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Office of the Secretary of Defense (Policy)**

**Remarks for the first international follow-up conference to the adoption of the
Political Declaration on Strengthening the Protection of Civilians from the
Humanitarian Consequences Arising from the Use of Explosive Weapons in
Populated Areas**

Oslo, Norway
April 22 - 24, 2024

- I want to start by extending my gratitude to Norway for hosting this important discussion of the implementation of the Political Declaration.
- The United States was proud to announce our endorsement of this Declaration. We believe this Declaration can help States do critically important work to improve the protection of civilians in armed conflict.
- As U.S. Secretary of Defense Lloyd Austin has noted, there are important moral and legal imperatives associated with civilian harm mitigation and response.
- But Secretary Austin has also highlighted the important strategic imperatives associated with CHMR, stressing that experience has taught us how effective civilian harm mitigation and response leads to better strategic outcomes.
- Recognizing this, the U.S. Department of Defense is undertaking a range of reforms and institutional innovations to improve our approach to Civilian Harm Mitigation and Response.
- Two of the most significant documents in this regard are the Civilian Harm Mitigation Response Action Plan (CHMR-AP) and the recent Department of Defense Instruction on CHMR (the CHMR DoDI). Both documents are posted online, and I will highlight a few key points today.
 - The CHMR-AP was approved in August 2022, and we have been busily implementing that action plan since that time.

- These reforms and innovations have created a mutually reinforcing framework – an institutional ecosystem – which allows us to improve our CHMR approach now and to continue to develop and improve over time.
- We have created structures to ensure appropriate leadership and oversight of implementation within DoD.
 - o I will begin by noting the creation of the CHMR Steering Committee. This institution is led by senior leaders within the Department of Defense to ensure effective implementation of the CHMR-AP and to address other issues related to civilian harm mitigation and response.
 - o The CHMR Steering Committee is tri-chaired by the Under Secretary of Defense for Policy, the Vice Chairman of the Joint Chiefs of Staff, and the Comptroller (who oversees all budgetary and fiscal matters for the Department).
 - o The seniority of the participants in this Steering Committee demonstrates the importance of this effort.
- We are also forming and filling new institutions and positions envisioned in the CHMR-AP. In total, we expect to have 166 new positions throughout the Department.
 - o We are proud to note the establishment and growth of the Civilian Protection Center of Excellence (CP CoE).
 - o The CP CoE serves as DoD’s hub of analysis, learning, and training related to CHMR, and will aid us in institutionalizing good practices across the force.
 - o I should also note that the team I lead – the new stand-alone Directorate for Civilian Harm Mitigation and Response Policy within the Office of the Secretary of Defense – is an important development.
- Our extensive effort to devote personnel full time to CHMR and CHMR policy efforts demonstrates the Department’s commitment on this issue.

- In addition, there are many new positions being created with important new roles:
 - o These include Civilian Harm Mitigation Response Officers (CHMROs) embedded in appropriate combatant and operational commands.
 - o We are creating Civilian Harm Assessment Cells to better investigate and assess whether civilian harm may have been caused by military operations, and what lessons might be learned.
 - o We are also creating Civilian Harm Assessment and Investigation Officers who will improve and standardize our efforts on that front.
 - o And we are creating Civilian Environment Teams that will illuminate the non-adversarial aspects of the battlefield for commanders.
 - o We are already seeing a huge difference throughout the force with the introduction of these positions.
- Importantly, we are also incorporating guidance for addressing civilian harm across the full spectrum of operations into strategy, doctrine, plans, professional military education (PME), training, and exercises, so that DoD is more effectively prepared to mitigate and respond to civilian harm, and to achieve strategic success in any operating environment.
- And we are also establishing and resourcing civilian harm mitigation and response as a component of security cooperation programs, and, as appropriate, promoting ally and partner CHMR efforts.
- In addition to the CHMR-AP, a new DoD instruction or DoDI was released on December 21, 2023, Civilian Harm Mitigation and Response (DoDI 3000.17). The instruction represents a significant milestone in achieving the objectives set forth in the CHMR-AP.
- Where the action plan laid out a series of major steps to improve DoD's approach to CHMR, the DoDI sets out Department-wide policies, responsibilities, and procedures, and will serve as an enduring framework for Department-wide efforts for many years to come.

