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FINAL REPORT OF THE UNITED NATIONS COMMISSION OF EXPERTS
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SECURITY COUNCIL RESOLUTION 780 (1992)

ANNEX VI.A
INCIDENT STUDY REPORT REGARDING MORTAR SHELLING
DOBRINJA, SARAJEVO ON 1 JUNE 1993: INVESTIGATION

Under the Direction of:

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Security Council Resolution 780 (1992)

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CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
I. METHODOLOGY	1 - 5	3
II. INCIDENT STUDY	6 - 18	4
III. FINDINGS	19 - 21	5

I. METHODOLOGY

1. This study resulted from an investigation conducted by Sergeant J.L. Lamothe and Warrant Officer S. Murray-Ford, Canadian Forces Military Police, as part of the Canadian Investigation Team. They were part of an investigative group consisting of the Rapporteur for On-Site Investigations, a representative of the Secretariat and the Canadian War Crimes Investigation Team (WCIT), which was comprised of three military lawyers and four military police investigators. The group was deployed to the territory of the former Yugoslavia for the period of 20 June to 10 July 1993 and was in Sarajevo for the period of 24 June to 8 July 1993. The WCIT, in general, consisted of military personnel from the Canadian Office of the Judge Advocate General as well as military investigators who were seconded from Canada to the Commission of Experts for specific missions. The teams were referred to within the Commission and for the purposes of its reports as the Canadian War Crimes Investigation Team.

2. The objective of this study was to prepare a report analyzing in depth a specific incident in the siege of Sarajevo; to identify specific violations of the law of war, particularly violations in which civilian casualties occurred; to analyze the circumstances of the incident; and to assess the feasibility of identifying and prosecuting alleged offenders, particularly the military commanders. The report was to be based on information which could be obtained in and around Sarajevo.

3. No incident was chosen prior to arrival in Sarajevo. Criteria to be considered in selecting an incident included: number of casualties, number of projectiles fired, sources and, to a lesser extent, time elapsed since the incident. It was hoped that it would be possible to get information from Bosnian, UNPROFOR and Serbian sources. The rationale for preferring an incident in which more than one projectile was fired was that multiple projectiles would give a stronger indication of intent to commit an offence. It might be possible to explain away an incident caused by a single projectile.

4. Authorities from the Bosnia and Herzegovina (BiH) State War Crimes Commission were requested to provide evidence concerning six incidents of their choice, on the understanding that these incidents would be considered, but not necessarily chosen for in-depth investigation. The evidence could not be compiled by the Commission within a short period of time and, as a result, an alternative approach was decided upon. BiH authorities suggested six incidents for which they believed a reasonable amount of information was available. Two of these incidents, the shelling of a soccer game on 1 June 1993 and the shelling of a funeral in mid-June, were selected for possible in-depth investigation. Preliminary investigation indicated that information on the shelling of the funeral would only be available from one source, as heavy rains the day after had washed away the evidence which UNPROFOR had intended to gather.

5. The incident finally selected for in-depth investigation was the mortar shelling of a soccer game in the Dobrinja suburb of Sarajevo on 1 June 1993. The investigators interviewed several witnesses on the BiH side and also reviewed the crater analysis produced by UNPROFOR. Investigators were unable to interview witnesses on the Serbian side.

II. INCIDENT STUDY

6. On 28 June 1993, Sergeant J.L. Lamothe and Warrant Officer S. Murray-Ford, Canadian Forces Military Police, as part of the WCIT, were tasked to conduct an investigation into a mortar attack that occurred in the Dobrinja District of Sarajevo on or about 1 June 1993.

7. They received a copy of a crater analysis conducted by UNPROFOR relating to this incident. The analysis report reveals the following:

- (a) the attack occurred at approximately 10:20 a.m. on 1 June 1993;
- (b) two mortar rounds fell;
- (c) the shells landed at grid reference (GR) 87395653, on a map of Sarajevo, Series M709, sheet 27821, scale 1:50,000;
- (d) the minimum calibre of the shells was 81 millimetres;
- (e) the first shell had a bearing to the origin of fire of 143 degrees, while the second round had a bearing of 138 degrees;
- (f) due to the fact that both rounds impacted into a macadam surface, the angle of descent and range cannot be determined;
- (g) working from known angles of descent for both 81 millimetre and 120 millimetre mortars, the minimum range for an 81 millimetre round would be 1,120 metres, while the minimum range for a 120 millimetre round would be 1,340 metres; and
- (h) from a determination of the distance from the roof of the surrounding buildings and crater number 1, the team concludes that both shells must have come from the Serbian side of the confrontation line, approximately 300 metres south of Lukavica Barracks.

