

UNCLASSIFIED



Reducing and Mitigating Civilian Casualties: Enduring Lessons

12 April 2013

Joint and Coalition Operational Analysis (JCOA)
A division of the Joint Staff J7

UNCLASSIFIED

Joint and Coalition Operational Analysis (JCOA)

Mission: In support of the Chairman's Joint Lessons Learned Program, and as directed, the Joint Staff J7 JCOA Division collects, aggregates, analyzes, and disseminates joint lessons learned and best practices across the range of military operations in order to enhance joint capabilities.



Address

Joint and Coalition Operational Analysis
116 Lake View Parkway
Suffolk, Virginia 23435-2697

Requests for Information

Requests for information can be sent to the email addresses listed below. We will respond to your request as soon as possible. Please indicate the type of information you require and the context of how the information will be used. If there is an urgent time requirement, please include that information as well.

NIPRNET

js.dsc.j7.mbx.dd-jcw-jd-jcoa@mail.mil • <https://intelshare.intelink.gov/sites/jcoa>

SIPRNET

js.j7jcoa@mail.smil.mil • <http://intelshare.intelink.sgov.gov/sites/jcoa>

BICES

jcoa@usa.bices.org • <http://jcoa.act.nato.int/portal>

Reducing and Mitigating Civilian Casualties: Enduring Lessons

Dr. Larry Lewis
CNA Representative, Joint Staff J7, JCOA

Introduction

The United States has long been committed to upholding the Law of Armed Conflict (LOAC) and minimizing collateral damage, which includes civilian casualties (CIVCAS) and unintended damage to civilian objects (facilities, equipment, or other property that is not a military objective). In support of these goals, the U.S. military developed capabilities for precision engagements and accurately identifying targets, such as the development of refined targeting processes and predictive tools to better estimate and minimize collateral damage. These capabilities permitted the conduct of combat operations with lower relative numbers of civilian casualties compared to past operations. However, despite these efforts, and while maintaining compliance with the laws of war, the U.S. military found over the past decade that these measures were not always sufficient for meeting the goal of minimizing civilian casualties when possible. Resulting civilian casualties ran counter to U.S. desires and public statements that the United States did “everything possible” to avoid civilian casualties, and therefore caused negative second-order effects that impacted U.S. national, strategic, and operational interests.¹

Afghanistan (2001-2002)

The United States reaffirmed its commitment to minimizing harm to the peaceful civilian population when it commenced major combat operations in Afghanistan and Iraq in 2001 and 2003, respectively. On 7 October 2001, U.S. forces began combat operations to capture Al Qaeda leadership and eliminate the use of Afghanistan as a launching point for terrorism. Within days of the start of operations, international media began reporting incidents of civilian casualties. Many of these incidents involved villages where suspected enemy were located, highlighting the challenge posed by fighting an enemy that eschews its obligations under the law of war (e.g., not wearing a uniform and hiding among the population). As a result, obtaining positive identification (PID) was more problematic, and U.S. engagements tended to rely more on self-defense considerations based on perceived hostile acts or intent. Probably the two highest profile incidents during this time were the 21 December 2001 attack on a convoy that the Afghan government claimed included tribal leaders; and the 1 July 2002 AC-130 attack on a group in Deh Rawud, central Afghanistan, that turned out to be a wedding party. In both attacks, U.S. aircraft had observed ground fire and engaged because of self-defense considerations.

¹ International Security Assistance Force (ISAF) Operational Update, Press Release, 6 February 2012.

Iraq Major Combat Operations (2003)

During major combat operations in Iraq, the ability to distinguish the enemy from the civilian population was simplified by the fact that the enemy was the Iraqi military. Iraqi forces were generally located away from civilian areas; their military equipment and uniforms reduced the ambiguity of engagement decisions relative to those faced by U.S. forces in Afghanistan. However, the Iraq military purposely violated law of war rules designed to protect the peaceful civilian population by employing human shields, misusing protected symbols for impartial humanitarian organizations (e.g., Red Crescent), and placing equipment in protected sites. In addition, Fedayeen Saddam forces did not wear uniforms and fought using irregular tactics, contributing to U.S. challenges in obtaining positive identification.

