

The background of the image is a blurred photograph of numerous American flags waving at night. The lights from the flags and the ambient light create a bokeh effect with warm, golden-yellow highlights. The flags are primarily in shades of red, white, and blue.

American Citizens in Combat Zones

Marc Zelnick & Caitlin Chiaramonte

Disclaimer: The views presented are those of the speakers and do not necessarily represent the views of the DoD or its components.

A definition

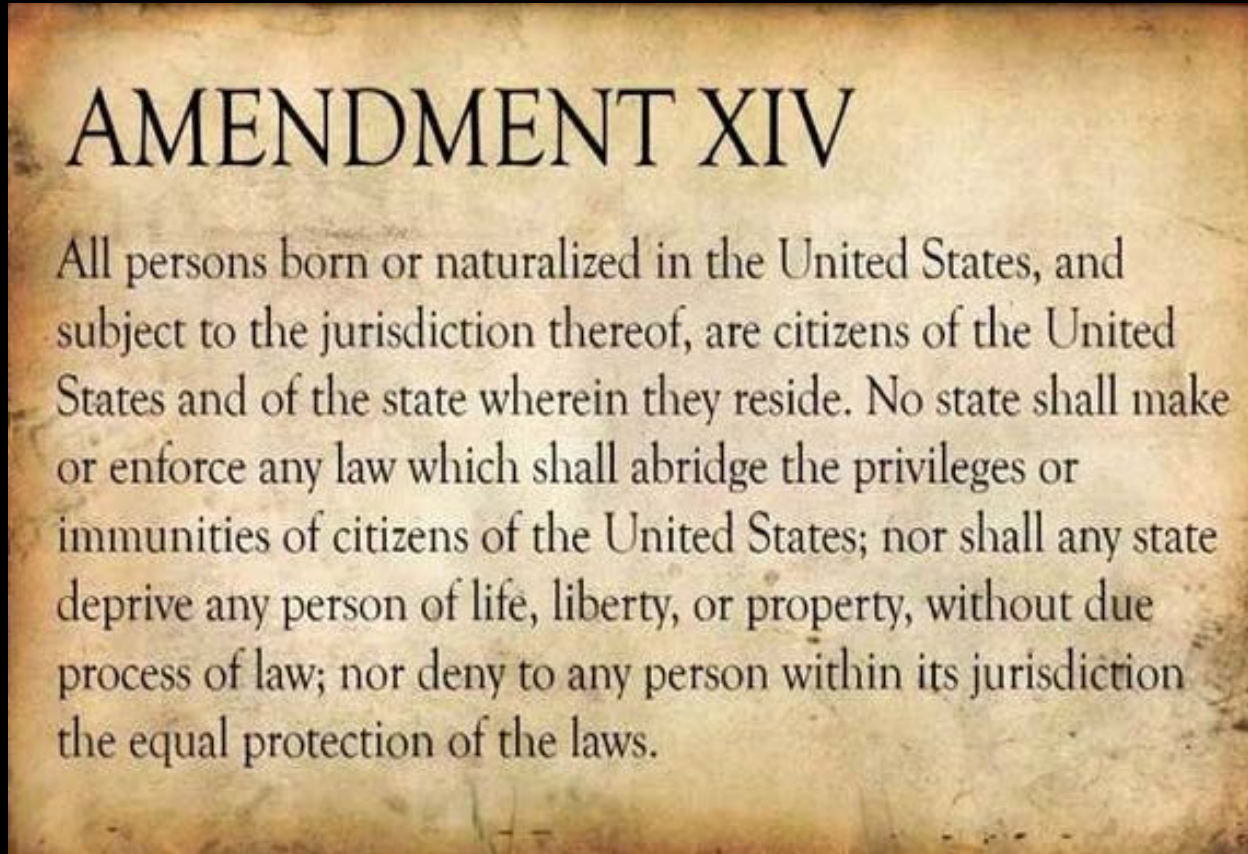
An axiom

An assumption

A problem

A definition

What is an AMCIT?



42 U.S. Code § 9102:
“United States citizen”
means any individual
who is a citizen of the
United States by law,
birth, or naturalization.

Path to Citizenship: (1) BIRTH (2) ACQUISITION or (3) NATURALIZATION

An Axiom

The U.S. Government is expected to do what it can to secure the safety of AMCITs in conflict zones.

An Assumption

AMCITs will continue to be found in conflict zones, and in increasing numbers.

A Problem

What should / can be done when the U.S. Government discovers AMCITs in a conflict zone?

Examples of AMCITs in / near Battlespace

This is not a new problem, but it is more prevalent



"What this is about is the American people and the world . . . We can't let people like this scare us. We don't get scared by people like this. We scare them. And that's what this is about."

AMCIT (?) Hoda Muthana



After years in a Syrian ISIS camp, a 10-person American family is back in the U.S.



The Case Against John Doe, American Jihadist

How a U.S. citizen captured on the battlefield with ISIS may finally force America to confront the legacy of 9/11



LAWFARE

What Will America Do With the U.S. Citizen It Is Holding as an Enemy Combatant?

The government has several options.

By [Bobby Chesney](#)

John Doe is Freed

An American Accused of Joining ISIS Is Free, and a Bigger Story Is Beginning

The U.S. military quietly released “John Doe” last week after holding him in detention in Iraq for 13 months, with no charges.

By Kathy Gilsinan



Syrian Democratic Forces soldiers transport captured Islamic State fighters in Syria in 2016. (Rodi Said / Reuters)



DAVID TAYLOR II

“You know these aren’t Syrian problems, they’re not Middle Eastern problems, they’re not Muslim problems, they’re human problems. They are people problems and if I have the power and the knowledge and the ability to do something, then damn it, I have the responsibility to do something about it.”

So he did it.



