

**IN THE MATTER OF AN INVESTIGATION INTO THE DEATH OF MUHAMMAD
ABDUL RIDHA SALIM**

Guidance on the Inspector's Current Lines of Enquiry

1. This guidance is being published to provide all witnesses and interested parties with a brief outline of the evidence currently available to the Inspector. It is also to serve as a record of the main lines of enquiry which the Inspector needs to address by questions of Mahmood Zuboon Dahsh Al-Akhrass (MZD). According to the answers which are given to the questions it may be necessary to revisit this critical area of the circumstances of the death by questioning more witnesses. It is hoped that the process of asking questions, initially of MZD, may reduce the areas of dispute. MZD is asked to consider the issues which I list below and to tell me his response in the course of a Skype link.
2. The following facts appear not to be in dispute:
 - a. British soldiers forcibly entered the property of MZD at about 11:30pm on 5 November 2003;
 - b. Present in the property were MZD, his wife, a nephew and the victim, Mr. Salim;
 - c. Having entered the property soldiers advanced through the property to search it. Sgt SO 11 encountered the deceased coming down the stairs and fired a shot which fatally wounded him in the stomach;
 - d. MZD and his nephew were placed in plasticuffs and taken outside by the soldiers;
 - e. The deceased was taken to hospital by British forces but died in hospital two days later;
 - f. MZD was in this period of time involved in a dispute with a family named Al Bedany (Khaled J and Rahid). MZD had been subject to an armed attack by the Al- Bedany family at about 5:30pm that evening and subject to another attack at about half an hour before the soldiers broke into the house. MZD directed the Officer Commanding, Maj Routledge, to the house where the Al Bedanys lived. MZD supplied the English solicitors, Public Interest Lawyers ('PIL'), with a report of some of the facts of the incident as recently as 12th August 2015. The report was jointly prepared with Fatima Zabun Dahash Al-Akhras, the wife of the deceased. An Arabic version has been made available to MZD. The Inspector has noted, in particular, paragraph 2 of the report.

3. The following facts have not been the subject of express disagreement:
 - a. The forcible entry was a planned military exercise of search and arrest;
 - b. The decision to deploy was taken because information had been received from an Iraqi informant, who had gone to the camp and given information that he had seen men armed with long barreled guns and weapons enter the property of MZD that evening;
 - c. The security situation in Basra was volatile and dangerous. The property of MZD was close to the camp;
 - d. An armed assault involving a tank, vehicles and fully armed soldiers was planned and implemented;
 - e. After the deceased had been shot and the house had been searched it was clear that the information which had been given to the British forces was inaccurate and wrong. It was suspected that it could have been deliberately false;
 - f. The Officer Commanding, Maj Routledge spoke with MZD after the shooting and after Mr Salim had been taken to the hospital. It was at this time that MZD informed him that there had been an armed attack that afternoon and that there had been a second attack about 30 minutes before the soldiers arrived. MZD informed the commanding officer that the feud with the family was over some offices in Basra;
 - g. In the days following the shooting the Officer Commanding visited MZD and gave him a letter dated 9 November 2003 which had been translated into Arabic;
 - h. At the property of the Al Bedanys two long barreled weapons were found but they had not been fired recently;
 - i. MZD reported the incident to the police station the next day. He made a statement. His nephew also made a statement. The statements and the outcome of the report are available in copy documents which have been translated into English. MZD has been supplied with copies of the original Arabic versions.
4. The Inspector would like MZD to consider the documents which have been supplied to him. In particular the translations of the record compiled by the British forces immediately after the incident. They include a number of detailed facts upon which the Inspector would like MZD to make specific comments.
5. It will be clear to MZD that the account given by the British forces is that the deceased was coming down the stairs and had a long barreled weapon in his possession, namely an AK-47. Evidence provided to the Inspector suggests that

there were two AK-47s in the property that evening. It is not suggested that the possession of AK-47s was illegal. Indeed the Inspector has in mind that there was an armed attack or attacks that day on MZD's house and the possession of a gun or guns would be likely for self-defence. It is not suggested that the deceased threatened the soldiers with a weapon, but that he was holding the gun when confronted by Sgt SO11. Sgt SO11, the soldier who shot Mr. Salim, has stated (see his statement made the day after the incident) that because he saw Mr Salim carrying a weapon he believed that he was in danger. The letter dated 9 November from the Officer Commanding records the belief on the part of Sgt SO11 that he was in danger.

6. The Inspector wishes to ask MZD about his recollection of the circumstances when the shot was fired. In particular the Inspector wishes to know whether MZD clearly recalls that Mr Salim did not have a weapon in his hand or whether he accepts that it is possible that he did have a gun in his hands.
7. MZD provided a witness statement to PIL, on 18 February 2013, that is more than 9 years after the event. In paragraph 13 of that statement (a copy of which paragraph has been supplied to MZD) it is said that a soldier came forward:

"I believe he was one of the first into the room - and pointed his rifle at Mohammed. The two were no more than two metres away from each other. Mohammed had his hands in the air exclaiming at the soldiers: 'What is happening, what is happening. However he had nothing in his hands and was not posing any sort of threat."

8. The Inspector wishes to ask MZD about this passage. It is important for the Inspector to investigate the suggestion that the deceased did not have a weapon in his hands. At least three soldiers have provided information to the Inspector confirming a recollection that there were two AK-47s in the house on the night in question. SO11 has expressly stated that he encountered two men on the stairs carrying weapons.
9. The Inspector wishes MZD to understand that it is clear that the break-in by the soldiers must have been a terrifying experience and that there would have been a lot of shouting and threatening conduct on the part of the soldiers. It appears not to be in dispute that MZD and his nephew were placed in plasticuffs and taken outside. The wait for the ambulance is likely to have seemed longer than it actually was. The record suggests that it was called at four minutes before midnight.
10. Ms Al Qurnawi will explain to MZD that this investigation is not concerned with any claims for compensation which may be made. The Inspector is aware that it is said that the property was badly damaged.
11. The Inspector wishes to make it clear that all the evidence he receives will be made public. He has not reached his conclusions on the evidence which he has received. There is a large measure of agreement on many central facts. His present purpose is to attempt to narrow down the apparent differences and he invites MZD to respond to the facts which have been identified. The Inspector

believes that sufficient information to enable him to do so has been supplied to him but if that is not correct then MZD is invited to inform the Inspector, through Ms Al Qurnawi, of his position.