

UNITED STATES

2025 ▼

2024

R

Regressive

U

Uncommitted

E

Engaged

EL

Emerging Leader

L

Leader

UNCOMMITTED

▼ 1. National policy



E

▼ 2. Civilian harm tracking



U

▼ 3. Investigations



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▼ 4. Public reporting & transparency



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▼ 5. Post-harm response



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COUNTRY SUMMARY III.

In 2025, the US' CPM score went from 'Emerging Leader' to 'Uncommitted' as the country rowed back on nascent efforts to improve policies and practices.

Between 2020 and 2024, the Department of Defense (DoD)* made notable progress in strengthening civilian protection, driven by lessons from past operational failures. This period saw the adoption of the Civilian Harm Mitigation and Response Action Plan (CHMR-AP) in 2022 and DoD Instruction 3000.17 (DoD-I) in 2023, which together established a comprehensive framework for mitigating civilian harm, and tracking, investigating, acknowledging, and responding when harm did occur to civilians. Institutional reforms included the creation of the Civilian Protection Center of Excellence (CP-COE), expanded training for personnel, the allocation of a dedicated annual fund for ex gratia payments in the 2020 National Defence Authorisation Act (NDAA), and international leadership of the International Contact Group on CHMR. These measures contributed to the United States being assessed as an "Emerging Leader" on CHMR in the 2024 CPM report.

Even before dramatic changes under the second Trump administration to government spending and policies, these reforms faced structural weaknesses. Ex gratia payments were rarely disbursed despite available funding, eligibility criteria for such payments were narrow and contested, and key policy commitments relied on discretionary language that limited enforceability and independent oversight of civilian protection efforts.

These shortcomings deepened sharply in 2025 under the second Trump administration. Secretary of Defense Pete Hegseth adopted an overtly permissive posture toward the use of force, prioritising 'lethality' and publicly questioning the relevance of international legal constraints on military operations. This rhetorical move away from legality coincided with the removal or marginalisation of much of the staff responsible for CHMR amidst government-wide budget cuts, including significant cuts to the CP-COE, leaving the future of civilian protection expertise within the DoD uncertain.

Operational outcomes in 2025 reinforced these concerns. There were locally-sourced allegations of harm in six of the US eight theatres of operation in 2025; Pacific/Caribbean, Yemen, Somalia, Syria, Iran, and Nigeria.¹ Yemen saw unprecedented civilian harm from US military operations over a short period with as many civilians killed in 52 days of military operations under Trump as the 23 years preceding combined.

In 2025, the US military also conducted repeated airstrikes and other attacks on small boats in the Caribbean and Pacific, stating that it was targeting drug-smugglers. However, according to international experts, these attacks constitute extrajudicial killings of civilians, given that the legal framework in which the strikes are being conducted remains in question.²

While the DoD-I remains an active policy, and its commitments should continue to guide the DoD approach to CHMR, the developments described above mark a growing gap between policy and

practice in the US. This clear regression from recent gains raises serious doubts about the DoD's willingness and capacity to apply hard-won lessons on civilian harm mitigation in contemporary conflicts.

Textbox 1

Key changes in 2025

Policy

- **Lethality trumps legality** | In the months following President Trump's inauguration for his second term, the Department of Defense saw a significant change in focus across statements, policy, and practice, moving the Department away from its increased emphasis on the role of CHMR in staying agile and reactive as a military, to an increased commitment to 'lethality'.³ In the early months of the Trump Administration, senior members of the legal leadership of the DoD were removed without notice in a highly unusual move; this include the US Air Force and Army's respective Judge Advocate Generals, responsible for ensuring the compliance of US operations with the laws of armed conflict.⁴ These developments have had dire consequences across US policy and practice in the last year, with several allegations of war crimes and a marked increase in civilian harm in some theatres.⁵
- **A centre of excellence under pressure** | Before the Trump Administration had even been inaugurated, the newly-established Civilian Protection Centre of Excellence on (CP-COE) came under significant pressure from changing priorities, followed by government-wide budget cuts as the new Administration took power.⁶ While several news outlets reported that there were initially plans to disband the centre as a whole, this has not come to pass; it has, however, been drastically reduced in size.⁷ Before its reduction, 30 staff members in the CP-COE would operate on a \$7 million budget (approximately 0.0008% of the overall DoD budget) to collate lessons on civilian harm to mitigate preventable harm in current and future operations, and help design responses to harm already caused. In light of political changes, there is now a small skeleton team instead.⁸
- **Removal of CHMR staff** | Throughout 2025, CHMR-focused staff across the DoD were removed from their positions or reassigned to non-CHMR roles, severely diluting the institution's doctrinal and operational capacity to mitigate and respond to civilian harm.⁹ Before Trump's inauguration, approximately 150-160 staff members worked specifically on CHMR across the DoD (an organisation of nearly 3 million people), with just a fraction of that number now remaining.¹⁰ **
- **Communications on civilian harm** | The Trump Administration has drastically changed the US' approach to communicating about airstrikes and civilian harm. Where past administrations typically announced airstrikes and resulting civilian harm in official statements, the Trump Administration shifted to less standardised, informal announcements, often consisting of social media posts on X and Truth Social. Over 2025, several CCMDs also significantly decreased the amount of information released on belligerents or civilians

killed; between April and December 2025, neither SOUTHCOM nor CENTCOM released overviews of airstrikes or allegations of civilian harm.

- **Data management efforts abandoned** | In the 2023 Civilian Harm Mitigation and Response Action Plan (CHMR-AP), the DoD committed itself to create “standardized civilian-harm operational reporting and data management processes” ¹¹ to function as an enterprise-wide lessons learned platform. In late 2024, challenges were publicly reported in implementation and by 2025 it had been abandoned. ¹²
- **Review of partners** | Both the CHMR-AP and the DoD-I committed the DoD to conduct civilian harm baseline assessments of allies and partners (CBAPs) to ensure the US’ partner forces have sufficient “ability, willingness, norms, and practices” ¹¹ on CHMR. These assessments were meant to be part of a wider multi-department approach to responsible partnerships, which also include arms sales reviews, security cooperation activities, multinational exercises, etc. The CBAPs came at a time of dire need for such reviews, as US support for partners has caused unprecedented harm to civilians in recent years, particularly in the case of Israel in Gaza. In reality, these assessments were not completed due to delays in the development of appropriate frameworks; as a result, the US has largely continued to supply weapons, training, and other support to partners and allies accused of inflicting severe and pervasive harm to civilians. ¹⁴

Civilian harm in US operations in 2025

During 2025, Airwars’ open-source documentation found that at least 357 civilians (including at least 16 women and 26 children) were killed by US actions. In the same period, at least 338 civilians (including at least 17 women and 26 children) were injured by the US military across all theatres of operations. This included civilians killed and injured in multiple new areas of military involvement, including Yemen, the Pacific and the Caribbean, Iran, and Nigeria. As open-source evidence can only capture a partial picture of the information landscape, this may be an undercount.

