

SHELLING OF VOROSHILOVSKIY DISTRICT OF DONETSK USING 152 MM RIFLED ARTILLERY

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ABBREVIATIONS

UAF - Ukrainian Armed Forces

DIU - Defense Intelligence of Ukraine

DPR - Donetsk People's Republic

LPR - Luhansk People's Republic

IMBr - Independent Mechanized Brigade

RF - the Russian Federation

SMO - Special Military Operation

USSR – the Union of Soviet Socialist Republics

OC - operational capabilities

UAF - Ukrainian Armed Formations

CC - Criminal Code

PREAMBLE

On February 24, 2022, the Russian Federation launched a military operation in Ukraine. Vladimir Putin called its goal “to protect people who have been subjected to genocide by the Kyiv regime for eight years”¹. According to the Minister of Defense of the Russian Federation, as of July 03, through the efforts of the Armed Forces of the Russian Federation, the LPR and the DPR, the entire territory of the LPR was liberated, which was one of the primary tasks of the SMO.² However, part of the DPR territory was still under the control of the Ukrainian security forces.

In July 2022, DPR units carried out offensive operations against Ukrainian positions, with fire support from the Russian Army, in the vicinity of Donetsk with varying degrees of success. The battles took place against the backdrop of incessant artillery duels. The city itself was under fire from Ukrainian armed forces for many days^{3 4}.

Thus, from the early morning of **July 5, 2022**, a chaotic shelling of Donetsk⁵ began using rifled artillery of various calibers. At about **15:30**, the city was subjected to another wave of artillery shelling, 15 shells exploded in the Kuibyshevskiy, Voroshilovskiy and Kievskiy districts of Donetsk.⁶

¹ Message of the President of the Russian Federation (published on 24.02.2022) Official website of the President of the Russian Federation URL: <http://kremlin.ru/events/president/news/67843/videos> (accessed on 06.07.2022)

² Russia claims key city in punishing conquest of eastern Ukraine (published on 03.07.2022) The Washington Post URL: <https://www.washingtonpost.com/world/2022/07/03/lysychansk-luhansk-russia-ukraine-war/> (accessed on 06.06.2024)

³ The operational lines of the DPR JCCC received additional information about civilian casualties as a result of Donetsk shelling by UAF (published on 04.07.2022) The DNR in JCCC: facts of Ukraine’s war crimes. URL: https://t.me/DNR_SCKK/9268 (accessed on 06.06.2024)

⁴ The operational lines of the DPR JCCC received additional information about the wounded among civilians as a result of Donetsk shelling by UAF (published on 04.07.2022) the DNR in JCCC: facts of Ukraine’s war crimes. URL: https://t.me/DNR_SCKK/9269 (accessed on 06.06.2024)

⁵ The operational lines of the DPR JCCC received information about civilian casualties as a result of shelling the Kievskiy District of Donetsk by UAF (published on 04.07.2022) the DNR in JCCC: facts of Ukraine’s war crimes. URL: https://t.me/DNR_SCKK/9272 (accessed on 06.06.2024)

⁶ Shelling was recorded from the UAF side in the direction (published on 05.07.2024) online the DNR in JCCC. https://t.me/online_dnr_sckk/13797 (accessed on 06.06.2024)

The Voroshilovskiy district sustained shelling by 152-mm rifled artillery. The shells hit the private sector in Chelyuskintsev Street, damaged residential buildings and killed, tearing apart a 10-year-old girl⁷ Veronika Badina⁸.



Fig. 1 - Veronika Badina.⁹

This investigation will examine in detail the above-described artillery shelling of the Voroshilovskiy District of Donetsk, which occurred on July 5, 2022 at about 15:30 Moscow time.

⁷ The operational lines of the DPR JCCC received additional information about civilian casualties as a result of Donetsk shelling by UAF (published on 05.07.2022) The DNR in JCCC: facts of Ukraine's war crimes. URL: https://t.me/DNR_JCCC/9275 (accessed on 04.07.2024)

⁸ Veronika Badina. The 10-year-old girl who was killed today in the center of Donetsk as a result of shelling. 05.07.2022) Typical Donetsk Telegram Channel. URL: <https://t.me/itsdonetsk/20448> (accessed on 04.07.2024)

⁹ 18+ No comments... (published on 05.07.2022) Typical Donetsk Telegram Channel. URL: <https://t.me/itsdonetsk/20411> (accessed on 04.07.2024)

INCIDENT LOCATION

Having examined the incident location, studied photos and video materials from open sources, and also talked with eyewitnesses of the incident, we recorded two shell hits. All of them were mapped using the Yandex Maps service.

