Civilian Harm Tracking: Analysis of ISAF Efforts in Afghanistan
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Center for Civilians in Conflict is grateful for the insights of former Commanders of ISAF, current and former Civilian Casualty Cell and Mitigation Team officials, current and former ISAF officials, NATO headquarters, US military officials, Dr. Lawrence Lewis, former UNAMA officials, analysts on Afghanistan, and the Afghanistan Independent Human Rights Commission.
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## GLOSSARY

<table>
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<th>Abbreviation</th>
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<tr>
<td>AIHRC</td>
<td>Afghanistan Independent Human Rights Commission</td>
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<td>ANSF</td>
<td>Afghan National Security Forces</td>
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<td>AMISOM</td>
<td>African Union Mission in Somalia</td>
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<td>BDA</td>
<td>Battle Damage Assessment</td>
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<td>CCTC</td>
<td>Civilian Casualty Tracking Cell</td>
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<td>CCMT</td>
<td>Civilian Casualty Mitigation Team</td>
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<td>CCTARC</td>
<td>Civilian Casualty Tracking Analysis and Response Cell</td>
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<td>CJO C</td>
<td>Combined Joint Operations Command</td>
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<td>COMISAF</td>
<td>Commander of International Security Assistance Force</td>
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<td>EOF</td>
<td>Escalation of Force</td>
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<td>ICRC</td>
<td>International Committee of the Red Cross</td>
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<td>IJC</td>
<td>ISAF Joint Command</td>
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<td>ISAF</td>
<td>International Security Assistance Force</td>
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<td>JCCS</td>
<td>Joint Civilian Casualty Study</td>
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<td>JIAT</td>
<td>Joint Investigation Analysis Team</td>
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<td>NATO</td>
<td>North Atlantic Treaty Organization</td>
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<td>OEF</td>
<td>Operation Enduring Freedom</td>
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<td>PICC</td>
<td>Presidential Information Coordination Center</td>
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<td>RC-S HQ</td>
<td>Regional Command South Headquarters</td>
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<td>ROE</td>
<td>Rules of Engagement</td>
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<td>SOF</td>
<td>Special Operations Forces</td>
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<td>TTP</td>
<td>Tactics, Techniques and Procedures</td>
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<td>TCC</td>
<td>Troop Contributing Countries</td>
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<td>UNAMA</td>
<td>United Nations Assistance Mission in Afghanistan</td>
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<td>USFOR-A</td>
<td>United States Forces Afghanistan</td>
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A CASE STUDY IN CIVILIAN CASUALTY TRACKING

In 2008, the NATO International Security Assistance Force (ISAF) in Afghanistan established the Civilian Casualty Tracking Cell (CCTC) to collect data on civilian casualties. Civilian casualty tracking is one element of an emerging best practice of collecting and analyzing data on civilian harm in order to respond to and learn tactical lessons from that harm.\(^1\) ISAF’s CCTC was the first large-scale civilian casualty data tracking mechanism undertaken by a warring party.

Our goal is to describe the development and operation of the CCTC, which evolved into the Civilian Casualty Mitigation Team (CCMT) in 2011, to understand the impetus for the mechanism, to identify challenges in its implementation, and to address successes and limitations in its operation. We identify lessons from this first attempt in order to inform future processes by armed actors.

This study is based on twenty-seven interviews with ISAF, NATO, and U.S. military personnel, as well as civilian analysts and representatives of international organizations and non-governmental organizations (NGOs) who worked directly with the mechanism or engaged with CCTC/CCMT staff. The interviewees’ tenures span 2007-2014 and their perspectives represent their personal views rather than that of their current or previous affiliations unless otherwise stated.\(^2\) The study is meant to capture their views, and thus represents a spectrum of opinions on the successes and limitations of the actual mechanism.

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1. See annex for further description of what the Center for Civilians in Conflict advocates should be incorporated in a comprehensive civilian harm tracking, analysis, and response process.
2. Names of some interviewees were withheld upon request.
Why Examine ISAF Civilian Casualty Tracking?

As the first large-scale tracking of data on civilian harm by a warring party, the CCTC and subsequent CCMT present an opportunity to examine successes, limitations, and lessons identified.

ISAF leadership created the CCTC in 2008 in response to a need to respond to allegations of ISAF-caused civilian casualties. The CCTC’s work proved valuable beyond this initial premise, prompting ISAF to expand the mechanism into the CCMT in 2011. The expansion brought more personnel, resources, and greater responsibility, including engagement with civil society on civilian casualty concerns. While ISAF’s civilian casualty tracking was only part of ISAF’s efforts to address civilian casualties, the CCTC and later CCMT, examined here in isolation, are commendable for drawing sustained attention to the operational impact of civilian casualties.

Closer examination underscores the potential utility of civilian casualty tracking not solely for reputation protection, but also for providing guidance to ultimately reduce and prevent civilian casualties. Likewise, ISAF’s civilian casualty tracking shows the ability of a warring party to implement civilian casualty tracking by reallocating resources and prioritizing mitigating civilian harm.

Additionally, examining the challenges faced by ISAF highlights considerations for parties implementing such mechanisms in other conflicts. These challenges should be studied and addressed by other armed actors seeking to gather and use data on civilian harm to mitigate such harm and improve their operations.

Why and How did ISAF Implement Civilian Casualty Tracking?

*The intent of the CCTC was two-fold: first, to be first with the truth, noting that being first with the truth didn’t necessarily mean reporting first; and second, not to let ISAF become totally reactionary. We didn’t always want to end up responding, and at that point we were. We were behind.*

— Former ISAF Commander General David McKiernan, January 2014

ISAF implemented civilian casualty tracking as a solution to a lack of timely and accurate information regarding suspected or alleged ISAF-caused civilian casualties. Recognition of this need became apparent over time.

The United States launched Operation Enduring Freedom (OEF) in Afghanistan in October 2001 following the September 11 attacks in the United States. Following the UN-initiated Bonn Conference to develop a roadmap for Afghanistan’s reconstruction, the United Nations in December 2001 authorized ISAF to assist the Afghan Transitional Authority. ISAF was initially led by six-month rotations of Troop Contributing Countries (TCC).

When NATO assumed leadership of ISAF operations in August 2003, the international imperative was to provide reconstruction and training assistance to the Afghan government and the Afghan National Security Forces (ANSF). OEF maintained a concurrent mission in Afghanistan that continued to seek high value targets, with the bulk of kinetic action shouldered by U.S. troops.

In October 2003, ISAF began to expand beyond Kabul in order to provide stability and security assistance in the Afghan provinces. The expansion took place in four stages from 2003-2006. By the last stage of expansion in 2006, ISAF commanded all international military forces across Afghanistan, although OEF remained in operation concurrently. At the
same time, anti-government groups stepped up attacks, dramatically increasing the combat operations tempo. As ISAF and OEF combat operations increased, so too did civilian casualties.3

Prior to the CCTC, ISAF did not record allegations or rebuttals of civilian casualties, as this was not standard practice for militaries.4 NATO itself “did not have procedures or a coherent system to address civilian casualties.”5 Rather, notification of suspected civilian casualties was passed up the chain of command, varying in detail from when, where, and who was involved to what type of tactic may have caused the event.6 Follow-up was conducted primarily at the tactical level, with responses such as providing condolence or ex-gratia payments at the discretion of the tactical commander and legal investigations where warranted.7

Because collection of data was not standardized, ISAF often lacked complete information in the face of civilian casualty allegations. Likewise, discrepancies in ISAF data in comparison with other organizations, such as the United Nations Assistance Mission in Afghanistan (UNAMA) suggested to ISAF personnel and the humanitarian and human rights communities that ISAF’s reporting mechanisms were weak.8

In May 2007, ISAF leadership ordered an internal report discussing the effect of civilian casualties caused by an April 2007 U.S. air strike in Shindand, Herat province. The report prompted then-ISAF Commander (COMISAF) General Dan McNeill to issue ISAF’s first tactical directive regarding civilian casualties in June 2007.9 The tactical directive recommended changes in tactics that directly affected civilians, such as restricting uninvited entry into Afghan homes or mosques and limiting the use of aerial and indirect fire.10

In June 2008, shortly after General David McKiernan assumed command, ISAF was involved in two high profile incidents resulting in numerous civilian casualties.11 Information on these events from local NGOs, the Taliban, and international organizations differed so dramatically from ISAF’s data that ISAF recognized the need for action.