- **Syria** | At least 12 civilians were killed and at least 11 to 14 others injured in Syria throughout 2025 in incidents that local sources blamed on US forces or the US-led coalition against ISIS. Many of these were conducted in close cooperation with the Syrian Defence Forces (SDF); as a result, there is often a lack of clarity in public sources about who caused the harm.
- **Pacific/Caribbean** | 124 people were killed, including 10 missing and presumed dead, and two others were injured by military operations targeting small boats accused of trafficking drugs, in what many international experts have referred to as extrajudicial killings by the US military. This campaign has seen evidence of repeated double-tap strikes, delayed rescue attempts, and a decrease in transparency on civilian harm reporting from the US.
- **Iran** | Local sources, including the Iranian Red Crescent Society, reported that 11 individuals were injured in U.S. strikes on three nuclear sites in Iran – Fordow, Natanz, and Esfahan – on June 22nd.
- **Nigeria** | On December 25th, 16 Tomahawk missiles were reportedly launched, four of which failed to detonate and were found by civilians. At least one of the missiles reportedly struck

a hotel in Offa, injuring between five and eight civilians, including three hotel employees, a woman, and a child.

- **Yemen** | Between 224 to 284 civilians were killed and 313 to 461 others were reportedly injured by US attacks during Operation Rough Rider. The two deadliest civilian harm incidents during 2025 both occurred in Yemen – strikes on Ras Isa Port and Saada’s Remand Detention Prison reportedly killed at least 152 civilians and injured almost 200 others.
- **Somalia** | Between 5 to 32 civilians were killed and 1 to 15 others were injured, according to open-source evidence. Airwars found 84 sources documenting the death of a village elder in Somalia killed by a declared US airstrike.

More information about any of these incidents can be found on the publicly accessible Airwars archive of civilian harm. [15](#)

**In line with CPM house style, this report is written in British English. ‘Defence’ is therefore used instead of ‘Defense’, except where it relates specifically to the name of a US institution, role, or document title.*

Please also note that President Trump signed an Executive Order in September 2025, which directs that the ‘Department of Defense’ should be known as the ‘Department for War’. However, this change has not received the congressional approval required to invoke this change, and ‘DoW’ remains a secondary title. This report therefore maintains the language of Department of Defense.

***The reduction of remaining personnel has been referenced and quantified publicly following the 2025 cut-off period for this report, with members of Congress in hearings in April 2026 indicating that the reduction had been as much as 90% (see, for example, May 14, 2026 – Senate Armed Services Committee: CENTCOM/AFRICOM Posture Hearing, questions from Representative Gillibrand). This was reiterated in general terms in the Inspector General report on the implementation of the Civilian Harm Mitigation and Response Action Plan (IG CHMRAP) released in May 2026. Full analysis of this May 2026 report will be included as a supplementary record on the Civilian Protection Monitor website later this year, <https://www.dodig.mil/reports.html/Article/4486886/evaluation-of-the-dows-implementation-of-the-civilian-harm-mitigation-and-respo/>*

1. NATIONAL POLICY E

The national policy or system of policies, strategies, and guidance adopted by the executive branch of government and its organs (including security institutions) that establishes clear authorities, responsibilities, and guidance for the prevention, mitigation, and response to civilian harm. A national policy framework, when combined with effective implementation of its provisions and formalised engagement with civil society actors can be helpful for communicating a government's commitment to mitigate harm to civilians.

In recent years, the US has established a set of policies and practices that clearly lay out the framework and the resourcing needed to better protect civilians from its actions in situations of armed conflict, particularly through the Department of Defense Instruction 3000.17 on Civilian Harm Mitigation and Response (DoD-I) and the Civilian Harm Mitigation and Response Action Plan (CHMR-AP). This approach is unique internationally for its comprehensiveness, for the level of detail the policy framework contains in assigning roles and responsibilities, and in providing clear implementation guidance.

Beyond establishing guidelines on good practices for CHMR, the CHMR-AP also established several units responsible for the dissemination and incorporation of CHMR throughout the DoD: particularly important among these are Civilian Harm Mitigation and Response Steering Committee (CHMR SC) and the Civilian Protection Centre of Excellence (CP COE). At its height, the CP COE had around 30 staff members who were expected to “serve as a hub and facilitator of DoD-wide analysis, learning, and training related to CHMR, [and] directly support the efforts of the combatant commands and the military services”.¹⁶

However, since the beginning of the second Trump Administration in January 2025, an increased focus on budget cuts and a culture shift towards increased ‘lethality’ among DoD leadership has led to significant personnel and organisational disruption across the CHMR enterprise, reducing the capacity for these policies to be brought into practice. The apparent shift away from a focus on CHMR exacerbated the execution of harmful foreign policy in 2025, contributing to significant civilian harm across long-standing conflicts, such as Yemen, as well as new campaigns in Iran, Nigeria, and the Caribbean. In this context, while the DoD-I remains a standing policy, the improvements made as a result of the instruction are under significant threat and further implementation remains unlikely in the near future.

Recommendations

Ensure obligations and commitments in the DoD-I are brought into practice

- With the publication of the DoD-I (and the CHMR-AP the year before), the US became an international leader in policy on CHMR. The policy was constructive in identifying long-standing gaps in DoD policy and laying out clear steps for becoming a more agile and

adaptive military by understanding and preventing civilian harm; this should be carried forward as a matter of priority.

Enhance accountability mechanisms for implementation of policies

- Establish robust accountability frameworks to ensure deadlines are met and responsibilities within the DoD-I are fulfilled. Independent audits and reviews should be used to measure adherence to established timelines and objectives.

Clarify the current state of CHMR policy and practice

- While the US maintains strong policies on civilian harm mitigation and response, particularly in the DoD-I, there is a lack of clarity on the current state of the institutions, offices, and individual roles that are meant to bring these into practice. In the context of significant cuts to its CHMR work-force, the DoD should publicly clarify who is responsible for implementing each section of the DoD-I.

Clarify conditional language in policies

- Ensure that terms are clear and enforceable within policies to better facilitate accountability and oversight, indicating that even where decisions are discretionary there are mechanisms to document rationale and deviation from recommended practice.

1.1 National policy framework

The government has adopted a comprehensive national policy framework on mitigating and responding to civilian harm resulting from its own military operations, including clear definitions of key terminology such as 'civilian harm'.

The US has several relevant policy documents that comprehensively outline its CHMR policy and approach. Most notable are the 2022-2025 CHMR-AP and the 2023 DoD-I, which contain detailed descriptions on US policy on preventing, tracking, investigating, and responding to harm. These build on a series of earlier publications reviewing US efforts to mitigate harm; however, the CHMR-AP and DoD-I are distinct from past policies and documents in placing CHMR at the heart of strategic and operational thinking, their ambition in reforming the enterprise-wide approach to CHMR, and their willingness to acknowledge and address existing gaps. ¹⁷

The CHMR-AP, DoD-I, and earlier documents were built on significant input from civil society and independent experts, through both formal and informal forums. ¹⁸ While not all recommendations

were brought into the final policies, this process ensured that the DoD had access to independent expertise and more comprehensive lessons on the civilian harm from its actions.

In addition to the CHMR-AP and DoD-I, the 2018 National Defence Authorization Act Section 1057 requires the DoD to report annually to Congress on civilian harm from its military action. These reports must identify operations in which civilian harm was confirmed or reasonably suspected; specify dates, locations, theatres of conflict, and operation types; assess civilian and combatant casualties; and describe investigative processes and mitigation measures. Subsequent NDAA amendments in the 2019 NDAA expanded reporting requirements to include mission-level detail and distinctions between civilians killed and injured. ¹⁹

The current challenge in the US context centers not on the policies that exist, but on the apparent lack of appetite, willingness, and capacity to implement these policies in the context of significant budget and staff reductions and a focus among DoD leadership on ‘lethality’ over legality or legitimacy. As an example of this, while the CHMR-AP officially ‘ended’ in September 2025, many of the important improvements that were emerging in the US approach as a result have since been curtailed in the midst of budget-cuts, with damning consequences for those caught in armed conflict, from the Caribbean to Yemen. ²⁰

Beyond challenges to DoD policies on CHMR from the current Trump Administration, it is also notable that the US has never had a sufficient policy framework on civilian harm mitigation or response from non-military actors like the CIA who regularly use deadly force overseas.

