

<p>1 Tuesday, 21 October 2014</p> <p>2 (10.00 am)</p> <p>3 MS DOLAN: Sir, the first witness this morning is</p> <p>4 Dr Ebeltoft.</p> <p>5 DR HEGE EBELTOFT (sworn)</p> <p>6 Questions from MS DOLAN</p> <p>7 MS DOLAN: Good morning, Dr Ebeltoft.</p> <p>8 A. Good morning.</p> <p>9 Q. Can you give us your full name?</p> <p>10 A. Hege Ebeltoft.</p> <p>11 Q. And I think you are employed by Statoil?</p> <p>12 A. Yes.</p> <p>13 Q. And what is your role at Statoil?</p> <p>14 A. At the moment I'm a senior adviser within HSE in the</p> <p>15 international development and production. At the time</p> <p>16 of the incident I was head of HSE in the Middle East,</p> <p>17 North Africa.</p> <p>18 Q. And being head of HSE for North Africa the In Amenas</p> <p>19 plant would have come under your managership, is that</p> <p>20 right?</p> <p>21 A. Yes, I'm not in the line but I'm staff support of the</p> <p>22 line that was head of In Amenas.</p> <p>23 Q. So you are the health and safety support to In Amenas?</p> <p>24 A. In the line, yes.</p> <p>25 Q. To what extent did your role involve you in discussions</p> <p style="text-align: center;">Page 1</p>	<p>1 and we discussed this when we were putting up, for</p> <p>2 instance, the HSE risk matrix that we developed and</p> <p>3 security was a part of that.</p> <p>4 Q. But there wasn't any other person with the role to just</p> <p>5 look after security at that time?</p> <p>6 A. No, no specific security expert, no.</p> <p>7 Q. Just to clarify Statoil's role within the JV. I think</p> <p>8 Statoil had come into the JV in 2003?</p> <p>9 A. Yes.</p> <p>10 Q. And at that time you had bought 50 per cent of BP's</p> <p>11 share of the project?</p> <p>12 A. Yes.</p> <p>13 Q. So you were an equal partner with BP in the JV?</p> <p>14 A. Yes.</p> <p>15 Q. But Sonatrach held more shares --</p> <p>16 A. Yes.</p> <p>17 Q. -- in the JV than the two European companies. You say</p> <p>18 in your witness statement that since February 2011 you</p> <p>19 were involved in continuously monitoring the changing</p> <p>20 security situation in the Middle East and North Africa.</p> <p>21 What did that mean in practice?</p> <p>22 A. What is meant is that when the Arabic Spring, as we call</p> <p>23 it, came we had to evacuate our office in Libya which</p> <p>24 came a little bit to a surprise to us and then we had to</p> <p>25 evacuate the situation in Egypt and following that we</p> <p style="text-align: center;">Page 3</p>
<p>1 with the management team at In Amenas?</p> <p>2 A. The management team at In Amenas I was not directly</p> <p>3 involved with except when we had review meetings, then</p> <p>4 Tore Bech would be present twice a year. My general</p> <p>5 dialogue I had with Victor Sneberg who was head of</p> <p>6 Algeria, he was the country manager of Algeria and the</p> <p>7 two of us were in the same management meetings, so the</p> <p>8 daily communication or the communication I had with</p> <p>9 respect to In Amenas would be with Victor Sneberg.</p> <p>10 Q. Clearly your role didn't involve any operational</p> <p>11 decision making?</p> <p>12 A. No.</p> <p>13 Q. Correct? But as head of safety would that involve</p> <p>14 discussions about security issues?</p> <p>15 A. It would but as you might have read, security was not as</p> <p>16 much discussed as safety was. We had much more focus on</p> <p>17 the safety issue. But definitely security, the</p> <p>18 challenges with respect to Libya and so on were</p> <p>19 discussed, yes.</p> <p>20 Q. But just to be clear, although at that time, as you say,</p> <p>21 the focus was more on health and safety rather than</p> <p>22 security was there anybody else in a parallel role</p> <p>23 dealing with security or was that to the extent that</p> <p>24 security was dealt with it came within your remit?</p> <p>25 A. In our management team we had a political risk expert</p> <p style="text-align: center;">Page 2</p>	<p>1 discussed very much, okay, what happens next. Which is</p> <p>2 the next country, how will this develop? And we had</p> <p>3 many discussions also about Algeria, what can happen in</p> <p>4 Algeria and how would that involve, is that the next</p> <p>5 country?</p> <p>6 Q. So when you say continuously monitoring, I understand</p> <p>7 you had discussions about it, but what did the</p> <p>8 monitoring consist of?</p> <p>9 A. Monitoring as I mean when I write that means that you</p> <p>10 continuously read, you continuously get external input,</p> <p>11 you ask external companies of their views, you have</p> <p>12 continuously dialogue with embassies, you have</p> <p>13 continuously dialogue with other companies, so you</p> <p>14 actually, we don't have any intelligence service within</p> <p>15 Statoil, so it's actually just to try to get as much</p> <p>16 information to get -- to do the best decisions that you</p> <p>17 can. But it is within the frame of an oil and gas</p> <p>18 company, yes, we don't have intelligence in that of</p> <p>19 a government level.</p> <p>20 Q. And I think you did have some ongoing risk assessments</p> <p>21 within the JV. Did Statoil impose any other or use any</p> <p>22 other risk assessments with the JV or did you rely upon</p> <p>23 the ones the JV did for themselves?</p> <p>24 A. I think it came two ways if I understand your question</p> <p>25 correctly. The JV they did their risk assessment and</p> <p style="text-align: center;">Page 4</p>

1 they presented them to us but in addition we did our
 2 risk assessment, our views of the situations, and then
 3 you meet and then you kind of discuss. So, for
 4 instance, my risk matrix, that's Statoil's, not the
 5 JV's, but the JV then, Tore Bech and Victor, they
 6 present the JV's to me and then based on that we
 7 discussed but what I sent forward internally to Statoil,
 8 that's the Statoil risk assessment not the JV's.

9 Q. And I think in that Statoil risk assessment you had
 10 identified some triggers during the Arab Spring that
 11 might lead you to taking action. What were those
 12 triggers you were looking for?

13 A. We knew very well that the Libya situation was
 14 a challenge, there was a political vacuum but based on
 15 all our discussion, our assessment was that Algeria --
 16 as long as the Algerian military prioritised to protect
 17 the Libyan border and as long as the Algerian military
 18 prioritise to protect In Amenas, we were comfortable.
 19 So what we were trying to follow as a trigger was if
 20 there was any sign that, for instance, the military
 21 would be moved away from In Amenas and taken to the
 22 borders. That was a specific trigger we discussed, that
 23 maybe the Algerian government would prioritise
 24 protection of its borders instead of protection of oil
 25 and gas facilities, but we did never find any such

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1 indicators. All the feedback we got was that the
 2 protection was enforced, not reduced.

3 Q. So do we take from what you are saying that in Statoil's
 4 overview of what was happening you didn't perceive
 5 anything to require security changes or, the most
 6 extreme which would be the evacuation of the area?

7 A. I think my perception at that time was that our tool,
 8 Statoil's tool, is to take people in and out but as
 9 I mentioned as long as there was no indications that
 10 there was reduced prioritised to protect the facilities
 11 we did not take the people out.

12 Q. And I think one aspect of your monitoring was to use
 13 external companies to give you advice about the
 14 situation?

15 A. Yes.

16 Q. We have been provided by Statoil with the report
 17 prepared by Control Risks in July 2012. Who were
 18 Control Risks and what was their relationship with
 19 Statoil?

20 A. Control Risks is a company located in London and it's
 21 one of the security companies that we use, a political
 22 risk analysers company that we use in order to get
 23 external reviews or secondhand knowledge of the
 24 situation to kind of ensure that we have the information
 25 we need. Either to get confirmation of a view or to see

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1 if there is something we have missed out. So it's
 2 a standard way of working that we get, try always to get
 3 secondhand opinion from external resources and as I have
 4 mentioned other companies, embassies and so on. So it
 5 is a part of that risk assessment that we normally
 6 always do within every area.

7 Q. I think this particular report had been commissioned at
 8 the request of Victor Sneberg?

9 A. Yes.

10 Q. Do you have any knowledge of why it was he requested it?

11 A. Yes, it was because of the situation in the neighbouring
 12 countries. We knew there was a political vacuum in
 13 Libya. We knew we had to evacuate some of our other
 14 countries so just in order to be comfortable that we had
 15 a good enough picture of what the situation was we
 16 ordered a little bit more in-depth report than kind of
 17 the regular report you get every week or every month and
 18 so on.

19 Q. It appears from the evidence that has been available to
 20 the inquest that specific threats of what happened at
 21 In Amenas, actionable warnings, weren't known of to
 22 Statoil. In the case of terrorist events would you
 23 expect to always have specific threats or actionable
 24 warnings of events?

25 A. In general I think whatever you know of and you discover

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1 it won't happen so a big terrorist event probably won't
 2 have been discovered.

3 Q. And is it right that under those circumstances what
 4 companies have to do is to look for strategic warnings
 5 rather than specific warnings and changes in the
 6 security environment?

7 A. Yes.

8 Q. Is that what you were doing by getting the Control Risks
 9 report?

10 A. It was -- yes, as I mentioned, it's trying to get
 11 confirmation that we have a good enough picture of the
 12 situation.

