

# TRACKING IMPLEMENTATION OF THE CIVILIAN HARM MITIGATION AND RESPONSE ACTION PLAN (CHMR-AP)

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# RECOGNIZE. PREVENT. PROTECT. AMEND.

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T +1 202 558 6958

E [comms@civiliansinconflict.org](mailto:comms@civiliansinconflict.org)

[civiliansinconflict.org](http://civiliansinconflict.org)

## ORGANIZATIONAL MISSION AND VISION

**Center for Civilians in Conflict (CIVIC)** is an international non-governmental organization dedicated to promoting the protection of civilians in conflict. CIVIC envisions a world in which no civilian is harmed in conflict. Our mission is to support communities affected by conflict in their quest for protection and strengthen the resolve and capacity of armed actors to prevent and respond to civilian harm. CIVIC was established in 2003 by Marla Ruzicka, a young humanitarian who advocated on behalf of civilians affected by the war in Iraq and Afghanistan. Honoring Marla’s legacy, CIVIC has kept an unflinching focus on the protection of civilians in conflict. Today, CIVIC has a presence in conflict zones and key capitals throughout the world, where it collaborates with civilians to bring their protection concerns directly to those in power, engages with armed actors to reduce the harm they cause to civilian populations, and advises governments and multinational bodies on how to make life-saving and lasting policy changes. CIVIC’s strength is its proven approach and record of improving protection outcomes for civilians by working directly with conflict-affected communities and armed actors. At CIVIC, we believe civilians are not “collateral damage” and that civilian harm is not an unavoidable consequence of conflict—civilian harm can and must be prevented.

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## ACKNOWLEDGMENTS

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## EXECUTIVE SUMMARY

In August 2022, at the direction of Secretary of Defense Lloyd J. Austin, the Department of Defense (DoD) released the Civilian Harm Mitigation and Response Action Plan (CHMR-AP), which reflected an unprecedented commitment to overhauling US policies around preventing, mitigating, and responding to civilian harm resulting from US military operations. The CHMR-AP lays out over a hundred concrete actions, organized by thematic objectives and fiscal year (FY), to steadily improve and build upon DoD civilian harm policies and practices. While the plan itself is expansive, ensuring comprehensive implementation amid competing Department priorities will require sustained attention, resources, and constructive engagement between the Department and civil society.

With the CHMR-AP now in its implementation phase, Center for Civilians in Conflict and the Stimson Center developed an assessment framework to track and evaluate yearly implementation progress across the four phases of the Action Plan (representing FY 2022-2025). This framework indicates whether the DoD's progress is on track, ahead, or behind in its CHMR-AP implementation, and, when possible, includes qualitative information around identified challenges, needs, innovations, and lessons learned. This report is intended to inform DoD implementation and public oversight by evaluating progress, recommending technical solutions to implementation challenges, and ensuring public awareness of this important effort.

The status of all actions for FY22-24 were compiled through the collection of data from non-attributable interviews conducted with DoD officials. Interviews were supplemented with data obtained from official Chatham House Rule events, publicly available primary documents, news articles, and press releases. Research for this effort began in Fall 2023, in line with the one-year anniversary of the CHMR-AP's release. As of the publication of this report, the DoD will be entering its fourth and final year of CHMR-AP implementation. A follow-up report is planned following the fourth and final year of the CHMR-APs implementation (FY25) with updated progress status and identification of any remaining challenges.

The below summarizes key achievements and implementation challenges identified by this report:

**Staffing and Institutions:** Since the release of the CHMR-AP, the DoD has focused primarily on staffing and developing civilian harm mitigation and response (CHMR) institutions and policies. The CHMR-AP calls for the hiring of 166 new personnel across the DoD and the creation of various new CHMR roles. DoD components experienced numerous challenges and obstacles in personnel recruitment that delayed CHMR-AP implementation, such as difficulties finding candidates with the required CHMR expertise and the long duration of the civilian hiring process. However, as of the writing of this report, nearly all of the 166 positions have been hired and the focus has shifted toward the substantive and technical work laid out in the CHMR-AP. Simultaneously, the DoD has established new CHMR institutions to drive and oversee CHMR efforts across the Department, including the CHMR Steering Committee, a CHMR Directorate within the Office of the Under Secretary of Defense for Policy (USD(P)), and the Civilian Protection Center of Excellence (CP CoE).

**Foundational Policy and Doctrine:** The DoD has progressed in developing and updating CHMR policies and updating various joint doctrine to integrate CHMR considerations. Numerous CHMR-AP objectives and actions relied in some way on the publication of the

long-awaited DoD Instruction on Civilian Harm Mitigation and Response (CHMR DoD-I) in FY22. The CHMR DoD-I was ultimately not signed and published until December 2023. As a result, all of the actions for which the CHMR DoD-I was a prerequisite were stalled, creating cascading delays across objectives. In particular, the CHMR DoD-I included an official definition of “civilian harm,” whose delayed publication prevented updates to doctrine and the integration of CHMR concepts into professional military education (PME). While we were able to verify that some of the mandated updates to joint doctrine have been made, doctrine updates are not publicly available, and requests by the authors for access to doctrine updates were denied by the DoD. We were unable to determine the rigor of CHMR integration into all updated doctrine; however, we did verify that updates to Joint Publication (JP) 5-0, *Joint Planning*, included the newly developed definition of the “civilian environment.”

**Civilian Harm Mitigation:** The DoD has undertaken a number of CHMR-AP actions related to civilian harm prevention and mitigation. For example, efforts are underway to gain a better understanding of the civilian environment and how to integrate the civilian environment into operational planning and joint targeting. Specific examples of these efforts include the creation of civilian environment teams (CETs) at combatant commands (CCMDs) to conduct analysis and create intelligence products on the civilian environment and the incorporation of CHMR into joint targeting exercises. The DoD has also re-established a “red teaming” school for cognitive bias mitigation training and the placement of red team staff at CCMDs, and is in the early stages of developing CHMR curriculum to be incorporated into PME.

**Civilian Harm Response:** The DoD has made progress on a number of objectives and actions focused on reporting, investigating, and responding to civilian harm. The Department has created Civilian Harm Assessment Cells (CHACs) at operational CCMDs to initiate, conduct, and coordinate civilian harm assessments, although it is unclear to what extent the CHACs have been integrated in CCMD planning and procedures. Simultaneously, the Army is currently developing a multi-service issuance on investigations, and the Civilian Protection Center of Excellence (CP CoE) is developing trainings and certification standards for CHAC personnel. The DoD has also developed, or is in the process of developing, new policies and procedures for responding to civilian harm including through acknowledgement, condolence or *ex gratia* payments, and in-kind and community-level responses. However, efforts to enhance the DoD’s approach to civilian harm response have yet to result in meaningful assistance or relief for the civilians impacted by US operations. Finally, efforts to create a civilian harm data management platform are under way, although sources expressed skepticism that the platform would be fully operational by the end of FY25 as instructed by the Action Plan, as well as concerns that an emphasis on speed to meet the CHMR-AP deadline could negatively impact the quality and usefulness of the final product.

**Security Cooperation:** The DoD’s most prominent CHMR-AP activities related to security cooperation include the development of a framework for CHMR Baselines of Allies and Partners (CBAPs), which assess the capability and willingness of partners to prevent, mitigate, and respond to civilian harm. As of the writing of this report, the development of the framework is nearing completion and has been tested in pilots with two CCMDs. Additionally, USD(P) has taken a lead role in international engagement on CHMR, including



Thomas Hawk

through co-leadership of the International Contact Group on Civilian Harm Mitigation and Response. Unfortunately, the CHMR-AP's security cooperation commitments on paper have stood in stark contrast to the DoD's actual practice over the implementation period, particularly regarding the US government's virtually unconditional military support to the government of Israel in the face of catastrophic civilian harm using US weapons.

As the DoD dives deeper into the substantive work of the CHMR-AP, comprehensive and strategic leadership across the Department will be critical to building a robust and accountable CHMR culture and mission. Across the interviews conducted for this project, sources warned of the risk of siloed courses of action and a superficial monitoring of implementation progress. A cohesive and effective approach to implementation will require leadership that understands the full picture of CHMR workstreams, where they intersect, and where friction points or bottlenecks are forming, and has the vision to coordinate across CHMR workstreams where necessary. Lastly, DoD leadership must critically evaluate CHMR-AP progress and impact with an eye towards the most important measuring stick: the experiences of civilians in conflict and the tangible steps taken to protect them and to respond to harm when it occurs.

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## ACRONYMS

<b>AFRICOM</b>	US Africa Command
<b>A&amp;P CHMRO</b>	Allies and Partners Civilian Harm Mitigation and Response Officer
<b>AM&amp;E</b>	Assessment, Monitoring & Evaluation
<b>ASD(LA)</b>	Assistant Secretary of Defense for Legislative Affairs
<b>ATSD(PA)</b>	Assistant to the Secretary of Defense for Public Affairs
<b>BDA</b>	Battle Damage Assessment
<b>CCMD</b>	Combatant Command
<b>CBAP</b>	CHMR Baseline Assessment of Allies & Partners
<b>CDA</b>	Collateral Damage Assessment
<b>CENTCOM</b>	US Central Command
<b>CET</b>	Civilian Environment Team
<b>CHAC</b>	Civilian Harm Assessment Cell
<b>CHAIC</b>	Civilian Harm Assessment & Investigation Coordinator
<b>CHMR</b>	Civilian Harm Mitigation and Response
<b>CHMR-AP</b>	Civilian Harm Mitigation and Response Action Plan
<b>CHMR DoD-I</b>	Department of Defense Instruction on Civilian Harm Mitigation and Response
<b>CHMR SC</b>	Civilian Harm Mitigation and Response Steering Committee
<b>CHMRO</b>	Civilian Harm Mitigation and Response Officer
<b>CHMR WG</b>	Civilian Harm Mitigation and Response Working Group
<b>CIVIC</b>	Center for Civilians in Conflict
<b>CJCSI</b>	Chairman of the Joint Chiefs of Staff Instruction
<b>CP CoE</b>	Civilian Protection Center of Excellence
<b>DIA</b>	Defense Intelligence Agency
<b>DIE</b>	Defense Intelligence Enterprise
<b>DoD</b>	Department of Defense
<b>DoD CIO</b>	Department of Defense Chief Information Officer
<b>DoD GC</b>	Department of Defense General Counsel

<b>DOTMLPF-P</b>	Non-materiel (Doctrine, Organization, Training, materiel, Leadership and education, Personnel, Facilities - Policy)
<b>DSCA</b>	Defense Security Cooperation Agency
<b>EUCOM</b>	US Europe Command
<b>FTE</b>	Full-Time Equivalent
<b>FY</b>	Fiscal Year
<b>GAO</b>	Government Accountability Office
<b>GO/FO</b>	General Officer/Flag Officer
<b>JIPOE</b>	Joint Intelligence Preparation of the Operational Environment
<b>JP</b>	Joint Publication
<b>JTF</b>	Joint Task Force
<b>MIL-STD</b>	Military Standard
<b>NDAA</b>	National Defense Authorization Act
<b>NGO</b>	Non-governmental Organization
<b>OSD</b>	Office of the Secretary of Defense
<b>PID</b>	Positive Identification
<b>PME</b>	Professional Military Education
<b>SES</b>	Senior Executive Service
<b>SO/LIC</b>	Special Operations and Low Intensity Conflict
<b>UFR</b>	Unfunded Requirement
<b>USD(A&amp;S)</b>	Undersecretary of Defense for Acquisition and Sustainment
<b>USD(C)</b>	Undersecretary of Defense for Comptroller
<b>USD(I&amp;S)</b>	Undersecretary of Defense for Intelligence and Security
<b>USD(P&amp;R)</b>	Undersecretary of Defense for Personnel and Readiness
<b>O/USD(P)</b>	Office of the / Undersecretary of Defense for Policy
<b>USD(R&amp;E)</b>	Undersecretary of Defense for Research and Engineering
<b>VCJCS</b>	Vice Chair of the Joint Chiefs of Staff

## BACKGROUND

On August 29, 2021, the US conducted a drone strike in Kabul, Afghanistan that killed 10 civilians, including an aid worker and seven children.<sup>1</sup> In November of that same year, the *New York Times* reported that the US military hid the effects of a 2019 airstrike in Baghuz, Syria that killed dozens of civilians.<sup>2</sup> Asserting that these strikes were emblematic of a systemic pattern of civilian harm over the past two decades of US military operations, civil society groups demanded urgent reform of the DoD's civilian harm policies and practices.<sup>3</sup> In response, the release of the Department of Defense's (DoD's) Civilian Harm Mitigation and Response Action Plan (CHMR-AP) in August 2022,<sup>4</sup> as mandated by Secretary of Defense Lloyd J. Austin in January of that year,<sup>5</sup> reflected an unprecedented commitment to overhauling US policies around preventing, mitigating, and responding to civilian harm resulting from US military operations.

The CHMR-AP lays out concrete actions, organized by eleven thematic objectives and fiscal year (FY), to steadily improve and build upon DoD civilian harm policies and practices.<sup>ii</sup> These objectives are:



- 1 Establish a **Civilian Harm Mitigation and Response (CHMR) Steering Committee** for the purpose of providing executive-level direction, guidance, and oversight of DoD CHMR, including by driving effective implementation of the CHMR-AP and the forthcoming DoD Instruction on Civilian Harm Mitigation and Response (CHMR DoD-I) across the DoD;



- 2 Establish a **Civilian Protection Center of Excellence (CP CoE)** to expedite and institutionalize the advancement of knowledge, practices, and tools for preventing, mitigating, and responding to civilian harm;



- 3 Incorporate guidance for addressing civilian harm across the full spectrum of operations into **strategy, doctrine, plans, professional military education (PME), training, and exercises**, so that the DoD is more effectively prepared to mitigate and respond to civilian harm, and to achieve strategic success in any operating environment;



- 4 Improve knowledge of the **civilian environment and civilian harm mitigation capabilities and processes** throughout the joint targeting process so that DoD is more effectively prepared to mitigate and respond to civilian harm in any future crisis or conflict;



- 5 Incorporate deliberate and systemic measures to **mitigate the risks of target misidentification**. This includes addressing cognitive biases, such as confirmation bias;

ii CIVIC and civil society partners provided a series of recommendations to the CHMR-AP drafters, available here: Center for Civilians in Conflict, "Civil Society Issues Guidance for U.S. Civilian Harm Mitigation and Response Action Plan," July 7, 2022, <https://civiliansinconflict.org/civil-society-issues-guidance-for-u-s-civilian-harm-mitigation-and-response-action-plan/>. Additionally, one of the authors for this report, Loren Voss, was previously a member of the CHMR-AP drafting team at the DoD.



- 6 Develop standardized civilian harm **operational reporting and data management** processes to improve how DoD collects, shares, and learns from data related to civilian harm, including from data integrated across disparate reviews, investigations, and events;



- 7 Establish Department-wide procedures for **assessing and investigating civilian harm** resulting from operations, and expand the sources of information used in assessments and investigations;



- 8 Review DoD guidance on **responding to civilian harm**, including through, but not limited to, condolences and the public acknowledgement of harm, and update guidance and implementation processes, as appropriate;



- 9 Establish and resource civilian harm mitigation and response as a component of **security cooperation** programs, and, as appropriate, implement tailored conditionality to promote ally and partner efforts;



- 10 Establish guidance, responsibilities, and processes for incorporating civilian harm mitigation and response during all phases of **multinational operations and operations with non-state actors**; and









- 11 Create **dedicated positions** for civilian harm mitigation and response efforts at the Office of the Secretary of Defense (OSD), Joint Staff, combatant commands (CCMDs), military departments, and other relevant DoD components, including in support of policy, planning, training, capabilities, doctrine, and operations, and ensure that combatant commands are postured to stand up civilian harm assessment cells (CHACs) for use during operations.

With the CHMR-AP now in its implementation phase, this report is intended to inform DoD implementation and public oversight by evaluating progress, recommending technical solutions to implementation challenges, and ensuring public awareness of this important effort. Research for this effort began in Fall 2023, in line with the one-year anniversary of the CHMR-AP's release. As of the publication of this report, the DoD will be entering its fourth and final year of CHMR-AP implementation.

## METHODOLOGY

This report describes the DoD's progress in implementing the eleven objectives of the CHMR-AP. Center for Civilians in Conflict (CIVIC) and the Stimson Center (Stimson) developed an assessment framework to track and evaluate yearly implementation progress across the four phases of the Action Plan (Phases 0-3, representing fiscal years 2022-2025).<sup>iii</sup> This framework indicates whether the DoD's progress is on track, ahead, or behind in its CHMR-AP implementation, and, when possible, includes qualitative information around identified challenges, needs, innovations, and lessons learned.

For each objective, CIVIC and Stimson gathered data to determine the status of each action to be implemented in Phases 0-2 (FY22-24) of the Action Plan and assigned one of the following status categories:

-  **No Action:** Research indicated that no activity has yet begun on this action.
-  **Started:** Research indicated that preliminary activities have begun for this action.
-  **In Progress:** Research indicated that this action is fully underway and/or nearing completion.
-  **Completed:** Research indicated that this action has been completed.
-  **Ongoing:** Research indicated that this action is underway and is intended to continue on an ongoing basis until CHMR-AP implementation is complete.
-  **Unknown:** Research did not reveal the current status of this action.

Per the CHMR-AP, all actions are required to start during their assigned fiscal year (FY), but do not necessarily have to be completed during that fiscal year. The ultimate deadline for all CHMR-AP actions is the end of FY25. Statuses were compiled through the collection of data from non-attributional interviews conducted with DoD officials. Interviews were supplemented by data obtained from official Chatham House Rule events, publicly available documents, news articles, and press releases.<sup>iv</sup>

In addition to determining action status, the authors have provided a summary qualitative analysis of progress to illuminate trends and overarching challenges, and to account for delays, changes, or successes not captured by the action statuses. While we have collected information about individual CCMDs, we have measured their implementation status collectively but have included details on specific CCMDs in the summary analysis, if applicable. Per email confirmation from the CCMD, US Transportation Command is exempt from CHMR-AP and CHMR DoD-I responsibilities, and therefore has been excluded from our analysis. Additionally, US doctrine updates are not available to the

iii The US government fiscal year begins on October 1 and ends on September 30 of the next calendar year.

iv Under the Chatham House Rule, participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed. See: Chatham House, "Chatham House Rule," [https://www.chathamhouse.org/about-us/chatham-house-rule?gad\\_source=1&gclid=Cj0KCQjw9Km3BhDjARIsAGUb4nxb-o9IM5HeGKXwZvVjQREBt3iW1sNg4gsuBnX1ymnlatebQDvtWN8aAqXxEALw\\_wcB](https://www.chathamhouse.org/about-us/chatham-house-rule?gad_source=1&gclid=Cj0KCQjw9Km3BhDjARIsAGUb4nxb-o9IM5HeGKXwZvVjQREBt3iW1sNg4gsuBnX1ymnlatebQDvtWN8aAqXxEALw_wcB).

public, and requests by the authors for copies of relevant doctrine were denied by the DoD.<sup>v</sup> When we were able to confirm that relevant updates were completed but could not determine the specific contents of the updates, we marked correlating actions as complete and noted in the analysis that the specific contents of the updates were unknown at the time of writing.

