

18 June 2009

USCENTCOM'S UNCLASSIFIED¹ EXECUTIVE SUMMARY***U.S. Central Command Investigation into Civilian Casualties
in Farah Province, Afghanistan on 4 May 2009***

This document summarizes the investigation directed by the Commander, U.S. Central Command into the allegations that the use of U.S. air power caused civilian casualties in the vicinity of Gerani Village, Bala Balouk District, Farah Province, on May 4, 2009. Commander, USCENTCOM approved the investigating officer's findings and recommendations on 8 June 2009.

The engagement between Afghanistan National Security Forces (ANSF), their Coalition Partners, and Taliban insurgents in the vicinity of Gerani Village on May 4, 2009, caused civilian casualties. We will never be able to determine precisely how many civilian casualties resulted from this operation, but it is inconsistent with the U.S. Government's objective of providing security for the Afghan people to conduct operations that result in their death or wounding, *if at all avoidable*. Based upon this event and several previous incidents, there is increased scrutiny and criticism of the employment of close air support (CAS)² in support of Coalition efforts against the Taliban and other insurgents in Afghanistan. This investigation does not recommend the curtailment of CAS, especially in direct and indirect fire situations that imperil friendly forces. However, absent a direct or imminent threat, we must pursue a tactical approach that prioritizes avoidance of civilian casualties as a fundamental aspect of mission success.

Overview. The use of military force in this engagement with the Taliban was an appropriate means to destroy that enemy threat within the requirements of the Law of Armed Conflict (LOAC). However, the inability to discern the presence of civilians and avoid and/or minimize accompanying collateral damage resulted in the unintended consequence of civilian casualties. Throughout the conduct of this operation, the Ground Force Commander's (GFC) ability to break contact was hampered by the effects of direct fire contact with a significant enemy force, a lengthy effort to medically evacuate (MEDEVAC) U.S. and Afghan critically injured personnel by helicopter, and persistent, real-time intelligence on the enemy's continuing efforts to maneuver, mass, re-arm, and re-attack friendly forces from within the village. The employment of CAS in the four (4) F/A-18F strikes—those strikes that occurred during daylight hours

¹ The full report of the investigation is classified is currently protected in accordance with law and regulation pertaining to national security.

² Close air support (CAS) is the doctrinal term used to describe air action by fixed- and rotary-wing aircraft against hostile targets that are in close proximity to friendly forces and which require detailed integration of each air mission with the fire and movement of those forces.

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between 1600 hours and 1810 hours³—complied with all current guidance and the principles of LOAC.⁴ The remaining three (3) strikes—those conducted after sunset⁵ using a B-1B bomber—while complying with LOAC, did not adhere to all of the specific guidance and Commander’s Intent contained in the controlling directive. Not applying all of that guidance likely resulted in civilian casualties.

Investigative Methodology. U.S. military elements in Afghanistan began a preliminary inquiry shortly after the combined group of Afghanistan National Army (ANA) and Afghanistan National Police (ANP) [collectively known as ANSF] and U.S. military forces recovered their equipment and wounded and returned to Farah from the Gerani area on May 5, 2009. U.S. military elements first returned to the village on May 7, 2009, as part of a joint visit with a delegation led by the Provincial Governor of Farah. On May 8, 2009, the Commander of U.S. Central Command, General Petraeus, directed a U.S. Army Brigadier General from outside Afghanistan to conduct a full investigation. That investigating officer, after providing General Petraeus and other key leaders—including the Government of the Islamic Republic of Afghanistan’s (GIROA) Ministers of Defense and the Interior, as well as Director of the National Directorate of Security—with interim updates, presented his final report on June 5, 2009.

In addition to the lead investigating officer, the investigative team included an operations officer (a U.S. Navy Lieutenant Commander), a subject matter expert for air operations (a U.S. Air Force Major qualified as a Joint Tactical Air Controller and B2 pilot), and a legal advisor (a U.S. Army Lieutenant Colonel). The investigative team began with the initial information collected by a preliminary investigating team, which was drawn from personnel already in Afghanistan. This combined investigative effort then conducted two on-site visits to the engagement area, reviewed hours of aircraft video footage, and conducted dozens of interviews, briefings and exchanges of information. In the course of the investigation, they collected numerous statements and documents from local villagers, GIROA leaders at the ministerial and provincial level, representatives from Non-Governmental Organizations (NGOs), and International Security Assistance Forces (ISAF) and U.S. Forces - Afghanistan (USFOR-A) elements involved in the operation. The team received assistance from multiple agencies within the U.S. Government, including intelligence agencies.

