



~~SECRET // REL FVEY~~

REQUEST #3

DEPARTMENT OF DEFENSE
COMBINED JOINT FORCE LAND COMPONENT COMMAND –
OPERATION INHERENT RESOLVE
ERBIL, IRAQ
APO AE 09316

IRIZ-JA-OPL

16 January 2017

MEMORANDUM FOR CIVCAS Team, Combined Joint Task Force - Operation Inherent Resolve, APO, AE 09306

SUBJECT: CIVCAS Credibility Assessment Report (CCAR) for (b)(1)1.4a (CJFLCC-OIR CCAR 003/17)

1. **BLUF:** This allegation is credible. A thorough review of all available evidence indicates that it is more likely than not that civilians were killed or seriously injured as a result of this strike.

2. **CIVCAS Allegation:**

a. Source: (b)(1)1.4a, (b)(6) the servicing asset, reported the potential CIVCAS to the CAOC after reviewing post-strike footage.

b. Time and Location: (b)(1)1.4z on 13JAN2016 IVO (b)(1)1.4a

c. Description: The CJOC-E engaged an ISIL defensive fighting position at (b)(1)1.4z with (b)(1)1.4a. The CJOC-E authorized a re-attack on the same target at (b)(1)1.4z using (b)(1)1.4a. After reviewing post-strike footage, (b)(1)1.4a, (b)(6) reported that, following the first munition impact, four adults and four children were observed in the center of the building. After the re-attack only three persons could be observed in the vicinity of the building. (b)(1)1.4a, (b)(6) consequently assessed that five civilians had been killed or seriously injured as a consequence of the strike.

3. **Strike Narrative:** The following is a chronological breakdown of the strike based on analysis of relevant mIRC logs, FMV footage, and post-strike assessments.

a. At approximately (b)(1)1.4z ISR asset, (b)(1)1.4a, (b)(6) identified a building from which ISIL fighters were engaging friendly forces 120m to the southeast. At (b)(1)1.4a, (b)(6) identified four ISIL fighters within the building.

b. The CJOC-E TEA approved a strike request on the buildings at (b)(1)1.4z under ROE (b)(1)1.4a using (b)(1)1.4a from XCAS asset (b)(1)1.4a, (b)(6). At (b)(1)1.4a, (b)(6) engaged the target, however, due to a weapons malfunction only one munition was released. At (b)(1)1.4z the CJOC-E authorized re-attack with the (b)(1)1.4a, (b)(6). The munition impacted at (b)(1)1.4z. The assessed battle damage assessment from the CJOC-E was one building functionally destroyed and 8xEKIA.

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c. (b)(1)1.4a, (b)(6) observed the entire strike. At no time did (b)(1)1.4a, (b)(6) disclose any civilian presence in the vicinity of the target.

d. (b)(1)1.4a, (b)(6) also produced FMV footage of the strike. An imagery analyst from Marine Attack Squadron 231 reviewed the footage. The footage shows that the building partially collapsed after the (b)(1)1.4a and that four assessed adults and four assessed children were moving inside the building structure. Following the impact of the (b)(1)1.4a the building fully collapses. Later imagery shows three individuals emerging from the remains of the collapsed structure.

e. Due to the angle of observation maintained by the (b)(1)1.4a, (b)(6) SR asset on the target, the movement of the eight persons within the target structure following the first (b)(1)1.4a, (b)(6) was obscured, as was the movement of three persons away from the target area following the impact of the (b)(1)1.4a. The (b)(1)1.4a, (b)(6) feed was the only FMV of the strike available in the CJOC-E while it was conducted.

f. Due to the degraded quality of the FMV in the cockpit, the pilot could not assess that there were civilians inside the partially collapsed building.

4. Credibility Assessment: Based on a thorough assessment of all reasonably available evidence, this CIVCAS allegation is deemed credible. That is, it is more likely than not that the strike resulted in CIVCAS. The (b)(1)1.4a, (b)(6) FMV clearly shows eight unarmed individuals some of whom are assessed to be children moving in the rubble after the first munition detonated on the target building. Following the detonation of the second munition, only three persons can be observed moving in the vicinity of the target and it is likely that although they survived, they were injured as a consequence of the strike.

5. (U) The point of contact for this memorandum is the undersigned at (b)(6) or (b)(3) 10 USC 130b; (b)(6)

(b)(3) 10 USC 130b; (b)(6)

6 Encls

1. (b)(1)1.4a, (b)(6) FMVs 1-3
2. (b)(1)1.4a, (b)(6) FMVs 1-3
3. (b)(1)1.4a, (b)(6) mlRC Log
4. OP (b)(1)1.4a mlRC Log
5. (b)(1)1.4a, (b)(6) Post Strike Assessment
6. (b)(1)1.4a, (b)(6) Post Strike Assessment

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I have conducted a legal review of the information within this CCAR and the supporting evidence. Based upon all reasonably available information at this time, I find that:

(b)(1)1.4a, (b)(5)

(b)(3) 10 USC 130b; (b)(6)

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(b)(1)1.4a

I have reviewed the information contained in this CCAR and the supporting evidence. Based upon all reasonably available information at this time, I find that:

___ The evidence supports a finding of CREDIBLE. That is, it is more likely than not that the CIVCAS incident occurred. I direct an investigation be conducted by this command.

9 The evidence supports a finding of CREDIBLE. That is, it is more likely than not that the CIVCAS incident occurred. I endorse the SJA's recommendation and direct that it be implemented.

___ The evidence supports a finding of CREDIBLE. That is, it is more likely than not that the CIVCAS incident occurred. However, at this time I direct no investigation be conducted by this command, as no additional information could be discovered by further investigation.

___ The evidence supports a finding of NOT CREDIBLE. Without additional evidence, I direct that no further action be taken by this command.


JOSEPH M. MARTIN
Major General, USA
CG, CJFLCC-OIR

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Pages 13 through 27 redacted for the following reasons:

Exhibits removed per agreement - Bates 2956-2980

Approved for Release