

HQJOC/2009/F57580

INQUIRY OFFICER'S REPORT INTO AN ALLEGATION THAT AN INDIRECT FIRE MISSION BY SPECIAL OPERATIONS TASK GROUP IN AFGHANISTAN ON 5 JANUARY 2009 CAUSED A NUMBER OF UNINTENDED CIVILIAN CASUALTIES.

References:

- A. CJOPS Instrument of Appointment dated 9 Jan 09
- B. CJOPS Terms of Reference dated 9 Jan 09 attached as Annex A to Reference A
- C. [REDACTED]
- D. [REDACTED]
- E. [REDACTED]
- F. [REDACTED]
- G. [REDACTED]
- H. Email Stewart Alkemade (DSTO) / Inquiry Officer of 11 Feb 09

Appointment and Terms of Reference

1. I, [REDACTED] COL S.E. Clingan, having been duly appointed by Lieutenant General M. Evans, AO, DSC, to inquire into and report upon a matter concerning Joint Operations Command, namely, an allegation that an indirect fire mission by Special Operations Task Group (SOTG) in Afghanistan on 5 January 2009 caused a number of unintended civilian casualties, in accordance with the Terms of Reference attached to the instrument of appointment (**Annex A**) herein submit my report.

Inquiry team

2. The inquiry Team consisted of me as the Inquiry Officer and [REDACTED] LTCOL Stephen Thompson RFD and [REDACTED] FLTSGT Lawrence O'Reilly, as Inquiry Assistants.

Introduction

3. At approximately 1330h¹ 5 Jan 09 a male local national (LN) arrived at Patrol Base (PB) [REDACTED] with eight wounded LNs in a vehicle. The man alleged to ISAF soldiers at the patrol base that the wounded LNs had been injured as a result of a [REDACTED] attack in the [REDACTED]. He also alleged that in addition to the wounded LNs, ten LNs including eight females had died in the same [REDACTED] attack. Four of the wounded LNs were treated at the patrol base while the remaining four were medically evacuated to the Dutch Role 2 hospital at Tarin Kowt.

4. As a result of the wounded LNs arriving at PB [REDACTED] ISAF released an Incident Report (**Annex B**) at 1341h 5 Jan 09 which contained all of the detail in paragraph 3 above. The Incident Report remarked: "The time of [REDACTED] attack unknown."

5. Later in the day on 5 Jan 09 ISAF released a [REDACTED] - Incident 01-0159 (**Annex C**) which recorded the time of the mortar mission as 1055h 5 Jan 09. The [REDACTED] contended that SOTG may have been responsible for the incident, based on claims by LNs, and noted that "an investigation has been initiated".

¹ All times in this report are local unless otherwise stated.

6. SOTG Rotation [REDACTED] (also known as [REDACTED]) had been conducting operations in the general vicinity of [REDACTED] on 5 Jan 09. It is not clear how ISAF determined the specific time of the mortar strike as 1055h, because there had been a number of mortar missions fired by SOTG that morning.
7. I believe ISAF's "first impression" assessment in the [REDACTED] that SOTG may have been responsible for the indirect fire that caused casualties among LNs was due to the fact that SOTG had been the only coalition troops conducting operations, including employing indirect fire, in the general vicinity of [REDACTED] on 5 Jan 09.
8. The SOTG Quick Assessment (QA), completed by [REDACTED] on 6 Jan 09 is attached as **Annex D**. FE [REDACTED] were still in the field at the time of the QA, which restricted [REDACTED] access to FE [REDACTED] members. As a result, after having the benefit of speaking to all relevant members of FE [REDACTED] on 8 Jan 09, he completed an addendum to the SOTG QA, attached as **Annex E**.

Methodology and approach

9. Reference B directs me to report on indirect fire missions that were fired by ADF elements on 5 Jan 09 and whether any LN casualties were caused by ADF elements. Accordingly, the approach I took was to look into all indirect fire missions, including [REDACTED] mortar rounds and [REDACTED] Missiles that were fired, or controlled by, SOTG elements on 5 Jan 09 between the period 0001 to 1330h. 1330h was the time the wounded LNs arrived at PB [REDACTED].

Synopsis of operations on 5 Jan 09

10. Over the period 3-7 Jan 09 SOTG Force Element [REDACTED] conducted OP [REDACTED], an approved [REDACTED].²
11. On 5 Jan 09 FE [REDACTED] conducted [REDACTED] which included the [REDACTED]. The purpose of these actions was to [REDACTED].
12. The location of FE [REDACTED] on 5 Jan 09 was as follows:
 - a. [REDACTED].
 - b. [REDACTED];
 - c. [REDACTED]; and
 - d. [REDACTED] mortars.³
13. The sequence of events for FE [REDACTED] activities on 5 Jan 09 up until 1330h were as follows:
 - a. During the night 4-5 Jan 09 FE [REDACTED] cleared and occupied the compounds [REDACTED].
 - b. From daylight 5 Jan 09 FE [REDACTED] were engaged by intermittent small arms fire (SAF) which continued all day.
 - c. At approx 0854h [REDACTED] were engaged by SAF, a 107mm rocket and an RPG. The rocket and RPG both passed overhead and detonated to the south of [REDACTED] position. FE [REDACTED] engaged with SAF and

² [REDACTED] had been signed on 2 Jan 09.

³ [REDACTED] PTE G.M. Sher, a member of [REDACTED] had been killed at [REDACTED].

[REDACTED] located at [REDACTED], engaged the enemy with an [REDACTED] mortar mission. At this time compounds [REDACTED] received SAF from compound [REDACTED] which was approx 150m to their north. Again, FE [REDACTED] engaged with SAF.

- d. At 0934h an INS group was identified by [REDACTED], moving to within 200m of [REDACTED]. The group was assessed to be reconnoitring of the position as well as coordinating fighters to attack FE [REDACTED]. Objective [REDACTED] was positively identified in this group. The group was tracked until 1049h when it was engaged at [REDACTED] with a [REDACTED] missile from the [REDACTED]. The strike was coordinated by the SOTG Fixed Wing Liaison Officer, [REDACTED], [REDACTED].
- e. Following the [REDACTED] strike the OC ordered [REDACTED] (FE [REDACTED]) to superimpose a mortar mission over the strike location. At approximately 1055h the mortars engaged [REDACTED].
- f. At 1159h [REDACTED], at [REDACTED], engaged an INS spotter at [REDACTED] with mortars because the spotter was out of range of his SAF.
- g. At 1238h the FE [REDACTED] mortars fired 2 rounds at [REDACTED] to bed in a base plate that had moved.

