



MOD-83-0000485-A

**Witness: Munem Auda**

**Testimony No.:**

**Date: August 2019**

## **Investigation into the death of Saeed Shabram**

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### **Testimony of the witness Munem Auda**

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I, Munem Auda, state as follows:

On 18 and 19 June 2019, I met with Lawyer Zainab Al-Qurnawi and Lawyer Omar Abdul Jalil from Al-Qurnawi Legal Consultants and Advocates. Ms. Al-Qurnawi read to me a detailed summary of the contents of the transcripts, which included my previous evidence and testimony. These previous evidences are as follows:

- Transcript No. 1 dated 29<sup>th</sup> May 2003 recording my answers given to SIB
- Transcript No. 2 dated 29<sup>th</sup> May 2003 recording my answers given to SIB
- Transcript No. 3 dated 29<sup>th</sup> May 2003 recording my answers given to SIB
- My statement dated 28 February 2010 to the English Higher Court in action brought by me against the Ministry of Defence.
- My evidence to IHAT 6 of IHAT dated 18 January 2014 in Istanbul included in Transcripts 1-11.

First, subject to what I say below, I confirm that the contents of my above-mentioned evidence as recorded in all the above transcripts and my statement are true and accurate. However, I would just like to clarify and add some explanations to my previous evidence as well plus I would like to respond to the statements made by the British soldiers and the statement of Walid Jassem.

Lawyer Zainab Al-Qurnawi read a detailed summary about the contents of the soldiers' statements which I heard for the first time in June 2019 and I was shocked by the lies contained in these statements and the attempt to mislead justice.

My explanations, additions and responses are as follows and under the following headings:

### **Why Saeed Shabram and I were present at the naval base on 23 May 2003, i.e. the day of the incident:**

- 1) As previously stated in the above-mentioned transcripts and my previous statement, on the morning of 23 May 2003, I (Munem Auda) and Saeed Shabram were grazing our sheep at the naval base. We were not in the naval base to steal electric cables. However, on that day, there were a lot of people digging the ground to remove electrical cables to take them and sell them. Some of those people lived in the area (i.e. the naval base) and some did not. This area (the naval base) was generally deserted; therefore, it was not unusual to see a lot of looting and theft taking place.
- 2) I would like to add that during sheep grazing at the naval base, if we ever found any abandoned electrical cables, aluminum or other materials, we would take them and sell for money because of the difficult financial situation and the high rate of unemployment back

then. However, I repeat that on the day of the incident, we were only at the naval base to graze the sheep. We did not even have the necessary equipment to cut and remove the cables. The British soldier that arrested us, searched us and did not find any scissors, saws or other equipment. As stated earlier, if we were however to find any deserted cables or any abandoned materials, we would take them and sell them for money.

**The conversation between us and the fisherman (Walid Jassem), who acted as a translator between us and the British soldier who arrested us**

- 3) In relation to the discussion we had with Walid Jassem, I would like to state as follows: It was obvious the British soldier asked Walid Jassem to talk to us. Walid asked us whether we lived in this area and whether we were at the base to steal electrical cables. We told him that we lived in the area. Walid then told us that he had never seen us before and did not know us. I informed him that we were from this area, that our house was close to this place and that a member of our family could be called to confirm this to him. Walid Jassem then asked us whether we were stealing electrical cables from the naval base. I denied that and told him that we did not steal and did not even have any equipment to use to cut and steal the cables, such as scissors or a saw. Walid Jassem then turned to the British soldier and spoke to him in English, a language we do not understand. However, we understood one word: (Ali Baba) which meant that us (myself and Saeed) were thieves. This is evidenced by the fact that after the conversation between the Walid Jassem and the British soldier, the British soldier showed signs of anger and aggression against us, even though we asked Walid Jassem to speak to the British soldier to forgive whatever we were supposed to have done and release us, being from the area and not having stolen anything at the time.

**Entry to water**

- 4) I was astonished by the lies contained in the testimonies of the British soldiers and the testimony of Walid Jassem, of which a summary was read to me by Lawyer Zainab Al-Qurnawi. First, I would like to confirm and repeat that the contents of my previous testimony are true. Second, I will explain once again the circumstances of the moments relating to Saeed and myself entering the water in case my previous evidence and testimony are unclear or ambiguous.
- 5) The soldiers placed us on the edge of the harbor or the sea platform, facing towards the water, and they were behind us, and because of their raised voices and tones and the British soldiers' gestures as stated above, we understood that the soldiers were asking us to jump in the water. This was confirmed to us because they took us and requested us to stand on the edge of the harbor. However, we refused to jump into the water as we did not know how to swim. I raised my hand to heaven and hoped they would perhaps let us go. The British soldier remained angry (the only soldier carrying a weapon was the one who brought us to the harbor). Saeed and I were standing on the edge of the harbor facing the water and 3 unarmed soldiers were behind me. The armed soldier who led us to the harbor was behind Saeed. When we refused to jump, I felt hands pushing me into the water. At that moment, I saw, out of the corner of my eye, that Saeed was pushed by the British soldier with the butt of his rifle into the water as well. I confirm that Saeed and I were both pushed at the same time into the water.

I repeat again that the statements of the soldiers and the statement of Walid Jassem that Saeed and I were running, tripped and fell into the water, without being pushed by anyone,

are completely untrue and totally incorrect. We fell into the water because we were pushed by the British soldiers as explained above. This is what I also stated in my previous statements and testimony.

**The moments of our presence in the water and my state of awareness**

- 6) The other point that I consider might be creating some confusion and vagueness is what I said in my statements about the time when I was in the water and what the British soldiers did whilst on shore and why I was in a state of awareness as to what was happening even though I was struggling for my life.

Whilst I was in the water after being pushed by the British soldiers, I was paying close attention to the movements of the British soldiers by the side of the harbor, fearing that they might shoot us while we were in the water. This state of awareness on my part continued even when the rescue rope was thrown to me by Abdel Nabi (the water station guard) and continued when I was climbing my way out of the water. I was frightened the whole time of being shot by the soldiers). This whole experience took between 10 to 15 minutes. At that time (whilst in the water), I saw the soldiers locking the door of their tank, and some of them went into the water looking for Said, as it turned out at a later stage.

**Walid Jassem's statements with respect to the clothes which we were wearing on the day of the incident**

- 7) Through the translation of the testimony of the witness Waleed Jassem to me by Lawyer Zainab Al-Qirnawi; I would like to comment and respond to the lies and the other inaccuracies and incorrect statements contained therein. Walid Jassem stated that I (the “eldest” being the term he used in his testimony) was wearing a black dishdash and Saeed (the “youngest” being the term he used in his testimony) was wearing a white dishdash. The truth is that we were not wearing dishdashes on the day of the incident. I was wearing trousers and a shirt and Saeed was wearing trousers and a T-shirt. This is documented by pictures taken at the time by the British Royal Police and which are available. In addition, with respect to Saeed, pictures were taken of him when his body was recovered out of the water and taken to the British Royal Police in Al-Ashar (Al-Ashar Police Station). Several photos were taken of him wearing these clothes. These photos confirm the inaccuracy and incorrect evidence of the translator Walid Al Jassem.

As mentioned above, except for the above explanations and additions, the remainder of my previous testimony and statements are correct and remain unchanged.

**The above-mentioned statements are the truth.**

I acknowledge that the facts narrated in this testimony are correct.

Signature: -----

Date: -----