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NOTICE

J-2

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CJCS Notice 3162
24 September 2024

INTERIM GUIDANCE TO CJCSI 3162.02A, "METHODODOLOGY FOR COMBAT ASSESSMENT"

References:

- a. CJCSI 3162.02A, 16 July 2021, "Methodology for Combat Assessment"
- b. CJCSI 3160.01D, 21 May 2021, "(U) No-Strike and the Collateral Damage Estimation Methodology"
- c. DoDI 3000.17, 21 December 2023, "Civilian Harm Mitigation and Response"
- d. *Civilian Harm Mitigation and Response Action Plan (CHMR-AP)*, 25 August 2022
- e. CJCSI 5840.01, 8 August 2024, "Civilian Harm Mitigation and Response"

1. Purpose. This interim policy notice updates how the Defense Intelligence Enterprise will include Civilian Harm Mitigation and Response (CHMR) into Department of Defense (DoD) combat assessment.

2. Superseded/Cancellation. None.

3. Applicability. This notice applies to the Joint Staff, Services, Combatant Commands, Joint Forces, DoD Combat Support Agencies, Joint Activities, and other U.S. Government organizations.

4. Background. The Secretary of Defense directed creation of the CHMR Action Plan (CHMR-AP) to improve how the DoD mitigates and responds to civilian harm resulting from military operations. The CHMR-AP directs the revision of Chairman of the Joint Chiefs of Staff Instruction (CJCSI) 3162.02 to incorporate CHMR requirements. This Notice builds on reference (c) to assess and investigate civilian harm incidents. These changes will be formally incorporated into the next revision of CJCSI 3162.02A.

5. Procedures. The following pages and paragraphs in CJCSI 3162.02A are superseded:

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a. In Enclosure B:

(1) **Paragraph 4. on page B-3 is no longer in effect and is replaced with:** “4. Phase 3—Capabilities Analysis. Capabilities analysis evaluates available capabilities against target elements, desired effects, and military objectives, and identifies the risk of civilian harm to determine the appropriate options available to the Joint Force’s Commander (JFC). Once the staff develops appropriate options, evaluate specific capabilities against identified critical elements to estimate effects. Effects estimates include estimated repair and recuperation times. Combat Assessment (CA) depends on desired weapons effects and target response estimates (e.g., repair and recuperation times).”

(2) **Paragraph 4.b. on page B-3 is no longer in effect and is replaced with:** “b. Use weaponeering solutions developed in Phase 3 to develop the estimated damage assessment (EDA). Weaponeering solutions provide critical situational awareness of the performance of the published solution compared to post-strike effects. This enables analysts to refine solutions for future engagements, identify limitations, and identify measures to mitigate the likelihood of future incidents of civilian harm.”

(3) **Paragraph 4.c. on page B-3 is no longer in effect and is replaced with:** “c. Each weaponeered capability may have unique effects and corresponding signatures that must be collected to ascertain the intended effects upon the target. The weaponeered solutions in this phase are produced in accordance with Commander’s Objectives and published desired effects, to include mitigating civilian harm, and guide post-strike collection requirements and data needed to support an assessment.”

(4) **Paragraph 5.b. on page B-4 is no longer in effect and is replaced with:** “b. Tasking orders and documentation produced in this phase provide a definitive record of intended targets and effects, to serve as a starting point for detailed CA planning. CA analysts (or target developers) must submit ISR collection requirements during Phase 4 of the JTC to support post-strike assessments. Collection requirement data include, but are not limited to, target locations, target indicators (including collectables and observables), engagement timing, and commander’s priorities, latest-time-intelligence-of-value, and the presence of civilians and/or civilian objects.”

(5) **Paragraph 6.a. on page B-4 is no longer in effect and is replaced with:** “a. CA depends on tactical mission planning products and/or near-real-time execution reporting. “Five Ws” reporting, post-mission debriefings, MISREPs, route or flight plans, in-flight reporting, and full-motion/aircraft/

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weapons system video of the engagement provide valuable CA inputs. Additionally, products derived from open-source, signal, geospatial, and human intelligence may provide valuable insight to reversible and non-reversible damage/change to a target and the presence of civilians and/or civilian objects. Operations units must provide this information to CA analysts to facilitate timely and accurate CA. Specify CA reporting requirements in policy, plans, and orders to ensure adherence.”