13 Q. Because I suppose that if there are changes in the level
 14 of threat or the character of threats that's important
 15 strategic information in the absence of anything
 16 specific. Would you agree?

17 A. Yes.

18 Q. Can we have a look at the Control Risks report. Do you
 19 have a copy? If you look in bundle 3 there which is the
 20 purple bundle and it should be at tab 1 unless you have
 21 your own copy.

22 A. Which?

23 MS GERRY: Bundle 2.

24 A. Yes, but which page, sorry?

25 MS DOLAN: I am looking at page 2 at the moment which

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<p>1 I think is the overview summary. Control Risks are 2 addressing the oil producing regions. The view they 3 were expressing was that terrorism poses a medium threat 4 at the time. First of all, perhaps I should say, did 5 you read this report when it was provided? 6 A. Yes. 7 Q. That terrorism poses a medium threat. What did you 8 understand by a medium threat? 9 A. By me when it says that it poses a medium threat then I, 10 the way I read it is that it's not high, I mean, when 11 I read this report as an overall it was not a big 12 surprise because we knew what was happening in the area 13 around. We have read about some of the smaller 14 terrorist attacks going on in the country, so it was, 15 medium threat is more a confirmation that, yes, there is 16 a medium threat in the area but it's not up to high and 17 extreme that -- yes. 18 Q. Against that background what Control Risks are telling 19 or saying in this report, and I think we are under the 20 heading "Oil producing regions", is that there is 21 limited precedent for militants targeting the energy 22 infrastructure. I think that was the position at the 23 time whilst there had been some attacks on pipelines 24 there had not been particular attacks on plants. But 25 they warn that the scope for militant activity has</p> <p style="text-align: center;">Page 9</p>	<p>1 militants has changed -- 2 A. Yes. 3 Q. -- over the past six months. I think they reference 4 accounts that are well known in the public domain about 5 the attacks in Tamanrassat and Ourgla. Going to the last 6 paragraph on page 2 although that's largely concerned 7 with aviation threats there is a warning there of 8 a one-off attack remaining possible to aviation. Was 9 that something that Statoil took into account? 10 A. Yes, aviation we have discussed a lot. Before the 11 incident we discussed this warning that was sent out that 12 has been mentioned in some of these reports. We 13 discussed that with other companies, with embassies and 14 it seems like that was a very nonspecific threat that 15 had been around for a long time and there is -- the 16 American embassy has to post all threats that come in. 17 So we worked with that a lot and did not find any 18 specific reason that we should stop our people of going 19 on any of the aeroplanes or the charter. So that was 20 taken very seriously. 21 Q. Turning into the main body of the report, I am looking 22 at page 10 now, and I am under the heading "Regional and 23 political security trends". What that paragraph is 24 warning of is the weakness of borders, isn't it, where 25 it is saying that regional states are facing</p> <p style="text-align: center;">Page 11</p>
<p>1 increased over the past year because of the regional and 2 political security dynamics although they note the 3 prospect of a sustained campaign of attacks is limited. 4 What did you take from that? 5 A. When I read it or at least when I interpret that and 6 together with it all is that it confirms what we were 7 afraid of is that the military is getting stretched now 8 with additional work with protecting its borders. So 9 the whole concept of the military is more stretched. 10 But we also, in addition to this we got confirmation 11 that the Algerian military increased its forces. So 12 it's a totality here. Yes, it confirms that the scope 13 of the military has increased due to the situation in 14 neighbouring countries. At the same time we were given 15 information that the number of military present in the 16 area had increased. 17 Q. What this report goes on to say is that the threat from 18 cross border militancy has increased in scope and 19 frequency in the past six months. Was that change in 20 six months something of which Statoil were taking into 21 account? 22 A. Yes, because all of those incidents that I had mentioned 23 is we knew about and is part of the reason why we asked 24 for the report. 25 Q. Because they highlight that the operational reach of the</p> <p style="text-align: center;">Page 10</p>	<p>1 difficulties policing their borders, managing weapons 2 proliferation and this was likely to lead to a slow and 3 steady deterioration in the security environment in 4 Algeria's far south. Although the next paragraph goes on 5 to say most of the south should be shielded from such 6 developments in the short term what the third paragraph 7 says is that there are clear indications that the 8 security forces' capabilities are being placed under 9 strain: 10 "The ability of security forces to manage threats in the 11 far south resulting from regional dynamics should be 12 monitored closely given the limited but credible prospect 13 of a spillover into the southern oil producing regions and 14 the regional and political security dynamics give rise to 15 the credible threat of a one-off high 16 impact terrorist incident in the oil producing southern 17 provinces." 18 Now, to put that in context we have seen that 19 earlier in the report it is very clear that a sustained 20 campaign against oil producing installations is not 21 anticipated. But what there appears to be here is 22 a warning of a credible threat of a one-off high impact 23 terrorist incident in the oil producing southern 24 provinces including areas in which Statoil operates. 25 What was Statoil's response to receiving that</p> <p style="text-align: center;">Page 12</p>

1 advice?

2 **A. I think it has to be looked together with the whole**

3 **report and all other information given from other**

4 **sources and the fact that, as you mentioned earlier, one**

5 **of the challenges was the strain of the military but as**

6 **long as the military forces were increased, there were**

7 **increases, the amount of protection of the borders,**

8 **there was no indication that In Amenas had a reduced**

9 **priority. It was not so specific that we choose to take**

10 **our people out.**

11 Q. But what is being said in this report is that the thing

12 you are concerned about, the ability of the military to

13 protect the borders, is in question, they are calling it

14 into question, aren't they? Where they say:

15 "The security threats from weapons proliferations,

16 weak state capacity will be difficult for governments

17 and investors to predict and manage. Clear indications

18 security forces' capabilities are being placed under

19 strain and the abilities of security forces to manage

20 threats in the south resulting from regional dynamics

21 should be monitored closely given the limited but

22 credible prospect of spillover into the oil producing

23 regions."

24 It is exactly the thing you are concerned about?

25 **A. Yes, and we knew that when we ordered the report so**

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1 **that's what we were worried about. But information from**

2 **other sources is that the military, the amount of**

3 **military at the border were increased and that they were**

4 **prioritising to protect In Amenas. So for me this**

5 **report is more a confirmation of our thinking and**

6 **concerns, more than we were kind of -- it is not so that**

7 **we did not know what was going on and suddenly this**

8 **report came and it came to a surprise, it is more that**

9 **yes, we have to follow this closely.**

10 Q. Within it the report gives reasons why the risk profile

11 is changing. It focuses on some of the issues, I think

12 you weren't here yesterday, that we heard about from

13 Dr Spencer yesterday, the lack of functioning government

14 in Libya being one factor. That means the border with

15 Algeria is, as they put it, likely to remain difficult

16 to police at least in the medium term. Is there not

17 within this report a warning that the border is likely

18 to remain difficult to police?

19 **A. Yes, and it is a long border, but I mean looking at the**

20 **totality at the time we were concerned that the Algerian**

21 **government, if there had been changes in the Algerian**

22 **government, if something had happened to Bouteflika, if**

23 **there had been internal fights, if there had been social**

24 **uprising, that was some of our triggers, that the**

25 **Algerian government were not prioritising this**

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1 **protection. So --**

2 Q. So you were looking at political instability in Algeria

3 would clearly be a major warning sign?

4 **A. Yes.**

5 Q. But there are more subtle warning signs here, they are

6 still subtle but clearly set out. If one looks at

7 page 12 the reasons for the potential difficulties in

8 Sahel and Sahara states are set out very clearly by

9 Control Risks. They talk about the transnational

10 movement of the Libyan Tuareg tribes into Niger and

11 Mali, the exodus of fighters out of Libya is something

12 that has happened with the fall of Libya. They talk

13 about the huge weapons leakage into the Sahara since the

14 2011 fall of the Libyan government which is another new

15 factor. And then also the socioeconomic factors. There

16 has been a bad harvest in Sahara and Sahel regions and

17 that insecurity that that brings to people is another factor?

18 **A. So this is -- yes, this is, as I mentioned, this is**

19 **a confirmation to have In Amenas on the risk matrix. We**

20 **had In Amenas on the risk matrix and we were looking at**

21 **the situation in Libya.**

22 Q. When Control Risks told you that this, in their opinion,

23 meant that this would provide an environment favourable

24 to QIM, as they call it, which is AQIM, Al Qaeda in the

25 Page 15

1 Islamic Maghreb's activities and its recruitment efforts

2 and its capabilities are likely to steadily increase

3 over the coming year. They make a point of setting out

4 that the Algeria southern oil producing regions

5 previously faced routine and manageable threats but that

6 things are changing -- as they say on page 13, since the

7 weapons cache found near In Amenas, the suicide bombing

8 in Tamanrassat and the suicide bombing in Ourgla, it is

9 no longer the case that these are routine and manageable

10 threats and the security conditions in the far south are

11 expected to deteriorate. I should say to be complete

12 they do go on to say:

13 "This shouldn't lead to a significant deterioration

14 in security in the oil producing regions despite the

15 potential for a one-off high impact attack."

16 So what they are warning about is not a general

17 campaign here, we are not at that stage yet. It appears

18 to be saying it is not so unsafe that there is this risk

19 of general attacks to the site but a one-off high impact

20 attack appears, would you agree, by their report to

21 becoming more likely?