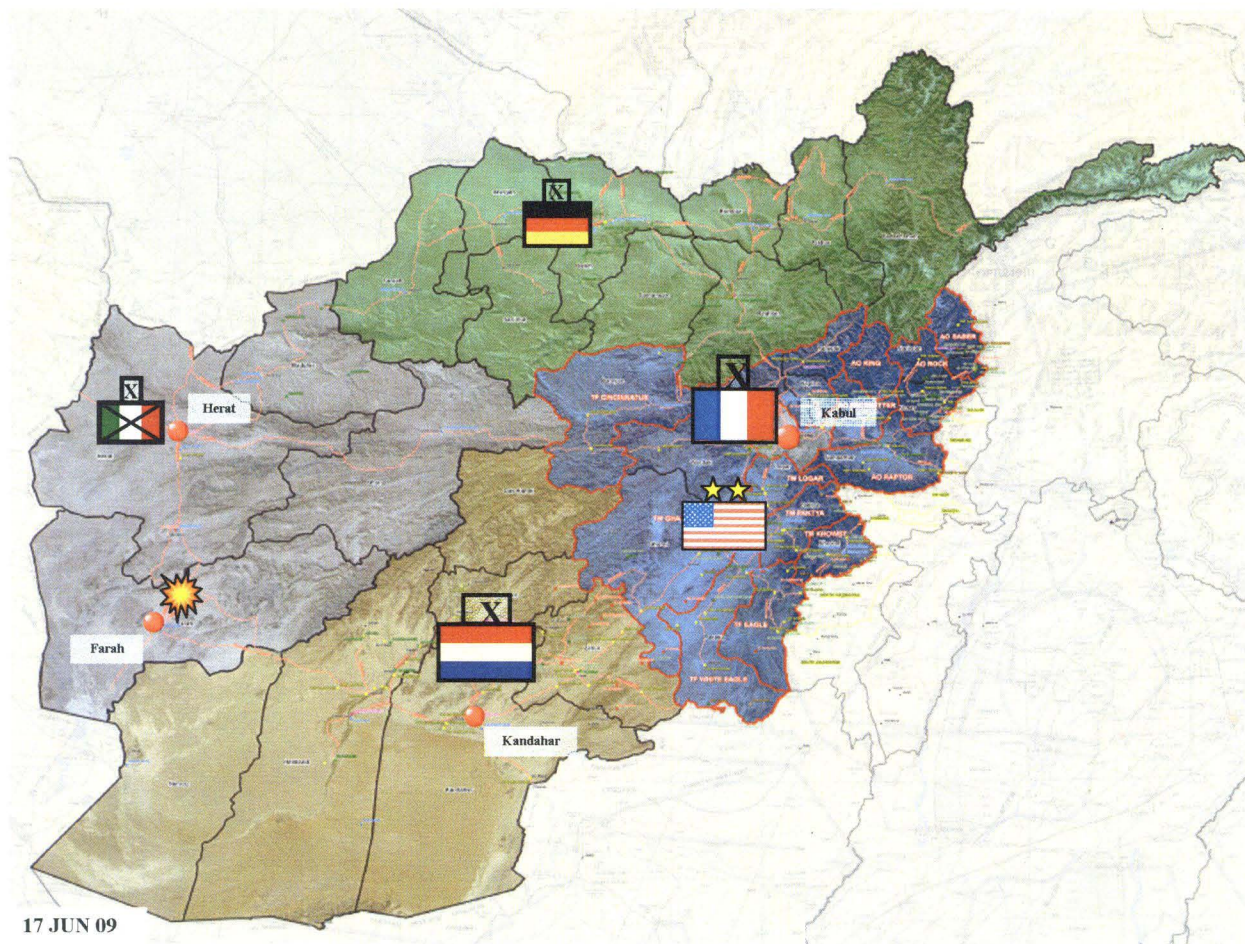
³ All times are local (Kabul) times.

⁴ The F/A-18Fs conducted two (2) shows of force, four (4) strafing runs, and dropped four (4) guided bomb units (GBUs). These actions were tactically appropriate to suppress the Taliban direct fire against Afghan National Security Forces (ANSF) and U.S. Forces.

⁵ Sunset occurred at 1905 hours local (Kabul) time. All times used in this document are local Kabul times.

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Background to the Engagement with the Taliban. In April 2009, the Governor of Farah Province requested that ANSF address the long-standing problem of a sizable Taliban force in the greater Shewan⁶ area, an historic hotbed of Taliban activity. Most recently, the Taliban had threatened area villagers and attempted to extort payment of a “poppy tax” from local farmers. On May 2, 2009, Coalition Forces operating along Highway 517 heading from Shewan to Farah came under violent attack by Taliban forces and successfully repelled the enemy ambush.