In contrast, the United States and its allies went to great lengths to minimize collateral damage; for example, in Iraq, similar to Afghanistan, most air engagements used precision-guided munitions. While no Department of Defense (DOD) assessment of civilian casualties during Iraq major combat operations could be found by this author, an independent assessment judged U.S. pre-planned attacks to be relatively effective in minimizing civilian casualties. The main concerns over civilian casualties centered on coalition forces conducting time-sensitive targeting of leadership in urban areas.²

Counterinsurgencies in Iraq and Afghanistan

As insurgencies developed in Iraq and Afghanistan, the United States was forced to adopt a counterinsurgency (COIN) approach for which it was largely unprepared. With civilian protection being a central feature of COIN, the reduction and mitigation of CIVCAS became a key issue in these operations.

Counterinsurgency in Iraq

In Iraq, noncombatant casualties were primarily caused by escalation of force (EOF) incidents, both at check points and during convoy operations. These incidents resulted in a significant outcry from nongovernmental organizations (NGOs) and the media; the shooting of a vehicle containing Italian journalist Giuliana Sgrena and her rescuers during an EOF incident further increased visibility of this issue. In mid-2005, U.S. forces in Iraq adapted and made heightened efforts, widely seen as successful, to prevent and mitigate the effects of civilian casualties.³ Still, this issue was not completely resolved: later in the conflict, Multinational Forces – Iraq (MNF-I)

² *Off Target: The Conduct of the War and Civilian Casualties in Iraq*, report, Human Rights Watch, December 2003.

³ Though Multinational Forces-Iraq (MNF-I) did not establish a dedicated tracking cell for civilian casualties (CIVCAS) as did ISAF, the MNF-I Headquarters (HQ) tracked these casualties for certain time periods as visibility of the issue increased. For example, there were over 500 civilian casualties resulting from escalation of force (EOF) incidents in the first half of 2005. For context, this was eight times more than the maximum amount of civilian casualties from EOF in Afghanistan over a similar time period. Note that differences between numbers of EOF CIVCAS in Iraq and Afghanistan should be expected due to differences in vehicle traffic, road infrastructure, force locations, and other factors.

pointed to the strategic importance of reducing CIVCAS from EOF and cited the lack of available nonlethal capabilities and inadequate training in their use as key deficiencies.

Counterinsurgency in Afghanistan

In Afghanistan, President Karzai made his first public statements regarding CIVCAS in 2005, asking the International Security Assistance Force (ISAF) to take measures to reduce such casualties. Initial initiatives to reduce CIVCAS in Afghanistan, such as the “Karzai 12” rules for approving operations in 2005 and the initial Commander, ISAF (COMISAF) Tactical Directive in 2007, were not successful in reducing high profile incidents. Additional efforts, including redrafting the COMISAF Tactical Directive in 2008, were made in response to several high profile, high casualty CIVCAS incidents; however, a May 2009 incident in Bala Balouk highlighted the lack of progress in effectively addressing the issue of civilian casualties.

The Bala Balouk incident served as an impetus for major efforts to reduce CIVCAS by both ISAF and the United States. Since mid-2009, ISAF leadership clearly and consistently emphasized the importance of reducing CIVCAS, and ISAF modified its policies and procedures to that end. Similarly, concerted efforts on the part of the United States—spearheaded by the U.S. Joint Staff CIVCAS Working Group, currently led by a three-star general officer—aided efforts to improve U.S. pre-deployment training to better prepare U.S. forces for CIVCAS reduction and mitigation in Afghanistan. This renewed focus addressed deficiencies in pre-deployment training regarding the use of nonlethal weapons (NLWs), amongst many other efforts. Collectively, these dedicated efforts bore fruit: because of improved guidance and training, ISAF forces adapted the way they conducted operations in light of CIVCAS concerns, and ISAF-caused CIVCAS decreased over time. Importantly, analysis of available data suggested that these CIVCAS mitigation efforts were a win-win, with no apparent cost to mission effectiveness or increase in friendly force casualties.

CIVCAS: An Enduring Issue

While the progress in Afghanistan is good news, to date the changes put into place have remained largely focused on supporting operations there. Sharing lessons *between* operations and institutionalization of those lessons are less apparent. For example, existing lessons from Iraq regarding EOF did not appear to migrate to Afghanistan, and lessons from Afghanistan regarding air-to-ground operations did not reach North Atlantic Treaty Organization (NATO) participants in Libya during Operation UNIFIED PROTECTOR (OUP).⁴ Further, a CIVCAS incident where a U.S. Navy ship engaged a small boat in the Persian Gulf and incidents regarding U.S. operations in Yemen and Pakistan (as reported in the international media) also suggest that the applicability of lessons regarding ways to minimize civilian casualties and mitigate their impact

⁴ *Joint Civilian Casualty Study*, report, Joint and Coalition Operational Analysis (JCOA), 2010; Minutes from Operation UNIFIED PROTECTOR (OUP) briefing to ISAF, January 2012.

