



MOD-83-0000483-A

RECORD OF INTERVIEW

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(SDN / ROTI / Contemporaneous Notes / Index of Interview with VIW / Visually Recorded Interview)

Person interviewed: AL-OKAILI, MUNEM OUDAH BALE
Place of interview: DOUBLETREES HOTEL, ISTANBUL
Date of interview: 20/01/2014
Time Commenced: 09:13 Time Concluded: 09:55
Duration of interview: 42 minutes
Audio tape reference nos:
Visual image reference nos:
Interviewer(s): IHAT 6
Other Persons Present: IHAT 7, IHAT 4

Police Exhibit No:	Number of Pages:
Signature of interviewer producing exhibit:	

Person Speaking

Text

IHAT 6

Right we are recording, good morning to you.

MA

Good morning to you.

IHAT 6

Thank you. We're in room 207, Double Trees Hilton Hotel in Istanbul and my name is IHAT 6 and I'm an Investigator on the Iraq Historic Allegation Team. The time is now by my watch is 9.20 am and it's Monday the 20th of January 2014 and the format is the same as the previous interviews, we've got, I've got two colleagues in the other room monitoring the interview, IHAT 7 and IHAT 4 and they're both Investigators on the Iraq Historic Allegation Team. Can you please introduce again?

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MA My name is Muneam Oudah.

Interpreter **Interpreter**

IHAT 6 Thanks very much.

Interpreter Interpreter yeah.

IHAT 6 Muneam we are now at day 3 of the interview process, the plan today is to clearly interview, speak to you now and one other session before lunch and I anticipate you'll have a free afternoon. This morning I'm going to ask you, when we finished off yesterday you were about to hand me some documents, could you hand those documents to me?

MA I would just like to mention one thing regarding my attendance to the airport, at that particular time we didn't receive a formal letter, for instance, to go there, it was a leaflet rather, leaflet dropped by the, by aeroplane saying you have to attend to the airport so I just would like to mention that.

IHAT 6 OK.

MA It's not an official paper, we just found it from the ground and went to the airport and from there we raised our complaint.

IHAT 6 OK.

MA But the second invitation was sent through the staff who were based at the airport.

IHAT 6 OK.

MA This is the Arab version and this is the English version. He said the name was written incorrectly which is (inaudible) rather than Muneam.

IHAT 6 Muneam how many documents do you have in your possession?

MA Only these letters to, to go to the airport.

IHAT 6 What I'm going to do before discussing the contents of these letters is would you be happy to hand these over to us, so we can photocopy...

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MA Yes.

IHAT 6 ...I clearly will hand it back to you in it's present form.

MA Yeah that's fine, that's fine.

IHAT 6 What I'm going to do is I'll, I'm going to take this, the Arabic version, and produce this as my exhibit IHAT 6 115 and the translation into English I'll exhibit as my, as number IHAT 6 116. I'll discuss the contents of that letter at the end of this session but before we get there I've got other questions to ask as a result of our interview session yesterday. Thank you. Muneam I'm going to ask you questions about the tragic incident at the dock side, the question I need to ask you is when you were stood at the dock side, what did the other Soldiers do? Did any of them try and stop Soldier one? Sorry, by the use of words or gestures?

MA We didn't see them speaking to him.

IHAT 6 Any gestures? Any hand gestures?

MA Even if they say something, we weren't able to understand, we could hear some people speaking behind us but we, obviously we don't understand. But they weren't concerned like him, you know at all.

IHAT 6 I need to talk about something you mentioned about the press, the Iraqi press...

MA No that's Iranian channels.

IHAT 6 I thought, I beg your pardon I thought you mentioned Iranian, OK, about the Iranian press being at the docks, can you remember what day they went down to the docks?

MA When we went to see the body of the deceased, my family and Mohammed, when they saw the body was taken and apparently there were photograph, people who were taking photographs, Iranians, even Said's eldest brother was angry and he shouted at them saying this is not a suitable time to take photo's and they apparently were put on an Iranian channel. People afterwards were talking and said we have seen this, apparently there was an incident which was shown on TV, on Iranian TV regarding an incident which took place in Basrah near the dockside.

IHAT 6 Do you know how many after the event they were filming the dockside?

MA I think it was only 25th at the day they received the body from the British Forces, they filmed or

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take photos. Because the hospital and the base of the British Forces were close to each other.

IHAT 6

Do you see it on television?

MA

No I didn't see it myself honestly.

IHAT 6

Were you aware of any British Soldiers visiting the docks after the incident?

MA

You mean the same Soldiers who were involved in the incident or other...?

IHAT 6

Any other Soldiers apart from the Royal Military Police.

MA

No, only when taken by the Army to the incident location and that's it.

IHAT 6

Did any other Soldier, apart from the Royal Military Police, speak to you at the time?

MA

No, nobody spoke to me.

IHAT 6

Did you know any of the Royal Military Police by name?

MA

No honestly I don't know their names.

IHAT 6

OK. Muneam, did you report the incident to the Iraqi Police? Did anyone else report the incident to them?

MA

No when my cousin died and I was told that I was needed to give my statement, because my uncle, apparently the British Forces and they refused to help him, that's why he went to the Iraqi Police and reported the incident because he wanted somebody to take out the body from the water. Therefore we file a complaint against the British Forces at Al-Ashah Police Station and they said the Consulate is closed from here and then you can go there and complain and after this, after the complaint, they brought a diver and started investigating the incident. We went to the Police Station, the Iraq Police Station and they asked us to go to the British Consulate.