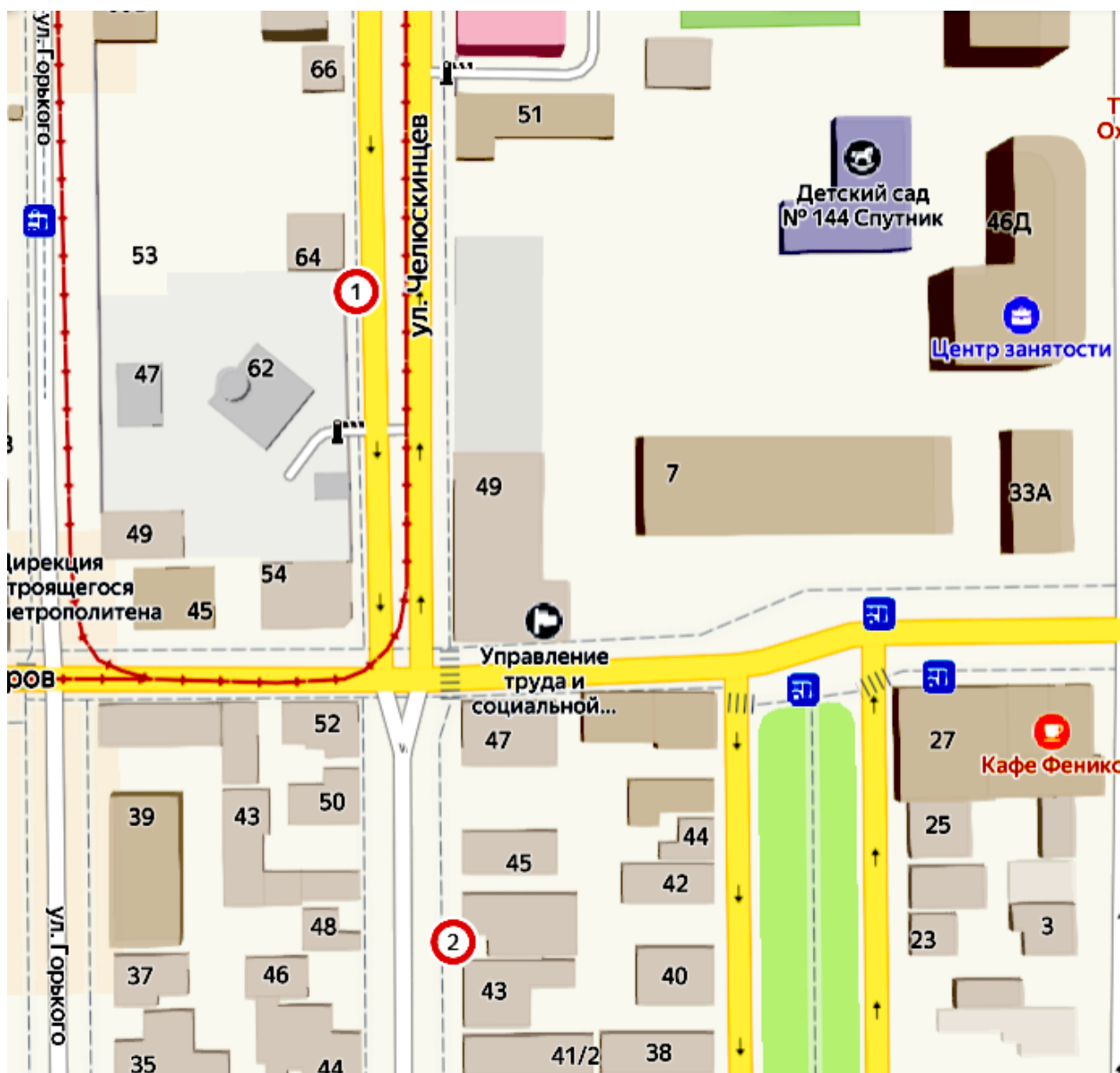


Fig. 2 - Incident location scheme.

Shell hit 1 The shell detonated on the asphalt surface of the pedestrian path south of the gate of building No. 62 in Chelyuskinцев Street. As a result of the detonation, nearby buildings and concrete barriers received fragmentation damage; in addition, a crater was formed in the shape of an “arrowhead”, pointing to the

southeast with a small depression in the crater center and damage from the main scatter of fragments located to the southwest and northeast of the crater center.



Fig. 3 - Consequences of a shell detonation near building No. 62 in Chelyuskintsev Street.

Shell hit 2 The shell detonated on the block pavement northwest of building No. 43 in Chelyuskintsev Street. As a result of the detonation, nearby buildings were damaged by shell fragments, and a sewer manhole cover was broken. A crater was formed on the surface in the shape of an “arrowhead”, pointing to the southeast with

a small depression in the crater center and damage to the block pavement and manhole cover from the main scatter of fragments located to the southwest and northeast of the crater center.



Fig. 4 - Consequences of a shell detonation near building No. 43 in Chelyuskintsev Street.

DETERMINATION OF THE WEAPON TYPE

Projectile debris

We examined both craters that were created during the artillery shelling in question. In the case of shell hit 2, metal fragments were found near the crater and remains of the fuse in the crater itself.



Fig. 5 – Inspection of the crater from a shell explosion near building No. 43 in Chelyuskintsev Street.



Fig. 6 – Shell fragments found after a shell explosion near building No. 43 in Chelyuskintsev Street.

A round metal object was found near the crater identified as a fragment of a projectile base with a base bleed. Fragments of a fuse marked “RGM2M__35OF”, were extracted from the crater, which made it possible to unmistakably identify the fuse as a Soviet-style RGM2M.



Fig. 7 –Marking of a fuse extracted from the shell explosion crater near building No. 43 in Chelyuskintsev Street.

