

February 8, 2022

President Joseph R. Biden, Jr.
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear President Biden,

We, the undersigned human rights, humanitarian, protection of civilians, peacebuilding, civil liberties, social and racial justice, government accountability, veterans', and faith-based organizations, urge you to lead a much-needed overhaul of U.S. civilian harm policies and practices.¹

Recent *New York Times* investigations into U.S.-caused civilian harm² have documented significant shortcomings in how the U.S. government prevents, investigates, and responds to civilian casualties and damage to civilian objects. These findings illustrate systemic legal and policy flaws that our groups and others have repeatedly raised with the U.S. government for many years.³

For two decades, U.S. operations overseas have killed tens of thousands of civilians around the world – primarily from Brown, Black, and Muslim communities – and exacerbated communities' humanitarian needs. Rather than taking effective action to prevent and respond to these harms, the Defense Department has summarily dismissed countless credible claims of civilian casualties and regularly failed to conduct effective or transparent investigations, learn lessons over time, or provide amends, redress, or meaningful accountability.

As Commander-in-Chief, you have ultimate responsibility for how the U.S. prevents and responds to the civilian harm it causes. While many of the civilian casualties at issue occurred

¹ Many of our groups also sent a letter on these issues to Secretary of Defense Lloyd J. Austin III on December 1, 2021: "NGO Letter to US Secretary of Defense Demands Accountability and Reform After 20 Years of Civilian Harm," *Center for Civilians in Conflict*, December 1, 2021 [[link](#)].

² Dave Philipps, Eric Schmitt and Mark Mazzetti, "Civilian Deaths Mounted as Secret Unit Pounded ISIS," *The New York Times*, December 12, 2021, [[link](#)]; Azmat Khan, Lila Hassan, Sarah Almkhtar, and Rachel Shorey, "The Civilian Casualty Files: Hidden Pentagon Records Reveal Patterns of Failure in Deadly Airstrikes," *The New York Times*, December 18, 2021 [[link](#)]; Azmat Khan, "The Human Toll of America's Air Wars," *The New York Times*, December 19, 2021 [[link](#)]; Azmat Khan, Haley Willis, Christoph Koettl, Christiaan Triebert and Lila Hassan, "Documents Reveal Basic Flaws in Pentagon Dismissal of Civilian Casualty Claims," *The New York Times*, December 31, 2021 [[link](#)].

³ See, for example: Airwars civilian casualty assessments for Operation Inherent Resolve [[link](#)]; Amnesty International reports on civilian casualties in Raqqa [[link](#)] and West Mosul [[link](#)], among others; Center for Civilians in Conflict and Columbia Law School Human Rights Institute, "In Search of Answers: U.S. Military Investigations and Civilian Harm," *Center for Civilians in Conflict*, February 2020 [[link](#)]; "Civil Society Guidance for a Model DoD Policy on Civilian Harm," *InterAction*, March 12, 2020 [[link](#)].

during previous administrations, we urge you to take the opportunity to set a new course that matches your pledges of adherence to human rights, moral leadership, transparency, and accountability.

We ask you to publicly recognize the longstanding structural flaws in how the U.S. mitigates, investigates, and responds to civilian deaths and injuries in its operations, and to take the following needed steps:

- Publicly commit to a detailed plan for how the U.S. government will address the systemic shortcomings raised by civil society groups, the media, and the Defense Department's own studies.⁴
- Prioritize the protection of civilians in your ongoing review of U.S. counterterrorism operations and use of force policy and ensure meaningful civil society consultation in that review.
- Ensure full, independent, and transparent investigations of *all* credible reports of civilian harm, including past reports that may have been erroneously dismissed. Investigations should meet international standards for independence, thoroughness, and impartiality, and should evaluate conduct according to the applicable international human rights and international humanitarian law standards.
- Provide meaningful accountability to civilian victims and survivors of U.S. operations by publicly and transparently acknowledging deaths and injuries, providing amends or redress, and appropriately holding civilian leaders and military commanders responsible for their actions, including by addressing findings of wrongdoing through disciplinary measures or prosecutions.

Through your leadership, the U.S. government can finally account for and reckon with the civilian deaths, injuries, and other harms of the last twenty years. Your legacy and commitment to human rights, humanitarianism, and racial justice globally are at stake, and we urge you to seize this opportunity to act.

