

Executive Summary of the Report of the Independent Forensic Investigation in relation to the Incident affecting an OSCE Special Monitoring Mission to Ukraine (SMM) Patrol on 23 April 2017*

In accordance with the Distinct Arrangement concluded between the Organization for Security and Co-operation in Europe (OSCE) and the International Humanitarian Fact-Finding Commission (IHFFC), the Independent Forensic Investigation team (IFI) conducted a post blast forensic investigation and technical assessment into the incident of 23 April 2017.

During a routine patrol of the OSCE Special Monitoring Mission (SMM) in the non-government controlled area of Ukraine near Pryshyb, an armoured vehicle of the SMM with three persons on board was severely damaged as a result of an explosion. Consequently, ██████████, a paramedic was killed, and the two other patrol members, ██████████ and ██████████, were injured. The IFI reviewed documents, interviewed witnesses, examined the damaged vehicle, the site near Pryshyb where the incident occurred and material collected at the site. It also conducted a forensic medical analysis of injuries. Due to the extensive period of time that elapsed between the incident and the inspection of the site, evidence may have been lost or deteriorated. Despite these constraints, the IFI has been able to establish with reasonable probability certain key facts.

The IFI establishes that the munition most likely to have caused the incident was a Russian-manufactured TM-62M anti-tank mine fitted with an MVCh-62 pressure fuze. The mine was positioned on a slight curve in the track, which probably caused the front and rear wheels to follow slightly different paths. It is probable that the mine had been laid very recently, just one or two days before the incident. However, it is also possible that it had been there longer, perhaps several days, with multiple “near misses” from passing vehicles. It is considered unlikely that the mines could have been in place for months or years, being subjected to hundreds of passes from heavy vehicles, yet failed to explode.

The explosion struck at the rear right of the armoured vehicle of the SMM. Due to the explosion, [the deceased] ██████████
██████████
██████████
██████████ suffered a quick death, before the car burned.

The infrequent use of the track by the SMM, the late planning of the patrol and the limited opportunity to lay mines during the patrol make it unlikely that the SMM were the intended target of an attack.

Given the fact that - as was commonly known - the road was frequently used by civilian traffic, any recent laying of anti-vehicle mines constitutes a violation of international humanitarian law because of the predictable indiscriminate effect.

*Redacted as of 6 September 2017 to respect the privacy sphere of concerned persons and personal data protection.