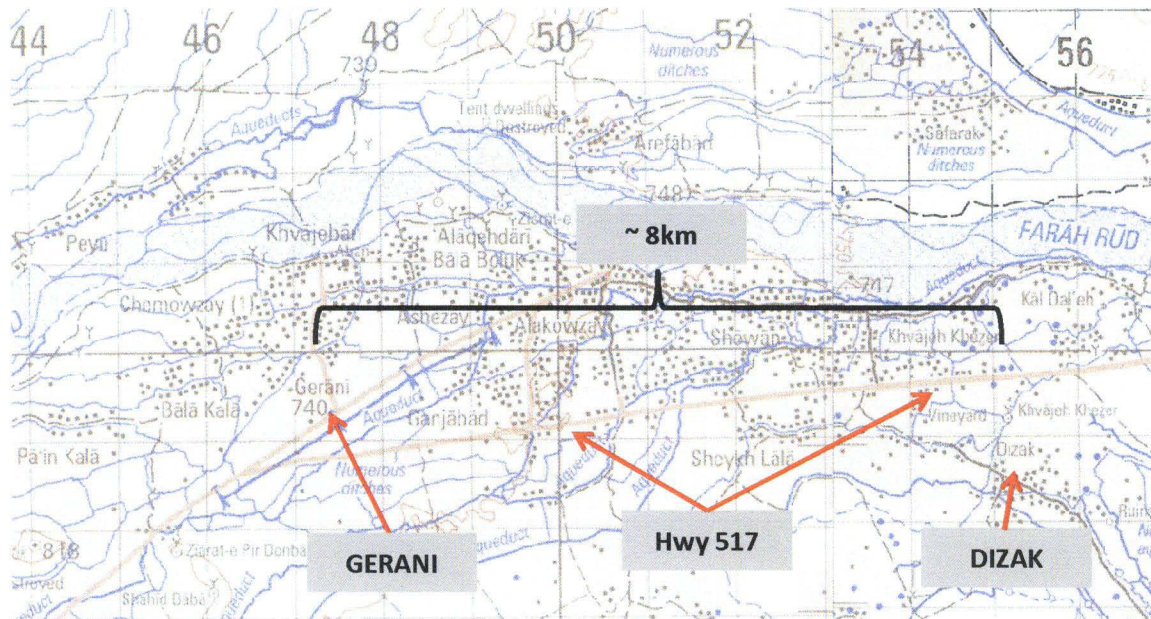


Embedded Training Team (ETT) Ambush. On May 2, 2009, Taliban fighters engaged U.S. advisors with Rocket Propelled Grenades (RPGs) and other individual and crew-served weapons from the roof top of a school in Dizak village. There were no U.S. or Afghan casualties, but at least three Taliban fighters were killed. Subsequently, the

⁶ Shewan is a broad description used to describe a number of smaller villages, including Gerani which, in turn, is a composite of smaller hamlets and the location of the fighting in this engagement.