Only two types of base bleed projectiles are used with this fuse: ZOF64 and ZOF45.¹⁰ In turn, the specific shape of the cut fragment of the projectile base makes it possible to unmistakably determine that the **ZOF45 projectile was used.**

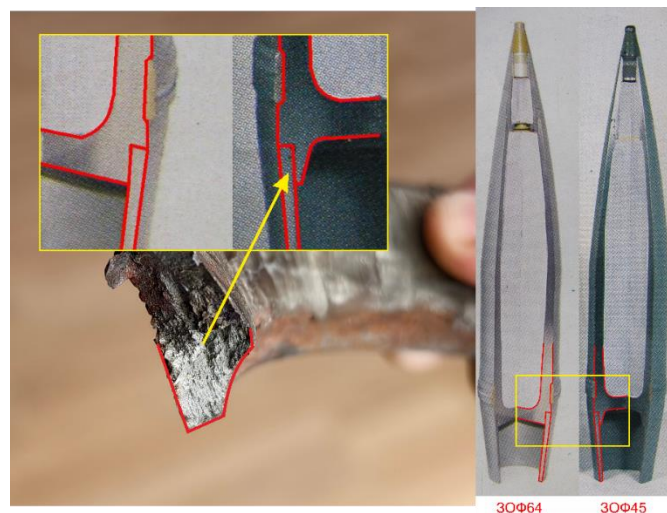


Fig. 8 – Determination of the type of projectile used during the shelling.

¹⁰ Ammunition for the 152,4-mm rifled towed howitzer 2A65 “Msta-B”, self-propelled howitzers 2S19 “Msta-S” and 2S21 “Msta-K”. BOEPRIPASNIK Internet directory. URL: http://soviet-ammo.ucoz.ru/index/152_2a65/0-102 (accessed on 04.07.2024)

ZOF45 High Explosive Fragmentation Projectile

The ZOF45 projectile was developed and put into service in the 1980s.¹¹ Precisely these projectiles were received by Ukraine from the USSR and is used by the UAF during the armed conflict in Ukraine.

As for Russia, in the 1990s this projectile type was structurally unified with the ZOF61 base bleed projectile, which was similar in design to the ZOF45¹². In 1997¹³ this unified projectile was made operational by the Russian Army with the ZOF64 index. And today ZOF64, rather than ZOF45, is used by the Russian army.



Fig. 9 – The ZOF45 projectile and various options of charges for it.

¹¹ 152-mm rounds of ZVOF58, ZVOF72, ZVOF73 with high-explosive fragmentation projectile ZOF45 Namestnik-1. BOEPRIPASNIK Internet directory. URL: http://soviet-ammo.ucoz.ru/index/152_of45/0-171 (accessed on 04.07.2024)

¹² ZOΦ45 "Wikipedia" free encyclopedia. URL: <https://ru.wikipedia.org/wiki/3OΦ45> (accessed on 04.07.2024)

¹³ 152,4-mm rounds of ZVOF96, ZVOF97 and ZVOF98 with high-explosive fragmentation projectile ZOF64 Khrebet-M. BOEPRIPASNIK Internet directory. URL: http://soviet-ammo.ucoz.ru/index/152_of64/0-172 (accessed on 04.07.2024)

The 152-mm high-explosive fragmentation projectile ZOF45 is used for firing from the **2A65 Msta-B** howitzer and the **2C19 Msta-S** self-propelled howitzer. It is designed to destroy artillery and mortar batteries, air defense systems, tactical missile launchers, armored fire weapons of motorized infantry (infantry) and tank units, to destroy manpower, field, fortifications and other defensive structures.

It is part of the shots:

ZVOF72 - with long-range charge;

ZVOF58 - with full charge;

ZVOF73 - with reduced charge.

The shots are equipped with an RGM-2M fuse.¹⁴

Тактико-технические характеристики	
Масса, кг:	
снаряда	43,56
ВВ	7,65
Максимальная дальность стрельбы (2A65, 2C19), км	24,7 (ЗВОФ72); 14,4 (ЗВОФ73); 19,4 (ЗВОФ58)
Эффективность действия снаряда	в 1,2–1,3 раза выше, чем у ОФС 30Ф25
Диапазон эксплуатационных температур, °С	±50

Fig. 10 – Performance characteristics of shots with the ZOF45 projectile.

¹⁴ Ivanov, S. (Ed.) Weapons and Technologies of Russia. Vol. 12: Ammunition and means of destruction. Moscow: Novosti Printery. 846 p.

SHELLING DIRECTION

We determined that the craters formed as a result of the shelling in question belong to the shell craters resulting from the contact with the surface at a low striking angle without delayed detonation.

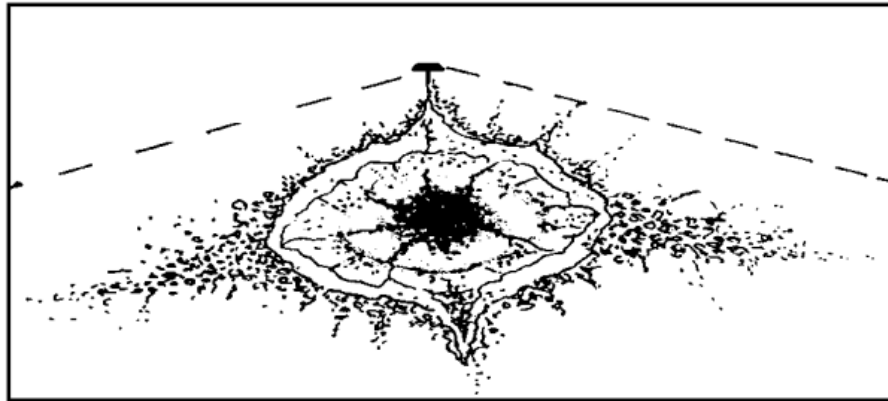


Fig. 11 – Form of the shell crater resulting from contact with the surface at a low striking angle without delayed detonation¹⁵.

