

STRENGTHENING U.S. MILITARY OPERATIONS

REPORT ON THE ACTIVITIES OF THE CIVILIAN PROTECTION CENTER OF EXCELLENCE

FY 2024

CIVILIAN PROTECTION CENTER OF EXCELLENCE

Hub of Expertise, Catalyst for Action

REPORT TO CONGRESS – PUBLIC LAW 117-263

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INTRODUCTION

This report—which describes the activities of DoW's Civilian Protection Center of Excellence (CP CoE) from October 1, 2023, through September 30, 2024—is submitted pursuant to 10 USC § 184(c).

This report is publicly available at War.gov.

BACKGROUND

As noted in Section 1 of Executive Order 13732 of July 1, 2016, *United States Policy on Pre- and Post-Strike Measures to Address Civilian Casualties in U.S. Operations Involving the Use of Force*, as amended, and DoD Instruction 3000.17 of December 21, 2023, *Civilian Harm Mitigation and Response*, “the protection of civilians is fundamentally consistent with the effective, efficient, and decisive use of force.” As prescribed by DoD Instruction 3000.17, DoW supports commanders with institutional resources, tools, and capabilities to effectively implement law of war protections of civilians and civilian objects, and to enable further steps to protect civilians and civilian objects and to respond appropriately when civilian harm occurs.

Consistent with these policies and 10 USC § 184, DoW established the CP CoE in 2023 within the Department of the Army. The CP CoE supports components across the Joint Force by serving as the Department's focal point for matters related to civilian casualties and other forms of civilian harm resulting from military operations involving the United States Armed Forces; and by institutionalizing and advancing knowledge, practices, and tools for preventing, mitigating, and responding to civilian harm.

The CP CoE was initially established by the Department of the Army in April 2023 with an initial staff of five military personnel under Director, Michael McNerney. Consistent with the CP CoE's responsibilities outlined in 10 USC § 184, the Department described three primary functions for the CP CoE: Direct support to the Operational Commands; Support to Policy, Doctrine, and Force Development; and Conduct CHMR-Related Research and Analysis. These functions and responsibilities have been specified in DoW's Civilian Harm Mitigation and Response Action Plan (CHMR-AP), dated August 25, 2022, and in DoD Instruction 3000.17, Civilian Harm Mitigation and Response (CHMR), dated December 21, 2023.

During FY24, CP CoE activities included both the performance of assigned roles and functions as well as tasks associated with establishing the organization and achieving full operational capability (FOC), such as: hiring personnel, organizing around core functions, conducting requisite mission analysis, acquiring adequate facilities, and providing for staff development. A priority goal in FY24 was to hire and on-board the CP CoE's authorized civilian and military workforce. The CP CoE also augmented staffing over the course of FY24 with a significant contractor footprint to accelerate efforts to build the foundation of the CP COE and contribute to DoW CHMR efforts.

ACTIVITIES OF THE CP CoE

A. CONVENING THE CHMR ENTERPRISE

As Department-wide CHMR staff positions were filled across the DoW in FY24, CP CoE led the coordination and synchronization of enterprise efforts, bringing together Combatant Commands (CCMDs), DoW Agencies, Military Departments, and other U.S. Government organizations. CP CoE facilitated a monthly CHMR Enterprise sync meeting to enable DoW components to disseminate best practices and address shared challenges in establishing CHMR programs in their organizations. In response to demand for additional engagement, CP CoE convened a second monthly event where organizations presented focused briefings on institutional or operational topics. Additionally, CP CoE conducted a pilot program of CHMR training leading to the establishment of a CHMR Foundational Training Course, fostering the development of a common baseline among CHMR professionals and a network of stronger ties between complementary organizations.

The CP CoE similarly developed and established a more focused ongoing partnership with CHMR representatives from each of the Military Departments to develop a shared understanding of their role in advancing the capabilities of U.S. military forces to mitigate and respond to civilian harm, and to provide tailored support to ongoing Military Department efforts to integrate CHMR. This focused monthly engagement was critical to establishing enduring, long-term improvements by analyzing operational command needs and Service doctrine, organization, training, materiel, leader development and education, personnel, facilities, and policies (DOTMLPF-P) to identify and take initiative to effectively fulfill Service responsibilities.

B. DIRECTLY SUPPORTING OPERATIONAL COMMANDS

The CP CoE fully staffed its Operational Effects division in late FY24, which enabled development and execution of a plan to support operational commands, including CCMD and Army Corps-level exercises simulating Large-Scale Combat Operations (LSCO) against near-peer adversaries, aligning with DoW priorities. FY24 exercise support focused on observations to establish a baseline of existing CHMR integration during exercises to inform CP CoE support for each Joint Exercise Life Cycle (JELC).