22 **A. But still in their summary they say the threat is**

23 **medium, so there's something about the report, if you**

24 **take kind of elements out of it, I kind of could agree.**

25 **But if you take the whole report and look in the summary**

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1 **they say, they still said the threat to the oil**
 2 **producing region is medium.**
 3 Q. But isn't the point of having a report as in-depth as
 4 this not to just go to the front page, go to the first
 5 line and say, well they say the threat is medium and
 6 nothing has changed. I mean as you said, this is to see
 7 if there is anything you have missed out, to make sure
 8 you have a good enough picture, to make sure it was an
 9 in-depth analysis and in the depth and the detail is what
 10 this report is there for, is it not? And what it's warning
 11 of is the risks of a one-off high impact attack?
 12 **A. Yes, and that is why we follow it very closely. It's**
 13 **because -- it's not so that we got this report and say,**
 14 **oh, everything is fine. In Amenas was on our risk**
 15 **matrix. We're following this very closely and we were**
 16 **following the focus of the military and ... so there is**
 17 **something about this report gave us a better**
 18 **understanding and also confirmation that we had all the**
 19 **elements needed in order to have a good view of the**
 20 **situation.**
 21 Q. So when the outlook is in this report, because not only
 22 were they talking about the situation at the time the
 23 report is written but they are also talking about the
 24 outlook, and I think page 23 goes to that, I think again
 25 what the report says under outlook is first of all that

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1 it notes that the increasingly sophisticated assertive
 2 attacks by AQIM's southern branch have generally been
 3 outside Algeria and the long distances that need to be
 4 travelled and the significant security presence means
 5 that operations are unlikely to take place in the main
 6 oil and gas producing areas as opposed to the far south.
 7 So there is some comfort there to be fair within the
 8 report. But they do under the same heading having
 9 acknowledged that Algerian security forces are fully
 10 aware of the threat and have attempted to respond
 11 accordingly -- I am at the bottom of the page if you are
 12 trying to follow -- increasing their presence in the
 13 border regions and therefore whilst they think that
 14 a significant deterioration in the security environment
 15 which would facilitate a sustained campaign remains
 16 unlikely the importance of the energy infrastructure to
 17 the Algerian economy means it should be considered
 18 a credible target. A one-off attack remains a possible
 19 but a sustained campaign against oil producing sites is
 20 unlikely over the coming years. So still that focus,
 21 a credible focus for one-off attack, unlikely to have
 22 a sustained campaign.
 23 What did Statoil do to address the fact that they
 24 think it is a credible target for a one-off attack?
 25 Although only possible and certainly not said to be

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1 probable what did Statoil do to consider that aspect of
 2 this report?
 3 **A. Two answers I think. The fact that the facility in**
 4 **general is a target I think we knew already when we**
 5 **entered the country. I mean that's why there is**
 6 **a military presence. Also the fact that and when you**
 7 **come to the airport you are picked up with armed guards**
 8 **to protect you, so there is something about the whole**
 9 **environment you know you are a target when you are**
 10 **there.**
 11 **How in-depth the security expert internally in the**
 12 **company went into understanding what the action -- I was**
 13 **not present at that meeting, where there was a meeting**
 14 **when Control Risks presented the report to the security**
 15 **experts, but outcome was so that it was not that the**
 16 **threat was not so specific that we kind of took our**
 17 **people out. We continued to work with following it up**
 18 **and as I mentioned, as long as -- there was a general**
 19 **belief that as long as we were comfortable that the**
 20 **military were aware of the threat, that they were**
 21 **prioritising to protect it, it didn't make any changes**
 22 **because you have -- the situation is so that you have**
 23 **a threat and then there has to be a trigger in order for**
 24 **you to take people out and this was not considered**
 25 **specific enough for us to do so.**

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1 Q. In circumstances where getting a specific threat is
 2 going to be rare that is something you are going to find
 3 out before something happens that is going to happen,
 4 strategic warnings like this surely are there to take
 5 into account and act on insofar as one can and is that
 6 not the new information in this report that in a sense
 7 when you say this report is to see if Statoil had missed
 8 something out, the background threat well known about,
 9 you know, before you even go into Algeria, let alone in
 10 recent times but what is being highlighted here is the
 11 increased change, the change over the past year such
 12 that by July 2012 a one-off attack at the oil producing
 13 regions of the south at the infrastructures is being
 14 considered?
 15 **A. When we received this report the only -- for us this was**
 16 **a more of a confirmation of the situation in the area**
 17 **and then we had to follow it closely.**
 18 THE CORONER: Before you got the report had you contemplated
 19 the possibility of a one-off attack of the kind that is
 20 mentioned in the report? Had you thought about or at
 21 least considered that possibility even before you got
 22 the report? Can you remember?
 23 **A. Yes, we have always discussed the possibility of attacks**
 24 **but not the type of large attack that we had**
 25 **on January 16.**

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1 MS DOLAN: When the report was received was it shared with
 2 the JV?
 3 **A. I have understood it was not but it will not be my**
 4 **information because this is a report that was owned by**
 5 **Victor and we gave him a different type of information,**
 6 **internal risk assessment and externally and we -- this**
 7 **is the type of information he would use when he**
 8 **communicated with his partners. It's not normal**
 9 **practice to send out all the specific reports that we**
 10 **get. What we normally share with our partners is the**
 11 **totality, our own risk assessment based on the external**
 12 **input we get. Because we always get reports and it**
 13 **doesn't always mean that it represents Statoil's view,**
 14 **so we do an internal assessment based on the reports we**
 15 **get and then it's Victor responsibility to discuss and**
 16 **communicate this.**
 17 Q. And the internal assessment you did based on this
 18 report, I am not sure I have seen that, did that include
 19 the possible risks of a one-off high impact attack?
 20 **A. Not in those words, but there was at -- In Amenas was at**
 21 **risk based on the unstable situation at the borders were**
 22 **discussed. But as I mentioned, the military here has --**
 23 **the whole relation with respect to the military is an**
 24 **integrated part.**
 25 Q. So it seems from what you are saying that the approach

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1 was as long as the military continued to do what they're
 2 doing or indeed we have heard that they are increasing
 3 some of their border protection, we in Statoil or
 4 effectively therefore in the JV, need not do anything
 5 more in response to changes in the security situation
 6 which are being identified here?
 7 **A. That was our assessment.**
 8 Q. Was there any consideration of what might happen if the
 9 military were not able to protect the borders?
 10 **A. No, we did not -- what we discussed was that we had**
 11 **focused on emergency response training to prepare if**
 12 **something happened but we did not discuss in detail the**
 13 **consequences of such a large attack that happened**
 14 **on January 16.**
 15 Q. And in emergency response training what do you mean by
 16 that? What preparation for if something happened was
 17 discussed?
 18 **A. Yes, we -- what we always do when a threat comes up is**
 19 **to ensure that people are trained, our organisation is**
 20 **trained, we prepare the communication lines. You have**
 21 **to train in order to be prepared if something happens.**
 22 Q. What was that training? What did it consist of?
 23 **A. No, it -- normally you develop a scenario, which has**
 24 **never been at this level, and you have a normal**
 25 **emergency response training where you communicate home**

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1 **to the partners and normally it's a training in**
 2 **communication, who does what with respect to what**
 3 **responsibilities.**
 4 Q. At the level you are working are you talking about
 5 training for how an incident management team would
 6 actually mobilise evacuation of people at that level
 7 rather than any extra training for those actually on the
 8 plant?
 9 **A. Yes, the ones I was involved with that does not involve**
 10 **training of people at site. We are more -- yes.**
 11 Q. Turning to the Statoil report, I know you are not an
 12 author of it, I am not going to ask you about the
 13 detail, but in respect of the main observations that
 14 came out of that report, if I paraphrase it, what the
 15 report says is that Statoil hadn't conceived of
 16 a situation where the military protecting the site
 17 failed to protect it. Obviously this report was
 18 produced by an independent team commissioned by Statoil.
 19 Have Statoil accepted that finding of the report?
 20 **A. Yes.**
 21 Q. And that reliance on the military prevention meant that
 22 inner security measures weren't designed particularly to
 23 provide any resilience or protection if the military
 24 failed. Again, I am paraphrasing. Is that a conclusion
 25 that Statoil have accepted?

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1 **A. Yes, we have accepted that if the military failed, that**
 2 **the physical security would not be able to stop such**
 3 **a large attack.**
 4 Q. Not only would not be able to but was not designed or
 5 intended to prevent it?
 6 **A. Yes, it was not designed to, yes.**
 7 Q. Perhaps rather than going through the rest of the
 8 recommendations in any detail can I take it from your
 9 answers so far that Statoil have accepted all of the
 10 recommendations made by this report they commissioned or
 11 are there any that Statoil have not agreed with or not
 12 taken on board?
 13 **A. We have agreed with all recommendations and all**
 14 **recommendations except for a small one is implemented at**
 15 **the JV today.**
 16 Q. We don't, for the purpose of the inquest need to go into
 17 the detail for the changes in --
 18 **A. We have accepted the investigation report and together**
 19 **with our partners have implemented all recommendations**
 20 **into the JV today, and Statoil as a company.**
 21 MS DOLAN: Thank you, I have no more questions for you.
 22 Questions from MR RITCHIE
 23 MR RITCHIE: May it please you, sir. Good morning,
 24 Dr Ebeltoft. You have mentioned this morning a risk
 25 matrix produced by Statoil. Can we see it?