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4 Neither the United States nor UNAMA tracked civilian casualties systematically in this manner before 2007. Additionally, when interviewed by the Center, three former members of ISAF leadership each noted that the political effect of civilian casualties on the relationship between international forces and the national government, media, and population was comparatively greater in the low-intensity theater of Afghanistan than in the concurrent conflict in Iraq. As noted in Center interview with General David McKiernan, Former ISAF Commander, 2008-2009, January 23, 2014; Center interview with Former Senior ISAF Commander (name withheld), interview no. 8, January 17, 2014; and Center interview with Former Senior ISAF Leadership (name withheld), interview no. 24, February 18, 2014.
6 Center interview with General Gordon B. Davis, Jr., Chief of the Strategic Advisory Group to COMISAF, March 18, 2014.
7 For more information on making amends to civilians harmed in Afghanistan, see Center for Civilians in Conflict, U.S. Military Claims System for Civilians, April 2007, and Center for Civilians in Conflict, Losing the People: The Costs and Consequences of Civilian Suffering in Afghanistan, February 2009.
11 As described in a 2008 UNAMA report, “[incidents included] a number of high-profile cases, including air strikes carried out in Deh Bala district in Nangahar Province on July 6, 2008 which resulted in the deaths of 47 civilians, including 30 children . . . . [Additionally] in several incidents, compounds with an alleged insurgent presence were targeted in air strikes but civilians were also killed in such attacks. One such case is an incident (July 4) in Nuristan in which UNAMA documented the death of 17 civilians; this included two women and some medical staff who were killed while trying to leave the area.” UNAMA, Armed Conflict and Civilian Casualties, Afghanistan, Trends and Developments 1 January – 31 August 2008, September 10, 2008, [http://www.ohchr.org/Documents/Countries/Armed%20ConflictCivilianCasualties2008.pdf](http://www.ohchr.org/Documents/Countries/Armed%20ConflictCivilianCasualties2008.pdf) (accessed May 2, 2014).
“We recognized that we couldn’t correlate data on allegations collected and forwarded by the United Nations Human Rights office because they didn’t track data which could allow us to triangulate specific location, specific time, type of munitions used or indications of units involved and they wouldn’t release sources,” said Major General Gordon B. Davis, Jr., Chief of the Strategic Advisory Group to the COMISAF from May 2008 to July 2009, in an interview with the Center. “We decided to capture every allegation from locals, from media, from Afghan authorities, and from other organizations to understand what was occurring.”

Since ISAF’s inception, Standard Operating Procedure 302 (SOP 302) outlined the procedures and the information to be reported by the unit that witnessed or inflicted civilian casualties. On July 24, 2008, ISAF leadership issued Fragmentary Order 221 (FRAGO 221) that, for the first time, required units to treat all allegations, regardless of source, as items for investigation. Reporting included the issuance of:

- A First Impression Report, to be submitted by units within two hours of an actual or suspected civilian casualty incident;
- A Second Impression Report, to be submitted within eight hours of the First Impression Report, including the context of the specific operation and information such as whether local officials were contacted or medical care was provided; and
- An Investigation Recommendation Report, to be submitted within seventy-two hours of the incident if a civilian was killed or there was potential ISAF misconduct.

A third, more dramatic incident—an airstrike on August 22, 2008 in Azizabad, Herat Province—again resulted in considerable civilian casualties, further underscoring to ISAF leadership that the command “was not able to control the scene of the incident in order to determine facts and prevent disinformation by insurgents.”

In late August 2008, COMISAF General McKiernan ordered the creation of the Civilian Casualty Tracking Cell—the “final, most important step in a long discussion.” By October 2008, the CCTC began collecting the reported information from units as well as reporting allegations of civilian casualties brought to ISAF HQ.

**How did the CCTC Operate?**

The CCTC initially served to strengthen ISAF’s internal situational awareness of civilian casualties and to respond quickly and accurately to allegations of civilian casualties. Its structure and procedures largely developed to meet those responsibilities.

The initial mechanism itself was modest, requiring negligible planning and reallocation of resources. Civilian personnel were hired by the end of 2008 to liaise with civilian organizations and crosscheck data.

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13 Center interview with Current ISAF CCMT Official (name withheld), interview no. 19, February 9, 2014.
18 Until ISAF established “Incident Response Teams,” the task of seeking out critical information which would pass up to the CCTC was left to the units. Center interview with Maj. Gen. Gordon B. Davis, Jr., former Chief of the Strategic Advisory Group to COMISAF, March 18, 2014.
Every instance of suspected or confirmed civilian casualties in ISAF field operations continued to be recorded at the troop level and reported up the ISAF chain of command. The CCTC’s small staff, housed within the Combined Joint Operations Center (CJOC) in Kabul, entered the data into a spreadsheet with basic data fields such as date and time of the incident, place and type of operation, and the numbers of civilians killed or injured. CCTC staff then used the data to attempt to verify civilian casualty allegations and keep COMISAF, other ISAF leadership, and U.S. Strategic Command informed. Sharing data with outside actors, including non-governmental organizations, required commanding officers’ approval.

The CCTC’s official dedicated staff was at the time civilian-only, overseen by colonels within the Combined Joint Operations Center who oversaw them. The staff size in total fluctuated between two and five individuals, dependent on the evolution of the ISAF mission and reorganization of its resources. In both the CCTC and later CCMT, civilian personnel were hired for their understanding of Afghan culture, their ability to liaise with organizations external to ISAF, and their experience with data.

Separately from the CCTC, significant events or allegations of civilian casualties continued to be investigated for legal violations by the troop-contributing country whose forces were involved.

Guidance from ISAF leadership later institutionalized the flow of data to the CCTC. In July 2009, then COMISAF General Stanley McChrystal issued a tactical directive that amplified reporting requirements, requiring Battle Damage Assessments (BDAs) for all incidents of air strikes and indirect fire. Maj. Gen. Davis explained:

[The July 2009 Tactical Directive] was the first to make the point that civilian casualties could cause ISAF to fail in its mission. It linked our main effort to protect the population with the need to do everything in our power to avoid civilian casualties. It was a significant shift in mindset...that put the onus on commanders to ensure the use of lethal force was not employed in ways that would risk civilian casualties and to accept risk of insurgents escaping or living to fight another day if the alternative meant [harming civilians].

The same month, ISAF also released Standard Operating Procedure 307 (SOP 307), putting guidance on civilian casualties under a unified “Battle Drill” or procedural checklist. According to current CCMT official, SOP 307 also institutionalized the CCTC and later the CCMT, as the “authoritative repository of civilian casualties taking place in the Afghanistan Theater of Operations.”

22 In the early days of the CCTC, civilian organizations like UNAMA, Human Rights Watch and the Afghanistan Independent Human Rights Commission (AIHRC) provided information regarding the civilian casualty incidents they had investigated to ISAF. Center interview with Lauren Sweeney, former CCTC Manager, December 20, 2013.
23 Center interview with current ISAF CCMT official (name withheld), interview no. 19, February 9, 2014.
24 Center interview with Lauren Sweeney, former CCTC Manager, December 20, 2013.
25 See also, Sarah Sewall and Lawrence Lewis, Joint Civilian Casualty Study, August 2010.
28 Center interview with current ISAF CCMT official (name withheld), interview no. 19, February 9, 2014.
In August 2010, then COMISAF General David Petraeus replaced the July 2009 directive with one reiterating the importance of minimizing civilian casualties and partnering with ANSF units. Finally, in November and December 2011, COMISAF General John Allen issued two tactical directives: the first re-emphasizing reduction of civilian casualties in general, the second revising policies on night operations, and directing forces to report not only casualties but property damage.