No information derived exclusively from informal or off-the-record conversations has been included in the report. Any information that could not be verified by a non-attributorial interview, an official event under the Chatham House Rule, or a public source has been excluded from the analysis. All non-attributorial interviews were conducted with informed consent.

A follow-up report is planned following the fourth and final year of the CHMR-APs implementation (FY25) with updated progress statuses and identification of any remaining challenges.

<sup>v</sup> As of 2020, all current joint publications reside on the Joint Electronic Library and require a US government-issued Common Access Card (CAC) to access. See: <https://www.jcs.mil/doctrine/>.

## KEY TRENDS ACROSS OBJECTIVES

CHMR-AP implementation began upon its release in August 2022 and is slated to continue through the end of FY25. However, though the plan only includes actions through FY25, the institutions and policies it created will sustain CHMR efforts in the years following. According to a DoD official, all CHMR-AP actions are either complete or moving toward completion, with most CHMR-AP actions on track as of the end of FY24 and full implementation anticipated to be completed by the end of FY25.<sup>6</sup> However, our research was unable to verify the extent of progress on each specific action and surfaced delays or obstacles in some areas.

The below summarizes key overarching areas of progress and challenges in the last three years of CHMR-AP implementation, followed by an objective-by-objective analysis.

### Laying the Foundation: Staffing and New Institutions

Since the release of the CHMR-AP, the DoD has focused primarily on staffing and developing CHMR institutions and policies. The growth in CHMR-focused staff and expertise across the DoD represents one of the most significant and sustainable achievements of the initial years of CHMR-AP implementation, as these new positions will be responsible for driving CHMR efforts throughout and beyond the CHMR-AP period.

The CHMR-AP calls for the creation of various new roles, such as CHMR Officers (CHMROs), Allies & Partner CHMROs (A&P CHMROs), Civilian Harm Assessment and Investigation Coordinators (CHAICs), Civilian Harm Assessment Cells (CHACs), and Civilian Environment Teams (CETs). In total, the CHMR-AP prescribes an initial 166 new positions across the DoD. While many of these positions have been hired, DoD components experienced numerous challenges and obstacles in recruitment that delayed CHMR-AP implementation. Hiring progress and challenges are discussed in detail in **Objective 11**.

The DoD has also established new CHMR institutions such as the CHMR Steering Committee, the CP CoE, and a CHMR Directorate within the Office of the Under Secretary of Defense for Policy (USD(P)). These institutions play a critical role in driving and overseeing the implementation of CHMR across the Department. For more analysis of the Steering Committee and CP CoE, see **Objectives 1 and 2**.

### Policy and Doctrine

Numerous CHMR-AP objectives and actions relied in some way on the publication of the long-awaited CHMR DoD-I in FY22. The CHMR DoD-I was ultimately not signed and published until December 2023 – 16 months after the release of the CHMR-AP. As a result, all of the actions for which the CHMR DoD-I was a prerequisite were stalled, creating cascading delays across objectives. Notably, the CHMR DoD-I officially defines “civilian harm” (see **Figure 1** below). Other elements of the CHMR DoD-I are discussed in detail under the relevant objectives throughout this report.

## FIGURE 1: DEFINING CIVILIAN HARM

The official DoD definition of *civilian harm* is critical to understanding the scope of CHMR policies. Given the wide range of direct and reverberating harms that civilians face in armed conflict, a narrow interpretation of the definition would hamper the effectiveness of the overall effort to reduce the risk and severity of civilian harm.<sup>7</sup>

The CHMR DoD-I defines *civilian harm* as:

*Civilian casualties and damage to or destruction of civilian objects (which do not constitute military objectives under the law of war) resulting from military operations. As a matter of DoD policy, other adverse effects on the civilian population and the personnel, organizations, resources, infrastructure, essential services, and systems on which civilian life depends resulting from military operations are also considered in CHMR efforts to the extent practicable. These other adverse effects do not include mere inconveniences.*<sup>8</sup>

The first sentence is required by the principles of distinction and proportionality under international humanitarian law and the US military was already required to consider these principles when making targeting decisions. The second sentence allows other adverse effects to be considered “to the extent practicable,” presumably allowing different elements to be included or not, depending on the commander’s judgment. Notably, the definition appears to blur the concept of civilian harm itself with DoD intentions to mitigate such harm. As previously noted by one of this report’s authors:

*Simply because the civilian harm may not be observed or able to be mitigated by CHMR efforts in a specific circumstance does not change the fact on the ground that civilian harm did indeed occur. The definition attempts to create multiple levels of civilian harm, with the second part of the definition malleable to specific circumstances. While those limitations in which civilian harm can be observed, mitigated, or responded to need to be considered as part of DoD policy regarding DoD actions, these constraints on DoD action in no way change the content of civilian harm. Civilian harm is what it is.*<sup>9</sup>

Additionally, the definition limits civilian harm to harm “resulting from military operations” and defines military operations to include only an “operation involving the use of force.” The United States has legally determined that many of its cyber operations, including some offensive cyber operations, are not uses of force and therefore by definition would not be included.<sup>10</sup> DoD may, however, include cyber operations in the definition as a matter of policy.<sup>11</sup> It is unknown how US Cyber Command is currently applying the definition to its operations. We echo the US Government Accountability Office’s recommendation for DoD to clarify how to mitigate and respond to civilian harm resulting from non-kinetic activities.<sup>12</sup>

The CHMR-AP also requires CHMR-related updates to various joint doctrine.<sup>vi</sup> While we were able to verify that some of these updates have been made, limited transparency on doctrine obfuscated any insight into the rigor of CHMR integration. Doctrine updates are not publicly available, and the authors' requests for access to doctrine updates were denied by the DoD. One important doctrinal development required by the CHMR-AP that CIVIC and Stimson were able to verify was the official definition of the "civilian environment" as laid out in Joint Publication (JP) 5-0, *Joint Planning*: "The factors within the operational environment that relate to civilians and their communities, including the civilian population and the personnel, organizations, resources, infrastructure, essential services, and systems on which civilian life depends."

For analysis of the definition of the civilian environment, see **Objective 3**. Other updates to doctrine are discussed in detail under their relevant objectives throughout this report.

## Matching Rhetoric and Reality

Our research suggests that the DoD is making steady progress on policy and guidance related to civilian harm assessments, investigations, and response, including through a multi-service issuance on investigations, the development of an overarching institutional framework for response, and an update to the current interim regulations for the provision of *ex gratia* or condolence payments to victims and survivors of civilian harm. However, the ultimate measure of these policies will be whether and how they deliver for civilian victims and survivors of US operations. The absence of tangible steps for civilians – such as the disbursement of *ex gratia* payments or the re-investigation of past cases that were erroneously dismissed due to error – would reduce the DoD's efforts to overhaul its approach to civilian harm response to mere rhetoric. For more on these policies, see **Objectives 7 and 8**.

Additionally, the CHMR-AP and CHMR DoD-I establish CHMR as a component of security cooperation programs. Both include requirements for assessments of partner capacities to mitigate and respond to civilian harm through "CHMR Baselines of Allies and Partners" (CBAPs) and the implementation of "tailored conditionality" in DoD security assistance. However, these commitments and principles on paper have stood in stark contrast to DoD's actual practice throughout the implementation period, particularly regarding the US government's virtually unconditional military support to the government of Israel in the face of catastrophic civilian harm perpetrated by the Israeli Defense Forces in the occupied Palestinian territories using US weapons. For these policies to meaningfully promote CHMR with partners, they must be applied consistently. For more on CHMR in security cooperation and partnered operations, see **Objectives 9 and 10**.

## Strategic Leadership vs. "Checking the Box"

As the DoD dives deeper into the substantive work of the CHMR-AP, comprehensive and strategic leadership across the Department will be critical to building a robust and accountable CHMR culture and mission. Across the interviews conducted for this project, sources warned of the risk of siloed courses of action and a perfunctory monitoring of implementation progress. While monitoring the completion of specific CHMR-AP actions is essential, DoD leadership should ensure that CHMR-AP implementation goes beyond "checking the box" and instead lays the groundwork for sustainable and long-lasting CHMR efforts, including by regularly engaging in robust qualitative assessments of implementation progress, discussing overarching challenges, and measuring impact on CHMR outcomes. Likewise, as many of the CHMR activities are siloed by objective and actor, a

vi See: Joint Chiefs of Staff, "Joint Doctrine Publications," <https://www.jcs.mil/doctrine/joint-doctrine-pubs/>.



Secretary of Defense Lloyd J. Austin III, Chairman of the Joint Chiefs of Staff U.S. Army Gen. Mark A. Milley, and Under Secretary of Defense (Comptroller) Michael J. McCord provide testimony at a House Armed Services Committee hearing on the fiscal year 2024 Department of Defense budget request, Rayburn House Office Building, Washington, D.C., March 29, 2023.

cohesive and effective approach will require leadership that understands the full picture of CHMR workstreams, where they intersect, where friction points or bottlenecks are forming, and has the vision to coordinate across CHMR workstreams where necessary.

Moreover, information gathered for this report reflected varying degrees of investment and progress across different DoD components. For example, DoD leadership designated the Army as the CHMR joint proponent, the military branch responsible for coordinating service-level CHMR activities on behalf of the joint force.<sup>vii</sup> Therefore, the Army bears a critical responsibility in establishing and housing the CP CoE and spearheading many Department-wide CHMR initiatives. As a result, the Army commenced its CHMR efforts in earnest at an early stage. Similarly, CCMDs such as US Central Command (CENTCOM) and US Africa Command (AFRICOM), which have already encountered CHMR issues as a result of recent years of military operations and resulting civilian harm, have made quicker progress than other CCMDs in hiring or assigning CHMR personnel and beginning the integration of CHMR into practice and procedure. While different components will require varying levels of participation and leadership in the CHMR enterprise based on their unique postures and mandates, buy-in on CHMR across the force will be necessary for true institutional reform and measurable improvements in CHMR outcomes.

vii The DoD defines “joint proponent” as “a Service, combatant command, or Joint Staff directorate assigned coordinating authority to lead the collaborative development and integration of joint capability with specific responsibilities designated by the Secretary of Defense.” Joint Chiefs of Staff, *Joint Publication 1-05, Department of Defense Dictionary of Military and Associated Terms*, November 8, 2010 (As Amended Through February 16, 2016), [https://irp.fas.org/doddir/dod/jp1\\_02.pdf](https://irp.fas.org/doddir/dod/jp1_02.pdf).

# OBJECTIVE-BY-OBJECTIVE ANALYSIS

## OBJECTIVE 1

### Steering Committee

Establish a **CHMR Steering Committee** for the purpose of providing executive-level direction, guidance, and oversight of DoD CHMR, including by driving effective implementation of the CHMR-AP and the forthcoming DoD Instruction on CHMR across the DoD.



#### PROGRESS AT A GLANCE



FY	ACTION	ACTION DESCRIPTION	STATUS
2022	<b>1a</b>	USD(P), USD(C), and the VCJCS are designated as the co-chairs of the CHMR SC, with participation on the CHMR SC by senior-level representatives of other DoD and OSD components. OUSD(P) is designated as the executive secretariat for the CHMR SC.	●
	<b>1b</b>	The CHMR SC meets periodically to review and support the implementation of the CHMR-AP and the forthcoming DoDI on CHMR.	▶
	<b>1c</b>	The co-chairs approve business rules, host meetings, and provide specific guidance on expected outputs and information requirements from relevant offices in DoD, including the Joint Staff, combatant commands, military departments.	▶
2023	<b>1d</b>	DoD and OSD components report to the CHMR SC progress on and challenges to their implementation of the CHMR-AP and the forthcoming DoDI on CHMR. The CHMR SC receives this information and, as necessary and as required by certain actions within this plan, makes decisions and provides direction to reduce challenges, support effective coordination between DoD and OSD components, and reduce implementation latency.	▶



## Summary

Objective 1 of the CHMR-AP mandates the creation of a CHMR Steering Committee, which will provide executive-level direction and oversight of the DoD's CHMR efforts, particularly regarding the implementation of the CHMR-AP and CHMR DoD-I. The DoD has established the committee with the designated co-chairs: the USD(P), the Undersecretary of Defense - Comptroller (USD(C)), and the Vice Chairman of the Joint Chiefs of Staff (Action 1a, FY22). The full committee includes senior members from DoD components, including OSD, CCMDs, and the military departments. The Committee meets on a quarterly basis (Action 1b, FY22).<sup>13</sup> In line with Action 1d (FY23), all DoD components are required to submit quarterly reports to the Steering Committee on CHMR-AP implementation progress and challenges.

A sub-steering committee has been formed that meets on a bi-monthly basis (every other month) and includes 2-star and 3-star officers or Senior Executive Service officials.<sup>14</sup> Their remit comprises resources and funding for CHMR-AP implementation, progress on the CHMR DoD-I and Chairman of the Joint Chiefs of Staff Instruction on CHMR (prior to their release), overseeing the hiring of personnel, and the establishment and progress of the CP CoE. Sources familiar with the meetings noted that the Steering Committee and subcommittee meetings, as well as the quarterly reports, sometimes suffered from a “checking the box mentality” to monitoring progress, rather than engaging meaningfully and strategically on challenges and friction points.<sup>15</sup>

Regular working level meetings on various issue areas are also convened on a weekly or monthly basis, as necessary.<sup>16</sup>

Based on the data collected, the DoD has started and maintained all Objective 1 actions required in Phases 0-2 (FY22-24). No additional actions are anticipated for this objective, although actions 1b, 1c, and 1d will continue on an ongoing basis, at minimum through the completion of the CHMR-AP. For the sustainment of CHMR efforts following CHMR-AP completion, these actions should continue indefinitely.

## RECOMMENDATIONS

1. While monitoring the completion of specific CHMR-AP actions is essential, the CHMR Steering Committee should ensure that DoD CHMR efforts go beyond surface-level evaluation of progress and instead lay the groundwork for sustainable CHMR efforts, including by regularly engaging in robust qualitative assessments of implementation progress, discussing overarching challenges, and measuring impact on CHMR outcomes. This approach can be encouraged by curating intentional focus areas for each meeting and facilitating meaningful conversations by asking questions and challenging assumptions.
2. The CHMR Steering Committee should continue to oversee the Department's CHMR efforts beyond the final year of CHMR-AP implementation, including continuing to convene regular quarterly meetings and guiding the Department in meeting long-term CHMR objectives. DoD leadership should also consider issuing additional or continuing CHMR guidance for additional fiscal years after FY25 focused on sustainment of CHMR efforts, the completion or iteration of any incomplete tasks or unmet objectives, and incorporation of lessons learned from initial CHMR-AP implementation.

## OBJECTIVE 2

# Civilian Protection Center Of Excellence

Establish a **Civilian Protection Center of Excellence** to expedite and institutionalize the advancement of knowledge, practices, and tools for preventing, mitigating, and responding to civilian harm.



### PROGRESS AT A GLANCE




FY	ACTION	ACTION DESCRIPTION	STATUS
2022	<b>2a</b>	Designate an appropriate DoD component as the joint proponent for CHMR, and designate the USD(P) as the principal staff assistant within the Office of the Secretary of Defense (OSD) to oversee the activities of the joint proponent on behalf of the Secretary of Defense.	
	<b>2b</b>	USD(P), in coordination with the joint proponent for CHMR, submits to the USD(C) an FY23 unfunded requirement (UFR) request for initial staffing, facilities, and operating costs that would be required to establish the CP CoE. The UFR request will provide detailed justification for resourcing required in order to compete favorably among other DoD priorities. The UFR request will be presented to Congress in early FY23.	
	<b>2c</b>	USD(P), in coordination with the joint proponent for CHMR, USD(C), the DoD General Counsel (DoD GC), and the Assistant Secretary of Defense for Legislative Affairs (ASD(LA)), develops any necessary legislative proposals for consideration within the DoD Legislative Program.	
	<b>2d</b>	USD(P) presents the staffed DoDI on CHMR to the Secretary for approval, which further establishes DoD and OSD components' responsibilities related to civilian harm mitigation and response, including the responsibilities related to the CP CoE. The CP CoE responsibilities, at a minimum, will include providing direct support to operational commands; supporting policy, doctrine, and force development; and conducting research and analysis. These responsibilities will inform the requirements to be considered in the Department-wide CHMR manpower study.	
2023	<b>2e</b>	The joint proponent for CHMR establishes the CP CoE with 30 FTE as initial core staff, including a GO/FO/SES director, and resources and facilities to cover anticipated operating costs and requirements.	
	<b>2f</b>	USD(P), in coordination with the joint proponent for CHMR, submits an issue paper for the FY24-FY28 Program and Budget Review for resources across the CHMR enterprise for FY24-FY28, while additional steps, including a Department-wide manpower study, are conducted to refine resource requirements.	

COMPLETED
 STARTED
 IN PROGRESS
 NO ACTION
 UNKNOWN
 ONGOING

- 
- 2g**


The joint proponent for CHMR leads and is responsible for consolidating findings of a Department-wide CHMR manpower study, conducted jointly by the Department of the Army, the Department of the Navy, and the Department of the Air Force, to determine the manpower needs for the entire CHMR enterprise at all echelons across the force. This study will include manpower requirements related to CHMR functions at the CP CoE, OSD, Joint Staff, combatant commands, military departments, Defense Intelligence Enterprise, Defense Security Cooperation Agency, and other relevant DoD components. This study will be sponsored by USD(P), and conducted in consultation with USD(P&R). The results of this study will be presented to the CHMR SC.



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  - 2h**


The joint proponent for CHMR submits a FY25 Issue Paper for enduring CHMR requirements in FY25 and beyond, based upon the findings of the CHMR manpower study and any other resourcing requirements that are identified. If needed, the joint proponent for CHMR, in coordination with USD(C), DoD GC, and ASD(LA), develops any necessary legislative proposals for consideration within the DoD Legislative Program.



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  - 2i**

Upon appropriation of funds based on the FY24 budget, relevant DoD and OSD components resource their CHMR efforts.



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## Summary

The CHMR-AP mandates the establishment of a Civilian Protection Center of Excellence (CP CoE) to “expedite and institutionalize the advancement of knowledge, practices, and tools for preventing, mitigating, and responding to civilian harm.” The CHMR DoD-I (Action 2d, FY22) specifies that the CP CoE will facilitate the DoD’s CHMR analysis and learning and help institutionalize effective CHMR practices.<sup>17</sup> The CoE will do this by providing direct support to operational CCMDs during and following operations; supporting policy, doctrine, and force development; and conducting CHMR-related research, data management and analysis, and compilation of lessons learned.