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<p>1 A. Sure. But I'm sorry I don't have it with me, but 2 definitely. 3 Q. You have a document that is the risk matrix for shall we 4 say some time in 2012? 5 A. I have a slide developed in May 2012 where In Amenas for 6 the first time came up on our risk matrix due to the 7 situation in Libya. 8 Q. A slide for May 2012 where In Amenas first came up on 9 your risk matrix? 10 A. Yes. 11 THE CORONER: Did you say "May" or "made in 2012". I am 12 just looking down here. There are two things. Made in 13 2012 or did you say in May 2012? 14 A. I said May. It's made in May. I probably said both. 15 I am sorry. 16 MR RITCHIE: Thank you. And you mentioned that after the 17 Control Risks' report that report was not provided to 18 the JV partners but Statoil's internal assessment was? 19 A. Statoil's internal assessment was communicated with 20 Victor, Victor was our -- when I discussed the situation 21 in Algeria I discussed with Victor, he was in my 22 management team and our governance is so that I worked 23 to him and he worked towards the JV. 24 Q. So was there a written internal assessment based 25 partially on the July Control Risks' report?</p> <p style="text-align: center;">Page 25</p>	<p>1 Q. Is the value between 1 and 5 for each index? 2 A. No, we have a very different system. 3 Q. What's the value that you use? 4 A. We have percentage with probability. 5 Q. A percentage? 6 A. Yes. 7 Q. So it might be 10 per cent or 20 or 50 or 90, depending 8 on probability. And what about impact? What do you use 9 for the index for that? 10 A. On the HSE if it's an HSE risk we go up to I think 6 and 11 it depends on the amount of casualties for the impact. 12 Q. So before Control Risks you have got a percentage and 13 a number for your matrix. For terrorism, for the risk 14 of a terrorist attack what was the percentage 15 probability and what was the impact before Control 16 Risks? 17 A. The impact on In Amenas, we never foreseen that it was 18 such a big terrorist threat, so I think it was about 4 19 or 5. 20 Q. Deaths? 21 A. No, on the HSE risk matrix. 22 Q. I see. 4 out of 6? 23 A. 4 out of 6. 24 Q. Okay. And the probability before Control Risks, where 25 was the percentage?</p> <p style="text-align: center;">Page 27</p>
<p>1 A. Sorry, what was the word -- was there a? 2 Q. Was there a written, written down -- 3 A. Written? 4 Q. -- internal assessment based partly on Control Risks? 5 A. It went in as a general in like -- there won't be 6 anything written saying: the Control Risks said 7 so-and-so, that's why we do so-and-so. But it is a part 8 of the totality that result in the risk assessment that 9 we have. 10 Q. So we have a May risk assessment. In Amenas enters the 11 risk matrix. In July you get a report which Ms Dolan 12 has been through and Victor Sneberg no doubt read that. 13 What I seek to know is what documentation was produced 14 after that to feed in to the JV? 15 A. The risk assessment that I mentioned came up in May. 16 That is a dynamic one. That one we update regularly and 17 I think I send it internally every other month. The 18 communication with what Victor sends into the JV is, I'm 19 not sure. 20 Q. Okay. And did you change the risk value on your risk 21 matrix after Control Risk? 22 A. No. 23 Q. Do you have two indices for your risk matrix, 24 probability and impact? 25 A. Yes.</p> <p style="text-align: center;">Page 26</p>	<p>1 A. This is on the -- I'm not sure but it is in the lower 2 range. It is kind of the lower probability high impact 3 threat we have. 4 Q. Got it. And then after Control Risks did you revise 5 that and did those figures change? 6 A. We did not revise the figures but we revised the focus 7 and the focus that we had to follow it up, but nothing 8 in the report changed that, either the probability or 9 the consequence in the risk matrix. 10 Q. Doesn't a one-off high impact event look like rather big 11 impact? 12 A. But this is one input out of many, so based on the total 13 evaluation we did at that time even a high of 1 impact 14 was not evaluated as the one that we actually have. 15 Q. Understood. Can I just understand the thinking. As 16 I understand it, it is a four stage process. You 17 evaluate the threat, stage one, you mentioned that, you 18 get advice on that from various agencies. Two, you look 19 at the defence and for your focus defence involved 20 government and military and you focus quite powerfully 21 on those, didn't you, when looking at defence? 22 A. Yes, in principle it is a totality but that was the one 23 that were changing. The other physical security was 24 there. 25 Q. Yes. And then your triggers are, if you will, the</p> <p style="text-align: center;">Page 28</p>

1 children of that focus. If the government was
 2 unstabilised or the military lost focus that was your
 3 main trigger?
 4 **A. That was our main trigger.**
 5 Q. Yes. And then your action that you had in mind was
 6 evacuate?
 7 **A. Yes, and take people out, yes.**
 8 Q. So what I suggest is that there are some obvious defects
 9 in that approach. May I discuss them with you now?
 10 **A. Yes.**
 11 Q. To focus on instability of the government or the
 12 military or lack of focus of the government or the
 13 military does nothing to test its effectiveness, does
 14 it?
 15 **A. It's -- if our view is that if the government is**
 16 **unstable it would have -- there is -- I am not an expert**
 17 **on this, but the political situation in Algeria I saw**
 18 **that there are a lot of internal fighting between the**
 19 **president and the security environment so if there were,**
 20 **what we were told is if there is some instability at the**
 21 **high level focus from those responsible for security**
 22 **would be drawn towards kind of a power struggle. So**
 23 **that's the advice we got.**
 24 Q. I understand that and I understand the logic of it.
 25 There is powerful logic in that. But I am talking about
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1 the effectiveness of the military. You can have
 2 a totally focused government with a number of military
 3 on the ground but they may be completely ineffective or
 4 only partially effective, only 40 per cent effective or
 5 60 per cent effective or 70 per cent effective. Your
 6 focus on government and military did not have any
 7 effectiveness testing of the military within it, did it?
 8 **A. Two answers. First, is that I have been told, without**
 9 **being an expert, that the Algerian military is one of**
 10 **the best in Africa and I have seen the statistics on**
 11 **that. So I have been told it's good without ever having**
 12 **tested it. And also we got some understanding that if**
 13 **you -- this is the military so if you lose command**
 14 **direction from the top this maybe would kind of go out**
 15 **all into the operational end. But we never discussed --**
 16 **well we did discuss since I obviously have got**
 17 **confirmation that it's the best in Africa but we did not**
 18 **discuss testing of the military.**
 19 Q. Then finally, when we come to the actions, your actions
 20 consequent on triggers didn't have a middle step. May
 21 I explain? It is not enough for evacuation but we need
 22 to beef up security. In your thinking there was no such
 23 middle step, was there?
 24 **A. Both yes and no. There were middle steps with respect**
 25 **to regular transportation, focus more when we are going**
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1 **to the rig site, when we are doing the FRAC jobs so**
 2 **there were steps with respect to the kidnap for ransom**
 3 **situations, definitely. A high focus on that. But when**
 4 **it came to the facility itself I felt it was a little**
 5 **bit out of my reach so if I wasn't comfortable I would**
 6 **take the people out.**
 7 Q. You never dug down into the facts of the operational
 8 security at the facility?
 9 **A. Not.**
 10 Q. You personally?
 11 **A. Not in-depth.**
 12 Q. That would be either for Victor or for Tore but you
 13 didn't get one of those meetings where you said: okay,
 14 I'm worried about security now. We've had the Control
 15 Risks report. I want to know about security at the
 16 facility, run me through it. I want to discuss it.
 17 I want to see whether we should beef it up. You never
 18 had that conversation?
 19 **A. Not in-depth.**
 20 Q. Can I just come very briefly to a couple of matters in
 21 your witness statement then. You say in your witness
 22 statement that security at In Amenas was overseen by the
 23 JV under the In Amenas Risk Action Plan. Those are your
 24 words. In fact, we, Her Majesty's Coroner and those
 25 involved in this inquest have seen three key documents:
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1 the In Amenas security management plan. Did you see
 2 that?
 3 **A. I have seen it after, but -- yes.**
 4 Q. But not --
 5 **A. Not before.**
 6 Q. You didn't descend into that sort of detail before?
 7 **A. No, I knew it existed and I knew -- but I hadn't seen**
 8 **the details.**
 9 Q. You hadn't seen it. And the In Amenas civil crisis plan
 10 with alert levels and the like. You hadn't seen that
 11 before?
 12 **A. I have seen that.**
 13 Q. You had seen that before?
 14 **A. Yes.**
 15 Q. Because that has a risk matrix which may have been not
 16 wholly dissimilar to yours. And then the In Amenas risk
 17 management procedure which was developing in 2012. Did
 18 you see that before?
 19 **A. No.**
 20 Q. Then there was a Risk Action Plan which is page 45 of
 21 our bundle. It is a sheet there has been some evidence
 22 about it. So all of those documents, some of which you
 23 had seen, identified terrorist risks in them and
 24 specific words in some of them. Vehicle bombs, men with
 25 guns that sort of thing?
 Page 32