David Taylor II was only 25 when his life ended on the battlefields of Syria.

Hey pops you can let them know just make sure they know to keep it to themselves. The sisters as well. Usmc didnt call me back just decided to volunteer because it's the right thing to do. The US is arming the kurds now so we'll have support. The YPG is a kurdish military that accepts foreign volunteers. Love you too!

Thu, May 18, 02:09

Hey dad it's David, I'm using a friends phone right now. I haven't had internet for a while. Im in northern syria now with YPG doing the whole fight ISIS thing. I'll be back by Christmas. Dont tell anyone where I am and dont put anything online. Love you and ill email you when I can.

David



ALJAZEERA

DIRECTOR OF FREE BURMA RANGERS (W/ CHILDREN) IN SYRIA





APPLY FOR THE LEGION

Defend the freedom of Ukraine, Europe, and the
whole world.

JOIN NOW >

THE INTERNATIONAL LEGION CONSISTS OF INFANTRY & SPECIAL TASK BATTALIONS

Candidate requirements

- **18-60 years of age**

These are the legal age limits set by Ukrainian legislation

- **No criminal record**

The applicants must have no history of prosecution or conviction

- **No chronic diseases**

All candidates need to pass an assessment by a medical commission

- **Physical fitness**

All candidates need to be physically capable to perform basic infantry tasks

- **Ability to legally enter Ukraine**

The Legion or the Armed Forces of Ukraine do not provide assistance with visas and travel arrangements

Military or relevant experience is an advantage

Military experience is not required but would increase the chances of being accepted. Other relevant experiences might include law enforcement, paramilitary organizations, firefighting, etc.

Combat experience is an advantage

Combat experience is not required but would increase the chances of being accepted. Combat experience might include paramilitary or militias.

4 steps to apply



Scan your passport



Scan the documents verifying your military or relevant experience (if you have them)



Fill in [this form](#) and attach scanned documents. The webpage will generate an archive that you will be able to save on your device.



Send the archive to int_legion_ua@post.mil.gov.ua

THE INTERNATIONAL LEGION CONSISTS OF INFANTRY & SPECIAL TASK BATTALIONS

NEWS

19 Apr 2024

LEGAL CHANGES

Important! Starting May 18th the contracts with the Armed Forces of Ukraine for foreign soldiers will allow termination of a contract by the soldier only after 6 months of service.



FORMER NAVY SEAL DANIEL SWIFT (FAR LEFT) & FORMER ARMY RANGER ADAM THIEMANN (FAR LEFT)



How do we sort through an AMCIT event?

1. What kind of conflict?

- a. What is the USG's role in this conflict?
- b. How permissive is the environment?
- c. Is it even a conflict at all? (e.g. large-scale NEO of the Korean peninsula in anticipation of hostilities; civil unrest which does not rise to the level of a NIAC; humanitarian operations)

2. What type of person?

3. What is the interagency posture?

- a. Is the Dept. of State on the ground?
- b. Does the Dept. of Justice have an open case?

What kind of conflict?

<u>INTERNATIONAL ARMED CONFLICT (IAC)</u>	<u>NON-INTERNATIONAL ARMED CONFLICT (NIAC)</u>
Four Geneva Conventions	Common Article 3
Additional Protocol I*	Additional Protocol II*
Customary IHL for IAC	Customary IHL for NIAC

Who is in charge here, and what is the plan?

1. Dept. of State has primacy in providing for USG support to AMCITs during times of crisis, to include armed conflict.
 - a. **BUT**....the Dept. of State does not have the money, the personnel, or the assets of the DoD. This is particularly true in a conflict zone.
 - b. What happens in the event of interagency conflict?
2. How does the interagency plan for AMCIT events in conflict?
 - a. Ok...so if the answer is, “we don’t,” should we?
 - b. And if we should plan, what does that plan look like?

Scenario 1: Jane Doe

- ◆ Jane Doe is found by the Afghan National Army (ANA) at a checkpoint through which many individuals are fleeing fighting in currently ISIS-held portion of northern Afghanistan in 2020. She is found with cash, digital media which has ISIS military personnel documents, and, strangely, sky-diving gear. The ANA commander on the ground alerts the nearest American commander.
- ◆ Jane claims she is an American citizen (dual national)
 - ◆ No identification on her, but she speaks English with an American accent.
- ◆ Jane further claims she is a civilian who did not directly participated in hostilities.
- ◆ Jane does not request assistance from the ANA or the USG. The ANA do not plan to hold her unless asked to by the Americans, but they can only hold her for a few hours.
- ◆ What can the USG (DoD) do here? What should the USG (DoD) do here?

Scenario 2: Doe Jane

- ◆ Jane Doe is an Ukrainian citizen married to an American who travelled in 2023 to Ukraine and enlisted in the Ukrainian Army. Late one night Jane's husband gets a call from one of Jane's fellow soldiers telling him Jane has been grievously wounded and moved to a Ukrainian hospital near the front which is short of supplies and routinely targeted by Russian forces. Jane's fellow soldier tells her husband that if there is any way he can have the Americans rescue Jane and treat her in a U.S. hospital, this would better her chances of survival. Jane's husband, understandably distraught, reaches out to his local Congressman (with whom he is good friends), and the Congressman immediately contracts the Secretary of State, the US Ambassador to Ukraine, the Chairman of the Joint Chiefs, and ABC News demanding action. It is quickly confirmed by the US Embassy in Kiev that Jane has been seriously wounded and evacuated to a medical treatment facility within the fighting zone. The Ukrainian surgeon with whom the Embassy talked with conveyed that if Jane is not evacuated within the next 24 hours to a western hospital outside of Ukraine, her chances of survival are minimal.
- ◆ What can the USG (DoD) do here? What should the USG (DoD) do here?

QUESTIONS?