## Establishment of Center of Excellence

As noted above, the CHMR Steering Committee designated the Secretary of the Army as the joint proponent for CHMR (Action 2a, FY22), endowing the Army with significant responsibility for the CHMR-AP’s implementation across the joint force. USD(P) oversees the Army as the joint proponent on behalf of the Secretary of Defense (Action 2a, FY22) and has designated the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict (SO/LIC) as the civilian official responsible for overseeing compliance with CHMR policy.<sup>18</sup> A CHMR Directorate was also established within SO/LIC to provide policy support and oversight to the overall DoD CHMR effort.<sup>19</sup>

The Army established the CP CoE in April 2023 (Action 2e, FY23) as a direct reporting unit to the Army’s Deputy Chief of Staff, Directorate for Operations, Plans, and Training (G-3/5/7), with coordination and oversight by the Deputy Under Secretary of the Army.<sup>20</sup> Within weeks, the Army announced the first full-time Director of the CP CoE to lead the organization.<sup>21</sup> Of the \$41.75 million the DoD received to implement the CHMR-AP in FY23, \$7.8 million was allocated for the creation of the CP CoE.<sup>22</sup> The CP CoE mandate was simultaneously codified through Section 1082 of the FY 2023 National Defense Authorization Act (NDAA).<sup>23</sup>

## Priorities and Activities

In 2023, the CP CoE prioritized recruiting personnel to launch the Center, developing lines of effort, and building relationships with DoD stakeholders and external partners, including civil society, the US interagency, and US allies and partners.<sup>24</sup> By spring 2024, the CP CoE had hired a critical mass of personnel with the subject-matter expertise required to turn its focus to the substantive work assigned to the Center.<sup>25</sup> As the hub and facilitator of CHMR analysis, learning, and institutionalization, the CHMR DoD-I instructs the CP CoE to (1) Provide direct support to operational commands before, during, and after operations; (2) Support policy, doctrine, and force development; and (3) Conduct and oversee CHMR research and analysis.<sup>26</sup> The CP CoE comprises four divisions: Operational Effects; Policy, Doctrine and Force Development; Learning; and Assessments and CHMR Training. A fifth division, Innovation & Technology, will be established in FY25.<sup>27</sup>

In 2024, the CP CoE's activities have included the following, *inter alia*:

- Supporting the integration of CHMR into CCMD, Army, and multinational exercises, including with US Indo-Pacific Command (INDOPACOM) and US Europe Command (EUCOM).<sup>28</sup> While the CHMR elements in the exercises have so far been relatively modest in scale, they have allowed the CP CoE to pilot, observe, and adjust their CHMR injects for greater impact.<sup>29</sup> Components within the DoD have reported a high demand for this support from the CP CoE.<sup>30</sup>
- Advising on the revision of joint doctrine.<sup>31</sup>
- Supporting the training and professionalization of the CHMR community across DoD, including the development of an in-house foundational course in CHMR to broaden the training to CHMR positions embedded throughout the DoD.<sup>viii32</sup> CP CoE staff have also participated in a tailored Red Team Training Course coordinated by the Center and US Army Training and Doctrine Command.<sup>33</sup>
- Commissioning studies on lessons learned from civilian harm in past and current conflicts to inform plans and development of future CP CoE training, tools, and resources.<sup>34</sup>
- Supporting the development of the civilian harm data management platform to enable the Center's collection of lessons learned and analysis of data trends.<sup>35</sup>
- Engaging internal and external stakeholders to form "collaborative, cross-functional working groups and partnerships to identify capability gaps, synergies and opportunities to improve."<sup>36</sup>

## CP CoE Staffing

The CP CoE requires a relatively large staff in comparison to the handful required by other DoD components. According to DoD sources, the Department-wide CHMR "manpower study"<sup>ix</sup> was completed and presented to the CHMR Steering Committee in the summer of 2023 (Action 2g, FY24).<sup>37</sup> The CP CoE conducted a separate mission analysis on the Center's needs based on its organizational strategy and determined that full operational capacity would require significantly more personnel than the findings of the Department-wide study suggested.<sup>38</sup>

viii Note: In 2024, the Center contracted civilian protection experts to train CP CoE staff. One of the contractors was an author for this report, Loren Voss. All information in this report was gathered through the methods described in the methodology section and does not reflect anything that was said or taught as part of the course.

ix Note: CIVIC and Stimson recognize this as a gendered term. It is utilized here to reflect the language that is in the CHMR-AP and employed more broadly by the DoD.

The CP CoE has steadily grown during its first 18 months. Almost 30 civil servants have been onboarded, in addition to four uniformed personnel from the Army on temporary details and 24 contractors, as of August 2024.<sup>39</sup> According to the Government Accountability Office (GAO), the Army plans to hire an additional 40 personnel to reach the 70 total full time equivalents (FTEs) allotted by the CHMR-AP by the end of FY25.<sup>40</sup>

Unfortunately, as with other DoD components, a variety of bottlenecks and limitations significantly delayed the recruitment of qualified staff to the CP CoE. The DoD process for hiring civilians is a widely acknowledged challenge that surfaced in multiple interviews.<sup>41</sup> According to a DoD official, it takes an average of approximately seven months from a role becoming vacant for a replacement to be onboarded.<sup>42</sup> Not only does the process move at a glacial pace, but the limitations for civilian hires, such as veterans' preference<sup>43</sup> and prioritizing primarily internal US Government recruitment, have dramatically narrowed the talent pool of qualified civilian protection experts, further delaying the accumulation of CHMR personnel.<sup>44</sup> Additionally, limited telework policies and job postings written before the CP CoE was established, and therefore are not accurately reflective of the needed roles and their requirements, further lead to limited qualified applications.<sup>45</sup> In the meantime, the CP CoE has relied on contract support to bridge staffing gaps.

The CP CoE is also working to obtain a larger proportion of billets for uniformed personnel and for those billets to be sourced from across the services and not limited solely to the Army as the CHMR joint proponent.<sup>46</sup> Commentators within the DoD have cautioned against the risks of CHMR being a solely Army initiative and encourage the Services to provide personnel to the CP CoE in order to ensure that CHMR efforts do not become imbalanced, both in terms of responsibility and domain expertise.<sup>47</sup> The CP CoE is working to obtain additional permanent joint duty assignments by the other services in 2025.<sup>48</sup>

For additional information on resourcing, staffing, and the CHMR manpower study, see **Objective 11**.

## RECOMMENDATIONS

1. Because the institutionalization of CHMR throughout the DoD depends on the steady proliferation of CHMR expertise across the Department, and because a significant portion of CHMR expertise will emanate from the CP CoE and its offerings, the DoD should prioritize and allocate the necessary resources, particularly with regards to personnel, for the CP CoE to reach full operating capacity by FY25.
2. The DoD should prioritize the assignment of uniformed personnel within the CP CoE from all services to ensure the Center maintains a holistic and tailorable approach to CHMR that can be applied in all domains by joint forces.
3. Given that the CP CoE requires a relatively large staff to support CHMR across the Department, the DoD should consider providing direct hire authority to CP CoE, which would decrease recruitment time and enhance its ability to attract necessary expertise.

## OBJECTIVE 3

### Policy and Doctrine

Incorporate guidance for addressing civilian harm across the full spectrum of operations into **strategy, doctrine, plans, PME, training, and exercises**, so that DoD is more effectively prepared to mitigate and respond to civilian harm, and to achieve strategic success in any operating environment.










#### PROGRESS AT A GLANCE








FY	ACTION	ACTION DESCRIPTION	STATUS
2022	<b>3a</b>	The Joint Staff, combatant commands, and the military departments begin identifying and incorporating CHMR lessons learned and approved recommendations into doctrine, plans, operational processes, and tactics to mitigate and respond to civilian harm in military operations.	
	<b>3b</b>	USD(P) presents to the Secretary for approval the staffed DoDI on CHMR, which will contain a definition of civilian harm and will further establish DoD-wide policies and DoD and OSD components' respective responsibilities related to the strategic importance of mitigating and responding to civilian harm and to protecting civilians and civilian objects during the conduct of operations to the extent practicable. Once the definition of the term "civilian environment" has been tested, defined, and incorporated in joint doctrine (see Action 3.e), USD(P) will update the DoDI on CHMR to reflect the civilian environment.	
2023	<b>3c</b>	USD(P), USD(I&S), Joint Staff, combatant commands, and military departments establish CHMROs to lead coordination and integration of CHMR within their respective organizations/commands, including in the development and maintenance of policies, doctrine, and plans, as well as in training, including exercises, and the development and fielding of capabilities, as appropriate.	
	<b>3d</b>	Upon approval of the DoDI on CHMR, the Joint Staff develops and issues a Chairman's Instruction on CHMR to further provide guidance on CHMR efforts across the joint force.	
	<b>3e</b>	Joint Staff updates Joint Publication (JP) 5-0, <i>Joint Planning</i> , to include: (1) defining the civilian environment alongside other aspects of the operational environment, similar to how doctrine defines the information environment with respect to the operational environment; and (2) incorporating the goal of protection and restoration of the civilian environment as much as practicable across all steps of the joint planning process. The definition of the civilian environment should reflect the civilian population and the personnel, organizations, resources, infrastructure, essential services, and systems on which civilian life depends and should be appropriately tested through exercises and wargames prior to finalization.	

COMPLETED
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 IN PROGRESS
 NO ACTION
 UNKNOWN
 ONGOING

	<b>3f</b>	Joint Staff updates Chairman of the Joint Chiefs of Staff Manual (CJCSM) 3130.03, <i>Planning and Execution Planning Formats and Guidance</i> , to include requirements addressing CHMR considerations, actions, and instructions in the campaign and contingency plans formats. At a minimum, plans should: (1) include an assessment of the civilian environment as part of the operational environment (including, e.g., an assessment of potential risks to civilians); (2) include a clear articulation of objectives with respect to the civilian environment as part of overall mission objectives; (3) anticipate the impact of operations on the civilian environment; and (4) provide for the protection and restoration of the civilian environment to the extent practicable.	
	<b>3g</b>	Joint Staff updates JP 2-0, <i>Joint Intelligence</i> , to ensure the Joint Intelligence Preparation of the Operational Environment (JIPOE) process includes a holistic analysis of the civilian environment. This includes establishing responsibilities and procedures for identifying and describing the civilian environment, including population density, patterns of life, cultural norms, and the interconnected relationships between the civilian population, natural resources, infrastructure, and essential services. This effort includes producing relevant intelligence estimates and products with detailed analysis of the civilian environment.	
	<b>3h</b>	Joint Staff integrates throughout JP 3-0, <i>Joint Operations</i> a clear description of the civilian environment as an integral part of the operational environment and the importance of understanding and mitigating the impact of operations on the civilian environment. Joint Staff updates JP 3-0, <i>Joint Operations</i> , and JP 3-33, <i>Joint Task Force Headquarters</i> , to include the functions and responsibilities of the CHMRO and CHMR WGs to integrate CHMR considerations across combatant command functions and to ensure that combatant commands standing up JTFs consider CHMR staffing requirements, including requirements for CHACs as described in the forthcoming DoDI on CHMR.	 x
	<b>3i</b>	Joint Staff updates JP 3-16, <i>Multinational Operations</i> , to guide the employment of U.S. military forces on establishing a common operating picture of the civilian environment in multinational operations and on other appropriate ways to share information with respect to the civilian environment with allies and partners.	 xi
	<b>3j</b>	Joint Staff updates JP 3-20, <i>Security Cooperation</i> , to integrate CHMR as a component of security cooperation.	
	<b>3k</b>	Combatant Commands assess their theaters' command relationships to validate authorities and responsibilities among coalition partners, conventional forces, and special operations forces to enable timely and accurate civilian casualty reporting and to address civilian harm mitigation and response issues.	
2024	<b>3l</b>	Military departments update service-level concepts and doctrine to incorporate CHMR into policy and doctrine, including considerations with respect to the civilian environment, consistent with DoD-wide policies and joint doctrine.	

x JP 3-0, *Joint Operations*, was updated; however the contents of the updates are unknown.

xi JP 3-16, *Multinational Operations*, was updated; however the contents of the updates are unknown.

2023	<p><b>3m</b> Combatant commands incorporate into their existing operational and contingency plans and theater campaign plans a description of the civilian environment, a clear articulation of objectives with respect to the civilian environment as part of overall mission objectives, an estimated assessment of the impact of operations on the civilian environment, plans for responding to civilian harm that may result, plans for the protection and restoration of the civilian environment, in accordance with CPG prioritization, and clear delineation of command authorities and relationships. Combatant commands will also ensure that these considerations are included in the development of their future plans.</p>	
	<p><b>3n</b> Combatant commands and military departments integrate CHMR considerations into exercise objectives, where appropriate, including by incorporating clear articulations of end-state objectives with respect to the civilian environment as part of overall mission objectives, and by incorporating processes and procedures such as those related to the joint targeting process and humanitarian notification/deconfliction systems that can be important for understanding and mitigating adverse impacts on significant aspects of the civilian environment.</p>	
2024	<p><b>3o</b> Joint Staff, military departments, and the National Defense University (NDU) include CHMR learning objectives in PME, consistent with joint and service doctrine on CHMR and in the forthcoming DoDI on CHMR.</p>	
	<p><b>3p</b> Joint Staff and military departments develop and integrate CHMR learning objectives in appropriate training courses, consistent with joint and service doctrine on CHMR and in the forthcoming DoDI on CHMR.</p>	
	<p><b>3q</b> USD(P), in coordination with combatant commands and Joint Staff, evaluates the potential incorporation of CHMR considerations into planning guidance. As part of this review, USD(P) will consider potential ways to articulate civilian environment assessments and objectives in plans. USD(P) will present these findings and a proposed way forward to the CHMR Steering Committee.</p>	

## Summary

Objective 3 of the CHMR-AP mandates the incorporation of CHMR guidance across strategy, doctrine, PME, training, and exercises to ensure that it is integrated into the way the military operates. In addition to requiring Joint Staff, CCMDs, and military departments to begin identifying and incorporating CHMR into doctrine, plans, operational processes, and tactics, the CHMR-AP requires updating specific publications with specific elements.

## Updates to Key Doctrine

Doctrine and plans have predetermined update cycles that generally preclude out-of-cycle updates, which may slow the integration of CHMR into doctrine and plans. However, over the last several fiscal years, a number of publications have been updated as part of their update cycles.

The Joint Staff has published updates to multiple joint publications. These updates are not publicly available; however, a senior DoD official has described these updates incorporating CHMR as modest and greater in breadth than depth.<sup>49</sup> These include:

- **JP 5-0, Joint Planning (Action 3e, FY23):** The JP 5-0 update defines the “civilian environment” (described below).<sup>50</sup> We were unable to verify the integration of other specific CHMR elements into the planning process.
- **JP 2-0, Joint Intelligence (Action 3g, FY23):** Interviews indicate that the JP 2-0 updates met the requirement of the CHMR-AP to include a holistic analysis of the civilian environment in the Joint Intelligence Preparation of the Operational Environment (JIPOE) process, which the DoD uses to analyze and understand the operational environment.<sup>51</sup>
- **JP 3-0, Joint Operations (Action 3h, FY23):** While we confirmed that JP 3-0 was updated,<sup>52</sup> we were unable to verify whether updates included a clear description of the civilian environment as an integral part of the operational environment, the importance of understanding and mitigating the impact of operations on the civilian environment, or the functions and responsibilities of CHMROs, CHMR working groups, and CHACs, as mandated by the CHMR-AP.
- **JP 3-16, Multinational Operations (Action 3i, FY23):** While we confirmed that JP 3-16 was updated,<sup>53</sup> we were unable to verify whether updates provided guidance on establishing a common operating picture of the civilian environment in multinational operations or information sharing with allies and partners with respect to the civilian environment.

Requests by the authors for access to doctrine updates, including copies of or updates to JP 2-0, 3-0, 5-0, and 3-16 were denied by the DoD. If obtained at a later point, they will be analyzed as part of the next update of this report. It is unknown whether Joint Staff has begun the update process for Joint Publications 3-20, *Security Cooperation*, and 3-33, *Joint Task Force Headquarters*, (Actions 3j, FY23 and 3h, FY23, respectively).

Additionally, the Chairman of the Joint Chiefs of Staff Instruction on Civilian Harm Mitigation and Response 5840.01 (Action 3d, FY23), which the CHMR-AP assigned for the provision of further guidance on joint force CHMR efforts, was released in July 2024. While it is common for Chairman’s Instructions to include technical guidance and procedures, the Chairman’s Instruction on CHMR primarily delegates CHMR responsibilities across the Joint Staff directorates and CCMDs. For further discussion of the Chairman’s Instruction, see **Objective 7**.

## Defining the Civilian Environment

The definition of civilian environment is officially provided in the latest version of JP 5-0, which is not a publicly available document. A senior DoD official shared the definition: “The factors within the operational environment that relate to civilians and their communities, including the civilian population and the personnel, organizations, resources, infrastructure, essential services, and systems on which civilian life depends.”<sup>54</sup>

The definition includes a range of elements in the civilian environment. However, the definition is also focused primarily on physical elements and appears to omit less tangible – yet critical – elements such as culture, behavior, and the interactions between elements. Additionally, how narrowly or broadly DoD interprets elements of the definition will affect the definition’s utility. For example, DoD should consider elements “on which civilian life depends” to include not only immediate human needs such as food, water, and shelter, but also things like livelihoods, education, and the economy.

The delayed publication of the official definition of the civilian environment has delayed a number of subsequent actions, including Action 3m (FY23) in which CCMDs are directed to incorporate a description of the civilian environment into their existing operational and contingency plans and theater campaign plans.

## Professional Military Education

Action 3o (FY24) instructs the Joint Staff, military departments, and the National Defense University to include CHMR learning objectives in PME. While interviews suggested that DoD activity in this area is still nascent, there are indications that some components have begun considering how to integrate CHMR into PME. For example, the Chairman's Instruction on CHMR directs the Joint Force Development Directorate (J-7) to consider CHMR as a Chairman's Special Area of Emphasis for joint PME.<sup>55</sup> These "Areas of Emphasis" are a rotating set of special topics that can be changed periodically to align PME curricula with operational and strategic priorities.<sup>56</sup> Additionally, an informal, multi-service working group has launched a data call for CHMR content gaps in PME to guide their development of new CHMR curricula.<sup>57</sup> While delays in the release of an official civilian environment definition delayed the integration of CHMR into joint and service-level doctrine, services are now able to start CHMR integration into PME in line with prescheduled update cycles.<sup>58</sup>

## RECOMMENDATIONS

1. Joint Staff should provide additional guidance to the Department, including the CETs and Defense Intelligence Enterprise (DIE), on how to broadly interpret and apply the definition of the civilian environment. This guidance should seek to provide examples to stimulate critical thinking, while also avoiding being so prescriptive as to be seen as exhaustive.
2. The Joint Staff Intelligence Directorate (J-2) should develop additional guidance and provide support on the integration of the civilian environment into the JIPOE process. At present, JIPOE focuses on the possible effects of the operating environment on operations, leaving it unclear if, and if so, how, the possible effects of operations on the civilian environment will be integrated.
3. DoD should share key CHMR doctrine language with the public, both as a matter of transparency regarding DoD CHMR policy and so that civilians and civil society can provide relevant information to the DoD for CHMR analysis and processes as appropriate.
4. Following the initial round of updates to joint doctrine and the completion of CHMR-AP implementation, the Joint Staff should ensure further refinements to CHMR-related doctrine through iterative revisions as CHMR procedures and best practices are developed and validated over time.
5. While integration of CHMR into the Chairman's Special Areas of Emphasis for joint PME is a welcome initial step, CHMR should ultimately be integrated into PME as a permanent topic of study as well as mainstreamed across relevant PME. CHMR should also be systematically integrated into joint exercises across all phases of operations, from intelligence preparation to civilian harm assessments, investigations, and response.