1 **A. Yes.**
 2 Q. You say in your witness statement since February 2012
 3 you were involved in continuously monitoring the
 4 changing situation in north Africa and you mention that
 5 Victor Sneberg asked for the Control Risks report. Was
 6 that request made in June 2012?
 7 **A. No, it was -- because I think we got the draft in March**
 8 **so it was request -- the request came some time in 2011.**
 9 Q. Late 2011 or maybe early 2012?
 10 **A. In the autumn 2011 or something. It took a while before**
 11 **we got it.**
 12 Q. So Libya had fallen but Northern Mali hadn't yet fallen
 13 because that happened in early 2012?
 14 **A. Yes.**
 15 Q. Had Victor Sneberg ever previously during your time
 16 asked for an external expert report on security at
 17 In Amenas or was this the first time?
 18 **A. He was generally very interested in asking for instance**
 19 **we had this detailed workshop in London in March 20 --**
 20 **so it's kind of it's too strong to say this was the**
 21 **first time but I can't at the moment come up with any**
 22 **other report he requested, so --**
 23 Q. Thank you. I will come then very briefly to a couple of
 24 the things that the Statoil report pointed out and
 25 I will just take them item by item because my learned

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1 friend Ms Dolan has given you the overview. So if you
 2 want the -- did I say Statoil report? I meant the
 3 Control Risks report, forgive me.
 4 **A. Okay.**
 5 Q. So we will come to the Control Risks report which is in
 6 the second core bundle, tab 1. I start on page 254 of
 7 that. The internal page number is 2.
 8 **A. Number 2.**
 9 Q. Yes. Under the heading "Oil producing regions" the
 10 first line which Ms Dolan read out to you is:
 11 "Terrorism poses a medium threat to Statoil's
 12 personnel and operations in the southern oil producing
 13 regions."
 14 Were you aware the alert level set out in the
 15 documents in August 2012 was low at the plant, not
 16 medium, low operating as medium? Were you aware of that
 17 or were you too high up the chain to --
 18 **A. Yes, I was not aware of the specific alert level at the**
 19 **plant.**
 20 Q. Then the next point in that sentence:
 21 "The scope for militant activity has increased over
 22 the past year because of the regional, political and
 23 security dynamics."
 24 So that was a warning from Control Risks of an
 25 increased scope for militant activity. You were aware

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1 of that, weren't you?
 2 **A. Yes.**
 3 Q. Secondly, same paragraph, they deal with -- sorry, next
 4 paragraph, "Cross border militancy", as opposed to if
 5 you will intra-border militancy, and they say that the
 6 scope for that has increased and the frequency within
 7 the last six months.
 8 So on both interstate and cross border militancy you
 9 were being advised that there was an increase?
 10 **A. Well, in fact the terrorist activity in Algeria as such**
 11 **in the total country had been reduced for the last years**
 12 **but in the south we were aware of that border**
 13 **trans-movement, yes.**
 14 Q. As Ms Dolan put to you it was a change in the risk,
 15 wasn't it, away from the north towards the south?
 16 **A. Yes, especially due to the fall of Libya.**
 17 Q. And then Northern Mali too?
 18 **A. And then Northern Mali came.**
 19 Q. And then there is the one of high impact attack. As
 20 I understand it, it is not so much that you were
 21 previously aware of the likelihood of it, it is that
 22 this bedded that risk down in your mind because it
 23 reinforced the risk of a one-off high impact attack?
 24 **A. Yes, I think when we got this report it was more, as**
 25 **I mentioned, a confirmation that we have to follow this**

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1 **closely and this situation is worsening in the south.**
 2 Q. I understand that.
 3 **A. But this one thing, this one-off attack was not**
 4 **considered as so specific as you mentioned.**
 5 Q. No doubt things are better now but when these sort of
 6 warnings are given there are two ways of dealing with
 7 them. You either discount them and say you know about
 8 them but do nothing or you do something. I suggest the
 9 difficulty in Statoil's approach was the only something
 10 you were prepared to do was to pull them out. You had
 11 no middle ground. The middle ground being: let's look
 12 at the facility and beef up the protection. Do you
 13 think that's the defect that you were struggling with?
 14 **A. No, because there was a middle ground with respect to we**
 15 **put this on our agenda and we discussed it with, we**
 16 **discussed it with the JV, we discussed it with BP.**
 17 **Victor discussed this with, and was focusing on this but**
 18 **what I mentioned is that I was not requesting**
 19 **increased --**
 20 Q. Security?
 21 **A. -- security with respect to the facility at site. But**
 22 **I know there were recommendations given and I did some**
 23 **of it but I was not on that level.**
 24 Q. Can I just come back to page 260, which is internal 14,
 25 because there is a list of relevant events that Control

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<p>1 Risks raised there, page 260. The printing on mine is 2 not super. I hope the printing on yours is a little bit 3 better, Dr Ebeltoft, but do you see there a country map? 4 A. Yes. 5 Q. And starting with number 5, the Libyans kidnap the 6 Illizi governor in January 2012. Her Majesty's Coroner 7 has heard quite a lot about this. But this was 8 a terrorist attack specifically raised by Control Risks 9 and brought to your attention in this report, wasn't it 10 as set out there? 11 A. Yes, but we knew about the incident, so -- 12 Q. You did? 13 A. There was nothing new about -- 14 Q. It's all interpretation, isn't it? We have heard from 15 some witnesses that this was discounted as teenagers in 16 effect or young people or local dispute, solved very 17 quickly. This was paid for security experts listing it 18 as a relevant terrorist event, brought to your attention 19 through this report. So you may have known about it but 20 this makes it have some credibility, doesn't it? 21 A. If I remember correctly I never heard the word 22 "teenagers" but I have heard that when we got this 23 explained to us they released him very quickly and it 24 was more -- yes. But it was -- nonetheless it was an 25 event that was listed.</p> <p style="text-align: center;">Page 37</p>	<p>1 on the credibility of the reports you don't seek to now 2 discount them for some other reason, do you? The first 3 paragraph -- 4 A. I am not a security expert but I have understood that 5 these MANPADS that were discovered were -- I don't kind 6 of are able to say that what is here is not true but 7 I understand they are old and they're Russian and they 8 are not very much effective any more. But it's -- 9 I think it's -- I am not trying to kind of say this and 10 this is not true. I think it's totality here we have to 11 look at. Yes, it was deteriorating in the south. 12 Q. And your experts to whom you went for advice on the 13 situation raised that. There are three others. There 14 is number 7, page 14 on the map, is the suicide vehicle 15 bomb attack in Tamanrassat. Number 8 is the Tunisian 16 military jet destroying three vehicles smuggling weapons 17 from Libya to Algeria in southern Tunisia, which we have 18 heard elsewhere, it is in the orange file and then 19 number 9 is the Ourgla bomb attack. 20 So they, Control Risks, set out a number of what 21 they considered relevant threats? 22 A. To us. 23 Q. To analyse, to give to you? 24 A. Yes. 25 Q. Coming then to what was done, is it right that Statoil</p> <p style="text-align: center;">Page 39</p>
<p>1 Q. There is more detail, I won't descend into it here for 2 time reasons on that. 3 Then also the SAM missile cache discovered in 4 Illizi, in fact in the In Amenas region. You see number 5 6 there. Again, in this report, the report of the 6 discovery that is described as credible. I can take you 7 to it. But the point I seek to elicit is this raised to 8 Statoil's knowledge that event as a relevant event, 9 didn't it? 10 A. Yes, there are -- what is challenges with some of this 11 listing is that there is a lot of analyses afterwards 12 with respect to what were credible and what were not. 13 Some of it is definitely credible. Some of it is things 14 that are posted in order to make the Algerian military 15 look good, that they actually have taken cascades and 16 other militia and some are there to -- so it's based on 17 all information you get. Even if we get it from 18 a company like Control Risks we do an internal 19 assessment. 20 Q. What it says on page 257, which is internal 11, is: 21 "Credible reports indicate that the Algerian 22 security forces have discovered weaponry capable of 23 targeting aviation assets - man-portable air defence 24 systems (MANPADS) and surface-to-air missiles." 25 So you asked experts, they have given you their view</p> <p style="text-align: center;">Page 38</p>	<p>1 never pushed the JV or tried to persuade the JV to have 2 armed Gendarmes in BdV? 3 A. Yes, that's true. 4 Q. Is it right that Statoil never pushed or requested the 5 JV to have armed Gendarmes in the towers, the guard 6 towers around BdV? 7 A. I don't know. 8 Q. Is it right that Statoil never pushed or persuaded the 9 JV to implement a number of outstanding security 10 measures which had been suggested by liaison? 11 A. That is the level of details that were handled in the 12 JV. 13 Q. Below your grade? 14 A. Yes. 15 Q. Do you believe that Statoil let BP lead on security and 16 Statoil followed? 17 A. In principle that is how it was practised. 18 Q. Different now but that was how it was then. Finally, 19 you accept, don't you, that Statoil trusted the 20 military's capability far too much? 21 A. We trusted them. 22 MR RITCHIE: Thank you, Dr Ebeltoft. 23 Questions from MR OWEN-THOMAS 24 MR OWEN-THOMAS: Good morning, my name is Owen-Thomas. 25 I ask some questions on behalf of David Green, the</p> <p style="text-align: center;">Page 40</p>

10 (Pages 37 to 40)