UNCLASSIFIED

are not limited to Afghanistan.⁵ Former COMISAF, General David Petraeus, echoed this point, describing the enduring nature of the challenge of CIVCAS: “Avoiding civilian casualties is a central operational challenge in Afghanistan and Iraq and it will be a challenge in any future conflict as well.”⁶ Lessons learned in the past decade should therefore be looked at with an eye toward their application in future conflicts, as well as their continued importance to current operations in Afghanistan and elsewhere.

This paper identifies key CIVCAS lessons that are applicable to future operations conducted by the United States and its allies. These lessons were drawn from four years of analytic effort focused on understanding and effectively responding to the challenge of CIVCAS in Afghanistan, Iraq, and elsewhere. These lessons are not limited to COIN operations; rather, they apply to a wide range of potential combat activities, including major combat operations (in light of the political impact of CIVCAS during 1991 and 2003 Iraq wars), airpower-focused operations such as OUP in Libya, and counterterrorism operations such as the U.S. is currently conducting in Pakistan. Since each of these cases included an enemy that did not appropriately distinguish itself from the peaceful civilian population, these lessons should be particularly applicable in other, similar situations.

⁵ *Presidential Letter – 2012 War Powers Resolution 6-Month Report*, 5 June 2012, accessed 27 March 2013 at www.whitehouse.gov/the-press-office/2012/06/15/presidential-letter-2012-war-powers-resolution-6-month-report. “Obama Defends U.S. Drone Strikes in Pakistan,” 31 January 2012, accessed 27 March 2013 at www.bbc.co.uk/news/world-us-canada-16804247.

⁶ Preface to the *Joint Civilian Casualty Study* report, JCOA, August 2010.

Key CIVCAS Lessons

The following are key CIVCAS lessons that are applicable to future operations:

- *Leadership and Guidance*
- *CIVCAS Monitoring*
- *CIVCAS Training and Education*
- *CIVCAS Tools*
- *Consequence Management*
- *Air-to-ground CIVCAS Challenges*
- *Misidentification Challenges*
- *CIVCAS and Partnering with Host-Nation Forces*
- *CIVCAS Proponency*

Each lesson and applicable recommendations are provided in turn.

Leadership and Guidance

LESSON: Commanders exercising effective leadership and promulgating key guidance contributes to the force's ability to reduce CIVCAS while maintaining mission effectiveness.

Leadership emphasis and guidance (including rules of engagement [ROE], tactical directives, etc.) influenced the mindset of forces, encouraged tactical patience when appropriate, and drove development of new tactics, techniques, and procedures (TTP) for the use of force and consequence management. Leadership emphasis in Afghanistan had measurable effects on reducing CIVCAS, including both decreasing ISAF-caused CIVCAS overall and reducing the average number of CIVCAS per incident during airstrikes. Some guidance was more effective than others—for example, analysis of several COMISAF tactical directives showed that guidance was more effective when it better addressed factors that contributed to CIVCAS. Other guidance inadvertently took away nonlethal options for reducing CIVCAS. In the future, leaders would benefit from knowing what types of guidance were effective and how subject matter experts (SMEs) could help them shape this guidance; this would allow commanders to exercise effective leadership and promulgate guidance that helps reduce CIVCAS while maintaining mission effectiveness.

- **Recommendation:** In future operations, provide senior leaders with key CIVCAS lessons as well as SMEs and analytic capability to enable them to assess and refine their guidance over time.
- **Recommendation:** During operational planning, leaders should identify CIVCAS as a critical vulnerability; planners should also consider the second- and third-order effects associated with CIVCAS.

CIVCAS Monitoring

LESSON: Tracking and analysis of CIVCAS enabled the force to understand root causes of CIVCAS incidents and address them in order to reduce and mitigate CIVCAS

Tracking of CIVCAS was a key enabler for senior leaders in understanding the root causes of CIVCAS, reducing casualties, and mitigating the effects of CIVCAS incidents in Afghanistan. Reliable numbers for CIVCAS in Afghanistan were only available starting in 2009—the eighth year of the conflict—and getting these reliable numbers required the establishment of reporting procedures, policies, and a staff element dedicated to this function. Even so, there were growing pains in attaining consistent reporting and tracking.