IHAT 6

And who spoke to the Iraqi Police?

MA

Abu Mohammed.

IHAT 6

Said's father. Did you suffer any injuries or illness from this incident?

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MA In my, in terms of my body, no I would say but I have problems in my stomach, I sometimes vomit and always have heartburn because the water was really contaminated with gas and oil.

IHAT 6 Did you suffer from this complaint before the incident?

MA No, before this I was fine.

IHAT 6 And did you visit a hospital after the incident?

MA Yes, I saw many Doctors.

IHAT 6 And do you remember the names of any particular Doctor?

MA Ali Abas Almansor, he's a Specialist Doctor.

IHAT 6 And which hospital was that?

MA No I went to his private surgery, when you go obviously the hospital, they would give you very simple kind of medicine, in his own surgery you obviously have better treatment and better diagnosis.

IHAT 6 Did you go to any hospital after this incident?

MA I went several times to these hospitals but they don't give proper treatment.

IHAT 6 When you were brought out of the water which brother helped your father carry you and can you give me his address?

MA I don't know to be honest who took me, I just felt that I was in my home and surrounded by my wife and children, I did not know how it happened and I can't remember and I was heard that Said was, Said died next day. I heard about that next day.

IHAT 6 Did anybody tell you how you were transported from the docks back home?

MA I was told that my father and my brother took me from the dock, were similar to (inaudible), even my brother.

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IHAT 6

And can you tell me which brother?

MA

██████████, ██████████

IHAT 6

And can you tell me where ██████████ lives?

MA

He lives in Basrah, ██████████, close to where we live.

IHAT 6

Going back to the dockside again, do you remember any women that would have been present at that time?

MA

Yes there were but not close to the, where the incident took place, a bit far.

IHAT 6

Can you tell me how far or in what direction you saw them in?

MA

They were behind the caravans, I don't think they will be able to see, they don't normally come close to the dockside.

IHAT 6

Do you remember how women you saw?

MA

There are many families honestly, people coming and going.

IHAT 6

Did you know any of them by name?

MA

No I don't know their names, traditionally they call them by their sons name, they say mother of such and such you see, so he said he even won't know their first names because they are called by their sons names.

IHAT 6

When you were approached initially by Soldier one, were you or Said carrying anything?

MA

No nothing.

IHAT 6

Were you near any electrical cables?

MA

No, no we weren't, when they came later on and filmed in the area where we were arrested, they just came there, they couldn't find anything, had they seen anything before, he would show them to his colleagues. If we had carried any, any tools or anything with us, he would have reported this to his other colleagues.

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IHAT 6

OK.

MA

For instance 'Ali Baba, Ali Baba' means thieves.

IHAT 6

And was that term Ali Baba, was that to maybe used towards you?

MA

No he didn't but we know that the British referring to anyone who take things as Ali Baba, it is commonly used by the British Forces.

IHAT 6

And did you ever hear that term Ali Baba been said against Said?

MA

No, no I swear to god.

IHAT 6

Muneam I'm going to read the letter you just handed to me which is my exhibit IHAT 6 116 and the letter's dated on the 8th of March 2006 and this letter, a typed letter is addressed to you 'Mr Moudin Oudah'.

MA

It is Muneam but basically...

IHAT 6

The spelling is different but can you confirm this letter was addressed to you?

MA

Yes, yes of course yes. Even I told them my name is Muneam, they can't pronounce it you know.

IHAT 6

And how did you receive this letter?

MA

Basim Mohammed he works, he's a Policeman, works at the airport and he is the Nephew of Abu Mohammed, he brought the letter to me.

IHAT 6

OK. This letter was, the heading is '61 Section Special Investigations Branch of the Royal Military Police' and in essence it's indicating that you were a material witness in the case of Mr Said Shabram and it's requesting that you attend Basrah Air Station at 0800 hrs on Wednesday 15th of March 2006 and this letter was signed by a man by the name of G N LAING, who's a Captain and the Officer commanding that unit. Did you attend the appointed date on the 15th of March?

MA

Yes, yes.

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IHAT 6

And do you remember who you spoke to?

MA

I was told that a car would come all the way to the entrance of the airport and take me and I was taken to a home where their meetings might be held and this is, they said this is the initial court if you like, in charge of investigating the case. They were wearing blue suits and ties also blue colour, there were approximately 15 members and they were sitting in like a square shape and they started asking me in the same manner you are asking me now, about the incident, how it happened and there was an Interpreter obviously when I replied to interpret for me and this lasted from 8 o'clock in the morning until 1 in the afternoon.

IHAT 6

OK.

MA

They took obviously my statement and there were obviously breaks and there was an Officer who took me to another place where I had my breakfast and he kept asking me whether I need anything else and he returned me back to where I was.

IHAT 6

Muneam you mentioned another man by the name of Basim Mohammed.

MA

Basim Jaber.

IHAT 6

Basim Jaber?

MA

Yes, he is the nephew of Abu Mohammed.

IHAT 6

Yes. I want to talk about him and how he was known to you.

MA

He is the nephew of Abu Mohammed and his father is the immediate cousin of my father, he is the immediate cousin of Said, you see, Said's father, Basim's father are brothers. Because he works there the airport, we told him that anything with regards to the case, any developments he would inform us.

IHAT 6

How long have you personally known Basim Jaber?

MA

A long time, a very long time.

IHAT 6

Can you give me an approximate time you've known him?

MA

20 years maybe, we were young.