14. An [REDACTED] brief including FE [REDACTED] composition and the effects of the operation is attached as **Annex F**.

Terms of Reference

15. Reference B tasks me specifically to collect evidence and submit a written report on:

- a. the date, time and place of the incident;
- b. the circumstances of the incident;
- c. the details of any civilian casualties;
- d. the disposition and mission of the ADF elements in the vicinity of the incident at the relevant time;
- e. the disposition of other friendly forces and of insurgents in the vicinity of the incident at the relevant time;
- f. indirect fire missions undertaken by ADF elements and whether those missions complied with ADF Rules of Engagement and Targeting procedures, as well as with relevant ISAF targeting procedures;
- g. whether the casualties were caused by ADF elements;
- h. the general manner in which this matter was managed by friendly forces and their governments after the incident became known; and
- i. whether the incident on 5 Jan 09 demonstrates shortcomings in Defence actions or decisions.

16. Reference B also highlights two previous inquiries conducted by LTCOL Justin Roocke and COL Michael Kingsford CSC into an indirect fire incident involving the Reconstruction Task Force in Afghanistan on 5 July 08. The inquiries made a number of findings and recommendations, most of which CJOPS has accepted. I am tasked to

determine whether any findings or recommendations pertaining to the incident on 5 Jul 08 are relevant to the incident on 5 Jan 09 and, if so, whether appropriate action has been taken to remedy shortcomings arising from the previous incident.

Evidence as to the events surrounding the allegations

17. **Sources.** Evidence has been gathered from a number of sources including:
- a. Oral evidence given by the members of SOTG [REDACTED], as well as FE [REDACTED] members involved in any indirect fire missions on 5 Jan 09 or having any interaction with injured LNs at Tarin Kowt.
 - b. Data reports recorded on the [REDACTED] system (a transcript is attached as **Annex G**), and radio reports saved on the [REDACTED] (copies are attached as **Annex H**) at the time the events were unfolding.
 - c. Imagery from the [REDACTED], which records time and position as part of its depicted imagery (a bundle of three computer files that shows imagery from [REDACTED] from 1049 – 1053h on 5 Jan 09 is attached as **Annex I**, which is only available in electronic form).
 - d. Physical evidence in the form of shrapnel removed from one of the injured LNs during surgery, and an inert Australian mortar shell. The inquiry team sourced a mortar shell from the same batch fired by FE [REDACTED] on 5 Jan 09 for return, with the shrapnel, for comparative analysis by DSTO in Australia. DSTO's report is discussed later in this report.
18. **Secondary evidence.** Secondary evidence has been obtained from some intelligence reporting which involved [REDACTED] sources of varying degrees of reliability.
19. **Witnesses.** Attached as **Annexes K to Y** are copies of signed statements taken from the following witnesses:⁴
- a. [REDACTED], SOTG, hereinafter referred to as "the CO".
 - b. [REDACTED], hereinafter referred to as "the OC".
 - c. [REDACTED].
 - d. [REDACTED].
 - e. [REDACTED].
 - f. [REDACTED].
 - g. [REDACTED].
 - h. [REDACTED].
 - i. [REDACTED].
 - j. [REDACTED].
 - k. [REDACTED].
 - l. [REDACTED].
 - m. [REDACTED].
 - n. [REDACTED].

⁴ A Table of Acronyms for the statements is attached as **Annex J**.

o. [REDACTED]

Involvement of other military forces

20. **ISAF/Dutch.** As a result of the ISAF incident reporting (Annexes B and C), Commander Regional Command South (COMD RC(S)) ordered Commander Task Force Uruzgan (TF-U) to investigate "the CIVCAS incident in the Baluchi that took place on 5 Jan 09 in which SOTG force elements were possibly involved". The TF-U investigation drew heavily on the SOTG QA (Annex D) and the addendum to the QA (Annex E).

21. TF-U completed their investigation on 10 Jan 09. An investigation report was forwarded to COMD RC(S) on the same day under a covering letter from COMD TF-U. A copy of the report dated 10 Jan 09 with a covering letter to COMD RC(S) dated 10 Jan 09 is attached as **Annex Z**.

22. The report noted that:

"... it is not possible at this stage to conclude, beyond reasonable doubt that either the CF or INS are responsible for (the bulk of) the CIVCAS in Baluchi on 5 Jan 09".

23. The investigating officers agreed with the conclusions of the SOTG QA and addendum to the QA. They recommended waiting for the results of the Australian inquiry.

24. **Afghanistan National Police.** The CO and SOTG's legal officer met the [REDACTED]1045h 7 Jan 09. The meeting was requested by [REDACTED] to inform his investigation with respect to allegations that casualties had occurred among LNs in the vicinity of [REDACTED]. During the meeting [REDACTED] passed on what he knew, which included the proposition that "11 people had been killed and that they were all killed by bullets and not by mortars". A transcript of the meeting is attached as **Annex AA**.

25. **Afghan Government.** The CO and SOTG's legal officer met the [REDACTED] at 1315h 7 Jan 09. Also present at the meeting were the Chief of Police, [REDACTED] and COMD TF-U. During the meeting the [REDACTED] stated that:

- a. The CIVCAS number is eleven, comprising of 7 females and 4 males;
- b. Thirteen Taliban were killed in the fighting;
- c. He was trying to set up a team to investigate the incident and should get the names of the people killed to SOTG in 2-3 days; and
- d. His first priority was to help the families in the form of financial payments.

A transcript of the meeting with the Governor is attached as **Annex BB**.

26. On 14 Jan 09 the Governor forwarded a document to SOTG's legal officer listing the dead and injured people in a place the document calls "[REDACTED]". A copy of the list is attached as **Annex CC**. The list provides names of four dead LNs and 13 injured LNs, although it states their date of death / injury was 4 Jan 09.⁵ SOTG's legal officer believes that the handing over of the list by the Governor was the completion of his 'investigation' into the matter.

⁵ I do not believe the date of 4 Jan 09 is significant. The Afghan calendar can vary up to one day depending on whether the fixed or lunar calendar is used.

27. On 17 Jan 09 SOTG's legal officer attended a meeting with the Governor to effect 'honour payments' to the families of persons killed or injured. The payments were based on the list supplied by the Governor (Annex CC) and were made under Australian Government 'Act of Grace' payment arrangements authorised by HQJOC. The authority is attached as **Annex DD**.