1.2 Clear policy language EL

The policy contains clear and actionable language and commitment to civilian harm mitigation and response.

US policy documents contain clearly worded commitments to protecting civilians, as well as clear definitions and explanations of key terminology. Both the CHMR-AP and the DoD-I 3000.17 contain comprehensive and tangible language, signaling strong policy intent. The DoD has also set up an accessible central webpage with an overview of all CHMR-related policies, adding useful clarity on what is considered part of the US policy framework on CHMR.

The DoD-I includes a comprehensive definition of ‘civilian harm’ (textbox 2). ²¹ The existence of such a definition, and its comprehensive inclusion of both direct and indirect harms, constitute best practice internationally.

Textbox 2

US definition of civilian harm

The US DoD-I sets out a clear definition of civilian harm. This is an important step in clarifying what the DoD is likely to investigate and respond to, as well as how it is thinking about its impact on civilians. The DoD-I defines civilian harm as the following;

“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.”

Throughout DoD policies on CHMR, there is, however, frequent use of qualifying statements, often open to arbitrary application; the reliance on terms such as “to the extent practicable” across some DoD policies creates the risk of uneven, personality-dependent implementation, as well as changing political opinions on what is ‘practicable’. Similarly, the emphasis that civilian harm “...do not include mere inconveniences” leaves broad scope for differences in opinion on what is harm and what is merely an inconvenience. Emphasis throughout the DoD-I on “commander discretion” can also lead to different interpretations of policy depending on individual commander interest and engagement on the topic. These discretionary caveats are not accompanied by a corresponding obligation for justification around decisions that deviate from the actions outlined in the policy, which risks non-compliance.

1.3 Clear implementation guidance E

Policy and implementation guidance is clear and includes defined roles and responsibilities.

The CHMR-AP and DoD-I expressly identify specific roles and responsibilities for different entities within the DoD, often in great detail; in the years leading up to the second Trump Administration, many of these roles were established, including through the Civilian Protection Center of Excellence (CP COE), as well as Civilian Harm Assessment Cells, and Civilian Harm Mitigation and Response Officers (CHMROs) throughout the US Unified Combatant Commands (CCMDs). [22](#)

The CHMR-AP delineates the timeline of this integration by fiscal year to serve as guideposts for implementation, enhancing transparency and the potential for public oversight and monitoring. The CHMR-AP also includes specific objectives for integrating CHMR into joint doctrine and operational planning, as well as objectives to train personnel in CHMR and embed CHMR Officers across the DoD.

However, the resourcing of the roles established by the CHMR-AP and DoD-I is dependent upon Congressional appropriations through the annual National Defence Authorisation Act (NDAA) and other budgetary tools, which means that the implementation of CHMR policy and practice are subject to evolving political interests (see indicator 1.4).

In 2025, the CHMR enterprise as a whole across the DoD and the operational CCMDs saw a significant reduction in staff. This affected CHMR-specific functions, such as the Civilian Protection Center of Excellence, as well as other functions within the DoD that are vital for appropriate civilian harm mitigation, including legal advisors.

1.4 Budget and resources

Funding, personnel and time are given toward implementation of CHMR policies.

Over the last year, there have been drastic cuts to the teams and staff responsible for effective CHMR in the US setting. Staff who were critical to the implementation of US CHMR systems have been removed from their roles or re-assigned to non-CHMR roles. This puts the DoD's ability to effectively mitigate harm to civilians – and respond when it occurs – at risk.

Even as staff were removed from their positions, the budget available remained relatively steady; as a result, the budget appears relatively strong on paper, but there is no capacity to implement projects under the relevant budget line. The DoD has received specific funding from Congress for CHMR activities and personnel in the past. This included \$41.75 million in fiscal year 2023 and \$41.5 million in fiscal year 2024 to the DoD for CHMR activities and personnel. ²³ In 2025, the US government was funded through a continuing resolution, so funding levels from 2024 were repeated for 2025. ²⁴

Congress has further set up an annual fund from which ex gratia payments for US-caused civilian harm can be paid. This fund, which was established in 2020, contains an annual \$3 million fund for the provision of ex gratia payments in response to civilian harm caused by US military operations. ²⁵ In 2023, the DoD submitted to Congress a legislative proposal titled “Payment of Expenses to Help Respond to Civilian Harm.” The proposal creates an additional \$10 million authority for DoD to respond to civilian harm through a variety of in-kind assistance options. This authority would supplement, not replace, the existing \$3 million ex gratia authority. ²⁶ However, this proposal was not passed into either the NDAA 2024, nor the NDAA 2025 according to summaries and legislative text reviews. ²⁷

CHMR-AP Objective 11 focuses on the staffing needed to implement the action plan objectives, including a manpower study to ensure the projected staffing needs are accurate. It also includes annual funding requests to Congress and periodic updating of anticipated resource requirements. The findings from the initial study, which are not public, were presented to the CHMR Steering Committee in July 2023; one purpose of the manpower study was to validate the assessment in the CHMR-AP that 166 FTEs would be needed to fully implement the action plan. ²⁸ However, in the time since the manpower study, the Trump Administration has significantly reduced the staff focused on CHMR. ²⁹

2. CIVILIAN HARM TRACKING U

An internal (military or security force) process by which an armed actor gathers and analyses data about civilian harm incidents in order to better prevent, mitigate, and address harm in the future.

The US has implemented some degree of civilian harm tracking in most of its military operations since 2011; however, the consistency of civilian harm tracking across CCMDs varies, and across its operations, there is a discrepancy between the civilian harm acknowledged by the DoD and the evidence of harm found by independent monitors.

In 2025, SOUTHCOM joined CENTCOM and AFRICOM as the three CCMDs actively conducting airstrikes. SOUTHCOM focused on repeated operations against small boats in the Pacific and Caribbean (see textbox 3). However, unlike CENTCOM and AFRICOM, SOUTHCOM did not have a civilian harm reporting mechanism in 2025, nor an established approach to tracking civilian harm; according to public reporting, the team responsible for such activities were reduced from four staff members to one contractor in the first half of 2025. ³⁰

Textbox 3

US DoD Commands

The US DoD has 11 Unified Combatant Commands (CCMDs), split into seven Geographical CCMDs and four functional CCMDs. The CHMR approach of CCMDs can vary drastically, with some, for instance, supplying reporting mechanisms to submit allegations of civilian harm (e.g. CENTCOM and AFRICOM) and others having no established methodology to review or track civilian harm (e.g. SOUTHCOM).