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IHAT 6

What, did you know what his job was at the airport?

MA

He works for the Iraqi Border Police and he was working within the communication operation room or the tower he said.

IHAT 6

Yes. Can you tell me how old Basim Jaber would be now?

MA

He's 3 years younger than me, he was born in [REDACTED].

IHAT 6

And do you know where he lives?

MA

Yes.

IHAT 6

Can you tell me?

MA

Basrah, the (inaudible) means Police quarter, neighbourhood.

IHAT 6

And what does he do for work this present time?

MA

The same, the same job, when we flew to Turkey he was there at the airport.

IHAT 6

OK I've got no further questions to ask for this session, do you want to ask me anything or do you want to clarify any point?

MA

With regards to this letter, the first time I was called this letter was particularly for me and for Abu Ali, the person who rescued me, and when they dropped these leaflets apparently it was addressed to me, Abu Ali and Basim and there are maybe other two who were elderly and they passed away, I'm not quite sure I hear that one of them is an elderly man and he died. (inaudible) I just would like to emphasize that at this particular time he wasn't with us.

IHAT 6

OK. I've got no further questions and I'm going to stop the interview at, it's 9.55 am.

END OF CD

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Person Interviewed: AL-QKAILI, MUNEAM OUDAH BALE
Place of Interview: DOUBLETREES HOTEL, ISTANBUL
Date of interview: 20/01/2014
Time Commenced: 11:13 Time Concluded: 12:15
Duration of Interview: 1 hour 2 minutes
Audio tape reference nos:
Visual image reference nos:
Interviewer(s): IHAT 6
Other Persons Present: IHAT 7, IHAT 4

Police Exhibit No: Number of Pages:

Signature of interviewer producing exhibit:

Person Speaking

Text

IHAT 6

Right we are recording, unfortunately this, part of this is slightly repetitive; we are in room number 207 at the Doubletree Hilton Hotel, Istanbul. My name is IHAT 6 and I'm an Investigator with Iraq Historic Allegation Team, time by my watch is 11.13am and the date is Monday the 20th January 2014 and the same two colleagues who are in the other room and that's IHAT 7 and IHAT 4 and they are both Investigators on the Iraq Historic Allegation Team. Muneam can you please introduce yourself again?

MA

My name is Muneam Oudah.

Interpreter

My name is Interpreter

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IHAT 6

Thank you. I'm going to check recording, I should have done this last time, IHAT 7 can you hear me?

IHAT 7

Yes fine.

IHAT 6

Thank you. Muneam I've just a few questions to ask you in relation to questions that I asked earlier on. Do you know the address of the doctor that treated you in Basrah and do you know how to spell it correctly?

MA

His name is Ali Abbas Al-Mansouri, Basrah...

Interpreter

Basrah Al Shar means Doctor's Road, it is written here.

IHAT 6

Thank you and would you be able to provide a contact phone number for him?

MA

I have his telephone number back home, unfortunately I didn't bring it with me. It is written on the prescription he normally gives me so all his details are there. When I want to make an appointment for instance, I call him, when we went to make an appointment we just dial the number which is written on the prescription.

IHAT 6

You mentioned, I think it was on Saturday, that you recognised the Regiment as being from the Royal Engineers?

MA

Yes, they are.

IHAT 6

Was that fact know to you in May 2003?

MA

No, during the incident I hear that they are Engineers.

IHAT 6

Do you remember who told you that?

MA

From the investigating, investigation team I knew that those people or those soldiers belong to the Engineers and they didn't mean to cause such incident obviously.

IHAT 6

OK, when the Royal Military Police took photos of you, were you wearing the same clothing as the day of the incident?

MA

No I changed them, they were dirty.

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IHAT 6

OK, do you remember what you did with the clothing you were wearing when you went into the river?

MA

They were dirty and not useful anymore so I no longer wear them.

IHAT 6

Is there anything else we can ask you that you feel may help us in our investigation?

MA

Everything I said or everything I mention was documented and photo, I don't believe I have anything to add.

IHAT 6

I've more or less finished asking questions about the incident as far knowledge I have, the next stage of the interview concerns recorded facts from transcripts of Royal Military investigation which we have read through and I'm going to introduce people that you haven't mentioned so far in your interview with me, is that OK?

MA

Yeah.

IHAT 6

Did you know a soldier by the name of **SO72**? And did you see him at any time after Said's death?

MA

No.

IHAT 6

Did you discuss compensation with Basim and Said's father, if so when and what circumstances, what was the conversation?

MA

When the British Forces started the investigation and we filed the complaint to the Police, they started contacting my uncle, they sent him a messenger and my uncle, when I wanted to see my uncle he said we were offered money and those people who used to come to our area, we don't know who they were, even they used to distribute t-shirts to the children in the area and he said if you want any money or compensation and we said no we don't want money because we filed a complaint and it's now in the hands of the Police and I even remember when during the investigation at the airport, they told me that they are going to see my uncle and speak to him, they took me in a car and (inaudible) car and they said lets go and speak to your uncle and during the journey, while we were in the car, I told them that my uncle is now have a wake after the death of my, I told the interpreter this may cause a problem so let them not to go ahead with the (inaudible). So they took me near where I live, they just dropped me off from the car and they left. I tried to let the interpreter understand that we are tribes and we have our own traditions so don't please tell him not to come because the problem will escalate and they wouldn't come and they went back, as I said 'are you close enough from your home?' And I said 'yes' and I got off the car and they went.

IHAT 6

Can you just confirm which uncle you're referring to?