28. Payments were made to four LNs representing ten of the LNs on the Governor's list. The Governor signed for the payments for the other eight persons on the list and gave an undertaking to deliver the money to their families. All payments were made through the Governor. Copies of payment receipts are attached as **Annex EE**.

29. A principal rationale behind the payments was Afghan custom, which dictates that issues must be settled quickly in accordance with tradition. Otherwise, retribution is sought and enemies are made. Afghan elders (ultimately the Governor) are responsible for the well-being of the people for whom they are responsible and thereby maintain 'face' with their people. This is at odds with conventional Western thinking where a party responsible for causing injury or deaths should be liable to pay compensation.

30. According to Afghan custom, there is little or no link between culpability and honour payments. If the payments had not been made swiftly, Australian soldiers would have been at risk of revenge attacks, regardless of their culpability. Providing support to the Governor to 'close' this matter reinforces his position of leadership, allies him more towards the coalition security forces and, most importantly, protects our forces.

The incident site

31. The incident site cannot be determined with any meaningful precision. The "[REDACTED]" area was a vague description given by the LN who brought the injured LNs to PB [REDACTED] on 5 Jan 09. The inquiry team was unable to locate the area on any map. [REDACTED] can be identified on a 1:25,000 ADF map ([REDACTED]) but I am not aware whether [REDACTED] is an area, a village or a building. Generally, time and geography are loose concepts to LNs.

32. The inquiry team was unable to visit incident sites due to [REDACTED]. This hampered the inquiry to the extent that I did not have an ideal opportunity to determine where LNs were when they were injured or killed (if indeed there were any non-combatant LNs killed), and where Australian and INS indirect fire actually landed. There was no way around the [REDACTED]. Therefore, I relied on imagery of the area to provide me with reliable terrain information upon which I was able to orient my understanding of the issues and base my findings and recommendations.

33. The SOTG legal officer informed me that a village elder was available for interview with respect to LNs injured or killed. However, an interview would not have yielded any information about the locations where LNs were injured or killed. The only chance to determine the locations would have been for the village elder to have led an inquiry team member to the locations, which was not feasible.

Terms of Reference A, B, & C: The date, time and place of the incident; the circumstances of the incident; and the details of any casualties.

34. There is a significant degree of conflicting information in terms of the numbers and names of alleged LN casualties, the locations where they were injured or killed, and how the casualties occurred. The information has come from a number of sources

including injured LNs, ISAF reporting, intelligence reporting and from Afghan Government and police officials.

35. **LN casualties who reported to PB** [REDACTED]. The allegation by LNs of LN injuries and deaths was first raised in the ISAF Incident report (Annex B) at 1341h 5 Jan 09. The report states that eight wounded LNs arrived at PB [REDACTED] and claims that a further ten LNs had been killed. Four of the eight wounded LNs were treated at PB [REDACTED] while the remaining four were medically evacuated to the Role 2 hospital at Tarin Kowt. Of the four LNs evacuated to Tarin Kowt:

- a. one male LN (name unknown) died at the Dutch Role 2 hospital on the night of 5 Jan 09;
- b. one male LN (name unknown) was transferred from the Dutch Role 2 hospital to Kabul for specialist eye treatment on 5 Jan 09;
- c. one female LN named [REDACTED] (approx 12 yrs old) was treated at the US Medical Facility at Tarin Kowt for shrapnel wounds to her stomach and head; and
- d. One male LN named [REDACTED] (approx 10-12 years) was treated at the Dutch Role 2 hospital (wounds unknown).

36. The names and other information with respect to the LNs who were treated at the Dutch Role 2 hospital are unknown because the Dutch surgeon refused to divulge any information to the inquiry team under the pretext of medical-in-confidence. However, on 6 Jan 09 the [REDACTED], [REDACTED], had recovered from the OC of the Dutch Role 2 hospital pieces of fragmentation removed from one of the wounded LNs. This fragmentation was passed to the inquiry team via SOTG's legal officer. A photograph of the fragmentation is attached as **Annex FF**.

37. The fragmentation, along with a mortar shell body from the same batch fired by FE [REDACTED] on 5 Jan 09, was returned by the inquiry team to Australia for comparative analysis by the Defence Science and Technology Organisation (DSTO). DSTO's report dated 11 Feb 09 (reference H) makes the following observation:

"It can therefore be categorically concluded that the submitted fragments had not sourced from an exploding [REDACTED] mortar bomb body".

38. While the DSTO analysis did not include comparison with the mortar shell's fin and fuse, the possibility of these components being among the fragmentation is very unlikely given that the shrapnel effect of the round is generated by the HE and mortar shell body.

39. The wounded male LN, [REDACTED], was interviewed by [REDACTED] at approx 1100h 6 Jan 09 (Annex T). The LN stated that he was travelling back from the [REDACTED] bazaar (location unknown) in the company of his cousin '[REDACTED]' between 9 and 10 o'clock when more than 10 indirect rounds landed in his vicinity. He stated that his cousin was killed, and an additional eight LNs were wounded and seven killed. He could not name other LNs wounded or killed.

40. The wounded LN female, [REDACTED], befriended SOTG's [REDACTED] (Annex X) after surgery at the US Medical Facility at Tarin Kowt. A discussion ensued between [REDACTED], [REDACTED], and [REDACTED] (a teenager or a

young man). [REDACTED] said that her family had been leaving their quala⁶ when they were injured by a bomb that fell from the sky. Neither [REDACTED] nor her brother was able to explain where they lived. They stated that their father and brother had also been injured. [REDACTED] father, [REDACTED], and her brother, [REDACTED] both appear on the Governor's list of persons injured (Annex CC).

41. The inquiry team visited the US Medical Facility on 19 Jan 09 to see [REDACTED], who was there on a scheduled outpatient visit, and talk to her brother/escort, [REDACTED]. I had expected that I would not be able to talk to [REDACTED] directly, due to Afghan custom. I spoke to [REDACTED] through an interpreter but was not able to glean any more information on where they lived. When I asked how the family members were injured he gave a lengthy and confused reply about Australian and Taliban forces fighting near where he lived. He said the fighting involved jets, planes (UAVs?), helicopters and tanks. This casts doubt on his story because there were no [REDACTED].⁷ FE [REDACTED] had moved into position on the night 4-5 Jan 09 by a [REDACTED].

42. [REDACTED] appeared to be in good spirits and was ambulatory. The US surgeon showed the inquiry team her x-rays and explained that he had not removed the fragmentation from her head and chest. Instead, it will probably work itself out over time and [REDACTED] should make a full recovery.