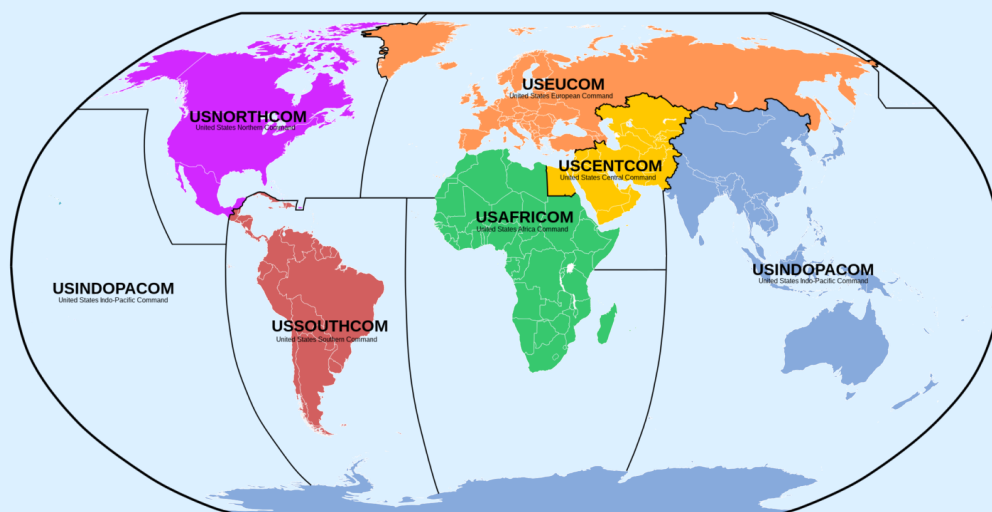


Photo source: Wikimedia Commons,

https://upload.wikimedia.org/wikipedia/commons/e/e6/Unified_Combatant_Commands_map.png

Until the inauguration of the second Trump Administration, the DoD was working on further strengthening its approach to tracking and analysis mechanisms, for instance through plans to standardise civilian harm-related data collection, assessments and investigations. This includes creating a centralised database to track harm and identify trends, which would be used to inform both current operations and broader organisational learning. There were no updates on the progress of the database in 2025, and the eventual abandonment of the platform in 2025 was confirmed by the Inspector General in a report released in May 2026.³¹

Recommendations

Publicly define minimum standards for enterprise-wide civilian harm assessment and tracking criteria

- Clearly define the minimum viable criteria needed to store data in order to absorb current civilian harm claims given that the US is active in a number of conflict zones, and begin to apply this system to unresolved or past allegations. This will improve transparency and thereby increase the legitimacy of military operations, facilitate trend analysis, and ensure the comprehensive inclusion of all relevant data.

Share lessons on civilian harm tracking across CCMDs

- It is vital that every US DoD CCMD has the capacity to track civilian harm. Whether they are actively conducting operations, or planning for future warfare, each CCMD should be clear about how it is going to receive and seek information on civilian harm, the methodology it is going to use to examine such allegations, and how it is going to communicate with those who submitted allegations of harm.

Improve civilian harm reporting mechanisms

- Ensure the existence of reporting options is widely known in the area of operations and include both offline and online reporting options available in the local language. Allow civilians to indicate a degree of uncertainty when reporting certain information like date and location without dismissing those reports. Communicate clearly what civilians can expect when they report and how their data will be protected

Use tracking mechanisms for operational learning

- Ensure that the primary purpose of tracking mechanisms is to reduce harm and improve tactics, as well as reporting on casualties. This will align tracking efforts with the overarching goal of preventing civilian harm through operational and institutional changes

2.1 Tracking mechanism E

The government has or plans for the capabilities, resources, personnel, and systems needed to track civilian harm, i.e., to systematically collect and analyse information on harm.

The US has carried out forms of civilian harm tracking across many of its operations and theatres, yet the consistency and quality of such tracking varies greatly between CCMDs. With the increased activity of SOUTHCOM (responsible for Central America, South America, and the Caribbean) in 2025, it became apparent that this command had not stood up a civilian harm tracking function, unlike other militarily active commands. In the first half of 2025, this CCMD removed four staff members focused on CHMR, leaving only one contractor in place. ³²

Textbox 4

Recording, tracking, assessment, and investigation

Military efforts to track, assess, and investigate civilian harm should begin with comprehensive recording of incidents, where reports from various sources are gathered to document potential civilian harm. Key components of this step include establishing a reliable data-gathering mechanism, ensuring reports are collected in real-time or shortly after incidents, and cross-referencing sources to verify details about harm. Accurate recording forms the foundation for later assessments and helps in identifying patterns of harm over time.

In the civilian harm tracking phase, collected data should be systematically organised and analysed to identify trends and specific incidents that may require deeper investigation. Tracking involves cataloging each event's location, date, weapons used, and reported civilian impacts, and aggregating data to monitor the broader impact of military actions. This stage's key elements include maintaining a clear database, ensuring the integrity and consistency of data, and analysing frequency and severity of incidents to prioritise cases for assessment or investigation.

The final steps, assessments and investigations, focus on evaluating the incidents' credibility and conducting in-depth examinations of selected cases. During assessments, incidents should be reviewed to determine if they meet criteria for further scrutiny, often involving corroborative evidence from multiple sources. Investigations delve deeper, with forensic analysis, interviews,

and site visits (where possible) to establish accountability and identify operational mistakes or violations of law.

Both the DoD-I and the CHMR-AP attempted to address the uneven civilian harm tracking across CCMDs directly, with a focus on drawing lessons and good practices from those CCMDs with the most experience of tracking civilian harm across all US services. The DoD-I made several commitments on civilian harm tracking, including that civilian harm assessments and investigations related to CHMR were to be incorporated into DoD tracking of civilian harm resulting from US military operations, for the purpose of preparing reports to Congress as required by law; that data, lessons learned, and recommendations related to civilian harm identified in civilian harm assessments and investigations were to be archived and dispersed, as well as updates on progress to implement lessons learned and recommendations; and CCMDs were to safeguard data regarding the results of initial reviews, civilian harm assessments, and investigations and collect and archive this data in a standardised manner.

The DoD-I remains an active policy, and its commitments remain. Yet with the growing gap between policy and practice on CHMR in the US, and the high degree of variation in civilian harm tracking between CCMDs, it is unclear who will bring these commitments from policy to practice. Additionally, it is important to note that both the CHMR-AP and the DoD-I were considered forward-looking documents; while some legacy cases have been reviewed ad hoc since the implementation of these new policies, there is no guarantee that harm previously reported to the DoD (including cases that were under investigation when the DoD-I was launched) will be investigated under the new, improved standards. ³³

Finally, some CCMD reporting webpages are inaccessible to the civilians seeking to report harm. ³⁴ For instance, the webpages use very long email addresses, do not enable the inclusion of photographs, and only provide the webpage in English. In some contexts (e.g. Somaliland), the website for reporting civilian harm is blocked, requiring a VPN for any civilians or third-party actors wishing to access the page. Civilians on the ground are also often unaware of the existence of these online portals. These gaps may hinder tracking allegations.

In practice, there has been no public response from the DoD to allegations of harm across US operations in 2025, including in Yemen, where unprecedented harm was documented in 2025. ³⁵

2.2 Tracking to reduce harm through analysis

The tracking mechanism is effectively designed to produce meaningful analysis and insights that are used by military leaders to change tactics or procedures. The express and stated purpose of the tracking mechanism in policy and practice is to prevent, mitigate, and address harm and promote institutional and operational learning.

Major challenges persist in the US DoD's ability to learn lessons on civilian harm mitigation from tracking of harm. Notably, as mentioned throughout this report, the quality of lesson-learning on

civilian harm appears to differ significantly between different CCMDs. While some, such as AFRICOM and CENTCOM, have dedicated personnel focused on civilian harm tracking, others, such as SOUTCHOM, did not have the capability to track civilian harm in 2025, much less analyse the data to understand patterns of harm.

Additionally, many of the lessons that appeared to have been learned through analysis on civilian harm over the last two decades have re-emerged and become major causes of harm since the beginning of the second Trump administration; in 2025, for instance, more airstrikes moved back into densely populated areas in Yemen, and high-explosive munitions were increasingly used in such areas as well, leading to significant harm.