MA Said's father, Abu Said.

IHAT 6 And did you discuss compensation with Basim?

MA No, Basim has nothing to do with it.

IHAT 6 When you were in the water, did you see any children with floats? And if they were there, did they offer any assistance to you?

MA No, never.

IHAT 6 Did you see any fire anywhere in the location of the dock yard on the day of the incident?

MA No, no.

IHAT 6 Muneam, did you see any number on either of the Armoured, on the armoured vehicle? Were you told a number by any other witness?

MA After the incident where they took me, they said we knew the numbers of these armoured vehicles and they said they were from the Engineers, Royal Engineers.

IHAT 6 And who told you that?

MA I knew from Abu Said, from my uncle Abu Said, he said that they were from the British Engineers. After the incident where I was taken, so people started coming near where the incident took place and they started to get annoyed so that's why they left. They used their walkie talkie's apparently and they made some sort of communication and later on a further armoured vehicle came to the area and those, the extra Army which came later on just controlled the situation and they took those soldiers and apparently as well.

IHAT 6 OK.

MA Three armoured vehicles approximately came to the area.

IHAT 6 During your court hearing you mentioned the number 400, do you remember where that number came from?

MA What is that?

IHAT 6

400 from what I understand relates to the number on the Army vehicle.

MA

I didn't make any notice of this number for this armoured vehicle. I knew about the numbers after this from Abu Mohammed, I didn't take any notice, even from which part of the Army I knew about this later on.

IHAT 6

I understand that but did you, do you remember ever mentioning that number during the court hearing?

MA

No I can't remember, I can't recall this, I don't know this number.

IHAT 6

OK. When Soldier one entered the Naval base on that day in May, were you and Said trying to take electric cables to use in any house, either on the base or elsewhere?

MA

This is the most dangerous thing if you don't know how to deal with electric cables, it needs someone who is a specialist, he has to wear for instance, gloves and he has to switch off the electricity from the main source, otherwise it totally risk and there are many other things which are more important or much better than these cables.

IHAT 6

OK. I'm going to ask you questions in relation to your dealings with the Military Police, my general question is how did you find they treated you? How did you find your dealings with the Military Police in general?

MA

It was very good, it was excellent and they, need me and call me, they just do something similar to what you are doing now, it was done in a very calm manner and they gave me breaks.

IHAT 6

How, in general, did you find your dealings with any Interpreters?

MA

All the same, just ask me some questions and they treated me, I can understand obviously them and they speak in a clear and I remember the Interpreter was from [REDACTED] at the headquarter of the Military, Royal Military Police, the Interpreter was from [REDACTED]

IHAT 6

OK and I want to discuss the court hearing in Basra, what kind of impression did you make of how they treated you in Basra?

MA

Again it is, was very very good, they said we will send you a car to bring you here and then we will give you the money you paid for, you lost as a result of not being able to go to work and during the lunchtime, as I mentioned, an Officer used to accompany me and go to the restaurant and he say to the staff 'this person is an Iraqi and you have to take care of him'. Their dealings were very good and even when we finished they said 'this is your fees' and even they paid for

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the taxi, they asked me how much does it cost from (inaudible) to the airport and they gave it to me, they paid me.

IHAT 6

Do you remember how many people you spoke to at that hearing?

MA

Between 10 to 15, not more and as I said they were wearing blue uniform or black, blue ties and then they have their own computers or laptops and they were tapping while I was speaking.

IHAT 6

And how long did that process last? That hearing?

MA

From 8 to midday approximately.

IHAT 6

And how many days did that go on for?

MA

One day.

IHAT 6

Muneam, how did you feel your dealings with the Interpreters at the court hearing get on?

MA

Very very well.

IHAT 6

In terms of how you were dealt with by Interpreters there and here, can you make a comparison?

MA

There's no difference to be honest, the same as you are doing here and it was very pleasant and before when you go you feel a bit frightened and scared but when you go there, the atmosphere was really relaxing. Even when we were in Basrah before we came, we had the same feeling but when we arrived here, this has completely changed.

IHAT 6

Muneam I'm just going to show you two photographs of which we've been through previously, in relation to two ships, I'm going to ask whether you can identify them or you've previously seen these boats. I'm going to show you, this is my exhibit, I'll show you this one first, IHAT 6/108 which shows the ship Iraqi Line, I'll make sure that is right, yes it's the Iraqi Line, do you recognise that ship?

MA

Yeah it was there and it was broken apparently but now it sank completely, very recently and it was over the surface of the water for approximately two years.

IHAT 6

I'm going to show you the other photograph, it's clearer and that's my exhibit IHAT 6/112, is that the same ship?

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MA Yes it is the same ship.

IHAT 6 and do you ever remember there being a fire on board that ship?

MA No, it is already broken, above the surface.

IHAT 6 Yeah, do you remember there being a fire? Around the time of the incident?

MA No there was no smoke whatsoever; as I said it was broken.

IHAT 6 OK. Muneam our investigation is progressing but if you think of any other witnesses, if you can think of any witnesses you knew of then or this time today, it would greatly assist us if you've got other additional witnesses.

MA With regards to the witnesses they were obviously called by them the British and he said, sorry he's saying obviously they have their names, we're not allowed to say which witness, we can't say this is a witness for instance, they sent somebody from the headquarter and they choose the witnesses. Even the witnesses who came with me when we went, they took them actually, they came with us and they took the witnesses, they started asking people 'do you know anything about the incident' without specifying and their names are obviously kept with them and their telephones and addresses. Abu ALI was among them but he died unfortunately and this person now with us is his son.

