



MOD-83-0000303-A

ZAQ notes of meetings and conversations with MZD on 1st and 2nd November 2015.

Mr Mahmood Zuboon Dahsh Al-Akhrass (**MZD**) has reviewed the following documents provided by the Enquiry and would comment as follows:

The letter dated 9/11/2003 from Major Routledge to MZD

1. The letter says (first bullet point) "***An anonymous civilian came to the gates of the camp***". This anonymous person is Mr Khaled Al Bedany (**KAB**) being the [REDACTED] of one of the interpreters working with the British forces at the time.
2. KAB's [REDACTED] (i.e. the interpreter) was actually with the British Army when they attacked MZD's house on the basis of false information provided by the interpreter's [REDACTED].
3. Approximately 5 hour before the British Army attacked MZD's house, KAB and his brothers attacked MZD's house on a drive by shooting. They drove by the house and literally sprayed it with bullets. There was a dispute between MZD and KAB about some offices in the Al Jazaar area in Basra.
4. MZD called the police and filed a complaint against KAB. Indeed the police came to MZD's house and examined the crime scene.
5. After the attack on MZD's house by KAB and his brothers, KAB went to the British Army base and apparently reported false information about armed men being seen entering MZD's house. KAB deliberately misled the army.
6. The victim Mohammed Abdul Ridha Salim (**Mr Salim**) was not carrying any weapon in his hand when he came down the stairs and faced the British soldier (i.e. SO11). Indeed this was confirmed in the Army letter of 9th November 2003 when Major Routledge says (third bullet point) "***Sadly, as he was coming downstairs. Mr Mohammed Abdul Ridha Salim met a British Soldier coming the other way. The soldier thought he was in danger and fired one round at Mr Mohammed that hit him in the stomach.....***".
7. If Mr Salim was carrying a "***long barreled weapon***" as allegedly claimed in the army's evidence (which is denied in the strongest possible terms) then this would have been certainly documented in Mr Routledge's letter especially as it was written only 3 days after the incident i.e. when events were still very fresh in everybody's mind plus Mr Routledge had had 3 days to speak to SO11 about the incident.
8. Indeed, it is confirmed in this letter that the soldier thought he was in danger therefore he fired": "***the British soldier thought he was in danger and fired one***

round at Mr Mohammed....". There was no danger and the soldier's behavior was a result of his mistake – this is may be because he was nervous or trigger happy or did not receive sufficient training of what to do in such circumstances.

9. Mr Routledge states in his letter of 9/11/2003 "***It appears that the British Forces were deliberately misled on this occasion and it is regrettable that this incident led to the death of Mr Mohammed Abdul Ridha Salim.***" This indicates the weakness of the intelligence given to the British Forces because a deceitful person managed to mislead them and drag them like wolves to attack a peaceful house.
10. MZD says this letter indicates that the whole matter was poorly and wrongfully handled by the British Forces from beginning to end. The wrong started when KAB (through his [REDACTED] who was an interpreter with the British Forces at the time) deliberately misled the British Forces with false information which led to wrongfully attacking MZD's house and wrongfully killing Mr Salim. The British Forces failed to investigate the validity of the information received before acting on it.
11. By way of background KAB and his brothers came from a Baathist family which was very important during Saddam days. Indeed one of the important Baathist institutions in Basra was named after KAB's father (Jabar Gahdban For the Baath Party). MZD says this totally contradicts the purposes for which the British forces and its allies originally invaded Iraq ie to get rid of Saddam and his elite minority Baathist supporters.

Post incident report dated 6/11/2003 (presumably written less than 24 hours after the incident)

12. Para 2, column 2 of this report states "... ***Sgt SO11 and 10A dismounts conduct soft - knock on the gate...***". MZD says this is untrue and contradicts the barbaric way the soldiers raided MZD's house including the ramming of the front gate with their heavy vehicle. Therefore, MZD was not sure what the purpose of the soft knocking was for.
13. The comments column in Para 2, column 2 says "***Interpreter was not used to give verbal warning or caution***". MZD says this is untrue. There was an interpreter with the British Forces. [REDACTED] KAB who provided the British Forces with the false information. Presumably the interpreter deliberately chose not to give any warning. No one in the house spoke English so they were reliant on the interpreter to convey directions from the Army. None were given. Shortly after

the shooting Mr Salim the interpreter asked to be excused and was replaced by another translator who arrived on the scene.