In the past, there have been large-scale studies to understand patterns of harm emerging from specific military campaigns and across US operations. There is evidence in previous campaigns that this led to a marked decrease in civilian harm; for instance, between 2009 and 2012, civilian harm from airstrikes conducted by ISAF decreased from an allegation of harm from every 5.71 strikes on average, to every 15.67 strikes as the result of several factors, including a focus on civilian harm mitigation through training and guidance largely introduced by US generals, as well as new restrictions on the use of airstrikes and indirect fires on residential compounds except in limited circumstances. [36](#)

Both the CHMR-AP and the DoD-I attempted to rectify an ad-hoc and personality-driven approach to lessons learning on harm to civilians; CHMR-AP Objective 7.d, for instance, states that civilian harm incidents, patterns, trends, and factors that have contributed to civilian harm shall be analysed and made available to command staff in order to inform current operations, and to the CP CoE to inform broader organizational learning. DoDI 3000.17 section 3.4 also states that efforts to mitigate civilian harm will be informed by previous actions taken in response to civilian harm, including civilian harm assessments, investigations, and associated analyses, and implementation of recommendations and lessons learned. However, the significant reduction in staff focused on civilian harm mitigation throughout 2025 means many of the functions laid out by the DoD have lost the attached staff. It remains one of the core functions of the CP COE to analyse civilian harm and disseminate lessons on the patterns identified, yet the CP COE is significantly reduced. The database on civilian harm allegations, which was to play a key role in reducing future harm through analysis, has been abandoned. [37](#)

2.3 Coordination with investigation mechanisms E

Tracking mechanisms interact effectively with civilian harm investigations.

The US distinguishes between assessments and (more elaborate) investigations of civilian harm. An assessment where an incident is found to have caused civilian harm can by itself be sufficient to lead to a response.

In 2025, several US airstrikes led to allegations of war crimes by human rights organisations. On April 17th, the US conducted an airstrike targeting the Houthi militia in Ras Issa Port, allegedly killing at least 84 civilians. [38](#) Less than 10 days later, on April 28th, an airstrike on a detention centre for people

migrating through Yemen was struck, killing an estimated 68 civilians.³⁹ In response to these incidents, the DoD emphasised that it was aware of the allegations of civilian harm and was conducting investigations. However, during the same period, CENTCOM announced that it would no longer release details on its missions “to preserve operational security”.⁴⁰ There has been no public statement on the allegations of civilian harm in Yemen since.

2.4 Data management

Tracking mechanisms have reliable access to accurate information and sufficiently detailed records about military operations (e.g., troop movements, airstrikes, incident reports). Incidents and analyses are properly archived and retrievable years later.

US data management practices have had significant limitations in the past. The CHMR-AP in particular, identified significant shortcomings with US data management regarding civilian harm incidents in the past, noting that the US military had not maintained an enterprise-wide, comprehensive database for civilian harm operational reporting and data management. The CHMR-AP also recognised that effective knowledge management on civilian harm is critical to understanding the root causes of harm.

The DoD announced its intent to remedy these through the CHMR-AP and the DoD-I, which had a strong focus on standardising reporting and data management processes, and through improving internal record keeping. Current progress on implementation of these commitments is, however, under doubt. Many of the commitments on this topic centered around the development of a data management system, which appears to have been abandoned. It therefore seems the challenge identified in the CHMR-AP, namely the lack of an enterprise-wide database on civilian harm, remained throughout 2025.

3. INVESTIGATIONS U

Formal inquiries (often in the form of administrative or criminal investigations) that can be used to elucidate facts, to understand the cause of harm, to identify relevant state and/or individual responsibilities, to facilitate the appropriate response and/or remedy, and even to exonerate.

The US DoD has made significant efforts in recent years toward improving how it investigates reports of civilian harm, also moving beyond a narrow focus on casualties alone. Recent policies outline the intent to standardise the investigation process, ensuring that both internal and external sources of information are considered in assessments. However, there are significant concerns on the level to which these new policies have been fully integrated into current operations remains unclear. Additionally, public reports on civilian harm often do not specify the investigative means and methods that were used or how certain conclusions were reached, nor are these reports standardised across individual Combatant Commands.

Recommendations

Update civilian harm reporting mechanisms to reflect the information environment

- Ensure the existence of reporting options is widely known in the area of operations and include both offline and online reporting options available in the local language. Allow civilians to indicate a degree of uncertainty when reporting certain information like date and location without dismissing those reports. Communicate clearly what civilians can expect when they report and how their data will be protected.

Standardise and institutionalise the investigation methodology

- The DoD should formalise and institutionalise its investigative methodology, including implementing minimum standards around site visits, witness interviews, the use of open-source information, and engagement with third party actors. It is also recommended that the DoD uses a sliding scale to determine the credibility of reports rather than binary categorisation. These procedures should be outlined in public policies, ensuring consistency and reducing delays in investigations.

Increase transparency in public reporting

- The DoD should improve transparency by regularly publishing detailed reports of investigations. Congress should be informed of the start and result of each investigation. These public reports should include descriptions of the investigation process, evidence consulted, legal and factual findings and recommendations for preventing future harm as well

as a detailed consideration of the possible provision of amends. Transparency on military operations increases the legitimacy of the US military toward the public and other armed actors, by showing incidents of harm are taken seriously, and combats potential disinformation on civilian harm by adversaries.

More closely align investigative procedures and outcomes with response mechanisms

- The DoD should develop a standardised and transparent process to ensure that investigation findings feed directly into response mechanisms, including the provision of ex gratia payments or in-kind assistance as well as operational and institutional learning cycles

3.1 Investigates all credible reports

Promptly investigates all credible reports of civilian harm, whether or not it is immediately clear that a violation of international law has occurred. Obtains relevant information from all internal, and, to the extent feasible, all external sources.

In spite of evidence of significant levels of harm from US actions, the US has not announced the outcome of any investigations into harm that occurred that year.

The DoD has had the capacity to investigate allegations of civilian harm in some recent conflicts, which has led to the acknowledgement of civilian deaths, injuries to civilians, and damage to civilian infrastructure. Several CCMDs have in place reporting mechanisms and tracking practices, which feed into investigations. However, there is no evidence available in the public sphere to suggest that these were being applied in US operations throughout 2025, particularly those targeting small boats in the Pacific and Caribbean, as well as significant allegations of harm in Yemen in 2025, which have not yet been publicly reported on by the DoD.

Beyond these contexts, there is often a significant discrepancy between the evidence on civilian harm from open sources and the level of harm recognised by the US. The US-led counter-ISIS coalition, for instance, has killed at least 8,262 civilians according to Airwars' documentations; the coalition had acknowledged 1,457. [41](#)

The DoD reports to Congress annually on its investigations into civilian harm allegations (both those which have been deemed “reasonably suspected” of being caused by the US, and those rejected by the DoD). Congress mandates this reporting in Section 1057 of the FY2018 National Defense Authorization Act; the DoD has released these reports, often referred to simply as ‘1057’ reports, annually since 2022. While often significantly delayed up to a year, each of these reports has offered important insight into the DoD approach to investigating allegations of harm, the capacity that exists to conduct such assessments, and a brief overview of the reasons why some allegations have been rejected. Beyond its acknowledgement or rejection of civilian harm, the 1057 reports also include an overview of how many allegations have been brought to the attention of the DoD. They are limited to

reporting on allegations of harm from actions where a US service member deployed a weapon (and therefore does not account for the often significant harm from US support for allies and partners) and it does not cover covert operations such as those conducted by the CIA in Yemen.