The ability to track CIVCAS is analogous to monitoring other operational data such as friendly force casualties and the number of enemy forces captured or killed: a headquarters should be able to track these critical operational data. The ability to conduct periodic “deep dive” assessments of key CIVCAS issues is also critical for sustained operations, as the operating environment, enemy TTP, and host-nation sovereignty all affect CIVCAS mitigation efforts and the impact of CIVCAS overall.

- **Recommendation:** Both operational and procedural best practices for tracking CIVCAS should be maintained “on the shelf” so that in future operations, this data can be captured from the start.
- **Recommendation:** During future operations, commanders should consider conducting an analytic deep dive regarding CIVCAS on a periodic basis. This could be conducted through deployment of a reachback capability as was done several times for Afghanistan operations.

CIVCAS Training and Education

LESSON: Training and education that addressed overarching principles and specific risk factors for CIVCAS enabled the force to adapt its approach to better reduce and mitigate CIVCAS.

Since 2009, the United States has made great strides in dealing with the topic of CIVCAS in pre-deployment training for forces deploying to Afghanistan. In the years prior to 2009, CIVCAS was often dealt with by command legal advisors briefing the requirements of LOAC and ROE. Although legally sufficient for meeting international requirements, some forces described such treatments as inadequate for preparing forces for CIVCAS reduction efforts that went well beyond LOAC requirements. U.S. military training adjusted to in-theater requests and improved the thoroughness of this pre-deployment training, including training lanes that exercised EOF procedures, the use of real-world vignettes for dilemma training and sharing of lessons learned, an emphasis on exercising tactical patience when feasible, and the inclusion of CIVCAS during headquarters (HQ) mission rehearsal exercises. CIVCAS products were created to facilitate this

training, such as development of CIVCAS doctrine and a CIVCAS handbook, and the U.S. Army's Training Brain Operations Center (TBOC) development of a video learning module on prevention of CIVCAS.

- **Recommendation:** Codify CIVCAS training best practices for operations beyond Afghanistan.
- **Recommendation:** Complementary to training, professional military education (PME) should include operational CIVCAS vignettes, as well as the ethical and operational imperatives of reducing and mitigating CIVCAS.
- **Recommendation:** Service training directors would benefit from an analysis and consolidation of joint lessons learned and follow-on incorporation into multi-Service TTP and Service PME, codifying CIVCAS considerations where appropriate.
- **Recommendation:** Joint Staff (JS) J7 joint publication lead agents and JS doctrine sponsors should include relevant CIVCAS information where appropriate.

CIVCAS Tools

LESSON: Forces leveraged tools aiding de-escalation, identification of targets, and minimizing of collateral damage. However, additional tools and training in their use would be beneficial.

A number of tools for reducing CIVCAS have been made available to forces in Afghanistan, often due to significant command focus on the issue. These tools include weapons designed to minimize collateral damage (CD) and nonlethal tools that can aid in de-escalation of potential incidents. In general, however, military forces often have very few effective means to de-escalate violence with tools organic to their organization, limiting the options available to commanders.

In addition to deployments to operational theaters, nonlethal tools can also be useful to forces stationed at Embassies and Consulates. These tools enable de-escalation and enhance force protection while minimizing civilian casualties.

For de-escalation measures, fielding of and training for the use of nonlethal munitions that are effective for medium ranges would be useful. Warning tools (such as laser dazzlers and pen flares) have also shown value in de-escalating situations and averting the need for deadly force. However, these warning tools were not always available or used, and additional improvements could be made, such as consideration of human factors in the choice of laser dazzler color.

Further progress can also be made with air-to-ground ordinance, including focused fragmentation and fusing that can be deactivated in the event of a guidance failure. Tools that aid discrimination of enemy versus civilian (such as higher-resolution imagery or night vision devices) would also be of value. These warning and discrimination tools are particularly important in situations where

forces need to discern whether an individual is demonstrating hostile intent. Additionally, in light of the persistent challenges in obtaining CIVCAS battle damage assessments (BDA), it would be useful to explore whether current and emerging technologies could be valuable to this end.