ISAF also created Joint Incident Assessment Teams (JIATs) in 2009, composed of Afghan government-appointed representatives and ISAF personnel, including an ISAF general officer to investigate incidents. The teams were disbanded once investigations were complete. According to Maj. Gen. Davis, reports produced by JIATs were intended to “[determine] the facts, regardless of what that might mean, to recommend actions to be taken to avoid casualties in future, and to recommend changes in techniques or procedures that might be relevant across the force.” While the JIATs were not formally linked to the CCTC, information from JIAT investigations would flow to the CCTC. ISAF did not have dedicated personnel who could be assigned to every significant investigation, although some individuals who previously served on JIATs were called for multiple investigations.

For nearly a year, according to former civilian CCTC Manager Lauren Sweeney, CCTC personnel often lacked sufficient information to verify or refute external allegations—a significant weakness as a messaging tool. ISAF did not previously maintain comprehensive, centrally archived historical data on ISAF civilian casualties, and it took time to make clear the need for reporting this information up to ISAF HQ and to streamline this reporting at lower levels and across regional commands and TCCs. Additionally, “competing [internal] visions” on which external organizations or individuals could receive information from ISAF—and how that information could be shared—created the initial impression that ISAF was either hiding information or refusing to cooperate.

But data gradually accumulated. By the end of 2009, the CCTC had amassed enough information on suspected or sustained civilian casualties to begin to examine the data for trends. The aggregated data was then used for reports and recommendations addressing civilian casualty mitigation and given to ISAF leadership.

By 2010, officers within the CJOC at ISAF HQ, CCTC personnel, the office of the Senior Civilian Representative and NATO Headquarters staff pressed for expansion of the mechanism and greater resources to CCTC so it could provide more guidance on addressing civilian casualties and better outreach to civil society. The effort was underscored by General McChrystal’s emphasis on creating a single ISAF/OEF focal point on civilian casualties.

Thus, three years into its operation, ISAF expanded the CCTC.

32 Center interview with Dr. Lawrence Lewis, Center for Naval Analyses, January 23, 2014.
33 Center interview with Lauren Sweeney, former CCTC Manager, December 20, 2013.
35 Center interview with Lauren Sweeney, former CCTC Manager, December 20, 2013 and Center interview with Ashley Jackson, former Oxfam Head of Policy in Afghanistan, December 20, 2013.
36 Center interview with Lauren Sweeney, former CCTC Manager, December 20, 2013.
38 Ibid.
How did the CCTC Expand?

In mid-2011, the CCTC expanded into the Civilian Casualty Mitigation Team (CCMT) of which the CCTC’s data-gathering capabilities became only one part. Military personnel joined the mechanism led by a Colonel whose role was dedicated to addressing civilian casualties. The CCMT created internal working groups, whose membership included representatives from ISAF HQ and subordinate commands, to provide guidance on civilian casualty avoidance and mitigation.

Internally, while maintaining the CCTC’s responsibilities for collecting and maintaining data, the CCMT’s mandate included:

- Coordinating subject-specific studies and providing recommendations to ISAF leadership;
- Leading the working groups and decision-making bodies that addressed modification or establishment of guidelines, tactical directives, standard operating procedures, or fragmentary orders; and
- Collecting and archiving lessons and best practices regarding civilian casualties within ISAF.

Externally, expansion of the CCMT sought to strengthen ISAF’s relationship with its Afghan counterparts, international organizations, and NGOs. According to ISAF, this effort included:

- Monitoring implementation of civilian casualty mitigation measures that included ensuring joint Afghan government and ISAF assessment of contentious civilian casualty incidents;
- Organizing civil-military working groups and conferences;
- Conducting outreach and interfacing with international organizations and NGOs through bilateral meetings, including with the International Committee of the Red Cross (ICRC), UNAMA, the Afghan Independent Human Rights Commission (AIHRC), and others; and
- Pursuing opportunities to strengthen the capacity of the Afghan government and security forces’ civilian casualty avoidance and mitigation capacities.

The CCMT was also able to document and follow up on responses to civilians harmed within the rules of engagement of the forces such as making amends including condolence or ex-gratia payments. However, these responses were only tracked for incidents of civilian death and injury caused by ISAF and did not include property damage or destruction—although ISAF Troop Contributing Countries were making amends in some instances of property damage at the tactical level. A current CCMT official explained:

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39 The presence of the Colonel facilitated communication with other branches and with the leadership, whereby adding greater competence in interpreting and analyzing civilian casualty events. Furthermore, the expansion into the CCMT did not require additional skill sets or considerable outside hiring; instead, similar capacities existed “in every NATO mission and military HQ.” The CCMT was therefore, “simply a way for ISAF to organize all these capacities in an efficient matter and it represents a secretariat for civilian casualties within the HQ.” Center interview with Current ISAF CCMT Official (name withheld), interview no. 19, February 9, 2014.

40 Additionally, the working group feeds into the Civilian Casualty Avoidance and Mitigation Board, chaired by the Deputy Commander, conducted quarterly to address and make recommendations for civilian casualty avoidance and mitigation. Noted in information released to the Center by current CCMT officials.

41 Center interview with Current ISAF CCMT Official (name withheld), interview no. 19, February 9, 2014.

42 Maj. Gen. Davis also noted to the Center that many of these external engagements began in September 2008 as a part of General McKiernan’s Strategic Communications Working Group. The evolution to the CCMT continued and expanded such engagements. In Center interview with Maj. Gen. Gordon B. Davis, Jr., former Chief of the Strategic Advisory Group to COMISAF, March 18, 2014.

43 See Center for Civilians in Conflict, Addressing Civilian Harm in Afghanistan: Policies and Practices of International Forces, June 2010. Note also that condolence payments were often made at the scene and, while reporting of the casualty would travel rapidly up the chain of command, reporting of the amends could take some time. Center interview with Colonel Mark Gray MBE Royal Marines, ISAF Chief of Current Operations, July 2011-May 2012, March 3, 2014.
[W]ithin ISAF Headquarters, both the Legal Advisor section and the CCMT monitor the status of implementation of NATO’s Non-binding Guidelines on Civilian Casualty Compensation. The CCMT meticulously tracks civilian casualties incidents, events and allegations only, while property damage or destruction are carefully tracked at more tactical level through the legal advisor units [who have] the lead on condolence payments and property damage or destruction compensation, due to their widespread presence [in] the field and [by] being the main referral point for collecting and processing claims. In fact, they act as representatives of their nation, since these payments and compensations are mainly of national competence.

As the size and responsibilities of the CCMT expanded, so too did the detail of data. By 2011, the data collected by the CCMT included not only date, location, cause, and number of casualties but also the ability to include a description of circumstances surrounding the event, the numbers of women and children harmed, confirmed versus alleged or pending casualties, and note whether a TCC investigation was initiated. New events were entered through a database created to facilitate data entry and standardize information recording. This information was broken down in monthly, weekly, and regional command worksheets for reporting, indicating number of civilian casualties, events or incidents caused by ISAF, ANSF, anti-government groups, or of unknown attribution, and by event type. The tracking data then went to the aforementioned internal working groups, which used the data to formulate recommendations to the chain of command.

According to analyst Dr. Lawrence Lewis, from the Center of Naval Analyses, who analyzed and made recommendations on ISAF kinetic operations, the CCMT did not analyze all the data “in-house” noting the CCMT had neither the time nor the analysts to conduct studies of the root-cause of civilian casualties and their trends. As a result, as noted by a former member of Senior ISAF leadership, the revision and production of tactical directives were based on an aggregation of sources rather than specific analysis provided by the CCTC/CCMT.

Data from the mechanisms was used to influence recommendations for pre-deployment training provided to the TCCs, including, according to a current ISAF Operations official, “the procedures to be employed in Escalation of Force (EOF) protocols and application of Rules of Engagement (ROE), designed to ensure the exercise of tactical patience and fire

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45 According to a current CCMT official, “based on the events recorded in 2009 and 2010, the CCTC [analyzed the circumstances] surrounding conflict related events. A complex flow-chart was designed and represented the foundation for designing the record map and the program code.” Center interview with Current ISAF CCMT Official (name withheld), interview no. 19, February 9, 2014.
46 Ibid.
47 Interview with Current ISAF CCMT Official (name withheld), interview no. 19, February 9, 2014.
48 Interview with Dr. Lawrence Lewis, Center for Naval Analyses, January 23, 2014.
49 The former member of Senior ISAF Leadership noted: “[Revision of Tactical Directives] was common sense. Those decisions weren't really based on recommendations coming up. But, the data itself is more helpful when you are making a point to the unit level. While every area may only have one or two CIVCAS incidents of a certain type, it's only when you aggregate that data across the whole country that you can make a point to the commands that this is an issue.” Center interview with Former Senior ISAF Leadership (name withheld), interview no. 24, February 18, 2014. Likewise, former CCTC Manager Lauren Sweeney told the Center, “[The recommendations] didn’t necessarily come out of the work we did, they seemed common sense.” Center interview with Lauren Sweeney, former CCTC Manager December 20, 2013.
A former member of senior ISAF leadership explained to the Center: “While every area may only have one or two civilian casualty incidents of a certain type, it’s only when data was aggregated across the whole country that you [could] make a point to the commands that [the tactic in question] is an issue.”