IHAT 6 Can you confirm his son's name?

MA Haider.

IHAT 6 And what's his full name?

MA Honestly I don't know, he's called Abu Ali, Abu in Arabic means father of, so...

IHAT 6 OK, thanks for that information, I've finished my list of questions but I am going to speak to IHAT 4 and IHAT 7 to see whether they have any additional questions.

MA With regards to the incident I mean at the location we were arrested and they came many times and they took photos, have, if they have seen any cables they would have appeared and they came more than ten times to the location where the incident took place, I can show you on the map as I did earlier, there were bushes and then plants and there are other size, and the location is quite clear if you want to refer to it on the map or...

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IHAT 6

OK that's fine, you've said there were no cables there and we accept that.

MA

I'm just trying to emphasise that there are photos, yeah. Why I can give you an example, I can't basically even open a small bulb, switch it on if I had no previous knowledge with electricity and then you can imagine dealing with cables without the headquarter of the Navy, it's massive and it deals with different sections and the power stations were functional otherwise they couldn't have come and wash their vehicles there. The main stations were all functional, apart from the houses or parts which were used as houses, occupied by the people, it has no electricity but you can use small wires to try to connect the electricity from there, we just use bulbs, small bulbs and that's it, no one, only if you have a TV, TV's you can, the most important thing is light.

IHAT 6

Yes, OK.

Interpreter

Sorry.

IHAT 6

That's OK. Muneam I've just got a few more questions to ask, do you remember when you and Said's dad discussed the subject of compensation?

MA

When Abu Mohammed told me that he has seen a Lawyer or Solicitor, I can't remember exactly in which year was that and he said they are a Solicitor and he was speaking about compensation provided that we submit some documents. When this Lawyer or Solicitor appeared we started to speak about compensation but before that we didn't take any action. We didn't know that it will reach this stage, compensation. Because the only trial which took place at the airport, they said you have no case and you are not entitled to any compensation and I started asking the Interpreter before I leave and he said regrettably you are not going to win the case and after a very long period, approximately 5 years later, Abu Mohammed said that there is a man who will follow the case and he said you may go and see him and hopefully he will listen to what you will say to him, I met him and I told him about the story and he said it's not up to me, I'll send all the papers and if it is, if it succeeds we will see how things will develop and it lasted for between 8 months to 1 year and the Solicitor said you have to attend as a witness and he said, I told him what about Abu Mohammed and he said they don't want him at this stage and what about other witnesses and he said also they are not required. So I was taken to Beirut and we saw it and they did the same thing as here, I was interviewed and when we went back, I (inaudible) afterwards he said hopefully you will be compensated, after a while he phoned us and he said the money is already received here.

IHAT 6

OK. If I just want to compare the, your knowledge of how the Criminal Justice system works in Iraq compared to the United Kingdom or England.

MA

I'm sure there will be a huge difference between the two.

IHAT 6

OK, my question about Iraq Justice is, if an Iraqi citizen is killed and the suspect is known, what

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is the requirement of Iraqi Justice, what can the family decide should be done in resolving the issue?

MA

They won't reach any conclusion or result unless they have someone they know who did the system, I'll tell you an example, I can give you, this is an example how things work in Iraq. There was a confrontation between the Military and the Police and a passing by person with his children got back in his car, one of his children was sitting next to his father who was the driver and the other son was in the back seat and because (inaudible), when he arrived at his house his son who was sitting next to him got off the car and he found the other son laying his head on the seat of the car and he found him dead, he went down to where the incident happened and he asked the Army, they said 'no we didn't shoot' and he did the same with the Police and they also deny it and up to now he hasn't get any justice and they say to him you go and check where the source of firing, so you can imagine, Justice cannot be achieved easily.

IHAT 6

Maybe I didn't ask the question and made it understood to you, what I want you to tell me is, incidents between Iraqi citizens, if one Iraqi citizen kills another and the person who did the killing is known, how would that be resolved within the Iraqi infrastructure legal system? And also within the tribal family?

MA

We are tribes; in most cases resolve all our problems within the tribal system. The legal system makes things more complicated, it wouldn't assist in easing the problem, the killer, according to the tribal tradition, has a period of time, his tribe would ask for this period of time from the other tribe who has their son killed, they ask for a period of time so that they can meet the head of the tribe and will pay a ransom and this will end the problem so that the killer won't be imprisoned, it will obviously resolve within the tribal system, it is resolved as simple as this by paying a ransom to the person who is killed from the other tribe and we would reach a, and it would obviously settled afterwards.

IHAT 6

Would the Police or Criminal Justice system become involved?

MA

It is decided that the case would be resolved within the tribal traditions, the Police wouldn't be involved. But if we tell the Police and this guy is imprisoned, we can't get any compensation from his tribe or any ransom from his tribe and this can't be because if he, his tribe agree to pay the ransom and then we went to the Police and filed a complaint against him, this obviously doesn't work within the tribal traditions. We try to resolve the problem between the head of tribes, we try to settle it, so the Police wouldn't be involved.

IHAT 6

If matters were not able to be resolved within the tribe and the matter was reported to the authorities, what would happen then?

MA

Obviously he would be imprisoned, unless his tribe, to, want to withdraw the complaint, he would re-consider as a killer and he will obviously punish by imprisonment or, but again if the, his tribe decided to withdraw the complaint and settle that within the tribal traditions, that's another issue.