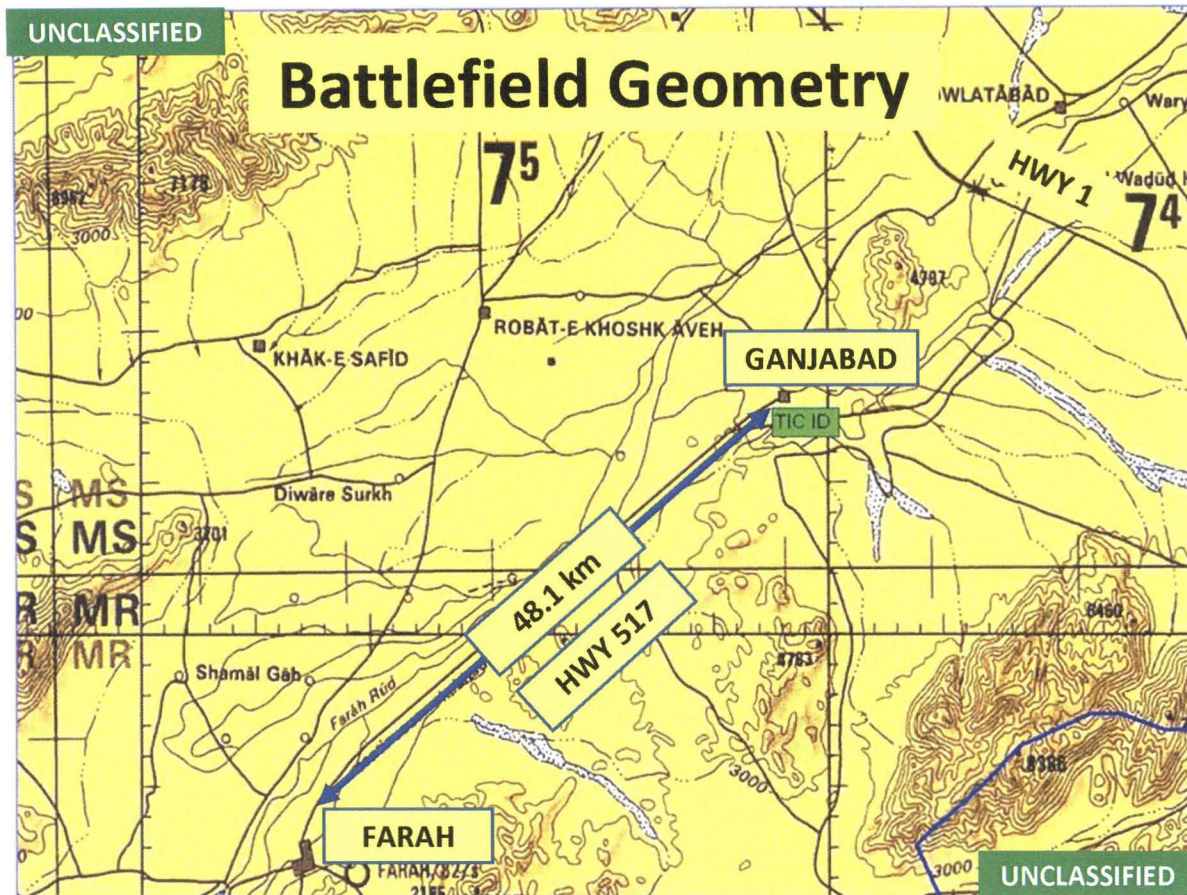
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Afghan National Directorate of Security (NDS) reported growing tensions in the vicinity Shewan



On the morning of May 4, 2009, ANSF leaders received reports of up to 300 Taliban (including a significant number of “foreign Taliban” with, among others, Pakistanis and Chechens in their ranks) massing in the Shewan area and threatening civilians and nearby ANP-manned checkpoints. The ANSF plan to clear the area of Taliban and secure the villagers’ safety called for the ANP to lead the effort with ANA forces reinforcing them. Despite being advised by a U.S. Marine Special Operations Team (MSOT) Commander that they should spend a few days planning and resourcing a deliberate operation, the ANSF decided to conduct an immediate movement, and the approximately 200-man ANSF element (accompanied by a small number of embedded Coalition advisors) moved towards Gerani Village. The Marines did not accompany the ANSF, as their approval process required deliberate planning. Instead, the Marines remained “on call” as a quick reaction force (QRF) to assist the ANSF and their Coalition advisors, if necessary.

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Initial Fighting. As ANSF and their Coalition advisors arrived at the intersection of Ganjabad Road and Highway 517, just to the southwest of the Gernai/Shewan area, they passed approximately 300 villagers, headed southwest with their livestock. The villagers told the ANSF they had been run out of the village by the Taliban. Fighting began shortly thereafter, at about 1230 hours, when three ANP vehicles attempting to reinforce a checkpoint on Highway 517 were attacked by enemy forces firing rocket propelled grenades (RPGs), crew served weapons, recoilless rifles, mortars, and small arms from a compound to their north. The enemy destroyed two ANSF vehicles and stole a third. The ANA moved forward to assist the ANP in breaking contact with the enemy and to help evacuate ANP casualties. Heavy, continuous fighting followed for the next several hours. The ANSF and their Coalition advisors ultimately requested both CAS and reinforcement by the Marine QRF.