43. The inquiry team also met an unnamed wounded LN at the US clinic on 19 Jan 09. He was an adult male who was accompanied by his adult male brother. Through an interpreter they claimed he was one of the four original wounded LNs on 5 Jan 09 who turned up at PB [REDACTED] and were not medically evacuated to Tarin Kowt. He had made his way to Tarin Kowt on 19 Jan 09 for treatment for a serious foot injury. His brother informed us that the injured LNs had been wounded by a 'bomb' from a plane with no pilot, namely, a UAV. The clinical staff explained that LNs from the area are normally able to distinguish UAVs from other types of aircraft.

44. The brother also stated that the wounded LN had lost his son in the same incident. Further questioning revealed that their uncle [REDACTED] had been at the Governor's meeting on 17 Jan 09 and had received a payment on behalf of members of his family who had been killed (a daughter) and wounded (a daughter). Based on this information, and the fact the LN's son was killed, I believe the wounded LN to be [REDACTED]. [REDACTED] is identified on the Governor's list as injured while his son is listed as dead. [REDACTED] and his brother were unable to explain to the inquiry team where they lived. His brother told me a remarkable story of a missile exploding behind his back, about 2 metres behind him. Yet he was unharmed while his brother was injured and nephew killed.

45. In regard to the LNs who attended at PB [REDACTED] it is clear that four were medically evacuated to Tarin Kowt, and an additional LN made it there on his own. Of these five, one died, one was moved to Kabul for further surgery and three were treated at Tarin Kowt. The inquiry team met two of the LNs treated at Tarin Kowt but it cannot be determined if any of the other three evacuated there are related to them. Therefore, of the LNs who apparently arrived at PB [REDACTED], no firm conclusion can be reached with respect to:

⁶ Quala is the local phrase for a small mud brick house with surrounding walls. It is the typical dwelling for local nationals residing in the region.

⁷ I understand LNs often refer to Australian Bushmaster vehicles as "[REDACTED]".

- a. there being at least five who were injured and one who subsequently died;
 - b. where they were injured;
 - c. how they were injured - although at least two of the injuries were fragmentation injuries - [REDACTED] and the injured LN (name unknown - may have been [REDACTED]) from whom the Dutch surgeon removed fragmentation; and
 - d. 10 LNs also being killed, as claimed.
46. **The Governor's list** (Annex CC). As stated above, the Governor's list contained names of four dead LNs and 13 injured LNs. The list contains the names of [REDACTED], her father and brother, as well as [REDACTED] and his son. There is no mention of [REDACTED]. However, he could be known by another name on the list, possibly "[REDACTED]".
47. The credibility of the Governor's list is enhanced overall to the extent that it includes two wounded LNs who were personally met by the inquiry team. At least three of their family members are on the list. In the circumstances I accept the Governor's list as being largely accurate in that four LNs died and 13 LNs were wounded in the vicinity of FE [REDACTED] operations on 5 Jan 09. However, the list does not assist with the location or who was responsible for the deaths and injuries. At least two of the injuries were fragmentation injuries, namely, [REDACTED] and the injured LN (name unknown - possibly [REDACTED]) from whom the Dutch surgeon had removed fragmentation).
48. **The Uruzgan** [REDACTED]. At his meeting with the CO SOTG on morning of 7 Jan 09 (Annex AA) [REDACTED] unequivocally stated that the wounded LNs were a result of 'bullets' in a crossfire. He qualified his statement by saying he did not know who fired the bullets. He said "The way it happens is people are walking and then get caught in crossfire". [REDACTED] repeated his assertion later that day in the Governor's meeting (Annex BB) when he said "That is not a factual report. They were killed by bullets".
49. I am not aware of any factual basis for [REDACTED] claim that the LNs were wounded by bullets rather than mortars. The fact that he dismisses the latter cause so readily in front of the Governor leads me to wonder whether he is sure of his facts or simply saying what he believes Coalition Forces want to hear.
50. **Other information sources.** There are a number of [REDACTED] sources that reported on LN injuries and deaths on 5 Jan 09:
- a. **Dutch [REDACTED] Report 2442.** This report, attached as **Annex GG**, states that on 5 Jan 09 eight LNs (women and children) were killed by an ISAF air strike. Other LNs were wounded, some of whom were treated in Chora and others in TK. With respect to this report, I am aware that FE [REDACTED] employed a [REDACTED] to engage 4 INS with weapons, burying a suspected weapon at 1634h 5 Jan 09. The engagement was well observed with no other LNs in the vicinity and the time of the air strike is well after 1330h when the wounded LN arrived at PB [REDACTED].
 - b. **Dutch [REDACTED] Report 2443.** This report, attached as **Annex HH**, states that a mortar bomb landed on the main road heading from Kiptu to Chora in a group of women and children, killing several of them. The position on the road was close to a burnt out shipping container. With

respect to this report, I am aware that the shipping container is a known landmark and is immediately south (behind) the FE [REDACTED] position in [REDACTED]. FE [REDACTED] fired no rounds to the south of their position whereas the insurgent's RPG and 107 mm rocket fire passed over FE [REDACTED] position and exploded behind them (para 13c refers).

- c. **SOTG [REDACTED] Report (8 Jan 09).** This reports that on the afternoon of 5 Jan 09 a rocket struck a [REDACTED] between [REDACTED] and [REDACTED]. Eight to nine women and children were killed in the strike. LNs in Baluchi and the [REDACTED] areas believe that the rocket was fired by INS to incite LNs and drive them into fighting against the CF. The timing of the rocket referred to in this report is too late on the 5 Jan 09 for it to be the INS RPG or 107mm rocket that FE [REDACTED] saw, or the FE [REDACTED] [REDACTED]. The timing would make it unlikely for the injured LNs to make it to PB [REDACTED] by 1330h.
- d. **FE [REDACTED] Statements.** [REDACTED] (Annex V) and [REDACTED] (Annex S) mentioned during their interviews with the inquiry team that they witnessed funeral activities on 6 Jan 09. They were unable to say if the funerals were for LNs or INS.

