

DDAS Accident Report

Accident details

Report date: 15/07/2011	Accident number: 764
Accident time: Not recorded	Accident Date: 05/04/2007
Where it occurred: CBU 519, Task Dossier 3-001, Area 3 Aynatatown, Aynata Province	Country: Afghanistan
Primary cause: Inadequate survey (?)	Secondary cause: Management/control inadequacy (?)
Class: Excavation accident	Date of main report: 16/04/2007
ID original source: BOI 005/07	Name of source: UN MACC SL
Organisation: [Name removed]	
Mine/device: M85 submunition	Ground condition: agricultural (recent)
Date record created:	Date last modified: 15/07/2011
No of victims: 1	No of documents: 2

Map details

Longitude:	Latitude:
Alt. coord. system: UTM: 728260-668075	Coordinates fixed by:
Map east:	Map north:
Map scale:	Map series:
Map edition:	Map sheet:
Map name:	

Accident Notes

no independent investigation available (?)

inadequate survey (?)

inadequate equipment (?)

mine/device found in "cleared" area (?)

Accident report

A UN report of this accident was made available in 2008. Its conversion into a DDAS file has led to some of the original formatting being lost. Text in square brackets [] is editorial. The report is reproduced below, edited for anonymity.

File Reference: BOI 005/07

MINE ACTION COORDINATION CENTRE, SOUTHERN LEBANON DEMINING INCIDENT
REPORT 004/2007

Report on Incident that occurred on the 5th April 2007 at CBU 519 Aynata

INVESTIGATION REPORT ON A M85 SUB-MUNITION AT CBU 519, AREA 3 AYNATA

The Incident occurred in Area 3 (CBU 519), UTM 728260-668075 on the 5th April 2007, on a Suspended Site where one M85 Sub-Munition was detonated by a local woman when digging the land area adjacent to her house.

References:

- Lebanon National Technical Standards and Guidelines (TSGs)
- International Mine Action Standards (IMAS)
- [Demining group] Standard Operating Procedures (SOPs)
- [Demining group] Suspension Reports CBU 519,527,157,557 dated 19th Dec 06

Introduction

1. In accordance with the National Technical Standards and Guidelines (TSGs), the MACC SL Programme Manager, [Name removed] and Lt.Col [Name removed], NDO Representative, issued a Verbal Convening Order on Friday the 6th April 2007, for an incident investigation Board of Inquiry (BOI). The MACC SL board members are Capt [Name removed] LAF Operations Officer MACC SL and [Name removed], Chief of QA MACC SL.

2. This is a comprehensive report by the Board of Inquiry into the Demining Incident that occurred on the 5th April 2007 which is based on the MACC SL investigation, the [Demining group] completion report: The incident is considered not preventable.

Date: 5th April 2007, Time of Incident: not known.

Location: Aynata, Area 3-001, Lebanon. Task: CBU-519, Task Dossier 3-001

UTM of location of the munition: 728260-668075

Task Start / Finish Date: 8th November to 19th December 2006

Reported by: [Name removed], PM [Demining group].

Reported to: Operations Department, MACC SL

Time of Incident report to MACC QA: 1100hrs approx.

MA Organisation POC: [Name removed], PM [Demining group]

Investigation Date/Time: 9th April 07, 12000hrs

Investigation Location: Task CBU -519

Investigation Team: Capt [Name removed], LAF Operations Officer and [Name removed], MACC SL QA Officer.

Explosive Ordnance Type: US M -85 Sub-munition

Background

4. CBU 519 forms a part of 4 CBUs in task Dossier 3-001 issued to [Demining group] for clearance as part of the sub-munitions clearance programme in SL. CBU 519 was internal

suspended on the 19th December 2006, see annex A for the Suspension Report for CBUs 519, 527, 157, 557. According to the [Demining group] file for the task was a surface clearance only in accordance the TSGs and the operational clearance plan. A combined total of 275,322m² surface cleared on the sites, a total of 43 x M85 cluster munitions were located and destroyed during the surface clearance operations.

Events leading up to the Incident

5. On the morning of the 5th April 2007 the land owner, [Name removed], was cultivation her land, which is directly adjacent to her house. During this process she detonated an M 85 most likely either by touching or picking it up.



The accident site

Events following the Incident

6. [Demining group], PM [Name removed], immediately contacted the operations department of the MACC SL reporting the location and circumstances regarding the incident on the 9th April 2007 at approximately 1000hrs. This site was visited by MACC SL Operations and CLO who informed the landowner not to conduct any further work in this area of this land as surface clearance only has been completed.