Over the last four years, the US has made efforts to further codify its approach to civilian harm investigations, particularly through the CHMR-AP (2022), the DoD-I 3000.17 (2023). DoD-I 3000.17 provides procedures for conducting civilian harm assessments. In addition, in preparation for and throughout the duration of crisis or conflict, it requires combatant commands to establish or maintain civilian harm assessment cells (CHACs) and to have a Civilian Harm Assessment and Investigation Coordinator in place at the combatant command-level, or, as appropriate, at subordinate operational commands. However, in light of budgetary cuts and reductions in CHMR-related staff across the DoD, the practical implementation of these positions has been severely undermined. [42](#)

In the last few years, the US DoD has shifted from using language of ‘credible’ or ‘non-credible’ on its designation of civilian harm allegations, to ‘more likely than not’ threshold. This is a positive step, offering a more appropriate threshold of evidence for warzones. Yet the path towards reaching the conclusion of ‘more credible than not’ does not appear to follow a transparent set of criteria that is used across CCMDs.

In cases where the US determines that it has not caused civilian harm because it believes those targeted to be combatants, it offers little explanation for its determinations, even when there is repeated testimonies that those killed were civilians. This is particularly true when it comes to the military operations targeting small boats in the Caribbean and Pacific in 2025, where the US Administration sits at odds with legal experts and international bodies (including the UN) as to the legal frameworks and justification for the strikes. [43](#)

3.2 Conducts witness interviews and site visits U

Investigating officers conduct site visits and/or conduct witness interviews or provide reasons why doing so is infeasible. If this is infeasible, there is clarity on how evidentiary gaps will be addressed.

The DoD-I 3000.17 (2023) and AR 15-6 regulation mention site visits and witness interviews as possible investigative means. However, in practice and particularly in air campaigns, site visits have been extremely rare. Policy further does not specify that witness interviews should include civilians. In the air campaigns that have defined US warfare for over a decade, the US has not often utilised investigative methods like site visits and witness interviews, even though in some cases there were Special Operations Forces (SOF) personnel present on the ground, e.g., in Somalia. The Center for Civilians in Conflict and Columbia Law School Human Rights Institute found that between 2016 and 2019 not a single civilian witness was interviewed or a single site visit conducted in any investigation of civilian casualty allegations in Somalia. [44](#)

There is no publicly available evidence to suggest site visits have been conducted by the US DoD in 2025. In past 1057 Reports, the DoD has specifically clarified that it has not conducted site visits or witness interviews. [45](#)

The DoD-I sets policy for how civilian harm assessments and investigations should be conducted, including that civilian harm assessment cells (CHACs) should use “all available information,” ²¹ such as interviews with witnesses or open-source reports where feasible. However, the policy does not require public disclosure of when such methods are actually used and there is no requirement for the DoD to publish detailed operational data like specific site visits or civilian interviews in unclassified form.

3.3 Reports of investigation

Reports of investigations include a description of the process followed, the evidence consulted and included (including witness statements), information about its factual and legal findings, and recommendations for preventing a recurrence of civilian harm.

The US did not report on investigations into the numerous allegations of harm which emerged in 2025. In July 2025, the 2024 1057 Report was released; it included expected levels of detail, with extensive sections dedicated to assessment and investigative processes, as well as age and gender disaggregated results on civilian casualties. ⁴⁷

The United States has multiple policies and procedures in place to promote consistent public reporting on civilian harm and civilian harm investigations arising from US military operations. A central pillar is Section 1057 of the National Defense Authorization Act (2018), which requires the DoD to publish annual unclassified reports on civilian casualties. ⁴⁸ These reports must identify operations in which civilian harm was confirmed or reasonably suspected, specify dates, locations, theatres of conflict, and operation types, assess civilian and combatant casualties, and describe investigative processes and mitigation measures. Subsequent NDAA amendments expanded reporting requirements to include mission-level detail and distinctions between civilians killed and injured. ⁴⁹

Complementing statutory reporting, DoD-I standardises terminology and public-facing communication. It directs the DoD to avoid credibility binaries and instead assess whether civilian harm was “more likely than not,” refer to “information” rather than “allegations,” and coordinate the release of outcomes through public affairs channels. The instruction also commits the DoD to publishing releasable information (such as date, location, and type of operation) when civilian harm occurs.

At the operational level, Combatant Commands are required by the DoD-I to publish at least quarterly unclassified civilian harm reports. ²¹ There is, however, inconsistent implementation of this and reporting templates are not standardised across commands, a full overview of investigations are not published, methodological reasoning is – at times – opaque, victim notification is not required, and the role of intelligence agencies in strikes remains unreported. ⁵¹ 1057 reports have repeatedly been significantly delayed, delaying accountability and transparency.

3.4 Interaction with response mechanisms U

Investigations connect meaningfully to response mechanisms. Civilians who report incidents are informed of the possible response they can expect from the state. Acknowledgements of harm following the conclusion of an investigation address the next steps in terms of amends.

In practice, the connection between investigations and concrete responses to civilian harm is weak in the US. While the DoD routinely acknowledges civilian harm – an important and positive practice – public reports often stop at acknowledgement and do not explain what follow-on actions, remedies, or amends are planned. Commanders appear to lack clear, publicly articulated guidance on the range of available response options, such as ex gratia payments, apologies, or other forms of redress. As further explored in Category 5, while the US has a \$3 million annual funding pool available for ex gratia payments, it made only a single payment between 2020-2022. ⁵² There is no public evidence that it has made ex gratia payments in subsequent years. ⁵³

This practice is different from what is set out in policy. Recent US policy documents explicitly link civilian harm investigations to acknowledgements of harm, responses, and operational learning. Notably, the DoD-I states that CCMDs or subordinate commands should, as appropriate, use information from civilian harm assessments and investigations to inform acknowledgements and other responses to civilian harm. The instruction also establishes processes for capturing lessons learned, recommendations, and practices related to mitigating and responding to civilian harm, including those derived from investigations conducted under the CHMR framework.

3.5 Criminal investigations U

Incidents of a suspected criminal nature are referred to an independent, impartial investigative authority for investigating criminal violations.

Although US policy formally provides for criminal investigation, practice reflects limited commitment and transparency. During 2025, leadership in the DoD, particularly Secretary of Defense Secretary Pete Hegseth, signaled a rhetorical and practical distancing from both international and national law. ⁵⁴ This shift was reflected less in formal withdrawal from legal obligations than in an apparent de-prioritisation of international humanitarian law language, expressed skepticism toward external scrutiny, and a stronger emphasis on commander discretion and operational freedom, with little recognition of the military operational value of effective CHMR. While core legal frameworks formally remain in place, statements made throughout 2025, and the removal of key legal staff, suggest a narrowing of how legality and international accountability are understood and operationalised within the DoD. ⁵⁵

This points to yet another significant gap between policy and practice in the US. There is a strong policy-foundation for criminal investigations in allegations of civilian harm which may be of a criminal nature; the CHMR-AP, for instance, mandates that if evidence emerges suggesting civilian harm resulted from criminal activity, civilian harm assessments must be suspended, evidence preserved, and the responsible Military Criminal Investigative Organization (MCIO) immediately notified. Legal and policy frameworks governing criminal investigations are well established, and as noted by the

Center for Civilians in Conflict and the Columbia Law School Human Rights Institute, incidents involving potential criminal violations are meant to trigger mandatory MCIIO investigations. [56](#)

In practice, however, criminal investigations related to civilian harm are exceedingly rare and are seldom reported publicly. When they do occur, cases are typically pursued under ordinary domestic criminal offenses (such as murder or assault) rather than explicitly under the Law of Armed Conflict or international humanitarian law. [57](#) There appears to be no distinct or transparent process for investigating IHL violations as such.