8. On 1 July 1993, the WCIT visited the University clinical hospital in Sarajevo. The WCIT also interviewed persons injured as well as witnesses. Because of the confidential and prosecutorial nature of the reports, they are not disclosed herein.

9. On 1 July 1993, the WCIT went to Dobrinja, where it met with a member of the BiH State Commission for War Crimes. He provided the WCIT with a list of wounded and injured persons from this incident. Perusal of the list shows that 13 persons were killed as a result of this occurrence, while 133 were injured. The injuries consisted of fractured limbs, abrasions, shrapnel wounds, and the like.

10. While in Dobrinja, the WCIT intended to visit the scene in order to make measurements and take photographs. Information from UNPROFOR officials indicated that the area is on or near the front line, riddled by sniper and heavy machinegun fire, and that the approaches may be mined. It was therefore decided not to go to the scene. At this time, the WCIT received a detailed map of the Dobrinja area.

11. The BiH War Crimes Commission advised the WCIT that any documents relating to the incident would be in the custody of the Chief of Police for Dobrinja.

12. On 2 July 1993, the WCIT visited the Dobrinja Police Station, where it met with the Chief of Police. It was advised that all investigative material

relating to the incident had been forwarded to the Main Police Station in Sarajevo. While at the Main Police Station, the WCIT was informed that materials regarding the mortar attack could be obtained at the Security Services Center.

13. That same day, the WCIT visited the Security Services Center, where it was advised that there was no investigation conducted into the matter by civil authorities, although the BiH military may have made enquiries. The WCIT was further advised that the Center was investigating the organizers of the tournament and that BiH television may have video footage of the event. It would appear that, inasmuch as UNPROFOR authorities had attributed the incident to the Serbian military, this was sufficient for the Security Services Center.

14. On 2 July 1993, the WCIT went to Sarajevo Airport, where it met with a member of the Meteorological Section. He provided the records for 1 June 1993, which showed that the visibility at the time of the incident was 10 kilometres with calm winds.

15. Plans to interview up to 10 witnesses in the Dobrinja area on 3 July 1993 had to be abandoned due to severe shelling in Sarajevo and Dobrinja. Efforts to conduct these interviews on 4 July 1993 were also canceled as a result of heavy fighting in and around Dobrinja and Sarajevo Airport.

16. On 4 July 1993, a copy of a map of Dobrinja was received from UNPROFOR officials. This map shows that the soccer game was held in a location surrounded on three sides by buildings (west, east, and south). In addition, it was explained that there were BiH mortars located outside the hospital approximately 500 metres from the soccer location, however, these were not observed during the WCIT's visits to the Dobrinja area.

17. On 4 July 1993, the WCIT went to the Serbian Liaison Officer's office in the Sector Sarajevo headquarters of UNPROFOR. There it explained that it was conducting an investigation regarding the matter, and that allegations had been made regarding Serbian involvement in the incident. The WCIT was advised that all such enquiries would have to be made to the Liaison Officer in Lukavica Barracks.

18. On 4 July 1993, the WCIT went to the site and interviewed an eyewitness. Because of the confidential and prosecutorial nature of the information, it is not disclosed.

III. FINDINGS

19. To date, this investigation has revealed that:

(a) on 1 June 1993, a soccer tournament was in progress in Dobrinja when two mortar rounds fell at about 10:20 a.m.;

(b) 13 persons were killed, and another 133 were injured as a result;

(c) the weather at the time was clear and sunny, and visibility was good; and

(d) an UNPROFOR crater analysis of the scene indicates that the shells came from the Serbian side, approximately 300 metres south of Lukavica Barracks.

20. Other investigative steps relating to this case may include interviews with Serbian officials as well as other witnesses.

21. In connection with this report, the following documents have been transmitted to the Office of the Prosecutor of the International Criminal Tribunal for the former Yugoslavia in The Hague: UNPROFOR shelling report; medical report; statements; audio and video tapes; list of casualties; maps of Dobrinja; meteorological records; and crater analysis.