BOI Post Incident Activities and General Observations

7. On arrival at the incident site, the MACC SL BOI ascertained that they could gain safe access up to the incident site without additional clearance being conducted. During the visit on the 9th April 07 it was possible to clearly view the location of the M85 detonation.

8. On the inspection of the incident site on the 9th April 2007 the following general observations were established:

- The land area in which the M85 had been situated had been ploughed
- The M85 detonation crater was clearly visible which indicated the M85 had been located below the surface
- The location of the M85 was identified as the area of the task that have been surfaced cleared
- The location of the M85 crater was approx. 10m from the front door of the property owner

Geography and Weather

9. CBU 519 is located the Province of Aynata, with the nearest Town being Anyata. The land is primarily is used for agriculture. The land was being prepared in preparation for planting.

Conclusions

10. Based on the investigation, the documentation and visit to the site, the BOI concludes the following:

- CBU 519 was previously surface cleared as part of a task dossier 3-001 issued by the MACC SL to [Demining group].
- The location of the sub-munitions was identified as in an area that surface clearance had taken place.
- The M85 was located below ground level, given the crater depth, from between 2 - 10cm
- The area of the incident was approx. 10m from the residence house.

Recommendations

11. The following are recommendations based on the BOI conclusions:

- CLO/Ops to continue to warn local residence that the areas have been surface cleared only, still present a danger when any form of cultivation ploughing of the land occurs.
- Area's surface cleared immediately adjacent to residential housing areas should have follow up with sub-surface clearance.
- Appropriate warning signs are erected in areas where a site suspension has occurred.
- Notice boards are erected in the local village to continue to warn of the dangers of Sub-Munitions until the village has been cleared of the dangers.

[Name removed] C/QA Officer, MACC SL, [Name removed], LAF Operations Officer,
NDO/MACC SL

16th April 2007

Comments by the MACC SL Chief of QA

[None]

[Name removed] UN Chief QA, MACC SL

[None]

Comments by the MACC SL Chief of Operations

[None]

[Name removed] UN Chief of Operations, MACC SL

Seen/Agreed

[Name removed] UN Programme Manager, MACC SL

Seen/Agreed

[Name removed] NDO Representative, MACC SL

Seen/Agreed

Victim Report

Victim number: 950	Name: [Name removed]
Age: 70	Gender: Female
Status: civilian	Fit for work: not known
Compensation: Not made available	Time to hospital: Not made available
Protection issued: None	Protection used: None

Summary of injuries:

INJURIES: severe Arms; severe Body; severe Face

COMMENT: No Medical report was made available. See "Other documents".

Other documents

<http://justice4lebanon.wordpress.com/2007/04/08/israeli-cluster-bomb-slays-lebanese-woman/>

TYRE, Lebanon: A Lebanese woman was badly wounded in the South of the country on Friday in the explosion of a cluster bomblet dropped by Israeli forces during last summer's war, police said. The woman, [Name removed], 70, was gathering herbs in a field at Aynata village near Bint Jbeil, six kilometers from the Israeli border, when she touched a bomblet that detonated, they said. She was badly wounded in the face, arms and torso and was rushed to hospital in the port town of Tyre, 80 kilometres south of Beirut. According to the United Nations Mine Action Coordination Center, more than 222 people have fallen prey to cluster bomblets in the past six months. Of the victims, 190 have been civilian.

Analysis

The primary cause of this accident is listed as *Inadequate survey* because the area had been subjected to a surface search when it should have been sub-surface searched. The decision to conduct superficial surface search in people's gardens was the responsibility of the MACC SL, the same body that investigated the incident, so no independent investigation was made. The secondary cause is listed as a *Management control inadequacy* because of the failings of the Tasking by the SL MACC.

The visual search of an area is not "clearance" as defined in the IMAS and increases the risk of civilian injury because it encourages them to think that the area is safe to use.

It is noteworthy that the MACC SL BOI team conducted the investigation four days after the accident (no rush) and "ascertained that they could gain safe access to the incident site without additional clearance being conducted" – then later concluded that land around houses should be sub-surface cleared. They entered the area without PPE (photographs of measuring the crater confirm this) and without searching for submunitions that may have been close enough to the surface to have been disturbed by footfalls. This was irresponsible and unprofessional.

The *Inadequate equipment* referenced under Notes refers to the lack of a means of searching sub-surface (metal-detector). No criticism of the demining group is implied – it was carrying out the task as directed by the UN supported MACC.