## OBJECTIVE 4

# Civilian Environment and Joint Targeting

Improve knowledge of the **civilian environment and civilian harm mitigation capabilities and processes throughout the joint targeting process** so that DoD is more effectively prepared to mitigate and respond to civilian harm in any future crisis or conflict.



### PROGRESS AT A GLANCE



FY	ACTION	ACTION DESCRIPTION	STATUS
2022	<b>4a</b>	Combatant commands identify and incorporate CHMR lessons learned and recommendations into current joint targeting processes to reduce the risk of civilian harm in future operations, and periodically report on such efforts to the CHMR SC.	
	<b>4b</b>	USD(P) presents to the Secretary for approval the staffed DoDI on CHMR. The DoDI further establishes DoD-wide policies and DoD and OSD components' respective responsibilities related to incorporating CHMR practices and information about civilians and civilian objects across the joint targeting process – including information about civilian pattern-of-life, civilian population density, and infrastructure on which civilians depend for their health and safety. Once the term “civilian environment” has been tested, defined, and incorporated in joint doctrine (see Action 3.e), USD(P) will update the DoDI on CHMR to reflect the civilian environment.	
2023	<b>4c</b>	Relevant DoD and OSD components, including the Joint Staff, develop federated and reachback support throughout the Defense Intelligence Enterprise to provide CHMR-related information and expertise, including robust characterizations of the civilian environment in operational areas, to inform joint targeting.	
	<b>4d</b>	Under Secretary of Defense for Intelligence and Security (USD(I&S)) conducts a review of existing organizations, capabilities, and processes across the Defense Intelligence Enterprise that contribute to collecting, disseminating, and archiving information about the civilian environment, identifying where gaps exist and resources are needed. This review may include elements of the Intelligence Community that contribute to DoD’s mission, as appropriate. USD(I&S) will present the results of this review to the CHMR SC, along with a proposed way forward, including anticipated resource requirements, for improving DoD’s ability to characterize the civilian environment.	
	<b>4e</b>	USD(I&S), in coordination with the Office of the Director of National Intelligence, designates a responsible producer for civilian environmental analysis within the Defense Intelligence Enterprise through the Defense Intelligence Analysis Program. This includes comprehensive, tactical to operational foundational products that characterize the civilian population and the personnel, organizations, resources, infrastructure, essential services, and systems on which civilian life in a given area depend. The designated responsible producer develops a steady-state baseline for analytical production, and a standard framework for civilian environmental analytical production. Combatant command intelligence production requirements will continue to be coordinated and prioritized through USD(I&S).	



<b>4f</b>	Combatant commands establish Civilian Environment Teams to leverage existing analytical production related to the civilian environment, conduct analyses, and create products that provide comprehensive perspectives on the civilian environment, including potential second- and third-order effects in the operational environment during planning and the joint targeting process. Civilian Environment Teams will consider information from a variety of sources, including, but not limited to, the intelligence community, open-source, civil society, and foreign governments.	
<b>4g</b>	Joint Staff updates JP 3-60, <i>Joint Targeting</i> , to incorporate the new organizational elements defined in this document, responsibilities, and best practices. This includes, but is not limited to, incorporating Civilian Environment Teams into current joint targeting processes and applying information and analyses from CHACs in the joint targeting process during operations.	<sup>xii</sup>
<b>4h</b>	Joint Staff, military departments, and defense intelligence organizations develop the career tracks and skill identifiers to support the training and personnel requirements of the joint force to incorporate understanding, visualization, and description of the civilian environment, including during joint targeting.	
<b>4i</b>	USD(I&S) ensures integration of information about the civilian environment into national authoritative intelligence databases such as the Modernized Integrated Database (MIDB) and Machine-assisted Analytic Rapid-repository System (MARS). For example, sources for the database should include information about the civilian environment from Oak Ridge National Laboratories, information about the location and movements of humanitarian organizations, and information from other sources as appropriate.	
<b>4j</b>	Joint Staff, in coordination with USD(I&S), USD(A&S), and military departments, ensures information about the civilian environment from relevant databases is integrated into Mission Command Systems to achieve unified situational awareness, and that Mission Command Systems are able to capture the digital footprint of operations to the data management platform developed in Objective 6 of this action plan in order to support future reviews, inquiries, and investigations.	
<b>4k</b>	Under Secretary of Defense for Acquisition and Sustainment (USD(A&S)), in coordination with Under Secretary of Defense for Research and Engineer (USD(R&E)), updates MIL-STD 882E <i>Department of Defense Standard Practice System Safety</i> to incorporate features into system safety reviews for future weapon systems that support civilian harm mitigation objectives, such as render safe, pre-planned post-launch abort, and scalable yields.	
<b>4l</b>	USD(A&S), in coordination with USD(I&S), develops guidance related to the development and fielding of intelligence sensors and other battlespace awareness capabilities to enable enhanced understanding of the civilian environment during the joint targeting process.	
<b>4m</b>	USD(A&S), in coordination with military departments and combatant commands with acquisition authorities, reviews existing weapon systems and inventories, identifies potential options for increasing weapon systems safety in support of civilian harm mitigation objectives, and presents recommendations to the CHMR SC.	
<b>4n</b>	USD(R&E), in coordination with Joint Staff, combatant commands, military departments, and the Office of the DoD Chief Digital & Artificial Intelligence Officer, provides a report to the CHMR SC identifying weapons systems, battlespace awareness capabilities, and Mission Command Systems that can be incorporated across the joint force to enhance DoD's ability to mitigate civilian harm. This should include existing technologies and emerging technologies such as artificial intelligence/machine learning and augmented reality.	

xii JP 3-60, *Joint Targeting*, was updated; however the contents of the updates are unknown.



*Maj. Bishane, a 432nd Aircraft Maintenance Squadron MQ-9 Reaper pilot, controls an aircraft from Creech Air Force Base, Nev. Remotely piloted aircraft pilots work closely with intelligence officers, sensor operators and maintainers to complete mission objectives. RPA personnel deal with the stressors of deployed service members while maintaining the normalcy of their day-to-day lives through programs designed to enhance communication skills, family and spiritual growth.*

## Summary

Joint targeting processes have, by design, focused primarily on effects on the adversary, rather than impacts on civilians and their communities. Objective 4 of the CHMR-AP seeks to improve knowledge and analysis of the “civilian environment” in order to prioritize and better integrate civilian harm mitigation during joint targeting processes.

## Civilian Environment Teams & Expertise

As discussed earlier in the report (see **Objective 3**), the DoD officially defined the civilian environment as “the factors within the operational environment that relate to civilians and their communities, including the civilian population and the personnel, organizations, resources, infrastructure, essential services, and systems on which civilian life depends.”<sup>59</sup> In order to better understand the civilian environment, the CHMR-AP mandates that CCMDs create CETs to conduct analysis and create intelligence products on the civilian environment (Action 4f, FY23).

AFRICOM, CENTCOM, EUCOM, and INDOPACOM have begun creating these teams, but we were unable to confirm the status of CETs at other CCMDs.<sup>60</sup> An effective CET will require a variety of skills, and CCMDs should therefore expand recruitment outside of the traditional military fields of civil affairs, intelligence, and civil engineering, and consider experts in, for example, cultural anthropology, language, sociology, health and sanitization, migration, and modeling and simulation. More importantly, these CETs need to be linked to those in targeting processes so that information and analysis on the civilian environment are appropriately prioritized and provided in a way that can easily be integrated into decision-making.

To develop expertise in the area of civilian harm and the civilian environment, the CHMR-AP required Joint Staff, military departments, and defense intelligence organizations to develop career tracks and skill identifiers to support the training and personnel requirements of the joint force to incorporate understanding, visualization, and description of the civilian environment, including during joint targeting (Action 4h, FY23). We were unable to verify whether any actors have started this process, and we emphasize the importance of doing so to recruit and retain expertise.

## Intelligence & Information Requirements

The CHMR-AP tasked the DIE with developing federated and reach-back support throughout the DIE to provide CHMR-related information and expertise. The CHMR-AP also tasked the Under Secretary of Defense for Intelligence and Security (USD(I&S)) with a review and gap analysis of existing organizations, capabilities, and processes to support civilian environment information (Action 4d, FY23). The DIE has begun the process of building partnerships between combat support agencies within the DIE and assigning responsibilities, but it is unknown if the gap analysis was conducted and briefed to the CHMR Steering Committee.

## Joint Targeting

Objective 4 includes a number of actions regarding the joint targeting process. While not an explicit CHMR-AP action, Multi-Service Tactics, Techniques, and Procedures for Dynamic Targeting has reportedly been updated with CHMR considerations.<sup>61</sup> Some CCMDs are integrating lessons learned from targeting, but it is not evident that these lessons are explicitly CHMR-related (Action 4a, FY22). Some CCMDs have also integrated CHMR into joint targeting exercises.

Based on the limited information we were able to obtain on Objective 4 actions, likely due in part to the opacity of the intelligence community, it is unclear whether work on the joint targeting process has begun in earnest.

## RECOMMENDATIONS

1. Joint Staff should provide additional guidance to the Department, including the CETs and DIE, on how to broadly interpret and apply the definition of the civilian environment. This guidance should seek to provide examples to stimulate critical thinking, while also avoiding being so prescriptive as to be seen as exhaustive.
2. CCMDs should ensure CETs are properly staffed and resourced, including with expertise from non-traditional sectors such as anthropology, sociology, public health, migration, engineering, urban planning, and modeling and simulation.<sup>62</sup>
3. CCMDs should ensure CETs are linked to and inform the targeting process so that information and analysis on the civilian environment are appropriately prioritized and provided in a way that can easily be integrated into decision-making.
4. DOD leadership should develop and promulgate additional guidance to CCMDs and their CETs, as well as the intelligence community, on the integration of open-source, civil society, and foreign government sources into analysis of the civilian environment.

## OBJECTIVE 5

# Target Misidentification and Cognitive Bias

Incorporate **deliberate and systemic measures** to mitigate the risks of target misidentification. This includes **addressing cognitive biases**, such as confirmation bias.







### PROGRESS AT A GLANCE



FY	ACTION	ACTION DESCRIPTION	STATUS
2023	<b>5a</b>	Combatant commands develop red teaming policies and procedures appropriate to relevant operational environments with a focus on combating cognitive biases throughout joint targeting processes. Red teaming is an independent function that is conducted, at times, as a deliberate step during the joint targeting cycle, but is continuous in nature.	
	<b>5b</b>	Combatant commands include cognitive bias mitigation training in theater-specific exercise and training requirements and ensure cognitive bias mitigation training prior to deployment and during theater Joint Reception, Staging, and Onward Integration.	
	<b>5c</b>	Combatant commands ensure a PID policy is published that incorporates approaches for mitigating cognitive bias, including by addressing sources of identification and appropriate levels of certainty of geo-location and functional characterization.	
	<b>5d</b>	Joint Staff reviews applicable doctrine, including, at a minimum, JP 2-0, <i>Joint Intelligence</i> , JP 3-0, <i>Joint Operations</i> , JP 5-0, <i>Joint Planning</i> , and JP 3-60, <i>Joint Targeting</i> , to incorporate approaches to mitigating cognitive bias.	
	<b>5e</b>	Joint Staff standardizes the terminology used to communicate levels of certainty across joint operations and intelligence doctrine.	
	<b>5f</b>	Joint Staff adopts the following definition for Red Team in JP 2-0, <i>Joint Intelligence</i> : “An organizational element comprised of trained and educated members that provide an independent capability to fully explore alternatives in plans and operations in the context of the operational environment and from the perspective of adversaries, the civilian environment, and other actors. The red team is a specially trained, decision-support staff organization that can be employed throughout the joint force. The red team can complement all staff problem solving and analytical efforts by serving as a ‘devil’s advocate’ and generalized contrarian but is normally focused on supporting plans, operations, and intelligence. This element may be an ad-hoc element at tactical organizations (below combatant command and JTF) as needed.”	

xiii JP 2-0, *Joint Intelligence*, JP 3-0, *Joint Operations*, JP 5-0, *Joint Planning*, and JP 3-60, *Joint Targeting*, were updated; however the contents of the updates are unknown.



<b>5g</b>	Combatant commands review guidance for targeting, target engagement authorities, and subordinate operational commanders, and ensure guidance reflects: (1) the importance of using available sources of information to understand and mitigate potential civilian harm; (2) information about relevant organizations, staffing, and capabilities, and the need for interconnectivity and shared awareness between all elements, nodes, and cells responsible for the joint targeting process; and (3) the nature and complexity of the hostilities in which targeting is conducted.	
<b>5h</b>	Joint Staff and military departments incorporate cognitive bias mitigation into education, training, and exercises. This includes, but is not limited to PME, training for operations center personnel, and unit certification exercises.	
<b>5i</b>	Military departments and defense intelligence organizations review technical training for imagery analysts and intelligence professionals, and add such additional materials as may be appropriate to improve the accurate identification of civilians and collateral objects, and differentiation between combatants and civilians.	
<b>5j</b>	The Department of the Army, in collaboration with Joint Staff, establishes a school to serve as the DoD's primary red team training organization. This organization, in addition to training red team members, will develop red team best practices for operations in different domains in both low and high-intensity conflicts.	

## Summary

The DoD, civil society, and media reporting have cited misidentification as a leading cause of civilian harm caused by US operations over many years.<sup>63</sup> In order to reduce the risk of civilian harm from misidentification, the CHMR-AP requires a number of actions across the DoD to mitigate cognitive biases, including training, “red teaming” procedures, and new positive identification (PID) policies. The status of many actions in this objective are unknown, either due to DoD officials declining to comment on progress or their uncertainty on whether or not the action was occurring.

## Cognitive Bias in Joint Doctrine

Although JP 2-0, *Joint Intelligence*, JP 3-0, *Joint Operations*, JP 5-0, *Joint Planning*, and JP 3-60, *Joint Targeting*, were updated (Action 5d, FY23), no public versions of the documents are available to determine if and how approaches to mitigate cognitive biases were integrated. Interviews did, however, confirm that the new definition for “red teaming” (discussed below), was integrated into JP 2-0, *Joint Intelligence*, as part of its update (Action 5f, FY23).<sup>64</sup> Requests by the authors for copies were denied by the DoD. If they are obtained at a later point, they will be analyzed as part of the next update of this report. Joint Staff is also continuing efforts that began before the CHMR-AP to standardize terminology to communicate levels of certainty across joint operations and intelligence doctrine (Action 5e, FY23).

## Red Teaming School & Staffing

The term “red teaming” typically refers to the process of anticipating and simulating the decision-making and behaviors of potential adversaries in order to analyze plans, challenge assumptions, and inform a commander’s decision.<sup>65</sup> Red teaming can also refer more broadly to a process of assumption-testing. In 2021, the Army shuttered its existing red teaming school, the University of Foreign Military and Cultural Studies, due to funding constraints.<sup>66</sup> As required by the CHMR-AP, the Army re-established a school as the DoD’s primary red team training organization in 2023, with \$5 million allocated to the school for FY23 (Action 5j, FY23).<sup>67</sup> The first training class was held in August 2023.<sup>68</sup>

Interviews indicated that the red teaming school curriculum is heavily geared toward the mitigation of cognitive biases, but it is unclear to what extent the curriculum has been tailored to focus specifically on issues related to civilian harm.<sup>69</sup> The Army should review the curriculum to ensure it teaches not only general red teaming best practices but also specifically addresses mitigating specific biases that result in misidentification and civilian harm.

Some of the CCMDs, including CENTCOM, EUCOM, and AFRICOM, have hired red team staff. It is unknown if the Joint Staff or military departments have begun incorporating cognitive bias mitigation into education, training, and exercises beyond the FY23 NDAA requirement to provide annual online training on Intelligence Community Directive 203, *Analytic Standards*, for everyone within the intelligence community (Action 5h, FY23). It is also unknown if the military departments and defense intelligence organizations have reviewed technical training for imagery analysts and intelligence professionals to improve accurate identifications (Action 5j, FY23).

## Presumption of Civilian Status

Under customary international law, it is well established that when there is doubt as to whether a person is a civilian or a combatant, the person shall be presumed to be a civilian.<sup>70</sup> Although not explicitly addressed in the CHMR-AP, civil society organizations,<sup>71</sup> legal experts,<sup>72</sup> and members of Congress<sup>73</sup> have identified DoD's failure to presume civilian status in cases of doubt about the status of a target as a key issue related to misidentification and civilian harm. The DoD Law of War Manual updated in 2016 stated that "no legal presumption of civilian status exists."<sup>74</sup>

In July 2023, DoD issued an update to the Law of War Manual clarifying that such a legal duty does indeed exist:

*Under the principle of distinction, commanders and other decision-makers must presume that persons or objects are protected from being made the object of attack unless the information available at the time indicates that the persons or objects are military objectives.<sup>75</sup>*

Although the CHMR-AP is a policy framework and the presumption of civilian status is a legal requirement, misidentification and the presumption of civilian status are closely linked in practice. As the DoD implements Objective 5, ensuring the operationalization of the requirement to presume civilian status will be critical to preventing civilian harm in US targeting.

## RECOMMENDATIONS

1. The Army should review and update the red teaming school curriculum to ensure it teaches, not only general red teaming best practices, but also practices to specifically address and mitigate specific biases that result in misidentification and civilian harm.
2. The Army should establish a rigorous assessment, monitoring, and evaluation (AM&E) process for red teaming and cognitive bias mitigation training to measure the effectiveness of the training and its impacts on misidentification resulting in civilian harm. The findings of AM&E should be communicated to Congress and the public and continuously integrated into DoD training and other bias mitigation efforts.
3. In keeping with the 2023 updates to the Law of War Manual, the DoD should revise all relevant policies, practices, and regulations to reinforce and operationalize the presumption of civilian status, as required under customary international law.