1 father of Stephen Green. Just a very few questions if
 2 I may.
 3 Are you aware of any steps which Statoil took to
 4 prepare staff who were deploying to Algeria?
 5 **A. We did not at that time prepare them as in-depth as we**
 6 **do now. We had interviews with them, presented the**
 7 **situation, presented a threat picture, presented how it**
 8 **was to live and work in Algeria.**
 9 Q. Cultural things rather than security and safety?
 10 **A. Both security and safety but not as in-depth. It was a**
 11 **part of the interview. We presented slides with**
 12 **a threat picture, we presented slides with the security**
 13 **situation and we presented how it was to live in a very**
 14 **harsh environment. And we sent them down to -- they**
 15 **were allowed to go down one, to take a trip to have**
 16 **a look before they accepted. But we did not, as you**
 17 **probably do know now, have a two or three days course.**
 18 Q. You have discussed with Mr Ritchie some of the physical
 19 security, I understand that you were not involved in the
 20 minutiae of the physical security, but do you recall,
 21 was there any discussion at your level within Statoil as
 22 to the physical security of the site at In Amenas? By
 23 that I mean fences, chicanes and that sort of thing?
 24 **A. We did not -- never have at our management meetings**
 25 **detailed discussions about the fencing and so on and so**
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1 **forth. We just were aware of how it was run and how**
 2 **they agreed to set it up.**
 3 Q. Have you since discussed physical security with
 4 Sonatrach?
 5 **A. Not me as a person but we have now established**
 6 **a security committee where physical security is**
 7 **discussed and Sonatrach has signed together with Statoil**
 8 **and BP all physical security enhancement that --**
 9 Q. But that is the future. Has Statoil ever discussed with
 10 Sonatrach: what did you think of the physical security
 11 at the time of the attack? Has that conversation taken
 12 place?
 13 **A. I wouldn't know.**
 14 Q. So you don't know if it has. Has Statoil discussed --
 15 I appreciate Statoil was a part of the JV, but has
 16 Statoil, the company, discussed with the JV its view on
 17 the physical security at the time of the attack and
 18 whether or not it considers any deficiencies?
 19 **A. I think we all agree that it was not designed to**
 20 **withstand such a large attack as the one we had**
 21 **on January 16.**
 22 Q. But have you discussed that with the JV, with someone
 23 from Sonatrach, someone from BP?
 24 **A. We have -- for me I have not -- I have never discussed**
 25 **it with anyone from Sonatrach present.**
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1 **MR OWEN-THOMAS: Thank you, Dr Ebeltoft.**
 2 **Questions from MS GERRY**
 3 MS GERRY: Good morning, Dr Ebeltoft, I ask questions on
 4 behalf of Sebastian John's family.
 5 Can I ask you to turn up the Control Risks report,
 6 hopefully you still have it available to you at tab 2,
 7 and ask you to go to the second page. What I want to
 8 understand is the history and the reasoning for
 9 requesting this report. As I understand your evidence
 10 you said that the background to this was there is the
 11 Arab Spring, the evacuation of Libya, the evacuation of
 12 Egypt and you wanted to know which country was next was
 13 the thinking at the time, was that right?
 14 **A. Yes, we didn't ask them which country was next because**
 15 **we asked them to look at Algeria but we -- since Algeria**
 16 **is an important country for us it was important for us**
 17 **to get a second opinion.**
 18 Q. Sure. But the focus, is it right, was on, we have had
 19 to evacuate staff out of Libya, we have had to evacuate
 20 staff out of Egypt, let's look to see whether we're
 21 likely to further evacuate from other countries? Is
 22 that at the time the sort of thinking that was going on?
 23 **A. Yes, in general we looked at all of our countries,**
 24 **Algeria is one of them.**
 25 Q. The introduction on page 2 it says:
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1 "Statoil asked Control Risks to provide an
 2 assessment of the current and future threats to its
 3 operations in Algeria. This final report builds on
 4 a draft submitted in March. The report comprises
 5 assessments of Algeria's political and security
 6 environment in scenarios outlining their likely
 7 trajectory taking into consideration Statoil's feedback
 8 on Control Risks' interim report."
 9 So what we have here, is this right, is a final
 10 version of a draft that was provided back in March 2012
 11 on which Statoil had commented; is that right?
 12 **A. Yes, I assume.**
 13 Q. Are you able to assist as to whether, as against the
 14 report that was submitted in March, there were any
 15 differences in terms of highlighting a possible,
 16 a credible threat of a one-off high impact terrorist
 17 incident, concerns over the stretching of the Algerian
 18 security forces and concerns about an increase in cross
 19 border militancy? Were those matters that were
 20 highlighted in the March draft report or are they
 21 matters which only came out in the final report in July?
 22 **A. I wouldn't know. When this report was requested we went**
 23 **to our security department and they were the ones**
 24 **contacted Control Risks and they were the ones receiving**
 25 **the draft. So I did not have any personal dialogue with**
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<p>1 Control Risks on anything before I got the final</p> <p>2 document.</p> <p>3 Q. Obviously some of the matters in this report can't have</p> <p>4 been in the March draft, so, for example, at page 14</p> <p>5 where the incidents are listed. They are obviously</p> <p>6 the June incidents which we have heard about upon which</p> <p>7 some reliance has been placed as to the changing nature</p> <p>8 of the threats being faced and possibly the March</p> <p>9 suicide vehicle bomb attack as well. So would it be fair</p> <p>10 to assume there were some changes but you are not</p> <p>11 able to help as to which of the general concerns raised</p> <p>12 may or may not have changed between the two reports?</p> <p>13 A. No, I will not be able to help with direct -- but</p> <p>14 I notice the same as you and I was confident that at</p> <p>15 least it was updated, so I am comfortable that it</p> <p>16 actually changed with the latest.</p> <p>17 Q. There will have been changes but you can't help us as to</p> <p>18 what. In your evidence when you were answering</p> <p>19 questions by Ms Dolan I heard you to say that the tool</p> <p>20 available to Statoil was to evacuate staff. So again,</p> <p>21 the focus on Statoil was evacuation and the tool you</p> <p>22 describe as having available to you is taking staff out</p> <p>23 if you considered the risk had got too high. Is that</p> <p>24 right?</p> <p>25 A. Yes, it is at the final step. You know, Victor Page 45</p>	<p>1 A. I wouldn't know.</p> <p>2 Q. As I understand it, the protective factors, if I can</p> <p>3 call it that, in terms of dealing with the risks in</p> <p>4 Algeria were seen to be the security force presence, the</p> <p>5 control of the borders by the Algerians and also there</p> <p>6 hadn't been a previous targeting of the energy</p> <p>7 infrastructure. Those are the main areas, aren't they?</p> <p>8 The main protective factors, do you agree? In relation</p> <p>9 then to those factors it is right, is it not, that they</p> <p>10 were all ones for which concern was being raised in the</p> <p>11 Control Risks' report. If we look at page 22 of the</p> <p>12 Control Risks' report at the overview section:</p> <p>13 "Control Risks assesses a terrorism threat to</p> <p>14 Statoil personnel and its assets in the southern oil</p> <p>15 producing provinces as medium. There is no credible</p> <p>16 evidence that QIM or its offshoots had established a</p> <p>17 presence in Algeria's south until June when a lone</p> <p>18 individual linked to MUJWA carried out an attack in</p> <p>19 Ourgla."</p> <p>20 Again, just pausing there, that is obviously</p> <p>21 something that has changed since the March draft:</p> <p>22 "The threat in the far south stems from cross-border</p> <p>23 operations by militants which have increased in scope</p> <p>24 and frequency in the past six months. There are clear</p> <p>25 indications the Algerian security forces are struggling</p> Page 47
<p>1 discussed this -- I know Victor was very focused on</p> <p>2 this. He discussed this regularly with his partners in</p> <p>3 both In Amenas and In Salah.</p> <p>4 Q. By this, do you mean the possibility of evacuation or --</p> <p>5 A. No, the threat, the security risk. So their job is to</p> <p>6 see if there is anything operational they can do. My</p> <p>7 job is to, if we are not comfortable then we will more</p> <p>8 take people out because I am not working on the</p> <p>9 operational level.</p> <p>10 Q. In terms of the overall threat being assessed by the</p> <p>11 Control Risks' report as medium, presumably that wasn't</p> <p>12 high enough to raise a concern of a need of an</p> <p>13 evacuation, but as you say, it was something that needed</p> <p>14 to be discussed at the operational level, is that right,</p> <p>15 is that fair?</p> <p>16 A. Yes, that's how I interpreted it. That this is</p> <p>17 something Victor will have to discuss with his partners</p> <p>18 with -- he has to discuss it with BP; he has to discuss</p> <p>19 this with Sonatrach and he has to discuss it with his</p> <p>20 operation manager in In Amenas.</p> <p>21 Q. Do you know whether it was shared with either BP or the</p> <p>22 JV the specific note by Control Risks that stated there</p> <p>23 was a credible threat of a one-off high impact terrorist</p> <p>24 incident. Do you know if that specific piece of</p> <p>25 information was provided to BP and/or the JV? Page 46</p>	<p>1 to contain such operations."</p> <p>2 So concern there about the Algerians controlling</p> <p>3 their border. The next paragraph:</p> <p>4 "The threat level to the southern oil producing</p> <p>5 regions is unlikely to change significantly in the short</p> <p>6 term even though Algeria's security forces are coming</p> <p>7 under increased strain. However, the scope for militant</p> <p>8 activity in the oil producing regions has increased over</p> <p>9 the past year despite the lack of precedent for</p> <p>10 militants targeting energy infrastructure".</p> <p>11 So all those protective factors are all being called</p> <p>12 into question, aren't they, by Control Risks? The</p> <p>13 ability to ensure the borders are safe, the security</p> <p>14 forces coming under strain and the fact that just</p> <p>15 because there's no precedent for militants targeting the</p> <p>16 energy infrastructure, that in itself may not be enough</p> <p>17 to safely consider that there isn't scope for militant</p> <p>18 activity?</p> <p>19 A. I read it a little bit differently. I read the threat</p> <p>20 level to the southern oil producing regions is unlikely</p> <p>21 to change significantly in the short term. And also</p> <p>22 that Algerian security forces is coming under increased</p> <p>23 strain, which we knew, and it is part of why we were</p> <p>24 focusing on this. But as I mentioned, we had</p> <p>25 confirmation that Algerian security forces or military Page 48</p>