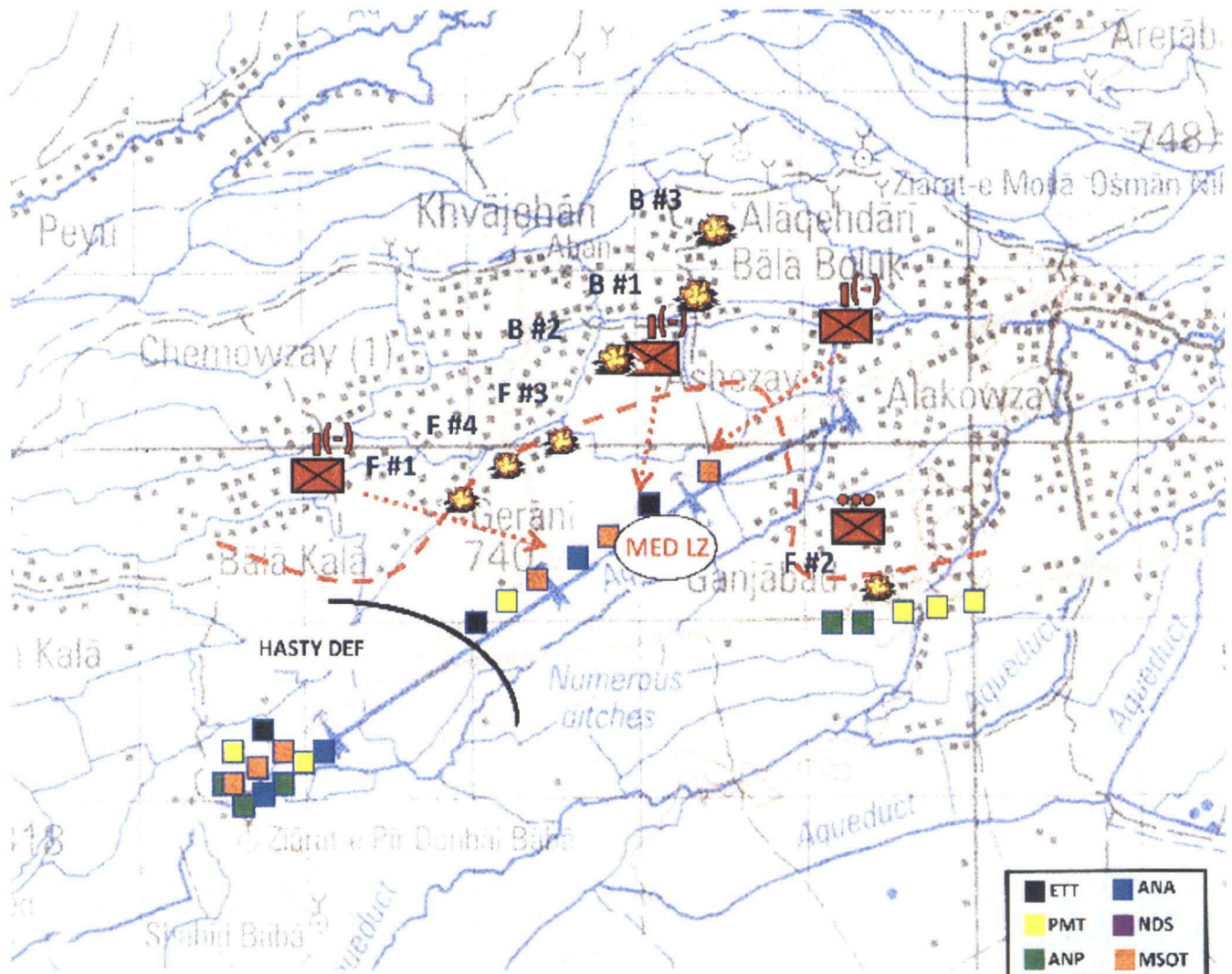
The F/A-18 F Strikes. (F#1-4 in below graphic) As the Marine QRF joined the battle shortly after 1500 hours, the first available close air support, a pair of F/A-18F “Super Hornets,” arrived

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overheard. The Marines immediately moved north along Ganjabad Road in an effort to help relieve ANSF and Coalition elements still pinned down along the road by enemy fire. Over the next few hours, in their effort to defend and extract those friendly forces and assist in the aerial and ground evacuation of casualties—including a critically wounded ANA First Sergeant and the U.S. Navy Corpsman injured coming to his aid—the Marines employed a variety of ground and air weapons.

The Marines used four F/A-18Fs to destroy the enemy with controlled and gradually escalating levels of force. These aircraft first conducted a show of force, dropping flares. They next employed a series of strafing runs and then bombing runs, striking a total four targets along the enemy's front line. In each case, the ground force commander directly observed the strafing runs and bomb strikes. Because of each of those strikes, enemy direct fire subsided for a brief period, but never completely. The ground forces ultimately maneuvered forward toward the enemy front line in order to conduct a battle damage assessment of the F/A-18F strike locations north of Ganjabad Road. Later that evening, when they finally made it forward to the strike locations, they found no evidence of civilian casualties at any of the locations. Reporting from villagers, Provincial leaders, and various other sources all confirm that the use of the F/A-18Fs did not cause any civilian casualties, although there was reliable reporting of a small number of civilian injuries resulting from the intense firefight that occurred between the ANSF and their Coalition Force partners and the Taliban firing at those forces from in and around villagers' homes.