## OBJECTIVE 6

# Data Management

Develop standardized civilian harm **operational reporting and data management processes** to improve how DoD collects, shares, and learns from data related to civilian harm, including from data integrated across disparate reviews, investigations, and events.











### PROGRESS AT A GLANCE



FY	ACTION	ACTION DESCRIPTION	STATUS
2022	<b>6a</b>	The joint proponent for CHMR is designated as lead for the development of a data management platform that will be employed uniformly across DoD for data related to civilian harm.	●
	<b>6b</b>	The joint proponent for CHMR, in coordination with DoD Chief Information Office (DoD CIO) and USD(A&S), provides an initial cost estimate associated with developing and fielding the data management platform to the CHMR SC for incorporation into budget requests.	●
	<b>6c</b>	USD(P), in coordination with the joint proponent for CHMR, submits to USD(C) an FY23 UFR that includes initial projected costs associated with the data management platform along with other initial costs required for the CP CoE and the CHMR enterprise. The UFR request will provide detailed justification for resourcing required in order to compete favorably among other DoD priorities. The UFR request will be presented to Congress in early FY23.	●
	<b>6d</b>	USD(P) presents to the Secretary for approval the staffed DoDI on CHMR, which further establishes DoD-wide policies and DoD and OSD components' respective responsibilities relating to civilian harm mitigation and response, including the responsibilities for developing and ensuring data management solutions in support of CHMR.	●
2023	<b>6e</b>	USD(P), in coordination with the joint proponent for CHMR, submits an issue paper for the FY24-FY28 Program and Budget Review for resources across the CHMR enterprise for FY24-FY28, while additional steps, including a Department-wide manpower study, are conducted to refine resource requirements. If needed, USD(P), in coordination with the joint proponent for CHMR, USD(C), DoD GC, and ASD(LA), also develops any necessary legislative proposals for consideration within the DoD Legislative Program.	●

● COMPLETED
 ○ STARTED
 ◐ IN PROGRESS
 ○ NO ACTION
   UNKNOWN
 ▶ ONGOING

	<p><b>6f</b> The joint proponent for CHMR, in coordination with DoD CIO, USD(A&amp;S), USD(P), Joint Staff, combatant commands, the CP CoE, and other relevant DoD and OSD components, and with consideration for interoperability with allies and partners, develops and refines more specific information requirements and data sources that will populate the data management platform. This platform will incorporate information regarding U.S. operations, multinational operations, and operations with non-state actors. It will include a mechanism for members of the public and other non-DoD entities to submit for consideration information regarding civilian harm. It will also support the collection, maintenance, and analysis of information including, but not limited to, the following areas:</p> <ul style="list-style-type: none"> <li>• Information indicating that civilian harm may have occurred including, where appropriate, open source and other publicly available information</li> <li>• Operational data, regardless of whether information currently exists about whether civilian harm may have occurred, required to inform civilian harm assessments, including data from Mission Command Systems as described in Objective 4</li> <li>• Civilian harm assessments and investigations</li> <li>• Data regarding the results of civilian harm assessments and investigations</li> <li>• Data regarding responses offered and accepted in cases of civilian harm, including data on ex gratia condolence payments</li> <li>• Lessons learned, historical data, and reports</li> </ul>	
	<p><b>6g</b> The joint proponent for CHMR, in coordination with USD(A&amp;S), DoD CIO, and Joint Staff, develops and refines more specific technical requirements of the data management platform.</p>	
	<p><b>6h</b> The joint proponent for CHMR, in coordination with DoD CIO, USD(A&amp;S), USD(I&amp;S), and Joint Staff, selects from existing programs, develops, or contracts for a data management platform that meets both technical and information requirements. The joint proponent for CHMR develops the required capability documents, including a DOTMLPF-P Change Recommendation (DCR), to be validated.</p>	
	<p><b>6i</b> The joint proponent for CHMR, in coordination with DoD CIO and USD(A&amp;S), refines cost estimates associated with the data management platform over time and provides such estimates to CHMR SC for incorporation into budget requests.</p>	
	<p><b>6j</b> Joint Staff and combatant commands establish standardized processes for reporting civilian harm. Specifically:</p> <ul style="list-style-type: none"> <li>• Update and disseminate the Chairman’s Critical Information Requirements Reporting Matrix to all military departments, combatant commands, and interagency partners; and</li> <li>• Establish combatant command reporting criteria.</li> </ul>	
2024	<p><b>6k</b> The joint proponent for CHMR submits a FY25 Issue Paper for enduring CHMR requirements in FY25 and beyond, based upon the findings of the CHMR manpower study and any other resourcing requirements that are identified. If needed, the joint proponent for CHMR, in coordination with USD(C), DoD GC, and ASD(LA), also develops any necessary legislative proposals for consideration within the DoD Legislative Program.</p>	
	<p><b>6l</b> The joint proponent for CHMR develops and distributes Standard Operating Procedures (SOP) for the data management system.</p>	
	<p><b>6m</b> The joint proponent for CHMR coordinates with the platform developer and the CP CoE to develop and provide training across the joint force for relevant data managers and units.</p>	

## Summary

As noted in the CHMR-AP, the DoD has not historically maintained comprehensive data related to civilian harm, hindering its ability to understand and learn from civilian harm trends, assess and investigate specific incidents of harm, and respond to harm. Objective 6 requires DoD to develop standardized civilian harm reporting and data management processes.

Overall, interviews cited a number of challenges to Objective 6 implementation, chief among them stakeholders' differing priorities and understandings of the purpose and related functions of the required data management platform.<sup>76</sup> While a number of initial actions have been completed, interviewees expressed skepticism that the data management platform would be in use across DoD components by the end of FY25 as instructed by the Action Plan (Action 6n, FY25) absent stronger leadership and guidance to integrate multiple lines of effort.

## Data Management Platform

Objective 6 mandates the creation of a civilian harm data management platform to compile standardized data on operations, civilian harm assessments and investigations, and lessons learned into one system, allowing for trends analysis and accurate record keeping. The CHMR-AP tasks the Army with the creation of this platform (Action 6a, FY22), which they began to develop in October 2022 with the support of contract personnel. \$1.5 million out of \$41.75 million appropriated to the DoD for FY23 was allocated to the Army for the creation of the platform (Actions 6b and 6c, FY22).<sup>77</sup>

According to a DoD official, initial Objective 6 activities suffered from a lack of resources, including under-budgeting and low staffing.<sup>78</sup> Interviewees also described an initial disconnect between and among data scientists and DoD personnel on the platform's purpose and baseline information requirements, but described an improvement in stakeholders' common understanding over the past six months.<sup>79</sup> Finally, a DoD official described as a challenge the existence of simultaneous and siloed CHMR-AP efforts that will affect the data management platform and vice-versa. For example, the CCMDs are in the process of drafting standard operating procedures for civilian harm assessments; however, coordination to ensure that these inform the related data fields and processes in the data management platform is currently lacking.<sup>80</sup>

While a GAO report mentioned the Army's plan to complete a prototype of the platform in the fall of 2023 by modifying an existing DoD database, interviewees noted that a minimal viable product for the platform is now expected to be finished and released for beta user testing by November 2024.<sup>81</sup> While some DoD officials estimate the data management platform will reach full operational capability by the end of FY25, others expressed skepticism of that timeline.<sup>82</sup> Sources also noted concerns about the usefulness and quality of the forthcoming data management platform, citing pressure to deliver a product on time over a product that meets the purpose and functions envisioned for the platform in the CHMR-AP.<sup>83</sup>

Because Advana (short for Advanced Analytics), a data service contracted by the DoD with Booz Allen Hamilton,<sup>84</sup> is the primary data analytics system utilized across the DoD, multiple sources have predicted that Advana will be a critical component of the data management platform, though additional elements may also be integrated.<sup>85</sup> For example, Advana does not have the functionality to import information from external or public sources, such as civil society reporting and other US government agencies, as prescribed in Action 6f (FY23).<sup>86</sup> As a result, multiple data services may need to be linked to allow the data management platform to function as envisioned by the CHMR-AP.

## Data Management in the CHMR DoD-I

The CHMR-AP dictates that the CHMR DoD-I should further establish DoD-wide policies and responsibilities related to CHMR data management (Action 6d, FY22). The CHMR DoD-I assigns data-related responsibilities to a number of DoD components, including USD(P), USD(A&S), the DoD Chief Information Officer, the Army, combatant commanders, and the CP COE.<sup>87</sup> The responsibilities generally align with the actions required by the CHMR-AP. Some of the delay in Objective 6 actions may be partially due to the late release of the official definition of civilian harm in the CHMR DoD-I, given that it has bearing on the information that DoD officials should collect and input into the data management platform (Action 6d, FY22). For more information on the definition of civilian harm, see **Figure 1** in the **Key Trends** section.

### RECOMMENDATIONS

1. DoD leadership should ensure that efforts to create a minimally viable product and complete the data management platform by FY25 do not displace the ultimate goal of creating a single, consolidated data management system that serves multiple objectives, including understanding civilian harm trends and causes, informing operational decisions with regards to civilian harm, and enabling assessments of, responses to, and transparency regarding civilian harm. To do this, leadership should provide clear guidance on requirements for the data management platform and explicitly facilitate connections between related lines of effort to avoid silos or counterproductive sequencing.
2. Ensure that design and testing of the data management platform consults with and incorporates feedback from stakeholders outside the DoD, including other US government agencies and civil society.
3. Following the completion of a minimal viable product for the data management platform, the Army should continue to regularly update and enhance the platform to meet, and where possible, surpass, the requirements of the platform described in the CHMR-AP.
4. To ensure transparency, enable iterative learning and information sharing, and facilitate civil society consultation and reporting, DoD should publish on the official Civilian Harm Mitigation and Response webpage the Department's CHMR data dictionary (i.e., how DoD defines certain terms and fields within the data management platform) and guidance on how external stakeholders can engage with the data management platform, including by submitting civilian harm incident reports or other relevant information.

## OBJECTIVE 7

# Assessments and Investigations



Establish Department-wide procedures for **assessing and investigating civilian harm** resulting from operations, and expand the sources of information used in assessments and investigations.

### PROGRESS AT A GLANCE



FY	ACTION	ACTION DESCRIPTION	STATUS
2022	<b>7a</b>	<p>Combatant commands, and as appropriate other operational commands, designate a senior official to serve as the Civilian Harm Assessment and Investigation Coordinator in preparation for the onset of crisis or conflict.</p> <ul style="list-style-type: none"> <li>• Civilian Harm Assessment and Investigation Coordinators will oversee assessment and investigation processes, and be responsible to the relevant commander for assessments conducted under their purview.</li> <li>• Investigations will be directed and approved by appropriate authorities in accordance with military department-specific regulations or instructions governing such investigations.</li> <li>• The Civilian Harm Assessment and Investigation Coordinator will monitor investigations and ensure that approved recommendations of investigations feed back into the command's learning processes.</li> <li>• The Civilian Harm Assessment and Investigation Coordinator will ensure deadlines associated with assessments, investigations, and required reporting are met.</li> </ul>	
	<b>7b</b>	<p>USD(P) presents to the Secretary of Defense for approval the staffed DoDI on CHMR, which further establishes DoD-wide policies and a standardized process for civilian harm assessments, adaptable and scalable to different types of operations, and the responsibilities of CHACs. The DoDI will, at a minimum, set forth the following:</p> <ul style="list-style-type: none"> <li>• Functions of CHACs</li> <li>• Purposes of civilian harm assessments, including to: <ul style="list-style-type: none"> <li>– assess whether civilian harm resulted;</li> <li>– enable learning from incidents that result in civilian harm, including by identifying and documenting the causes of civilian harm;</li> <li>– support information requirements of the chain of command, including for the purpose of fulfilling external reporting requirements. This may include publicly available reports regarding civilian harm resulting from operations and, when possible, qualitative and quantitative estimates of the extent of harm that resulted, including the number of civilians killed or wounded; and</li> <li>– enable acknowledgements and, as appropriate, other responses to civilians harmed by operations.</li> </ul> </li> </ul>	

- COMPLETED
- STARTED
- IN PROGRESS
- NO ACTION
- UNKNOWN
- ONGOING

- 
- Procedures for civilian harm assessments, including:
    - criteria for initiating civilian harm assessments;
    - criteria for elevating in the chain of command the responsibility for conducting civilian harm assessments;
    - consideration of all reasonably available information in civilian harm assessments, including information from U.S. military sources, other U.S. government sources, and external sources;
    - guidance regarding the appropriate scale of civilian harm assessments, consistent with mission requirements, the availability of resources, and other operational factors;
    - guidance for applying the “more likely than not” standard when assessing civilian harm;
    - guidance for additional steps that may be taken when information available is insufficient to assess whether civilian harm occurred or other relevant facts;
    - a requirement that individuals or units tasked to lead a civilian harm assessment cannot have been directly involved in the event(s) being assessed, must be objective, and must have the ability to complete the assessment in accordance with mandated timelines or to seek an extension;
    - a requirement that, if, during the course of a civilian harm assessment, credible information indicates that a violation of the law of war may have occurred, the CHAC will promptly submit the incident for reporting in accordance with DoD Directive 2311.01;
    - a requirement to suspend civilian harm assessments, preserve evidence, and immediately notify the responsible Military Criminal Investigative Organization or other appropriate authority if evidence emerges that the civilian harm resulted from criminal activity; and
    - a requirement that, if, during the course of a civilian harm assessment, evidence demonstrates that any other crime may have occurred, the CHAC will ensure that information is included in the assessment and promptly reported to appropriate law enforcement authorities in accordance with existing reporting procedures.

2023

**7c** Combatant commands provide guidance for commanders and their staffs that address the range of potential accountability measures and corrective actions that, where appropriate, can be taken to address matters related to civilian harm incidents.









**7d** Combatant commands, and other operational commands, as appropriate, establish or maintain CHACs.



- CHAC functions will include:
    - Identify, receive, and compile information related to civilian harm, including information from combat assessments; investigations; other U.S. departments and agencies; partner nations; civil society organizations; open-source, including traditional and social media; and other sources, as appropriate;
    - Initiate, conduct, and coordinate civilian harm assessments;
    - Support the command in taking actions in response to civilian harm, such as through public or private acknowledgements of civilian harm and expressions of condolences;
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	<ul style="list-style-type: none"> <li>– Analyze civilian harm incidents, patterns, trends, and factors that have contributed to civilian harm and make these analyses available to command staff in order to inform current operations, and to the CP CoE to inform broader organizational learning;</li> <li>– Document, retain, archive, and disseminate information within the DoD related to civilian harm assessments, investigations, responses, and related analyses; and</li> <li>• CHACs will consist of personnel with expertise in intelligence, fires, civil-military relations, poststrike assessments, analyses, and/or language relevant to the area of operations. CHACs will have access to legal advice from command counsel. Combatant commands are responsible for ensuring CHACs' familiarization with relevant policies, doctrine, and processes. Once the CP CoE is established and has developed relevant training and certification, CHAC personnel will receive CP CoE training and certification.</li> </ul>	
<b>7e</b>	Combatant commands incorporate CHAC functions into operational and contingency plans and assess their specific CHAC manpower requirements, in the context of expected future command structures, including to inform the CHMR manpower study and force generation requirements.	
<b>7f</b>	Joint Staff publishes a Chairman's Instruction to provide further guidance on joint force responsibilities assigned in the forthcoming DoDI on CHMR. This instruction will incorporate guidance specific to CHACs across the joint force, and will address minimum standards for conducting civilian harm assessments, such as a standard list of questions that should be answered, information sources that should be considered, and processes that promote organizational learning and information management. These standards may be further tailored to meet the information needs of operational commands.	
<b>7g</b>	Joint Staff updates relevant doctrine, including, at a minimum, JP 3-60, Joint Targeting, and CJCSI 3162.01, Methodology for Combat Assessment. Updates will incorporate how combat assessments, including battle damage assessments (BDA) and collateral damage assessments (CDA), inform and feed into civilian harm assessments, and ultimately aid in improving understanding of the civilian environment.	 <sup>xiv</sup>
<b>7h</b>	Combatant commands ensure combat assessment production, including BDA, CDA, and munitions effectiveness assessment (MEA) graphics and associated intelligence data, is databased into the authoritative system of record (e.g., MIDB), in accordance with CJCSI 3370.01, Target Development Standards, and CJCSI 3162.01, Methodology for Combat Assessment, to support effective civilian harm assessments, and related analyses and investigations.	
<b>7i</b>	Joint Staff updates appropriate doctrine and guidance, including JP 2.0, Joint Intelligence, to identify civilian harm assessments as a critical information source for updating assessments of the civilian environment during operations.	
<b>7j</b>	Combatant commands develop or update command-specific procedures for assessing civilian harm, consistent with the DoDI on CHMR and guidance provided by the Joint Staff. Command-specific procedures tailored for specific operational environments, when appropriate, will address methods and capabilities for conducting remote assessments, including in non-permissive environments.	

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xiv JP 3-60, *Joint Targeting*, was updated; however the contents of the updates are unknown.

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**7k** The joint proponent for CHMR leads, in coordination with the other military departments, the publication of a multi-service issuance for conducting command-directed investigations into incidents of civilian harm. At a minimum, this issuance will include: (1) qualification requirements for investigating officers; (2) procedures for developing investigative plans; (3) procedures for conducting investigations - including methods and capabilities for conducting remote investigations, including in non-permissive environments; (4) templated, minimum-required investigation questions; (5) categories of information sources to be considered, including non-U.S. sources, open sources, information obtained from interviews, and information obtained from site visits; (6) records management processes; and (7) reporting processes in support of CHMR. Guidance may additionally include templates and example appointment orders. Once established, refinement and updates to the multi-service issuance will be carried out in coordination with the CP CoE.

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2024

**7l** The CP CoE develops training and certification standards for personnel assigned to CHACs and other personnel who will be tasked to lead civilian harm assessments. The CP CoE, in coordination with Joint Staff and military departments, further develops training for personnel appointed to conduct investigations into incidents of civilian harm.

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**7m** Combatant commands and military departments exercise CHAC capabilities during U.S.- only, bilateral, and multinational exercises.

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## Summary

Civil society, media, and government-sponsored research has revealed inconsistencies in when and how the US military conducts civilian harm assessments and investigations, as well as persistent errors in US investigations and failures to incorporate relevant external information.<sup>88</sup> Objective 7 of the CHMR-AP focuses on improving how the DoD assesses and investigates civilian harm, including by designating dedicated staff for civilian harm assessments and investigations, establishing new Department-wide policies and processes, updating doctrine, and developing training and certification standards. The majority of these actions are in progress, though the status of some are unknown.

