

Thursday, 26 February 2015

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(1.00 pm)

THE CORONER: Ms Dolan, if I can just address everybody through you. I shall do my best to speak very close to this so that everybody can hear what I am saying.

A very large amount of material has come in in recent days which has, therefore, presented significant challenges. As you know I want to deal with all outstanding matters before I move to my factual findings and conclusions. It will be, I appreciate, a long day and a very difficult day for many people and when I have finished I don't want to have to turn to loose ends, so I am just going to deal with a number of matters now.

First of all, what I am aware of is an issue which has arisen about disclosure of inquest material to proceedings in the United States and as I understand it, the proposal is that Miss Schofield, the senior coroner, will deal with that if everybody concerned is content. Is everybody happy? Thank you.

Next, I understand that there are some statements to be read pursuant to Rule 23 and so I formally announce that under that rule of the Coroner's Rules I shall be admitting and taking into account the following written evidence: first, the redacted statement of Mr Barry Shaw, Algeria Business security manager for BP, which

1 addresses the conduct of security assessments for BP in  
2 north Africa, and his understanding of the capability  
3 and efficacy of Algerian forces.

4 Secondly, that of Mr Bob Dudley, CEO of BP, in which  
5 he says that in the course of his contact with Algerian  
6 nationals he received no information regarding the  
7 strategy or tactics of the Algerian military or  
8 government, nor did he learn anything of how the  
9 attackers managed to evade Algerian security measures to  
10 reach the facility.

11 And thirdly, a second witness statement by the  
12 Algerian translator who was present at the meeting  
13 between management and strikers on the evening of  
14 15 January 2013.

15 All interested persons have had notice of these  
16 Rule 23 matters and they are aware that they may object  
17 to the admission of such evidence. Nobody has done so.  
18 In view of the contents of the last statement regarding  
19 the meeting on 15 January that statement will be  
20 publicly available in the transcript on the inquest  
21 website.

22 Statement of B

23 *Statement admitted under Rule 23 taken in French at*  
24 *09.30 hours on 19 January 2015 by William Leveque, a*  
25 *Police Commandant attached to the Home Security Service.*

1

2

*Mme B, (Algeria), a French, English, Arab*

3

*interpreter.*

4

*"Question: Mme, I have read to you your first*

5

*statements made on 09 October 2013 and I am going to ask*

6

*for clarifications. At the time, who exactly asked you*

7

*to take part in this meeting and what was to be your*

8

*role?*

9

*"Answer: It was Monsieur Tore Bech, Manager of*

10

*Statoil and Monsieur Mark Cobb, Manager of BP, who both*

11

*had asked me to take part in this meeting in my role of*

12

*interpreter/translator. They had initially asked the*

13

*assistant to take on this role of*

14

*interpreter/translator, but as she was frightened and*

15

*did not want to, she had refused. No one on the spot at*

16

*that time wanted to be involved in the*

17

*interpreting/translating nor did they wish to attend*

18

*meetings. I can't now recall her surname. This meeting*

19

*of 15 January 2013 in the evening had been impromptu and*

20

*had been certainly decided upon during the course of the*

21

*day. Its purpose had been to try and find a way out of*

22

*the strike. I have to say that the two managers of the*

23

*site, Monsieur Cobb and Monsieur Bech, were very keen to*

24

*find a solution to this strike.*

25

*"Question: Do you remember how many people were*

1 present at the meeting?

2 "Answer: On the foreigner side, there were just  
3 mark Cobb and Tore Bech. On the strikers' side, perhaps  
4 under a hundred, about seventy to eighty. The strikers  
5 no longer wanted the involvement of Paul Morgan nor of  
6 anyone else, except for Cobb and Bech. The strikers no  
7 longer had confidence in anyone, even their own  
8 interpreter/translator, who was found to be a radio  
9 operator nicknamed "Papa Charlie". I didn't know his  
10 first name nor his surname. The atmosphere at the time  
11 on the site was really peculiar, charged, heavy, really  
12 explosive.

13 The meeting of 15 January 2013 had started at about  
14 2000 hours in a tense atmosphere; the management on one  
15 side and the strikers on the other. There were no  
16 strikers' representatives, everyone was there to speak.  
17 Bech and Cobb did not want a formal meeting but rather a  
18 meeting which would be friendly to try and remove the  
19 conflict and find a solution.

20 Cobb and Bech wanted to ask the strikers to grant  
21 them time to contact the top directors and open  
22 negotiations with them and bring matters to a close. For  
23 that they asked them to go back to work as proof of  
24 their good faith. Cobb and Bech were in the mood to move  
25 things forward but the strikers were on the defensive

1 and very firm, almost not listening. Cobb and Bech had  
2 problems creating a dialogue. Indeed, it was felt from  
3 the start that this meeting would never get anywhere,  
4 being an attempt in vain, again.

5 Full details are now very vague in my head. I no  
6 longer know how that meeting went. I think the strikers  
7 had the opportunity to listen and to argue their point  
8 of view, but i can't be more precise; there had been so  
9 many meetings.

10 "Question: Had this meeting been the subject of a  
11 written or audio record?

12 "Answer: No, absolutely not. We never used to  
13 record our meetings, not that one nor any one before.

14 "Question: Did you used to do reports of meetings?

15 "Answer: No, never, I just did on the spot  
16 translation of the points being interchanged without  
17 writing anything afterwards, nor recording anything  
18 during the meetings.

19 "Question: In what language did that meeting of 15  
20 January 2013 take place?

21 "Answer: I'm trying to remember. I used to  
22 translate for the Management not for the Strikers. they  
23 no longer wanted it. The strikers spoke in Arabic and I  
24 translated into English for Cobb and Bech. I think there  
25 was also present at that meeting, an Algerian from

1           *Sonatrach, maybe Benadouda, the Sonatrach manager on*  
2           *site, but I'm not certain.*

3                     *I think Benadouda had started speaking in*  
4                     *Arabic to the strikers and this in a very calm*  
5                     *manner to pacify matters and break the ice in*  
6                     *order to communicate. I took on everything that*  
7                     *was said and translated it into English for*  
8                     *Cobb and Bech. Cobb and Bech decided to take a*  
9                     *step back and to let Benadouda lead the*  
10                    *discussion as representative of Sonatrach,*  
11                    *recently arrived on the site. I didn't manage*  
12                    *to translate everything as it was all so quick.*  
13                    *Too much was said but Cobb and Bech understood*  
14                    *all the same what was going on. They*  
15                    *understood the essentials.*

16                    *"Question: Were there any British present at the*  
17                    *meeting?*

18                    *"Answer: No, just the two foreigners, an American,*  
19                    *Mark Cobb and a Norwegian, Tore Bech.*

20                    *"Question: In your first statement of*  
21                    *09 October 2013, you said the following: "At the last*  
22                    *meeting on Tuesday night at about 2200-hours, one of the*  
23                    *representatives of the strikers, a bearded chap who*  
24                    *I didn't know, arose to say that negotiations were over*  
25                    *and addressing the three management representatives, in*

1 a cold manner, said "you have made your law, but  
2 tomorrow, first thing you will have a surprise and blood  
3 will flow". Can you expand on that?

4 "Answer: There were now three site managers present  
5 that evening. Tore Bech (for Statoil), Mark Cobb (for  
6 BP) and Lotfi Benadouda (for Sonatrach). Now I remember  
7 that Lotfi Benadouda was there and it was bound to be  
8 him. I don't recall any more but that could only have  
9 been him.

10 With regard to the one I have referred to as boarded  
11 one, I can't describe him precisely. It's as if I have  
12 a memory gap. I can't imagine the situation exactly.  
13 As far as I am concerned, he was between 30 and 40, it  
14 seemed as if he had dark skin like people from that part  
15 of the world. I think he was dressed like locals, in  
16 a traditional Tuareg outfit. It's impossible for me to  
17 be more precise and describe him better to you ...

18 What I am sure of is that I had never seen him on  
19 the site before the evening of 15 January 2013. In  
20 8 years on the site, I had never seen this man.

21 I no longer remember the manner he expressed  
22 himself, whether he was menacing or not. These people  
23 tend to speak in a very firm tone. I think he had to  
24 speak in a very decisive way. However, I don't think he  
25 was threatening in his gestures or in his tone.

1 I remember that in parting, he turned his back on us and  
2 addressed the strikers not management. He wanted to be  
3 seen to be detaching himself from us and the management  
4 in his attitude. He wanted to show us by turning his  
5 back that he no longer wished to communicate with us.

6 "Question: In what language did this chap speak and  
7 can you confirm the words he said?

8 "Answer: The man who got up at the end of the  
9 meeting and who I have described as bearded, spoke in an  
10 Arab dialect. I can confirm he said "you have made your  
11 rules", but on the other hand I think my words from the  
12 period were due to the traumatic nature of the moment  
13 and I want to modify their meaning. When I said  
14 tomorrow first thing, I think he meant: after this  
15 meeting but not necessarily the Wednesday following  
16 16 January 2013. For me, he wanted to evoke a vague  
17 future, not necessarily the following day.

18 With regard to the sentence "you will have  
19 a surprise and the blood is going to flow", I want to  
20 put that into context. There again, I think in  
21 hindsight, he was not referring to a precise and direct  
22 threat in regard to an action the following day. It was  
23 rather in connection with the sacrifice to which the  
24 strikers of the south were subjected, if their claims  
25 were not heard. Quite often in previous meetings, the



1 strikers had alluded to the death of two of their number  
2 during a strike of 2006 and perhaps the man who got up,  
3 wanted to say that they were ready to go to the very  
4 edge and sacrifice everything. At the time, I did not  
5 take these words as threats but from then on I don't  
6 know. Two years later, I am still confused in my mind.  
7 I understood the points he made perfectly. He spoke in  
8 Arabic dialect understandable to all and with no  
9 difficulty.

10 "Question: Would you be able to recognise this man  
11 if he were shown to you?

12 "Answer: No, absolutely not. I would be  
13 incapable ...

14 "Question: Who translated the words of this man?

15 "Answer: When the bearded man got up to speak it  
16 was to put an end to the meeting. I no longer know if  
17 his words had been translated. I know I said to  
18 Mark Cobb that "it's over". I wanted to say that the  
19 negotiations had failed and there was no more hope.  
20 Management sort of understood that as there had been  
21 previous meetings before that. I don't remember having  
22 translated the precise words of this sentence into  
23 English, neither for Cobb nor for Bech, but I could see  
24 in their faces that they had understood. Bech in  
25 particular looked upset.

1           I think at the end Bech, Cobb and Benadouda had to  
2           speak together about the meeting. Perhaps they thought  
3           of the words of the man who had stopped the meeting, but  
4           that I don't know because the three managers stayed on  
5           and I left the meeting to go back to my room.

6           The meeting had taken place in the refectory,  
7           a large room, where all the meetings were held.

8           I don't know why I called this chap the bearded one,  
9           because he did not have a beard. I remember now,  
10          perhaps because the strikers did not want more  
11          expatriates on the site.

12          "Question: Did Cobb or Bech ask you to translate  
13          that last sentence said by the man who stood up? Did  
14          they seem to you not to have understood?

15          "Answer: No, they didn't ask me to translate this  
16          sentence in particular. We hadn't given it much  
17          significance, neither them nor me. We couldn't imagine  
18          the worst and what happened the following day. To be  
19          honest and knowing the Tuaregs, I don't think there was  
20          a link between the words of the bearded one and the  
21          attack the following day. When he said the sentence  
22          blood which will flow, he was talking about the blood of  
23          the strikers. Blood was an image for talking about  
24          sacrifice, as is often the case in Tuareg culture.  
25          I confirm that nothing was recorded nor written about



1 that interested persons' representatives were in  
2 a position to explore it effectively as in my view they  
3 did.

4 Now, just before I come to one last preliminary  
5 before I embark on my exercise are there any other  
6 matters that anybody wishes to raise? In the course of  
7 the formal part of what I am going to say I have made  
8 particular mention of the team at SO15 and so I will  
9 come to that later. But before I begin I want to thank  
10 Mr Geoff Charnock and his team of coroner's officers and  
11 Margaret Butler and her team at West Sussex County  
12 Council for all the help that they have given me on  
13 a daily basis.

14 Also the Senior Coroner for all the work she has  
15 done. I am extremely grateful to all those people for  
16 the support and the quality of their work.

17 Also to the legal teams in the case for all the  
18 assistance they have given me on occasions during some  
19 long court days and for the spirit in which the shocking  
20 and distressing proceedings have been conducted.

21 Grateful also to Mr Underwood, Queen's Counsel, for  
22 his considerable assistance on particular aspects of the  
23 disclosure exercise and finally, and most of all to  
24 Ms Dolan whose unceasing and enormous contribution to  
25 the running of these inquests has on many occasions been

1 acknowledged by others but to which I now add myself.

2 The last few days have been but one example of the  
3 commitment and skill which she has displayed for months.

4 THE CORONER'S FACTUAL FINDINGS

5 These are my factual findings and the conclusions to  
6 be entered in the record following the inquests into the  
7 deaths of Mr Garry Barlow, Mr Carson Bilsland,  
8 Mr Stephen Green, Mr Sebastian John, Mr Paul Morgan,  
9 Mr Carlos Estrada Valencia and Mr Kenneth Whiteside.

10 Over three days between 16 and 18 January 2013 40  
11 innocent people lost their lives when terrorists  
12 attacked the In Amenas gas facility in the People's  
13 Democratic Republic of Algeria.

14 These inquests into the deaths of seven men who were  
15 killed there have been the first investigation of those  
16 events held in public. As the bodies of all seven men  
17 were repatriated to Gatwick Airport they came under the  
18 jurisdiction of the Senior Coroner for West Sussex and  
19 having been appointed as assistant coroner I was asked  
20 to hear these seven inquests in September 2014.

21 I pay my own tribute to all the bereaved families  
22 and friends of the deceased, some based in the United  
23 Kingdom, some from abroad. Many have attended  
24 throughout and have listened with fortitude and dignity  
25 as the evidence unfolded.

1           I hope that through this process those who lost  
2           their loved ones may at least have been able to gain  
3           a better understanding of what happened during those  
4           dreadful days.

5           I have sat on 30 court days and heard oral or  
6           written evidence from over 70 witnesses. I have  
7           considered a large amount of documentary evidence, the  
8           vast majority of which has been shared with interested  
9           persons. I have also considered material subject to  
10          public interest immunity and confidentiality. That such  
11          a large amount of material has been available to the  
12          inquests is in many respects due to the efforts of  
13          Detective Superintendent Stokely, Detective Sergeant  
14          Yearby and the Metropolitan Police team at S015. They  
15          have been of considerable assistance to the inquests in  
16          investigating these matters, obtaining witness  
17          statements and collating evidence. The difficulties in  
18          conducting investigations where events took place  
19          outside the jurisdiction and where key witnesses were  
20          spread across the world cannot be underestimated. The  
21          team at S015 have responded promptly and efficiently to  
22          all requests for information and assistance from the  
23          Senior Coroner and from me. We are both extremely  
24          grateful to them.

25          Now that the evidence has concluded, my duty under

1 Section 10 of the Coroners and Justice Act of 2009 is to  
2 record the particulars required for the registration of  
3 the deaths and in respect of each man to come to  
4 a determination as to the statutory questions under  
5 section 5(1) (a) and (b) of the Act. In other words,  
6 I must record who each of the seven victims was and how,  
7 when and where each of them came by his death.

8 These have been inquests and not a public inquiry.  
9 My duty is to investigate the deaths. Nonetheless, the  
10 scope of the inquests has been wide. It was divided by  
11 the Senior Coroner into two parts as follows: one, to  
12 determine the chain of events that occurred leading up  
13 to and during the In Amenas terror attack and in  
14 particular the events that led to the deaths of the  
15 seven men. And two, to consider the security of the  
16 site and whether or not there was any information known  
17 or held relating to the impending attack.

18 The evidence I have heard has been detailed and wide  
19 ranging. I have sought to make this a full and frank  
20 investigation. Even so, I have not been able to share  
21 all of the material I have seen with interested persons.  
22 The Senior Coroner was provided with some documents by  
23 the Algerian judicial authorities. The material in  
24 question had been gathered at an early stage of criminal  
25 proceedings against the suspects who were held in

1       Algeria. Preparations for those proceedings are still  
2       ongoing. However, for the reasons set out in the  
3       earlier decision of the Senior Coroner, which I endorse,  
4       that material has not been made public or shared with  
5       interested persons pursuant to the relevant provisions  
6       of the Coroner's Rules.

7               Since taking over the conduct of these inquests  
8       I have also made direct requests to the Algerian judge  
9       for permission to make public and share with interested  
10      persons some part of this material, whether by means of  
11      editing or gisting. However, such permission has not  
12      been forthcoming. I am sorry that that has not been  
13      possible. I had hoped to share as much as I could  
14      without creating any risk of prejudice to the  
15      proceedings in Algeria. In respect of some other  
16      material that has been provided by the FBI the position  
17      is the same.

18             I have relied upon the open material when making my  
19      determinations. There is nothing in the undisclosed  
20      material which contradicts or undermines the open  
21      evidence so as to prevent me from coming to a conclusion  
22      on any central issue. In the course of these inquests  
23      many questions have been asked about security at the  
24      In Amenas site and the steps taken by the JV and its  
25      parent companies to protect those who worked there. We



1 have examined whether the British government knew of any  
2 general or specific threat. The response to the attack  
3 by the Algerian forces has also been considered although  
4 information about strategy and tactics has not been  
5 forthcoming. Any information about the decision-making  
6 process would have been of enormous value to all those  
7 who have an interest in these inquests.

8           Whilst the actions of governments and organisations  
9 have rightly been scrutinised, it is of course the  
10 terrorists themselves who are responsible for the deaths  
11 at In Amenas along with those who recruited them or  
12 provided them with support.

13           The process I have adopted in coming to my  
14 conclusions as to each of the deaths is as follows:  
15 first, I have made findings of fact based upon the  
16 evidence that has been heard in public. I shall read  
17 out those findings although they do not form part of the  
18 record of inquest. I have then distilled from those  
19 facts the conclusions which will appear in part 3 of the  
20 record of inquest where I will record my determination  
21 as to how, when and where the deceased came by their  
22 deaths.