- **Recommendation:** Pursue tools that could aid forces in reducing and mitigating CIVCAS, including further development of air-to-ground ordinance that minimize CD while maintaining effectiveness, more effective warning tools, discrimination aids, and potential technologies for improved CIVCAS BDA.
- **Recommendation:** Combatant commands (CCMDs) re-examine current requirements for CIVCAS tools to be available to forces deploying for operations, training for potential deployments, and involved in other roles such as force protection at U.S. Embassies and Consulates.
- **Recommendation:** Ensure that deploying forces are trained in the use of relevant NLWs and other CIVCAS tools to meet CCMD and force commander requirements.

Consequence Management

LESSON: Forces developed ways to mitigate the effects of CIVCAS over time, but these approaches took many years to develop and have not been institutionalized.

Conflict can create a significant toll on civilians, both emotionally and financially. When a sovereign state exercises its right to use force consistent with the law of war, the state is not liable for civilian harm. However, the United States has found that there are strategic advantages in making amends for unintended harm when this harm is a consequence of its actions. At the same time, efforts to make amends—including the provision of compensation for unintended harm—have historically been ad hoc, resulting in the need for discovery learning during each operation. For example, in Afghanistan, ISAF forces became more effective in reducing negative second-order effects of CIVCAS over time, developing best practices that included CIVCAS BDA, key leader engagements to explain and apologize for incidents, the provision of condolence payments, and a streamlined communications approach. Unfortunately, this effectiveness took many years to develop, after CIVCAS had exerted a significant negative impact on the overall campaign. Importantly, the U.S. has not yet codified policies and training to replicate this approach in other operations.⁷ In addition, coalition partners lack common policies and procedures with respect to CIVCAS compensation and amends. In Afghanistan, this disparity created friction with the population, undermining individual national efforts.

⁷ Note that the U.S. Senate’s approved National Defense Authorization Act for FY 2013 included a provision that would have provide legislative authority for such policies to be enacted within DOD, allowing commanders to have the option to provide compensation for CIVCAS within a mechanism that does not introduce legal liability or culpability. However, this provision was not made law.

- **Recommendation:** Enact authorities allowing commanders to provide compensation for civilian harm during combat operations without admitting liability or culpability. Work with allied nations to harmonize national policies with respect to CIVCAS compensation.
- **Recommendation:** Codify policies, TTP, and training to enable CIVCAS consequence management to reduce ad hoc and discovery learning in future operations.

Air-to-ground CIVCAS Challenges

LESSON: In light of air-to-ground CIVCAS tending to have more casualties per incident and a higher profile than other kinds of incidents, recent initiatives to reduce air-to-ground CIVCAS should be sustained and applied in future operations.

Although CIVCAS can occur in many different ways, air-to-ground fires present special challenges. For example, in Afghanistan, air-to-ground fires were the most lethal type of CIVCAS; in addition, they tended to be more difficult to conduct BDA to ascertain whether CIVCAS had occurred. Further, air-to-ground CIVCAS incidents tended to be higher profile incidents, resulting in multiple revisions of the COMISAF Tactical Directive because of the impact of these types of incidents. Fortunately, experiences in Afghanistan show that progress in reducing air-to-ground CIVCAS can be made with concerted effort, including guidance on the use of force, new TTP, and enhanced training; these measures should be sustained beyond Afghanistan so that those key lessons are not lost. Special consideration should also be given to handling the risks of air-to-ground CIVCAS during operations when there is no supporting ground force; this is especially important in light of challenges revealed by recent operations such as OUP in Libya and counterterrorism strikes in Pakistan.⁸

- **Recommendation:** Codify applicable lessons from Afghanistan into TTP and enhanced training (e.g., Services and U.S. Special Operations Command incorporation of CIVCAS lessons into training courses for the entire “Fire Support Kill Chain”) to sustain progress in reducing CIVCAS during air-to-ground engagements.
- **Recommendation:** Examine other recent and current airpower-intensive operations to identify opportunities for reducing CIVCAS while maintaining operational effectiveness.

⁸ Minutes from OUP briefing to ISAF, January 2012; *Operations Outside of Declared Theaters of Armed Conflict: CIVCAS Considerations*, paper, Larry Lewis, CNA Representative to JS J7 JCOA, March 2013.

Misidentification Challenges

LESSON: The conduct of enemy personnel and current shortfalls in available training and tools complicates forces' ability to obtain PID, which can contribute to civilians being misidentified as enemy.