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The First B-1B Strike. (B#1 in above graphic) After reaching the end of their available “on station,” time, and because the ground force was still under fire from the enemy, the F/A-18Fs were replaced with a B-1B “Lancer” bomber just before 1900 hours. The ground force was still awaiting the arrival of a HH-60 medical evacuation helicopter (to land at the medical Landing Zone (LZ)), necessary to move the critically wounded ANA First Sergeant and the injured Corpsman back to Farah. While awaiting the arrival of the helicopter, and while still receiving direct fire from the enemy’s positions inside the village, the B-1B spotted a group of similarly-sized adults moving in a tactical manner—definitively and rapidly in evenly spaced intervals across difficult terrain in the dark—behind the enemy’s front line. The ground force did not receive direct fire from this group at any time while the B-1B crew tracked and targeted them. However, after tracking this force for nearly 20 minutes, the ground force

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commander, using a variety of real-time intelligence resources, was able to confirm that this group's location and direction of movement matched Taliban commander instructions to his fighters to mass to maneuver and re-attack the ANSF and Coalition Forces. Given that intelligence, the ground force commander assessed that this group presented an imminent threat to his forces.

This first group of enemy fighters moved to an area next to a non-descript building unidentifiable from the air, but later determined to have been a mosque. The investigation found this mosque was used by the Taliban as both a *madrassa* for teaching extremist ideology and as a barracks for foreign fighters. During the battle, it was used as a command and control node. This strike,⁷ while unwittingly destroying the mosque and causing superficial damage to the adjacent shrine,⁸ killed a number of Taliban. A variety of sources confirmed that these were enemy fighters—a fact reinforced by the absence of a local effort to attempt to recover bodies from the rubble in a timely manner on the morning of May 5, 2009. Furthermore, evidence collected by the investigation strongly suggests no civilians were killed in this particular air strike.

The Second B-1B Strike. (B#2 in above graphic) Shortly thereafter, the B-1B observed a second large group—mirroring the size and tactical movements of the first group—rally near the site of the first strike and move rapidly south and west toward the enemy's front line and the ANSF and Coalition ground force. Again, using a variety of real-time intelligence resources, and after tracking the enemy for nearly 20 minutes, the ground force commander was able to match this group's movement to Taliban commander instructions to enemy forces to mass to re-attack the ANSF and Coalition Forces. The B-1B tracked that group into a building complex about 1130 meters from ANSF and Coalition Forces along Ganjabad Road. Based on the ground force commander's assessment that these were enemy fighters massing and rearming to attack friendly forces—forces that were still under fire along Ganjabad Road and still awaiting the medical evacuation helicopter—he directed the B-1B drop bombs on their location.⁹ Again—based on the real-time intelligence and their aggressive movement in his force's direction—the commander assessed that this group presented an imminent threat to his force. Although the B-1B crew saw no other movement in and around this structure before bombing it, because neither the ground force commander nor the B-1B crew could confirm the presence or absence of civilians already in the building,

⁷ This strike employed three 500 pound global positioning system (GPS) guided bomb units (GBUs) in an airburst configuration.

⁸ The B-1B crew originally thought the shrine—not destroyed in the strike—was, in fact, the mosque.

⁹ The B-1B dropped two 500 pound GPS-guided GBUs and two 2,000 pound GPS-guided GBUs at about 2044 hours, shortly after the departure of the aerial MEDEVAC.