### *Combatant Commands: Staffing and Procedural Updates*

Action 7a (FY22) requires that CCMDs designate a senior official to serve as the CHAIC in preparation for the onset of crisis or conflict. Action 7d (FY23) also requires CCMDs to establish or maintain CHACs to, among other tasks, initiate, conduct, and coordinate civilian harm assessments. As required by the CHMR-AP, CENTCOM, AFRICOM, and US Special Operations Command (SOCOM) have established and staffed CHACs. The CHMR-AP's initial staffing did not mandate CHAC staff for the other CCMDs, which at the time of drafting do not engage in active combat.

It is unknown whether these CCMDs have subsequently incorporated CHAC functions into their operational and contingency plans as required by Action 7e (FY23) or developed or updated command-specific procedures for assessing civilian harm as required by Action 7j (FY23).

## Assessments & Investigations in the CHMR DoD-I

Action 7b (FY22) requires the CHMR DoD-I to “establish DoD-wide policies and a standardized process for civilian harm assessments, adaptable and scalable to different types of operations, and

the responsibilities of CHACs.” The CHAC functions listed in the CHMR DoD-I are nearly identical to those in the CHMR-AP; however, the CHMR DoD-I also adds additional functions, including supporting the release of information related to civilian harm, supporting the command’s efforts to identify ways to improve CHMR in planning and conducting operations, and supporting command engagements with civil society organizations on CHMR topics.<sup>89</sup> The CHMR DoD-I likewise matches and exceeds the purposes of civilian harm assessments laid out by the CHMR-AP, which include assessing whether civilian harm resulted, enabling learning from civilian harm incidents, supporting information requirements of military and civilian leadership, and enabling acknowledgements and other responses to civilian harm. The CHMR DoD-I further adds to the purposes of assessments (1) informing planning and decision-making in ongoing operations and (2) enabling timely responses to external reports of civilian harm.

Finally, the CHMR-AP instructs the CHMR DoD-I to establish procedures for civilian harm assessments. Sections 4.4 and 4.5 of the CHMR DoD-I lay out the procedures for initial reviews and procedures for civilian harm assessments, respectively, and generally met the criteria laid out in the CHMR-AP. For example, the CHMR DoD-I adopted and standardized across the DoD the “more likely than not” standard for determining whether civilian harm resulted from US operations.<sup>xv</sup> The CHMR DoD-I also addressed a number of key issues highlighted by civil society organizations in DoD’s approach to assessments and investigations,<sup>90</sup> including (1) explicitly expanding the sources considered in assessments and investigations to include external civil society and media reports; (2) establishing criteria for re-opening a civil harm assessment or investigation in the face of new information or significant doubts about the accuracy of the initial assessment; and (3) ensuring that units or individuals tasked with conducting assessments must not have been directly involved in the events being assessed.<sup>91</sup>

## **Additional Guidance on Assessments & Investigations**

Action 7f (FY23) directs the Joint Staff to publish a Chairman’s Instruction to provide further guidance on joint force responsibilities assigned in the CHMR DoD-I. The Chairman’s Instruction was completed on July 31, 2024. The Instruction does not include the level of detail directed by the CHMR-AP, which included addressing “minimum standards for conducting civilian harm assessments, such as a standard list of questions that should be answered, information sources that should be considered, and processes that promote organizational learning and information management.” Instead, the Instruction tasks the Joint Staff Director for Strategy, Plans, and Policy (DJ-5) with developing supplemental guidance on the roles and functions of CHACs across the joint force and minimum standards for conducting civilian harm assessments.<sup>92</sup>

Action 7k (FY23) directs the Army to lead the publication of a multi-service issuance for conducting command-directed investigations into incidents of civilian harm. Drafting of the multi-service issuance is currently in progress.

xv The CHMR DoD-I states, “If there is reason to believe that civilians were injured or killed—or, when the scope of a civilian harm assessment includes damage or destruction of civilian objects, that civilian objects were damaged or destroyed—and that such harm resulted from U.S. military operations, and if other available information does not provide greater reason to believe that civilians were not killed or injured as a result of U.S. military operations, then the ‘more likely than not’ standard would be met.” Office of the Under Secretary of Defense for Policy, *DoD Instruction 3000.17: Civilian Harm Mitigation and Response*, December 21, 2023, <https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/300017p.pdf>.

## Doctrine Updates

Actions 7g and 7i (FY23) direct updates to relevant doctrine, including JP 3-60, *Joint Targeting*, JP 2-0, *Joint Intelligence* (JP 2-0), and *Methodology for Combat Assessment* (CJCSI 3162.01). CJCSI 3162.01 was anticipated to be up for review during the summer of 2024, but we were unable to obtain confirmation of completion or information on specific updates.<sup>93</sup> While JP 3-60 and JP 2-0 have been recently updated, the specific contents of their updates are unknown due to public access constraints. Requests for copies of the documents were denied. If obtained at a later point, they will be analyzed as part of future updates to this report.

## Training and Certification Standards

Action 7i (FY24) directs the CP CoE to develop training and certification standards for CHAC personnel. Development of the training is currently in progress.<sup>94</sup>

## RECOMMENDATIONS

1. The DoD should revisit past harms that have gone under-investigated and unacknowledged, including by re-investigating cases that were likely erroneously dismissed due to shortcomings in past assessment or investigation practices. In accordance with the CHMR-AP and CHMR DoD-I, this should include the establishment of a process for affected civilians or their representatives to submit new information and requests regarding civilian harm to inform initial or revised assessments, investigations, and responses. This process could be led by the USD(P) or the assessment cells at relevant CCMDs.
2. The Army should ensure that the multi-service issuance for conducting command-directed investigations into incidents of civilian harm incorporates best practices from civil society organizations with expertise in investigations and documentation of civilian harm.

## OBJECTIVE 8

# Civilian Harm Response

Review DoD guidance on **responding to civilian harm**, including through, but not limited to, condolences and the public acknowledgement of harm, and update guidance and implementation processes, as appropriate.



### PROGRESS AT A GLANCE



FY	ACTION	ACTION DESCRIPTION	STATUS
2022	<b>8a</b>	<p>USD(P) presents to the Secretary of Defense for approval the staffed DoDI on CHMR, which, at a minimum:</p> <ul style="list-style-type: none"> <li>Establishes an overarching institutional framework for how the Department, as a matter of policy, will respond to civilians harmed by operations, including through public and private acknowledgements and responses to civilian harm, at individual or community levels, and at different time horizons following instances of civilian harm;</li> <li>Identifies that fundamental purposes of acknowledgements and responses include expressing condolences to civilians affected by U.S. operations and helping to address the direct impacts experienced; and</li> <li>Provides standardized guidance for publicly releasing information relating to civilian harm, including the status and results of civilian harm assessments, including the publishing of such information on at least a quarterly basis.</li> </ul>	
	<b>8b</b>	USD(P), in coordination with USD(C), DoD GC, and ASD(LA), submits to the DoD Legislative Program a legislative proposal for consideration in the National Defense Authorization Act (NDAA) for FY24 to support necessary authorities required by the actions in this objective.	
2023	<b>8c</b>	<p>USD(P) updates the <i>Interim Regulations for Condolence or Sympathy Payments to Friendly Civilians for Injury or Loss That is Incident to Military Operations</i>, issued by the then-Acting Under Secretary of Defense for Policy on June 22, 2022<sup>xvi</sup>, consistent with Section 1213 of the NDAA for FY 2020, as amended, including to:</p> <ul style="list-style-type: none"> <li>Identify that fundamental purposes of acknowledgements and responses include expressing condolences to those harmed by U.S. operations and helping to address the direct impacts experienced. While condolence payments have been for the purpose of expressing condolences and not for the purpose of providing assistance, compensation, or relief, other authorities could be sought to achieve these ends;</li> <li>Reflect the amendments that Section 1331 of the NDAA for FY22 made to Section 1213 of the NDAA for Fiscal Year 2020;</li> </ul>	

<sup>xvi</sup> The *Interim Regulations for Condolence or Sympathy Payments to Friendly Civilians for Injury or Loss That is Incident to Military Operations* was issued by the then-Acting Under Secretary of Defense for Policy James H. Anderson on June 22, 2020. The June 22, 2022 date listed in the CHMR-AP is a typo.



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- Establish additional procedures requiring commanders to determine whether, how, and when to respond to civilian harm through the authority provided in Section 1213 of the NDAA for FY 2020, as amended, and other relevant authorities;
  - Create procedures for consulting with and/or expressing condolences to those who have been harmed or their next of kin, or representatives who can speak to their interests, unless otherwise not feasible or appropriate;
  - Provide a range of responses to be considered by commanders, under existing authorities, so that appropriate responses can be offered whenever circumstances permit;
  - Incorporate guidance that country-level or regional-level assessments conducted in consultation with the Department of State, consistent with Section 1213 of the NDAA for FY 2020, as amended, include:
    - options available for responding to civilian harm
    - country- or region-specific guidance on approval authorities for different response options
    - mechanisms for effectively and predictably engaging with civilians affected, for example, using internet-based mechanisms, assigning responsibilities to personnel based at local embassies, through interagency engagement, and/or in coordination with host-nation authorities.
  - Provide further guidance on written records for civilian harm responses, including establishing an expectation that in the future such information be recorded in the DoD-wide CHMR data management platform.

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**8d** Combatant commands, in consultation with USD(P), DoD GC, and Joint Staff, identify all available authorities that can be used to respond to civilian harm and provide guidance to subordinate commanders on the use of these authorities as well as other ways of acknowledging harm, such as verbal or written acknowledgements and condolences.




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**8e** Combatant commands integrate into their operational and contingency plans how subordinate commands will respond when civilian harm results from those operations. This should be supported by appropriate command-level guidance or procedures and include:



- Anticipated means of responding to harm;
- Plans for establishing effective and predictable mechanisms to interact and consult with affected people and societies when and where appropriate and feasible, for example, via internet-based mechanisms; assigning responsibilities to DoD personnel based at local embassies; and possibly in coordination with host-nations;
- Country-level or regional-level assessments conducted in consultation with the Department of State, consistent with Section 1213 of the NDAA for FY 2020, as amended; and
- Resource implications and authorities required.

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**8f** USD(P), in coordination with the Assistant to the Secretary of Defense for Public Affairs (ATSD(PA)), maintains a public-facing webpage where unclassified and releasable DoD policies, reports, and other information related to civilian harm can be readily accessed.



**8g** ATSD(PA), in coordination with USD(P), publishes enduring public affairs guidance to DoD and OSD components emphasizing the proactive release of information and tailorable public affairs approaches regarding civilian harm, which demonstrates 1) respect for civilians and communities harmed by U.S. operations; 2) transparency regarding DoD policies and processes for mitigating and responding to civilian harm; and 3) DoD's efforts to mitigate and respond to civilian harm in particular circumstances.



**8h** USD(P) replaces or supplements the *Interim Regulations for Condolence or Sympathy Payments to Friendly Civilians for Injury or Loss That is Incident to Military Operations* with comprehensive and enduring DoD policy regulations that address the full range of legally available options to acknowledge and respond to civilian harm.



## Summary

In recent years, the DoD has failed to meaningfully respond to civilian harm caused by its operations, including through public and private acknowledgements, formal apologies and explanations, or condolence or *ex gratia* payments. For example, Congress authorizes \$3 million annually for *ex gratia* payments to civilians harmed in US or partnered operations. The DoD has reported just one payment from these funds since 2020 despite many requests from civilian survivors whose harm the military has already confirmed.

Objective 8 of the CHMR-AP mandates the DoD to review and update its guidance on responding to civilian harm, including through condolences and the public acknowledgement of harm. Our research suggests that DoD is making steady progress on key Objective 8 requirements, including the development of an overarching institutional framework for response, updated interim regulations for *ex gratia* payments, and a legislative proposal for additional response authorities. However, in the absence of *ex gratia* payments or other tangible responses, it remains unclear what, if any, effect these policy changes will have for the many civilians still awaiting a response to the devastating harm they and their families endured – the ultimate measure of success.

## Responses in the CHMR DoD-I

The CHMR-AP instructs the CHMR DoD-I to establish an overarching institutional framework for civilian harm response.<sup>95</sup> The CHMR DoD-I, published in December 2023, reflects the requirements of the CHMR-AP and incorporates a number of civil society recommendations.<sup>96</sup>

For example, as required by the CHMR-AP, the CHMR DoD-I updates the purposes for and mechanisms by which the DoD responds to civilian harm, including:

1. Acknowledging harm suffered by civilians and the US military's role in causing or otherwise contributing to that harm.
2. Expressing condolences to civilians affected by military operations.
3. Helping to address the harm suffered by civilians.<sup>97</sup>

Standardizing these goals in the CHMR DoD-I is notable because, prior to the CHMR-AP, existing DoD guidance on *ex gratia* payments framed the purpose of such payments as a counterterrorism tool used to “help authorized commanders obtain friendly relations with and the support of local

populations where U.S. forces are operating.”<sup>98</sup> The updated purpose reflected in the CHMR-AP and CHMR DoD-I better reflects the enduring moral and strategic reasons to respond to civilian harm and treat civilians with the dignity and respect they deserve.

The CHMR DOD-I states that civilian harm responses may take the following forms, reflecting civil society recommendations for ensuring a range of options for addressing civilian harm based on civilian needs and preferences<sup>99</sup>:

- Written or spoken acknowledgements
- Condolence or *ex gratia* payments
- Medical care
- Repairs to damaged structures or infrastructure
- Ordinance removal
- Commemorative events and memorials

The CHMR DoD-I also states that responses should be contextually and culturally appropriate and tailored based on consultations with affected individuals and communities.

Like the CHMR-AP, the CHMR DoD-I includes reference to community-level responses, including in situations where individual-level responses are deemed not “practicable.”<sup>100</sup> However, the details of what these responses might entail, and how they would be differentiated from other forms of community assistance like humanitarian and development aid, are unclear. Civil society organizations have cautioned that while the expansion of DoD’s tools to respond to civilian harm is welcome, community-level responses should not displace individual responses such as *ex gratia* payments, which consultations with victims and survivors of civilian harm have shown to be a valuable avenue for seeking justice and healing.<sup>101</sup> Further civilian and community consultation will be critical to understanding what community-level initiatives would be the most appropriate or responsive to civilian survivors’ needs and preferences. For example, the Dutch experience of seeking to provide community-level amends following a Dutch airstrike in Hawija, Iraq, while commendable in its intent, demonstrated that such efforts may not reach those most directly affected nor be responsive to communities’ needs.<sup>102</sup>

In keeping with past DoD policy and practice, the CHMR DoD-I maintains the commander’s discretion to determine whether, how, and when to respond to civilian harm. This includes an instruction for commanders to integrate civilian harm response into their operational and contingency plans, including consideration of anticipated means of responding to harm and plans for “safe, effective, and predictable mechanisms to interact and consult with affected people and communities.”<sup>103</sup> Beyond these plans, further guidance from the Pentagon will be needed to ensure responses are implemented consistently (see below).

Finally, while the CHMR DoD-I notes that commanders should respond rapidly to civilian harm where possible, “responses may be made after time has passed.”<sup>104</sup> This is critical because it makes explicit the possibility that the DoD could make *ex gratia* payments and other responses in the many cases the Department has already investigated and deemed credible, and in which affected civilians and/or their representatives have requested *ex gratia* payments from the DoD.<sup>105</sup> It also allows decisions around responses to account for the challenging and chaotic information environment of conflict, which may mean that, for example: civilian victims’ identities are unknown to DoD or

nongovernmental organizations at the time of an initial assessment and thus an individual response is not possible until time has passed; civilians and civil society groups cannot safely report harm and seek responses, or collect or access critical documentation for assessments/investigations, until time has passed; and/or that civilian victims do not know what actor caused the harm until a later time.

## Legislative Proposal

Action 8b (FY22) of the CHMR-AP instructs the USD(P) to submit a legislative proposal for consideration in the NDAA for FY24 to “support necessary authorities required by the actions in this objective.”<sup>106</sup> DoD submitted to Congress a legislative proposal dated June 16, 2023 titled, “Payment of Expenses to Help Respond to Civilian Harm.”<sup>107</sup> The proposal would create an additional \$10 million authority for DoD to respond to civilian harm through payment of expense, short-term projects, and in-kind support. This authority would supplement, not replace, the existing \$3 million *ex gratia* authority. CIVIC has welcomed the proposal and encouraged its passage in both the FY24 and FY25 NDAAAs. However, the provision has not been adopted by Congress as of this writing.

## Updated Interim Regulations

Action 8c (FY23) of the CHMR-AP instructs USD(P) to update the June 2020 *Interim Regulations for Condolence or Sympathy Payments to Friendly Civilians for Injury or Loss That is Incident to Military Operations*.<sup>108</sup> Mandated revisions include: updating the fundamental purpose of responses; creating procedures for consulting with and/or expressing condolences to civilian victims/survivors or their representatives; and establishing additional guidance and procedures for commanders to determine whether, how, and when to respond to civilian harm. Action 8c also requires these revisions to reflect the amendments to the *ex gratia* authority made by Section 1331 of the FY22 NDAA, which among other things required the Secretary of Defense to “establish procedures to receive, evaluate, and respond to allegations of civilian harm resulting from military operations” involving the United States, and removed previously existing language limiting eligibility for *ex gratia* payments to individuals deemed “friendly to the United States.”<sup>109</sup> As of writing, these updates are currently in progress.

Action 8h (FY24) of the CHMR-AP requires USD(P) to replace or supplement the *Interim Regulations* with comprehensive and enduring DoD policy regulations that “address the full range of legally available options to acknowledge and respond to civilian harm.”<sup>110</sup> Given that the initial updates to the *Interim Regulations* are not yet complete as of writing, it is unlikely that work on its later replacement has begun in earnest and the timeline for the comprehensive policy regulations is unknown.

## Integration at Combatant Commands

Action 8e (FY23) requires CCMDs to integrate civilian harm response into their operational and contingency plans, including anticipated means of responding to harm, plans for establishing effective mechanisms to consult with affected communities, country- or regional-level assessments, and required resources and authorities. The status of these plans is unknown.

## Tangible Responses to Date

Ultimately, it remains unclear what, if any, effect these policy changes have had on the actual implementation of responses. DoD released its 2022 report on civilian casualties caused by US operations in late April 2024, almost a full year past the congressionally mandated deadline of May

1, 2023. The DoD reported zero *ex gratia* payments made in 2022.<sup>111</sup> The report for 2023, due May 1, 2024, has not been released as of writing, meaning that the number of *ex gratia* payments made in 2023 is unknown.<sup>112</sup>

## Public Affairs & Transparency

Both Action 8g (FY23) of the CHMR-AP and Section 2.12 of the CHMR DoD-I require the Assistant to the Secretary of Defense for Public Affairs (ATSD(PA)) to publish public affairs guidance emphasizing the proactive release of information, respect for civilians and communities harmed by US operations, and transparency regarding DoD policies and processes. The status of this specific guidance is unknown. However, the CHMR DoD-I does include some guidance on terminology in CHMR-related DoD communications. Section 5.3.i of the CHMR DoD-I instructs periodic reports to standardize the use of certain terms, including characterizing the results of civilian harm assessments based on an assessment whether it is “more likely than not” that civilian harm resulted from US operations, as well as avoiding terms such as “allegations” or “evidence” in favor of “information” and “reports”.<sup>113</sup>

Alongside the release of the CHMR DoD-I and as required therein, the Department also published a “Civilian Harm Mitigation and Response” webpage that houses DoD policies on civilian harm, reports to Congress, press releases, memoranda, DoD-commissioned studies, and guidance for reporting civilian casualties (Action 8f, FY23).<sup>114</sup> Information missing from this site include completed civilian harm assessments and investigations, quarterly *ex gratia* reports to Congress mandated by Section 1213 of the FY20 NDAA, and updates to US doctrine mandated by the CHMR-AP.

