorized without a formal order from the CDS, neither specified a mandated list of training that had to be completed before deploying on operations. Given that the best training for domestic operations are sound general military knowledge and skills, there is still a requirement for everyone to complete limited domestic operations training as part of their professional development and certainly before they deploy.

All soldiers who may participate in domestic operations must know general domestic operations policies, procedures and legal limitations. The scope and method of training for these subjects would vary depending on rank and appointment. Senior officers may received formal training on courses at CLFCSC or CFC; junior officers may gain required knowledge from intermediate courses, an Officer Professional Development Examination or distributed learning module; Senior NCMs may be taught on leadership or intermediate or advanced courses and

soldiers may be given one lecture and be issued an aide-memoire as part of mission pre-deployment training. Regardless, this must be formalized and supported by quality doctrine publications and training aides.

Although use of force, APC and ALEA training are restricted by the CDS, evidence indicates that even during benign disaster response scenarios, soldiers are often used to conduct low-end ALEA without proper training or authority. If a soldier has never been trained then he or she doesn't know that they don't know. For this reason, all soldiers who may participate in domestic operations should know their duties, rights and responsibilities concerning use of force, ACP and ALEA operations and powers of a peace officer. Specifically, they should be educated about traditional innocent acts, such as transporting police officers to a possible confrontation with criminals, that may constitute low-end ALEA.

Lessons learned must be captured following an operation. Although domestic operations doctrine and preparation of training aides may be a DCDS responsibility, the Army should ensure that lessons learned are included in doctrine and training aides to support units that deploy on subsequent operations. If the DCDS does not support this, the Army should produce its own domestic operations publications.

Aside from penitentiary reconnaissance's, there is no mandated domestic operations collective training that must be conducted. Regular exercises must be conducted to ensure effective knowledge and application of relevant policies and procedures by civilian and military commanders and staff, validate contingency plans for specific tasks such as penitentiary or CIP operations and to reinforce credibility of the military and trust of local citizens before deploying into town with armoured vehicles during an emergency. All LFAs currently conduct their own

high-level exercises. The Army should provide firm direction on the scope and frequency of collective training that headquarters and units must conduct to accomplish the above goals.

## **READINESS**

While the requirement to be stand-by for domestic operations may often seem like just another task for an overburdened unit, the Army must ensure that it is able to meet DCDS assigned tasks.

The bare minimum that the Army must provide in each Area is a task force consisting of a headquarters, three sub-units and integral service support. This must be a robust, professional unit that is prepared to respond in accordance with assigned notices to move. The latest Army plans only identify a task force with two sub-units. It is assumed that this task force possesses its own integral service support. While the Army plan does include the potential to employ the surge/strategic reserve task force for domestic operations as required, it is assumed that this would only be in extreme situations as this unit is preparing to enter the high-readiness training phase of the managed readiness model. Also, given that the IRU task force is the lowest manning priority while also expected to provide support to high-readiness training phase task forces, it is highly possible that this task force will be facing severe personnel shortage while tasked as the LFA IRU. Even if the task force can provide two sub-units, this falls short of the organization required by the DCDS.

Finally, the manning priorities and shortfalls noted above may create specific shortages of key personnel, such as Cooks, Medical Assistants, Signallers and Liaison Officers. While it is impossible to determine this, absence of these personnel would negatively affect the IRU task force's ability to conduct and sustain operations.

## **VEHICLES AND EQUIPMENT**

CF and Army policy is that IRU task forces deploy with their integral vehicles, equipment and radios to ensure that they can conduct operations and are self-supporting. The 12 RBC situation during the Ice Storm clearly illustrates the downfall of cutting corners in this area. Currently, the WFM management plan only allocates 1.5 companies worth of vehicles to each task force. From the start, the IRU task force is lacking required equipment. Given that the task force is also the lowest priority for vehicles and possibly spare parts, and that these same vehicles will support training, unit-run courses and Reserve Force training, it is highly unlikely that even 1.5 companies of kit will be available. This plan would have to be proven in practice, but from first principles, it appears that, under the current WFM plan, there will not be sufficient vehicles and equipment for the IRU task force. Given cutbacks on CFBs and the limited untasked equipment available in each LFA and at CFBs, it is unlikely that Regular or Reserve Force units can rely on significant vehicle and equipment augmentation to fill shortfalls.

### **COMMAND, CONTROL AND LIAISON**

There appear to be few command, control or liaison areas for concern or shortfalls. The Army is capable of operating in a Joint environment and, given the DPR command improvements that are forthcoming, this situation can only improve. Improvement across federal departments being championed by PSEPC will refine these capabilities across departments that should result in more effective, efficient command of operations.

Although deployment of CCPLs may create some confusion as they may counter established procedures and chains of command, the benefit gained from these liaison teams would likely outweigh any negatives.

### **EMPLOYMENT OF RESERVISTS**

While the nature of Reserve units with vehicle and equipment limitations, challenges such as compensation and benefits, civilian job security, obligation to serve, maintenance of notice to move readiness levels, and the loss of unit personnel who may be civilian first responders, the concept of using Reservists in the domestic role is sound.

Despite their low notice to move compared to the IRU, DRC situational awareness and proximity to an urgent incident may provide an immediate response if required. Deployment of a DRC in its current configuration without adequate vehicles, radios and integral support will not present the professional response that is the backbone of Army domestic operations plan. In addition, given the limited training time available to Reserve units, it may be difficult for them to maintain minimum training standards for deployment. The Army should pursue this plan only once acceptable solutions to the above issues have been found.