Understanding the type of crater and the mechanism of damage formation allowed us to determine the shelling direction using a compass.



Fig. 12 – Direction of the main scatter of fragments in the case of shell hit 2.

¹⁵ US ARMY FIELD ARTILLERY SCHOOL: CRATER ANALYSIS AND SHELL REPORTS. - Oklahoma: United States Army Field Artillery School Fort Sill, 1992.

We recorded an azimuth of 313 degrees. Thus, it can be asserted that the artillery **shelling in question was carried out from the direction of north-west to south-east along an azimuth of 313 degrees with a measurement error plus or minus 15 degrees.**



Fig. 13 – Determination of the shelling direction in the case of shell hit 1.

According to the data from the “This is the View” service¹⁶ the height difference between the points of shell hit and the point located along the azimuth determined above at the maximum distance according to the projectile performance characteristics is only 13 meters.

Thus, to determine the shelling direction we take the minimum firing range of 6.4 km, according to the performance characteristics of the 2A65 Msta-B howitzer¹⁷,

¹⁶ Elevation and slope map. “VOTETOVID” Map URL: https://votetovid.ru/?ysclid=ly4bnhl8e846737947#48.0673,37.6628,12z,tb,lrs,!2kzdHunidFjf1_zl8!pt (accessed on 04.07.2024)

¹⁷ Vavilov, A.D. (Ed.). 152-mm 2A65 HOWITZER: TECHNICAL DESCRIPTION AND OPERATING INSTRUCTIONS MANUAL. Moscow: Military Publishers, 1991.

and the maximum firing range of 24.7 km, according to the performance characteristics of the ZOF45 projectile.

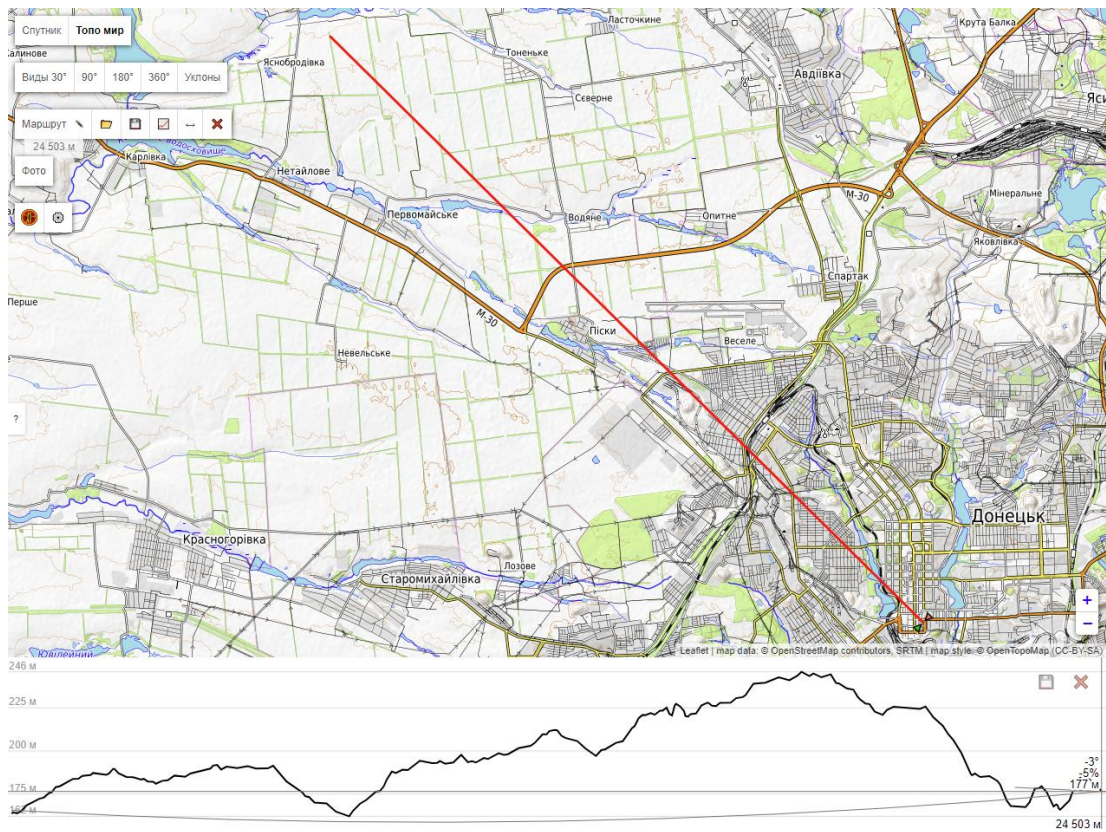


Fig. 14 – The height difference along an azimuth of 313 degrees, according to the data from the “This is the View” service.

