The heart wrenching reports of civilian casualties in

Iraq,

each one of whom represents a mother, father, son or daughter who has

been injured or killed in the crossfire or as a result of deliberate

attacks, should deeply concern us. Thousands of innocent Iraqi men,

women and children have died as a result of suicide bombs, shootings,

improvised explosive devices, or from tragic mistakes at U.S. military

checkpoints.

There is not enough time today to discuss this issue in depth. There

are too many incidents, and too many issues, from the widespread and

inappropriate use of cluster munitions in populated areas which

indiscriminately and disproportionately injure and kill civilians, to

the despicable acts of terrorism that are designed to cause the maximum

amount of suffering among innocent people.

I do want to mention that both the Department of Defense and the U.S.

Agency for International Development have programs in both Iraq and

Afghanistan to provide condolence payments or assistance to civilians

who have been injured or the families of those killed as a result of

U.S. military operations. The USAID program is named after Marla

Ruzicka who died in a car bombing in Baghdad on April 16, 2005, at the

age of 28. Marla devoted the last years of her life getting assistance

to innocent victims of the military operations in Afghanistan and Iraq,

and the organization she founded, Campaign for Innocent Victims in

Conflict, continues to work on these issues in both countries.

The Pentagon's condolence program, which is administered by Judge

Advocate General officers in the field, provides limited amounts of

compensation depending on the nature of the loss. The program has

suffered from some administrative weaknesses which I will speak about

at greater length at another time. However, it does represent an

acknowledgement by U.S. military commanders that it is neither right,

nor is it in our interest, to turn our backs on innocent people who

have been harmed as a result of our mistakes.

This article describes laudable efforts by the Department

of Defense to reduce civilian casualties that have so often resulted

from mistakes that could have been avoided with relatively simple

precautions at checkpoints.

For years, I and others urged the Pentagon to ensure that U.S.

checkpoints were clearly marked and that soldiers at checkpoints in

Iraq are trained to warn drivers in ways that avoid confusion, not

simply with lights or by firing their guns into the air which a driver

might not see or that could cause a driver to panic. For years, we were

ignored, with horrific incident after horrific incident, whole families

gunned down, or only young children left alive after their parents in

the front seat were riddled with bullets.

Iraq is an extraordinarily dangerous place and attacks against our

troops often happen without a moment's notice. Split second decisions

are sometimes necessary. No one suggests that our troops should not be

able to defend themselves or that they should be penalized for

unavoidable mistakes. But Pentagon officials stubbornly refused to heed

the most reasonable, constructive suggestions, always insisting that

they were acting according to procedures.

Those procedures were woefully inadequate and they devalued innocent

Iraqi lives. It is inexcusable, because it was so obvious and many

casualties could have been avoided with the changes that field

commanders have recently made. All it took was caring enough to do it.

The article also mentions that the Pentagon has finally been

investigating and reporting on civilian casualties. It is not an exact

science, since sometimes a person dressed like a civilian is actually

an enemy combatant, but it is vitally important that we do our best to

determine the cause of civilian casualties that result from our

actions.

Section 1223 of H.R. 1815, the fiscal year 2006 Defense Authorization

Act, requires a report on the Pentagon's procedures for recording

civilian casualties in Iraq and Afghanistan. That report, a copy of

which I only just received, is an embarrassment. It totals just two

pages and it makes clear that the Pentagon does very little to

determine the cause of civilian casualties or to keep a record of

civilian victims.

No one expects our troops to be forensic investigators, but we do

expect the Pentagon to take this issue seriously and to do its best to

document and maintain a record of civilian casualties. By doing so we

can make clear that we value innocent lives, we are better able to know

when and how to assist the families of those injured or killed, and we

can make changes to procedures to prevent such mistakes in the future.