1. SUPPORT TO COMBATANT COMMANDS

U.S. Indo-Pacific Command (USINDOPACOM). The CP CoE prioritized dedicated and accelerated support to USINDOPACOM and its components in support of operational readiness across the theater. Through engagement with and support to USINDOPACOM, the CP CoE sought to maximize institutional learning about effective tailoring and scaling of CHMR in high-tempo, large-scale, multi-domain multinational operations. In February 2024, CP CoE observed USINDOPACOM's bilateral exercise KEEN EDGE 24 with Japan, which also included Australian Defence Force participation, to assess existing CHMR practices. Following this exercise, the CP CoE began development of a specialized wargame for USINDOPACOM staff to examine CHMR challenges and opportunities for Joint Task Forces conducting large-scale, multi-domain operations.

U.S. European Command (USEUCOM). In March 2024, CP CoE observed USEUCOM's command post exercise AUSTERE CHALLENGE 24, which prepared U.S. and NATO forces to operate across the full range of military operations. In September 2024, CP CoE observed the U.S. Army Europe-Africa (USAREUR-AF) exercise AVENGER TRIAD 24, sending one team to the training audience in USAREUR-AF headquarters and another to the exercise White Cell, which controls the overall flow of the exercise. The teams identified opportunities for further development of the civilian layer in multinational command-and-control (C2) systems, the implications of the NATO Civil-Military Cooperation (CIMIC) system for CHMR, and experimentation with the Army of 2030 concepts through the Theater Strike Effects Group and Theater Information Advantage Element.

2. SUPPORT TO SERVICE EXERCISES

CP CoE commenced Service exercise support through engagement in the Army's Warfighter Exercise (WfX) program during Corps-level exercises. As part of this effort, the CP CoE observed XVIII Airborne Corps in WfX 24-5, capturing best practices for the integration of the civilian environment in the Maven Smart System for C2 and the integration of Civil Affairs in operational planning. Following this, the CP CoE briefed I Corps and III Corps on CHMR during academics' weeks in preparation for their upcoming warfighter exercises (WfXs).

3. OTHER SUBJECT MATTER EXPERT OPERATIONAL SUPPORT

CP CoE responded to other requests for Subject Matter Expert (SME) support to U.S. Southern Command (USSOUTHCOM), U.S. Central Command (USCENTCOM), USEUCOM, and Office of the Secretary of War-led DoW-wide engagements. For USSOUTHCOM, the CP CoE deployed a military planner in March 2024 to support contingency planning for a regional crisis. CP CoE civilian harm assessment SMEs advised USCENTCOM in support of an interview with an individual reporting civilian harm by U.S. forces operating in the Middle East. Further in support of USEUCOM, CP CoE facilitated staff engagements relating to CHMR requirements for operational planning. Finally, CP CoE participated in engagements convened by OUSW(P) and OUSW(I&S) for CCMD Civilian Environment Team (CET) members from commands across the DoW, advising on operational implementation and identifying future requirements.

C. SUPPORTING POLICY, DOCTRINE, AND FORCE DEVELOPMENT

In FY24, the CP CoE supported integration of CHMR considerations into a range of institutional efforts, including Department-wide policy, Joint and Service doctrine, and fundamental force development and acquisition policies.

1. CHMR INTEGRATION INTO POLICY

The CP CoE supported and advised the Joint Staff's development and pre-publication refinement of CJCS Instruction 5840.01, *Civilian Harm Mitigation and Response (CHMR)*, which serves as amplifying policy to DoDI 3000.17 for the joint force to ensure synchronized, consistent execution of CHMR across the DoW.

The CP CoE also provided support to the Army's Office of the Judge Advocate General as they worked on a draft Multi-Service Issuance on Civilian Harm Investigations, directed by the CHMR-AP, which was intended to supplement existing guidance and standard operating procedures for investigations the U.S. military conducts by addressing specific needs and considerations separate and unique to investigations of incidents involving civilian harm.

2. CHMR INTEGRATION IN DOCTRINE

The CP CoE provided direct support to the Joint Staff to account for CHMR in core joint doctrine governing personnel, intelligence, targeting, planning, joint force headquarters organization and structure, civil-military operations, special forces operations, security cooperation, and multinational operations. The CP CoE tracked publication cycles for doctrinal Joint publications for which CHMR serves as a critical underpinning and identified the relationships between these doctrinal publications and other policies and doctrine they support or are supported by.

3. CHMR INTEGRATION IN FORCE DEVELOPMENT

DoW has considered CHMR a functional capability area, such that the force continues to develop capabilities that will be needed to mitigate and respond to civilian harm in future operational contexts. In FY24 the CP CoE established its force development program to support analysis of future CHMR warfighting requirements across the force and to support the development and operationalization of warfighting capabilities that meet those requirements. This process comprises five steps, beginning with empirical observations to identify uncaptured risk to mission in the form of gaps or opportunities, followed by rigorous analytical and assessment steps that help the warfighter to formalize requirements and shepherd them through development processes, with a final step to help ensure that the new capability meets the original requirement.