Historically, independent human rights organisations have documented serious allegations involving US forces in Afghanistan and Iraq, including abuse during interrogations (most notably Abu Ghraib prison) and mass civilian casualty incidents such as Haditha massacre. [58](#) These cases resulted in few criminal convictions, and some convictions were later reduced or overturned through clemency. [59](#)

Structural accountability gaps also persist. The United States is not a party to the Rome Statute, and domestic legislation such as the American Service-Members' Protection Act limits cooperation with the International Criminal Court, further constraining avenues for criminal accountability.

4. PUBLIC REPORTING & TRANSPARENCY U

Systems and procedures to ensure that the public and institutions of public oversight are made sufficiently aware of civilian harm, and to protect the right of victims to pursue remedy. Information may be limited or redacted due to privacy concerns for affected civilians, to safeguard other ongoing investigations or for national security reasons, but these reasons should be subject to review.

While the DoD has robust policies and procedures when it comes to public reporting, there is a high degree of variability around reporting both between Combatant Commands and within Commands between campaigns. The US President and Secretary of Defense have been vocal in posting about kinetic engagements on social media platforms, though statements are often inconsistent and vary over time. Gaps relating to the legal designation of individuals killed and injured by US SOUTHCOM in the Pacific and Caribbean present a fundamental challenge to the civilian harm reporting process. An absence of reports related to the US CENTCOM campaign in Yemen put in question the commitment to transparent reporting mechanisms, as outlined in US DoD-I.

Recommendations

Further standardise reporting

- Require all CCMDs to provide consistent and detailed strike reports, including precise time, location, and demographic data of civilian harm to enhance both operational and institutional learning and enable external verification.

Comprehensive civilian harm reporting

- Reports typically include descriptions of incidents and the general location but tend to focus on direct casualties, leaving out the broader effects on civilians. To enhance transparency, the DoD should implement a policy for routinely reporting all civilian casualties, including those caused by coalition partners – without necessarily identifying the nation responsible – and should report more information on reverberating and non-physical forms of harm. CCMDs should state where possible the explanation for delayed reporting and deviation from DoD-I 3000.17 quarterly reporting requirements.

Increase transparency on civilian harm assessments and investigations

- Publish full civilian harm assessments and investigations, including details on the criteria used for the determination credibility of reports, investigative methods, and explanations for

discrepancies with other reports or estimates. This supports the legitimacy of the armed forces as an actor that adheres to high standards and takes incidents of harm seriously

Invest in independent oversight mechanisms

- Establish an independent body to evaluate the DoD's transparency practices, ensuring that withheld information is justified and that the highest levels of disclosure are achieved without compromising security.

Prepare transparency policies for high-intensity conflict

- The DoD should ensure that transparency policies and practices are effectively applied now and in future operations, particularly as the military prepares for more complex and large-scale conflicts, so that practices can be effectively scaled up in high-intensity contexts. This would demonstrate a commitment to institutional learning and help mitigate harm in future engagements.

Be explicit about the applicability of CHMR in all operations involving military force

- The DoD should ensure that there is a clear path for all civilians harmed by the United States to seek recourse and acknowledgement, in a manner that accounts for the particularities of each US military operation. Most urgently this includes the role of CHMR obligations in SOUTHCOM use of force against claimed drug trafficking operations.

4.1 Discloses time and location of operations E

Makes public information, to include time and location, of operations including airstrikes, except in circumstances when doing so would place civilians or security personnel at risk.

The US regularly publishes information on its military operations across multiple channels, with varying degrees of consistency. In a notable break from the previous administration, strike reporting over the last year has routinely been shared directly by US President Trump on his Truth Social account, as well as by Secretary of Defense Pete Hegseth on X; these posts include declassified strike footage, as well as comments about intended targets. ⁶⁰ However such posts can be irregular both within and between operations, and are often concentrated at the beginning of campaigns, before dropping off in frequency and detail as actions continue. ⁶¹ Comments to the press from US officials about the use of force are at times vague or contradictory, leading to ambiguity about whether or not strikes have taken place and civilian harm has occurred. ⁶²

Combatant Commands maintain a regular approach to their own strike reporting, which is often presented in narrative form and shared via Press Releases on relevant CCMD websites. New kinetic actions followed the same process in 2025, with SOUTHCOM releasing information on strikes following the launch of its campaign on vessels in the Caribbean and Pacific. ⁶³ The timing of reports, and the level of detail and the structure of the reports vary per CCMD and per campaign. For instance, CENTCOM in Syria often provides details on specific strikes and locations, yet the same CCMD has released few corresponding statements on strikes during the higher intensity Yemen campaign. ⁶⁴

4.2 Civilian harm reporting U

Regularly issues and disseminates reports on civilian harm resulting from military operations that includes an estimate of casualties, the source of harm, the type of harm experienced, and the location of the incident(s) and any reasons for discrepancies with estimates or accounts from other sources such as NGOs or the media.

As in many other areas of the US approach to CHMR, there is a drastic, growing gap between policy and practice on civilian harm reporting. Throughout 2025, the DoD did not report on investigations into the numerous allegations of harm. There was also a change in culture on civilian harm reporting, with official strike updates increasingly taking on an ad-hoc and informal nature on social media and restrictions placed on access to the Pentagon by independent reporters.

This stands in sharp contrast to US policy, where the DoD has some of the most robust policies and procedures on civilian harm reporting. The 2018 National Defense Authorization Act (NDAA) section 1057 introduced obligations for the Department of Defense to report to Congress on civilian casualties caused by US operations. In July 2025, the 2024 1057 Report was released; it included expected levels of detail, with extensive sections dedicated to assessment and investigative processes, as well as age and gender disaggregated results on civilian casualties. ⁴⁷

The Department of Defense Instruction 3000.17 outlines reporting requirements at CCMDs (independent from the annual 1057). These requirements include quarterly and interim obligations, including reference to the date, location, type of operation, and the general purpose of the action. Reports also must acknowledge whether civilian casualties were assessed to have ‘more likely than not’ resulted from the operation(s). ⁶⁶ Despite these requirements, no such reports were produced by CENTCOM relating to Operation Rough Rider, which lasted from March to May 2025. Exemptions to this requirement include Commander’s discretion to delay or withhold reports to protect classified or sensitive information, though the application of these exemptions for this case has not been publicly stated. ⁶⁷

The widespread rejection by experts (including at the UN and among US allies ⁶⁸) of the legal framework and language used by the US administration to justify SOUTHCOM’s operations against so-called narco-terrorist vessels raises urgent questions about the due process for reporting harm from these strikes. ⁶⁹ Families of individuals killed in the strikes have resorted to filing a legal claim in the US, with representation from the American Civil Liberties Union. ⁷⁰

4.3 Public disclosure of process and records U

Releases information about mitigation tactics, investigative processes and records to the public whenever possible. Shares criteria used for the 'credibility' assessment and investigation of harm allegations.

The US does not provide consistent explanations at incident level for civilian harm determinations, and the release of information relating to civilian harm assessments is prompted externally often through FOIA litigation rather than self-released by the DoD.