As of January 1, 2014, resources and personnel dedicated to the CCMT were reorganized with the downsizing of the ISAF mission. Capabilities for tracking and addressing civilian casualties remain, but the mechanism’s focus shifted to strengthening the civilian casualty mitigation capacities of the Afghan government and security forces as ISAF undertakes fewer combat operations.

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50 Interview with Current ISAF Operations Officer (name withheld), interview no. 27, May 2, 2014. According to US Central Command (CENTCOM) information from CCMT was used “to task the U.S. Services, U.S. Service Lesson Learned Centers of Excellence and [Troop Contributing Countries] to establish or modify policy, pre-deployment training requirements and tactics, techniques and procedures (TTPs), stated either in IJC Tactical Directives or Standard Operating Procedures, a Service CIVCAS mitigation handbook, or for specific warfare operations such as Escalation of Force (EOF), EOF Non-Lethal Weapons (EOF-NLW), Direct Fire (DF), Indirect Fire (IDF), Close Air Support (CAS), Close Combat Aviation (CCA), and for operational support areas such as Unmanned Aerial Surveillance (UAS), logistics, patrol, search, and land/maritime security operations. USCENTCOM formally set revised deploying forces training requirements, for the above mentioned areas, specifically to help reduce future incidents of CIVCAS.” Letter from USCENTCOM to Center for Civilians in Conflict, March 20, 2014 (on file).

51 Center interview with former Senior ISAF Leadership (name withheld), interview no. 24, February 18, 2014.

52 Center interview with current ISAF CCMT Official (name withheld), interview no. 19, February 9, 2014.
CHALLENGES IN IMPLEMENTATION AND OPERATION

Themes drawn from the interviews conducted for this study deserve consideration both for understanding the CCTC/CCMT’s effectiveness and for deriving lessons for future civilian harm tracking processes.

Building Trust Through Transparency

Addressing civilian casualties is, at its heart, about trust. Troops need to see that addressing these casualties is part of broader perspective in working with the population that fits into the larger operational effort of any type of fight—not just counterinsurgency. This isn’t separate paperwork, it’s a holistic approach to bolstering operations.

– Colonel (Ret) John Agoglia, Former Director of the Counterinsurgency Training Center in Kabul, January 2014.

ISAF and NATO interviewees stressed that establishing trust that ISAF “[really was] working for the best interests of Afghans” was at the center of the operational imperative for the CCTC.53 This was predicated on improving trust with the Afghan government, the media, and local and international partners working with the Afghan population, to sway the population’s support against the insurgency—the central tenet of counterinsurgency theory. Building this network would, in turn, cast doubt on accusations of ISAF civilian casualties.

53 Center interview with former Senior ISAF Leadership (name withheld), interview no. 24, February 18, 2014. The interviewee went on to note, “this trust factor in addressing civilian casualties cannot be underestimated.”
lodged by armed opposition groups. To be regarded as trustworthy, ISAF needed not only to protect the Afghan population but to respond to allegations of civilian casualties quickly, accurately, and transparently.

Engaging directly with the Afghan population was not a primary goal of ISAF civilian casualty tracking, and Afghan civilians remained largely unaware of the tracking mechanism. For lack of a public presence, the mechanism was misunderstood. Mohammad Farid Hamidi, Commissioner of the Afghanistan Independent Human Rights Commission, told the Center that the small percentage of Afghans who knew about the mechanism thought “that the [mechanism was] another branch of the military organization [working] only to favor the military and not the public.”

Instead, ISAF worked to diffuse allegations of civilian casualties by tracking and examining all allegations, and worked on its engagement on these issues with the Afghan government, the media, UNAMA, and Afghan and international NGOs. Publicly reported discrepancies in data between ISAF and NGOs risked undermining the trust ISAF was working to build, particularly when the data differed dramatically. Within ISAF, these discrepancies highlighted the importance of cross-referencing ISAF data with that of UNAMA, the ICRC, Human Rights Watch, the AIHRC, and others. “We needed third-party validation,” former ISAF leadership noted to the Center. “Military tracking and non-military tracking are both important.”

However, tasked with different mandates and using different methodologies meant that, at times, ISAF and the civil society organizations spoke different languages—leading to frustration and skepticism about each other’s intentions and purposes.

Adding to civilian skepticism of ISAF’s tracking, some human rights advocates who interacted with the CCTC in 2008-2009 voiced concern that the implementation of the CCTC was potentially “siphoning off civilian casualty issues” to just one corner of ISAF. Before the CCTC, NGO interviewees noted that while it was difficult to speak with ISAF

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54 In his COMISAF’s Counterinsurgency Guidance (August 2010), General Petraeus wrote, “The people are the center of gravity. Only by providing them security and earning their trust and confidence can the Afghan government and ISAF prevail.” Key to the work of the CCTC, the Counterinsurgency Guidance also noted: “Be first with the truth. Beat the insurgents and malign actors to the headlines. Preempt rumors. Get accurate information to the Chain of Command, to Afghan leaders, to the people, and to the press as soon as possible. Integrity is critical to this fight. . . . Acknowledge setbacks and failures, including civilian casualties, and then state how we’ll respond and what we’ve learned.”

55 Center interview with Mohammad Farid Hamidi, Commissioner of the Afghanistan Independent Human Rights Commission since June 2002, February 11, 2014. Lauren Sweeney, former CCTC Manager told the Center that individual Afghan complaints made and recorded at ISAF bases were incorporated into the CCTC’s data, although the CCTC itself did not have the resources to investigate or follow-up unsubstantiated cases. It was noted by current CCMT staff that this was intentional so as not to duplicate resources, such as investigation capability, already available within the ISAF Mission.

56 While several interviewees outside ISAF noted that the increased attention and concern voiced by President Hamid Karzai regarding ISAF civilian casualties, interviewees within ISAF noted that President Karzai’s pressure was only one part of a confluence of efforts and events that catalyzed the work of the CCTC. Of working within a broader counter-insurgency campaign, a former Senior ISAF Commander stated, “the bottom line is you cannot expect a country’s leader to support you without considering civilian casualties an issue.”

57 Center interview with Senior ISAF Commander (name withheld), interview no. 8, January 17, 2014.

58 For example, the Office of the High Commissioner for Human Rights, the AIHRC, Human Rights Watch, and the ICRC. Center interview with Former Senior ISAF Commander (name withheld), interview no. 22, February 14, 2014.

59 Center interview with Senior ISAF Commander (name withheld), interview no. 22, February 14, 2014. Of particular importance, UNAMA’s twice-yearly reports on Protection of Civilians in Afghanistan provided an important starting point to discuss differences in ISAF and UNAMA data. Center interview with Ashley Jackson, former Oxfam Head of Policy in Afghanistan, December 20, 2013. Center interview with Former Senior UNAMA Human Rights Official (name withheld), interview no. 3; and Center interview with Former Senior ISAF Commander (name withheld), interview no. 22, February 14, 2014.

60 “It took a few weeks sometimes or a couple of meetings to get over internal prejudices. Some civil society groups were very distrustful of the military and the military side feeling like they were doing the right thing, sometimes not realizing what they can’t tell might look a little suspicious.” Center interview with Marc Garlasco, Head of UNAMA Protection of Civilians Office in 2011, December 23, 2013.

