

MOD-83-0000249-A

RESTRICTED



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06 November 2003

See Distribution.

**REPORT ON SHOOTING INCIDENT RESULTING IN SERIOUS INJURY**  
**BASRAH - [REDACTED] AREA 06 NOV 03**

Reference:

A. MND(SE) J3/1260 dated 28 Jul 03.

**BACKGROUND**

1. The aim of this report is to provide an analysis of the shooting incident in the [REDACTED] area of Basrah, Grid [REDACTED], at 060025C NOV 03 as required in Reference A. It is clear to me that Sgt SO11 acted correctly under the rules of engagement and that an RMP investigation is not required.

**CIRCUMSTANCES OF INCIDENT**

2. **Nature of the Task.** At approximately 2315 hours on the evening of Wed 5 Nov 03 an acquaintance of one of the C Coy interpreters [REDACTED] provided information that a group of men armed with long barrelled weapons, grenades and RPGs had been seen entering a house in the [REDACTED] area of Basrah, [REDACTED] south of the CF base at CHEROKEE. This is just across the 1 KINGS - 1 RRW BG boundary. OC C Coy gained permission from HQ 19 (Mech) Bde, via BGHQ, to conduct a quick cross-boundary search and arrest operation to exploit this information.

3. **Description of the Incident.** At approximately 0020 hours Thu 6 Nov 03 C Company minus departed from CHEROKEE in one Warrior and 4 Snatch vehicles. On arrival at the target house Sgt SO11 tried a soft-knock, but this proved unsuccessful. Then 2Lt SO13 rammed the gates in his Snatch, breaking the padlock and gaining access to the courtyard.

4. Sgt SO11 entered the house through the front door with 2 men and cleared the first room. As he entered the second room he heard 4 or 5 rounds of automatic fire from within the house and moved forward into the next room by the bottom of the stairs. Immediately two men armed with long barrelled weapons rushed down the stairs towards Sgt SO11 and due to their proximity and speed of movement there was no time to give a verbal warning. Sgt SO11

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believed that there was a contact underway and that his life was in immediate danger. He fired one shot at the leading gunman, hitting him in the stomach and then trained his weapon on the second man, who dropped his weapon.

5. Sgt **SO11** then tasked his men to clear the other rooms, whilst he called for medical assistance. Another unarmed male came down the stairs and was taken into a downstairs room to be searched.

6. The medic then gave first aid to the first gunman, whilst the BFA was called forward to take him to the Czech Military Hospital.

7. The Company Commander questioned the occupants of the house and discovered that they were lawyers who had been subject to an armed attack earlier that day, which had been reported to Al Maqil Police Station. A further attack had taken place about 30 minutes prior to the company operation. On investigation there appears to be a feud over the ownership of some offices with a man called Khaled Al Bedany, and British Forces may have been deliberately drawn in on one side.

8. Nature of Injuries. The gunman, Mohammed Abdul Aurda, has an entry wound to the right of his belly button and an exit wound on his right back. The bullet appears to have passed through the abdominal cavity. At 0800 hours Thu 6 Nov 03 it was reported that he had undergone surgery and was likely to remain in intensive care for 3 days. None of his vital organs had been hit, but he had lost about 20cm of intestine.

JUSTIFICATION

9. Assessment of Operational Situation. The operational situation at the time of the incident was very tense, with the expectation of heavily armed men in the house. Once Sgt **SO11** heard automatic fire inside the house he believed that a contact had started. When, moments later, he saw armed men rushing down the stairs at him a split second decision was required to protect his own life.

10. Rules of Engagement. The current ROE state that if a soldier believes that a person is committing an act likely to endanger human life he may open fire if there is no other way to prevent the danger. In this case Sgt **SO11** believed that the gunman was about to shoot at him and that the only option to protect his life was to shoot first. He was obviously in full control of the situation as when the second gunman dropped his weapon Sgt **SO11** correctly decided not to shoot him.

11. Other Factors.

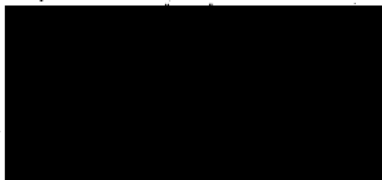
a. Soldier's Experience. Sgt **SO11** is a very experienced man with 11 year's service and 4 operational tours in Northern Ireland to his credit.

b. Complicating Factors. The confined space in the house did not allow time to identify targets at a distance and attempt full identification before shooting.

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DECISION

12. As Commanding Officer I am satisfied that Sgt **SO11** acted lawfully within the ROE, by firing his weapon because life was in immediate danger. This is a straightforward case and does not require any further RMP investigation.



C M GRIFFIN  
Lieutenant Colonel  
Commanding Officer

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