23           In doing so I remind myself that an inquest is above  
24 all a fact-finding process. The coroner is precluded  
25 from expressing an opinion on matters which fall outside

1 the statutory questions and any determination I make  
2 must not be framed in such a way as to appear to  
3 determine any question of criminal liability on the part  
4 of a named person or civil liability.

5 I intend also to summarise my factual findings on  
6 some of the broader circumstances relating to security  
7 and preventability. Thus, interested persons can  
8 understand the consideration I have given to matters  
9 relevant to reports under rule 28 of the Coroner's Rules  
10 to prevent future deaths.

11 What follows will not be a review of all of the  
12 evidence I have heard, nor a summing-up of alternative  
13 accounts, as might be required to an inquest jury.  
14 I will set out my factual findings on what appear to me  
15 to be the key issues. To comply with my statutory duty  
16 it is not necessary for me to resolve every dispute of  
17 fact, nor reach a view on every question which has  
18 arisen. I shall, however, set out my factual findings  
19 on the main issues that underpin the determinations  
20 which I have come to in respect of each death, so that  
21 not only my conclusions but also the reasons for those  
22 conclusions are publicly explained. It is not of course  
23 for me to suggest that the lengths to which I have gone  
24 would be appropriate on any other occasion.

25 In due course copies of the document from which I am

1 reading will be distributed and they will also be  
2 available on the inquest's website. There are some  
3 passages which it is not necessary for me to read in  
4 full and they can be summarised. Where that is  
5 appropriate I will do it, and the first of those is  
6 a section about the geography, both of the area in  
7 general and the plant in particular.

8 The plant itself had two main compounds. One known  
9 as the Base de Vie or BdV and the other as the Central  
10 Processing Facility. The CPF is connected to the BdV by  
11 an access road that passes the BdV, travelling northwest  
12 before turning directly north over a 3.3-kilometre  
13 stretch. The roadway is open to the desert on either  
14 side. Between the CPF and the BdV approximately  
15 400 metres from the BdV on the western side of the  
16 access road was the Gendarme camp housing 160 Gendarmes.

17 Turning next to the organisational structure. The  
18 facility started production in 2006 and is operated by  
19 three companies in a production sharing contract known  
20 as the In Amenas Gas Project Joint Venture or JV. The  
21 partners in the JV are Sonatrach, an Algerian government  
22 owned oil company which holds a 51 per cent share, and  
23 Statoil, a Norwegian company, and BP, which hold the  
24 remaining shares equally between them.

25 The operation of the JV is overseen by a supervisory

1 body known as the Conseil de Gestion, CdG, made up of  
2 senior representatives of each parent company. The  
3 management of the day-to-day operations of the JV at  
4 site level is led by the Joint Operating Committee, JOC,  
5 which consists of a general manager, a deputy general  
6 manager and an operations manager. These three posts  
7 rotate between employees of the three parent companies  
8 who are seconded permanently to the JV.

9 At the time of the attack the general manager was  
10 Mr Benadouda from Sonatrach. The deputy manager was  
11 Mr Cobb from BP and the operations manager was  
12 Mr Tore Bech from Statoil. Sadly, Mr Bech was killed  
13 during the attack.

14 The JOC is supported by a number of departments,  
15 some of these are based at Hassi Messaoud and share  
16 their functions with another Algerian JV at In Salah.  
17 They include the business support team and the  
18 management of the Algerian Facilities Management  
19 Company, AFMC, liaison team.

20 The general manager had overall responsibility for  
21 security at site and so the security personnel reported  
22 to him although in practice the security function was  
23 covered by a security team provided by the private  
24 subcontractor, AFMC.

25 It was not considered appropriate by the Algerian

1 authorities for any non-Algerian to hold a security role  
2 in the country and hence, due to this political  
3 sensitivity the AFMC team were known as the "liaison  
4 team". To some extent this reflected a key role of the  
5 team in liaising between the internal site staff and the  
6 external Gendarme and army in relation to security  
7 matters.

8           Until the summer of 2012 all internal security  
9 matters on site fell within the remit of the liaison  
10 team under the line management of the business support  
11 manager at Hassi Messaoud. The team's liaison manager,  
12 also based there, produced a six monthly security  
13 management plan for the JV which contained a record of  
14 the liaison team's security recommendations and tracked  
15 their progress. This was essentially an internal  
16 security audit reviewing all the security elements and  
17 procedures that were in place, as well as any  
18 recommendations and changes that had been or needed to  
19 be made.

20           The liaison team on site was headed by an Operations  
21 Liaison Supervisor, OLS. Below him there were three  
22 Operation Liaison Coordinators, OLCs, two of whom were  
23 based at rig sites away from the main facility. The OLS  
24 and OLC at the main site at the time of the attack were  
25 Mr Paul Morgan and Yann Desyeux, both of whom lost their

1 lives during these events.

2 Other staff at the plant were either employed  
3 directly by one of the three JV partners and then  
4 seconded to the JV or engaged through various  
5 subcontractors and agencies. The expatriate workers  
6 would work a set number of weeks at the site on  
7 a full-time basis, including working at weekends, before  
8 rotating out. Most were replaced by another worker  
9 known as a "back-to-back" who would mirror their role  
10 during the first individual's absence from site. This  
11 process of rotation was in most cases ongoing depending  
12 upon the duration of the employee's contract or on the  
13 completion of their particular project.

14 At the time of the terrorist attack there were over  
15 800 employees working within the In Amenas facility, of  
16 these 130 were non-Algerian expatriates from almost 30  
17 different countries. The others were Algerian  
18 nationals.

19 External security. Southern Algeria is part of the  
20 Sahel region of North and West Africa. This region,  
21 which extends from Gambia in the west to  
22 Northern Eritrea in the east, encompasses countries  
23 including Mauritania, Mali and Niger. The security of  
24 the Sahel region has been deteriorating, particularly  
25 over the course of the previous decade. The rise of

1 Islamic militancy throughout this region presented  
2 a heightened risk of kidnapping and other terrorist  
3 attacks upon tourists, foreign workers and western  
4 interests generally. This risk was recognised by  
5 governments and corporations.

6 The south of Algeria is classified as a controlled  
7 military zone. It contains the major southern oil and  
8 gas fields, including all of the area around In Amenas  
9 and Tiguentourine. Military checkpoints secured the  
10 major routes. Any travel in the region required an  
11 initial document provided by an employer and a zone  
12 pass. The security of the area around the plant and  
13 responsibility for detecting and preventing terrorist  
14 incursions into the area were state functions and hence,  
15 the responsibility of the Algerian government. They  
16 provided three layers of military protection in 2013.

17 First, the border with Libya was protected by  
18 Algerian Gendarme border guards supported by the  
19 Algerian army when deemed necessary.

20 Secondly, surveillance of the wider outer desert  
21 zone or military zone was the responsibility of the  
22 Algerian army. There was an army barracks at In Amenas  
23 town. Details of the size of the military force in the  
24 desert zone are not known but media reports in 2012  
25 suggested that thousands of additional troops and air

1 support had been mobilised.

2 Thirdly, the area around the plant was protected by  
3 a contingent of Gendarme, an armed force, who were based  
4 within the site itself and were responsible for the  
5 protection of the staff and infrastructure at the  
6 In Amenas site. The Gendarme barracks had been built by  
7 the JV and was approximately 400 metres north of the  
8 main living area. Around 160 Gendarmes were stationed  
9 at the barracks. With the exception of outer rig sites  
10 their approach was not to guard the installations but  
11 rather to protect the zone in which the installations  
12 were situated. Hence, the Gendarme did not provide any  
13 armed presence, either within the main plant, or at any  
14 entrance gates to the facility.

15 Zone protection was described in the security  
16 management plan as "involving constant patrolling of  
17 a defined zone using vehicles and drivers supplied by  
18 the JV". In previous years the protected zone had been  
19 up to 20-kilometres from the project location, with  
20 staff allowed free and unescorted movement within that  
21 zone. However, more recently the protected zone had  
22 been reduced.

23 By January 2013 the area that was intended to be  
24 patrolled by Gendarme in daylight hours consisted of the  
25 primary base of operations area and the wider field only



1 as far as Trunk Line 6 to the south and Trunk Line 5 to  
2 the northeast. The liaison team understood that zone to  
3 be patrolled by up to 12 4x4 vehicles in daylight hours.

4 At night five JV vehicles were provided to the  
5 Gendarme to patrol a smaller zone between Vehicle  
6 Checkpoint 1, VCP1, the BdV and the CPF. There was also  
7 a night time operations liaison assistant within the  
8 liaison team. This was performed by an Algerian  
9 national who would accompany the Gendarme on these  
10 particular patrols.

11 In January 2013 the only area where unescorted  
12 movement of expat staff was permitted was on the road  
13 between the BdV and the CPF in daylight hours. At night  
14 no expatriate staff were permitted to travel on this  
15 road unless they had special permission and were under  
16 Gendarme escort.

17 The Gendarme's other tasks included manning  
18 a checkpoint on Route Nationale 3, providing  
19 a residential armed protection force at temporary rigs  
20 in the field, providing close protection to staff by  
21 escorting expatriate workers travelling to and from the  
22 airport and from trips to rigs, wellheads or trunk lines  
23 in the field.

24 Armed escorts would be provided when any expatriate  
25 worker went out into the wider field so as to protect

1 against the perceived risk of kidnapping in remoter  
2 sites. In addition, the bus that would regularly carry  
3 workers between the plant and In Amenas town and airport  
4 several times a week was recognised as a particular  
5 kidnapping risk. It would always be escorted by up to  
6 five 4x4 vehicles containing armed Gendarme.

7 The Gendarme lived in their separate quarters.  
8 There was minimal contact between them and the JV staff.  
9 The Gendarme would not normally be allowed into the CPF  
10 or any of the living accommodation. The exception to  
11 this would be if Gendarme officers were attending  
12 meetings with the JV management or the liaison team. If  
13 Gendarme were admitted to the site the policy was that  
14 they would not be armed.

15 The number of Gendarme provided was determined by  
16 the military/Gendarme command in line with their  
17 perception of need or threat. The JV had no control  
18 over either the numbers or the operational deployment of  
19 Gendarme. Exact details of the Gendarme's weaponry,  
20 technical capability and plans are not known. The  
21 liaison team did not have open access to such  
22 information. However, through their contacts with the  
23 liaison team the Gendarme were known to be armed with  
24 AK47s or a variant and were believed to have access to  
25 some heavier weaponry, such as RPGs and general purpose

1 machine-guns.

2 The liaison team were also aware that the Gendarme  
3 had a Quick Reaction Force of 12 or so men whose role it  
4 was to be ready for rapid deployment and to intervene  
5 within ten minutes should the need arise. The existence  
6 of this Quick Reaction Force was not widely known to  
7 others. Indeed, the JV's deputy general manager first  
8 learned of its existence in November of 2012.

9 Internal security within the site perimeter was  
10 wholly the responsibility of the JV. Prior to July 2012  
11 all security matters had been managed through the AFMC  
12 liaison department employing both national and  
13 expatriate staff. The liaison team members trained and  
14 managed the civilian guards and were the link between  
15 the JV management and the Algerian security forces in  
16 support of all project requirements.

17 In 2012 a unilateral decision was made by Sonatrach  
18 as majority shareholder that security would become the  
19 responsibility of a wholly Algerian internal security  
20 team who were to be employed by an Algerian company  
21 known as "SSI". From July 2012 SSI became responsible  
22 for employing and managing the civilian guards, the base  
23 security and access control.

24 The 42 drivers who were engaged by the JV and who  
25 would be provided to the Gendarme for escort duties

1 remained the responsibility of the liaison team who also  
2 undertook a monitoring and quality assurance role.

3 The liaison team continued to provide security  
4 advice and to provide the JV's security management plan.  
5 In January 2013 the most recent security management plan  
6 was the version which had been prepared  
7 in December 2012. This recognised that terrorist attack  
8 was a key risk at the site and also acknowledged that  
9 the JV was not able to prevent any terrorist or criminal  
10 attack and project protection was the responsibility of  
11 Algerian security forces.

12 The JV's documented approach was that the internal  
13 security recommendations and procedures would be aimed  
14 at minimising exposure to risks of terrorist or criminal  
15 attack and limiting the probability of such attacks and  
16 protecting personnel and installations in the event that  
17 such attacks occur.

18 Procedural security measures and physical measures  
19 were in place to achieve this. However, it should be  
20 noted that the Algerian authorities did not allow  
21 foreign nationals to carry arms. Algerian civilian  
22 armed guards could be employed but at various times the  
23 JV took account of a number of matters and decided not  
24 to seek to deploy them at In Amenas. It was recorded in  
25 the security management plan in 2012 that the imposition

1 of armed guards at project locations had been decided  
2 against on the grounds of ethical issues, associated HSE  
3 risks and cost.

4 An unarmed civilian guard force of national workers  
5 carried out various security tasks at the site. Their  
6 tasks mainly concerned access control and site  
7 surveillance. The guards were required to be bilingual  
8 in French and Arabic and were trained initially on  
9 a five day course equivalent to the British Standard for  
10 static and patrolling guards. At full staffing levels  
11 ten guards would be available to be deployed on shifts  
12 at the BdV, nine guards would be rostered at the CPF,  
13 eight at the JGC, Japanese Gas Corporation camp, eight  
14 at VCPs and 12 more at rig sites.

15 The guards' tasks included staffing the gates,  
16 conducting searches of people and vehicles entering and  
17 leaving the BdV and CPF, logging the presence of staff  
18 and visitors on site; checking identity cards,  
19 patrolling inside the site perimeter and monitoring the  
20 CCTV.

21 The guards were issued with radios and were  
22 specifically instructed not to intervene if an armed  
23 intruder was discovered but to report their presence to  
24 the OLS or OLC.

25 A set of instructions devised by the liaison team

1 set out procedures that should be followed by guards.  
2 These written instructions stated that all personnel  
3 were liable to be searched when entering and leaving the  
4 camp and that the gate to the camp must be kept closed  
5 and the barrier closed until the identification of both  
6 vehicle and passenger had been completed.

7 All searching was to take place outside the camp and  
8 outside the barrier/gate. However, the evidence was  
9 that searches were not always carried out thoroughly  
10 and, in particular, the Algerian guards would often  
11 allow Algerian workers through without any searching at  
12 all.

13 Staff directly employed by BP did not undergo any  
14 type of hostile environment training before being  
15 deployed to Algeria, nor were any subcontractors  
16 required to do so. On arrival at the site it was  
17 compulsory for new staff members to attend an  
18 introductory liaison security induction presented by  
19 a liaison team member. This included advice about steps  
20 to take in response to a security alert.

21 On hearing weapons fire explosions or the  
22 intermittent alarm that indicated a security event,  
23 staff were advised: stay in your room, lock the door,  
24 close the blinds, turn the TV and lights off and lay on  
25 the floor. If outside take cover behind something

1 solid, stay until the all clear is given. Do not use  
2 radios or telephones unless you have to.

3 Similar instructions were printed in Arabic, French  
4 and English and placed on bedroom doors in the living  
5 accommodation. Of course, if a body of armed men were  
6 on the loose and unopposed the danger they posed would  
7 be enormous.

8 Staff were advised that the fire alarm signal was  
9 a continuous tone. On hearing the fire alarm they  
10 should gather at a designated muster point. This was  
11 the opposite advice to that given for a security alert.  
12 Although practice fire drills were undertaken, it was  
13 very rare for a security drill to be held. A number of  
14 staff gave evidence that they had no experience of  
15 a security drill exercise at the site. The BP policy in  
16 force at the time for their staff travelling to Algeria  
17 was that all visitors and first time rotators were  
18 required to attend the site specific security induction.  
19 However, there was no requirement for any returning  
20 staff to re-attend a briefing or to have any update or  
21 refresher training regardless of the length of their  
22 engagement.

23 The zone patrolling arrangements by the Gendarme  
24 allowed the foreign workers to move around the area of  
25 operations without having to be escorted. Curfew was in

1 place on site between 7.30 in the evening and 5.30 in  
2 the morning. Outside those times staff who had access  
3 to vehicles could travel the blacktop road between the  
4 BdV and the CPF without escorts. Some staff would  
5 choose to walk the journey from the CPF to the BdV at  
6 lunchtime. The curfew was not in place for Algerian  
7 staff who were permitted to move between the BdV and the  
8 CPF at night although they were not permitted to leave  
9 the site. However, witnesses reported that Algerian  
10 staff and drivers were known to leave the site at night  
11 without permission. The Algerian staff movements would  
12 sometimes not be logged by the guards, which would also  
13 be contrary to procedure.

14 Large vehicles and deliveries were prevented from  
15 travelling on or off-site in the hours of darkness.  
16 They would have to wait in the designated area at VCP1.  
17 Vehicle deliveries would start in the morning from about  
18 5.30.

19 There were a number of physical security measures at  
20 the site. Vehicle checkpoints 1 and 2 were the  
21 outermost part of the physical security arrangements  
22 which were under the control of the JV. Each VCP had  
23 a small guard hut with a vehicle control barrier  
24 manually operated by a guard. Use of the barriers  
25 required compliance by the driver. For example, a 4x4



1 vehicle could easily pass around the barrier or avoid  
2 the VCP altogether by choosing a cross country route.

3 The checkpoints were manned by two civilian guards,  
4 at times vehicles containing armed Gendarme would also  
5 stop at the VCPs. However, they were not permanently  
6 attended by Gendarme.

7 There were 38 fixed and seven rotating cameras at  
8 the BdV, most of which were directed at the perimeter.  
9 Fifty-eight cameras at the CPF covered for the most part  
10 internal aspects of the gas processing plant. Images  
11 were monitored from the CCTV control room in the BdV.  
12 That was manned 24 hours a day by guards.