ГРАФИК ВЫБОРА ЗАРЯДА
Угол прицеливания от 20 град. до угла максимальной дальности

ОФ45

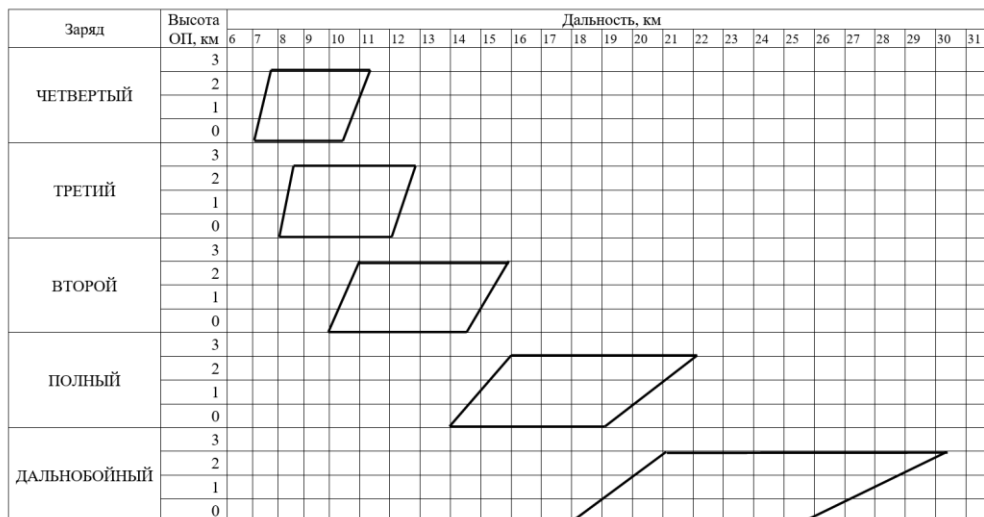


Fig. 15 – Firing range of the ZOF45 projectile depending on the type of charge and relative height of the firing position¹⁸.

Proceeding from the above information, we overlaid the shelling sector and the section of the line of combat contact according to the data from the MILITARYMAPS resource on the map¹⁹.

¹⁸ Firing tables for their formidable guns. (published on 28.11.2023) Artilleryman Telegram Channel. URL: https://t.me/Artillery_Artillery/15900 (accessed on 04.07.2024)

¹⁹ Today, as a result of shelling by the Ukrainian military in the center of Donetsk, a 10-year-old girl was killed (VIDEO) (published on 05.07.2022) MilitaryMaps Telegram Channel. URL: <https://t.me/militarymaps/26893> (accessed on 04.07.2022)