1 **were increasing its presence at the border. Victor**
 2 **I remember informed me late in December 2012, he said he**
 3 **had confirmation that the military forces had increased.**
 4 **So there's something about they say that the threat is**
 5 **likely -- unlikely to change and then when they mention**
 6 **the strain and the military, when we looked into that we**
 7 **get confirmation that they have increased their**
 8 **presence. So it's, yes.**
 9 Q. There is a flip side isn't there, to a country deciding
 10 to increase its security forces in certain areas. One
 11 is one you have indicated, it might provide some
 12 reassurance that there is a reaction by the government,
 13 they are doing something, they are increasing their
 14 forces but the other side of it is there is obviously
 15 a need to do that, ie the risk is increasing. So maybe
 16 there is more forces being put in place but that is also
 17 the fact that is because of an increased risk. Do you
 18 agree with that?
 19 **A. Yes, because of the fall in Libya. Libya as a country**
 20 **was not able to protect its borders any more. The**
 21 **Algerians had to -- if they wanted to protect their**
 22 **country they had to do it, probably not a correct term**
 23 **to do it for both.**
 24 Q. Just finally, just picking up on what you were being
 25 asked by my learned friend Mr Owen-Thomas about the

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1 information provided to employees going out to work in
 2 Algeria. It is a specific recommendation I just want to
 3 get your view from Statoil about whether or not it has
 4 been accepted and how it has been implemented. I can
 5 just read it. I don't think I need to ask you to turn
 6 to it. It is on page 77 of the report, Statoil had the
 7 investigation report, and on page 418 of our paginated
 8 bundle and it is this, it is recommendation 9:
 9 "Openly and clearly communicate potential security
 10 risks to employees. This should include levels of
 11 protection and residual risk and clarify mutual
 12 expectations between the company and its people."
 13 Is that a recommendation that has been specifically
 14 accepted by Statoil and has it been implemented?
 15 **A. It has been accepted and it has been implemented.**
 16 Q. And in terms of deploying to somewhere like In Amenas
 17 are your employees given a choice as to whether they
 18 accept those risks and go and work there or is there an
 19 expectation that if you are deployed somewhere you just
 20 go?
 21 **A. No, you are presented with a residual risk and you are**
 22 **taking a trip down to see if you are comfortable with**
 23 **the environment and then you accept, but you are**
 24 **100 per cent free to say no.**
 25 MS GERRY: Thank you very much. Those are all my questions.

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1 Questions from MS GOLLOP
 2 MS GOLLOP: Hello, Dr Ebeltoft. My name is Katie Gollop and
 3 I am asking some questions on behalf of Belinda Green
 4 who is the widow of Stephen Green.
 5 You mentioned a moment ago that Victor was very
 6 focused on security. A lot of the evidence that we have
 7 heard suggests that it is very difficult to talk to the
 8 Algerians about security. Was that Victor's experience?
 9 **A. I wouldn't know. He never expressed any specific**
 10 **challenges with respect to that.**
 11 Q. Have you found it easy to discuss security with the
 12 Algerians since the attack?
 13 **A. I'm not communicating with Algerians myself.**
 14 Q. Sorry, I meant Statoil, you as its representative of the
 15 company?
 16 **A. The feedback I get is that the communication is**
 17 **completely changed. Sonatrach wants us to come back and**
 18 **they know that both Statoil and BP have specific**
 19 **requirements in order for us to come back and then the**
 20 **change in communication is one of them. So the feedback**
 21 **I get is that the atmosphere around security has changed**
 22 **also towards the military. It's easier to -- it's**
 23 **accepted now that we have a communication, more open**
 24 **communication with the military.**
 25 Q. To read out to you another of the recommendations for

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1 the future, this is recommendation 3 on the same page
 2 that you have just been asked about. Seek to establish
 3 mutually effective ways of coordinating planning and
 4 exercising between the JV and the military. You are
 5 confident that that is happening and will continue to
 6 happen?
 7 **A. Yes.**
 8 Q. Without difficulty?
 9 **A. That is maybe stretching it very far like without**
 10 **difficulties but I am sure it will happen. They are**
 11 **aware that it's in their own interests and it is**
 12 **a requirement. I think we are very firm now with**
 13 **respect to what is required in order for us to stay.**
 14 Q. Can I ask, if you are able to be firm now and to get
 15 results of that firmness with a changed ability to
 16 communicate why wasn't there the same push to
 17 communicate with the military so that you could know
 18 that it was safe to rely on the words that they spoke?
 19 **A. The understanding I have is that this was an eye opener**
 20 **for everyone, even Sonatrach and the military. We know**
 21 **we are -- we have to work this together and they have**
 22 **accepted that. So I think now we just have a momentum**
 23 **to push and we are using it.**
 24 Q. Have you been able to ask the Algerians for an
 25 explanation of how they allowed the attack to happen?

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1 **A. I wouldn't know. I have not.**
 2 Q. And Statoil hasn't?
 3 **A. Not that I'm aware of in those words, no.**
 4 Q. Why?
 5 **A. I think if you -- later when you discussed the**
 6 **investigation report maybe those are more relevant for**
 7 **that part.**
 8 Q. You are talking about your colleague Mr Fulcher?
 9 **A. Yes, I think probably you should ask him about questions**
 10 **related to that.**
 11 Q. What feedback have you had about Sonatrach's response to
 12 the Statoil report?
 13 **A. Based on the discussions in the security committee**
 14 **afterwards I did not through our country manager get any**
 15 **specific comments whether they were kind of positively**
 16 **or negatively receiving it. We have not been, it has**
 17 **not been that important for us. What has been important**
 18 **for us is that they have signed all recommendations that**
 19 **we find important to implement in the JV and that has**
 20 **been signed by all the three partners, so how they**
 21 **received the report as such has not been discussed but**
 22 **they have accepted the improvements.**
 23 Q. You mention in your witness statement a little about the
 24 el Khabbar newspaper report published in November 2012
 25 that mentioned some arrests, Lamine Benchneb who was

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1 involved in the attack, and what the newspaper reported
 2 as an intention to attack various hydrocarbon facilities
 3 in Algeria. You are aware of the report that I am
 4 talking about?
 5 **A. Yes, and that is the one I had not read, wasn't it, yes?**
 6 Q. That is right. Two questions. Firstly, am I right in
 7 thinking that Statoil at that time was relying on BP to
 8 undertake a review of newspaper articles and collate
 9 relevant publications as they came out?
 10 **A. No, we wouldn't rely on. We had our own people in**
 11 **Algiers looking at newspapers and reading news and once**
 12 **a month we had a summary of all of this that was sent**
 13 **out to the -- all our personnel working with the Algeria**
 14 **JV but I don't specifically remember that news article,**
 15 **so --**
 16 Q. And the people that you have working for you in Algiers,
 17 are they Arabic as well as French speaking?
 18 **A. Yes.**
 19 Q. So it would appear that that particular report just got
 20 missed?
 21 **A. No, I assume they read it and maybe it wasn't a summary,**
 22 **but I haven't read it.**
 23 Q. Secondly, you say in your witness statement that you
 24 agree with the comments that Mr Collins made about it in
 25 his witness statement and I just want to be clear

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1 because that's a slightly indirect way of going about
 2 things. What he says in his witness statement is that
 3 had he been aware of that article he would have expected
 4 some work to be done to validate what it was saying.
 5 That's what you also would have expected of Statoil, is
 6 that right?
 7 **A. That is what we do with all news -- not everything**
 8 **that's in the papers but we do spend a lot of time of**
 9 **trying to validate different articles, newspapers and**
 10 **comments and so on.**
 11 Q. Do you know if Statoil did any work to validate the
 12 contents of that particular report?
 13 **A. No, I did not. I'm sorry, that specific report I hadn't**
 14 **heard about.**
 15 Q. You don't know?
 16 **A. No.**
 17 Q. Finally, the Statoil report itself was informed by
 18 expertise from a number of different experts in
 19 different fields, wasn't it?
 20 **A. Pardon, say again?**
 21 Q. When the report was compiled the investigation team had
 22 available to it reports from a number of different
 23 experts in different disciplines?
 24 **A. Internally in our company?**
 25 Q. External as I understand it, Mr Wolfram Lacher for