13 The range of the CCTV at the BdV did not extend  
14 sufficiently for a clear view as far as VCP1. The CCTV  
15 used Pathfinder software which could detect motion  
16 around the fences and sound an alarm in the CCTV  
17 monitoring room. There was powerful perimeter lighting  
18 in place at the BdV and CPF on 10-metre high posts.  
19 This was sufficient to illuminate the fence area at  
20 night. Communication on site was by means of personal  
21 radio. Many staff were issued with personal radio  
22 handsets and all guards carried a personal radio.

23 Staff deployed outside the facility should carry  
24 a satellite telephone and a radio handset and be  
25 monitored regularly by the radio operators to ensure

1 their whereabouts and safety.

2 A coordinator known as Papa Charlie was the central  
3 point for radio contact and was based in the guardhouse  
4 at the BdV. Mobile telephone communication was also  
5 possible. There were a number of watch towers placed  
6 round the BdV. These had been put in place and used by  
7 the Algerian army when the site was being constructed.  
8 Whilst watch towers were in frequent use at rig site no  
9 witness could recall those at the BdV ever being used by  
10 the Gendarme.

11 The living compound was surrounded by a double  
12 layered chain link perimeter fence which was 2 metres  
13 high with barbed or razor wire at the top. In front of  
14 the outer fence perimeter vehicle barriers consisting of  
15 concrete T bars had been in place since 2009 to prevent  
16 breach of the fence line by a vehicle. These T bars  
17 completely surrounded the living area fences. At the  
18 CPF T bars had been placed around part of the perimeter.  
19 However, since September 2009 it had been regularly  
20 recorded in the security management plan that the  
21 exposed areas required either earthworks or the  
22 placement of further T bars. This work had not been  
23 completed by January 2013. Terrorists did not of course  
24 gain access through the fence but this defensive measure  
25 was not in place.

1           At the main entrance to the living area any vehicle  
2           approach was funnelled by concrete T bars set at  
3           90 degrees to the outer fence line. Between these  
4           T bars there was a chicane approximately 50 metres long.  
5           It was made from removable metal posts and led to  
6           a manually operated drop arm barrier at the far end.  
7           A metal security barrier had also been installed at the  
8           front of the chicane. This could be fastened to  
9           the metal posts so as to close off the chicane from the  
10          front. However, only one witness reported ever seeing  
11          this barrier deployed.

12          Just beyond the end of the chicane and set in the  
13          outer fence line was the outer gate. This was  
14          a manually operated sliding gate constructed of chain  
15          linked wire in a steel frame. The written procedures  
16          required the outer gate and drop arm barrier to remain  
17          closed at all times. However, in practice the outer  
18          gate and barrier would be left open at peak periods  
19          whether or not a vehicle was actually passing through.

20          Set in the inner fence line directly opposite the  
21          outer gate was an inner vehicle gate of similar  
22          construction. There was a pedestrian gate next to this  
23          vehicle gate. Most staff used this pedestrian gate to  
24          enter the site. Staff vehicles did not enter the BdV  
25          but were kept in a car park outside the inner fence

1 line. Thus, the inner vehicle gate at the BdV was  
2 usually kept closed save when service or delivery  
3 vehicles required access.

4 There was a chain linked steel gate at the CPF IBO  
5 area which was also approached through a chicane. This  
6 chicane was made of concrete T blocks. Once vehicles  
7 had passed through the single gate at the end of the  
8 chicane there was no further gate to pass through to  
9 gain access to the IBO office area on the eastern side  
10 of the plant. There was a further vehicle gate on the  
11 left to access the CPF area to the west of the complex.

12 The security management plan recorded that in 2008  
13 approval had been given to replace the pedestrian gates  
14 at the BdV and CPF with electronic turnstiles. These  
15 had already been purchased and delivered but remained in  
16 storage at the In Amenas warehouse after September 2009.

17 Between June 2012 and December 2012 the security  
18 management plan advice was updated to include  
19 a recommendation to replace the outer and inner BdV  
20 gates with motorised sliding gates, which Mr Fitzpatrick  
21 of the liaison team anticipated would have greater  
22 impact resistance than those that were then in place.  
23 These gates had not been acquired by January 2013.

24 At the BdV all visitors were required to park their  
25 vehicles outside the outer gate and hence, outside the

1 double fence line. JV staff had the separate parking  
2 area at the BdV which was situated between the outer and  
3 the inner gates. All staff vehicles therefore drove  
4 through the chicane and outer gate to park in  
5 a designated area between the two gates.

6 The position of the car park between the two fences  
7 was such that at times of high traffic flow closing the  
8 outer gate after each vehicle passed through, in  
9 accordance with written instructions for guards, was  
10 time consuming.

11 In July 2012 following a security meeting with the  
12 deputy general manager to discuss improving security  
13 procedures a decision was recorded that the gates would  
14 be left open at peak periods for half an hour. Thus,  
15 the outer gate at the BdV and the single gate at the CPF  
16 were left open between 5.45 and 6.15 in the morning for  
17 half an hour before lunchtime and again for half an hour  
18 at 6 o'clock.

19 An email between liaison team members in July 2012  
20 recorded that the importance of permanently closing  
21 vehicle access gates at the entrance to the CPF/IBO, so  
22 as to minimise security risks, had been pointed out by  
23 the OLS. It had been stressed that creation of an  
24 external parking area would further minimise risks,  
25 particularly in the context of a vehicle borne bomb

1 being brought into the plant. But the In Amenas  
2 management had rejected this idea as being unnecessary.  
3 So at the time of the incident all the parking at the  
4 IBO was inside the double fence line.

5 In accordance with the security briefing any  
6 security alert should have been signalled by an  
7 intermittent alarm. At the BdV a fully integrated fire  
8 and security alarm with a public address system had been  
9 installed. This could be activated from the guardhouse.  
10 However, at the CPF there was only a fire alarm in  
11 place. The only way to signal a security alert at the  
12 CPF was for the constant tone of the fire alarm to be  
13 modulated by manually switching it on and off. This  
14 action would require a staff member to remain present  
15 beside the alarm switch throughout any security alert  
16 which on the face of it, would put them at risk.

17 The security management plan had recognised the  
18 absence of an intermittent security alarm at the CPF  
19 since 2008. It was recorded that one had been ordered  
20 in 2009 with the intention that it be installed in 2010.  
21 However, this work had not been completed such that  
22 by January 2013 there was still no security alarm in  
23 place at the CPF.

24 Turn now to the main events. At about 5.30 in the  
25 morning of 16 January of 2013 a bus was to transport

1 staff from the gas facility to In Amenas town. It was  
2 waiting in the car park outside the BdV. Some of the 12  
3 passengers were staff members ending their rotation and  
4 so returning to the airport. Others were going to the  
5 town for visas and work permits. Two pilots who had  
6 stayed overnight at the BdV were also on board.

7 Accompanying the bus were two members of the liaison  
8 team, the operations liaison assistant, an Algerian  
9 worker, and Mr Paul Morgan, the Operations Liaison  
10 Supervisor.

11 Paul Morgan had also come to the end of his rotation  
12 and planned to return to the UK that day.

13 I just pause to say that at about 2.30 --  
14 I appreciate you are not in conditions of great comfort  
15 so I am going to have a break at about 2.30, all right.

16 Paul Morgan was 46 years old and came from  
17 Liverpool. He had worked in Algeria since 2005 and at  
18 the In Amenas site since 2009 in the liaison role. He  
19 was experienced at working in a security setting and had  
20 previously served in the Foreign Legion. He has been  
21 described by his colleagues as a valued worker, a key  
22 team member who was known to be doing good work in his  
23 role. As was usual practice the bus was to be  
24 accompanied by a liaison team vehicle and an escort of  
25 armed Gendarme. On this day at least three Gendarme

1 vehicles escorted the bus with four Gendarme in each of  
2 those vehicles. The scheduled departure of the bus had  
3 recently been brought forward from 6 in the morning to  
4 5.30. This followed a change in the flight schedule at  
5 the airport. In practice the precise departure time of  
6 the bus would vary by a few minutes depending upon the  
7 arrival time of the Gendarme escort.

8 On 16 January the bus left the BdV car park at 5.38  
9 or so. It then waited for some minutes on the road  
10 outside the BdV for the Gendarme escort to arrive and  
11 for the bus convoy to form up. Although some witnesses  
12 recall different formations of the bus convoy, the  
13 balance of evidence suggests that the lead vehicle was  
14 a Gendarme vehicle containing the captain of the escort  
15 team. This was followed by the liaison team's vehicle  
16 carrying Paul Morgan and driven by his Algerian  
17 colleague. Behind them was a second Gendarme vehicle.  
18 These three vehicles were in front of the bus. Behind  
19 the bus there was at least one and perhaps two more 4x4  
20 vehicles with four escorting Gendarme and a JV driver in  
21 each.

22 The bus convoy formed up and set off at 5.46 driving  
23 slowly towards VCP1. At VCP1 the standard protocol was  
24 that vehicles would approach the drop down barrier, turn  
25 off their headlights and put on the overhead internal



1 light so that the VCP guard could identify vehicle  
2 occupants. This procedure was not always followed by  
3 the Gendarme but Paul Morgan would invariably comply  
4 with it.

5 Although the inquests have been unable to hear  
6 direct evidence from the driver of Paul Morgan's  
7 vehicle, that driver did describe the events that  
8 followed to another witness, Mr Cobb, the next day.

9 On 17 January that liaison vehicle driver told  
10 Mr Cobb how the convoy had approached the VCP that  
11 morning as normal. The first Gendarme vehicle had  
12 proceeded through. When Paul Morgan leaned forward and  
13 switched on the internal light in his vehicle he was  
14 immediately shot through the windscreen and killed. His  
15 driver was also wounded. He was shot in the foot.

16 The liaison vehicle driver said that a single shot  
17 had killed Paul. Then automatic gunfire came into the  
18 vehicle. The shooting had come from two different  
19 directions from the parking area to the left of the VCP  
20 and also from the right-hand side of the road. He  
21 thought that the terrorists on both sides of the road  
22 were in vehicles.

23 The first shots heard by bus passengers were at  
24 5.47. They described what some at first thought were  
25 stones hitting the side of the bus but which they soon

1 realised were bullets. To the bus passengers most of  
2 the firing appeared to be coming from the 2 o'clock  
3 position, ie from the front right-hand side of the bus.  
4 One passenger also recalls shots from the left at the  
5 11 o'clock position. At least one shot hit the bus  
6 windscreen and side windows were shattered. Shots  
7 entered the bus and two passengers were injured. The  
8 Gendarme were seen immediately to deploy from their  
9 vehicles and engage the terrorists.

10 Paul Morgan sustained two gunshot wounds to the  
11 head. One entered through his forehead, the other  
12 through his left cheek. Either would have been fatal.  
13 Dr Cary, a consultant forensic pathologist, described  
14 how the nature of his injuries, which included injury to  
15 the brain stem, was such that Paul Morgan would have  
16 died extremely rapidly.

17 When the two wounds were observed at the postmortem  
18 examination conducted by Dr Cary on 26 January 2013 they  
19 were at first thought to show some features of shots  
20 fired with close contact. However, in oral evidence  
21 both Dr Cary and Mr Tomei, a senior forensic specialist  
22 specialising in firearms related issues gave their  
23 opinion that the bullets were more likely to have been  
24 fired from some distance.

25 Mr Tomei said that the fragments of a 7.62 calibre

1 bullet found at the postmortem examination were of  
2 a type that could be fired from either a high velocity  
3 rifle such as an AK47 or a handgun. The small size of  
4 the fragments recovered was more consistent with the  
5 bullet having struck an intermediate object first rather  
6 than it being an unimpeded close contact shot.

7 He agreed with Dr Cary that the appearance of the  
8 wounds was also consistent with a high velocity  
9 projectile from a rifle having passed through an  
10 intermediate object, such as a windscreen or the skin of  
11 a motor vehicle with its flight being destabilised.  
12 Although the location of the wounds close to each other  
13 was consistent with both being from a single burst of  
14 automatic fire, they could equally have been individual  
15 shots.

16 When taken with the other contextual evidence both  
17 experts agreed that it was unlikely that the two gunshot  
18 wounds were close contact injuries.

19 I am satisfied that Paul Morgan was probably shot by  
20 a high powered rifle from outside the vehicle.

21 The account given by Paul Morgan's driver to Mr Cobb  
22 was that he had immediately turned the vehicle round and  
23 driven to the Gendarme camp to get help. The exact time  
24 at which the vehicle left the area of VCP1 is not clear.  
25 Certainly later that morning witnesses saw Paul Morgan's

1 vehicle parked at the Gendarme camp and still containing  
2 his body.

3 Mr Cobb had arrived at the Gendarme camp at about  
4 midday on the 16 January where he met Mr Vage, a Statoil  
5 employee who had by then escaped from the CPF. Mr Vage  
6 told him about the presence of the liaison vehicle and  
7 the death of Paul Morgan. Mr Cobb went to look at the  
8 vehicle and saw that Paul Morgan's body was in the front  
9 passenger seat. Mr Cobb recalled one bullet hole in the  
10 windscreen and also damage from bullets to the driver's  
11 side of the vehicle. He did not recall bullet holes to  
12 the passenger side.

13 It is clear that Paul Morgan died from gunshot  
14 wounds to the head. The circumstances of his death that  
15 I shall record in part 3 of the record of inquest are  
16 that Paul Morgan was killed by terrorist gunfire at  
17 about 5.47 on 16 January 2013 in the vicinity of Vehicle  
18 Checkpoint 1 at the In Amenas gas production facility,  
19 Tiguentourine, in the People's Democratic Republic of  
20 Algeria.

21 I shall record as my conclusion in part 4 of the  
22 record of inquest that he was unlawfully killed.

23 A fierce firefight at VCP1 continued for about  
24 45 minutes. A bus passenger described hearing  
25 a Landcruiser starting up and driving past the bus at

1 about 6 o'clock. At about 6.15 he saw additional  
2 Gendarme arrive to engage the terrorists. These men  
3 were not in full uniform. Some were still in casual  
4 footwear. This evidence has given rise to the  
5 suggestion that there was no effective response to the  
6 attack from the main Gendarme camp until some 28-minutes  
7 after the first shots were fired. It is, however,  
8 unlikely that this was the case.

9 The Algerian authorities have not provided the  
10 inquests with any information that gives the details or  
11 timing of operational decisions or actions. Hence, from  
12 the available evidence it has not been possible to  
13 determine the actual response time of the Gendarme, nor  
14 in particular the response time of the Quick Reaction  
15 Force. This is unfortunate.

16 However, it is unlikely that the reinforcements  
17 Mr Edwards recalled arriving after 28-minutes were  
18 either the first deployment of the Quick Reaction Force  
19 or the first Gendarme to come to assist at the scene of  
20 the attack on the bus convoy.

21 The Gendarme camp containing over 100 men was less  
22 than 1 kilometre away from the initial scene of attack.  
23 Not only would the sound of gunfire have been audible at  
24 the camp, but the Gendarme guarding the convoy would  
25 have been carrying radios that allowed them to

1           communicate with their colleagues there. One witness  
2           recalled how very quickly after the firing started he  
3           heard the intermittent alarm sounding at the BdV. The  
4           Gendarme at the camp would have been well aware of the  
5           attack on the bus and its location within a short time  
6           of its beginning.

7           Furthermore, the Algerian Gendarme have been  
8           described by several witnesses as a well trained force.  
9           There is no reason to suppose that the Gendarme at the  
10          camp would not have reacted speedily to the attack. The  
11          only reason for the Gendarme presence at Tiguentourine  
12          was to protect the workers and the gas plant. It is  
13          likely that they would have attended promptly when their  
14          own colleagues and expatriate workers were under direct  
15          attack.

16          In the face of the Gendarme resistance the  
17          terrorists did not continue a direct assault on the bus  
18          but moved on. At about 6.30 witnesses on the bus  
19          described a lull in the fighting. This was followed by  
20          a change in the direction of the incoming fire so that  
21          it now came from the right rear of the bus. This is  
22          consistent with accounts given by some Algerian workers  
23          inside the BdV who later reported that terrorists had  
24          set up a position towards the northeast edge of the  
25          complex from where they were firing towards the bus and

1 VCP1.

2 A firefight continued and passengers reported some  
3 heavier weapons, perhaps rockets or a mortar being used.  
4 However, the firing does not appear to have been  
5 specifically directed at the bus. It is more likely  
6 that the terrorists were trying to kill and/or occupy  
7 the Gendarme near the bus and stop them getting to the  
8 BdV rather than harm the passengers at this stage of  
9 events.

10 At about 6.55, just over an hour after events began,  
11 the military arrived at VCP1. It is likely that they  
12 came from the garrison at In Amenas town. The shooting  
13 in the region of the bus had concluded by 7 to 7.10 and  
14 a Gendarme entered the bus and asked the driver to drive  
15 it away. In fact, the bus was disabled and it was not  
16 until about 8.45 in the morning that the bus passengers  
17 were evacuated to safety beyond VCP1. The Gendarme had  
18 successfully defended the bus and its passengers, at  
19 risk to their own lives, and they had sustained injury  
20 themselves in doing so.

21 In addition, a guard at VCP1, Mr Lamin, had been  
22 killed in the initial encounter.

23 Several witnesses at the BdV recall hearing shots  
24 fired in the distance before any attack there.

25 Witnesses who were outdoors in the vicinity of the

1 restaurant or in the car park heard shots and saw muzzle  
2 flashes or tracer fire coming from the direction of  
3 VCP1. One witness assumed that it was an emergency  
4 drill and so continued to walk towards the main car park  
5 area. However, minutes later further gunfire was heard  
6 and a Toyota 4x4 revving its engine at high speed  
7 entered the chicane at the entrance to the BdV. The  
8 single vehicle drove through the open outer gate and  
9 crashed through the inner security gate. Muzzle flashes  
10 were seen from guns being fired by the vehicle's  
11 occupants.

12 As they entered the BdV the terrorists appear to  
13 have shot directly at workers. An American witness who  
14 had seen the terrorists' vehicle enter the BdV ran  
15 towards the accommodation block. As he did so he saw  
16 bullets penetrate the walls near ground level in the  
17 direction that he was running.