61 Center interview with Human Rights Researcher (name withheld), interview no. 6, January 7, 2014; Center interview with Rachel Reid, former Human Rights Watch Afghanistan Analyst, January 6, 2014.
personnel who addressed civilian casualties, those who would listen had enough authority to respond adequately to concerns. Following the introduction of the CCTC, concerns regarding civilian casualties were funneled to the cell, where it appeared that any delay in providing information could not be appealed elsewhere within ISAF.\footnote{Ibid.}

In addressing this concern, Maj. Gen. Gordon B. Davis, Jr., former Chief of the Strategic Advisory Group to COMISAF, noted that this NGO perception was counter to the reality within ISAF, “COMISAF and senior leadership were completely seized with determining facts, identifying what needed to change to reduce casualties and aggressively pursuing the implementation of those changes.” Col. Davis explained, “An enormous effort to engage subordinate commanders and visiting national civilian and military leaders [was made] to ensure they understood the need for national emphasis in pre-deployment training and specific resources to avoid civilian casualties.”\footnote{Center interview with Maj. Gen. Gordon B. Davis, Jr., former Chief of the Strategic Advisory Group to COMISAF, March 18, 2014.}

Over time, ISAF’s solution to opacity was greater transparency.

As the CCTC expanded into the CCMT, ISAF leadership and CCMT personnel provided greater access to ISAF’s data and methodology, tasking specific officers to liaise with external organizations and “providing releasable information based on specific questions.”\footnote{Center interview with Current ISAF CCMT Official (name withheld), interview no. 19, February 9, 2014.} Likewise, the CCMT initiated monthly civil society working groups in 2011, led by commanding officers and that both international and Afghan organizations attended. Each working group discussed a particular theme regarding civilian casualty mitigation “bringing together people who would never otherwise have spoken with each other.”\footnote{Center interview with Kate Clark, Afghanistan Analysts Network, January 19, 2014.}

The overall good faith effort to build relationships outside of ISAF meant that ISAF became more willing to share video footage or evidence collected in investigations, more willing to interact and accept criticism, and quicker to respond to requests for information.\footnote{Center interview with Marc Garlasco, former Head of UNAMA Protection of Civilians Office, December 23, 2013. Also Oxfam Head of Policy in Afghanistan from 2009-2011 Ashley Jackson noted, “ISAF’s regular chain of command would be much more descriptive of instances when they thought they could be. If they did the investigation, they’d report the investigation. If there were alternative perspectives, they would look into them and report back.” Center interview with Ashley Jackson, former Oxfam Head of Policy in Afghanistan, December 20, 2013.} “There isn’t an international organization or non-governmental organization out there that [didn’t] want to accomplish the same sort of thing for the good of the Afghan people,” a former member of Senior ISAF Leadership said. “It isn’t how our purposes are different, but how we could learn to work together.”\footnote{Center interview with Lauren Sweeney, former Civilian Casualty Tracking Cell Manager, December 20, 2013.}

Even given the gains made in bridging relationships, some civil society members said that ISAF’s emphasis on transparency and relationship-building was hindered by its frequent unwillingness to revise its number of civilian casualties when new data was presented.\footnote{Center interview with Marc Garlasco, former Head of UNAMA Protection of Civilians Office, December 23, 2013; also noted in Center interview with former Senior UNAMA Human Rights Official (name withheld), interview no. 3, December 23, 2013.} While ISAF had a process for revising data, ISAF commanders indicated that revision of data would occur only if ISAF itself, and not external organizations, found new information.\footnote{Noted in Center interview with General David McKiernan, Former Commander-ISAF, January 23, 2014; Center interview with Former Senior ISAF Commander (name withheld), interview no. 8, January 17, 2014; and Center interview with Colonel Mark Gray MBE Royal Marines, Former ISAF Chief of Current Operations, March 3, 2014.}
Much of this reluctance could have been based on the fact that ISAF and other organizations, including UNAMA, reached different conclusions as to whether those killed were civilians or combatants.70

As ISAF’s civilian casualty tracking evolved, a conversation could actually be had about civilian harm using facts—even if some were disputed—to back up various positions and to reach relative agreement. “In the end, we have to understand we’re never going to get to the same number,” Marc Garlasco, former Head of UNAMA Protection of Civilians Office in 2011, told the Center. “But that’s not important. What’s important is how and why civilians are being killed and injured so we can ensure that civilian protection is being improved. That’s where we—both ISAF and the groups working with ISAF—were moving. It just takes time.”71

Making Tracking Civilian Casualties a Priority

Interviewees noted that acceptance of the tracking mechanism required ISAF leadership to stress the overall operational impact of civilian casualties and to keep doing so.

Identifying mitigating civilian casualties as an operational imperative, former senior ISAF commanders interviewed said they received daily updates on ISAF and joint operation civilian casualties.72 In short, ISAF leadership recognized and wanted to communicate the effect of civilian casualties on the mission’s operational and strategic goals.

Initially, the importance of civilian casualty tracking was not necessarily recognized beyond the highest levels of ISAF HQ.73 Asked about troop skepticism outside of Kabul, Colonel Mark Gray MBE Royal Marines, former ISAF Chief of Current Operations, July 2011-May 2012, noted, “down the chain of command, it’s not that troops sustaining fire don’t understand the importance of avoiding civilians, but that the concept of jotting information down may not be their highest priority.”74 Even for some commanding officers, the value of data collection itself would only become clear when isolated civilian casualties could be aggregated into visible trends.75 This meant that especially early on, willingness to provide information to the Cell could depend on the individual with whom the CCTC was working.76

Because tracking relies on information from the field, reluctance to work with a tracking mechanism or failing to see its work as a priority endangers the quality of data collected, and therefore the usefulness of any analysis. Former CCTC Manager Lauren Sweeney described military personnel’s initial hostility to her work in 2008-2009. “It looked like we were asking the military to change the way they were doing things several years into ISAF’s effort, in an otherwise entrenched military system” she told the Center, “I understood that providing data didn’t seem like a high priority when facing kinetic action, but early on it made it seem that my work wasn’t valued.”77 Ashley Jackson, Head of Policy at Oxfam in Afghanistan from 2009-2011, concurred: “[CCTC personnel] were clearly very frustrated in trying to do this job—it was apparently quite thankless.”78

70 Center interview with former Senior UNAMA Human Rights Official (name withheld), interview no. 3, December 23, 2013.
71 Interview with Marc Garlasco, former Head of UNAMA Protection of Civilians Office, December 23, 2013.
72 Center interview with General David McKiernan, Former Commander-ISAF, January 23, 2014; Center interview with Former Senior ISAF Commander (name withheld), interview no. 8, January 17, 2014; Center interview with Former Senior ISAF Commander (name withheld), interview no. 22, February 14, 2014; and Center interview with Former Senior ISAF Commander (name withheld), interview no. 24, February 18, 2014.
73 Center interview with General David McKiernan, Former Commander-ISAF, January 23, 2014.
74 Center interview with Colonel Mark Gray MBE Royal Marines, former ISAF Chief of Current Operations, March 3, 2014.
75 Center interview with Former Senior ISAF Leadership (name withheld), interview no. 24, February 18, 2014.
76 Center interview with Lauren Sweeney, former CCTC Cell Manager, December 20, 2013.
77 Ibid.
78 Center interview with Ashley Jackson, former Oxfam Head of Policy in Afghanistan, December 20, 2013.
To this point, Major General (Ret.) Geoffrey C. Lambert, Military Advisor to the 2010 Joint Civilian Casualty Study (JCCS), Afghanistan, noted: “It is even more difficult in a low-level conflict where combat is conducted in a distributed and decentralized manner. Local commanders feel they understand their immediate operational environment better than someone far away and may not see the need for new constraints or restraints that impact operations at the lowest level.”

The perception reported by interviewees outside of ISAF was that had personnel within CCTC or CCMT had higher rank, members of the military would have taken the work of the mechanisms more seriously. Interviewees cited this concern not only in reference to the efficiency and effectiveness of receiving information from troops, but also as an indication of ISAF’s level of commitment to the mechanisms’ use. Rachel Reid, former Human Rights Watch Afghanistan analyst noted from her time interacting with the mechanism in 2008 that, “the people were too low level, so my meaningful professional relationships were outside it with people at a higher level. They didn’t have the authority necessary to share or corroborate information.”