Findings

51. From the information gathered by the inquiry team I make the following findings:

- a. It is likely that LNs were wounded on 5 Jan 09 (five wounded LNs were treated at Tarin Kowt) in the vicinity of FE [REDACTED] operations.
- b. It is possible that innocent LNs were killed on 5 Jan 09, but equally possible that any persons killed were all INS. Given that several INS were killed by FE [REDACTED] on 5 Jan 09 and some FE [REDACTED] members observed funeral activities on 6 Jan 09, it is clear that deaths occurred in the vicinity of FE [REDACTED] operations on 5 Jan 09. However, no firm conclusion can be reached as to whether they were INS or LN non-combatants, or both.
- c. It is not reasonably practicable to determine the time and place where any LNs were wounded or died except for the male LN who died on 5 Jan 09 at the Dutch Role 2 hospital at Tarin Kowt.
- d. It is not possible to determine the circumstances surrounding the wounding of the LNs in the vicinity of FE [REDACTED] operations on 5 Jan 09.
- e. Scientific analysis of the shrapnel recovered from one of the wounded LN has determined that it was not from the steel body of an exploding [REDACTED] mortar round fired by FE [REDACTED].

Terms of Reference D and E: The disposition and mission of the ADF elements in the vicinity of the incident at the relevant time; and the disposition of other friendly forces and of insurgents in the vicinity of the incident at the relevant time.

52. The disposition and mission of the ADF elements in the vicinity of the incident at the relevant time is covered in paragraphs 10 -12 above and at Annex F.

53. There were no other friendly forces in the vicinity of the incident at the relevant time except for [REDACTED] who were organic to FE [REDACTED].

54. The location of the INS in the vicinity of the incident at the relevant time is covered in paragraphs 10 -12 and Annex F.

Terms of Reference E: The indirect fire missions undertaken by ADF elements and whether those missions complied with ADF Rules of Engagement and targeting procedures, as well as with relevant ISAF targeting procedures.

55. During the period 0001-1330h on 5 Jan 09 SOTG was involved in seven indirect fire missions. Six of those missions were mortar missions controlled by FE [REDACTED] personnel while one of the missions was a [REDACTED] missile engagement from a [REDACTED] controlled by HQ SOTG personnel.

56. The applicable ADF Rules of Engagement (ROE) that applied to the SOTG personnel on 5 Jan 09 are detailed at reference D.

57. The applicable Targeting Directive that applied to the SOTG personnel on 5 Jan 09 is detailed at reference E.

58. The applicable ISAF targeting procedures that applied to the SOTG personnel on 5 Jan 09 are at reference F.

59. **Table 1** below is a summary of the indirect fire missions SOTG was involved in on 5 Jan 09.

INDIRECT FIRE - 05 JAN 09			
SER	TIME	TGT GR	RDS FIRED
1	[REDACTED]	[REDACTED]	1 x [REDACTED] HE
2	[REDACTED]	[REDACTED]	1 x [REDACTED] HE
3	[REDACTED]	[REDACTED]	27 x [REDACTED] HE
4	[REDACTED]	[REDACTED]	[REDACTED]
5	[REDACTED]	[REDACTED]	20 x [REDACTED] HE
6	[REDACTED]	[REDACTED]	20 x [REDACTED] HE
7	[REDACTED]	[REDACTED]	2 x [REDACTED] HE

Table 1: [REDACTED] Indirect Fire Missions [REDACTED] 5 Jan 09

60. An overlay that indicates the locations of FE [REDACTED] and missions 1 – 5 is at **Figure 1** below. Four other overlays that show the information in other forms are attached as **Annex II**.

[REDACTED]

[REDACTED]

Figure 1: Locations of FE [REDACTED] and IDF strikes

61. A copy of the mortar command post target record data as well as the fire mission data for all [REDACTED] mortar is attached as **Annex JJ**.

Missions One, Two, and Three

62. The first three missions were all missions to engage the same target. The missions were controlled by [REDACTED], and were fired at the INS that engaged [REDACTED] with 107mm rocket, RPG and SAF (see para 13c). The sequence of engagements for the missions were:

- a. **Mission 1.** Initially, [REDACTED] attempted to engage the INS by calling in fire on a [REDACTED], but this was short of his target so he ended the mission.
- b. **Mission 2** [REDACTED] then attempted to engage the INS by calling in fire on another [REDACTED], but this was short of the target so he ended the mission.
- c. **Mission 3.** [REDACTED] then engaged [REDACTED] and adjusted the fire onto the target before firing 5 rounds fire for effect (FFE) followed by another 5 rounds FFE.

63. Of note for these missions:

- a. The target and engagement met required ADF ROE and ADF and ISAF targeting requirements.
- b. [REDACTED] is not a qualified observer and was utilising the All Arms Call for Fire (AACF) procedures.
- c. [REDACTED] was under RPG, 107mm rocket, and SAF when he was calling in the [REDACTED] fire.
- d. The target location was in open, high ground which aided observation of rounds. [REDACTED] (Annex W) observed all rounds, except for the two rounds that landed over the ridgeline during adjustment of mission 3.

Missions Four and Five

64. Missions four and five were a [REDACTED] missile engagement and mortar mission the aim of which was to engage the same target.

65. **Mission 4.** Mission four was a [REDACTED] missile launched from a [REDACTED]. The mission was controlled by [REDACTED]. The target of the [REDACTED] strike was an INS group, including Objective [REDACTED]. The target had been identified by [REDACTED] and radio intercepts, moving to within 200m of [REDACTED]. The group had been assessed to be reconnoitring the position as well as coordinating fighters to attack FE [REDACTED].

66. The engagement of the group was conducted in accordance with ISAF ROE [REDACTED] and rule [REDACTED]. It was also justified under rule [REDACTED]. Prior to the engagement of the target the CO and legal officer confirmed the legitimacy of the target (page 5 of Annex G) and the OC confirmed that the group were a threat to FE [REDACTED]. The CO ordered [REDACTED] to prosecute the target.