An important CHMR development in DoW in FY24 was the incorporation of CHMR processes and concepts into military safety standard 882E so that the safety testing of new weapon systems accounts for the presence of civilians and the civilian environment in addition to that of U.S. and ally or partner forces. The CP CoE has been involved in early efforts to validate the evolving safety system approaches. The integration of such safety testing for new weapon systems indicated to pose civilian harm concerns will lead to more informed decisions by program office leaders in advance of weapons fielding, ideally along with guidance, protocols, or other notifications, to the receiving units. This avoids pushing unknown risk to the warfighter. As with all aspects of CHMR, this does not restrict or unduly limit operational commanders but improves the information with which commanders can make risk-informed decisions to maximize conditions for tactical, operational, and strategic success.

Following doctrinal updates to the joint publication for intelligence and recognizing the value of Joint Intelligence Preparation of the Operational Environment (JIPOE) to all military planning, the CP CoE initiated a research project to develop and promulgate a foundational understanding of the civilian environment as part of the operational environment assessed in JIPOE. The project aims to provide a methodology to identify and prioritize basic needs and essential services in the civilian environment to

protect or remediate during a conflict, considering the culture, region, climate, and history of the location where the conflict takes place.

Late in FY24, members of the CP CoE for the first time participated in a semi-annual meeting of DoW's Collateral Damage Working Group, conducted by the Joint Technical Coordinating Group for Munitions Effectiveness (JTTCG/ME). There, the CP CoE worked with participants and stakeholders, including the Defense Threat Reduction Agency (DTRA), Oak Ridge National Labs, and Idaho National Labs, to identify and address gaps in existing collateral damage methodology, such as the damage caused by secondary detonations at a target, or the presence of transient civilians at a target, and capture this risk for commanders.

4. CHMR HANDBOOK DEVELOPMENT

The CP CoE initiated the development of a CHMR Handbook, through the initial development and release of CHMR notes to help guide the force as DoW integrates CHMR. The goal of this effort is to facilitate a broad shared understanding of CHMR across DoW and ensure that efforts to integrate CHMR in guidance, planning, operations, training, education, exercises, and force development reflect conceptual cohesion, clarity, consistency, and best practices from across the DoW as early in the development process as possible.

5. TRAINING AND EDUCATION OF THE FORCE

During FY24, the CP CoE played a direct role and a supporting role in CHMR training across the force. The CP CoE's direct responsibility for training involved the development of training and certification standards for Civilian Harm Assessment Cells (CHACs) and the development of training for personnel who may conduct civilian harm investigations. The CP CoE has also taken an active role in the integration of CHMR fundamentals into joint and Service training and in providing a foundational course for all CHMR personnel.

Training for CHACs and CHMR Investigations Personnel. Early in FY24, the CP CoE spearheaded an in-person Civilian Harm Assessment Cell Working Group with multiple CHMR stakeholders to develop CHAC requirements for training in accordance with CHMR-AP and DoD Instruction direction.

CHMR Integration into Joint and Service Training and Education. The CP CoE made its most significant gains in CHMR training integration with the Department of the Army by integrating CHMR-focused concepts into the Army Lifelong Learning Center, creating the CP CoE Blackboard and providing a single source location for CHMR course material for student access and reference. In the latter part of FY24, additional personnel capacity allowed the CP CoE to expand its support for Service and joint integration of CHMR in professional military education (PME). Starting with the Army and U.S. Marine Corps, the CP CoE supported gap analysis, content development, and engagement with key PME institutions to integrate CHMR concepts into material covering specific warfighting functions, including command and control, intelligence, planning, and fires.

CP CoE Training and Education Initiatives. The CP CoE designed and began executing a CHMR Foundational Training course comprised of instruction that baselines all CHMR professionals and associated personnel in DoW and across the U.S. Government in critical factors resulting in civilian harm from military operations, opportunities to mitigate harm, and means of effective and appropriate responses to civilian harm events. This course produced a 40-hour training certificate as an initial step toward a CHMR Professional Certification. Over a 6-month period during FY24, the CP CoE provided baseline CHMR Foundational Training to 111 students from across the DoW, intelligence community, combatant commands, and other U.S. Government personnel involved in or associated with U.S. military operations.

