



SECRETARY OF DEFENSE
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MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
COMMANDERS OF THE COMBATANT COMMANDS
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR OF COST ASSESSMENT AND PROGRAM
EVALUATION
ASSISTANT TO THE SECRETARY OF DEFENSE FOR PUBLIC
AFFAIRS
DEPUTY UNDER SECRETARY OF DEFENSE FOR POLICY

SUBJECT: Improving Civilian Harm Mitigation and Response

The protection of civilians is fundamentally consistent with the effective, efficient, and decisive use of force in pursuit of U.S. national interests, and our efforts to mitigate and respond to civilian harm are a direct reflection of U.S. values. It is a strategic and a moral imperative.

DoD has built a strong foundation of compliance with the law of armed conflict. We strive diligently to minimize the harm that armed conflict visits upon civilian populations, but we can and will improve upon our efforts to protect civilians. We will revisit the ways in which we assess incidents that may have resulted in civilian harm, acknowledge the harm to civilians that resulted from such incidents, and incorporate lessons learned into the planning and execution of future combat operations and into our tactics, techniques, and procedures.

The end of our military mission in Afghanistan and our transition in Iraq to an advisory capacity, as well as recent investigations and studies, offer us new opportunities to improve our ability to mitigate and respond to civilian harm and to institutionalize these improvements. It is imperative that we take advantage of these opportunities.

Therefore, I am directing the Under Secretary of Defense for Policy, in coordination with the Under Secretary of Defense for Comptroller; the Director, Cost Assessment and Program Evaluation; the Joint Staff; the Military Services; and other relevant DoD Components, to provide me a Civilian Harm Mitigation and Response Action Plan (CHMRAP) within 90 days of the issuance of this memo. The CHMRAP will outline the steps the Department will take, and the resources that will be required, to implement appropriate recommendations from recently-completed studies of civilian harm sponsored by DoD, recent DoD Office of the Inspector General evaluations, and independent reviews I have directed into strikes that resulted in civilian casualties.

The CHMRAP will ensure the Department continues to improve our approach to civilian harm mitigation and response and will inform completion of a forthcoming DoD Instruction (DoDI) on Civilian Harm Mitigation and Response. This DoDI should be informed by the



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CHMRAP and presented to me for signature within 90 days of the CHMRAP's conclusion. I expect that it will adopt a comprehensive approach, reinforcing that DoD's efforts to protect civilians are the responsibility of all leaders throughout the Department, always, and not only that of our commanders and personnel in the field in the execution of missions assigned. This DoDI will make clear that we will ensure operational commands are well-supported with institutional resources, tools, and capabilities.

Additionally, I direct that the CHMRAP provide for the Department to implement the following immediate steps:

- 1) Establish a civilian protection center of excellence to better expedite and institutionalize the advancement of our knowledge, practices, and tools for preventing, mitigating, and responding to civilian harm.
- 2) Develop more standardized civilian-harm operational reporting and data management processes to improve how we collect, share, and learn from data related to civilian harm. I want the Department to learn lessons from data integrated across disparate investigations and events.
- 3) Review guidance and its associated implementation of how the Department responds to civilian harm, including, but not limited to, condolence payments and the public acknowledgment of harm.
- 4) Incorporate guidance for addressing civilian harm across the full spectrum of armed conflict into doctrine and operational plans, so that we are prepared to mitigate and respond to civilian harm in any future fight.

The protection of innocent civilians in the conduct of our operations remains vital to the ultimate success of our operations and as a significant strategic and moral imperative. I know you share my desire to improve our capabilities toward that end. I thank all of you for the indispensable work that you do to protect and defend the Nation, our people, and civilian populations in areas where our forces conduct combat operations. I look forward to your support in improving our approach to civilian harm mitigation and response.