18 Further shots were fired in his direction as he  
19 entered an accommodation building and hid with two  
20 colleagues in one of their rooms.

21 A Norwegian worker was leaving the BdV restaurant.  
22 He heard the gunfire and saw a vehicle by the OLC  
23 building. Its occupants were carrying weapons. He  
24 turned to go back to the restaurant but was shot in his  
25 left hip and shoulder. He managed to crawl back inside



1 the restaurant door.

2 Almost immediately as the base was breached an  
3 intermittent alarm sounded indicating a security alert.  
4 At the same time the base was plunged into darkness.

5 Analysis of technical data from the plant conducted  
6 for an inquiry instituted by Statoil revealed that at  
7 5.49 a bullet hit a high voltage transformer in the  
8 living area causing an earth fault and a short circuit.

9 Using the reference point of the generator failure  
10 and power black out at 5.49 it is clear that the breach  
11 of the CPF must have followed just a few minutes after  
12 the breach of the BdV when the transformer sustained  
13 bullet damage.

14 The gas plant at the CPF was designed to shut down  
15 automatically if there was a generator failure. There  
16 was an emergency generator in place which did start-up  
17 but in due course that went into failsafe mode and shut  
18 down the emergency generator completely. That power  
19 failure triggered the constant tone of the fire alarm at  
20 the CPF and at the adjacent IBO area. There's no  
21 evidence to suggest that the alarm at the CPF was  
22 manually activated.

23 Without electrical power the compression valves  
24 couldn't function and drifted open. The gas was fed  
25 into a flare system and burnt off and a large flame

1 became visible at the CPF.

2 One witness was in his office at the CPF complex  
3 using his computer when the screen went dead. When he  
4 looked at his account subsequently he saw that he had  
5 sent his last message on Facebook at 5.38. As his  
6 computer went dead all lights went out and the constant  
7 alarm began. Several workers were already at the CPF in  
8 their offices and some went outside. Some went briefly  
9 to the fire alarm muster point. Witnesses recall  
10 standing outside for a minute or more and noticing the  
11 flare venting off indicating that the plant was in shut  
12 down.

13 A 4x4 Toyota Landcruiser was then seen to approach  
14 the CPF. It was driving along the road from the  
15 direction of the BdV. It was not driving fast and  
16 negotiated the chicane of concrete T bar blocks at the  
17 entrance to the complex. The vehicle had no markings or  
18 insignia on it but what made it stand out to observers  
19 was that either on or inside its cab was a flashing  
20 light. Such lights were not usually seen on vehicles at  
21 site.

22 The vehicle approached the gate beyond the chicane  
23 which had been open when the workers had arrived at the  
24 plant that morning. By now the barrier at the gate had  
25 been lowered and the gate itself had been closed by the

1 security guards at the guardhouse probably in response  
2 to the CPF alarm sounding.

3 About five or six armed terrorists were in the  
4 vehicle. They were screaming and shouting and they shot  
5 at the security guards from the vehicle's windows. One  
6 terrorist got out of the vehicle, pushed up the barrier  
7 and then pushed the gate open with ease.

8 The three civilian security guards ran to take  
9 cover. One of them was wounded in the neck in the  
10 assault. The vehicle then drove directly to the area of  
11 the IBO office with the terrorist who opened the gate  
12 following behind on foot.

13 The evidence does not allow for any more precision  
14 about the exact time at which the terrorists passed  
15 through the CPF gate. However, it is clear that both  
16 the CPF and the living area had been breached by the  
17 terrorists within a few minutes of the first assault on  
18 the bus and in that time no Gendarme had been present at  
19 either site entrance.

20 It is also clear that a third group of terrorists  
21 entered the JGC, the Japanese Gas Corporation, complex,  
22 shortly after the bus attack. Although none of the  
23 deceased in these inquests was captured there, a number  
24 of those who subsequently died were taken hostage on  
25 16 January at the JGC in the first hours of the attack.

1           Having entered the BdV and CPF by force the  
2 terrorists began to search for expatriate workers to  
3 take hostage. Some accounts have the terrorists  
4 specifically asking for American, English and French  
5 workers. However, it appears that any foreign worker  
6 was a potential target and hostages from at least 10  
7 nations were taken and were among the 40 innocent men  
8 who were killed in the attack.

9           The terrorists appear to have had plans of the site  
10 and to have been assisted by inside information. An  
11 Algerian worker heard one terrorist complaining to  
12 another that the compound was too big and that the plan  
13 he had did not match the layout on the ground. The  
14 worker was also told by a colleague that he saw  
15 a terrorist with a list of names and room numbers and  
16 that when searching rooms the terrorists were shouting  
17 out names. Others described the terrorists specifically  
18 asking for the American deputy manager and the Algerian  
19 general manager by name.

20           That there was inside knowledge is supported by  
21 a statement made by the Algerian Prime Minister on  
22 21 January 2013. He identified a former driver at the  
23 plant as having been one of the terrorists killed in the  
24 attack.

25           I am going to pause there and we will take

1 a ten-minute break.

2 (2.30 pm)

3 (A short break)

4 (2.40 pm)

5 THE CORONER: Again, if it just helps I shall be having  
6 another break at about 3.30, an hour or so from you.

7 At the BdV Mr Kenneth Huw Whiteside was one of the  
8 first expatriates to be taken hostage. Kenny Whiteside  
9 was 59 years old, having been born on 9 October 1953 in  
10 West Lothian Scotland. He lived with his family in  
11 South Africa. He had worked at the plant for five and  
12 a half years as a planning engineer on the Compression  
13 Project. He was known as an easy going, outgoing and  
14 friendly character who would talk to everyone anywhere  
15 at any time. And he was often seen playing his  
16 bagpipes.

17 Kenny had left his room in the companies camp at  
18 about 05.50 that morning to walk to the parking area and  
19 drive to work at the CPF. As the terrorists entered the  
20 BdV he had gone into the restaurant in the companies  
21 camp. He then left the restaurant and was on his way  
22 towards the BdV. An Algerian colleague reported that in  
23 the early stages of the attack two terrorists arrived at  
24 the companies camp and came across Kenny Whiteside. As  
25 they tried to stop him he head-butted one of his

1           assailants. They knocked him to the floor and  
2           handcuffed him. He was taken to the brick built  
3           circular area in the centre of the BdV known as the  
4           plaza, where other hostages were also being rounded up.

5           The Algerian colleague reported that by this time  
6           the Gendarme were already outside the BdV.

7           Mr Carlos Estrada Valencia had hidden in the VIP  
8           accommodation at the BdV. He was vice president of  
9           Operated by Others gas developments at the global  
10          projects organisation of BP and he oversaw BP's  
11          involvement in Es worldwide.

12          Born in Colombia on 25 April of 1968, Carlos lived  
13          with his wife and young daughters in England where his  
14          office was based. He had arrived at the plant on  
15          14 January 2013 with other senior managers, including  
16          those from the Japanese Gas Corporation, to discuss the  
17          progress of the JGC Compression Project.

18          The visit had originally been planned for summer  
19          2012 but had been delayed to January 2013 because of  
20          a drivers' strike at the plant. Carlos was concerned at  
21          the rate of progress. It seems that a decision was made  
22          to address this on site with JGC officials.

23          As a visiting senior executive Carlos was not known  
24          to many of the other workers at the site but his courage  
25          and spirit were shown in the words of hope and

1 encouragement that survivors recall him expressing to  
2 raise the spirits of those around him during their  
3 captivity.

4 Carlos had been with his colleague, Mr Hitch, at the  
5 VIP block when they heard the intermittent alarm sound.  
6 Believing it to be a fire alarm they went outside. They  
7 heard and saw the gunfire and immediately returned in  
8 doors.

9 They took refuge in Carlos's room along with the  
10 Statoil country manager, Mr Sneberg, who was also  
11 attended for the VIP visit.

12 At 06.03 Carlos sent the first of a number of text  
13 messages to BP staff in the UK and to his family  
14 reporting the attack. He estimated that the attack had  
15 begun at 06.00. Carlos texted that terrorists had come  
16 into the VIP block at about 06.08, shouting in English  
17 and firing shots. However, they had left without  
18 checking his room.

19 Mr Hitch recalls that about an hour and a half later  
20 terrorists brandishing weapons returned and burst into  
21 the room where the three men were hiding. Terrorists  
22 took Carlos and his colleagues to the plaza. They were  
23 among the first half dozen hostages to arrive there  
24 although, as the morning went on, more hostages were  
25 brought to the plaza by the terrorists including a group

1 from the BdV canteen.

2 Mr Sebastian Thomas John and Mr Stephen David Green  
3 had been having breakfast in the main canteen at the BdV  
4 as the terrorists arrived at the gate. Sebastian John  
5 was a relatively new recruit on the BP challenger  
6 programme. He was born on 8 February 1986 and was  
7 26 years old. Described as a lovely, funny and  
8 intelligent man, he had with reluctance left his wife  
9 and baby son to take up his first posting overseas. His  
10 presence was not essential to the running of the plant.  
11 His placement was an aspect of career development. He  
12 had only been at In Amenas for seven days when the  
13 attack occurred. Survivors praised his selfless act in  
14 helping an injured American colleague during the attack.  
15 Whilst in captivity he also displayed enormous courage  
16 and presence of mind in taking and sending photographs  
17 of the terrorists via his smartphone.

18 Stephen Green was born on 29 June of 1965 in  
19 Leicester. He was 47 years old in January 2013. He was  
20 employed as a health, safety, security and environment  
21 manager. He started working at the In Amenas  
22 Compression Project in August 2012. He was a brave man  
23 and one witness describes how he showed defiance to the  
24 terrorists by refusing to sit when ordered to do so.  
25 Music was a great pleasure to Stephen and he planned to



1 retire early to focus on it. As a tribute to him  
2 a charity has been set up in his name to help young  
3 disadvantaged and vulnerable people enjoy the pleasures  
4 of music.

5 When workers in the canteen first heard the alarm  
6 and sound of gunfire outside many assumed that this was  
7 merely a security exercise which had been planned a few  
8 days before, even when the injured Norwegian man who had  
9 been shot by the terrorists came back into the canteen  
10 many staff still thought that this was the exercise in  
11 progress. It was only when he gave his account of being  
12 shot that the seriousness of the situation became clear.  
13 By 06.12 Stephen had sent a text from the canteen saying  
14 that the camp was under attack from terrorists and that  
15 there was gunfire outside.

16 The terrorists did not enter the canteen at first  
17 but appeared to have begun searching the living  
18 accommodation. The sounds of gunfire continued outside  
19 the canteen and the men inside tried to hide. However,  
20 secure hiding places were limited in number. Three  
21 British men were able to remove a ceiling tile and climb  
22 up into the roof space of the canteen. A fourth man  
23 fell and injured his leg trying to get into the ceiling  
24 with them. There was insufficient time for anyone else  
25 to conceal themselves in the roof before the armed

1 terrorists came in through the door. It appears that  
2 Sebastian John was taken hostage at this point.

3 At 07.48 Stephen Green had sent text messages to his  
4 wife asking her for first aid advice for the injured  
5 Norwegian colleague. At 08.43 and 9.53 he had told her  
6 that there were only himself and two other expatriates  
7 left in the canteen and that they were in hiding there.

8 Stephen had sent a further text to his wife at 10.18  
9 saying that the terrorists were in the canteen. At  
10 12.14 he texted to say he had been taken hostage.

11 Both Stephen Green and Sebastian John were placed  
12 with the other captives in the plaza. Of those workers  
13 in the canteen only the three men hiding in the roof  
14 space were still free. The injured Norwegian had also  
15 been found hidden in the canteen storeroom but he had  
16 been left there by the terrorists because of his injury  
17 and immobility.

18 It appears that by late morning the terrorists had  
19 stopped their search for hostages in the BdV area and  
20 many expatriate workers remained hiding in their rooms  
21 or offices throughout the rest of the attack. Later in  
22 the day a group consisting mostly of Japanese and  
23 Filipino workers were brought to the plaza area having  
24 been captured at the JGC camp. The Algerian co-workers  
25 were not the target of the terrorists and so were

1 allowed to move around the site.

2 Of those taken hostage at the BdV that day three men  
3 who survived, Mr Adamson from Scotland, Mr McFaul from  
4 Northern Ireland and Mr Balmaceda from the Philippines,  
5 have given oral evidence to the inquests. The other  
6 three survivors have provided written statements and  
7 have responded in writing to further questions from the  
8 families of the deceased about their ordeal. I am  
9 extremely grateful to all those who have given evidence,  
10 many of whom have travelled from abroad at significant  
11 inconvenience to do so. All the survivors of the attack  
12 have willingly assisted and in particular, I wish to  
13 recognise the courage and fortitude of those who were  
14 themselves held hostage. Their assistance to the  
15 inquests helping the families understand more about how  
16 their loved ones died has been significant.

17 What we have learned from these witness accounts is  
18 that hostages at the BdV were provided with water, they  
19 were moved to the shade when the sun became hot and  
20 Algerian co-workers were allowed to bring them blankets  
21 when they slept outside in the cold overnight.

22 Hostages were seated in groups and explosive cord  
23 was hung around their necks with a terrorist holding the  
24 detonator. At least two men were singled out to be  
25 executed if the terrorists' demands were not met. The

1 hostages' nationalities were established and at one  
2 point two cloth banners with Arabic writing was placed  
3 on the wall of the VIP block above the hostages and they  
4 were videoed by the terrorists. The hostages were  
5 allowed to keep their mobile telephones until about  
6 1700-hours, 5 o'clock on the afternoon of 16 January,  
7 when the mobile network was cut off. They were  
8 permitted and indeed encouraged to call family members,  
9 their embassies, their companies and journalists to pass  
10 on the fact of their capture and the terrorists'  
11 demands.

12 On the second day some of the hostages were also  
13 required to speak to the media on the terrorists'  
14 satellite telephones.

15 During that first day at some time in the late  
16 afternoon Carson John Bilsland was added to the hostage  
17 group. Carson Bilsland was a 46 year old Scotsman born  
18 in Glasgow on 3 June 1966. He was an inspection  
19 engineer at the Compression Project and had worked at  
20 the JV since 2011. He was the lead rope access  
21 specialist and his skill in working at heights had  
22 earned him the name "Spiderman" from his Filipino  
23 colleagues. He was an intelligent, articulate, strong  
24 and generous man. Survivors describe him as a man who  
25 had a lot of fight in him and during captivity he used

1 his humour to try to keep spirits up.

2 Carson Bilsland recounted to other hostages how he  
3 had initially taken refuge in a store cupboard at his  
4 office in the CPF. When it had gone quiet he had  
5 assumed that the incident was confined to the CPF and  
6 that it was over. He had therefore left the CPF and  
7 walked to the BdV. On approaching the camp he had seen  
8 Algerian workers milling around and thought it was safe.  
9 He had been spotted by the terrorists who then took him  
10 hostage.

11 There is no evidence available to the inquests which  
12 can explain how Carson was able to walk the 3 kilometres  
13 between the CPF and the living area without being helped  
14 by the Algerian forces. The Algerian army had arrived  
15 at Tiguentourine by the late morning and it would be  
16 very surprising if none of the soldiers and Gendarme who  
17 were surrounding the plant and living areas had observed  
18 Carson on his route between the two.

19 The Algerian workers at both the BdV and the CPF  
20 were told by the terrorists that they had nothing to  
21 fear. Large numbers of Algerians were left to move  
22 almost unrestricted around the site. Some took pictures  
23 and footage on their mobile telephones which have been  
24 provided to the inquests. Many Algerian workers stayed  
25 in hiding with their expatriate colleagues, translating

1 messages heard over the site radios. Others put  
2 themselves at great personal risk by assisting their  
3 colleagues in hiding, bringing them food and information  
4 and also undertaking reconnaissance of the site and  
5 helping colleagues to escape through the fences.

6 On that first morning some groups of Algerian  
7 workers including female employees were allowed to leave  
8 through the main gate at the BdV. But this was soon  
9 stopped when an expatriate was found concealed within  
10 one such group.

11 Some witnesses also give accounts of Algerian  
12 workers at the BdV appearing to consort with the  
13 terrorists, offering a greeting, running errands,  
14 chatting to them and at one time praying with them. One  
15 must be cautious before relying upon these incidents as  
16 evidence of collaboration. It is perhaps unlikely that  
17 any worker who was actually assisting the terrorists or  
18 who had covertly provided them with information would  
19 act in a way which would reveal this in public.

20 Although left free to move around the site the Algerian  
21 workers were not permitted by the terrorists to leave  
22 the plant. Maybe that the actions which were witnessed  
23 were simply attempts to keep on the right side of  
24 extremely dangerous men.

25 January 16, 2013 was Mr Garry Samuel Barlow's 50th

1 birthday. And he had begun the working day at the  
2 construction office at the CPF site drinking coffee with  
3 his colleagues at 5.50. Garry Barlow was from  
4 Liverpool. He was an accomplished football player and  
5 a passionate Everton fan. Since his 20s he had worked  
6 in Africa where he would often, at his own expense,  
7 provide football kit and equipment which was not  
8 available to local people. He was known for his good  
9 humour and for the time he willingly gave to others to  
10 help them develop their careers.

11 After coming through the gate at the CPF the  
12 terrorists' vehicle had driven directly to the IBO  
13 building. Garry Barlow's Romanian colleague saw the  
14 vehicle come through the CPF gates and then drive into  
15 the office area where four armed terrorists got out and  
16 went into the IBO building. The terrorists brought out  
17 all the employees from the building. They left the  
18 Algerians and took four Norwegian employees of Statoil  
19 hostage.

20 Having witnessed these events, the Romanian workers  
21 returned to the construction office to hide. Garry ran  
22 to the DEP office in the next building. Five other  
23 expatriate workers were gathered there, along with three  
24 Algerian colleagues. Between 6 and 6.30 in the morning  
25 two terrorists approached the DEP office. One worker

1 saw them approaching and shouted a warning to his  
2 colleagues to take cover. Although four of the  
3 expatriates managed to hide there was insufficient time  
4 for Garry and an American colleague, Gordon Rowan, to  
5 avoid being seen by the terrorists.