Finally, the CHMR DoD-I requires CCMDs to publish quarterly reports providing information on the status and results of reviews, assessments, and investigations. AFRICOM publishes quarterly civilian harm assessment reports on its website; the latest quarterly report was for the period ending March 31, 2024.<sup>115</sup> CENTCOM’s Combined Joint Task Force – Operation Inherent Resolve also publishes occasional press releases on civilian harm, though the exact cadence of these releases is unclear.<sup>116</sup> While these reports include the status of assessments and the ultimate results of completed assessments, they do not publish the assessments or investigations themselves, in part or in full, nor do they provide information about how or why DoD arrived at its conclusions, why individuals involved were targeted, whether any wrongdoing was found in cases of civilian harm, or what steps will be taken to prevent similar recurrences in the future.

## RECOMMENDATIONS

1. The DoD should urgently utilize the \$3 million authorized annually by Congress for the provision of *ex gratia* payments to victims and survivors of civilian harm through Section 1213 of the 2020 NDAA, as amended, starting with those cases of civilian harm that the DoD has already acknowledged and for which requests have been made by the affected individuals and/or their representatives.
2. USD(P) should ensure that the updated interim regulations on *ex gratia* payments (Action 8c, FY23) reflect the policy commitments of both the CHMR DoD-I and CHMR-AP as well as amendments to the *ex gratia* authorization made by Section 1331 of the FY22 NDAA, such as the removal of requirements that eligible civilians be “friendly” to the United States and the requirement to establish procedures to receive, evaluate, and respond to allegations of

civilian harm resulting from military operations. The updated regulations should also proactively encourage commanders to make *ex gratia* payments in acknowledged cases of civilian harm wherever possible and in line with victims' preferences, and include explicit approval and encouragement for payments in prior cases already assessed/investigated and deemed credible by the DoD but where no payments were made.

3. The CP CoE, and other DoD components and US government agencies as appropriate, should conduct additional research and civilian consultation on issues around community-based amends, such as civilian and community preferences for community-based amends in different contexts and best practices for community-based consultation; the overlap and/or deconfliction between community-based amends and humanitarian and development assistance programs; how to implement community-based amends in contexts of shifting territorial control and/or areas without US presence on the ground; considerations for amends based on gender; and means of implementing community-based amends that account for high levels of displacement, such as providing assistance in internally displaced persons camps.
4. The DoD should engage with Congress to ensure passage of the DoD's legislative proposal<sup>117</sup> to create an additional authority to help respond to civilian harm through short-term projects, payments, and other in-kind support to victims and survivors of civilian harm.
5. The DoD should establish as regular practice the public release of full civilian harm assessments and investigations and their findings, with minimal redactions only to protect the privacy and security of individuals or narrowly as required to protect national security. The Department should also release the many previous assessments and investigations that have never been made public, including the recent investigations into the 2019 Baghuz and 2021 Kabul strikes.<sup>118</sup>

## OBJECTIVE 9

# Security Cooperation

Establish and resource civilian harm mitigation and response as a **component of security cooperation programs**, and, as appropriate, **implement tailored conditionality** to promote ally and partner efforts.



### PROGRESS AT A GLANCE



FY	ACTION	ACTION DESCRIPTION	STATUS
2022	9a	<p>USD(P) presents to the Secretary of Defense for approval the staffed DoDI on CHMR, which incorporates as a matter of policy that DoD integrates into security cooperation programs and security assistance programs efforts to (1) encourage and support ally and partner forces in developing additional capabilities to reduce the risk of civilian harm, and (2) support their efforts to implement CHMR practices, and which, at a minimum, incorporates the following responsibilities:</p> <ul style="list-style-type: none"> <li>• USD(P) to establish CHMR as a component of DoD security cooperation programs; establish required procedures to assess, monitor, and evaluate the ability, willingness, norms, and practices of allies and partners to implement appropriate CHMR practices, including developing an assessment framework for partner CHMR capabilities; and incorporate CHMR objectives into appropriate security cooperation programs;</li> <li>• USD(I&amp;S) to support other DoD and OSD components and U.S. Government agencies, as appropriate, by ensuring the Defense Intelligence Enterprise’s operational support to warfighters and decision-makers includes research and analyses of foreign forces’ civilian harm mitigation and response practices in support of security cooperation efforts and multinational operations and operations with non-state actors;</li> <li>• DSCA to coordinate integration of CHMR into programs across the security cooperation enterprise; develop and implement security cooperation programming on CHMR; ensure processes are in place to assess, monitor, and evaluate the ability, willingness, norms, and practices of allies and partners to implement CHMR practices; and train the security cooperation workforce in CHMR; and</li> <li>• Combatant commands to incorporate CHMR objectives for security cooperation into combatant command campaign plans, theater security cooperation strategies, and country campaign plans, as appropriate.</li> </ul>	



2023	<p><b>9b</b> DSCA establishes a CHMR office to coordinate integration of CHMR into programs and activities across the security cooperation enterprise, including those developed and implemented by DSCA, combatant commands, military departments, and other DoD and OSD components consistent with the authority provided to DSCA in 10 U.S.C. 382 (b). Responsibilities of this CHMR office include gathering training, education, and advising materials for partner engagement to be held in a central repository for use across the security cooperation enterprise; collecting best practices for integrating CHMR throughout security cooperation programs and activities; and developing additional materials.</p>	
	<p><b>9c</b> USD(P), Joint Staff, combatant commands, and military departments establish A&amp;P CHMROs to facilitate CHMR integration into security cooperation policies, programs, and activities, multinational strategies and plans, such as combatant command campaign plans, theater security cooperation strategies, and as appropriate into country campaign plans. A&amp;P CHMROs have a leading role in implementing actions identified in Objectives 9 and 10 for their organizations.</p>	
	<p><b>9d</b> USD(P) develops interim policy guidance identifying the roles, responsibilities, and procedures through which the Department takes action, as appropriate, in response to reports of civilian harm by ally or partner forces from USG and non-USG sources.</p>	
	<p><b>9e</b> USD(P) develops minimum standards for conducting CBAPs, which will be applied when developing and implementing security cooperation programs and when planning and conducting multinational operations. USD(P), in coordination with combatant commands, identifies priority countries for initial CBAPs.</p>	
	<p><b>9f</b> USD(I&amp;S) directs the Defense Intelligence Enterprise to include analysis of partner capabilities into relevant standing product lines and mission sets (e.g., DIA Military Capability Studies, Military Leadership Profiles) to inform CBAPs and monitoring of security cooperation programs.</p>	
	<p><b>9g</b> DSCA develops initial CBAPs for priority countries and ensures assessments are available to the security cooperation enterprise, military departments, and relevant combatant commands, including their subordinate operational commands.</p>	
2024	<p><b>9h</b> Combatant commands conduct CBAPs for any allies and partners in their area of responsibility and ensures CBAPs are available to relevant commands, including their subordinate operational commands, and DoD and OSD components with relevant security cooperation responsibilities.</p>	
	<p><b>9i</b> USD(P) issues DoD policy guidance that addresses the comprehensive integration of CHMR across security cooperation programs, which, at a minimum, includes:</p> <ul style="list-style-type: none"> <li>• Use of CBAPs in developing and tailoring security cooperation programs to improve ally and partner efforts to effectively and responsibly operate;</li> <li>• Policy compliance checks in security cooperation programs, such as during feasibility review, to ensure civilian harm concerns were adequately assessed and mitigated;</li> <li>• A definition of tailored conditionality that includes setting conditions for security cooperation relationships specific to a partner's CHMR capability and will, as well as the wider goals of the relationship;</li> </ul>	

- Implementing tailored conditionality in security cooperation programs, to include identification of situations in which tailored conditionality should be applied and procedures for application;
- Additional requirements (e.g., CHMR monitoring) for security cooperation programs that build ally or partner kinetic and intelligence capabilities;
- Responsibilities for gathering information on partner capabilities, to include information from other U.S. departments and agencies;
- Incorporating into partner engagements and defense article and service transfer agreements an understanding that recipients of security cooperation will provide pre-transfer assurances that document willingness to apply appropriate civilian harm mitigation measures; and
- Frequency and scope of evaluations of CHMR elements of security cooperation programs, policies, and the workforce.

**9j** USD(P) updates DoD Directive 5132.03, *DoD Policy and Responsibilities Relating to Security Cooperation*, and DoD Instruction 5000.68, *Security Force Assistance*, to reflect policy and responsibilities related to CHMR and security cooperation programs.



**9k** DSCA, in coordination with combatant commands and military departments, conducts an assessment of training, education, technology, and advising offerings currently available through security cooperation, including 1) what they offer on CHMR and in other areas that enable CHMR (such as improving targeting, intelligence/PID, other operational doctrine and processes, etc.); and 2) analysis of what gaps exist. DSCA presents the results of this review to the CHMR SC with a proposed way forward for improving DoD's CHMR training, education, technology, and advising offers related to security cooperation.



## Summary

US security cooperation activities, including training programs and the provision of arms, often involve civilian harm risks. Objective 9 of the CHMR-AP seeks to establish and resource civilian harm mitigation and response as a component of security cooperation programs, including implementing “tailored conditionality.” Interview data suggests that, as Objective 9 activities have taken shape, they appear to have departed from the CHMR-AP’s original plans, including regarding the entity responsible for Objective 9 actions and the envisioned creation of a CHMR office in the Defense Security Cooperation Agency (DSCA).

The commitments and principles reflected in Objective 9 have also stood in stark contrast to DoD’s actual practice over the implementation period, particularly regarding the US government’s unconditional military support to the government of Israel in the face of catastrophic civilian harm using US weapons.<sup>119</sup>

## No CHMR Office in DSCA

According to a DoD official, DSCA has not set up a CHMR office and does not currently plan to do so (Action 9b, FY23). Instead, they have CHMR personnel placed throughout the organization.<sup>120</sup> DSCA therefore lacks a central coordinating authority to ensure CHMR is effectively integrated

across security cooperation programming, and its CHMR activities may have shrunk in scope and ambition as a result. Additionally, the USD(P)'s Global Partnerships Office has oversight of Objective 9 activities and has taken the lead on certain actions originally assigned to DSCA.<sup>121</sup>

Notably, the DoD's budget request for CHMR in FY25 includes an additional 10 FTEs allocated to DSCA – a significant increase from the three FTEs allocated per the CHMR-AP – indicating an increased investment and scope of ambition regarding CHMR-AP implementation for FY25.<sup>122</sup> The majority of these additional FTEs will be allocated to the Defense Security Cooperation University to support CHMR-related institutional capacity building with US security partners as well as education and training of the DoD workforce regarding CHMR and security cooperation.<sup>123</sup>

## **Security Cooperation in the CHMR DoD-I**

The CHMR DoD-I generally meets the requirements of the CHMR-AP in its handling of security cooperation (Action 9a, FY22). The CHMR DoD-I requires USD(P), DSCA, the Secretaries of the Military Departments, and relevant combatant commanders to incorporate CHMR into security cooperation and assistance programs and support ally and partner forces to develop additional capabilities to reduce civilian harm.<sup>124</sup> This includes the development of procedures by USD(P) and DSCA for assessing, monitoring, and evaluating ally and partner's capability and willingness to implement CHMR practices (discussed below), as well as the responsibility of relevant combatant commanders to incorporate CHMR objectives for security cooperation into campaign plans and theater security cooperation strategies.

Notably, DSCA has reportedly not gathered “training, education, and advising materials for partner engagement to be held in a central repository for use across the security cooperation enterprise” as required by CHMR-AP Action 9b (FY23). A DoD official said this was because they interpreted the DoDI requirement at 2.2.a(1), which stated that DSCA's duties include “Identifying, developing, and cataloging relevant training and education materials and offerings for allies and partners,” to supersede the CHMR-AP's requirement for a central repository of material.<sup>125</sup>

## **CHMR Baselines of Allies and Partners (CBAPs)**

The CHMR-AP requires DoD to develop CBAPs to shape security cooperation program design. The CHMR DoD-I further tasks the DSCA Director with supporting the implementation of the guidance for CBAPs and ensuring additional processes are in place to assess, monitor, and evaluate the ability, willingness, norms, and practices of allies and partners to implement appropriate and effective CHMR processes.<sup>126</sup> These additional requirements and processes are especially crucial for monitoring and conditioning security cooperation and security assistance programs on partners' CHMR outcomes.

USD(P), through the Center for Naval Analyses (CNA), a federally funded research and development center, is developing a framework for conducting CBAPs with the goal of the assessments being used in security cooperation and all phases of multinational operations (Action 9e, FY23).<sup>127</sup> CNA is also conducting the initial pilot CBAPs for priority countries identified by the CCMDs, a role the CHMR-AP had assigned to DSCA (Action 9g, FY23).<sup>128</sup> The pilot CBAPs, one with AFRICOM and one with US Southern Command (SOUTHCOM), are expected to be completed by the end of FY24.<sup>129</sup> USD(P) will use feedback from the pilots to improve the CBAP format and expand the pilot to



**US Army Black Hawk helicopters participate in Exercise Fuji Viper at Camp Fuji, Japan:** CAMP FUJI, Japan (Feb. 25, 2021) - UH-60L Black Hawks with the U.S. Army Aviation Battalion Japan participate in Exercise Fuji Viper 21-2.2 at Combined Arms Training Center, Camp Fuji, Japan, Feb. 25, 2021. During this exercise, Marines honed tactics, techniques and procedures to support expeditionary advanced base operations at the platoon and company level. (U.S. Marine Corps photo by Staff Sgt. David Staten)

additional countries in FY25.<sup>130</sup> One DoD official highlighted the risk that, absent sufficient effort and political will to connect CBAPs with security cooperation planning and decision making, CBAPs may simply be a box-checking exercise that fails to influence an already predetermined policy outcome.<sup>131</sup>

## Tailored Conditionality

The CHMR-AP directs the DoD to implement “tailored conditionality” to promote ally and partner CHMR efforts. Action 9i (FY24) instructs USD(P) to issue policy guidance defining and providing guidance on the application of the “tailored conditionality” concept, including a definition that sets conditions for security cooperation relationships based on a partner’s CHMR capability and will. The status of such policy guidance is unknown.

Tailored conditionality does not appear in the CHMR DOD-I. Instead, the CHMR DOD-I discusses security assistance in a solely additive sense, meaning that the DOD will provide additional capabilities to allies and partners to improve their ability to protect civilians, as opposed to modifying or halting assistance based on poor conduct. While this approach, sometimes referred to as “positive conditionality,” may be appropriate in cases where forces lack the training or capabilities needed to effectively prevent civilian harm, it is unlikely to address the many other cases in which the problem is one of political will or lack of accountability.<sup>132</sup>

## Other Security Cooperation Policy and Doctrine

USD(P) is in the process of drafting interim policy guidance on roles, responsibilities, and procedures in response to reports of civilian harm by ally and partner forces (Action 9d, FY23). The scope and process is expected to be similar to the Civilian Harm Incident Response Guidance (CHIRG), a State Department process designed to assess reports of US-origin arms being used in civilian harm incidents.<sup>133</sup> We did not obtain any information on whether updates to DoD Directive 5132.03, *DoD Policy and Responsibilities Relating to Security Cooperation*, or DoD Instruction 5000.68, *Security Force Assistance* had begun. Per the DoD's online library of DoD issuances, it appears that these two documents have not been updated since 2016 and 2010, respectively (Action 9j, FY24).<sup>134</sup>

### RECOMMENDATIONS

1. As USD(P) works to finalize the CBAP framework, it should (1) ensure transparency and consultation with civil society to validate the framework components; (2) build into the framework the expectation for CCMDs to consult local, national, and international civil society in conducting their CBAPs; and (3) include the requirement to continue monitoring partner behavior past the initial CBAP through periodic reviews and to regularly update CBAPs to reflect changes.
2. USD(P) should ensure that forthcoming policy guidance on tailored conditionality includes a range of measures not limited to “positive conditionality” and provides criteria for when security assistance should be reduced, modified, or suspended based on partner behavior. Findings of misuse or ineffectiveness of US assistance should trigger a review or, when appropriate, suspension of security cooperation activities. The implementation of tailored conditionality should be consistent with Section 4 of the Conventional Arms Transfer Policy, which bans an arms transfer when it is more likely than not that weapons in question will be used to commit, facilitate, or aggravate the risk of a serious violation of IHL or human rights law.<sup>135</sup>
3. The CHMR-AP envisioned a central coordinating authority across security programs for CHMR in the form of a DSCA office. In the absence of such an office, DSCA's CHMR activities have shrunk in scope and ambition. To ensure CHMR is effectively integrated into the security cooperation enterprise, DSCA should establish a coordinating authority or office to take ownership of CHMR efforts. The head of this office should report to the DSCA Director or Deputy Director and be sufficiently senior to have the authority needed to oversee and coordinate meaningful CHMR efforts and reforms.
4. While information gathering mechanisms like the CBAPs are crucial to ensure DoD understanding of civilian harm risks involved in security cooperation activities, successful mitigation of civilian harm in security cooperation hinges on policy integration. The DoD should focus on the comprehensive integration of CHMR into security cooperations programs - to include program selection, program design, feasibility review, and assessment, monitoring, and evaluation - to reduce the risk of the CBAPs becoming a mere data collection exercise and having no tangible impact on security cooperation decisions.

## OBJECTIVE 10

# Multinational Operations and Operations With Non-State Actors

Establish guidance, responsibilities, and processes for incorporating civilian harm mitigation and response during all phases of **multinational operations** and **operations with non-state actors**.