Signed,

Action on Armed Violence (AOAV)

Airwars

Alliance for Peacebuilding

Alliance of Baptists

⁴ On January 27, 2022, Secretary of Defense Lloyd J. Austin III issued a directive mandating certain civilian harm mitigation steps, including a new action plan, the creation of a civilian protection “center of excellence,” and the completion of the long-awaited Department of Defense Instruction on Civilian Harm. These steps are welcome, but their impact and specific resulting actions remain to be seen. We continue to urge the systemic reforms needed to address the longstanding issues raised in this letter.

American Civil Liberties Union
American Muslim Bar Association (AMBA)
Amnesty International USA
Beyond the Bomb
Bridges Faith Initiative
BUCOFORE (Chad)
Building Blocks for Peace Foundation (Nigeria)
CARE USA
Center for Civilians in Conflict (CIVIC)
Center for Constitutional Rights
Centre for Democracy and Development (CDD) (Nigeria)
Center for International Policy
Center for Policy Analysis of Horn of Africa (Somaliland)
Center for Security, Race and Rights
Center for Victims of Torture
Church of the Brethren, Office of Peacebuilding and Policy
CODEPINK
Colombian Campaign to Ban Landmines (Colombia)
Columbia Law School Human Rights Institute
CommonDefense.us
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces
Council on American-Islamic Relations
Defence for Rights and Freedom (Yemen)
Defending Rights & Dissent
Demand Progress Education Fund
Democracy for the Arab World Now (DAWN)
The Digital Democracy Project
Drone Wars UK
European Center for Constitutional and Human Rights (ECCHR)
Fellowship of Reconciliation (FOR-USA)
Foundation for Fundamental Rights (Pakistan)
Franciscan Action Network
Friends Committee on National Legislation
Global Justice Clinic, NYU School of Law
Global Partnership for the Prevention of Armed Conflict-Southeast Asia (GPPAC-SEA)
Government Information Watch
Heritage Institute for Policy Studies (Somalia)
Human Rights First
Human Rights Watch
ICNA Council for Social Justice

Initiatives for International Dialogue (IID) (Philippines)
Institute for Justice & Democracy in Haiti
Institute for Policy Studies, New Internationalism Project
InterAction
International Association for Political Science Students
International Civil Society Action Network (ICAN)
International Rescue Committee
Islamic Society of North America (ISNA)
Iraq Body Count
Justice for Muslims Collective
Justice Project Pakistan
Kent State Truth Tribunal
Lawyers for Justice in Libya
Maryknoll Office for Global Concerns
MENA Rights Group
Military Families Speak Out
Mnemonic
Muslim Justice League
Mwatana for Human Rights (Yemen)
National Advocacy Center of the Sisters of the Good Shepherd
National Council of Churches
National Freedom of Information Coalition
National Organization For Development Society (Yemen)
National Partnership of Children and Youth in Peacebuilding (Democratic Republic of the Congo)
National Religious Campaign Against Torture
No More Guantánamos
North Carolina Conference of the United Methodist Church
Norwegian Refugee Council USA
Nuhanovic Foundation - Centre for War Reparations
Open The Government
Oxfam America
PAX
Pax Christi USA
Peace Direct
Peace Training and Research Organization (Afghanistan)
Presbyterian Church (USA)
Quincy Institute for Responsible Statecraft
Relieve
Rethinking Foreign Policy

RootsAction.org
Saferworld (Washington Office)
September 11th Families for Peaceful Tomorrows
Shadow World Investigations
ShelterBox USA
South Asian Americans Leading Together (SAALT)
Stop Fuelling War
Syria Justice and Accountability Center
Syria Lebanon Partnership Network of the Presbyterian Church (USA)
United Church of Christ, Justice and Local Church Ministries
United for Peace and Justice
Veterans for American Ideals
Veterans For Peace
Washington Office on Latin America
Western States Legal Foundation
Win Without War
Witness Somalia
Women for Weapons Trade Transparency
Women's Action for New Directions (WAND)
World BEYOND War
Yemeni Youth Forum for Peace
Youth for Peace and Development (Zimbabwe)