

Warren, Jacobs Accuse Pentagon of Vastly Undercounting Civilians Killed by US Military

"This vast difference between independent reporting and the DOD investigation raises concerns and undermines DOD credibility on civilian casualty reporting," the lawmakers wrote.

By [Brett Wilkins](#)

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As U.S. military forces continue to kill and wound civilians in multiple countries during the ongoing 21-year War on Terror while chronically undercounting such casualties, a pair of Democratic lawmakers on Monday asked the Pentagon to explain discrepancies in noncombatant casualty reporting and detail steps being taken to address the issue.

In a [letter](#) to **Defense Secretary Lloyd Austin**, **Rep. Sara Jacobs** (D-Calif.) and **Sen. Elizabeth Warren** (D-Mass.)—who have both led calls to hold the military accountable for harming noncombatants—said they are “troubled” that the Pentagon’s annual civilian casualty [report](#), which was [released](#) in September as required by an amendment Warren attached to the 2018 National Defense Authorization Act (NDAA), again undercounts noncombatants killed by U.S. forces.

“In this year’s report, the department reported that approximately 12 civilians were killed and five were injured in Afghanistan and Somalia as a result of U.S. military operations during 2021,” the lawmakers wrote. “However, the report did not admit to any civilian deaths in Syria, despite credible civilian casualty monitors documenting at least 15 civilian deaths and 17 civilian injuries in Syria in 2021.”

The U.K.-based monitor group Airwars [counted](#) between 12 and 25 civilians likely killed by U.S. forces, sometimes operating with coalition allies, in Syria alone last year, with another two to four people killed in Somalia and one to four killed in Yemen.

Airwars does not track civilians killed or wounded in Afghanistan, where all of last year’s casualties acknowledged by the Department of Defense (DOD) occurred. These incidents

include an errant August 29 drone strike that [killed](#) 10 people—most of them members of one family—including seven children.

“The report also appeared to undercount additional civilian casualties from Combined Joint Task Force-Operation Inherent Resolve (CJTF-OIR) that occurred prior to 2021,” the lawmakers’ letter continues, referring to the anti-Islamic State campaign launched during the Obama administration and ramped up under then-President Donald Trump—who infamously [vowed](#) to “bomb the shit out of” ISIS militants and [“take out their families.”](#)

We need the full picture of what’s happening and where to address civilian casualties resulting from U.S. actions. That’s why [@SenWarren](#) and I want answers about the Department of Defense’s underreporting. pic.twitter.com/mYErnuCrfX

— Congresswoman Sara Jacobs (@RepSarajacobs) [December 20, 2022](#)

“For example, the report... only disclosed four civilians killed and 15 civilians injured as a result of the March 18, 2019 [strike](#) in Baghuz, Syria,” the lawmakers noted. “But *The New York Times* [investigated](#) this strike in 2021, finding evidence that the military concealed the extent of the civilian casualties, and according to Airwars, local sources alleged that the strike resulted in at least 160 civilian deaths, including up to 45 children.”

“This vast difference between independent reporting and the DOD investigation raises concerns and undermines DOD credibility on civilian casualty reporting,” Warren and Jacobs stressed.

“One reason for this underreporting appears to be that DOD is not giving appropriate weight to outside sources when investigating casualty reports,” the letter contends. “The significant discrepancies between DOD and outside reporting suggests outside sources are still not being sufficiently incorporated into DOD assessments.”

The congresswomen also expressed concern that “this year’s report revealed that DOD made only one total *ex gratia* payment in 2021, despite an annual \$3 million authorization from Congress,” a reference to the compensation [sometimes paid](#) by the U.S. military to relatives of civilians its forces kill.

“It is a continued betrayal of our values to continually undercount and refuse to acknowledge or take proper steps to address the civilian casualties that result from U.S. military action,” Warren and Jacobs wrote.

Declaring that “the protection of civilians is a strategic priority as well as a moral imperative,” the Pentagon in August [published](#) its [Civilian Harm Mitigation and Response Action Plan \(CHMR-AP\)](#), which lays out a series of policy steps aimed at preventing and responding to the death and injury of noncombatants.

These steps include establishing a civilian protection center of excellence, improving commanders’ understanding of civilian environments, developing standardized incident reporting and data management processes, and improving the military’s ability to assess

and respond when noncombatants are harmed by U.S. attacks.

Almost immediately after publication of the *CHMR-AP*, Jacobs, along with **Reps. Jason Crow** (D-Col.), **Ro Khanna** (D-Calif.), **Andy Kim** (D-N.J.), and **Tom Malinowski** (D-N.J.) [formed](#) a new congressional caucus to “conduct oversight and advance policies to prevent, reduce, and respond to civilian harm.”

Any time the U.S. or partners’ actions result in civilian harm, it hurts our reputation and undermines our national security by creating powerful recruiting tools. I’m proud that I secured \$25 million to implement DoD’s CHMR-AP, which aims to reduce and prevent civilian harm.
pic.twitter.com/9PyAdq2oe

— Congresswoman Sara Jacobs (@RepSaraJacobs) [December 12, 2022](#)

Spearheaded by Jacobs, the caucus worked to include \$25 million in funding for *CHMR-AP* implementation in the [\\$858 billion](#) 2023 NDAA.

“Every time Congress is briefed about an instance of civilian harm, we are almost always told that the service member followed the proper protocol and processes,” Jacobs [told](#) *Politico* earlier this month. “So I think it’s clear that it’s an institutional not an individual problem.”

While it is notoriously difficult to track how many civilians have been killed by a military that, in the words of **Gen. Tommy Franks**, [doesn’t “do body counts,”](#) researchers at the Costs of War Project at Brown University’s Watson Institute for International and Public Affairs [estimate](#) that combatants on all sides of the U.S.-led War on Terror have killed as many as 387,000 civilians as of late last year.

Airwars, meanwhile, [said](#) last September that U.S. airstrikes alone have killed as many as 48,000 civilians in nearly 100,000 bombings in Afghanistan, Iraq, Libya, Pakistan, Somalia, Syria, and Yemen since 2001.

On November 30th, an alleged US drone strike reportedly killed up to three civilians, including a woman and two children, and injured up to five others, and two paramedics, in the Hadba Al-Awshan market area in Yemen. (Image from [@bdallhbnbw dals1](#)) <https://t.co/rvD3AMbCnB>
pic.twitter.com/WAOtu0PhMO

— Airwars (@airwars) [December 15, 2022](#)

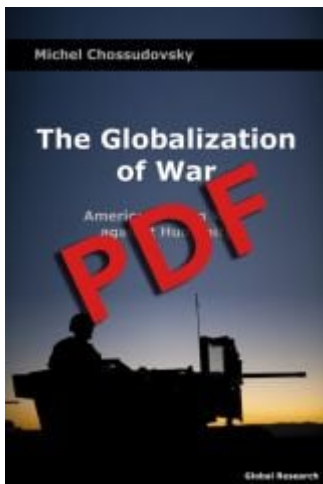
The killing continues. Since November, Airwars has posted credible reports of civilians killed by U.S. airstrikes in [Syria](#) (two incidents) and Yemen, where two children and a woman [reportedly died](#) when a U.S. drone bombed their home in the Al-Hadba area of Al-Wadi while targeting al-Qaeda in the Arabian Peninsula militants on November 30.

Meanwhile, Airwars [reports](#) that hundreds of al-Shabaab fighters have been killed in numerous U.S. air and drone strikes in Somalia in recent weeks.

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Michel Chossudovsky

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