(6) Paragraph 7.a. on page B-5 is no longer in effect and is replaced with: “a. The three components of an engagement are: effect on the target, effect on the surrounding environment, and performance of the operational capability. The three components of CA that may result in a recommendation for re-attack are (Figure 2): J-2 personnel conduct battle damage assessment (BDA) to assess the effects on the target element/target/target system; J-2, J-3, and joint fires element (JFE) personnel conduct CDA to assess the collateral damage/effects and identify information indicating civilian harm; and the J-2 and J-3, as well as Targeting and Fires personnel within the JFE, conduct munitions effectiveness assessment (MEA) to assess fires in terms of the weapon/target interaction and weapon system and munitions effectiveness. MEA results can identify and recommend required changes to the methodology, tactics, weapon system, munitions, fuzing, and weapon delivery parameters, and can even assist in target selection and prioritization and reduce the risk and severity of civilian harm in order to increase overall force effectiveness for achieving Commander’s intent. As with MEA, targeting intelligence and operations personnel collaborate to develop the re-attack recommendation (RR).”

(7) Paragraph 7.b. on page B-6 is no longer in effect and is replaced with: “b. CA and the Levels of War. Conceptually, CA consists of national-strategic, theater-strategic, operational, and tactical-level assessments. Typically, the JS provides national-strategic CA to national decision-makers and use these assessments with other factors to evaluate theater campaign progress. Tactical-level assessments help shape daily targeting operations, inform the JFC’s decision-making processes, and may reduce the likelihood of future incidents of civilian harm.”

(8) Paragraph 7.b.(2) on page B-6 is no longer in effect and is replaced with: “(2) Theater-strategic and operational-level Cas use theater-strategic and operational-level targeting MOEs and MOPs to determine progress toward accomplishing the JFC’s targeting objectives and targeting tasks. These types of Cas may also vary in style and content from CONOPS-tailored tactical-level CA products. Typically, the joint force relies mostly on Cas because the reports answer the question “were the JFC’s operational objectives met as a

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result of the forces employed against the selected targets?" Cas inform the planning and execution of ongoing operations and the JFC's decision-making process. The JFC's Red Team should participate in assessments to provide an independent assessment of the likely effects of physical and functional damage and collateral damage, to include damage to the civilian environment, on the adversary's perceptions. The Red Team's assessment of the adversary's mindset may shape operational objectives designed to change the enemy's behavior."

(9) Paragraph 7.b.(4) on page B-8 is no longer in effect and is replaced with: "(4) Collateral Damage Assessment. A component of CA, CDA evaluates damage usually located outside of the target boundary. However, if the nearest collateral concern lies within the target boundary and received damage from the engagement, CDA shall also be conducted. If the target is one or more individual(s) rather than an object, conduct CDA if there are indications that any individuals other than the target may have been impacted. CDA should be conducted regardless of whether pre-strike CDE predicted that collateral damage/effect may occur. BDA analysts will report identified collateral damage in accordance with command established processes and procedures. Information from CDA that indicates civilian harm may have occurred must be reported to appropriate command personnel in accordance with reference (c). This reporting may occur during any phase of the JTC. Pre-strike CDE informs CDA. In CDA, analysts determine and document the actual collateral damage/effect resulting from targeting operations. CDA is primarily the responsibility of the J-2, with required inputs and coordination from the J-3 and JFE. Enclosure D details CDA."

(10) Paragraph 7.b.(5) on page B-8 is no longer in effect and is replaced with: "(5) Munitions Effectiveness Assessment. A component of CA, MEA evaluates fires applied in terms of the weapon system and munitions effectiveness to determine and recommend any required changes to the methodology, tactics, weapons system, munitions, fuzing, and weapon delivery parameters to increase force effectiveness or reduce the likelihood of future incidents of civilian harm. MEA compares the anticipated effectiveness calculated in the weaponeering solution to the actual effectiveness of the means employed. MEA is primarily the responsibility of the J-2, J-3, and JFE. Enclosure E details MEA."