67. The target took some time to engage due to:

- a. [REDACTED] trying to pass target information to the FE [REDACTED] [REDACTED] ([REDACTED]) and also confirming that he would engage the target;
 - b. [REDACTED] and [REDACTED] targeting personnel confirming that no children were in the vicinity of the target, and
 - c. [REDACTED] repositioning to for weapon release.
68. The target was engaged at 1049h with the missile striking the INS group at 1049.45h at [REDACTED]. A picture of the [REDACTED] missile strike, taken from footage at Annex I showing the impact strike, grid and time, is attached as **Annex KK**.
69. Of note for this mission:
- a. The target and engagement met required ADF ROE and ADF and ISAF targeting requirements.
 - b. [REDACTED] is a qualified [REDACTED] and therefore qualified to control the [REDACTED].
 - c. FE [REDACTED] was not aware that the [REDACTED] strike was going to take place. At the time of the [REDACTED] strike the CO was informing the OC that a strike was going to occur shortly when the missile impacted on the target.
70. **Mission 5.** Missions four and five were linked in that mission five was meant to be a backup or reinforcement of the [REDACTED] strike. As mentioned above the CO was in communication with the OC when the [REDACTED] actually occurred. Just prior to the strike the CO informed the OC that [REDACTED] was going to initiate a CAS strike against the group containing [REDACTED]. He wanted the OC to ascertain the grid of the target from the [REDACTED] feed and to "overlay" his mortars onto the target. The OC was still talking to the CO when the missile struck the target. At this point the OC thought the missile strike was INS fire but the CO confirmed it was the [REDACTED] missile from [REDACTED].
71. The OC interpreted the CO's direction to overlay the mortars on the [REDACTED] missile strike as a direction to *superimpose* his mortar fire on the target. Accordingly, the OC immediately ordered his [REDACTED] ([REDACTED]) to superimpose a fire mission over the top of the [REDACTED] strike without first being ordered to do so by the CO. While [REDACTED] viewed the target via UAV footage through his [REDACTED], the other [REDACTED], [REDACTED] obtained the target grid from the UAV and sent a mission to the mortars. While carrying out the call for fire process [REDACTED] had to reconfirm the grid with [REDACTED] and also verify the target altitude when requested by the mortar command post.
72. At least 3 minutes⁸ after the [REDACTED] strike the mortars engaged [REDACTED] with 5 rounds FFE. When the rounds landed and [REDACTED] and [REDACTED] realised that they could not observe the rounds on the [REDACTED], they asked FE [REDACTED] to report any observation. [REDACTED]

⁸ The actual time for this engagement is unclear. FE [REDACTED] members statements vary between within 1 and 4 minutes after the [REDACTED] missile strike. Given that the [REDACTED] had to send the mission to the mortars, double check the grid and elevation and then the mortars had to compute and fire the data, I believe the later time, or even later, is more likely.

[REDACTED] replied that he could observe the fall of the rounds and that they were on target. [REDACTED] also queried [REDACTED] on the accuracy of the rounds. He received a reply that the rounds were on target. In retrospect this turned out to be in reference to the [REDACTED] missile. In short, [REDACTED] and [REDACTED] were talking at cross purposes. In view of [REDACTED] and [REDACTED] positive responses, [REDACTED] ordered repeat and 10 rounds in total were fired.

73. The result of the mortar mission is not known for certain because no one could observe the ground where the mortar rounds landed. While [REDACTED] and other persons at [REDACTED] could identify the distinctive dust and smoke from the mortars as being in the vicinity of the distinctive smoke from the [REDACTED] missile strike, they could not observe the target area at ground level. [REDACTED] did not observe mortar rounds landing in the vicinity of the [REDACTED] missile strike. After the mission [REDACTED] staff analysed their footage tape and confirmed that no mortar impacts had been captured on the tape in the vicinity of the [REDACTED].

74. Of note for this mission:

- a. The target met required ADF and ISAF targeting requirements.
- b. The engagement of the target fell short of ADF ROE requirements as the mortar rounds were [REDACTED] of reference D. Nevertheless, I am satisfied that there was no culpable breach of ROE and [REDACTED] intention was to observe the mortar fire on his [REDACTED]. When indeed he did not observe the mortar fire by this means and [REDACTED] and [REDACTED] had reported that the rounds were on target, [REDACTED] was not to know that the [REDACTED] or [REDACTED] could not actually see the rounds strike the ground. They had been at cross purposes.
- c. Whilst I have explained this particular mission in simplistic terms, it should be understood that the mission was part of a complex event. [REDACTED] were coordinating a CAS mission in support of FE [REDACTED] and endeavouring to have FE mortars 'overlay' their [REDACTED] on the target. The event was being coordinated in a hostile environment with input from personnel from at least four separate locations ([REDACTED]) over at least four separate communications means, all of which had to occur in a timely fashion.
- d. There was a misunderstanding between the CO and OC of both the purpose and requirement for the mortar mission. The CO's intent was that the mortars would overlay the target and only fire if the [REDACTED] strike was not successful. The OC believed the CO's intent to be that the mortars were to superimpose their fire over the target. While the OC was allowed under ROE and targeting to engage the INS group with mortar fire, it is likely that they were fired as a result of a misunderstanding between the CO and OC.
- e. It is clear to me that one of the causes of the misunderstanding regarding the purpose and execution of the mortar mission was a result of fire support terminology. The CO's use of the term "overlay" did not result in the OC correctly understanding his intent which was for the OC to be prepared to superimpose the mortar fire on the target if the [REDACTED] strike was not

effective. It should be noted that a number of SOTG personnel, during interviews, tended to use the terms "overlay", "lay" and "superimpose" interchangeably in regard to [REDACTED] fire / missions.

- f. There is approximately a 60m difference in the grid that the [REDACTED] missile engaged and the grid that the mortars engaged. [REDACTED] has stated that the grid that the mortars fired on is the grid that he received from [REDACTED]. I have not been able to confirm from [REDACTED] if this was the case. Either way the difference in the grid would have made it difficult for the mortars to engage the same location as the [REDACTED] strike. This probably accounts for the [REDACTED] not seeing any rounds land.
- g. Neither [REDACTED] nor [REDACTED] are qualified observers for the purpose of calling in mortar fire. While they both stated that they took into account the ADF six step targeting process prior to engaging the target, I am not confident that they considered the safety distances for the [REDACTED] mortar prior to engaging the target. This is alluded to in both of their statements where they contend that the mortar engagement was part of a dynamic targeting serial.

Mission Six

75. Mission 6 was an [REDACTED] mortar engagement of a positively identified INS spotter on the eastern side of the Green Belt. The mission was controlled by [REDACTED] who engaged the INS spotter with [REDACTED] fire as the INS was out of range of [REDACTED] SAF.

76. Of note for this mission:

- a. The target and engagement met required ADF ROE and ADF and ISAF targeting requirements.
- b. [REDACTED] is not a qualified observer and was utilising the AACF procedures.
- c. The target location was in open, high ground which aided observation of all rounds. [REDACTED] observed all rounds that were fired (Annex V).

Mission Seven

77. Mission 7 was an [REDACTED] mortar technical mission to bed in one of the mortar base plates that had moved. The mission was planned and controlled by the mortar [REDACTED] (Annex U).

78. Of note for this mission:

- a. The target and engagement met required ADF ROE and ADF and ISAF targeting requirements.
- b. [REDACTED] is a qualified observer.
- c. The target location was in open, high ground which aided observation of the fall of shot. [REDACTED] observed both rounds that were fired.