14. MZD says there is a contradiction between para 2 column 2 and the comments under para 5 column 5 (where it appears the Army is saying no warning was deliberately given) which shows that there are lies on the part of the soldiers as the soldiers were trying to establish evidence to excuse their responsibility for their action.
15. Para 7, column 7 – MZD says the claim made in this para is untrue (i.e. they heard 4-5 rounds automatic fired). When the soldiers entered MZD's house MZD and his wife were eating fruits. MZD says if the claim of the soldiers is correct, why then did they not confiscate the weapon and check how many bullets were fired from it and document their findings (as they did when they went to KAB's house)?.
16. MZD says the allegations set out in para 2 column 9 is false. The truth is Mr Salim and MZD's nephew were sitting with MZD and his wife having fruits when they heard a loud sound (which turned out to be the sound the main iron gate of MZD's house being broken down with the soldiers' vehicle). Both Mr Salim and MZD's nephew went running to the stairs to go to the roof to find out the source of the sound but when they heard the boots of the soldiers and their loud shouting (i.e. while climbing the stairs) they ran down. Mr Salim got to the 2nd step from the bottom of the stairs lifting his hands saying "**what is going on?**" "**what is going on?**" but SO11 shot Mr Salim without warning who then fell where he had been standing (i.e. on the stairs). Mr Salim was definitely not carrying any weapon in his hand, and neither was anyone else from my guests (contrary to para 2 column 11 of the report). Any suggestion to the contrary is a downright cruel and vicious lie which only adds salt to the killing wound.
17. MZD says the allegation set out under the comment column in para 2, column 13 is untrue (i.e. OC C Coy confirms that 6 rounds were heard from his position at the gate).
18. MZD says the allegation made under Para 2, column 13 is untrue. The woman mentioned in column 13 is MZD's wife who was sitting with MZD, Mr Salim and MZD's nephew in the hall downstairs where they were all having fruits (i.e. the mentioned women did not appear from a ground-floor bedroom).
19. Para 2 column 14 states that the soldiers had to call the medics after they shot Mr Salim. MZD says it took well over 1 hour for the ambulance or car to arrive to transfer Mr Salim to the hospital. In the meantime Mr Salim was lying on the floor bleeding and in great agony. MZD says the weird thing (which they found

inhuman) is that whilst waiting for the ambulance and whilst Mr Salim was on the floor bleeding and in pain, some of the soldiers callously started eating the fruits which MZD and his family had been eating prior to the attack.

Additionally MZD says if the soldiers really felt there was a serious danger and if there had been a number of armed men (as the informer told them) one would expect an ambulance to accompany the force and the medic would have entered the house with them in case any harm happened to any of the soldiers.

20. MZD says the statement made under Para 2 column 18 constitutes a confession by the OC that the information on which the Army was acting was mistaken and the Army had effectively been used.
21. MZD says the allegations made under para 2 column 19 is wrong. MZD's house was subject to only one attack (not two attacks) that day. This attack on MZD's house was carried out by KAB and his brothers. The attack happened around 5:30 pm on 5/11/2003 when KAB and his brothers carried out a drive by shooting.
22. Para 2 column 20 states that the British Forces found in KAB's house "***2x long barreled weapons were found at the house, but neither had been fired***". According to these comments when they found the weapon at KAB's house they examined them and established that neither had been fired. MZD says one would expect that the British soldiers should have done the same (if not more) since 2 guns were found at MZD's house especially since the soldiers alleged that they were fired at from within the house. The 2 weapons found at MZD's house were not seized by the soldiers (see comments made later in this note).

Report on Shooting incident dated 6/11/2003

23. MZD repeats his comments above.

Watch keeper daily report

24. MZD would like to highlight from this report that the day of the incident (5/11/2003) was a quiet day for the Div and Bde AO as set out in the introduction of this report. This is contrary to the impression that the soldiers want to give (e.g. see SO14 witness statement – 1st para) in their other evidence and report i.e. the situation in Basra at the time of the incident was lawless and volatile which led the soldiers to behave in the way they did when they attacked MZD's house.

25. MZD would also like to emphasize from this report that this reference (i.e. the reference to the quiet day) means that MZD's house was far away from the British Forces base (about 3 to 4 kilometres) contrary to the allegation made in [SO14] [SO14] witness statement that "***the house in question could be seen from the base***" (see para 27 below). Otherwise they would have heard the drive by shooting carried out by KAB and his brothers that day on MZD's house and thus the report would not have said that the day in question was a quiet day.

[SO14]

Witness Statement [SO14]

26. If this is the 1st statement for Mr [SO14] then it is given almost 12 years after the incident.

27. See comments above under items 24 and 25. MZD added that his house is about 3-4 kilometer away from the base. Therefore [SO14] statement of "***The house in question could be seen from the base from one of the Sangers***" is untrue. [SO14] also refers to a "recce" carried out by an Army soldier wearing a dish dash on MZD's house prior to the Army raid. Is there a report as to what that soldier is said to have found which encouraged the raid? There is no mention of this in the post incident report.