IHAT 6

OK. Muneam what's your understanding of the British Criminal Justice system, to compare a similar incident which may be decided on the English Justice system, what's your understanding of the differences?

MA

I honestly have no idea but we hear, the British, Britain is the mother of Justice if you like, no-one would lose his right there, if he's innocent.

IHAT 6

OK. Were you aware of the British Troops dealing with other Iraqi citizens in the manner you and Said were treated? In other words being thrown into river or water.

MA

I have heard many but I didn't see with my own eyes and I heard that they did something similar to one of the Iraqi's and they put hood on his head and then they, and he was thrown there and he died obviously.

IHAT 6

Did you, did you know...

MA

And this person is from our own area, from Al Hianeer.

IHAT 6

And do you know him by name?

MA

No but I was told, people told me that there is a similar incident to yours and they said there is a person who was pushed in the water and he died, similar to your incident.

IHAT 6

When you were stood on the harbour near to the Military vehicle, do you remember any noise from a generator?

MA

Yes they were washing their armoured vehicle.

IHAT 6

And how noisy would you describe the generator?

MA

The station is, was very loud because it's close where over there, very close to where we are here, it has loud noise.

IHAT 6

Do you remember how that was powered?

MA

Electricity.

IHAT 6

When you mentioned the Iranian press being at the harbour, do you remember any radio

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broadcasts?

MA

I have heard that news shown on an Iranian channel and they mention the incident.

IHAT 6

Has anybody told you whether it was broadcasted on the radio?

MA

No, TV only.

IHAT 6

You mentioned that the three armoured vehicles arriving after the incident...

MA

Yes, yes.

IHAT 6

...did you see these vehicles?

MA

No, I didn't but I was told, they said the Army just came to rescue their other colleagues.

IHAT 6

OK. Did you or Said have any previous dealings with the Iraqi Police?

MA

No, no.

IHAT 6

OK, right I think it's lunchtime and I'm going to stop the interview and the time by my watch is 12.15 pm. Thank you.

END OF CD

RECORD OF INTERVIEW

URN: Y1M

Enter type: ROTI

(SDN / ROTI / Contemporaneous Notes / Index of Interview with VIW / Visually Recorded Interview)

Person Interviewed: AL-OKAILI, MUNĒAM OUDAH BALE
Place of Interview: DOUBLETREES HOTEL, ISTANBUL
Date of Interview: 20/01/2014
Time Commenced: 14:43 Time Concluded: 15:21
Duration of Interview: 38 minutes
Audio tape reference nos:
Visual image reference nos:
Interviewer(s): IHAT 6
Other Persons Present: IHAT 7, IHAT 4

Police Exhibit No:	Number of Pages:
Signature of interviewer producing exhibit:	

Person Speaking

Text

IHAT 6

OK we are recording; we are in room 207 at the Doubletree Hilton Hotel in Istanbul. My name is IHAT 6 and I'm an Investigator on the Iraq Historic Allegation Team, time now is 2.43 pm and the date is Monday the 20th January 2014, I've got two colleagues present in the adjoining room, IHAT 7 and IHAT 4, both Investigators on the Iraq Historic Allegation Team and can you please introduce yourself again?

MA

My name is Muneam Oudah.

Interpreter

My name is Interpreter

IHAT 6

Thank you. IHAT 7 is it recording? Thank you. Muneam I've just got a few more questions to ask

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you just to expand on an area interview this after, well this morning. Just to clarify a few points. You've said previously that a Fisherman spoke to the Soldiers when you were at the dockside, can you describe him as best as you can to me?

MA

He's an Arab man, he has moustache, his eye lashes is rather dark black, he's not very old, I would say middle aged.

IHAT 6

What kind of build did he have?

MA

He's not fat I would say neither thin, he's middle.

IHAT 6

And how tall?

MA

Again he's not very tall and not very short.

IHAT 6

Do you remember what clothing he was wearing?

MA

Trousers and shirt.

IHAT 6

And do you remember what his hair was like?

MA

Black.

IHAT 6

When you spoke to the Royal Military Police you said that you spoke to a, or with an Interpreter, is the Interpreter and the Fisherman the same person?

MA

No, the other Interpreter belongs to the Royal Military Police and he works at their headquarter.

IHAT 6

Did you speak to an Interpreter on the dockside at any time?

MA

No I didn't meet any Interpreter there.

IHAT 6

Again in your statement to the Royal Military Police you said that the Interpreter was still there and you spoke to him and mention 'uncle, you should have told him and saved us'.

Interpreter

Say that again please?

IHAT 6

'Uncle, you should have told him and saved us', do you remember saying that?

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MA This is the Fisherman, I said that to the Fisherman, maybe yes I said 'please tell them', obviously he doesn't work for them, he's only a Fisherman and he can speak English. He's not officially an Interpreter but he can speak English.

IHAT 6 I understand and do you remember referring to the Fisherman as 'uncle'?

MA I may said that word but this is in Arabic...

Interpreter I mean this is me the Interpreter speaking, Uncle can be said to another person who is elderly you see, not necessarily his uncle. As if when I say this to somebody who's not my brother, when I say 'brother' such and such you see but he's not my literal brother.

IHAT 6 I understand and do you remember having this type of conversation with him?

MA Yes I spoke to him.

IHAT 6 At what point of the incident?

MA When he was speaking to the Soldier, I told him please speak to him and help us, tell us what he wants from us.

IHAT 6 So would this have happened before you went into the river?

MA Yes, before.

IHAT 6 Do you remember any conversation with him after that point?