Key questions remain around combatant civilian distinctions and definitions in the campaign conducted against alleged drug-smuggling vessels in the Caribbean and Pacific. With these strikes widely claimed by experts to amount to extra judicial killings, it is unclear how reports of deaths and injuries relating to these strikes will be processed by the administration. [71](#)

There is some policy available publicly on the US processes on civilian harm tracking and investigations, particularly through the DoD-I and the CHMRAP. These include some details on investigatory processes used in individual reports as well as on dedicated web-pages. [72](#) Some CCMDs also include further details about procedures, including an explanation by AFRICOM about discrepancies between NGO reports and AFRICOM harm assessments and the definitions of civilians and combatants with reference to the US Law of War Manual. [73](#) Specific civilian harm assessments released by CENTCOM in 2025 additionally include general rationale behind 'more likely than not' determinations for incidents relating to Operation Inherent Resolve in Iraq and Syria. [74](#)

5. POST-HARM RESPONSE U

Efforts to acknowledge and express condolence for harm, to include offers of monetary and non-monetary forms of post-harm assistance.

The US government has policies and procedures in place to address civilian harm resulting from military operations, with these frameworks maintained throughout 2025. These existing policies include both monetary and non-monetary forms of amends, and outline diverse approaches to addressing harm from US actions. However these policies were nascent at best at their introduction, and were established with the anticipation that these approaches would be further refined with the support of additional resources and research. Cuts across the DoD in 2025 challenged these initiatives, leaving critical gaps in existing policies and little room for further engagement. Most significantly this has been felt with the onset of new military campaigns over the last year, with new operations conducted by CENTCOM and AFRICOM in Yemen, Iran and Nigeria, and a major new military operation launched by SOUTHCOM in a campaign that experts have said amount to extra judicial killings. In none of these campaigns have the policies in place around acknowledgement and response to harm materialised for affected civilians.

Recommendations

Emphasise victims-centred approach in amends policy

- While strategic arguments for response can help create buy-in for a progressive amends policy within CCMDs, policies on amends should include an emphasis on the inherent moral responsibility of recognising and addressing civilian harm across different types of operations, incorporating a full spectrum of responses, including public acknowledgments and formal apologies. The amends policy should further be more civilian-centric in prioritising civilian needs and designing and implementing response options according to the wishes of victims and survivors. The military should follow up with recipients of responses to track their appropriateness and effectiveness.

Strengthen reporting and transparency mechanisms

- Ensure timely and transparent public reporting on civilian harm incidents, including detailed information about investigations, amends provided, and lessons learned, to enhance accountability and build trust with affected communities.

Increase funding for civilian harm responses

- The proposed additional \$10 million authority (approximately 0.0012% of the DoD's 2025 budget) and other funds are necessary to ensure sufficient resources are available for timely and comprehensive responses to civilian harm.

Remove legal and strategic restrictions on amends

- Remove unnecessary prohibitions on ex gratia payments to civilians based on their nationality or location, including by removing the assertion that an entire population could constitute an enemy of the United States.

Clarify the amends policies to meet the reality of today's operating theatres

- Develop and/or clarify policies for providing amends (privately, if necessary) for harm resulting from covert operations. Clarify and outline policies for providing amends in SOUTHCOM operations on alleged drug smuggling routes.

5.1 Process for amends U

The government implements a functional, timely, and adequately resourced process to receive and process requests and proactively provides monetary and non-monetary amends for harm caused by operations.

Amends processes and procedures for civilian harm claims are embedded throughout a number of policy documents, as well as in legislation – however, the gap between policy and practice is stark. While 611 ex gratia payments were made in 2019, for instance, only 3 payments have been confirmed publicly since 2020; in the same period, the US DoD has caused unprecedented harm in some of its theatres of engagement. ⁷⁵

The lack of monetary responses to civilians affected by warfare is particularly troubling in light of the existence of an annual \$3m fund created by the FY2020 National Defense Authorization Act and extended until 2033 by the FY2022 NDAA. ⁷⁶ It is therefore clearly not a lack of means to respond to harm that is preventing a monetary response, but rather insufficient systems and lack of will.

The US has additional mechanisms in place, such as the Foreign Claims Act (FCA), which does not govern combat operations but does provide recourse for civilians to claim compensation if harmed overseas by US military personnel. ⁷⁷

Prior to the new administration taking office in January 2025, a number of plans were underway to develop additional guidance and framework for amends processes. Due to widespread cuts across the DoD, the team responsible for developing this guidance was significantly reduced. ⁷⁸ Commands

that already had a process for receiving requests about civilian harm maintained that capability, though with reduced staffing capacity.

When SOUTHCOM began its military campaign against drug smuggling routes in the Caribbean and Pacific, a system for soliciting information about civilian harm was not put in place, preventing a response to harm. ⁷⁹ Pre-existing language in both the NDAA and the FCA in any case already included exclusions for amends for those ‘unfriendly’ to the United States, which will serve to further challenge recourse to amends for those harmed in these strikes through DoD channels. Instead, in at least one case the families of individuals killed in the strikes have resorted to suing the US, with representation from the American Civil Liberties Union. ⁸⁰

The DoD submitted a legislative proposal to Congress in 2023 titled “Payment of Expenses to Help Respond to Civilian Harm.” ²⁶ The proposal creates an additional \$10 million authority for DoD to respond to civilian harm. This authority would supplement the existing \$3 million ex gratia authority. However, this proposal was not passed into either the NDAA 2024, nor the NDAA 2025 according to summaries and legislative text reviews. ²⁷

5.2 Acknowledgement

The government publicly acknowledges responsibility for harm.

There were no public acknowledgements in 2025 of harm resulting from the US campaign that year, including in Yemen from March to May; according to open-source evidence, this campaign led to unprecedented levels of civilian harm in the country from US actions. ⁸³

In 2025, the US publicly acknowledged responsibility for harm that has occurred in previous years, including in the annual 1057 report to Congress released in July, and in individual reports released by commands. ⁸⁴ Acknowledgements included references to historic incidents of harm, indicating that work is on-going within commands to review past cases. These acknowledgements reflected requirements set out in the NDAA to release a report to Congress every year, and reflected requirements outlined in DoD-I on routine command level reporting obligations.

Despite these ad hoc legacy admissions, as outlined in Section 4 of this report, requirements around reporting on civilian harm are subject to the discretion of the Commander, who may choose to delay or withhold reports to protect classified or sensitive information. For the Yemen campaign, the applications of these exemptions with regards to civilian harm incidents have not been publicly stated.

The CHMR-AP outlines the aim to publish public affairs guidance emphasizing the proactive release of information and tailorable public affairs approaches regarding civilian harm, which demonstrates respect for civilians and communities harmed by US operations and transparency regarding DoD policies and processes for mitigating and responding to civilian harm. ⁸⁵ The status of this policy development is currently unknown. ⁸⁶

5.3 Comprehensive, victim-centred condolence

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Policies governing the offer and provision of condolences should be broadly defined, culturally appropriate and sensitive to local needs as defined by those affected.

There were no public acknowledgements in 2025 of harm resulting from the US campaign in Yemen from March to May; this campaign led to unprecedented levels of civilian harm in the country from US actions. Without acknowledgement, there cannot be a response.

Response options are listed in the CHMR-AP in broad terms, and acknowledge that there may be specific cultural and contextual considerations that should be taken into account in responding to civilian harm claims. The development of policies governing these options remain unknown, though it is likely that further research into these topics has been challenged by reductions in staffing and resources on this subject following department-wide cuts under the new administration. ⁸⁷ This means that critical gaps identified in the early policies on this subject, such as linkages between strategic effects and condolence payments, have not been addressed. ⁸⁸

AUTHOR

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