28. According to [SO14] statement, [SO14] did not go inside the house when the soldiers went in. Instead he went with another soldier and took cover behind a Mercedes car outside the house. [SO14] only went inside the house after the soldiers called for medical help (i.e. after Salim was shot by SO11). This means [SO14] did not see the shooting incident itself which lasted according to the post incident report 60-90 seconds (see the comment column under para 2 column 10 of this report). In other words, [SO14] did not see Mr Salim when he came down the stairs and thus cannot say whether he was holding a weapon or not. It is therefore surprising to hear [SO14] alleging in his statement "***....he [Mr Salim] had thought we were the people coming back so armed himself and then fired as the soldiers entered***".

29. Although [SO14] is a medical person, he claims that he can tell the difference between the sound of an AK47 and an SA80. Also [SO14] claims that he heard a burst of automatic fire from the house (i.e. MZD's house) from an AK47 and then 2 or 3 rounds from an SA80. MZD says the post incident report refers to "***4-5 rounds automatic fired...***" (see para 2 column 7 of the report) whereas Maj Routledge's letter to MZD dated 9/11/2003 (see above) has no mention of such fire.

30. [SO14] says "***as I ran around the house I saw the OC stood in the doorway and he shook his head. I entered the house into the lounge which had a curved staircase directly opposite the door and saw a male laying on the lower two***

stairs on his back and there was an AK47 next to him. I could see blood on the stairs from where the man had been hit."

S011 alleged that he felt that his life was in danger when he saw Mr Salim coming down the stair carrying a weapon. If this correct, MZD says it would be a natural thing after S011 shot Mr Salim that S011 or indeed the other soldiers including Mr Routledge (instead of standing and shaking his head) would make efforts to remove the rifle to a safe place out of harm's way instead of leaving it lying next to Mr Salim. Any such weapon would presumably have been taken away by the Army after a killing and logged. Nothing is said about this.

31. MZD advises that Maj Routledge was indeed shaking his head because he was not happy and disapproved of the behavior of S011. Indeed Mr Routledge's apology and disapproval of what S011 did was later expressed in writing as set out in his letter of 9/11/2003.
32. **S014** states "**... I would say that it took about 40 minutes from first treating the male to getting him into the ambulance.**" MZD advises that Mr Salim was left bleeding for a long time and no way only for 40 minutes. MZD also repeats its comments under para 19 above.

Witness statement of S011

33. It seems S011 sets out his statement in such a way as to give the impression that he shot Mr Salim in self-defence.
34. S011 says "**as I entered room 2 I heard 5 shots of automatic fire coming from the stairwell**" (see comments above under para 29). MZD emphasizes no shots were fired other than by S011.
35. Last para of S011 states "**...I unarmed male came down the stairs and he was taken into room 4 with the other two men....**" First, the two men who came down the stairs did not have any weapons in their hands. Secondly there two men on the stairs (i.e. Mr Salim and Mr Zuboon's nephew) and Mr Zuboon was in the hall. If S011 refers to 3 men (excluding Mr Salim) then this is untrue because there were only 2 men (Mr Zuboon and his nephew). If S011 means the 3rd man is Mr Salim then the latter had not moved into the room but remained on the stairs (see comments above under para 30).

Background of the 2 weapons which were present in MZD's house

MZD says he kept one Kalashnikov in his house in November 2003 for protection purposes. This was kept upstairs in his house. He had one magazine to go with the

gun.

On 5th November 2003, when the drive by shooting took place outside MZD's house, his brother said that for extra protection he promised to bring MZD a second gun, which he did. However, the brother was unable to obtain any ammunition for it and asked MZD to arrange for this but MZD could not do so that evening. That same evening the Army raided MZD's house, no ammunition had been found and the gun could not be used.

MZD says he placed the unarmed gun under the stairs downstairs in his house where it remained until after the shooting of Mr Salim.

After the shooting, the army conducted a search of his house and found both guns one being upstairs and one under the stairs downstairs. MZD saw them find the one downstairs but could not see what was going on upstairs. When they found the downstairs gun, they sniffed it to see if it had been fired and were satisfied it had not been. They did not take it or the gun upstairs away for analysis and there were no suggestions by the Army that either gun had been used or even produced to threaten the army on the night in question. Major Routledge never mentioned or suggested it in his letter of 9th November or raised it when he later met MZD to apologise.

MZD was shocked when he learned about the guns being allegedly used by Mr Salim as an excuse by the Army to try to justify his killing. The British are meant to impose high standards and fair play and it was a huge surprise to see what they said. Had Major Routledge raised this allegation in his letter of 9th November or in his meetings with MZD, he would have obviously pointed out such allegations were clear untruths and nonsense.