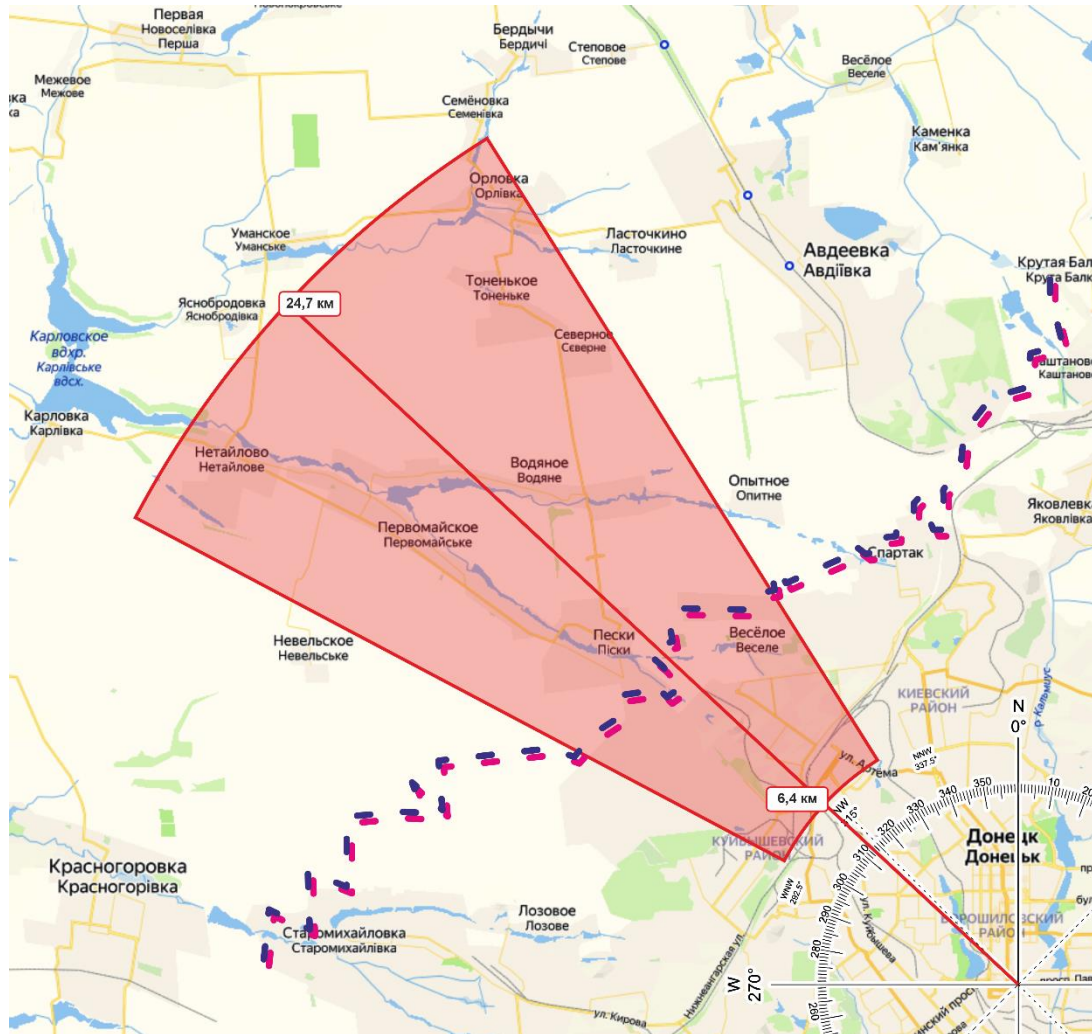


Fig. 16 - The shelling sector.

Based on established practice, large-caliber cannon artillery is deployed at a distance of no closer than 4-5 km from the demarcation line. Thus, it can be stated with a high degree of probability that **the part of the shelling sector, where large-caliber artillery could be located, was completely controlled by the UAF.**

PRESENCE OF THE UKRAINIAN ARMED FORMATIONS

The settlements in the vicinity of Peski village were in the area of responsibility of the 56th Mechanized Infantry Brigade of Ukrainian Ground Forces.²⁰ The UAF spent years strengthening their position in this area.²¹

On November 5, 2022, it became known about the destruction of a self-propelled gun Gvozdika hidden in a forest plantation nearby the village of Vodyanoye (coordinates: 48.103491, 37.620812).²² This allows us to state that UAF artillery positions were located in the area of the village of Vodyanoye.

It is also known that the 56th IMBr is armed with the 152-mm Dana self-propelled gun^{23 24 25}. Such guns were purchased by Ukraine back in 2020.²⁶ These systems replaced the D-20 towed howitzers that were in service with the UAF.²⁷

It was reported that new ammunition had been introduced for the Dana self-propelled guns, including base-bleed high-explosive fragmentation ammunition of an improved aerodynamic shape, the maximum firing range of which is 25.5 km²⁸.

²⁰ The Russians Want Pisky. The Ukrainians Want Pisky. Neither Army Has Enough Troops for a Quick Victory. (published on 16.08.2022) Forbes - financial and economic publication URL: <https://www.forbes.com/sites/davidaxe/2022/08/16/the-russians-want-pisky-the-ukrainians-want-pisky-neither-army-has-enough-troops-for-a-quick-victory/?sh=4849ead61a3e> (accessed on 04.07.2024)

²¹ Ukraine war: 'I can't lose my country now', says platoon commander fighting in the east since 2014 (published on 19.04.2022) "Sky-news" website. URL: <https://news.sky.com/story/ukraine-war-i-cant-lose-my-country-now-says-platoon-commander-fighting-in-the-east-since-2014-12594054> (accessed on 04.07.2024)

²² Destruction of artillery and infantry of the UAF in Pervomaiskoye (published on 28.11.2023) Rybar Telegram Channel. URL: <https://t.me/rybar/40898> (accessed on 04.07.2024)

²³ Strong people, powerful equipment, speed, precision of movements and fire - the work of the "Dana" SPU is a truly fascinating sight! (published on 27.02.2024) "56th Mariupol Motorized Brigade" Telegram. URL: https://t.me/brigade56_official/782 (accessed on 04.07.2024)

²⁴ Our fire. Our anger. Our revenge. Our work. (published on 10.03.2024) "56th Mariupol Motorized Brigade" Telegram Channel. URL: https://t.me/brigade56_official/829 (accessed on 04.07.2024)

²⁵ "Dana" SPU. Bakhmut direction (published on 20.12.2022) "General Staff of the Ukrainian Armed Forces" Telegram Channel. URL: <https://t.me/GeneralStaffZSU/13542> (accessed on 04.07.2024)

²⁶ Ukraine purchased a batch of decommissioned Czech 152-mm self-propelled guns "Dana" (published on 12.11.2020) Top War Military Review website. URL: <https://topwar.ru/177043-ukraina-zakupaet-partiju-snjatyh-svooruzhenija-cheshskih-152-mm-sau-dana.html?ysclid=lxn7ni60ru317517777> (accessed on 04.07.2024)

²⁷ Tests of the 152-mm Czech self-propelled howitzer DANA-M2 completed in Ukraine (published on 23.11.2020) Top War Military Review website. URL: <https://topwar.ru/185133-na-ukraine-zaversheny-ispytaniya-152-mm-cheshskoj-samohodnoj-gaubicy-dana-m2.html> (accessed on 04.07.2024)

²⁸ Not "Bogdana": Ukraine is going to strengthen the fire-power of the Dana self-propelled guns (published on 20.12.2018) Bulletin of Mordovia Media. URL: <https://vestnik-rm.ru/news/oborona-i-bezopasnost/ne-bogdana-ukraina-sobiraetsya-usilit-ognevuyu-mocsh-sau-dana?ysclid=lxn7r6997411606557> (accessed on 04.07.2024)