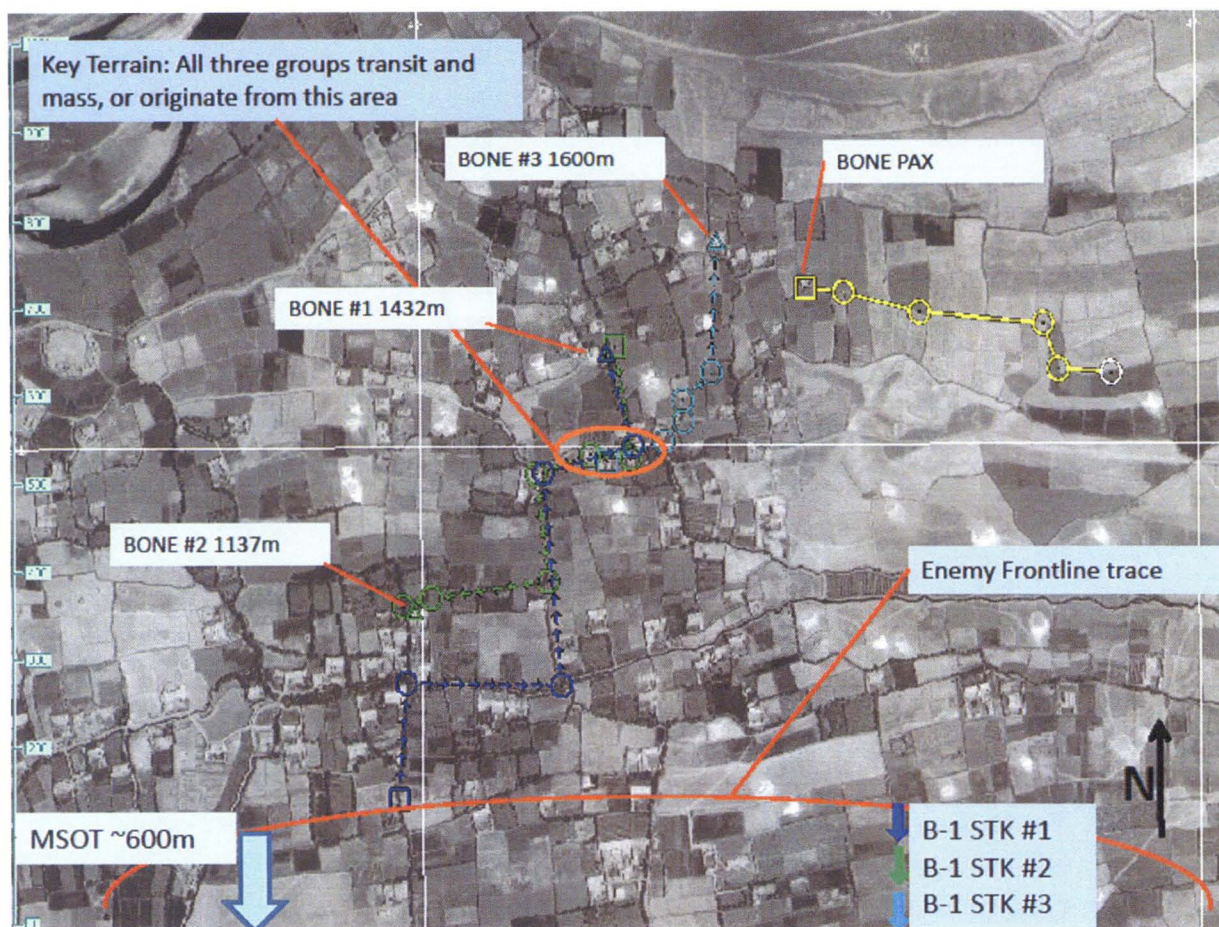
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the investigating team assesses this as one of two targets whose destruction may have resulted in civilian casualties. Three adjacent structures were also heavily damaged in the strike.

The Third B-1B Strike. (B#3 in above graphic) Shortly after the second strike, and while the ground force was still receiving intermittent gunfire, the B-1B crew identified a third group form in the center of the village. The size and movement matched the earlier two groups—similarly-sized adults moving rapidly in the dark across difficult terrain in an evenly-spaced formation—and led both the B-1B Commander and the ground force commander to believe this group was another Taliban element. After tracking this group moving north—away from friendly forces—and into a building, the ground force commander directed the B-1B to drop a single bomb on the building at 2112 hours.¹⁰ This was the last bomb strike of the engagement; there was no significant fighting after this bomb strike. However, like the second strike, because neither the ground force commander nor the B-1B crew could confirm the presence or absence of civilians already in the building, the investigating team assesses this as one of two targets whose destruction was a likely source of civilian casualties. A single adjacent structure was also heavily damaged in this strike. The ground force subsequently did not conduct a timely battle damage assessment of the B-1B strike locations as it was very low on ammunition and handed off the area to ANSF forces and, as a result, was unable ultimately to verify allegations and numbers of civilian casualties.

¹⁰ The B-1B dropped a single, 2000 pound GPS-guided GBU at 2112.

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Assessment. In each case, the totality of the circumstances—the identified number of enemy fighters, their assessed intent as validated by multiple forms of real-time intelligence, continuous direct fire engagement, and the threat of enemy forces massing to re-attack—validated the lawful military nature of the strike. However, the inability to discern the presence of civilians and assess the potential collateral damage of those strikes is inconsistent with the U.S. Government's objective of providing security and safety for the Afghan people.

The ANSF and Coalition Forces also sustained casualties during this engagement. Two U.S. personnel, five ANP policemen and two ANA Soldiers were wounded in the fighting. Additionally, five ANP were killed in the direct firefight with the enemy. While the ANA lost no Soldiers during this engagement, a U.S. Navy Corpsman, wounded in the most violent of the ground fighting, is credited with saving the life of the senior ANA noncommissioned officer (NCO), who was hit by a gunshot to the

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shoulder. The U.S. ultimately MEDEVACed the ANA NCO and Navy Corpsman and both are recovering. Additionally, this report estimates that at least 78 Taliban fighters were killed.