CIVCAS primarily occurs in one of two ways: the first is through collateral damage from an engagement with known enemy forces, where the effects of the engagement also impact nearby civilians; the second is through misidentification, where civilians are mistakenly believed to be enemy and are engaged because of that belief.⁹ The U.S. has put considerable effort into the reduction of collateral damage through technology and training. However, the challenge of misidentification has received less attention, even though it was the primary cause of CIVCAS in Afghanistan.¹⁰

Misidentification is often a result of a self-defense engagement where PID was based on perceived hostile intent. In other words, friendly forces engaged individuals who appeared to be behaving in ways that were suspicious or threatening, leading the friendly forces to believe the individuals were hostile; however, post-engagement BDA revealed the individuals were peaceful civilians. Such misidentification of civilians contributed to CIVCAS in different scenarios: from the shooting of a civilian at a checkpoint when he did not respond to warnings to stop, to an airstrike that engaged individuals who were participating in suspicious behavior (such as digging next to a road used by military forces) that was later found to not be nefarious.

PID of an asymmetric enemy is a particular challenge since they do not bear distinguishing characteristics, such as wearing uniforms, carrying arms openly, and hiding among the peaceful population. In light of these challenges, there are a number of TTP that can help improve PID and avoid misidentification, including the practice of tactical patience when possible. Additional tools can also aid in more accurate PID determinations. For example, the use of sniper or other long-range optics can help forces determine whether a person is carrying a long-handled tool or a weapon, reducing misidentification of peaceful civilians as enemy. Warning tools can buy additional time for assessing the presence of hostile intent. Intelligence, surveillance, and reconnaissance (ISR) capabilities for determining pattern of life can also improve understanding of the operating environment and thus enable more accurate PID determinations.

- **Recommendation:** Pursue additional training and capabilities to improve the ability to PID enemy personnel. This should include the specific challenge of discerning the presence of hostile intent.

⁹ There are other mechanisms that can cause CIVCAS, such as a weapons malfunction, but these are much less frequent than the abovementioned causes.

¹⁰ *Joint Civilian Casualty Study*, report, JCOA, August 2010.

- **Recommendation:** Focus training and education to help commanders, down to the lowest levels, clearly define and articulate what constitutes hostile intent, in order to facilitate PID when coupled with improved capabilities.

CIVCAS and Partnering with Host-Nation Forces

LESSON: The United States working with partner nations to reduce and mitigate CIVCAS is consistent with U.S. values, furthers U.S. strategic objectives, and promotes freedom of action.

Partnering with other nations to promote their ability to conduct combat operations offers many benefits—among them, an alternative to sustaining a large U.S. footprint on the ground and bolstering the capacity of other nations so they can provide their own security and counter security threats. For decades, U.S. forces have provided technical training, experience, and an overall model of warfighting for host-nation forces to emulate. Host-nation forces have some advantages over their U.S. counterparts in reducing civilian harm thanks to their language and cultural fluency. Discriminating between combatants and civilians in indigenous situations is a challenge for U.S. forces; host-nation forces may be better able to discern actual hostile intent from behavior that is locally normative.¹¹

A risk of working with host-nation forces is that they will cause civilian harm, thus risking the success of the mission and, in turn, the perceived legitimacy of the United States. At the same time, civilian harm—and its ramifications—is often not prioritized in the transactions between the U.S. and host-nation forces, including in the agreement to conduct joint operations, in commanders’ guidance, accountability processes (or lack thereof) or in partnered training.

For example, the U.S. typically does not track instances of civilian harm caused by the partner nation, except for the case of flagrant human rights abuses.¹² This means that negative ramifications caused by host-nation forces cannot be immediately accounted for or corrected. The U.S. provides instruction on LOAC to host-nation forces; while critical, it does not instill such important practices as how to avoid civilian harm in specific scenarios, how to track civilian harm, how to analyze it for lessons learned, how to conduct proper investigations and what to do with the information, or how to respond to an angry public suffering losses. Moreover, the United States regularly provides training and instruction only on LOAC as the fundamental framework for operations even when the host-nation security forces should or will be applying more restrictive domestic law as the basis of its operations. Aside from incidental civilian harm that can occur during an operation, human rights violations by host-nation forces can trigger legislative restrictions on U.S. programs and bring ongoing partnering efforts to a grinding halt, potentially harming strategic partnerships and killing the momentum of efforts at the tactical level.