Likewise, former Head of the UNAMA Protection of Civilians Office Marc Garlasco noted: “Within the mechanism, there was no one-star General to whom General Petraeus or General Allen could turn and say, ‘OK, General, what happened?’ That matters in the military.”

However, current ISAF personnel indicated that while the highest ranked officer within the eventual CCMT was a Colonel, the highest officer within the ISAF mission responsible in general for civilian casualties was the Deputy Commander of Lieutenant General rank. Regarding this critique, a former member of Senior ISAF Leadership said, “It’s a false argument to say that rank is equal to importance of work. The question is, did I get to see that work? And the answer to that is ‘yes.’”

At the troop level, there was no coordinated effort to specifically explain the importance or purpose of the CCTC or of tracking civilian casualties. However, all senior ISAF leadership interviewed by the Center reiterated the importance of leadership in believing in—and emphasizing—the consequence of mitigating and reducing civilian casualties. Revisions of tactical directives, as noted above, were meant to re-emphasize COMISAF endorsement of the need to mitigate and reduce civilian casualties, as well as “to take stock of lessons learned and adjust the tactical instructions to ensure these lessons learned were institutionalized.” Field visits by the ISAF Commander and the dissemination of lessons learned were also meant to draw the same attention to civilian casualties at the tactical level that ISAF leadership recognized at the strategic level.

Over time, this emphasis by leadership may indeed have improved willingness to work with mechanism personnel. Kate Clark, with Afghanistan Analyses Network, who interacted with the CCMT through its civil society and NGO working groups, noted that by 2012, “it was
clear that somewhere within the command, these people were being appreciated for their work. It was clear that it mattered.\textsuperscript{86} Although more could have been done at the outset to explain the use and necessity of collecting data, internal support from the leadership was crucial to overcoming institutional inertia to new procedures and habits.

**Establishing Coordination Across a Sub-Divided Theater**

Referring particularly to the earliest iterations of ISAF’s civilian casualty tracking, interviewees noted the challenges associated with coordinating data collection across a decentralized multi-national and multi-dimensional force.

ISAF command reorganized in August 2009 to include a higher strategic headquarters led by COMISAF, and a subordinate, tactical headquarters led by the Commander of ISAF Joint Command (IJC). As of March 2014, six regional commands were under the IJC, with forty-nine TCCs across ISAF operations. Having accurate and timely information at command-level required accurate and timely recording and reporting from the unit-level upwards and across TCCs.

**Across Regional Commands**

By 2011, all six Regional Commands under ISAF tracked civilian casualties separately, in addition to the work done by the tracking located in ISAF HQ. According to ISAF officials, tracking at the level of Regional Commands allowed regional leadership to diffuse allegations of civilian casualties at a local level—in much the same way as the CCTC and CCMT allowed ISAF HQ to respond to allegations at the national level.\textsuperscript{87}

In Regional Command-South (RC-S), commanders and officers implemented the Regional Command’s own dedicated civilian casualty tracking cell, with features unique amongst other Regional Commands in 2009-2010. The Regional Command’s cell tracked and analyzed RC-S civilian casualties using its own statistical epidemiological methodology—a methodology that also incorporated information from multiple sources including the media, community elders, and human rights groups.\textsuperscript{88} The analysis affected tactical guidance specifically within RC-S, including influencing the use of warning shots, caltrops, and light and sound at checkpoints and on vehicle and foot patrols.\textsuperscript{89}

According to Lieutenant Colonel Ewan Cameron, SO1 Health Services Development, Regional Command-South Headquarters (RC-S HQ) and member of the RC-S HQ civilian casualty analysis team between October 2009 and September 2010, RC-S knew very little about the work of the CCTC. What was known was believed to be irrelevant to RC-S’ work or tracking because the CCTC’s work appeared to be “primarily solely for strategic reputation protection and failed to use a robust method”—a viewpoint that highlights the difference between the strategic messaging tasks of ISAF HQ and the tactical needs of a Regional Command.\textsuperscript{90} “When CCTC investigation teams did conduct in the field investigations, the teams were large and viewed as sightseeing opportunities for those serving in Kabul [away from the action],” Lt. Col. Cameron added further. “CCTC reports were too little, too late and often failed to make any recommendations the RC-S HQ civilian casualty analysis team had either not already identified and or implemented.”\textsuperscript{91}

\textsuperscript{86} Center interview with Kate Clark, Afghanistan Analysts Network, January 19, 2014.
\textsuperscript{87} Center interview with Current ISAF CCMT Official (name withheld), interview no. 19, February 9, 2014.
\textsuperscript{88} See, e.g., Cameron Ewan, Michael Spagat and Madelyn Hsiao-Rei Hicks, “Tracking Civilian Casualties in Combat Zones using Civilian Battle Damage Assessment Ratios,” May 3, 2009.
\textsuperscript{89} Center interview with Lieutenant Colonel Ewan Cameron, SO1 Health Services Development, Regional Command-South Headquarters and Member of the RC-S HQ Civilian Casualty Analysis Team, October 2009-September 2010, January 11, 2014.
\textsuperscript{90} Ibid.
\textsuperscript{91} Ibid.
In practice, current CCMT official noted that “CCTC/CCMT [could] influence Tactical Directives, which are very broad guidelines. It is up to the tactical commanders to refine the directives and apply them in the context of their battle space.” However, this division effectively implemented two systems—one that provided information to ISAF HQ and one developed by the Regional Command that was used “on the ground” to inform specific tactical procedures. While separate systems may be appropriate, there was no systematic way to pass lessons from the Regional Command’s tracking to the theater-wide tracking mechanism or to other Regional Commands, even though best practices were routinely provided from Regional Commands to ISAF HQ.

This suggests that valuable lessons regarding implementing and adapting tracking at the tactical level—where units need to adapt to make the process work for them—were lost in the hierarchy of reporting. These local adaptations could have informed the central mechanism of particular challenges in collecting or analyzing data. Likewise, channels of communication should have been open between the personnel addressing centralized, theater-wide tracking and those within the Regional Command. Doing so would alert the theatre-wide tracking mechanism’s personnel to subtle differences in reporting that should have been considered in data analysis.

Regarding this critique, a current ISAF Operations official noted to the Center: “At this point in ISAF the procedures were being progressively developed and refined. Even in pure military terms, the chasm between higher policy and tactics, techniques and procedures (TTP) takes time to bridge. Policy can be a clumsy tool because it assumes all things are equal or constant, whereas in Afghanistan there can be vast differences between regions. We are always careful not to impose policy as a blanket catch-all . . . . It takes time to aggregate across the theatre and progressively institute a reporting methodology that doesn’t impose a burden in areas where they can’t see the requirement.” He added, “The hierarchy of command and reporting shouldn’t be subverted unless absolutely necessary . . . so at times it will mean a lag-time between the tactical and strategic levels coming to a mutually agreeable solution.”

Across Troop Contributing Countries
Ensuring comparability across the data provided by TCCs was also necessary for quality analysis since “only a fraction of the more than forty TCCs participated in operations that resulted in civilian casualties.”

While FRAGO 221 and SOP 302 standardized the type of information that units were required to provide, the method of investigating and the detail of information provided differed at least initially, as did how TCCs classified incidents when reporting. For example, where one TCC’s training on the rules of engagement would dictate refraining from returning fire from an individual firing from a group of suspected civilians, another TCC would consider returning fire perfectly acceptable. Dependent on the information available to the troop sustaining or returning fire, the individuals harmed in that group could be classified in later reporting as “civilian” or “combatant.” Likewise, TCCs would conduct investigations that varied in depth and focus.
“ISAF is not a monolith,” said former CCTC Manager Lauren Sweeney. “There are so many different countries, personalities, procedures, and deployments that achieving consistency was nearly impossible.”

Resident statistical expertise to identify and follow-up on discrepancies in the data was needed; lacking such expertise or a dedicated cadre of investigators to scrutinize variations in investigations, the differences could impede accurate conclusions.