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b. In Enclosure C:

(1) **Paragraph 1.c. on page C-1 is no longer in effect and is replaced with:** “c. Was there additional or collateral damage/effect that should be reported?”

(2) **Paragraph 3.b. on page C-2 is no longer in effect and is replaced with:** “b. Step 2: Conduct a physical damage/change assessment on targeted elements. Identify any unusual munitions effects, additional damage, collateral damage/effect.”

(3) **Paragraph 4.a.(1) on page C-3 is no longer in effect and is replaced with:** “(1) Physical Damage Assessment. Assess physical damage at the element level to support subsequent FDA to the target and target system. To determine physical damage, the BDA analyst should examine each impact point to assess whether the weapon hit or missed. Independently assess damage to the target element as a whole. Review any reports indicating that civilian harm may have been caused by the impact. Quantifying physical damage requires the analyst to consider whether the enemy used denial and deception techniques to minimize or amplify the extent of physical damage, which may distort the assessment.”

(4) **Paragraph 4.a.(1)(a) on page C-3 is no longer in effect and is replaced with:** “(a) Physical Damage Framework. Express PDAs as a combination of the assessed damage level and the confidence level of the assessment.”

(5) **Paragraph 4.a.(3)(a)3. on page C-4 is no longer in effect and is replaced with:** “3. Unintended Effects. Effects that spill over to create unintended consequences may be counterproductive or create new opportunities. Unintended effects include unanticipated consequences, adversary reaction to civilian harm, actions, or behaviors created on or within objects, entities, or systems not directly targeted.”

(6) **Paragraph 4.a.(3)(d) on page C-5 is no longer in effect and is replaced with:** “(d) Additional and Collateral Damage. The BDA process reports on all damage resulting from target engagement, including information that indicates civilian harm may have occurred. Therefore, in addition to reporting damage on elements planned for attack, assess damage from weapon effects or propagation of blast, fire, or fragmentation beyond the intended target area. Define these unintentional or incidental results as additional damage or collateral damage/effect.”

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c. In Enclosure D:

(1) **Paragraph 2.a. on page D-1 is no longer in effect and is replaced with:** “a. Operations and/or intelligence personnel will report collateral damage/effect and/or information that indicates civilian harm may have occurred, as appropriate. Once discovered, notify, and collaborate with the J-3, JFE, and/or Civilian Harm Assessment Cell (CHAC) to aid in determining the cause of the collateral damage/effect or civilian harm. (See DoDI 3000.17 for more information on the CHACs or CHMR offices). Causes of collateral damage may include, but are not limited to.”

(2) **Paragraph 3. on page D-2 is no longer in effect and is replaced with:** “3. Collateral Damage Assessment Methodology. Use the following steps to assess collateral damage/effects.”

(3) **Paragraph 3.g. on page D-2 is no longer in effect and is replaced with:** “g. Report any information that suggests civilian harm may have occurred to your CHACs or CHMR office in accordance with reference (c). (See DoDI 3000.17 reference).”

(4) **Paragraph 4.a. on page D-2 is no longer in effect and is replaced with:** “a. Collateral Damage/Effect. Yes/no. If yes, document in MIDB/MARS.”

d. In the Glossary: **Insert the following definition on page GL-5:**
Civilian Harm. Civilian casualties and damage to or destruction of civilian objects (which do not constitute military objectives under the law of war) resulting from military operations. As a matter of DoD policy, other adverse effects on the civilian population and the personnel, organizations, resources, infrastructure, essential services, and systems on which civilian life depends resulting from military operations are also considered in CHMR efforts to the extent practicable. These other adverse effects do not include mere inconveniences. (See DoDI 3000.17 reference).”

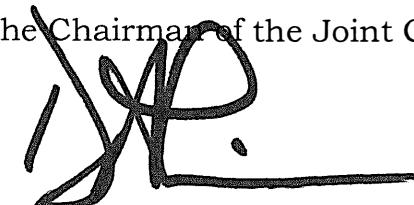
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7. Effective Date. This NOTICE is effective upon signature and will be incorporated into the next update of the CJCSI 3162.02 series.

For the Chairman of the Joint Chiefs of Staff:

A handwritten signature in black ink, appearing to read "DAS".

DOUGLAS A. SIMS, II, LTG, USA
Director, Joint Staff

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