MA No no. Even we told him what did the British Soldier told you, tell you sorry but he didn't say anything, he just continued speaking English with him and afterwards he just left us sitting on the deck.

IHAT 6 In your court hearing you said the Interpreter was Abu MARWAH who works at the docks.

MA When Abu Said came immediately after the incident, we were taken aside and Abu Murwah he can't speak English but he is a elderly person I would say, thin, and he was a retired person, I think he can speak English, so Mohammed told him please tell them to do something about my son, he's in the water for a while, can do they do something about it or take him out of the water but this is immediately after they pulled me out of the water, I don't know about him, I know

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that Abu MARWAH came afterwards. He spoke to them and...

IHAT 6

Did you know Abu MARWAH at this point?

MA

Yeah he used to live very close to where we live within the Naval base, he's an elderly person and he has white, he says reddish (inaudible) described his skin person, he said reddish skin, he's not officially an Interpreter but he can speak English, he just offered help to Abu Mohammed in order to tell the British about Abu Mohammed's situation and about his son who is, has already drowned.

IHAT 6

And did you ever speak to Abu MARWAH?

MA

No I haven't seen him, no.

IHAT 6

Have you seen him since that incident in May?

MA

I saw him once after the incident but he's, as I said, an old man, he doesn't leave his house.

IHAT 6

Going back to May 2003, can you, I know you've said Abu MARWAH has light skin, can you give me a description of what he looks like?

MA

Yes he is and he's an old man.

IHAT 6

I was thinking if you could, in May 2003, just describe what he looked like then, his height.

MA

He most probably he's no longer alive now, he was frail if you like, he was old.

IHAT 6

OK, do you know where he lives now?

MA

I heard from Abu Mohammed that he passed away but he used to live in the Naval base. Haider, who was a witness who came with us, lives near Abu Mohammed's, very close to where he lives.

IHAT 6

Do you remember the conversation between Soldier one and the Fisherman at the dockside?

MA

They spoke approximately for ten minutes but I don't know what they say.

IHAT 6

Did you speak to Said's father about the incident and what did you tell him?

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MA You mean after the incident?

IHAT 6 Yes.

MA He ask me how could, I mean when they stopped you and he started blaming me, he said why didn't come and inform me and he thought that I might be able to save Said but I didn't, he said you are older than him and you should have helped him but he blamed me, he said why didn't you help him and save his life, I said I was barely, going to die so.

IHAT 6 And when was your first conversation with him after the incident?

MA After the wake, after the condolences, I would say five days afterwards because I didn't attend the wake or the condolences procedures.

IHAT 6 Is that five days after the wake?

MA The wake would take normally three days plus five so it's approximately eight days. I went there and again he started saying this to me, why didn't you try and save Said.

IHAT 6 And is that eight days after the incident?

MA Yeah, eight days after the incident.

IHAT 6 Thank you. Do you know Samir and Nasser, was he present on the, when herding, when you were herding the livestock?

Interpreter Samir and ?

IHAT 6 Samir and Nasser.

MA I knew them, they are from the area but they were witnesses and they apparently took their statements, not, they had nothing to do with us, they were living in the area, the nasal, nasal, Naval base, yeah sorry.

IHAT 6 And how old would they have been at the time of the incident?

MA Samir is older than me, I can't even remember his features, when I see him I might recognise him but you know.

IHAT 6

And do you still see both persons?

MA

No, I don't see them but I'm sure they are in the same place in the Navy base up till now, when I ask about them, I hear that they are still there.

IHAT 6

Do you remember seeing them on that day?

MA

No I didn't see them.

IHAT 6

Do you know what the British Troops used to do when they used to catch looters, what was your belief as to what happened to looters when they were caught?

MA

If they ask somebody, a looter for instance, it is known that they would push them in the water and they just make fun of him and they help him to get out of the water. The four soldiers, he's saying, jumped up after Said in the water where he was laying, I managed to get out but I didn't see that in my own eyes but people were saying this, they went into the water and they came out later on saying what can we do? It happened many times there and when they throw somebody in the water they later on jump and take him out.

Interpreter

He's referring to another example but not in the base.

MA

It's another place where there is metal bars for constructions and if looters are called there they take him into a Hummer, they bring large (inaudible) so whatever number appears on this (inaudible) this person will be (inaudible) by, for instance, five, six, they leave him afterwards, I saw that in my own eyes and I saw also (inaudible) they asked six or seven people to lay on the ground, whatever they looted, they don't care about, they just leave it slightly away from them and one bulky person or Soldier comes and lies on top of them and afterwards that's it, they just pass them to leave, these are the incidents which we have seen ourselves and if they suspect somebody who might have done something more serious they would put a hood on his head and an armed person, for instance, they would take him in the armoured vehicle or military vehicle and take him away.

IHAT 6

And from what you've seen with your own eyes, when did this happen?

MA

After the toppling of the regime, it was the end of 2003 and the beginning of 2004, people were talking about these incidents, they say the British came and they did such and such to us but we didn't hear that someone has died for taking anything from the, from the state establishment, because if it were, they were all disbanded if you like, after the troops had left and then no-one had punished for this reason.

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IHAT 6

Did you see, with your own eyes, Soldiers running over of an Iraqi citizens?

MA

Yes I saw, the example which I mentioned regarding the (inaudible) and the metal bars, the Company were, or the Establishment were this bars were kept in, even when the (inaudible) the base, the Naval base we didn't have any fear because they didn't do anything to us, the British that is.