### PROGRESS AT A GLANCE










FY	ACTION	ACTION DESCRIPTION	STATUS
2022	<b>10a</b>	USD(P) presents to the Secretary for approval the staffed DoDI on CHMR which establishes as a matter of DoD policy that DoD will apply CHMR policies and practices in multinational operations and operations with non-state actors, and encourage and support U.S. allies and partners to implement CHMR practices, including through combined planning and processes.	
2023	<b>10b</b>	USD(P), Joint Staff, combatant commands, and military departments establish A&P CHMROs to facilitate CHMR integration into security cooperation policies, programs, and activities, multinational strategy and plans, such as combatant command campaign plans, theater security cooperation strategies, and as appropriate into country campaign plans. A&P-CHMROs have a leading role in implementing actions identified in Objectives 9 and 10 for their organizations.	
	<b>10c</b>	Joint Staff updates JP 3-16, Multinational Operations, including Appendix A, to incorporate planning considerations and guidance for CHMR efforts, including with respect to: <ul style="list-style-type: none"> <li>Establishing a command structure for the multinational force;</li> <li>Conducting civil affairs operations that contribute to analyses of the civilian environment, the development of a common operating picture, and military engagements to more effectively assess civilian harm;</li> <li>Establishing shared information capabilities and processes that support understanding of the civilian environment, including intelligence sharing, as appropriate; and</li> <li>Assessing and responding to civilian harm.</li> </ul>	<sup>xvii</sup>
	<b>10d</b>	USD(P) develops a framework for conducting CBAPs, which will be applied when developing and implementing security cooperation programs and activities and when planning and conducting multinational operations and operations with non-state actors. USD(P) in coordination with combatant commands, identifies priority countries for initial CBAPs.	
	<b>10e</b>	DSCA develops initial CBAPs for priority countries and ensures assessments are available to the security cooperation enterprise, military departments, and relevant combatant commands, including their subordinate operational commands.	

<sup>xvii</sup> JP 3-16, *Multinational Operations*, was updated; however, contents of the updates are unknown.



2024

<b>10f</b>	Combatant commands, when incorporating CHMR into operational and contingency plans and combatant command campaign plans, leverage information available in CBAPs and ensure that multinational and/or partnered aspects of the plans facilitate a shared understanding of the civilian environment and processes for assessing and responding to civilian harm.	
<b>10g</b>	Combatant commands and subordinate operational commands coordinate with allies and partners to incorporate into coalition campaign plans, and other similar planning documents, a clear articulation of desired outcomes with respect to the civilian environment as part of overall mission objectives. Combatant commands also ensure these plans account for information collection and sharing processes that facilitate shared awareness about the civilian environment; processes for developing a shared assessment of, and responsibilities for, responding to civilian harm; and clear delineation of command authorities and relationships.	
<b>10h</b>	Joint Staff leverages existing international mechanisms and processes (e.g., the Multinational Strategy and Operations Group) to discuss CHMR in multinational operations, including, but not limited to, incorporation in planning and standup documents, articulation of desired outcomes with respect to the civilian environment as part of overall mission objectives, information collection and sharing processes that facilitate shared awareness about the civilian environment, and processes for developing a shared assessment of, and responsibilities for, responding to civilian harm.	
<b>10i</b>	The Joint Staff, in coordination with DoD CIO and Defense Information Systems Agency, the combatant commands, military departments, and intelligence agencies, identifies minimum requirements and standards for partner-information sharing networks that incorporate CHMR requirements for use in future planning and operations.	
<b>10j</b>	Military departments and other DoD and OSD components that are responsible for existing partner-information sharing networks (e.g., BICES, CENTRIX, and others) assess current capabilities, including testing during bilateral and multilateral engagements and exercises, and provide feedback to the Joint Staff to update the minimum requirements and standards created in Action 10.i. Re-assessments occur on a regular basis, roughly every two to three years thereafter.	
<b>10k</b>	Joint Staff, in coordination with combatant commands and military departments develops or updates a Capability Development Document based on minimum requirements and standards for partner information sharing networks for use in future planning and operations as identified in Action 10.i. Joint Staff will present the findings to the CHMR SC, along with a proposed way forward to fill capability gaps.	
<b>10l</b>	Combatant commands conduct CBAPs for all allies and partners in their areas of responsibility and ensure CBAPs are available to relevant commands, including their subordinate operational commands, and DoD and OSD components with relevant responsibilities.	

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**10m** Combatant commands and military departments integrate CHMR considerations into multinational training and exercise objectives, where appropriate, including by incorporating clear articulations of end-state objectives with respect to the civilian environment as part of overall mission objectives, and by incorporating processes and procedures such as those related to the joint targeting process and humanitarian notification/deconfliction systems that are important for understanding and mitigating adverse impacts to significant aspects of the civilian environment.

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## Summary

Lack of alignment on civilian harm mitigation in the context of multinational operations has often contributed to civilian harm.<sup>136</sup> Objective 10 directs the DoD to establish guidance, responsibilities, and processes for incorporating CHMR during all phases of multinational operations as well as operations with non-state actors.

A number of the actions of Objective 10 overlap with those of Objective 9, which deals with US security cooperation. These include the development of CBAPs (Actions 10d-f and 10l, FY23) and the establishment of A&P CHMROs at CCMDs and other components (Action 10b, FY23). These will not be repeated below; for more information, see **Objective 9**.

## Multinational Operations in the CHMR DoD-I

As required by the CHMR-AP (Action 10a, FY22), the CHMR DoD-I establishes that the DoD will apply CHMR policies and practices in all phases of multinational operations and operations with non-state armed groups, including through shared guidance and processes.<sup>137</sup> The CHMR DoD-I also notes that DoD will encourage and support US allies and partners, including non-state armed groups, to implement their own CHMR practices, including through information sharing, combined planning, and operational coordination and deconfliction.

## International Engagement on CHMR

The CHMR-AP requires the Joint Staff to use existing international mechanisms and processes, such as the Multinational Strategy and Operations Group, to discuss CHMR in multinational operations (Action 10h, FY23). We could not confirm Joint Staff action in this area. Nonetheless, per social media, the USD(P) and the CP CoE have led and participated in meetings for the International Contact Group on Civilian Harm Mitigation and Response.<sup>138</sup> USD(P) also participated in the first multilateral follow-up conference<sup>139</sup> to review the implementation of the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas, which was endorsed by the United States and 82 other states in 2022 and commits states to implement a series of initiatives, many of which overlap with CHMR-AP objectives.<sup>140</sup>

## Other Security Cooperation Policy and Doctrine

Joint Staff updated Joint Publication 3-16, *Multinational Operations* (Action 10c, FY23). The authors' request for the document was denied by the DoD, and we were unable to confirm whether the updates included planning considerations and guidance for CHMR efforts as required by the CHMR-AP.

## CHMR Capabilities for Multinational Operations

We were unable to confirm whether the Joint Staff took action to identify minimum requirements for partner-sharing information networks (Action 10i, FY23) and developed or updated a Capability Development Document (Action 10k, FY24). Nor were we able to confirm if military departments and other DoD and OSD components conducted assessments of current partner-sharing information networks (Action 10j, FY23).

Finally, the CHMR-AP requires CCMDs and military departments to integrate CHMR considerations into multinational training and exercise objectives, where appropriate (Action 10m, FY24). While DoD officials confirmed that CHMR was integrated into one or more exercises, it is not clear if CHMR was integrated into exercise objectives or how many CCMDs have done so.

### RECOMMENDATIONS

1. CCMDs and military departments should integrate CHMR into all stages of multinational exercises, including by integrating CHMR into exercise objectives and after-action reviews. Just as with other aspects of combined operations, this will allow partners to standardize practices and identify and proactively fill potential interoperability gaps related to CHMR policies and practices ahead of combined operations.
2. Before or from the outset of multinational operations, the DoD and partners should ensure clear expectations and agreements regarding policies and practices affecting CHMR, including rules of engagement, procedures for reporting and investigating civilian harm, and policies for responding to and learning from civilian harm. Mechanisms for discussing and standardizing these approaches with allies and partners, such as the International Contact Group, are welcome initiatives that should continue.
3. The Joint Staff should support efforts to create a common picture of the operating environment, particularly with regards to the civilian environment, in multinational operations, including by incorporating CHMR requirements into partner-sharing information networks and the development of “mission partner environments”.<sup>141</sup> In doing so, DoD should closely consult civil society, including regarding the civilian environment and data security and privacy.

## OBJECTIVE 11

### Staffing

Create **dedicated positions for civilian harm mitigation and response efforts** at OSD, Joint Staff, combatant commands, military departments, and other relevant DoD components, including in support of policy, planning, training, capabilities, doctrine, and operations, and ensure that combatant commands are postured to stand up CHACs for use during operations.



#### PROGRESS AT A GLANCE



FY	ACTION	ACTION DESCRIPTION	STATUS
2022	<b>11a</b>	The Secretary designates an appropriate DoD component as the joint proponent for CHMR, and designates the USD(P) as the cognizant principal staff assistant within the Office of the Secretary of Defense to oversee the activities of the joint proponent on behalf of the Secretary of Defense.	●
	<b>11b</b>	The Joint Staff, combatant commands, military departments, and other DoD and OSD components as relevant stand up an internal CHMR WG. These CHMR WGs will help their respective organizations implement their CHMR responsibilities as established in the CHMR-AP and in the forthcoming DoDI. CHMR WGs will network with the CP CoE.	▶
	<b>11c</b>	USD(P), in coordination with the joint proponent for CHMR, submits to USD(C) an FY23 UFR request that includes, at a minimum, the following initial staffing adjustments for FY23. The UFR request will provide detailed justification for resourcing required in order to compete favorably among other DoD priorities. The UFR request will be presented to Congress in early FY23.	●
	<b>11d</b>	USD(P), in coordination with the joint proponent for CHMR, USD(C), DoD GC, and ASD(LA), develops any necessary legislative proposals for consideration within the DoD Legislative Program.	●
	<b>11e</b>	USD(P) presents to the Secretary for approval the staffed DoDI on CHMR, which further establishes DoD-wide policies and DoD and OSD components' respective responsibilities related to CHMR, including responsibilities related to the CP CoE. These responsibilities will inform the requirements to be considered in the Department-wide CHMR manpower study.	●
2023	<b>11f</b>	USD(P), in coordination with the joint proponent for CHMR, submits an issue paper for the FY24-FY28 Program and Budget Review for resources across the CHMR enterprise for FY24-FY28, while additional steps, including a Department-wide manpower study, are conducted to refine resource requirements.	◉

● COMPLETED
○ STARTED
◐ IN PROGRESS
○ NO ACTION
◉ UNKNOWN
▶ ONGOING

2024

<b>11g</b>	The joint proponent for CHMR leads and is responsible for consolidating findings of a Department-wide CHMR manpower study, conducted jointly by the Department of the Army, the Department of the Navy, and the Department of the Air Force, to determine the manpower needs for the entire CHMR enterprise at all echelons across the force. This study will include manpower requirements related to CHMR functions at the CP CoE, OSD, Joint Staff, combatant commands, military departments, Defense Intelligence Enterprise, Defense Security Cooperation Agency, and other relevant DoD components. This study will be sponsored by USD(P), and conducted in consultation with USD(P&R). The results of this study will be presented to the CHMR SC.	
<b>11h</b>	Upon release of the forthcoming DoDI on CHMR, relevant DoD and OSD components identify to the CHMR SC anticipated resource shortfalls and request further reprogramming actions that may be required.	
<b>11i</b>	The joint proponent for CHMR submits a FY25 Issue Paper for enduring CHMR requirements in FY25 and beyond, based upon the findings of the CHMR manpower study and any other resourcing requirements that are identified. If needed, the joint proponent for CHMR, in coordination with USD(C), DoD GC, and OSD(LA), also develops any necessary legislative proposals for consideration within the DoD Legislative Program.	
<b>11j</b>	Upon appropriation of funds based on the FY24 budget, relevant DoD and OSD components resource their CHMR efforts.	
<b>11k</b>	Joint Staff incorporates language into JP 3-33, Joint Task Force Headquarters, and JP 1-0, Joint Personnel Support, to ensure that combatant commands standing up Joint Task Forces (JTF) consider CHMR staffing requirements, including for CHACs, as described in Objective 8.	

## Summary

Dedicated staffing is key to sustainable progress on CHMR in the DoD. Objective 11 directs the creation of dedicated positions for CHMR efforts across the DoD. This was a key area of focus for DoD's CHMR-AP implementation over the past few years, as many other actions rely on available staffing. The growth in CHMR-focused staff and expertise across the DoD represents significant and sustainable progress in CHMR-AP implementation and institutionalization of CHMR more broadly. At the same time, challenges and delays in the hiring process have therefore created subsequent challenges in the implementation of other objectives and actions. According to our research, while the Department has yet to hire all of the 166 FTEs called for by the CHMR-AP, it has completed a majority of Objective 11 actions for Phases 0-2, including a majority of the directed hiring.

## Resourcing and Staffing the CHMR Enterprise

The USD(P), in coordination with the Army, submitted to the Comptroller (USD(C)) an unfunded requirement (UFR) request for FY23 for the initial staffing, facilities, and operating costs associated with CHMR-AP implementation activities (Action 2b/11c, FY22).<sup>142</sup> Congress appropriated \$41.75 million to the DoD for these functions, including but not limited to the CP CoE, staffing adjustments at existing DoD components, the data management platform, red team training school, and the manpower analysis study.<sup>143</sup> This UFR was informed by the FTE estimates outlined in the CHMR-AP and was provided with the contingency that the DoD conduct the manpower study to validate those estimates and justify the authorization of personnel.

Congress appropriated another \$41.5 million to DoD for CHMR related activities for FY24 - \$10 million less than was requested by the DoD, according to DoD records acquired by CIVIC and Stimson - which would be allocated across the DoD and OSD components (Action 2i/11j, FY24).<sup>144</sup> Eighty percent of these funds were requested for CHMR personnel costs, with the remainder intended for CP CoE and red team school facilities, the data management platform, and the manpower study.<sup>145</sup>

DoD requested another \$72.8 million for FY25 CHMR activities, which includes an additional 22 FTEs across the force and an additional \$27.5 million for “mission support” and OSD’s “Operations & Management Defensewide” funding.<sup>146</sup> At the time of writing, FY25 appropriations legislation has not been enacted. However, the Senate appropriations bill for FY25 includes report language that recommends fully funding the FY25 President’s budget request for CHMR and directs the Secretary of Defense to submit alongside the FY26 President’s budget request a report on CHMR resources and programs in the Future Years Defense Program.<sup>147</sup> This report, anticipated in February 2025, will compile and shed light on the DoD’s process for budgeting for CHMR efforts and provide greater specificity on the allocation of CHMR funds across the DoD components over the next five years (FY26 - FY30).

## **CHMR Manpower Study**

The CHMR-AP estimated that the DoD would need 166 FTEs across all DoD components to implement the Action Plan. Action 11g (FY23) requires the DoD to undertake a Department-wide manpower assessment to validate CHMR personnel needs. The DoD provided the Army \$250,000 to lead a joint manpower study in FY23.<sup>148</sup> The findings from the initial study, which are not public, were presented to the CHMR Steering Committee in July 2023<sup>149</sup> and will be adjusted based on continued assessment through FY25.<sup>150</sup>

Sources within the DoD discussed several limitations of the manpower study and its initial findings. First, some interviewees noted that the study was not “fit for purpose” since the Department’s manpower studies are designed to find inefficiencies in existing organizations, not necessarily for the establishment of a new DoD-wide initiative. As a result, the findings did not fully reflect DoD’s actual CHMR manpower needs.<sup>151</sup> Second, sources noted that the timeline of the manpower study relative to the other actions in the CHMR-AP meant that the study was conducted too early for the results to be accurate. For example, the study was conducted to validate the resourcing needs laid out in the CHMR-AP only, since it was conducted six months prior to the release of the CHMR DoD-I, which provides a greater level of specificity on the roles and responsibilities within the CHMR enterprise.<sup>152</sup> The study was also conducted before DoD components had determined and developed documentation on the necessary activities and the number of hours required for each function.<sup>153</sup>

Regardless of the disadvantages of a premature manpower study, the study was necessary early in the sequencing of CHMR-AP activities in order to validate staffing needs for ongoing programming and budgeting processes and authorize the personnel required to stand up CHMR teams as soon as possible. An updated assessment, led by the Air Force, is planned for next year (FY25), which will allow DoD components to justify additional and refine existing personnel requirements.<sup>154</sup>

## **Progress and Challenges**

Action 11c (FY22) allocates the required 166 FTEs across the various DoD components. While some components have successfully onboarded their allocated number of FTEs, information was unavailable for some components. As the CHMR joint proponent and the home of the CP CoE, the Army has the largest allocation of FTEs and began their hiring processes as soon as possible. As of

August 2024, the Army had filled all of their positions outside of the CP CoE, but sources noted that more were needed for such a monumental undertaking.<sup>155</sup> Staffing progress has varied across the CCMDs and other services.<sup>156</sup>

Sources reported a number of hiring challenges in the initial years. The CHMR-AP mandated a majority of the hiring actions in Phase 0 (FY22), envisioning the substantive CHMR work to be fully staffed and underway by Phase 1 (FY23). However, since the CHMR-AP was released by Secretary Austin in August of 2022, the Department was behind schedule before it started. All actions for Phase 0 could not be completed before the next fiscal year, which began just over a month after the CHMR-AP's release.

DoD components ran into an additional challenge in the type of personnel it was authorized to hire. For example, the Army developed authorizations for CHMR personnel prior to the completion of the manpower study so hiring could begin as soon as possible. However, the FY23 UFR and the subsequent hiring authorizations only referred to civilian FTEs, and authorizations for uniformed personnel billets have yet to be updated to reflect the manpower study's findings.<sup>157</sup> The Army has thus far relied on detailing military personnel and hiring contractors until components obtain authorization to assign uniformed personnel from across the services.

Lastly, challenges in the DoD process for hiring civilians is a widely-acknowledged issue that surfaced in multiple interviews. According to one DoD official, it takes an average of seven months from a role becoming vacant for a replacement to be onboarded.<sup>158</sup> Not only does the process move at a glacial pace, but limitations for civilian hires, such as veterans' preference<sup>159</sup> and prioritizing primarily internal US Government recruitment, have dramatically narrowed the talent pool of qualified civilian protection experts, further delaying the accumulation of CHMR personnel.<sup>160</sup>

## RECOMMENDATIONS

1. While not required by the CHMR-AP, the DoD should follow plans to conduct a second manpower study to validate staffing requirements for DoD components that accurately account for staffing needs based on refined roles, responsibilities, and team composition.
2. Despite delays in hiring and, in some cases, underutilization of CHMR resources, the DoD should maintain at minimum the staffing levels initially anticipated for DoD components until the results of the second manpower study are released and staffing requirements have been validated. Establishment of the CHMR enterprise may need more robust staffing during the start up phase than over the long-term in order to set down strong roots across the DoD.
3. To attract a sustainable pipeline of talent and expertise necessary for effective civilian harm mitigation and response, the DoD should ensure that CHMR-related assignments, skills, and education are career-enhancing within the joint force, including through the development of CHMR career tracks and skill identifiers. The DoD should also open recruitment of CHMR personnel to a larger pool of eligible external applicants.
4. The DoD should prioritize the assignment of uniformed personnel within the CP CoE from all services to ensure the Center maintains a holistic and tailorable approach to CHMR that can be applied in all domains by joint forces.

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