- The DoDI assigns clear responsibilities to the Secretaries of the Military Departments for developing doctrine and operating concepts to help mitigate and respond to civilian harm resulting from U.S. military operations, and incorporating CHMR objectives into exercises, training, and professional military education.
 - Looking forward, consistent with the CHMR-AP, the CHMR DoDI provides direction to identify capability improvements that will improve situational awareness for commanders and their units, including the presence of civilians and civilian objects that may be at risk.
 - Additionally, the CHMR DoDI directs relevant components to provide guidance related to the development and fielding of intelligence sensors and other battlespace awareness capabilities to enable enhanced understanding of civilian and civilian objects throughout the joint targeting process.
 - In addition, the CHMR DoDI provides direction to leaders of key force development organizations, to:
 - identify capability needs for weapons, weapon systems, and other technical systems relevant to CHMR; and
 - identify relevant potential capability improvements that further enable the discriminate use of force in different operational contexts, including by reducing risk to civilians and civilian objects while enabling the same or superior combat effectiveness.
 - Further, the DoDI for the first time formalizes in DoD policy a requirement to assess civilian harm resulting from military operations and standardizes civilian harm assessment processes across DoD.
 - It articulates the purposes of initial reviews, civilian harm assessments, and investigations.
 - It also provides guidance on the content of those mechanisms and requires that assessments and investigations into civilian harm are conducted in a timely matter and archived in a common data platform that is now being developed by the Department of the Army.

- These changes will improve the quality of our assessments, enhance our ability to understand the causes of civilian harm, and enable us to continuously improve – because we are learning.
- Together, these documents and our broader CHMR efforts foster the development of mutually reinforcing processes and systems that will continually be improved.
 - We envision new policies being implemented, lessons being learned from their implementation, and those lessons feeding back into refinements in training and policy.
- Lastly, I wish to note that an integral part of our work on this issue is sharing best practices with partners and learning from each other’s experiences and policies.
- Most recently, our counterparts from the Dutch Ministry of Defense hosted our group on 8-9 January in Amsterdam. This two-day meeting allowed international partners to meet, hear from outside experts, and discuss challenges faced when seeking to minimize civilian harm, and – importantly – to discuss ways to overcome those challenges.
 - And we are very excited to note that our counterparts from UK Ministry of Defense are hosting the next meeting of the contact group in London in June.
 - I would welcome the opportunity to discuss this and other opportunities for the exchange of best practices related to civilian harm mitigation and response. Please feel free to reach out to me or other U.S. colleagues during this conference.
- I would like to conclude by emphasizing two points.
 - First, from the U.S. perspective, efforts to mitigate and respond to civilian harm reflect a convergence of military and humanitarian interests.
 - As Secretary of Defense Austin has observed, our CHMR efforts “directly contribute to achieving mission success” and “[t]he excellence and professionalism in operations essential to

preventing, mitigating, and responding to civilian harm is also what makes us the world's most effective military force.”

- These improvements not only enable us to better mitigate and respond to civilian harm, they also enable our forces to operate more effectively.
 - This is not a common theme in disarmament fora, but it is an important aspect of improving State practice in international humanitarian law and civilian harm mitigation and response.
 - Militaries are much more likely to adopt good practices for mitigating civilian harm when they understand that these practices do not hinder operational effectiveness – they increase it.
- Second, the United States hopes that the Political Declaration can be a framework under which States, in a collaborative spirit, exchange good practices for mitigating and responding to civilian harm.
 - This is the way that Political Declaration can have a real-world impact in strengthening the protection of civilians.
 - The United States hopes to share our practices and lessons learned, and we also hope to learn from the experiences, lessons, and practices of other States.
 - Thank you.