Findings

79. From the information gathered by the inquiry team I make the following findings:

- a. That during the period 0001-1330h on 5 Jan 09 SOTG was involved in seven indirect fire missions. Six of those missions were [REDACTED] mortar controlled by FE [REDACTED] personnel while one of the missions was a [REDACTED] missile engagement.
- b. All of the seven indirect fire missions that SOTG were involved in during the period 0001-1330h 5 Jan 09 were conducted in accordance with the applicable ADF and ISAF targeting procedures.
- c. Six of the seven indirect fire missions that SOTG were involved in during the period 0001-1330h 5 Jan 09 were conducted in accordance with the applicable ADF ROE. Mission five fell short of ADF ROE requirements as mortar rounds [REDACTED] of reference D. Nevertheless, I am satisfied that there was no culpable breach of ROE as the observers intention was to observe the mortar fire on a [REDACTED].
- d. The conduct of missions four and five was a complex and time dependent activity. There was a communication failure with regard to the CO's intent for the employment of the mortars with the result that mission five could have been better executed, if indeed it needed to be executed at all.
- e. Five of the six [REDACTED] mortar missions fired on 5 Jan 09 were controlled by unqualified observers utilising the AACF procedures.
- f. No one in FE [REDACTED] deployed in the vicinity of the incident was a qualified observer in respect to firing [REDACTED] mortars.

Terms of Reference para 7: Whether any findings or recommendations pertaining to the RTF incident on 5 Jul 08 are relevant to the incident on 5 Jan 09, and if so whether appropriate action has been taken to remedy shortcomings arising from the previous incident.

80. Reference G is the CJOPS Minute detailing the findings and recommendations CJOPs accepted in regards to the RTF incident on 5 Jul 08. After reviewing the accepted finding and recommendations I have determined that the only recommendation relevant to this inquiry is that made at paragraph 166 of COL Kingford's report.

81. Recommendation 166 details the requirement to consider replacing the current targeting directive with an updated one that included the [REDACTED]. CJOPs accepted this recommendation and allocated its implementation to Directorate of Joint Effects (DJE) within HQ JOC with the comment that "this needs to be addressed as a matter of urgency".

82. To date a new targeting directive is yet to be implemented. While I am aware that DJE have been progressing the document as a CDF Targeting Directive it is yet to be approved and implemented.

Operational conditions

83. Adequacy of orders. There is no evidence to suggest that orders within SOTG are not adequate. The only order that did cause misunderstanding was the CO's order to the OC to overlay the mortars onto the [REDACTED] location. This order resulted in the CO's intent for the employment of the mortars being misinterpreted and a fire mission fired.

84. **Adequacy of Rules of Engagement** The ADF Rules of Engagement (ROE) that applied to the SOTG personnel on 5 Jan 09 are adequate.

85. **Adequacy of Targeting Directive.** The targeting directive that applied to the SOTG personnel on 5 Jan 09 is adequate.

86. **Adequacy of Force Composition.** Five of the six of the mortar missions that were fired on 5 Jan 09 were controlled by unqualified observers using the AACF procedure. While this is not against ADF procedures, and all of the FE [REDACTED] personnel had been trained in the AACF procedures, it is notable that there were no qualified observers amongst the forward deployed elements of FE [REDACTED] on [REDACTED]. The only personnel qualified to observe mortar fire deployed on the operation were [REDACTED] the [REDACTED] (main), and the mortar [REDACTED]. Both were located in PB [REDACTED] at the material time, approximately five kilometres away from the vicinity of the forward elements, undertaking other duties.

87. The lack of qualified observers within FE [REDACTED] is probably due to the [REDACTED] ([REDACTED]) not being qualified observers and FE [REDACTED] having no Joint Offensive Support Teams (JOST) or [REDACTED] Fire Controllers in its structure. This could be an organisational weakness given that FE [REDACTED] basic concept of operations appears to utilise their organic mortars and, if required *in extremis*, the support of the Dutch 155mm artillery.

88. In my opinion the lack of qualified observers may also be a contributing factor to my earlier comment that there could be a lack of common understanding by SOTG members regarding terminology in regards to indirect fire support (see paragraph 74 e).

Alcohol and drugs

89. There is no evidence identifying alcohol or drugs as factors in this incident.

Performance of duty

90. There is no indication that any persons failed in the performance of their duty.

91. I have commented on the misunderstanding between the CO and OC in regards to the superimposition of the mortar fire over the [REDACTED] missile. I find that this is an isolated event which may have resulted in FE [REDACTED] firing a mortar mission that they were initially not planning. Nevertheless, the mission engaged a legitimate target and was in accordance with ADF and ISAF ROE and targeting procedures. Overall, the decision by the CO to plan to have the mortars to engage the target if the [REDACTED] missile strike was not successful was logical, as was the OC's interpretation of the CO's "overlay" order to mean to fire the mortars on the target. Therefore, in my respectful opinion, the misunderstanding warrants no further action.

Weakness in the System and Method of Control

92. I found no evidence to indicate a weakness in the system or method of control.

Conclusions

93. In relation to the allegation that an indirect fire mission by SOTG in Afghanistan on 5 Jan 09 caused a number of unintended LN casualties, there is no

evidence to support a finding that a SOTG indirect fire mission was responsible for LN casualties. It was not feasible for the inquiry team to gather more evidence with respect to this issue. I am able to make the following findings:

- a. It is likely that LNs were wounded on 5 Jan 09 (five wounded LNs were treated at Tarin Kowt) in the vicinity of FE [REDACTED] operations.
 - b. It is possible that innocent LNs were killed on 5 Jan 09 but equally possible that those killed were all INS. Given that several INS were killed by FE [REDACTED] on 5 Jan 09 and some FE [REDACTED] members observed funeral activities on 6 Jan 09, it is clear that deaths occurred in the vicinity of FE [REDACTED] operations. However, no firm conclusion can be reached as to whether they were INS combatants or LN non-combatants, or both.
 - c. It is not reasonably practicable to determine precisely the time and place where any LNs were wounded or died except for the male LN who died on 5 Jan 09 at the Dutch Role 2 hospital at Tarin Kowt.
 - d. It is not possible to determine with any reasonable certainty the circumstances surrounding the wounding of the LNs in the vicinity of FE [REDACTED] operations on 5 Jan 09.
 - e. Scientific analysis of the shrapnel recovered from one of the wounded LNs had determined that it was not from the steel body of an exploding [REDACTED] mortar round used by FE [REDACTED].
94. In relation to the conduct of the indirect fire missions by SOTG on 5 Jan 09 I make the following findings:
- a. That during the period 0001-1330h on 5 Jan 09 SOTG was involved in seven indirect fire missions. Six of those missions were mortar missions controlled by FE [REDACTED] personnel and one was a [REDACTED] missile engagement.
 - b. All of the seven indirect fire missions that SOTG were involved in during the period 0001-1330h 5 Jan 09 were conducted in accordance with the applicable ADF and ISAF targeting procedures.
 - c. Six of the seven indirect fire missions that SOTG were involved in during the period 0001-1330h 5 Jan 09 were conducted in accordance with the applicable ADF ROE. Mission five fell short of ADF ROE requirements as the mortar rounds were [REDACTED] of reference D. Nevertheless, I am satisfied that there was no culpable breach of ROE as the observer's intention was to observe the mortar fire on a [REDACTED].
 - d. The cumulative effect of [REDACTED] asking [REDACTED] whether he had observed the fall of the five rounds FFE and then querying [REDACTED] on the accuracy of the rounds (and receiving replies that the rounds were on target) was sufficient observation of the fall of the rounds, even though after the event it became apparent that [REDACTED] had not observed any relevant mortar rounds landing.
 - e. The conduct of missions four and five was a complex and time dependent activity. There was a communication failure with regard to the CO's passing

his intent for the employment of the mortars with the result that mission five could have been better executed, if indeed it needed to be executed at all.

- f. No one in FE [REDACTED], who conducted the [REDACTED] mortar missions on 5 Jan 09, in the vicinity of the incident area, was a qualified observer in respect to firing [REDACTED] mortars. All mortar missions fired on 5 Jan 09, with the exception of the sixth mission controlled by [REDACTED], were fired using the All Arms Call for Fire Procedures.

95. In relation to whether any findings or recommendations pertaining to the [REDACTED] are relevant to the incident on 5 Jan 09, and if so whether appropriate action has been taken to remedy shortcomings arising from the previous incident, I find:

- a. That only the recommendation at paragraph 166 of COL Kingford's report detailing the requirement to replace the current targeting directive with an updated one is applicable to this incident; and
- b. A new targeting directive is yet to be implemented.

96. I also find:

- a. There is no weakness or deficiency (substantial or systemic) in Defence systems, policies, equipment, practices or procedures in the context of the operation with the exception that there appears to be a shortcoming in the FE [REDACTED] composition with regard to qualified [REDACTED] observers; and
- b. That there are no shortcomings in Defence actions or decisions.

Recommendations

97. The following recommendations are made:

98. **Recommendation 1.** No adverse administrative action be taken against any member.

99. **Recommendation 2.** A review of the structure of FE [REDACTED], and future SOTG FE structures that include [REDACTED] mortar assets, be conducted to ensure that sufficient qualified observer personnel are included to enable the integration of their organic [REDACTED] mortar assets in accordance with their concept of operations.

100. **Recommendation 3.** The new Targeting Directive be finalised and implemented as soon as possible.

101. **Recommendation 4.** That CJOPs write to the COMD ISAF and COMD RC(S) to inform them that an inquiry into the allegation that an indirect fire mission by SOTG in Afghanistan on 5 Jan 09 caused a number of unintended LN casualties has been completed by the ADF. It is recommended that the correspondence state that the ADF inquiry team found that there is insufficient evidence to support a finding that a SOTG indirect fire mission was responsible for LN casualties. It is also recommended that it would be appropriate to include the inquiry's findings detailed in paragraphs 93 and 94 (a and b only) of this report.

[original signed]

S.E. CLINGAN

Colonel

Inquiry Officer

20 February 2009

Annexes:

- A. CJOPS Instrument of Appointment and Terms of Reference dated 9 Jan 09 and Statement of Impartiality by [REDACTED] COL S.E. Clingan dated 9 Jan 09.
- B. [REDACTED]
- C. [REDACTED]
- D. TASK GROUP [REDACTED] Quick Assessment Brief for [REDACTED] Allegations of Civilian Casualties Caused by SOTG Indirect Fire dated 6 Jan 09.
- E. TASK GROUP [REDACTED] Addendum to Quick Assessment Brief for [REDACTED] Allegations of Civilian Casualties Caused by TF66 Indirect Fire dated 8 Jan 09.
- F. [REDACTED]
- G. SOTG [REDACTED] system transcript for 5 Jan 09.
- H. SOTG [REDACTED] reports for 5 Jan 09.
- I. Imagery from [REDACTED] – 3 files covering period 050619-0623Z JAN 09
- J. Table of Acronyms for the records of interview.
- K. Record of interview for [REDACTED]
- L. Record of interview for [REDACTED]
- M. Record of interview for [REDACTED]
- N. Record of interview for [REDACTED]
- O. Record of interview for [REDACTED]
- P. Record of interview for [REDACTED]
- Q. Record of interview for [REDACTED]
- R. Record of interview for [REDACTED]
- S. Record of interview for [REDACTED]
- T. Record of interview for [REDACTED]
- U. Record of interview for [REDACTED]
- V. Record of interview for [REDACTED]
- W. Record of interview for [REDACTED]
- X. Record of interview for [REDACTED]

[REDACTED]

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- Y. Record of interview for [REDACTED]
- Z. TF-U investigation report and covering letter both dated 10 Jan 09.
- AA. Transcript of meeting with the Uruzgan Chief of Police dated 7 Jan 09.
- BB. Transcript of meeting with the Governor of Uruzgan dated 7 Jan 09.
- CC. The Governor's list of the LNs allegedly injured or killed (dated 4 Jan 09).
- DD. CJOPS AUST Signal SICI30 7358/SO1 NRO of 090701Z JAN 09.
- EE. Claim for Local Overseas Payment dated 17 Jan 09 plus supporting receipts.
- FF. Photograph of Shrapnel recovered by [REDACTED] from Dutch Role 2 Medical Facility, Tarin Kowt on 6 Jan 09.
- GG. TF-U [REDACTED] Report 2442 dated 5 Jan 09.
- HH. TF-U [REDACTED] Report 2443 dated 5 Jan 09.
- II. Four Overlays indicating FE [REDACTED] locations and indirect fire targets.
- JJ. [REDACTED]
- KK. Photo taken from imagery from [REDACTED] – [REDACTED] missile strike [REDACTED] on 5 Jan 09.

[REDACTED]