### Accounting for Other Contributors to Civilian Casualties

Accounting for civilian casualties caused by actors outside of conventional forces posed a challenge in Afghanistan. Interviewees outside of the operation of the CCTC/CCMT raised concerns about the lack of accountability and transparency for such harm. Interviewees internal to ISAF and the CCTC/CCMT, on the other hand, noted that a lack of information on such operations undermined ISAF’s credibility and the efforts of civilian casualty tracking itself. All interviewees suggested the need to include information from these forces in comprehensive civilian casualty tracking.

### Special Operations Forces and Clandestine Operations

Special Operations Forces (SOF) posed a problem both in transparency of operations and investigations into allegations of civilian casualties. In 2008-2009 at the outset of the CCTC, COMISAF did not have command of all SOF operating in Afghanistan; rather, ISAF maintained separate Special Operations from that of the United States Forces in Afghanistan (USFOR-A), as well as other national forces. Although USFOR-A and ISAF merged under the command of a dual-hatted COMISAF and Commander of USFOR-A in late 2008, COMISAF did not have “control of the counter-terrorism task force under command of U.S. Joint Special Operations Command”—although the counter-terrorism task force did liaise with COMISAF.

Coordination between ISAF and other SOF appeared to improve in 2009. By 2010, the CCTC tracked data from SOF operations along with that of conventional forces. While ISAF command noted to the Center that SOF intelligence was very good and civilian casualties resulting from SOF were very low, a lack of transparency due to security classification in these operations made external verification difficult. Interviewees external to ISAF attempting to verify information did not distinguish between ISAF SOF, U.S. SOF, and other organizations, which suggests that even the limited communication from ISAF about its specific Special Operations could have been clearer in highlighting these distinctions. Collecting data on classified operations in itself may have been problematic within the CCTC, as it would have required the necessary security clearance—including clearance dependent on U.S.-specific qualifications to review U.S. SOF data—for CCTC personnel.

Moreover, civilian casualties caused by actors outside of military roles were also not tracked. According to a former ISAF commander, moment-to-moment visibility on CIA operations was not always available, and civilian harm caused by private military contractors was not recorded or available to ISAF.

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99 Center interview with Lauren Sweeney, former CCTC Manager, December 20, 2013.
100 Center interview with Major General Gordon B. Davis, Jr., former Chief of the Strategic Advisory Group to COMISAF, March 18, 2014.
102 Center interview with Maj. Gen. (Ret.) Geoffrey C. Lambert, Military Advisor to the Joint Civilian Casualty Study (JCCS), February 12, 2014.
103 Center interview with Former Senior ISAF Leadership (name withheld), interview no. 24, February 18, 2014.
104 Center interview with Current ISAF CCMT Official (name withheld), interview no. 19, February 9, 2014.
105 Center interview with Former Senior ISAF Commander (name withheld), interview no. 22, February 14, 2014.
Regardless of attribution, such actors in theater presented not only a challenge of coordination and transparency, but also threatened to undermine the messaging purpose of ISAF tracking. As noted by former COMISAF General David McKiernan, regardless of the party at fault, “as the senior American in Afghanistan, I would be held accountable de facto.”

**Afghan National Security Forces**

In the public’s and government’s perception, ISAF would also be held accountable for civilian casualties caused by the Afghan National Security Forces (ANSF). While ISAF leadership stressed the importance of joint investigations as early as 2008—before the implementation of the CCTC—ISAF realized only later how much more general training the ANSF would need. Efforts to build ANSF capacity in general overtook additional efforts to build ANSF capacity to track civilian casualties.

Interviewees suggested several reasons for the late effort in building an Afghan capacity for tracking and analyzing civilian casualties. First, the original messaging impetus of the CCTC meant that the mechanism was primarily focused on ISAF reputation protection alone. Likewise, civilian casualties attributable to the ANSF would not create the same Afghan media attention and political blowback as would those attributable to foreigners. Moreover, adoption and acceptance of the mechanism took time and effort within ISAF, while training the ANSF in other foundational skills and capacities took precedence over training on civilian casualty data management.

Interviewees also noted political inertia from the Afghan government and reluctance by ANSF to admit involvement in civilian casualties. Asked if and why this was the case, a former senior ISAF commander said, “I wouldn’t say there is a cultural taboo regarding civilian casualties, but rather that there is a cultural taboo to admit you’ve failed in some aspect of your job or to protect your people.” He also noted a sentiment relevant to both ISAF and the ANSF: “If starting all over again, I’d bring [partner forces] into the process in order to show them that this process isn’t threatening, but rather empowering. It’s empowering because recognizing and tracking civilian casualties can show that they can do their job better by addressing and preventing civilian casualties.”

In summer 2012, senior ISAF and ANSF officials created joint civilian casualty boards to transfer ISAF’s lessons learned in tracking and mitigating civilian casualties mitigation system to the ANSF. In 2012, the Afghan Civilian Casualties Tracking Team in the Presidential Information Coordination Center (PICC) began tracking reports of civilian casualties from security bodies, but does not receive complaints from individuals or organizations. There is no analysis of the data, which means any lessons learned that could improve operations go undocumented. Nor are there coordinated efforts to identify where and how to assist civilians harmed by the ANSF.

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106 Center interview with General David McKiernan, Former Commander-ISAF, January 23, 2014.
108 Center interview with Kate Clark, Afghanistan Analysts Network, January 19, 2014.
109 Center interview with Human Rights Researcher (name withheld), interview no. 6, January 7, 2014.
110 Center interview with Former Senior ISAF Commander (name withheld), interview no. 22, February 14, 2014.
111 See Center for Civilians in Conflict, Caring for Their Own: A Stronger Afghan Response to Civilian Harm, January 2013.
Civilian casualties suspected or incurred by ANSF in joint ISAF-ANSF operations were tracked by the CCTC, and later CCMT as well, just as SOF data came to be. Recognizing the need to incorporate data from all potential or perceived partners meant that ISAF HQ could mostly maintain informational control and press for tactical changes when necessary.
SUCCESSES AND LIMITATIONS

The development of a civilian casualty tracking mechanism was in itself a success. The CCTC, and later CCMT, provided regular—often immediate—information that could be made public on civilian casualties. Aggregated data from civilian casualty tracking was used to highlight the need to adapt tactics and to maintain attention on reducing civilian casualties. ISAF reporting mechanisms improved with the development of this capability, which in turn promoted more robust discussion of Afghan civilian harm and steps to mitigate that harm. The CCMT’s working groups and outreach brought together disparate communities to address civilian casualties—opening communication with external groups in a way uncommon to other military organizations.

Ultimately, the practice of both reporting and communicating information regarding civilian casualties made ISAF a more responsive force in addressing civilian harm.

114 Center interview with Rachel Reid, former Human Rights Watch Afghanistan Analyst, January 6, 2014.
115 Noted in Center interview with Former Senior ISAF Commander (name withheld), interview no. 22, February 14, 2014 and Center interview with Kate Clark, Afghanistan Analysts Network, January 19, 2014.
The mechanism itself however, was limited. The CCTC was developed largely during a period of increased fighting with armed opposition groups in-theater and without previous examples of large-scale tracking by warring parties. As such, the CCTC and subsequent CCMT only tracked instances of civilian casualties; the CCMT did not focus on other instances of civilian harm, such as property damage or destruction—thereby giving only a partial picture of civilian harm in kinetic operations. While ISAF and UC conducted some analysis of civilian harm, Generals McChrystal, Petraeus, and Allen each commissioned independent analytical studies on civilian casualties to determine cross-cutting root causes and to augment what the CCMT and internal working groups could provide. And even though leadership emphasized institutionalizing the process of civilian casualty tracking, gathering data and the willingness to share data could be largely personality and personal relationship-based. The processes were also disrupted by continual staff turnover within ISAF itself. Addressing these realities and limitations is key to adapting ISAF’s example for future mechanisms in other conflicts.

LESSONS IDENTIFIED

All interviewees stressed the importance of retaining civilian casualty tracking capabilities for future conflicts. Candace Rondeaux, a political analyst on Afghanistan, underscored that tracking capabilities are not only critical to maintaining the support of the population against an insurgency, but also to understanding the impact of military operations on the political landscape—relevant not solely in counterinsurgency operations but in conflict in general.

Maj. Gen. (Ret.) Geoffrey C. Lambert stressed that civilian casualty tracking is integral to operations as it touches all aspects of military engagement—“intelligence, information campaigns, civil affairs activities, tactical and operational decisions, and logistical planning (medical, health, transportation) in large conflicts.”