DoW's approach to CHMR has emphasized the importance of tailoring and scaling CHMR to the character, scale, and tempo of operations. Accordingly, CP CoE developed training materials for Foundational Training and other venues that explores how to anticipate, mitigate, and respond to civilian harm in a large scale, multi-domain warfighting contingencies. In recognition of the importance and value of external information sources, the CP CoE Foundational Training facilitated DoW personnel interaction with personnel from other government agencies (e.g. State Department), non-governmental organizations (NGOs), and the International Committee of the Red Cross (ICRC) with unique expertise, data, and analysis to help U.S. forces understand the civilian environment and impacts of operations on civilians.

D. CONDUCTING CHMR-RELATED RESEARCH AND ANALYSIS

During FY24, the CP CoE research and analysis program sought to provide the DoW with the knowledge base and analytical foundation necessary to guide the alignment of CHMR goals with operational practice. The program drew on a combination of general and applied research based on both past practice and issues of emerging relevance.

1. DEVELOPING AND DRIVING AN ANALYTIC AGENDA

To ensure that DoW's CHMR efforts benefit from the sustained generation of insight through research and analysis, the CP CoE developed an analytic agenda to clarify the scope of concern and priorities for CHMR research and analysis across the DoW enterprise. The framework includes criteria for evaluating analytic initiatives that fall within twelve categories of interest to ensure that projects generate relevant, practical, and valuable insight to guide operational practices and procedures, training and education, and force development. The agenda also captured the need for a collaborative research community of interest with research organizations and experts from within and external to DoW.

2. FORMALIZING THE COLLECTION, STORAGE, AND ANALYSIS OF OBSERVATIONS FOR LESSONS LEARNED

To augment its research activities with lessons drawn from practice in real time, the CP CoE established a formal repository of observations in the Joint Lessons Learn Information System (JLLIS). The CP CoE circulated its priority collection topics (CHMR considerations at different command echelons and CHMR in degraded information environments) among Combatant Commands and components, services, and

other stakeholders for active and ongoing collection. To augment the routine and systematic collection of observations for further analysis, the CP CoE also joined the Center for Army Lessons Learned collection team in observing exercise YAMA SAKURA, which provided a training and development opportunity for CoE staff while piloting the new Lessons Learned program.

3. MODELING THE USE OF DATA ANALYTICS FOR THE DATA MANAGEMENT PLATFORM

Throughout FY24, the CP CoE supported the Department of the Army in the development and fielding of a CHMR data management platform in two ways. First, to facilitate the Army's delivery of a platform that meets the primary goals established by statute and policy, the CP CoE provided technical expertise on CHMR assessments and investigations, relevant external data sources, and ways of analyzing the correspondence between reports of civilian harm and operational data. The CP CoE also consistently provided Army counterparts with models and methods that could be used to conduct analysis of trends and lessons learned once the data and information has been collected in the CHMR data management platform.

4. SCOUTING AND EVALUATING EMERGING TECHNOLOGY, INCLUDING AI APPLICATIONS:

In FY24, two contracted technology analysts in the CP CoE focused on understanding the potential utility of emerging technology solutions (including AI) for addressing CHMR gaps, and by supporting testing and evaluation of promising technology solutions for CHMR in experiments and exercises.

CONCLUSION

In FY24, CP CoE improved the Joint Force's ability to manage risks to civilians while maintaining operational effectiveness, thereby strengthening U.S. military operations across the globe.

APPENDIX A: LIST OF ACRONYMS AND ABBREVIATIONS

ACRONYM	EXPLANATION
C2	Command and Control
CCMD	Combatant Command
CET	Civilian Environment Team
CHAC	Civilian Harm Assessment Cell
CHMR	Civilian Harm Mitigation and Response
CHMR-AP	Civilian Harm Mitigation and Response Action Plan
CIMIC	Civil-Military Cooperation (NATO)
CP CoE	Civilian Protection Center of Excellence
DOTMLPF-P	Doctrine, Organization, Training, Manning, Leadership Development and Education, Personnel, Facilities, and Policy
DTRA	Defense Threat Reduction Agency
FOC	Full Operational Capability
ICRC	International Committee of the Red Cross
JELC	Joint Exercise Life Cycle
JIPOE	Joint Intelligence Preparation of the Operating Environment
JLLIS	Joint Lessons Learned Information System
JTTCG/ME	Joint Technical Coordinating Group for Munitions Effectiveness
LSCO	Large-Scale Combat Operations
MCTP	Mission Command Training Program (U.S. Army)
NGO	Non-Governmental Organization
OUSD(I&S)	Office of the Under Secretary of Defense for Intelligence and Security
OUSD(P)	Office of the Under Secretary of Defense for Policy
PME	Professional Military Education
SME	Subject Matter Expert
USAREUR-AF	United States Army Europe and Africa
USCENTCOM	United States Central Command
USEUCOM	United States European Command
USINDOPACOM	United States Indo-Pacific Command
USSOUTHCOM	United States Southern Command
WFX	Warfighter Exercise (U.S. Army)