### **IN CLOSING**

The current Army plan fails to provide DCDS directed IRU personnel, and given the challenges presented by WFM, it is unlikely that they will have sufficient vehicles and equipment to deploy. Mandate training standards must be developed to ensure that any soldier who may deploy on domestic operations is adequately trained. Collective training noted above must be conducted as determined by Army Headquarters or LFAs. Although the employment of Reservists concept is supported, there are currently too many obstacles to success for DRCs, therefore, this should not continue until issues noted above are adequately resolved. For these reasons, current Army plans fall short of what is required to support domestic operations.

### **DEFENCE POLICY REVIEW**

Given the limited time available since the release of *A Role of Pride and Influence in the World - Defence*, the Defence Policy Review, on 19 April 2005, and insufficient detail to

accurately assess the total impact this review, consideration of this review could not be used in this paper. Nevertheless, several aspects of the DPR are presented below to provide a view into the future of how the Army's ability to support domestic operations may be affected.

There is clearly a greater emphasis on domestic operations albeit defence of Canada focused. Nevertheless, the capacity of the CF and Army to conduct domestic operations will be strengthened.<sup>176</sup> Formation of a national theatre of operations under Canada Command, an additional 5,000 Regular and 3,000 Reserve Force personnel and improved sustainability and deployability will all contribute to more effective responses to domestic incidents.<sup>177</sup>

Recognition that past domestic response practices of using temporarily assigned forces or getting by with whatever was available on the shelf have been recognized for what they are, poor plans to protect the safety and security of Canadian.<sup>178</sup>

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<sup>176</sup> Department of National Defence. *Canada's International Policy Statement: A Role of Pride and Influence in the World – Defence*, 2.

<sup>177</sup> *Ibid.*, 3.

<sup>178</sup> *Ibid.*, 18.

## ANNEX A – LIST OF ACRONYMS

<b>Acronym</b>	<b>Meaning</b>
1 CAD	1 <sup>st</sup> Canadian Air Division
1 RCR	1 <sup>st</sup> Battalion, The Royal Canadian Regiment
2 CER	2 <sup>nd</sup> Combat Engineer Regiment
12 RBC	12e Régiment Blindé du Canada
ACA	Assistance to the Civil Authority
ACP	Aid of the Civil Power
ALEA	Assistance to Law Enforcement Agencies
APC	Armoured personnel carrier
BPG	Bi-national Planning Group
BSD	Basic Security Document
CANUS	Canada-United States
CAP	Civilian Assistance Plan
CBRN	Chemical, Biological, Radiological and Nuclear
CCPLO	Community-Based Contingency Planning and Liaison Officers
CDS	Chief of the Defence Staff
CF	Canadian Forces
CFAPPDs	CF Assistance to Provincial Police Force Directives
CFB	Canadian Forces Base
CFC	Canadian Forces College
CFNA	Canadian Forces Northern Area
CIMIC	Civil-Military Cooperation
CIP	Critical Infrastructure Protection
CLFCSC	Canadian Land Force Command and Staff College
CMBG	Canadian Mechanized Brigade Group
CMTC	Canadian Manoeuvre Training Centre
CONPLAN	Contingency Plan
CS	Civil Support
CSC	Correction Services Canada
CSIS	Canadian Security Intelligence Service
DART	Disaster Assistance Response Team
DCDS	Deputy Chief of the Defence Staff
DCOS	Deputy Chief of Staff
DDDO	DCDS Directive on Domestic Operations
DND	Department of National Defence
DoD	Department of Defense
DoS	Department of State
DPR	Defence Policy Review
DRC	Domestic Response Company
ECS	Environmental Chiefs of Staff
EMO	Emergency Measures Organization
EPC	Emergency Preparedness Canada
ESFs	Emergency Support Functions

<b>Acronym</b>	<b>Meaning</b>
FAC	Foreign Affairs Canada
FLN	Front de la Libération Nationale
FLQ	Front de Libération du Québec
GBMC	Groupe-brigade mécanisé canadienne Canada
HLD	Homeland Defense
HLS	Homeland Security
IRU	Immediate Reaction Unit
JFHQ	Joint Force Headquarters
JTF	Joint Task Force
JTF 2	Joint Task Force 2
JCS	Joint Chiefs of Staff
JOG	Joint Operations Group
KSPB	Kettle and Stoney Point Band
LANDOP	Land Operations Plan
LFA	Land Force Area
LFAA	Land Force Atlantic Area
LFCA	Land Force Central Area
LFRR	Land Force Reserve Restructure
LFWA	Land Force Western Area
LO	Liaison Officer
MACA	Military Assistance to Civilian Authorities
MARLANT	Maritime Forces Atlantic
MARPAC	Maritime Forces Pacific
MCC	Military Cooperation Committee
MND	Minister of National Defence
MOU	Memorandum of Understanding
NATO	North Atlantic Treaty Organization
NBCRT	Nuclear, Biological and Chemical Response Team
NERS	National Emergency Response System
NDA	National Defence Act
NDHQ	National Defence Headquarters
NORAD	North American Aerospace Command
NORTHCOM	Northern Command
NSP	National Security Policy
OGDs	Other Governmental Departments
OPP	Ontario Provincial Police
POE	Public Order Emergency
PSEPC	Public Safety and Emergency Preparedness Canada
PSYOPS	Psychological Operations
PWE	Public Welfare Emergency
RCMP	Royal Canadian Mounted Police
ROE	Rules of Engagement
RPP	Report on Plans and Priorities
SARS	Severe Acute Respiratory Syndrome
SQ	Sûreté de Québec

<b>Acronym</b>	<b>Meaning</b>
SWAT	Secret Weapons and Techniques
TEWT	Tactical Exercise Without Troops
US	United States
WFM	Whole Fleet Management
WMA	War Measures Act
YCISS	York Centre for International Security Studies

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