¹¹ For example, in Afghanistan, operations where international forces partnered with Afghan forces tended to cause fewer civilian casualties than those conducted independently.

¹² Note, however, that ISAF tracks civilian harm caused by Afghan security forces.

- **Recommendation:** To protect the legitimacy of U.S. efforts and improve effectiveness, partnering efforts between the U.S. and host-nation forces should include promotion of procedures, techniques, and tools to reduce and mitigate civilian harm during operations.

CIVCAS Proponency

LESSON: Progress in reducing CIVCAS during Afghanistan operations was largely a result of proponents within ISAF and the Joint Staff promoting needed changes. The United States has no such proponent for U.S. operations overall.

ISAF and the U.S. military have made major strides in reducing and mitigating CIVCAS in Afghanistan. For both ISAF and the United States, progress was made when the responsibilities for dealing with the issue of CIVCAS were assigned at the appropriate senior level. In ISAF, this included three COMISAFs directing specific guidance and TTP, as well as the creation of the Civilian Casualty Mitigation Team (CCMT) and the Civilian Casualty Tracking Cell (CCTC). In the United States, the Joint Staff CIVCAS Working Group, currently led by the Joint Staff J7, served as a proponent for CIVCAS issues with respect to operations in Afghanistan. This working group was a key component to the overall adaptation of U.S. forces to better meet COMISAF intent. At the same time, each of these efforts focused on Afghanistan specifically; there was no proponent for the CIVCAS issue overall. Establishment of a CIVCAS proponent would help ensure that key lessons and critical progress are maintained for future operations.

- **Recommendation:** Establish a CIVCAS proponent within the U.S. military in order to pursue necessary policies and advocate progress regarding CIVCAS lessons.

Epilogue

This paper addresses key CIVCAS lessons from the past decade and provides overarching recommendations aimed at the joint force in order to better reduce and mitigate CIVCAS in future operations. To this end, the paper is a high-level compilation of analysis from multiple previous JCOA products; these products provide more comprehensive analysis on a broad range of issues as well as more specific recommendations for both forces in the field and U.S. and partner military institutions. Key references are provided below for readers looking for additional information.

JCOA-authored Products Addressing CIVCAS

- 2007** Operation IRAQI FREEDOM: Transition to Sovereignty
- 2008** Operation IRAQI FREEDOM: Joint Tactical Environment
- 2009** Civilian Casualties in Counterinsurgency, Phase 1 (Farah Quick Look)
Civilian Casualties in Counterinsurgency, Phase 2
- 2010** Joint Civilian Casualty Study
with Dr. Sarah Sewall, Harvard University
- 2011** Adaptive Learning for Afghanistan

Operation ENDURING FREEDOM – PHILIPPINES: The Salience of Civilian Casualties and the Indirect Approach
with Dr. Sarah Sewall and MG (Ret) Geoff Lambert
- 2012** Civilian Casualties Update Study

Civilian Casualties in Afghanistan (TF 3-10)

Decade of War

Afghanistan Civilian Casualty Prevention, CALL Handbook (*main body*)
- 2013** Operations Outside of Declared Theaters of Conflict: CIVCAS Considerations

UNCLASSIFIED

INTENTIONALLY BLANK

UNCLASSIFIED

Appendix A: Abbreviations

BDA	Battle Damage Assessment
CCMD	Combatant Commander
CCMT	Civilian Casualty Mitigation Team
CCTC	Civilian Casualty Tracking Cell
CD	Collateral Damage
CIVCAS	Civilian Casualties
COIN	Counterinsurgency
COMISAF	Commander, International Security Assistance Force
DOD	Department of Defense
EOF	Escalation of Force
HQ	Headquarters
ISAF	International Security Assistance Force
ISR	Intelligence, Surveillance, and Reconnaissance
JS	Joint Staff
LOAC	Law of Armed Conflict
MNF-I	Multinational Forces – Iraq
NATO	North Atlantic Treaty Organization
NGO	Nongovernmental Organization
NLW	Nonlethal Weapon
OUP	Operation UNIFIED PROTECTOR
PID	Positive Identification
PME	Professional Military Education
ROE	Rules of Engagement
SME	Subject Matter Expert
TBOC	Training Brain Operations Center
TTP	Tactics, Techniques, and Procedures