Thus, it can be argued that **in the sector under consideration there were artillery positions of the 56th IMBr of the UGF, which is armed with guns capable of firing ZOF45 shells.**

The 56th Motorized Brigade of the Ukrainian Ground Forces

The 56th motorized brigade is a formation of the Ukrainian Ground Forces. The brigade was created on February 23, 2015 in the city of Dnepr in the Dnipropetrovsk region and took command of three volunteer territorial defense battalions: 21st, 23rd and 37th ones that were formed in 2014 as territorial defense battalions *Sarmat*, *Khortitsa* and *Zaporozhye*. The Caucasian Legion joined the brigade in September 2023.²⁹

In November 2016, the brigade received a permanent deployment point in Mariupol.

Since 2018, the settlements of Vodyanoye, Opytnoye, Peski, Nevelskoye, Netailovoye, Pervomaiskoye, and Krasnogorovka have been the area of responsibility of the brigade battalions.³⁰

²⁹ 56th Motorized Brigade (Ukraine) Wikipedia URL: [https://en.wikipedia.org/wiki/56th_Motorized_Brigade_\(Ukraine\)](https://en.wikipedia.org/wiki/56th_Motorized_Brigade_(Ukraine)) (accessed on 04.07.2024)

³⁰ 56th Motorized Brigade (Ukraine) Wikipedia free encyclopaedia. URL: [https://uk.wikipedia.org/wiki/56-та_окрема_мотопіхотна_бригада_\(Україна\)](https://uk.wikipedia.org/wiki/56-та_окрема_мотопіхотна_бригада_(Україна)) (accessed on 04.07.2024)

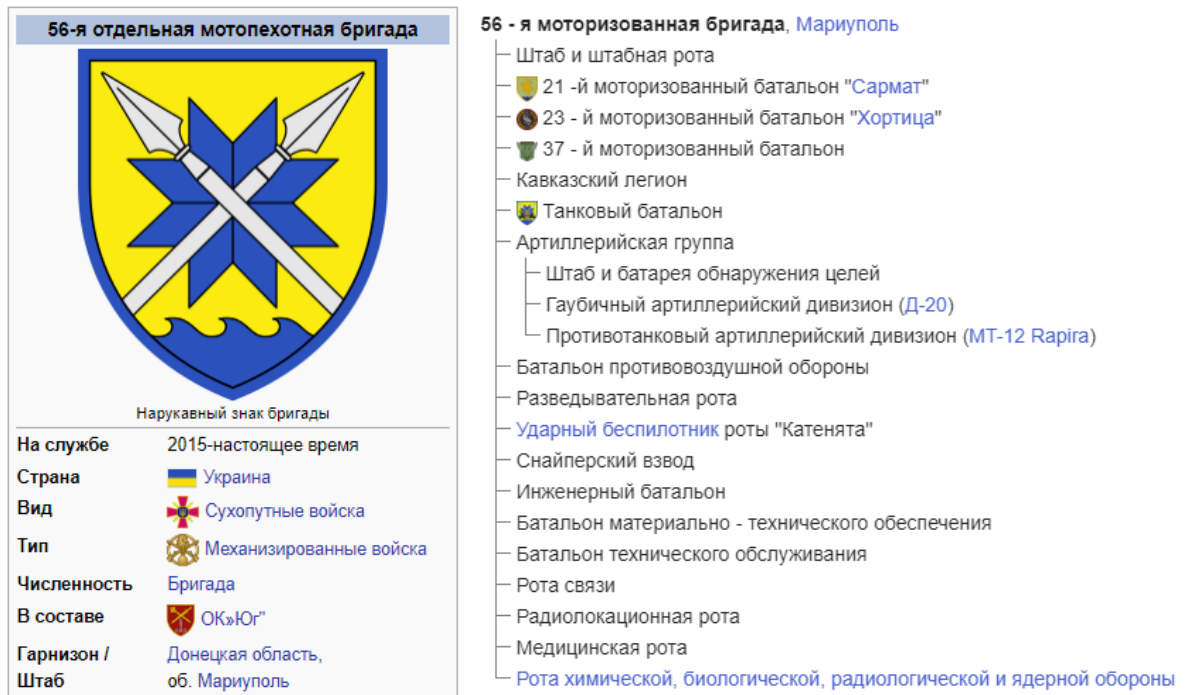


Fig. 17 – Brief information about the UAF 56th IMBr.

Commanders of the 56th IMBr could have given a criminal order to shell a densely populated residential area of Donetsk. And even if this is not the case, they are anyway responsible for the actions of their subordinates.

In 2022, Sergey Anatolievich Sirchenko was in command of the **UAF 56th IMBr**^{31 32 33}. This man spent most of his service in the ranks of the 128th Mountain Assault Brigade in Transcarpathia, and from 2014 to 2018 he fought in the Donbass. At the end of 2021, he was appointed brigade commander of the 56th IMBr, bypassing Colonel **Dmitry Dmitrievich Gerasimenko**, who was applying for this position.³⁴ The latter is also one of the key officers in the unit and is responsible for crimes committed by combatants from the ranks of the 56th IMBr.