While future mechanisms must be tailored for the specific actors, needs, and conflicts, there are four primary lessons from ISAF’s civilian casualty tracking that are important for future operations:

1. **Civilian casualty tracking must be backed by sincere attention to mitigating and reducing civilian harm, not solely collecting data.**

ISAF recognized that civilian casualties in Afghanistan harmed ISAF’s ultimate mission of protecting and supporting the Afghan population. The discrepancies in, and often lack of,
internal ISAF reporting on civilian casualties also presented an operational distraction to ISAF’s efforts. Creating a mechanism to track civilian casualties was an important step in mitigating and preventing these casualties. But so was ISAF’s growing willingness to interact with external organizations and crosscheck its data, to be frank regarding its methodology, and to review the data for lessons.

Data collection itself does not mitigate or prevent civilian casualties—but rather it is analyzing and using the data that make the tracking valuable. Responses to civilian casualties, including when or whether assistance was provided should also be tracked to ensure that troops are responding in a timely and appropriate manner.

2. **Civilian casualty tracking does not require tremendous resources but does require sustained attention and assertion of value.**

ISAF implemented civilian casualty tracking with negligible resources, but expanded the mechanism by incorporating and re-hatting capabilities already available within ISAF. Useful data gathered by tracking relies greatly on individuals reliably reporting at all levels. Sustained effort and emphasis by ISAF leadership was crucial in communicating the value and importance of collecting data throughout the organization, as well as keeping attention on the need to mitigate civilian casualties. Troops at the tactical level in-theater need to know why tracking, investigating and responding to all civilian harm is critical to their mission.

3. **Data collection does not have to be complicated, but reporting must be standardized and the data reported must be robust enough for deep analysis.**

ISAF’s civilian casualty tracking did not require multiple new reporting chains or new, complicated information-sharing processes up the chain of command. However, to be of most use, all levels of hierarchy—from unit levels to command—need to work with the same clear definitions.

These clear definitions can and should then be used to communicate and crosscheck data with external organizations. Likewise, the data reported to the mechanism needs to have sufficient detail to allow subject matter experts and statisticians to mine the data for root-causes of civilian harm. Given enough meaningful detail, the analysts can then pass their findings on to tactical, operational and strategic commanders and planners—to prevent future civilian harm. Analysis of the data to inform tactical changes is an essential element to mitigate civilian harm, but is limited if such data is not collected comprehensively or consistently.

4. **To be most useful, a tracking mechanism should be in place before a mission begins.**

ISAF’s effort to create the first-ever tracking cell in a combat zone is commendable. However, it lacked an initial comprehensive framework and common philosophical approach. The framework and clear approach could have been possible had the mechanisms been created outside of theater, rather than evolving within it.

Future mechanisms should be created in the planning phases of combat operations, to create common definitions and procedures and make tracking, analysis and incorporating civilian harm lessons learned as a mission priority from the outset. This should be started

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1 Center interview with Rob Ayasse, Afghanistan Operations Team, NATO Headquarters, January 16, 2014 and Center interview with Current ISAF CCMT Official (name withheld), interview no. 19, February 9, 2014.
right [from the beginning] rather than need to evolve," a former senior ISAF commander told the Center. “It’s too important to depend on an evolutionary process. Accounting for [civilian casualty] mitigation needs to happen from the beginning, before deployment, right from the day we join the military.”

CONCLUSION

As the first-ever large-scale civilian casualty tracking cell initiated by a warring party, ISAF’s CCTC faced challenges in implementation and was limited in capabilities. However, the tracking capabilities evolved because ISAF leadership recognized the operational impact of civilian casualties and commitment to addressing and mitigating those casualties.

There are lessons to be learned from the evolution of the CCTC and subsequent CCMT as well as its role as one element of ISAF’s recognition of the importance of mitigating civilian harm. ISAF’s civilian casualty tracking is an instructive case of how civilian harm tracking can be conducted by a warring party, what should be considered in its implementation, and its ultimate utility.
ANNEX

Civilian Harm Tracking, Analysis and Response as an Emerging Best Practice

Civilian harm tracking is a vital component of civilian harm mitigation. Civilian harm tracking is an internal process by which a particular armed actor can gather data specifically on civilian deaths and injuries, property damage or destruction, and other instances of civilian harm caused by its operations.\(^{123}\)

Civilian harm tracking includes:

1. Systematic gathering of data through formal reporting chains and field reports;
2. Full investigations following possible incidents of civilian harm; and
3. A centralized, professionally staffed information system or “cell” to house data;
4. A capability to analyze incoming data.\(^{124}\)

The raw data collected should be of sufficient detail that it includes not only the number of civilians harmed and type of harm inflicted, but also the circumstance leading to the incident. This raw data can be used to publicly or privately address allegations of civilian harm.

The raw data can and should also be statistically analyzed by professional staff to identify trends and challenges. This analysis should be used to inform planning and decision-making, as well as in-mission training and pre-deployment instruction.

The data and analysis should also then be used to respond properly to the harmed civilians themselves through culturally suitable dignifying assistance. These responses to civilian harm should be tracked as well to ensure that timely and appropriate amends are made. Alleged violations regarding civilian harm should be investigated through proper legal channels.

In addition to ISAF efforts in Afghanistan, the Multi-National Corps-Iraq tracked Escalation of Force incidents at checkpoints throughout Iraq in 2006. Aggregated data in Iraq showed that, on average, ten such incidents were occurring each day, with five percent of the incidents resulting in an Iraqi civilian’s death. The data highlighted the need for, and led

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123 Center for Civilians in Conflict uses the term “civilian harm tracking” to broadly include harm to civilians themselves and civilian property, rather than “civilian casualty tracking” which includes only death or injury. Civilian harm tracking is a more comprehensive process that addresses civilian losses in total. This differs from civilian casualty recording, which is the continuous systematic documentation of civilian deaths in armed violence by states or civil society. For more information, see Elizabeth Minor, “Toward the Recording of Every Casualty: Policy Recommendations and Analysis From a Study of 40 Casualty Recorders,” Oxford Research Group, 2012.

to, a change in tactics at checkpoints to slow approaching vehicles and reduce civilian casualties.\textsuperscript{125} Elsewhere, the African Union Mission in Somalia (AMISOM), encouraged by the United Nations Security Council, developed a framework for a Civilian Casualty Tracking, Analysis and Response Cell (CCTARC) and is, at time of this writing, in the process of implementation.\textsuperscript{126} Such mechanisms may also be useful in other armed conflict contexts, including “offensive peacekeeping operations” as noted by the UN Secretary-General in the November 2013 Protection of Civilians in Armed Conflict report.\textsuperscript{127}


This report was researched and written by Jennifer Keene, consultant with the Center for Civilians in Conflict and edited by Sahr Muhammedally, Senior Legal Advisor with the Center.

Center for Civilians in Conflict is grateful for the insights of former Commanders of ISAF, current and former Civilian Casualty Cell and Mitigation Team officials, current and former ISAF officials, NATO headquarters, US military officials, Dr. Lawrence Lewis, former UNAMA officials, analysts on Afghanistan, and the Afghanistan Independent Human Rights Commission.
Civilian Harm Tracking: Analysis of ISAF Efforts in Afghanistan

About the report

In 2008, the International Security Assistance Force (ISAF) in Afghanistan established the Civilian Casualty Tracking Cell (CCTC) to collect data on civilian casualties, the first large-scale civilian casualty tracking mechanism undertaken by a warring party. This case study describes the development and operation of the CCTC, which evolved into the Civilian Casualty Mitigation Team in 2011, and identifies lessons from this first attempt at using such tools to assess the impact of military operations on civilians.

About Center for Civilians in Conflict

Center for Civilians in Conflict works to make warring parties more responsible to civilians before, during, and after armed conflict. We are advocates who believe no civilians should be ignored and advisors who provide practical solutions to prevent and respond to civilian harm.

The organization was founded as Campaign for Innocent Victims in Conflict (CIVIC) in 2003 by Marla Ruzicka, a courageous young humanitarian killed by a suicide bomber in 2005 while advocating for Iraqi families.