6 The three Algerians remonstrated with the  
7 terrorists, shouting at them and asking them why they  
8 were taking the expatriates away. This was to no avail.  
9 Courageously the Algerians lied to protect the other  
10 workers and told the terrorists that there was no one  
11 else in the building. The terrorists then left taking  
12 Garry Barlow and Gordon Rowan with them.

13 Garry Barlow was one of five hostages who were held  
14 and who later died at the CPF, along with Mr Rowan and  
15 three of the Norwegian employees taken from the IBO  
16 office. A fourth Norwegian worker had been taken to  
17 Train 3 with his colleagues. He managed to escape from  
18 the terrorists and run to safety when he discovered that  
19 his hand ties had not been securely fastened.

20 As none of the five men who were hostages at the CPF  
21 survived the ordeal the picture of what happened there  
22 is sketchy. It is known that at about 11.20 in the  
23 morning on 16 January Garry Barlow made a call to his  
24 home using the mobile telephone of one of the three  
25 Norwegian hostages captured at the IBO. It is likely,



1           therefore, that by this time Garry was being held along  
2           with these Norwegian hostages near Train 3 in the CPF.

3           The next day between 11.40 and 11.50 Garry Barlow  
4           made a number of calls to his wife and provided her with  
5           a telephone number for a satellite telephone that she  
6           was asked to pass on to the BBC. There was no further  
7           contact from or confirmed sighting of Garry after these  
8           calls.

9           Overnight on 16/17 January the hostages were  
10          separated into two groups and slept outside near the  
11          plaza area. During the night the terrorists obtained  
12          keys to a number of new JV vehicles which were parked  
13          nearby and brought them over to the plaza. They used  
14          the vehicle headlights for illumination as the power  
15          failure continued. The next day at about noon an  
16          Algerian army helicopter appeared and fired shots into  
17          the plaza. Many hostages felt that shooting by the  
18          Algerian forces towards them was putting them at risk.  
19          In fact, it appears that the only person injured by  
20          Algerian forces at the plaza was Ben Cheneb Mohamed  
21          Lamine, the leader of the terrorist group, who was  
22          struck by fire from the helicopter.

23          By about 2 o'clock in the afternoon on the 17th the  
24          terrorists at the BdV had decided that they wished to go  
25          with the hostages to the CPF. The hostages were divided

1           into groups, largely by nationality and loaded into six  
2           JV 4x4 vehicles alongside the terrorists. There were  
3           between eight to ten people in each vehicle.

4           The available evidence is insufficient to determine  
5           the exact position of all the deceased in these  
6           vehicles. However, it can be determined from the  
7           accounts given that one vehicle, a Toyota Landcruiser,  
8           contained Stephen Green on the front passenger side,  
9           sitting either to the right of or between two  
10          terrorists. In the middle row the Canadian terrorist  
11          known as Shedad, and later identified by Mr McFaul as  
12          Katsiroubus, was to the left-hand side with Mr Hitch and  
13          then Mr Andrada, a Filipino hostage to his right. In  
14          the back of that vehicle there was Mr McFaul and  
15          Mr Adamson and another terrorist who positioned himself  
16          and his weapon so that he could shoot out of the broken  
17          back window.

18          The hostages no longer had the explosive cords  
19          around their necks. However, the terrorists had made  
20          bombs at the BdV by wiring up what looked like land  
21          mines with a ball of plastic explosive and a detonator.  
22          They placed one in each vehicle. In the vehicle  
23          containing Stephen Green Katsiroubus was carrying one of  
24          these bombs in his lap.

25          The six vehicles left the BdV in convoy travelling

1 at high speed and turning left towards the BdV. The  
2 terrorists were driving in what one survivor described  
3 as a wild and crazy way, shouting and firing from the  
4 vehicles. The Algerian forces were outside the BdV and  
5 started shooting at or close to some of the vehicles.  
6 Some of the vehicles followed the blacktop road whilst  
7 others tried to travel north to the CPF via the piste  
8 road that ran alongside the main access road. Some  
9 vehicles were seen to veer off the road and overturn.  
10 It looks as if the Algerian military had decided not to  
11 let the terrorists drive away from the BdV with their  
12 hostages or certainly not to allow them to join their  
13 accomplices and swell the numbers at the CPF with the  
14 obvious and extreme dangers which existed there.

15 The account subsequently given by the Algerian  
16 foreign minister was that the Algerians had pursued the  
17 vehicles, the terrorists had refused to respond and so  
18 the Algerians intercepted them.

19 The vehicle in which Stephen Green was captive was  
20 hit with bullets on the right-hand side as it drove  
21 along the road. The terrorists had instructed the  
22 hostages to wave their arms out of the windows to show  
23 that they were inside. As the vehicle approached the  
24 lay down area close to the CPF it veered left and  
25 overturned on to its roof. Eyewitnesses watching from

1 the DEP office at the CPF had seen the vehicle being  
2 shot at by an Algerian army helicopter and photographed  
3 the plume of smoke rising from it. The vehicle had come  
4 to a halt not far from the concrete T bars which  
5 surrounded the outer fence of the CPF to the left of the  
6 main entrance.

7 The bomb inside the vehicle had been detonated but  
8 did not explode. Only the detonator appears to have  
9 gone off, injuring Mr Hitch who was sitting next to the  
10 terrorist with the bomb. Mr Hitch, Mr Adamson,  
11 Mr McFaul and Mr Andrada all managed to leave the  
12 vehicle which was by then on fire. Stephen Green was  
13 still within the vehicle. Mr Andrada had seen his head  
14 sticking out from under the vehicle when it was on fire.

15 Postmortem examination reveals that Stephen Green  
16 had sustained a single gunshot wound which was described  
17 by Dr Chapman, the pathologist, as a clear antemortem  
18 fatal injury. A bullet had entered the upper right  
19 shoulder and passed downwards through the right chest  
20 space, through the right subclavian artery and left his  
21 body at the right lower chest wall. Although  
22 Stephen Green's body was burned by the fire in the car  
23 there is no pathological evidence to suggest the  
24 inhalation of smoke. In the light of this evidence  
25 notwithstanding concerns which have been expressed, I am

1 satisfied that nothing would have been gained by further  
2 blood testing.

3 The examination of the airways at the postmortem  
4 examination showed them to be completely dry and clean  
5 and without any evidence of sooty particles in the  
6 lining that might have suggested breathing in a sooty  
7 atmosphere.

8 Thus, I shall record that Stephen Green's death was  
9 caused by a gunshot wound to the chest.

10 It has not been possible on the evidence to identify  
11 for certain the source of the bullet that killed  
12 Stephen. However, although it could have come from  
13 a terrorist weapon in all the circumstances which  
14 existed at the time it is more likely that the bullet  
15 was fired by Algerian forces. In coming to my  
16 conclusions as to Stephen's death in part 4 of the  
17 record of inquest I bear in mind that a conclusion of  
18 unlawful killing is available if the offence of murder  
19 or manslaughter has been established to the criminal  
20 standard of proof. Indeed, I have been invited by some  
21 interested persons to approach the matter on the basis  
22 of unlawful act manslaughter. For unlawful act  
23 manslaughter at common law there must be a deliberate  
24 and unlawful act, it must be one which all sober and  
25 reasonable people would inevitably realise must subject

1 the victim to at least the risk of some physical harm  
2 and the act must have caused or substantially  
3 contributed towards the death of the victim.

4 When considering what is an unlawful act I am not  
5 required to consider the criminal law of another  
6 jurisdiction as an inquest in this country has to  
7 proceed in accordance with our law.

8 I have also considered the case of the R V Pagett,  
9 [1983] 76, Cr. App. R. 279, which established that  
10 holding another person as a human shield can constitute  
11 the act of murder or manslaughter by the hostage taker.  
12 The causation element of murder or manslaughter can be  
13 satisfied even where it is the intervention of a third  
14 party which results in the death of the victim. Murder  
15 requires an intention to kill or to cause the victim  
16 really serious harm.

17 The actions of the terrorists in confining and  
18 transporting hostages in vehicles were clearly  
19 deliberate and unlawful. The terrorists must have known  
20 before they set off that the Algerian military were  
21 virtually certain to take steps to prevent vehicles  
22 containing more hostages, armed terrorists and  
23 explosives from reaching the CPF and that these steps  
24 could include a direct assault upon the vehicles. It  
25 would have been obvious to anyone that the hostages were

1 being put at great risk. And the terrorists themselves  
2 carried explosives in the vehicles which were primed and  
3 ready to detonate. Once the journey began the steps  
4 that the military were taking to prevent them achieving  
5 their criminal objectives were self-evident.  
6 Accordingly, even where one of the deceased may have  
7 been killed by a bullet fired by the Algerian military  
8 as a matter of law criminal responsibility for the  
9 deaths of all the hostages in the convoy lies with the  
10 terrorists.

11 Thus, it is on the basis of the unlawful act of the  
12 terrorists that I will record in part 4 of the record of  
13 inquest that Stephen Green was unlawfully killed. I am  
14 also sure that by the time the victims died the  
15 terrorists intended that to happen.

16 As to how, when and where Stephen came by his death  
17 I will record in part 3 of the record of inquest that  
18 Stephen Green was taken hostage by terrorists on the  
19 morning of 16 January 2013. He was shot at about  
20 2 o'clock in the afternoon on 17 January whilst still  
21 unlawfully being held hostage and used as a human shield  
22 by terrorists who forced him to travel in a 4x4 vehicle  
23 between the BdV and CPF at the In Amenas gas production  
24 facility Tiguentourine in the People's Democratic  
25 Republic of Algeria.

1           An annotated satellite photograph provided by the  
2 Metropolitan Police based upon the available evidence  
3 shows the final position of the six vehicles which  
4 carried the hostages from the BdV towards the CPF.

5           I am satisfied having heard the oral evidence that  
6 this document, NAS41, is likely to be an accurate  
7 representation of the vehicles and their final positions  
8 and that the vehicle noted as "vehicle A" is the one in  
9 which Stephen Green died.

10           There is no direct eyewitness evidence available to  
11 establish in which vehicle Kenny Whiteside was placed.  
12 He was seen alive by another hostage shortly before they  
13 got into the vehicles. A secondhand account was later  
14 provided in an email to one of Kenny's relatives by an  
15 Algerian colleague. He reported that another colleague  
16 had told him that Kenny was in one of the vehicles that  
17 blew up and he had seen Kenny's body.

18           It is clear from the postmortem evidence that Kenny  
19 Whiteside died from severe traumatic injuries caused by  
20 an explosion and this confirms that he must have been  
21 placed in one of the three vehicles that was  
22 significantly damaged by bombs detonating inside them,  
23 marked as B, C and F on the plan NAS41.

24           On postmortem examination a single gunshot was found  
25 to have passed through his abdomen and his back. The



1 pathological evidence was that there had been no  
2 physiological reaction to this injury, indicating that  
3 it had played no part in his death.

4         Kenny Whiteside's fatal injuries were caused by the  
5 explosion of a bomb placed in the vehicle in which he  
6 was held hostage by the terrorists. I find that his  
7 death was the result of injuries caused by that  
8 explosion. I shall record in part 3 of the record of  
9 inquest that Kenneth Whiteside was taken hostage by  
10 terrorists at about 6 o'clock in the morning on  
11 16 January 2013. He was killed by an explosion at about  
12 2 o'clock in the afternoon on the 17th whilst still  
13 unlawfully being held hostage and used as a human shield  
14 by terrorists who forced him to travel in a 4x4 vehicle  
15 between the BdV and Central Processing Facility at the  
16 In Amenas gas facility, Tiguentourine, in the People's  
17 Democratic Republic of Algeria. I find that he was  
18 unlawfully killed.

19         Carson Bilsland was last seen alive shortly before  
20 the hostages were placed into the convoy of vehicles.  
21 One of the survivors recalled seeing the bindings being  
22 cut from his ankles at the BdV. As with Kenny Whiteside  
23 it has not been possible to establish from the available  
24 evidence precisely which vehicle Carson Bilsland was  
25 placed within. The postmortem by Dr Cary confirmed that

1 Carson's body suffered severe disruption as a result of  
2 an explosion. The nature of his blast injuries suggest  
3 that he must have been within one of the heavily damaged  
4 vehicles, B, C and F on the plan. But it is not  
5 possible to establish which one.

6 In part 3 of the record of inquest I shall record  
7 that Carson Bilsland was taken hostage by terrorists in  
8 the afternoon of 16 January 2013. He was killed by an  
9 explosion at about 2 o'clock in the afternoon on the  
10 17 January while still unlawfully being held hostage and  
11 used as a human shield by terrorists who forced him to  
12 travel in a 4x4 vehicle between the Base de Vie and  
13 Central Processing Facility at the In Amenas gas  
14 production facility, Tiguentourine, in the People's  
15 Democratic Republic of Algeria. I find that his death  
16 was as a result of injuries caused by an explosion and  
17 in respect of part 4 of the record of inquest I conclude  
18 that he was unlawfully killed.

19 One hostage survivor told the inquest how Sebastian  
20 John was sitting next to him throughout much of the  
21 events of 16 and 17 January at the BdV plaza. There is  
22 no eyewitness evidence as to which of the six vehicles  
23 he was placed in for the convoy to the CPF on  
24 17 January. However, it is clear that he was alive at  
25 the BdV on the afternoon of 17 January. Another

1 survivor recalled him being mentioned by Katsiroubus at  
2 about 11.30 when he asked, "Where's Sebastian?" And  
3 later on recalled seeing him shortly before the hostages  
4 were allocated to vehicles.

5 The postmortem evidence is that Sebastian John died  
6 from a skull fracture and severe brain injury. The  
7 pattern of injuries was consistent with a motor vehicle  
8 crash. There was no evidence of gunshot or explosives  
9 injuries. Although other means of blunt trauma could  
10 have caused similar injuries, there was no  
11 circumstantial evidence to support a finding that the  
12 injuries Sebastian sustained were occasioned other than  
13 in a crash. Nor would it have made sense for the  
14 terrorists to take a hostage with them who was already  
15 injured.

16 Dr Chapman's evidence was that the injuries taken  
17 with the circumstantial evidence suggested that he was  
18 either thrown from a vehicle before any explosion or  
19 burning took place or that he was in a vehicle that  
20 crashed but did not explode or catch fire. I accept  
21 that analysis.

22 The vehicle in which he travelled cannot be further  
23 identified. There is no direct or indirect evidence  
24 available that can assist in establishing what caused  
25 whichever vehicle he was in to crash.

1           In part 3 of the record of inquest I will record  
2           that Sebastian John was taken hostage by terrorists on  
3           the morning of 16 January 2013. He died at about  
4           2 o'clock in the afternoon on 17 January whilst still  
5           unlawfully being held hostage and used as a human shield  
6           by terrorists who forced him to travel in a 4x4 vehicle  
7           which then crashed between the Base de Vie and Central  
8           Processing Facility at the In Amenas gas production  
9           facility, Tiguentourine, in the People's Democratic  
10          Republic of Algeria.

11          I shall record his cause of death as blunt head  
12          injury. I conclude that he was unlawfully killed.

13          Carlos Estrada Valencia was seen alive at the BdV on  
14          the afternoon of 17 January 2013. Although one witness  
15          thought Carlos had been placed in the vehicle which  
16          contained Stephen Green and the three British survivors  
17          of the convoy, it seems more likely that he is mistaken  
18          and has mixed up Carlos with Mr Andrada. The photograph  
19          provided to the inquests taken after events establishes  
20          that Carlos was placed in the front row of another  
21          vehicle. Carlos suffered numerous gunshot wounds to the  
22          head and upper body. Identifying the exact number is  
23          not possible because of the complexity of the overall  
24          nature of the injuries.

25          One gunshot had passed downwards from the top of his

1 head through the base of the skull causing a severe  
2 brain injury. It is likely that the shots were fired by  
3 Algerian forces. In addition, Carlos had sustained  
4 explosive type injuries to his hands and lower limbs and  
5 fragmentation device type injuries to the chest and  
6 face. Most likely from a bomb having been detonated by  
7 a terrorist inside the vehicle.

8 From the circumstantial evidence it is probable that  
9 the vehicle in which Carlos was captive when he was died  
10 on 17 January was the one marked E on the plan. This  
11 vehicle was seen nearest to the Gendarme camp and was  
12 likely to have been the one seen in situ a day later by  
13 staff being evacuated from one of the rigs in the outer  
14 field. It had sustained damage from firearms but did  
15 not appear to have been set alight or sustained very  
16 serious explosive disruption.

17 I find that Carlos's death was the result of  
18 injuries caused from an explosion and multiple gunshot  
19 wounds. I shall record in part 3 of the record of  
20 inquest that Carlos Augusto Estrada Valencia was taken  
21 hostage by terrorists at about 7.30 in the morning of  
22 16 January 2013. He was shot and was the victim of an  
23 explosion at about 2 o'clock in the afternoon of the  
24 17th whilst still unlawfully being held hostage and used  
25 as a human shield by terrorists who forced him to travel

1 in a 4x4 vehicle between the Base de Vie and Central  
2 Processing Facility at the In Amenas gas production  
3 facility, Tiguentourine, in the People's Democratic  
4 Republic of Algeria.

5 I conclude that he was unlawfully killed.

6 By the afternoon of 17 January the siege at the BdV  
7 was over and a search was underway for those expatriate  
8 workers who had remained hidden in the living quarters.  
9 At the CPF five men were still held hostage. According  
10 to the statement made by the Algerian Prime Minister,  
11 there were 11 terrorists at the CPF at this time with  
12 the hostages. At least one of the terrorists, Shedad,  
13 appears to have survived from the convoy and made his  
14 way to the CPF. He made a final call to the BP Sunbury  
15 office at about 14.11 on 17 January from a telephone  
16 which was known to have been used by the terrorists at  
17 the CPF. The following day a group of workers who had  
18 been hiding in the technical support and DEP offices had  
19 escaped from the complex by climbing the fence and  
20 walking into the desert.

