Summary: Preparing for Civilian Harm Mitigation and Response in Large-Scale Combat Operations

Background

In 2022, Secretary of Defense (SECDEF) Lloyd Austin directed the creation of the Department of Defense's (DOD's) Civilian Harm Mitigation and Response Action Plan (CHMR-AP). The action plan is based on lessons from and analysis of real-world operations and contains SECDEF-directed actions to meet two overall goals: improving DOD's ability to mitigate harm to civilians in its operations and improving response to this harm when it occurs.

In the introduction to the CHMR-AP, Secretary Austin states the plan is "scalable and relevant to both counterterrorism operations and large-scale conflicts against peer adversaries." As the US considers how best to prepare for a large-scale combat operation (LSCO) against peer adversaries, the Office of Special Operations/Low-Intensity Conflict in the Office of the Secretary of Defense for Policy requested that CNA develop practical steps DOD can take to prepare for mitigating and responding to civilian harm in the context of a LSCO.

Approach and Methodology

Our research team took a multifaceted approach to answering the what, why, and how of CHMR in LSCOs. We first addressed the what of CHMR, based on our two decades of experience with and body of work on CHMR. Our findings are based on an analysis of more than 2,000 real-world cases of civilian harm from the last two decades of operations, our insights from our involvement in every DOD assessment of civilian harm, and our work in implementing CHMR in practice with the US and other militaries. For the what of LSCOs, we conducted a literature review of government and nongovernment sources. The focus of this research was to distill the essential characteristics of a LSCO that would shape the context and operational dilemmas US forces would face.

We then examined the why, starting with why CHMR is beneficial to militaries and governments considering various costs imposed by civilian harm in war. We considered the benefits of CHMR in LSCOs and how the ability to mitigate and respond to civilian harm in that context is strategically advantageous to the US. In this examination, we compared CHMR with three previous strategic offsets the US has pursued over the years to strengthen its national security. We then tested CHMR and found that it meets three proposed criteria for a strategic offset. We also outlined the key decisive elements of CHMR for US strategy and the kinds of dilemmas—both operational and information operations–related—to which CHMR provides solutions. Based on this analysis, we propose CHMR as a fourth offset strategy.

Having answered what and why, we then set out to answer how the US can develop the ability to practice CHMR during a LSCO. In conjunction with the sponsor, we identified four key areas essential to effective CHMR: constructing the civilian environment, mitigating civilian harm, assessing civilian harm, and responding to civilian harm. For each area, we identified historical challenges related to CHMR based on the past 20 years of operations. To do so, we analyzed specific civilian harm incidents, recurring lessons and trends, and previous assessments of civilian harm. We then considered current DOD policies, procedures, doctrine, and available capabilities and how they address these challenges, and we identified specific gaps that exist. We next considered how attributes of a LSCO would interact with, and complicate, a CHMR approach. Based on this analysis, we developed recommendations to address gaps and shortfalls.

Key Findings and Recommendations

In the report, we first describe the data-driven CHMR approach outlined in the CHMR-AP and in DOD policy and identify characteristics of LSCOs that are relevant to mitigating and responding to civilian harm that may occur. Specifically, we discuss

characteristics of the adversary, of friendly forces, of allies and partners, of the information domain, and of the civilian environment that are relevant to implementing a CHMR approach during a LSCO.

We then show how effective CHMR can help the US address challenging operational dilemmas often associated with LSCOs in ways that reinforce US grand strategy, such as enabling freedom of action, strengthening alliances and coalitions, and reinforcing the rules-based international order—a framework that supports the US and its position and influence. Learning and adapting are integral to CHMR, and strong institutional and operational learning will be necessary.

Given the strategic value of CHMR, we examine how the US can conduct four principal CHMR functions: constructing the civilian environment, mitigating civilian harm, assessing civilian harm, and responding to civilian harm. For each CHMR function, we assess historical lessons and causal factors, and then we analyze the effects of the previously identified attributes of high-intensity conflict.

We then devote a section to additional topics relevant to CHMR during a LSCO. One of the critical elements for successful CHMR during a LSCO will be operational learning: rapidly identifying critical risks to civilians and making operational adjustments in stride to reduce those risks and respond as appropriate. For example, the conflict in Ukraine is a clear example of how military innovation and adaptation are essential against a near-peer competitor. We discuss the history of operational learning for CHMR, cover some key limitations US forces have faced, and offer a model for future operational headquarters to adopt for more intentional and effective operational learning.

We also examine CHMR considerations for nonlethal tools and nonkinetic operations. Although nonlethal tools could significantly contribute to CHMR, historically this has not been the case. We discuss how DOD's approach to nonlethal capabilities will have to change for these tools to be useful in a LSCO context. We also examine cyber and space operations, discussing how these operations could better integrate a CHMR approach and be integrated into the larger DOD enterprise.

We conclude with a set of recommendations based on our analysis. The changes that must be made to take a comprehensive, effective approach to CHMR will result in strategic gains for the US. That said, significant and sustained efforts will be necessary to achieve them. We therefore provide sets of recommendations for each of the areas we examined in the project. Our foremost recommendation is that the CHMR Steering Committee should direct and receive an annual review of progress. Such a review should be combined with a monitoring and assessment evaluation of progress and gaps for CHMR in LSCO to help DOD know whether efforts are on track and make needed course corrections.

Implications

Overall, CHMR promotes the effective and precise use of force while supporting effective mitigation of civilian harm. CHMR also helps the US counter robust information efforts that its adversaries are likely to employ in the future, in part by reducing the ability of adversaries to incorporate civilian harm into their information operation arsenals. If implemented, CHMR will help the US out-adapt adversaries in high-intensity conflicts. This report gives DOD a foundation for the journey toward an effective, comprehensive approach to CHMR in the most demanding operational contexts.

Reference

[1]   Larry Lewis, Sabrina Verleysen, Samuel Plapinger, and Marla Keenan, with contributions by Anna Williams, *Preparing for Civilian Harm Mitigation and Response in Large-Scale Combat Operations*, CNA, DRM-2024-U-039078-1Rev, Aug. 2024.

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