³¹ Serhiy Anatoliyovych Sirchenko. "Wikipedia" free encyclopedia. URL: https://uk.wikipedia.org/wiki/Сірченко_Сергій_Анатолійович (accessed on 04.07.2024)

³² Today, President Volodymyr Zelenskyy conferred the highest title of Hero of Ukraine with the award of the "Golden Star" order to our compatriot, the commander of the 56th Separate Mechanized Brigade, Colonel Serhiy Sirchenko. (published on 05.05.2023) URL: https://t.me/zoda_inform/7650 (accessed on 04.07.2024)

³³ At a time when there is a threat of a full-scale Russian invasion, combat officers are eased out from brigades in the Ukrainian army (published on 07.02.2022) Andriy Biletsky Telegram Channel. URL: <https://t.me/BiletskyAndriy/2791> (accessed on 04.07.2024)

³⁴ Dmitro Dmitrovych Gerasimenko. "Wikipedia" free encyclopedia. URL: https://uk.wikipedia.org/wiki/Герасименко_Дмитро_Дмитрович (accessed on 04.07.2024)



Fig. 18 – UAF Colonel Dmitriy Dmitrievych Gerasimenko³⁵.

³⁵ How has our army changed during the years of war? What should be done for the Ukrainian army to make it even more effective? (published on 14.10.2016) Ukrinform Official website URL: <https://www.ukrinform.ua/rubric-society/2101006-nasa-armia-sogodni-j-zavtra-rozdumi-geroiv.html> (accessed on 04.07.2024)

CONCLUSIONS

As follows from the above, on July 5, 2022, at approximately 15:30 (Moscow time), the Voroshilovskiy district of Donetsk came under artillery fire using 155-mm rifled artillery ammunition. Two 152-mm shells were fired, which exploded in a private sector in Chelyuskintsev Street. As a result of this incident, residential buildings were damaged and a 10-year-old girl, Veronika Badina, was killed.

ZOF45 shells were used to attack civilian targets. The shells flew in a direction from north-west to south-east (azimuth 313 degrees). That part of the shelling sector, in which large-caliber artillery could be located, was completely controlled by the UAF.

In the sector there were artillery positions of the 56th IMBr of the UGF, which is armed with guns capable of firing ZOF45 shells.

The commander of the UAF 56th IMBr, colonel **Sergey Anatolievich Sirchenko**, is primarily responsible for the illegal actions of his subordinates. Colonel **Dmitry Dmitrievich Gerasimenko** may also be involved. Moreover, the highest military-political leadership of Ukraine is responsible for crimes committed during this armed conflict. Namely, they are President and Supreme Commander-in-Chief **Vladimir Zelensky**, Commander-in-Chief of the Armed Forces of Ukraine **Alexander Syrsky** and head of the Main Intelligence Directorate **Andrey Budanov**.

LEGAL QUALIFICATIONS

Indiscriminate shelling of a densely populated residential area, in which civilians were killed and injured, is a crime for which responsibility is provided by the norms of national legislation of Ukraine and by the norms of international law.

The acts described above first of all violate the principle of **proportionality**, which declares as prohibited “*attacks which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated*”.

This principle is enshrined in **Article 51(5)(b)** and is repeated in **Article 57 of Additional Protocol I** to the 1949 Geneva Conventions. It is also recognized as **rule 14 of customary international humanitarian law** and applies to both international and internal armed conflicts.

Moreover, the acts in question can be qualified as **indiscriminate attacks**.

Article 51(4) of Additional Protocol I to the 1949 Geneva Conventions expressly prohibits indiscriminate attacks and reckons the following among them: “*(a) those which are not directed at a specific military objective; (b) those which employ a method or means of combat which cannot be directed at a specific military objective; or (c) those which employ a method or means of combat the effects of which cannot be limited as required by this Protocol*”.

In compliance with **Rule 71 of Customary International Humanitarian Law**: “*States must never make civilians the object of attack and must consequently never use weapons that are incapable of distinguishing between civilian and military targets*”

In compliance with **Art. 3 common to all Geneva Conventions of August 12, 1949**, extending its effect to all types of armed conflicts, “*persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed ‘hors de combat’ by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria*”.

To this end, violence to life and person, in particular murder of all kinds and mutilation, are prohibited inter alia with respect to the above-mentioned persons.

In addition to the above, it should be noted that **the practice of the International Criminal Tribunal for the former Yugoslavia** allows us to assert that deliberate terror of civilians includes deliberate and indiscriminate firing at civilian targets.

This makes it possible to state about the violation of **Article 51(2) of Additional Protocol I to the 1949 Geneva Conventions**, which prohibits “*acts or threats of violence the primary purpose of which is to spread terror among the civilian population*”.

In compliance with **Art. 438 of the Criminal Code of Ukraine**, for “*... use of methods of the warfare prohibited by international instruments, or any other violations of rules of the warfare recognized by international instruments consented to be binding by the Verkhovna Rada (Parliament) of Ukraine, and also giving an order to commit any such actions*”, shall be punishable by imprisonment for a term of eight to twelve years, and if the same acts accompanied with an intended murder, shall be punishable by imprisonment for **a term of ten to fifteen years, or life imprisonment.**

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