While this investigation assesses approximately 26 civilian casualties based on information from various sources and on new graves in the Gerani area in early May, no one will ever be able conclusively to determine the number of civilian casualties that occurred on May 4, 2009. This investigation does not discount the possibility that more than 26 civilians were killed in this engagement. Additionally, the investigative team notes that the report by the Afghan Independent Human Rights Commission, published on May 26, 2009, represents a balanced, thorough investigation into the incident, citing as many as 86 civilian casualties, with appropriate lessons learned for all involved in the fighting on May 4th—U.S., Afghan, and Taliban.

Recommendations.

A Review of Guidance. CENTCOM, ISAF, USFOR-A, and subordinate units should refine the existing guidance that explains both the operational objective and tactical procedures for employment of kinetic weapons, to include CAS, in situations involving the potential for civilian casualties. This guidance must apply to planned operations and troops in contact/self-defense situations and must be stand-alone documents. Once this guidance is published, units will need to conduct immediate training/re-training of all personnel already in theater, including those (i.e., air crews) not physically located in Afghanistan, but supporting operations within Afghanistan. Concurrent with adoption of this Afghanistan-wide standard is a necessary requirement for additional home-station training for all ground and air elements prior to their entering the theater.

Strategic Communications. COMUSFOR-A must be appropriately resourced to conduct strategic communications and must develop a more effective method to do so. Effective strategic communications requires manning that includes, at a minimum, a GO/FO lead and equivalent partners from the GIRoA, ideally from both Ministry of Defense and Ministry of the Interior (to represent the ANP). There should be a process for a combined press briefing with GIRoA in the lead so we can ensure GIRoA and Coalition Forces—together—are “First with the Truth,” focusing on the full spectrum of operations over the previous 24 hours.

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Connectivity with Non-Governmental Organizations (NGOs). The connectivity with NGOs (e.g., the ICRC, UNAMA, and AIHRC) is critical to a successful strategic communications effort. This connectivity should include an ability of key NGO leadership – who often have real-time information and connectivity that the battle space owners, lack – to reach key leaders within ISAF/USFOR-A on very short notice, and procedures for such contact should be strengthened. Additionally, key leaders should conduct a regular (“battle rhythm”) review of the operations with NGO leaders.

Investigative Team Battle Drill. COMUSFOR-A must establish an investigative team that can respond within two hours of the report of an incident and includes a General Officer, an Operations Officer (at least a Major or Lieutenant Commander with combat experience in Afghanistan within the last 12 months), a Judge Advocate General Officer, an air/fires subject matter expert (preferably a pilot, at least a Major or Lieutenant Commander), an NCOIC, a dedicated paralegal (for the full range of administrative support), and other personnel as appropriate.

Review of CAS Platforms. The Combined Forces Air Component Commander (CFACC) will conduct a review of the appropriateness of each airframe currently tasked on the Air Tasking Order (ATO) as a CAS platform and the identification of any shortfalls with respect to the maintenance of positive identification (PID) as defined in the Operation Enduring Freedom Rule of Engagement.

Lessons Learned. USCENCOM will provide this investigation to the Joint Forces Command’s Joint Center for Operational Analysis (JCOA); the Air Force Studies and Analyses, Assessments and Lessons Learned (AF/A9L); Center for Army Lessons Learned (CALL); Marine Corps Combat Development Command (MCCDC); and the Navy Warfare Development Command’s Lessons Learned Program for them to capture, articulate, and publish lessons learned. Within 120 days, CENTCOM will conduct a review, with this investigation as the framework or background and using the revised tactical directive, to ensure lessons learned were, in fact, captured, distributed, and trained.

Command Follow-Up. USCENCOM’s subordinate commanders will immediately review this investigation and propose means by which to implement its recommendations. Component Commanders will forward copies of this investigation to their respective service chiefs (or, in the case of SOCCENT, COMUSSOCOM) with administrative control, as matters under their cognizance for actions they deem appropriate.

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Conclusion. U.S. leaders at all levels have expressed their deep regret over this incident, noting that the unnecessary loss of even one innocent life is too many. As the Afghans and their Coalition partners continue to engage an enemy force that deliberately chooses—time and time again—to fight from within inhabited areas, placing innocent civilians at risk, the U.S./Coalition must adapt our tactical approach and techniques in a way that prioritizes avoidance of civilian casualties as a fundamental aspect of mission success.