21 At about 5 o'clock in the afternoon on 18 January  
22 they heard a massive explosion and looked back across  
23 the desert towards the CPF. They could see flames and  
24 smoke. At the same time an expatriate worker hiding in  
25 his room at the companies camp, also heard a large

1 explosion and felt the ground shake. A large bomb had  
2 been detonated at the CPF by the terrorists.

3 The report of an explosion was also recorded in the  
4 log of the incident Management Team at Hassi Messaoud  
5 for 18 January at 5.25 in the afternoon as follows:  
6 reports of smoke coming from CPF appears to be burning  
7 cars, no military operation is occurring. It seems that  
8 this information was provided by the general manager,  
9 Mr Benadouda.

10 Later that day Mr Benadouda was told by the Algerian  
11 military that the operation had finished and he was  
12 asked if he could help identify people at the CPF. He  
13 entered the CPF and in the area of Train 3 saw  
14 a terrorist vehicle that had exploded. He described how  
15 everything was black from an explosion and the vehicle  
16 was still connected to four drums which were attached to  
17 the pillars of Train 3. Around the vehicle there were  
18 numerous dead bodies. He told another person that he  
19 thought he saw as many as 20 dead people, including the  
20 upper bodies of the terrorists. He recognised the body  
21 of the American hostage who had been captured with  
22 Garry Barlow. He then went upstairs on Train 3 and saw  
23 four badly burnt bodies which he took to be the three  
24 Norwegian hostages and Garry Barlow.

25 Postmortem examination confirmed that Garry Barlow

1 died as a result of multiple severe injuries from an  
2 explosive device close to his lower limbs. There was no  
3 evidence of any firearm injuries. I find that he died  
4 from injuries caused by an explosion and that  
5 Garry Barlow was unlawfully killed.

6 In part of 3 of the record of inquest I will record  
7 that Garry Barlow was unlawfully taken hostage by  
8 terrorists shortly after 6 o'clock in the morning on  
9 16 January 2013. He was killed in an explosion  
10 detonated by terrorists in the vicinity of gas  
11 production Train 3 on the afternoon of 18 January 2013  
12 at the Central Processing Facility of the In Amenas gas  
13 facility, Tiguentourine, in the People's Democratic  
14 Republic of Algeria.

15 We'll take a ten-minute break now.

16 (3.35 pm)

17 (A short break)

18 (3.45 pm)

19 THE CORONER: Section 10 subsection (2) of the Coroners and  
20 Justice Act 2009 prevents any conclusion in a record of  
21 inquest from appearing to determine criminal liability  
22 on the part of a named person. However, there is no bar  
23 upon the evidence heard at an inquest exploring and  
24 revealing the identities of the perpetrators of crime,  
25 nor is there any prohibition upon me reciting that



1 evidence when I draw together what I have heard.

2 The evidence available to the inquests about the  
3 identity of the perpetrators of these atrocities is,  
4 however, very limited. The Algerian authorities have  
5 provided the Senior Coroner with some information  
6 collated during the early stages of their enquiries for  
7 future criminal proceedings. This has been seen by  
8 myself and counsel to the inquests. However, permission  
9 to use this in public has not been given and so for  
10 reasons given by the Senior Coroner the material has not  
11 been shared with the interested persons or made public.  
12 The approach I have adopted to the material which has  
13 not been placed in the public domain is the one  
14 suggested by Lady Justice Hallett in the inquests  
15 arising out of the 7 July bombings. In other words, the  
16 findings I have made will be based only upon the open  
17 material that has been put in evidence and provided to  
18 all the interested persons.

19 If undisclosed material flew in the face of the open  
20 evidence as to any particular matter then I would not be  
21 in a position to make any factual finding about it.

22 However, there are no core facts of central  
23 relevance as to how any of the deceased came by their  
24 deaths upon which I am prevented from reaching  
25 a conclusion. Thus I am not prevented from making

1 a finding upon any matter which must be determined to  
2 fulfil my statutory duties under Sections 5 and 10 of  
3 the 2009 Act.

4 I turn to the information publicly available about  
5 the terrorists and their motives. This comes mainly  
6 from three sources, the Algerian Prime Minister's press  
7 conference on 21 January 2013, media reports including  
8 in particular the Algerian publications "El Wattan" and  
9 "Ennahar" and the perpetrators themselves in statements  
10 they made to individuals and media organisations during  
11 the course of the hostage taking.

12 On 21 January 2013 in an online video message posted  
13 on Sahara Media's website responsibility for the  
14 In Amenas attack was claimed by Mokhtar Belmokhtar,  
15 a known Islamic terrorist. That the attack was  
16 organised by Belmokhtar was corroborated by telephone  
17 calls made during the attack in which Shedad, an  
18 English-speaking terrorist, referred to their leader in  
19 Northern Mali as Khalid Al-Dass. This was a known alias  
20 for Belmokhtar.

21 A former leading figure in Al-Qaeda in the Islamic  
22 Maghreb, AQIM, Belmokhtar had been criticised by the  
23 AQIM leadership in a letter dated October 2012 for his  
24 lack of action in "achieving a single spectacular  
25 operation targeting the crusader alliance".

1           In a public statement in December 2012 Belmokhtar  
2           announced that he had split from AQIM, perhaps angered  
3           by the October letter, and he had re-named his brigade  
4           Those Who Sign with Blood. He announced his intention  
5           to strike at western interests although no specific  
6           targets were identified.

7           The terrorist group Belmokhtar brought together was  
8           made up of approximately 32 men, including Algerians and  
9           a number of other nationalities. The group was led by  
10          Ben Cheneb Mohamed Lamine, who went by the name of  
11          "Tahar" during the attack. He was an Algerian national  
12          who had a history dating back to at least 2007 of  
13          conducting terrorist attacks against the infrastructure  
14          of Algeria and of obtaining vehicles and weapons and  
15          running the commercial side of Belmokhtar's criminal  
16          operation, specifically drugs running.

17          With the help of Abu Bakr al-Masri Belmokhtar and  
18          Ben Cheneb had been planning the attack for over two  
19          months. Abu Bakr al-Masri, also known as al-Nisri is  
20          said to have been born in Egypt and is described as the  
21          leader of an African militant Jihadist organisation. He  
22          is thought to have been the logistics chief and weapons  
23          procurer for Belmokhtar.

24          Al-Masri is reported to have been killed by French  
25          forces in Northern Mali in early May 2014.

1           The Algerian media have identified the terrorist  
2           group as including ten Tunisians known as Abu al Wudud,  
3           Abdul Ghaffar, Maad, Al Hussain, Zachariah, Tarek,  
4           Ahmed, Abu Ishaq, Adam and Alhammam; nine Egyptian men  
5           known as Sahib, Mohammed, Towfiq, Mohsin, Issa, Salem,  
6           Yousef, Fahad and Battar, one Nigerien known as Usam;  
7           two men from Mali known as Salaman and Yaacoub  
8           al Baruushi; and Husam Khalil "Zarqawi" from Mauritania.  
9           Many of these names may be aliases.

10           In addition to Ben Cheneb three other terrorists  
11           from Algeria who were said to have been members of the  
12           group were named in one press report as Abou Al Barra,  
13           Mustafa Shaabani and Kerroumi Bouziane.

14           Two of the deceased terrorists were Canadian  
15           citizens. Although called by their aliases of  
16           "Abdulrahman" and "Shedad" in the Algerian media they  
17           have since been identified by the Royal Canadian Mounted  
18           Police through comparisons of fingerprints and DNA  
19           samples as being respectively Ali Medlej, who was born  
20           in 1988 in Lebanon and Xristos nikolaos Katsiroubus who  
21           was born in 1990 in Ontario Canada. Having met in high  
22           school in Ontario these two men were known to the Royal  
23           Canadian Mounted Police to have become radicalised and  
24           to have left Canada in 2011 and attended an Islamic  
25           religious school in Mauritania.

1           The terrorist group had come together for the most  
2           part in Northern Mali. Over two months before the  
3           attack they had travelled close to the border of Algeria  
4           with Mali and Niger and had then entered Libya in the  
5           Oubeid region near the town of Ghat. The attack began  
6           from a starting point not far from the Libyan/Algerian  
7           border. They drove the 78 or so kilometres across the  
8           desert through the Illizi region and came directly to  
9           Tiguentourine. There has never been any explanation of  
10          the details of how they managed to do so without being  
11          detected save only by reference to the size of the area  
12          concerned.

13          The operation had clearly been the subject of  
14          considerable planning. The terrorists had details and  
15          a plan of the premises and were assisted by the former  
16          driver at the plant, named by the Algerian  
17          Prime Minister as Zayid who came from Niger. He was  
18          killed during the attack.

19          The terrorists had a wide variety of weapons which  
20          included missiles, rocket launchers, mortars, antitank  
21          guns, machine-guns, a large quantity of explosives and  
22          gas bottle improvised explosive devices that were used  
23          to set booby traps.

24          Most carried AK47 rifles. Their plan included  
25          capturing foreign workers and given the amount of

1 explosives they carried it is likely that blowing up the  
2 gas plant was an intention from the outset rather than  
3 a decision made only in the course of events.

4 Furthermore, an internet source claiming to be close to  
5 the terrorists has suggested that attacking the bus when  
6 it was already en route to the airport had not been part  
7 of the terrorists' plan.

8 The terrorists are said to have intended to arrive  
9 earlier but to have been delayed by the breakdown of one  
10 of their vehicles. The veracity of this source's claim  
11 to have some specific knowledge of the attack cannot be  
12 confirmed. However, the assertion regarding the delayed  
13 arrival is plausible given that stopping en route to the  
14 CPF and BdV to attack a heavily defended bus would  
15 clearly mean losing some element of surprise at the  
16 facility itself.

17 By the end of the operation 29 of the terrorists  
18 were dead. Eleven were probably killed at the CPF. The  
19 Algerian authorities arrested three other attackers who  
20 remain in custody in Algeria facing terrorism and  
21 homicide charges. The men in custody have been named by  
22 Al Wattan as Derouiche Abdelkader, also known as  
23 Abou al Barra, Kerroumi Bouziane, also known as Redouane  
24 and Laaroussi Edarbali.

25 The same publication also claims that a fourth

1 unnamed man was arrested in connection with the attack  
2 at a later stage.

3 From the outset the terrorists courted publicity for  
4 their actions. The hostages were allowed to keep their  
5 mobile telephones throughout and were encouraged to use  
6 them to contact the outside world. Calls and texts from  
7 those in hiding and those taken hostage were made to  
8 a number of people throughout the first day until the  
9 mobile network was disconnected at about 5 o'clock in  
10 the afternoon on the 16th.

11 One of the first known calls from a terrorist to the  
12 UK was made on 16 January at about 08.25 in the morning  
13 Algerian time which is one hour ahead of UK time when  
14 Shedad rang the mobile telephone of Mr Collins, a senior  
15 BP employee in the UK.

16 Mr Collins was part of the BP Incident Management  
17 Team, IMT, based at Sunbury. Shedad called Mr Collins  
18 from the living area using a mobile telephone which  
19 belonged to one of the Norwegian hostages. He announced  
20 himself as from Al Qaeda and demanded to speak to the  
21 president of the company. Mr Collins continued as BP's  
22 main contact with Shedad thereafter. Shedad remained in  
23 regular contact making over 20 calls to Mr Collins  
24 throughout that first day.

25 The bulk of them were recorded. Once the mobile

1 network went down on 16 January Shedad continued to  
2 communicate with the BP UK IMT via a Tunisian registered  
3 satellite telephone.

4 The terrorists' demand as relayed by Shedad to  
5 Mr Collins included for the Army and Air Force to pull  
6 back, the release of prisoners held by Algeria, for safe  
7 passage to Mali with the hostages, and for the mobile  
8 telephone network in Northern Mali to be reinstated.  
9 There was no evidence from the Algerian military as to  
10 their strategy or tactics even at the most basic level.  
11 Even so it may be that their aim was to keep the  
12 terrorists under constant pressure by the use of  
13 harassing fire into the plaza area. No hostage was hit  
14 by this gunfire.

15 If that was the position there may never have been  
16 any real prospect of their forces pulling back.  
17 A prisoner exchange might be thought to be most unlikely  
18 and on the face of matters had the hostages been  
19 dispersed and taken to Mali their position might have  
20 been even more perilous than it already was at  
21 In Amenas.

22 However, in the absence of any material from the  
23 Algerian military the only certainty is that the  
24 security forces were faced with an extraordinarily  
25 challenging and dangerous situation.



1           At all events, the terrorists' demands were passed  
2           on by the BP IMT to Sonatrach, who in turn were  
3           understood to have informed the Algerian military and  
4           government authorities of the communications. Although  
5           no direct evidence was available to the inquest as to  
6           communications between the terrorists and the Algerian  
7           government, their demands must surely have been at least  
8           indirectly relayed.

9           On 16 January at about 14.50 Mr Collins received the  
10          first of several strong requests for the removal of the  
11          military blockade of the road between the BdV and the  
12          CPF. In other calls direct threats were made to BP that  
13          a hostage would be killed if demands were not met  
14          although this threat was not acted upon.

15          The last call to Statoil was made at about 17.57 on  
16          16 January when the terrorists threatened to start  
17          shooting hostages in 15-minutes if the military did not  
18          back off. Again, that threat was not acted upon.

19          In the morning of 17 January a request was made by  
20          the terrorists to BP asking that a senior military  
21          person from Algiers attend the site to negotiate. The  
22          BP IMT had no direct line of communication to the  
23          Algerian military but passed on messages to their  
24          contact at Sonatrach. In a telephone call at 8.16 that  
25          morning Shedad told Mr Collins that the terrorists were

1 now in contact with the military. At 9.05 Shedad was  
2 asking for a military negotiator to be sent.

3 It is known that the terrorists were able to make  
4 direct contact with the Algerian military at the site by  
5 radio, probably using equipment which belonged to the  
6 JV. A recording of a radio conversation said to be  
7 between a terrorist and an Algerian special forces  
8 officer was passed to the media and was made available  
9 to the inquests from an open source.

10 The timing of this radio conversation is not known  
11 but in it the terrorist demands the release of 100  
12 prisoners, some of whom he describes as having been in  
13 Algerian jails for over 15 years. The terrorist asked  
14 to speak face-to-face with the military officer who then  
15 offers to come to the gate to meet the terrorist and  
16 negotiate. It is not known if this particular  
17 discussion ever took place.

18 The British ambassador to Algeria at the time told  
19 the inquest that in his view it was well known that the  
20 Algerian government would not offer terrorists any  
21 concessions. He said that in his opinion requests for  
22 safe passage to Mali and/or prisoner release were never  
23 likely to have been agreed and this approach was so well  
24 established that those who planned and led the attack  
25 would have known it.

1           Calls to the BP IMT from Shedad continued into the  
2           early hours of 17 January. The calls largely repeated  
3           the earlier demands and requested that the military  
4           should pull back. Direct threats to hostages' lives  
5           were again made but not acted upon. Shedad suggested to  
6           Mr Collins that the hostages would be taken to Mali  
7           where they could be exchanged for prisoners held by the  
8           Algerians.

9           At 9.20 on 17 January Carlos Estrada Valencia was  
10          put on the telephone by Shedad to speak to Mr Collins.  
11          Carlos told him how a helicopter had flown over and shot  
12          at the group. However, the line was too poor for any  
13          more to be said.

14          The final telephone call made to BP was at 14.11 on  
15          the 17th, some time after the departure of the convoy  
16          from the Base de Vie. A terrorist believed to be Shedad  
17          made a call to BP using a telephone which had previously  
18          been understood to have been located at the CPF. He  
19          said that half the hostages were now dead and that the  
20          remainder would be killed if the military did not stop  
21          advancing. It seems, therefore, that Shedad, who had  
22          been in the same vehicle as Mr Green but sitting in the  
23          middle row next to Mr Hitch, had survived the crash and  
24          explosion in that vehicle and made his way to the CPF.  
25          Shedad is known to have died later, probably during the

1 events associated with the explosion at the CPF on  
2 18 January.

3 During the first two days a number of the hostages  
4 at the BdV were required by the terrorists to speak to  
5 media outlets including France 24 and Al Jazeera.  
6 During a telephone call to Mr Collins at 8.16 on the  
7 17th Shedad commented that the English-speaking hostages  
8 were currently talking to Al Jazeera. The conversation  
9 with Al Jazeera was confirmed in evidence by the  
10 hostages. Calls from the CPF were also made directly to  
11 the media. On 17 January the terrorists at the CPF were  
12 making direct contact with Mr Lemine Salem,  
13 a Mauritanian journalist who has since said he believed  
14 that the terrorists were panicking by this time because  
15 the Algerian military would not negotiate with them.

16 At about 11.52 on the 17th Garry Barlow was required  
17 by the terrorists to make a telephone call to his wife  
18 in the UK from the CPF. Using a satellite telephone he  
19 asked her to take down a satellite telephone number. He  
20 was instructed by the terrorists to tell her  
21 specifically to pass this number to the BBC. Mrs Barlow  
22 was by then being supported at her home by a team of  
23 police hostage negotiators who advised her that the  
24 number would be handed to the correct channels and she  
25 called the Foreign Office herself to pass on the number.

1           Of course, the more lines of communication that were  
2           opened with the terrorists the greater the potential for  
3           mixed messages, confusion and misunderstanding which  
4           could have serious consequences in a situation such as  
5           this.

6           Mrs Barlow has, though, been very concerned to know  
7           what decisions were made with regard to the telephone  
8           number by the authorities here. The inquests have heard  
9           evidence that it would have been desirable to keep the  
10          number available solely for communication between the  
11          terrorists and BP and that it would not have been passed  
12          to the BBC unless Garry was thought to have been at  
13          immediate risk unless that was done. There was no  
14          evidence of any risk for that particular reason.

15          What is clear is that the terrorists had in any  
16          event opened up several lines of communication with  
17          media organisations. From another open source recording  
18          it is known that a call, which must have been made after  
19          the one from Mr Barlow to his wife, was made to an  
20          Arabic news organisation by a terrorist spokesman. In  
21          this call the terrorist said that the survivors of the  
22          convoy assault at the CPF would blow up the gas plant  
23          and surviving hostages if the military advanced.