IHAT 6

And do you know any of these Iraqi citizens who may have been abused in this way?

MA

It wasn't our business, we just saw them, but we don't, I don't anyone of them, because this, this particular warehouses where this metal bars were kept were on the way to where we live, so we could witness this in our own eyes. There was no check point or any guards there, whenever the patrol come in the area, they would pass through or by.

IHAT 6

OK, do you know if Basim was at the docks on that day?

MA

Yeah he was, Basim was there, he was in the area but he wasn't close to us where the incident took place, on the day of the incident he was there but he wasn't close to us, we didn't see him in our own eyes but we had a knowledge that he was there.

IHAT 6

And do you know whether he witnessed the incident or not?

MA

Yes he witnessed the incident, immediately after I was taken, they said Basim was there and Abu Mohammed, they also came where the incident took place.

IHAT 6

Were you aware of a black skinned man on the dockside?

MA

No I didn't see such a man.

IHAT 6

Were you ever warned by or informed to attend an identity parade?

MA

No no no.

IHAT 6

OK. I've no further questions to ask, I'm just going to check.
One more question to ask, when you said you'd had a conversation with Said's dad about five days after the wake, you said that he thought you should have done more to save him because you were older than him...

MA

They always, even his mother when she used to see me afterwards, whenever they see me they just think that I just saved my life and didn't care about Said. They just think I honestly had a

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priority to save myself rather than Said.

IHAT 6

Did you explain in full to Said's dad what happened to you on that day?

MA

I told him that when they threw us, Said and I, in the water, he was in one side and I was in the other and I wasn't able to save him and he didn't come up from the water in the first place so that he can be helped. At the time I appeared on the surface, people saw me and they helped me but for him, as if I can exemplify this, throwing a stone, since he sat in the water, he didn't come up, he didn't come up because I appeared in front of them, people saw me and I started shouting loudly, I grabbed their attention.

IHAT 6

Did you explain to him what Soldier one, where he first confronted you near the Naval base, did you explain what happened before being pushed into the river?

MA

I told him, yeah, we saw him at the beginning as I mentioned at the beginning, he was for instance in this location and later on saw him in another location but we didn't pay attention to him and my uncle said 'why didn't you come and tell me you were approached by the British Soldier' and I said 'we didn't know that he was coming toward us', 'why couldn't you say something to him and call?', I told him that he insisted that he would take us to the rest of his colleagues or the other Soldiers.

IHAT 6

Did you know where Abu Mohammed was at that time, when the first Soldier first approached you?

MA

He was in his house.

IHAT 6

Which house is that?

MA

The one in the base.

IHAT 6

In the Naval base?

MA

All of his family was present as well, his Mother, I mean Said's Mother and Said's sisters.

IHAT 6

At the point when Soldier one approached you at that Naval base, how long before that incident were you with or did you speak to Abu Mohammed?

MA

When we, after the morning I didn't see him, he was in his house, we took the livestock and went, we had nothing to do with him at that time.

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IHAT 6

How long were you out of the house before Soldier one approached you?

MA

We normally leave at around 7am in the morning and he approached us I would say between 10 or 11.

IHAT 6

OK. Thank you. I've got no further questions to ask and I'm going to stop the interview.

Interpreter

Before that, just one moment.

IHAT 6

Of course.

Interpreter

I realise that when he was trying to say the word, adequate for dice, I said nerd many times so maybe I realise I said that in standard Arabic because the word he used is sow which is colloquial, the English translation of nerd is dice. I'm sure you've...

IHAT 6

Just to clarify, was that in relation to how the Soldiers treated Iraqi looters?

Interpreter

Yeah he said one of them way of treating the Iraqi looters is to throw a dice and whichever number appears on the...

IHAT 6

That clarifies that point.

Interpreter

Yeah, this guy would receive the punishment according to the number which appears on the dice.

IHAT 6

We will have to speak to Muneam again about incidents he may have witnessed of any perceived ill-treatment towards Iraqi citizens. Because it's something that he's brought up to my attention. I'm going to stop the interview now unless, do you have any questions to ask me at all?

MA

No no thank you.

IHAT 6

In that case I'm stopping the interview at 3.21 pm.

END OF CD

RECORD OF INTERVIEW

URN: Y1N

Enter type: ROTI

(SDN / ROT) / Contemporaneous Notes / Index of Interview with VIW / Visually Recorded Interview

Person Interviewed: AL-OQAII, MUNEAM OUDAH BALE
Place of Interview: DOUBLETREES HOTEL, ISTANBUL
Date of Interview: 21/01/2014
Time Commenced: 09:20 Time Concluded: 09:55
Duration of Interview: 35 minutes
Audio tape reference nos:
Visual image reference nos:
Interviewer(s): IHAT 6
Other Persons Present: IHAT 7, IHAT 4

Police Exhibit No: Number of Pages:

Signature of interviewer producing exhibit:

Person Speaking

Text

IHAT 6

OK once more we are recording, we're in room 207 at Doubletree Hilton Hotel in Istanbul and my name is IHAT 6 and I'm an Investigator on the Iraq Historic Allegation Team and the time now is 9.20 am and it's Tuesday the 21st of January 2014, I've got two colleagues in the other room, IHAT 7 and IHAT 4 and they're both Investigators on the Iraq Historic Allegation Team and can you please introduce yourself?

MA

My name is Muneam Oudah.

Interpreter

My name is Interpreter

IHAT 6

Thank you. Muneam we've spoken at length about the incident in May 2003 and we've finished