24          Thus, it is abundantly clear that the decision not  
25          to pass on the number from Garry Barlow to the BBC could

1 not have been of any consequence to the terrorists who  
2 had other means available to them to contact media  
3 organisations. In all these circumstances I am also  
4 entirely satisfied that the decision had no impact so  
5 far as what happened to Garry Barlow himself is  
6 concerned.

7 I turn now to the second aspect to be covered by  
8 these inquests, namely the security at the site and  
9 whether or not there was any information known or held  
10 relating to the impending attack.

11 In January 2013 it was well known that there were  
12 significant security risks to westerners throughout the  
13 Sahel region including southern Algeria. Monitoring the  
14 border and detaining traffickers and members of  
15 terrorist groups, including those involved in kidnapping  
16 westerners, had been an important part of Algeria's  
17 southern defence over the previous decade. Its  
18 significance increased as it became clear that AQIM had  
19 established itself in Northern Mali on the immediate  
20 border with south eastern Algeria.

21 The British ambassador to Algeria in post  
22 from December 2010 to May 2014 said that Algeria was  
23 seen as one of the few countries in the region which had  
24 state security and governmental systems still effective  
25 at all levels across the country. However, there were

1 huge ungoverned spaces close to the Algerian borders and  
2 terrorists were able to move around freely in areas of  
3 Northern Mali, Libya and Niger. Nonetheless, his  
4 perception was that the Algerian authorities were seen  
5 as being in a better position than many other  
6 governments to protect their own country.

7 A new development from 2010 had been the advent of  
8 terrorist attacks on Algerian targets such as  
9 Gendarmerie posts and military bases well within  
10 Algeria's southern borders. By 2012, following the fall  
11 of the Libyan regime and the Jihadists' capture of  
12 Northern Mali the mounting risks on the Algerian  
13 southern and eastern borders were well appreciated by  
14 the Algerian authorities, other governments and  
15 international bodies. Press reports in July 2012  
16 indicated that Algeria had responded to the situation by  
17 allocating an additional 7,000 troops and helicopters to  
18 southern Algeria to protect hydrocarbon facilities and  
19 to secure the borders with Libya and Mali.

20 The British Foreign and Commonwealth travel advice  
21 for Algeria in late November 2012 warned of a high  
22 threat of terrorism in Algeria. It said that attacks  
23 could be indiscriminate, including in places frequented  
24 by expatriates, and that it was believed that further  
25 kidnap attacks are likely. The FCO advised against all

1 but essential travel to areas within 450-kilometres of  
2 the Malian border or within 50-kilometres of the Libyan  
3 border, noting that there was an increasing threat of  
4 terrorism and a high threat of kidnap in these areas.  
5 In particular, the FCO advised travellers to take  
6 extreme caution in the district in which In Amenas was  
7 located. This advice was publicly available on the  
8 internet and was intended to apply to all UK citizens.

9 Protecting the southern desert and the zone outside  
10 the plant was the responsibility of the Algerian  
11 government through its Armed Forces. They were not able  
12 to fulfil that responsibility. The JV did, however,  
13 have a number of structures, policies and procedures in  
14 place that sought to monitor the changes in the security  
15 environment in Algeria, assess the risks to personnel  
16 and plant from terrorist events and reduce the  
17 identified risks.

18 The BP Algiers office security section produced  
19 a weekly summary of risks bulletin. This was gathered  
20 from local newspapers, social media and other sources  
21 including western embassies in Algeria. The bulletin  
22 addressed security in Algeria as a whole rather than the  
23 southern region in particular, but was shared with the  
24 AFMC liaison team to assist with their more specific  
25 risk assessment prepared for the JV at In Amenas.



1           The liaison team in Hassi Messaoud produced weekly  
2 liaison updates. These drew upon information provided  
3 by BP in addition to their own review and analysis of  
4 open source material and information gleaned through  
5 their liaison with the military at Hassi Messaoud.

6           These updates informed the local liaison team at the  
7 In Amenas facility who in turn produced weekly meeting  
8 and procedure update briefings for some of the JV senior  
9 staff. These recorded the perceived threat level and  
10 the security situation as well as any change to daily  
11 security procedures.

12           One particular media report published by an Arabic  
13 media source, El Khabbar, in November 2012 appears not  
14 to have been picked up during any of these reviews. It  
15 reported that counter terrorist security forces had  
16 thwarted an alleged plot to attack gas pipelines and  
17 western installations in the south. The plan was said  
18 to have been orchestrated by Ben Cheneb who had  
19 recruited individuals prepared to work with Al Qaeda to  
20 launch strikes against oil installations in  
21 Hassi Messaoud. The terrorist cell was said to have  
22 been dismantled by the arrest of 12 of its members in  
23 the previous spring.

24           Witnesses acknowledged that this report should have  
25 been identified as part of the security reviews.

1           However, the accuracy of the report has not been  
2           verified and more than one witness underlined the need  
3           to be extremely cautious before relying upon any reports  
4           in the Algerian press. The former ambassador said that  
5           it was not thought advisable to base policy on anything  
6           appearing there.

7           I accept the assessment of the ambassador that even  
8           if the report in November 2012 was accurate a single  
9           news item which emphasised the success of the Algerian  
10          security forces in detecting and breaking up a terrorist  
11          cell the previous year would do little to change the  
12          nature or the immediacy of the threat to the In Amenas  
13          facility. The JV management and liaison teams were  
14          already well aware that hydrocarbon installations and  
15          their staff were potential targets for terrorism.

16          There is no basis for supposing that had the JV  
17          become aware of this single press article it would have  
18          led to any change in risk assessment or security  
19          procedures at In Amenas.

20          The JV partners also commissioned or accessed third  
21          party reports to improve their understanding of the  
22          regional security environment. One review in July 2012,  
23          commissioned by Statoil, noted that the scope for  
24          militant activity in the southern oil producing  
25          provinces had increased over the past year with

1 a potential for a one-off high impact attack. However,  
2 it also advised that the ability of terrorists to  
3 conduct attacks within Algeria's oil producing south was  
4 likely to remain limited.

5 Another third party review published  
6 in September 2012 highlighted the kidnap for ransom risk  
7 in the south and specifically stated that workers at  
8 In Amenas would be at risk when travelling by road.  
9 Again, this risk was already well recognised by the JV.  
10 Hence, the requirement for armed escorts for all  
11 expatriates travelling anywhere outside the immediate  
12 vicinity of the base.

13 However, none of these reports, nor indeed any  
14 report available to the JV before the incident warned of  
15 any specific threat of armed assault upon the In Amenas  
16 facility. To that extent all the information available  
17 supported but did not supplement what was already known  
18 by the JV partners about the general risks of operating  
19 in the region. As one senior BP manager put it it was  
20 acknowledged and understood that there was a risk of  
21 a one-off high impact attack which is why risk of  
22 terrorism featured in the risk assessments and action  
23 plans. What no one imagined was the nature and extent  
24 of the attack which was actually to take place.

25 A final potential source of information was the

1 Algerian authorities. Passing specific information does  
2 not appear to have been a frequent occurrence although  
3 both the former ambassador and the liaison team members  
4 at Hassi Messaoud reported occasions when Algerian  
5 military or government authorities became aware of and  
6 passed on specific threats against British interests.

7 I conclude that there is no evidence of any specific  
8 threat against the plant or its personnel that would  
9 have alerted the JV management and averted these events.  
10 However, I endorse the comment made by the authors of  
11 the Statoil report that companies cannot expect to  
12 receive clear tactical warnings. An important function  
13 of risk assessment procedures is obviously to  
14 contemplate and reduce the risks of events that will  
15 occur without warning.

16 The management of security risks on site was  
17 predominantly governed by the security management plan  
18 document which was prepared by the liaison team on  
19 behalf of the JV. It was intended to be updated  
20 bi-annually. The security management plan consistently  
21 identified the threat of terrorism and the risk of  
22 kidnap as key risks and major security threats. The  
23 most recent plan at the time of events had been produced  
24 by the JV liaison team in December 2012. It recorded  
25 the potential for an escalation of terrorist activity in

1 southern Algeria. The security management plan  
2 articulated the JV security philosophy as follows: the  
3 JV is not able to prevent any terrorist or criminal  
4 attack and project protection is the responsibility of  
5 the Algerian security forces. The project approach to  
6 security management is that all security recommendations  
7 and procedures are aimed at minimising exposure to such  
8 risks and limiting the probability of such attacks and  
9 protecting personnel and installations in the event such  
10 attacks occur.

11 The risk assessment and risk management procedures  
12 to accord with this approach were based upon BP systems  
13 although customised by the JV for application at the  
14 In Amenas size. Part of the system adopted for  
15 assessing the level of risk was a standard approach in  
16 which the primary risk level was calculated as the  
17 product of two factors. First, the seriousness of harm  
18 if the risk did come to pass and secondly, the  
19 probability of the event occurring.

20 Account was then taken of measures in place to  
21 reduce the risk and the primary risk level decreased by  
22 that factor to give a residual risk score. That  
23 residual risk score was then used to indicate whether  
24 any further steps should be taken to manage the risk.

25 The JV risk assessment system clearly identified

1 terrorism as a key risk. However, the practice adopted  
2 within both the BP and JV risk matrices in 2012 was that  
3 different types of risk were amalgamated within the risk  
4 matrix calculations. The effect was to reduce the  
5 overall residual risk values for some important  
6 eventualities.

7 Using the 2012 risk matrix had the perceived risk of  
8 terrorist attack on the JV staff and facilities been  
9 assessed in isolation, its rating would have produced  
10 a residual risk score of 16. This would indicate that  
11 a high risk of terrorist attack remained even after the  
12 measures already in place to reduce that risk had been  
13 taken into account.

14 According to the risk assessment policy a high risk  
15 score mandated additional action being taken,  
16 specifically further risk control measures should be  
17 recommended, planned and put in place.

18 However, in the approach adopted by the JV the  
19 assessed risk of terrorist attack was amalgamated with  
20 another related but separate risk, the risk to pipeline  
21 security. A threat to the gas pipeline was considered  
22 to be a less probable event than a terrorist attack on  
23 personnel and was rated with a lower score. The effect  
24 of amalgamating these two risks within the matrix was  
25 a reduction in the overall residual risk rating for

1 a terrorist attack to a score of 14. This lower score  
2 was classed as a medium residual risk. For a risk of  
3 this level the policy was that it should be managed by  
4 adherence to existing procedures with no requirement for  
5 additional preventative or deterrent measures to be  
6 considered by the JV.

7 This approach to risk assessment was described by  
8 Mr Braziel, an independent security expert, as "flawed".  
9 In his opinion each risk should have been treated as  
10 a risk in its own right without reference to other  
11 risks. There is force in his criticism. It seems to me  
12 that it does defeat the purpose of such a detailed risk  
13 assessment exercise if high residual risks are obscured  
14 by considering them in combination with lesser risks.

15 BP has confirmed that its internal policy covering  
16 the assessment, prioritisation and management of risk at  
17 the relevant time stated that:

18 "For some hazards multiple risk events may exist.  
19 The risk event with the highest notification and  
20 endorsement level shall be selected and recorded as the  
21 representative risk. Where there is more than one risk  
22 event with the highest notification and endorsement  
23 level the one with the highest risk rating shall be  
24 selected."

25 A system used by BP and the JV in their risk matrix

1 calculations in 2012 of amalgamating different types of  
2 risk appears to have contravened that policy. However,  
3 neither BP nor the JV still use this risk matrix  
4 approach.

5 Furthermore, the risk assessment process used by the  
6 JV was not confined to this one measure. Other risk  
7 assessment tools used by BP were also adopted and  
8 adapted. A Risk Action Plan was in place. Its purpose  
9 was said to be to identify control measures for each  
10 risk event together with a separate assessment of  
11 whether that was all that was needed to control it. The  
12 JV Risk Action Plan for terrorist attack/kidnap in 2012  
13 recorded that there was a risk of:

14 "Multiple fatalities/casualties. An incident itself  
15 would likely consist of a vehicle bomb or shooting  
16 attack of some kind. And that this risk should be  
17 controlled by the following actions.

18 "One, close monitoring of terrorist activity by the  
19 country security team and analysis by external agencies.  
20 Two, having a liaison team on site who tightly  
21 controlled all business movement with daily location  
22 reports on staff. Three, regular bi-annual reviews of  
23 physical security on site. Four, weekly alarm tests on  
24 all sites. Five, liaison team being the single point of  
25 contact with the military. Six, monthly training with



1 the guards by liaison."

2 It does appear however that two of the six actions  
3 in this plan were not in place. Witnesses reported that  
4 security alarm tests were rarely conducted. Liaison had  
5 been specifically told in December 2012 that they were  
6 not allowed to contact the military.

7 Another measure devised by the liaison team at  
8 Hassi Messaoud for use at both the In Salah and  
9 In Amenas gas projects was a civil crisis plan. This  
10 provided a process for assessing the appropriate alert  
11 level and increasing the level of security at the  
12 facility in the event of escalating civil unrest.

13 At the material time the alert level was recorded as  
14 low but was said in several documents to be operating as  
15 if it were at medium level. A medium alert level would  
16 have required access control policies to be strictly in  
17 force and gates and barriers to be left closed. It  
18 doesn't appear that all actions for the medium alert  
19 level were in fact being enforced.

20 Mr Porter of BP was clear that regardless of the  
21 figures appearing on risk assessment documents his  
22 expectation was that all risks and actions arising would  
23 be continually examined and any additional actions  
24 required would be monitored. He said he would expect to  
25 see these actions contained in the risk action and

1 security management plans.

2 The security management plan at In Amenas was duly  
3 reviewed and updated every six months although the risk  
4 assessment matrices appear only to have been completed  
5 annually at most.

6 Mr Wigg from the Hassi Messaoud liaison team  
7 disavowed any knowledge of any review of risk assessment  
8 taking place at JV level.

9 I am satisfied that the JV must have believed that  
10 their existing protocols and procedures were sufficient  
11 to manage perceived risks. The alternative is that  
12 a number of people would have been putting themselves  
13 knowingly at risk on a daily basis. I do not believe  
14 that to be the case. The task was to adhere to the  
15 protocols. Recorded within the documents and backed up  
16 by oral risk management advice from the liaison team to  
17 the JV management was a policy that the gates to the  
18 facility should remain closed when not in use. However,  
19 that advice was not accepted by the JV management.  
20 Following a meeting with the liaison team in July 2012  
21 the management had required the gates to the facility to  
22 be left open at peak times to aid traffic flow.

23 The inquests have heard some evidence of how  
24 security procedures, in particular the site access  
25 control, were perceived to have become less rigorous

1           since SSI took over management of the guards. However,  
2           the gate was left open on the morning of the attack not  
3           because of any laxity by the civilian guards but in  
4           accordance with the protocol endorsed by management that  
5           the gates at the BdV and CPF should be left open at the  
6           start of the working day. Indeed, the evidence points  
7           to the guards at the CPF having tried to shut the  
8           sliding gate there on hearing the alarm. Potentially  
9           putting themselves at great personal risk.

10           It is not possible to say what steps might have been  
11           taken if the high residual risk of terrorism on the risk  
12           matrix had been appreciated. If there had been stricter  
13           compliance with the documented policy the procedures for  
14           locking the external gates at the BdV and CPF would have  
15           been more stringent, with the gate kept closed when not  
16           in use and/or external parking beyond the outer fence  
17           line might have been employed throughout the facility,  
18           reducing the need for the vehicle gates to be opened for  
19           entry and exit.

20           However, it cannot be said that any of these  
21           measures was likely to have prevented the entry into the  
22           facility of heavily armed terrorists on 16 January. The  
23           most that can be said is that if the gate had been  
24           closed it might have slowed the terrorists down for  
25           a time. Of course, the JV's explicit written

1 instructions to the unarmed civilian guard force were  
2 that they should not put up any resistance to an armed  
3 attacker but instead raise the alarm. Assuming the  
4 guards followed these instructions, if several men with  
5 guns had appeared at closed gates it is not likely that  
6 the obstruction would have delayed them for long.

7       Once the terrorists were inside the gates all the  
8 workers were at significant risk of being taken hostage.  
9 It is not possible to say whether the death of any  
10 individual that I am investigating might have been  
11 avoided if the facility's gates had been kept closed at  
12 all times without descending to conjecture and  
13 speculation.

14       The British government collates information  
15 regarding national and global terrorist risks. In the  
16 course of an extensive disclosure exercise Her Majesty's  
17 Government, HMG, gave access to documents to me and to  
18 security cleared counsel on my behalf. HMG provided  
19 information which satisfies me that they did not know of  
20 the impending attack, nor were they aware of any  
21 information which could have identified or prevented the  
22 specific attack. Had there been evidence of such  
23 information in the materials I would have asked for it  
24 to be made public. No doubt that would have resulted in  
25 a public interest immunity certificate being issued but

1           then I would have considered that on its merits.

2           There was one piece of information which  
3           I considered could be potentially relevant to the  
4           inquests. I indicated that potential relevance to the  
5           Secretary of State for Foreign and Commonwealth affairs  
6           and he provided a public interest immunity certificate  
7           in relation to the detailed information. Nevertheless,  
8           through his counsel he publicly revealed that in  
9           early December 2012 HMG received and read some  
10          information alleging that unidentified terrorists in  
11          southern Algeria were seeking information about British  
12          workers in Algeria with a view to kidnapping them. It  
13          was later established that the information was several  
14          months old when HMG received it. There was an  
15          unnecessary but unintentional delay in processing the  
16          information until after the attack had started.

17          After the In Amenas attack a third country rapidly  
18          assessed that the information was unreliable and could  
19          be totally ignored. HMG considered that the reliability  
20          of the information was questionable and that it lacked  
21          detail. The question arose as to whether the delay in  
22          assessing the information had made a difference to the  
23          way events turned out. HMG considered the issue and  
24          concluded that it could not be sure about what might  
25          have happened. However, but for the delay there was

1 a possibility that some of the information would have  
2 been passed to BP before the attack.

3 Nonetheless, I uphold the certificate because  
4 I concluded that there was only a slim chance that any  
5 further exploration of the information in the inquests  
6 would add to that assessment as there were a number of  
7 uncertain factors which could only be a matter of  
8 speculation.

9 I had to weigh up the value of that slim chance  
10 together with the importance of open justice against the  
11 damage that would be caused to national security and to  
12 our international relations if the information were made  
13 public. I concluded that the balance came down clearly  
14 in favour of no further disclosure. Notwithstanding  
15 that decision, it is clearly of vital importance that  
16 material of this kind is assessed in a timely fashion.  
17 I understand that steps have been taken to ensure that  
18 the delay which happened here is not repeated.

19 Given the evidence of inside assistance in the  
20 planning of the attack and the confirmation from the  
21 Algerian Prime Minister that one of the deceased  
22 terrorists had worked as a driver at the facility, it  
23 was thought right to explore during the inquests the  
24 employment dispute with the drivers at the facility.

25 In the summer of 2011 changes in Algerian

1           legislation mend that the employment arrangements for  
2           a number of subcontracted national workers at the plant  
3           had to be revised. For some groups such as the civilian  
4           guards this meant that they became directly employed by  
5           subsidiaries of Sonatrach and a transfer of the guards  
6           to SSI was made in the summer of 2012.

7           When it became clear that a similar employment  
8           arrangement was not to be put in place for the drivers  
9           and technical staff, a strike began.

10          With the drivers on strike there were limited staff  
11          to drive patrol vehicles for the Gendarme and it was not  
12          considered possible to move personnel around the  
13          facility safely. A particular concern was that there  
14          were insufficient drivers to allow for a rapid  
15          evacuation of the plant lest that was required for any  
16          reason. Thus, by the summer of 2012 the expatriate  
17          staff complement was markedly scaled down to minimum  
18          manning. Only those considered to be doing essential  
19          work stayed on site. Other staff worked remotely from  
20          Hassi Messaoud or from the UK if practicable.

21          A number of witnesses reported that at times during  
22          the period of the strike the atmosphere at the facility  
23          was tense. Some reported verbal threats made by  
24          drivers' representatives although the animosity appeared  
25          to be directed at Sonatrach management and no physical

1 aggression was shown towards expatriate workers.

2 However, when five or six of the drivers went on  
3 hunger strike, several expatriates were led to  
4 understand that a threat had been made that expatriates'  
5 lives would be taken if the hunger strikers died. In  
6 fact, the hunger strike ended without any deaths.

7 In December 2012 the strike was suspended when an  
8 agreement was reached that the drivers would return to  
9 work whilst negotiations over their terms of employment  
10 continued. The facility had therefore been restaffed  
11 back to the usual level of expatriates. However, it  
12 soon became clear that a contingent of drivers were not  
13 content with the agreement to return to work and  
14 in January 2013 they continued to threaten to strike.

15 Several meetings were held to try and resolve this  
16 industrial dispute. One meeting was held at about  
17 8 o'clock in the evening on 15 January 2013. A large  
18 number of drivers met with the senior management team  
19 consisting of Mr Cobb, Mr Bech and Mr Benadouda.

20 An Algerian national who acted as a translator at  
21 that meeting has provided the inquests with her account.  
22 She described the atmosphere at the meeting as "heavy  
23 and explosive" and felt that it was difficult for the  
24 managers to "create a dialogue". The meeting was  
25 conducted in Arabic and she recalls that a Tuareg man



1           whom she had not seen before spoke for the drivers. She  
2           said he spoke decisively in a firm manner but he was not  
3           threatening in gesture or tone.

4           At the end of the meeting she recalls that this man  
5           turned his back on the managers and addressed the  
6           strikers. Her initial account given in a statement to  
7           French police and then translated into English was that  
8           the man had said "you have made your law but tomorrow  
9           first thing you will have a surprise and blood will  
10          flow."

11          However, when asked in January 2015 to clarify her  
12          account she explained that she had understood him to be  
13          speaking of the future in a vague way and not  
14          specifically of the following day. As to the next part  
15          she now recalled this as "You will have a surprise and  
16          the blood is going to flow." She had understood this to  
17          be a reference to the blood of the strikers and to the  
18          sacrifices the strikers were prepared to make if their  
19          claims were not met. She said that in meetings there  
20          had often been references to the death of two strikers  
21          in 2006 and she understood the man to be suggesting that  
22          the strikers were ready to "go to the edge and sacrifice  
23          everything". At the time she said she did not take  
24          these words to be threats.

25          She did not recall translating these words to the

1 managers although she did recall saying to Mr Cobb "it's  
2 over", meaning that the meeting had finished and  
3 attempts at negotiations had failed.

4 Mr Cobb was adamant that if the comment by the  
5 striker was made it was not translated into English for  
6 him to understand. I accept his account which is  
7 corroborated by the evidence from the translator.  
8 Whatever was intended to be conveyed the speaker had  
9 already turned his back on the managers and the remark  
10 did not come to the attention of Mr Cobb.

11 The risks arising from the strike were thought to be  
12 logistical only. Because the drivers drove the vehicles  
13 for the Gendarmes the strike impacted on the ability  
14 safely to move personnel around and off the site.  
15 Beyond this the strike does not appear to have been  
16 perceived as a security risk. However, it is clear that  
17 it was a source of significant unrest among the workers.  
18 In addition, during the strike there was some relaxation  
19 in usual security procedures. As, for example, when the  
20 families of hunger strikers were allowed on to the site  
21 to visit them.

22 There is no evidence available to the inquest to  
23 prove a direct causal connection between the dispute and  
24 the attack which took place. Indeed, given that the  
25 direct effect of continuing the strike would be

1 a reduction in the number of expatriate staff on site an  
2 ongoing strike would have had the effect of taking  
3 workers out of harm's way. Of course, unrest due to the  
4 unemployment situation might in turn give rise to  
5 sympathy amongst the drivers for those who wish to harm  
6 western interests or Sonatrach.

7 As Mr Fulcher, an experienced security adviser put  
8 it, anyone operating in such an environment has to work  
9 on the assumption that there will be insiders who will  
10 report at a certain level what they see and hear to  
11 potential ill wishers.

12 The reemergence of the drivers' strike does appear  
13 to have concerned the liaison team and to have been  
14 a relevant factor in the decision of Paul Morgan to  
15 leave his job at In Amenas. A witness recounted how on  
16 13 January he saw Paul trying to persuade some drivers  
17 who were striking or threatening to strike to carry out  
18 escort work. Paul had told him that he no longer wished  
19 to work at the plant feeling that his liaison role had  
20 diminished since the guards had come under SSI and that  
21 he had lost control of security at the site. He had  
22 said that this would be his last rotation to the site.

23 It is clear from the evidence of several witnesses  
24 that although the risk of an armed assault on the  
25 facility was regarded as a theoretical possibility it

1 was not a risk that anyone contemplated would actually  
2 come to pass. Historically kidnapping was the greatest  
3 threat posed by AQIM and its affiliates to western  
4 interests in the Sahel region and Algeria. They had not  
5 carried out anything of the scale or nature of events at  
6 In Amenas in terms of the manner and duration of the  
7 attack, the number of fighters, the number of casualties  
8 and the weaponry deployed.

9 Whilst smaller scale terrorist attacks were within  
10 contemplation the JV security structures and plans  
11 appear effectively to have assumed that such a large  
12 attack would not reach the gates of the facility.

13 Mr Cobb, the deputy general manager, described how  
14 he understood there to be a ring of steel around the  
15 plant. The JV relied upon the assumption that the  
16 Algerian border forces would stop someone crossing the  
17 border, the military would protect the desert towards  
18 the outskirts of Tiguentourine and the local Gendarme  
19 would detect and stop anyone who came close to the  
20 In Amenas facility.

21 Hence, the security measures, plans and procedures  
22 put in place by the JV were not designed to protect  
23 against a direct armed assault.

24 However, it was recognised by many, including  
25 Mr Fitzpatrick of the liaison team before the event,

1           that both the border and the military zone were porous.  
2           As Mr Fitzpatrick put it, "it's an enormous area so  
3           impossible to cover."

4           He acknowledged that it was conceivable that people  
5           could come through it with ill intent. He said that he  
6           had had discussions with the captain of the Gendarme  
7           about what would happen if the border and military zone  
8           were breached. He was told that the Quick Reaction  
9           Force would then be ready.

10          The assumption that the facility would be  
11          sufficiently protected by a combination of Gendarme  
12          patrols and the Quick Reaction Force was never tested.  
13          Whilst I accept that there was likely to have been great  
14          difficulty in JV personnel obtaining information from  
15          the Gendarme or military about their specific  
16          operational plans or capabilities, there was an aspect  
17          that rather than just being accepted could perhaps have  
18          been monitored by the JV. The 4x4 vehicles used by the  
19          Gendarme for patrolling the site belonged to the JV who  
20          also provided the drivers. All JV vehicles were, as  
21          a matter of policy, fitted with a DriveRight tracker  
22          which could record and their speed, the distance  
23          travelled and the relevant timings. Mr Martin of the  
24          liaison team did collect data from the GPS tracker in  
25          his JV vehicle which revealed the routes that he and

1 others had taken in the field. Mr Adamson confirmed  
2 that information was downloaded as a safety measure to  
3 check measures such as driving speed on a monthly basis;  
4 however, there was no evidence that the JV liaison team  
5 otherwise used or audited the information from these  
6 trackers, although it might have revealed information  
7 about the frequency and efficacy of the patrols. This  
8 in turn, might have informed an understanding of how  
9 likely a patrol was to detect any incursion and/or be  
10 able to alert the Quick Reaction Force to respond if  
11 necessary. Be that as it may.

12 Mr Braziel's expert opinion was that if assumptions  
13 cannot be tested they cannot be relied upon. On any  
14 view the JV was operating with only limited information  
15 available to it about the Quick Reaction Force and its  
16 capabilities. Mr Braziel's expectation as a security  
17 professional was that there would have been at least one  
18 armed Gendarme stationed at the entrance gates  
19 preferably with the protection of a pillbox or sandbags.

20 In this situation the safety of expatriates would  
21 still depend upon the Quick Reaction Force reaching the  
22 residential accommodation before armed terrorists gained  
23 entry. As Mr Braziel accepted, even if an armed  
24 Gendarme had been at the gate and had returned fire at  
25 the terrorists, all that can be said is that he might

1 have delayed them just long enough for the Quick  
2 Reaction Force to attend. It could be a useful delaying  
3 tactic but as Mr Braziel readily conceded, the extent of  
4 any potential delay cannot be determined.

5 A single armed Gendarme at the gate of the BdV and  
6 CPF would not have been able to withstand an attack of  
7 the kind which was mounted at In Amenas in January 2013.  
8 Given the complexity of the incident, as Mr Braziel  
9 agreed, it would be wrong to say that any single measure  
10 would necessarily have made a difference on its own to  
11 the outcome.

12 In effect, the company of Gendarme had to contend  
13 with a four point attack with terrorists attacking the  
14 bus and in entering the gates of the JGC, the BdV and  
15 CPF all within minutes. Wherever the Quick Reaction  
16 Force was deployed the other three areas would have been  
17 vulnerable. Once the terrorists were within the gates,  
18 the Gendarme outside the fence line could not offer  
19 protection.

20 I turn finally to changes since events.

21 Coroners have a duty not just to decide how an  
22 individual came by their death but also where  
23 appropriate to report about that death with a view to  
24 preventing future deaths. The relevant provisions are  
25 to be found within paragraph 7 of schedule 5 to the

1 Coroners and Justice Act 2009. In essence if something  
2 revealed by an investigation gives rise to a concern  
3 that circumstances creating a risk of further deaths  
4 will occur or will continue to exist in the future and  
5 in the coroner's opinion action should be taken to  
6 prevent those circumstances happening again or to reduce  
7 the risk of death created by them, then the coroner must  
8 report the matter to a person, organisation or agency  
9 who the coroner believes may have power to take such  
10 action.

11 Such reports need not be restricted to matters that  
12 have been found to be causative or potentially causative  
13 of the death in question.

14 Therefore, with those duties under schedule 5 in  
15 mind both the Senior Coroner and I have in the course of  
16 this investigation obtained documentary evidence and  
17 I have heard oral evidence concerning the risk  
18 assessments and risk management policies, the physical  
19 security and the protocols and procedures now in place  
20 at the In Amenas facility. Expert evidence from  
21 Mr Braziel, the independent security expert, has also  
22 been obtained which deals with these matters. All of  
23 the documentary evidence provided to me which touches on  
24 the security aspects has been made available to  
25 interested persons. But for obvious reasons the precise



1 details of the current security arrangements at the  
2 In Amenas site have not been placed in the public  
3 domain.

4 Mr Porter of BP described in broad terms when giving  
5 evidence and in more detail in his written statements  
6 how a number of changes had been made at the In Amenas  
7 facility since the attack. Significant changes to  
8 perimeter security and access have been made which  
9 affect how pedestrians and vehicles access the site.  
10 There is much greater control of people coming near the  
11 installation. Security procedures and practices have  
12 been modified in several areas including in the training  
13 given to staff coming on site. Gendarme and military  
14 deployment is now very different from the position  
15 in January 2013.

16 A airport has now been built at the facility so that  
17 there is now no longer any need for staff to travel the  
18 journey to the airport at In Amenas town. This is  
19 coupled with changes to the staffing strategy for  
20 expatriates which mean that only essential workers are  
21 now sent to the site. Organisationally structural  
22 security is now given a much higher priority with the  
23 creation of a new back-to-back role of JV security  
24 assurance manager who has extensive military and  
25 security experience. A security committee has also been

1 established where all JV partners are represented.

2 I have received documentary evidence from BP under  
3 Rule 23 confirming that the risk assessment policy of  
4 aggregating risks is no longer in use by either BP or  
5 the JV.

6 In broad terms these changes appear to cover the  
7 three key recommendations of the Statoil inquiry  
8 regarding security at the In Amenas site. These were  
9 (a) to improve the JV ability to deter, detect, delay  
10 and stop potential attacks through reinforcement of  
11 protective measures, enhancing risk management and  
12 developing security training. (b), appoint a head of  
13 security and establish a dedicated security committee.  
14 (c), establish mutually effective ways to coordinate,  
15 plan and exercise between the JV and the military.

16 The changes at the facility have been considered by  
17 Mr Braziel. In summary he has endorsed the physical  
18 security measures now in place and has commented that in  
19 his view the present procedural security demonstrates  
20 a closer working relationship between the JV and the  
21 military and Gendarme. In his opinion the security  
22 enhancements now provide a significantly safer  
23 environment for the JV staff.

24 I accept that expert opinion. And in the light of  
25 the numerous changes made to structure, practice and

1 procedure at the site I do not think it is necessary for  
2 me to make a report regarding security matters under  
3 paragraph 7 of schedule 5 to the 2009 Act. Had they not  
4 already been implemented, I would though have considered  
5 that they were all measures which needed to be taken in  
6 the light of these events.

7 Finally, in the course of the evidence I was  
8 informed that an internal investigation by BP is not  
9 mandatory where incidents may involve murder. I was  
10 asked by one of the interested persons to consider  
11 making a report regarding this aspect of BP's internal  
12 investigation policy. I have given the matter very  
13 careful consideration but I do not propose to do so.  
14 Incidents involving murder can occur in a wide variety  
15 of circumstances. In the vast majority, if not of all  
16 cases, an investigation will be undertaken within the  
17 relevant criminal justice system and in many cases an  
18 investigation of that kind will be sufficient. BP's  
19 policy does not prohibit an investigation by BP. It  
20 leaves it to the discretion of the company depending  
21 upon the circumstances. The existence of such  
22 a discretion within a company's investigation policy  
23 does not lead me to be concerned that circumstances  
24 creating a risk of other deaths will occur or continue  
25 to exist.

1           Nonetheless, and having said that, the investigation  
2           commissioned by Statoil into these events and the  
3           subsequent Statoil report demonstrate how an effective  
4           timely and constructive inquiry can be held by  
5           a commercial organisation.

6           That completes what I have to say. The signed  
7           records of inquest will be available from Mr Charnock.

8 MR RITCHIE: Sir, may it please you, on behalf of the  
9           families, certainly the family of Carlos Estrada  
10          Valencia and I believe the other families, we would like  
11          to thank West Sussex for the way that they have funded  
12          and supported the coronial process, yourself for the  
13          attention to detail and the sensitivity of your  
14          approach. And on behalf of the lawyers representing  
15          those families we would like to thank you for your  
16          efficient pursuit of open justice and the intellectual  
17          rigour you applied to this process. We thank you for  
18          that.

19 MR POPAT: May I just delay things a moment or two to echo  
20          those comments and thanks from Mr Ritchie on behalf of  
21          BP. The company is immensely grateful for the  
22          thoroughness and care of the investigation and the  
23          evident concern expressed by each and every one  
24          involved. We are thankful to the Senior Coroner and to  
25          the Coroner's offices and all the staff at the Coroner's

1 office at West Sussex. They have conducted  
2 a significant coronial investigation to the highest  
3 standards and at each turn demonstrated a determination  
4 to inquire into this atrocity without fear or failure.

5 Certainly we would also express our thanks to the  
6 court staff and all those responsible for the smooth  
7 administration of what is always a difficult process.

8 May we also respectfully echo your tribute to  
9 Mr Underwood QC and Ms Dolan. Ms Dolan's preparation  
10 and conduct of questioning assistance to the interested  
11 persons and commitment to this inquest have been  
12 exemplary.

13 May we also convey our gratitude to you, sir, for  
14 conducting what has been clearly a full, fair and  
15 comprehensive inquest and for the care and sensitivity  
16 that you displayed to each witness, to the survivors and  
17 all friends and family of those whose lives were taken.

18 Sir, finally, may we respectfully pay our own  
19 tribute to those witnesses, survivors and those bereaved  
20 for their dignity and passion and dedication, their  
21 conduct and strength has been a remarkable and humbling  
22 experience to us.

23 THE CORONER: Thank you very much indeed and my condolences  
24 to everyone involved.

25 MR FERGUSON: May I on behalf of Statoil echo all those