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1 example about the Algerian politics in history, somebody
 2 else about Algerian law, a security expert?
 3 **A. Yes.**
 4 Q. Safety expert and so on and so forth?
 5 **A. Yes.**
 6 Q. And those were written reports were they?
 7 **A. I think you have to -- I think it's better that you talk**
 8 **to Adrian about the details of the report.**
 9 Q. I will do that and before I do that is there any
 10 objection from Statoil to sharing with the inquest those
 11 expert reports?
 12 **A. I couldn't say that on behalf of the company. I think**
 13 **you will have to talk to -- but we can come back to you**
 14 **on that.**
 15 MS GOLLOP: Thank you very much.
 16 Questions from MR LAIDLAW
 17 MR LAIDLAW: As you know, my name is Laidlaw and I represent
 18 your company, Dr Ebeltoft. It is five or six topics
 19 from me, please. By all means face away from me and
 20 look back across the court if it becomes uncomfortable
 21 because it is important that you speak into the
 22 microphone. I won't think you rude.
 23 Can we start, please, with the Control Risks group
 24 report because there has been a focus on that during the
 25 questioning thus far and on particular passages within

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<p>1 it.</p> <p>2 Before we go to that report and look at context,</p> <p>3 I think it is important that you and I draw</p> <p>4 a distinction between the approach which was taken</p> <p>5 before the attack at In Amenas and then the company's</p> <p>6 position following the publication of the report. Let</p> <p>7 me make it clear what I mean. You have spoken of</p> <p>8 Statoil accepting the conclusions and recommendations of</p> <p>9 the independent investigation. I think as far as the</p> <p>10 company is concerned, Statoil is concerned, that has</p> <p>11 been an unqualified acceptance of the conclusions</p> <p>12 reached?</p> <p>13 A. Yes.</p> <p>14 Q. It is within that report that you see reference to the</p> <p>15 Control Risks document. Let me just give the</p> <p>16 cross-reference in case it is of assistance. It is the</p> <p>17 bottom of page 56, sir, of the report that we see that</p> <p>18 the authors of this document have lifted from the CRG</p> <p>19 document.</p> <p>20 If we go over the page from the bottom of 56 and</p> <p>21 look down to page 57. Do you have that?</p> <p>22 A. Yes.</p> <p>23 Q. You can see that having drawn upon other material within</p> <p>24 the public domain these are the findings of the</p> <p>25 independent team. I will just read the final two</p> <p style="text-align: center;">Page 57</p>	<p>1 here the authors of the report summarise the situation</p> <p>2 in terms of the company's relationship with the military</p> <p>3 and then again express their conclusions as to that.</p> <p>4 This is paragraph 8.4:</p> <p>5 "The JV had incomplete information about the</p> <p>6 capabilities of the military providing the outer</p> <p>7 security layer. It had an established working</p> <p>8 relationship with the Gendarmes based in In Amenas who</p> <p>9 were an integrated part of the security risk management</p> <p>10 plans. There was, however, only a limited exchange of</p> <p>11 information with the army. The JV was not therefore in</p> <p>12 a position to test its own planning assumptions.</p> <p>13 Furthermore, there has not been any high level strategic</p> <p>14 security dialogue with Algerian authorities involving</p> <p>15 the companies. The investigation team recognises the</p> <p>16 questions of military capability and national security</p> <p>17 are areas outside the control of private enterprises</p> <p>18 where they cannot expect to be privy to classified</p> <p>19 information. Still, a system so reliant on the combined</p> <p>20 effect of inner and outer security layers requires that</p> <p>21 the companies and military find mutually effective ways</p> <p>22 of coordination, planning and exercising. This would</p> <p>23 have increased the JV's ability to understand military</p> <p>24 priorities and planning assumptions."</p> <p>25 The reason I read those two passages out is this:</p> <p style="text-align: center;">Page 59</p>
<p>1 paragraphs of 6.2.3:</p> <p>2 "In hindsight some have interpreted these [so these</p> <p>3 including the CRG report] and similar analyses as</p> <p>4 indicators or even predictions of an attack on oil and</p> <p>5 gas facilities like In Amenas. The investigation team</p> <p>6 judges that these analyses present strategic warnings</p> <p>7 but they did not constitute tactical warnings of an</p> <p>8 attack at In Amenas. Consistent thematic reporting in</p> <p>9 the JV suggested the security environment had</p> <p>10 deteriorated and warranted increased security vigilance</p> <p>11 in the JV and in Statoil."</p> <p>12 So that is a conclusion that the authors of the</p> <p>13 report reach and it goes on:</p> <p>14 "Statoil recognise that the situation in southern</p> <p>15 Algeria was becoming more challenging as these reports</p> <p>16 identify. The assessment of the company in late 2012</p> <p>17 was that the military continued to offer adequate</p> <p>18 protection for In Amenas. Statoil's main concern about</p> <p>19 the border situation with Libya was the risk that</p> <p>20 Algerian military forces would be redeployed from zone</p> <p>21 protection in the hydrocarbon producing areas to boost</p> <p>22 border security."</p> <p>23 Okay? Then just again to draw to your attention</p> <p>24 other findings which touch upon the relationship with</p> <p>25 the military, can we go to page 70 of the report. Now</p> <p style="text-align: center;">Page 58</p>	<p>1 because in terms of Statoil's position I am not by my</p> <p>2 questioning seeking to go behind or detract from the</p> <p>3 company's acceptance of those criticisms and those</p> <p>4 findings.</p> <p>5 Can we then go, please, to Control Risks and then</p> <p>6 set as it were, a context, please, to the part that that</p> <p>7 played in risk assessment in the summer of 2012.</p> <p>8 I think you had been seeking to explain to the learned</p> <p>9 coroner that the assessment of risk within Statoil had</p> <p>10 a number of different components to it. Can I just list</p> <p>11 what those were: internally what your own people</p> <p>12 concerned with security had produced, their own</p> <p>13 assessment, external organisations, of which presumably</p> <p>14 the Control Risks group was one. Was it the only one</p> <p>15 that you drew upon for assistance?</p> <p>16 A. No, we have regular contact with several other</p> <p>17 companies, for instance, Menas is one company where we</p> <p>18 get regular security, political and risk aspects.</p> <p>19 Q. And you have spoken by way of example of having people</p> <p>20 within Algeria in Algiers following, by way of example,</p> <p>21 the news. So does that illustrate the number of</p> <p>22 different authors who are feeding into a picture?</p> <p>23 I think you were seeking to explain that given the whole</p> <p>24 of that material Statoil then reaches its own conclusion</p> <p>25 and its own assessment of risk?</p> <p style="text-align: center;">Page 60</p>

15 (Pages 57 to 60)

<p>1 A. Yes.</p> <p>2 Q. And I think you have also been keen to tell Mr Ritchie</p> <p>3 that that is a dynamic process. It is something which</p> <p>4 changes. Can we go then, please, to the report and just</p> <p>5 a little by way of further questioning designed to</p> <p>6 elicit a little further information. So you have this,</p> <p>7 the Control Risks' report. Bundle 2, tab 1.</p> <p>8 This is an edited document, material irrelevant to</p> <p>9 the considerations with which the coroner is concerned</p> <p>10 have been removed. If we begin on page 2, we are</p> <p>11 looking I think, as is clear from the index, we are</p> <p>12 looking at the executive summary, are we not?</p> <p>13 A. Mmm.</p> <p>14 Q. And if we go down to that passage under the heading "Oil</p> <p>15 producing regions" we see in terms of the executive</p> <p>16 summary the assessment that this particular organisation</p> <p>17 reaches. I won't read the whole thing again, but</p> <p>18 terrorism poses a medium threat and certainly within the</p> <p>19 executive summary there is no reference to the</p> <p>20 possibility of a one-off attack which we will see later</p> <p>21 in this document. It might be important just to draw</p> <p>22 attention to the definition of medium threat. And</p> <p>23 I think if we go in the internal numbering to page 34 to</p> <p>24 the bundle numbering 273 we will see there the risk</p> <p>25 ratings as they are defined to be. Again, it is not</p> <p style="text-align: center;">Page 61</p>	<p>1 document. Now we have moved from the executive summary</p> <p>2 and we are now in a section which has a title, if we</p> <p>3 refer back to the context of political environment and</p> <p>4 we are looking now at a subheading "Regional political</p> <p>5 and security trends". Just picking it up at the top of</p> <p>6 page 10, again without reading all of that in into the</p> <p>7 record you see the difficulties with managing border</p> <p>8 which is identified there. Then in the second paragraph</p> <p>9 do you see this:</p> <p>10 "However, most of the south, particularly the</p> <p>11 southern oil producing regions should remain shielded</p> <p>12 from such developments in the short term. Given the</p> <p>13 capabilities of Algeria's security forces the trajectory</p> <p>14 of the security environment in the far south is unlikely</p> <p>15 to have a significant impact on the security environment</p> <p>16 in Algiers and the oil producing regions. Security in</p> <p>17 the capital will be more sensitive to domestic political</p> <p>18 issues ..." et cetera.</p> <p>19 Then third paragraph:</p> <p>20 "However, the security threats from weapons</p> <p>21 proliferation and weak state capacity will be difficult</p> <p>22 for governments and investors to predict and manage with</p> <p>23 clear indications that the security forces' capabilities</p> <p>24 are being placed under strain. The ability of the</p> <p>25 security forces to manage threats in the far south</p> <p style="text-align: center;">Page 63</p>
<p>1 necessary for me to read these into the record. They</p> <p>2 are there to see.</p> <p>3 We will see that medium terrorism risk falls in the</p> <p>4 middle of a rating containing five separate</p> <p>5 categorisations and that is:</p> <p>6 "Terrorism is a periodic and occasionally serious</p> <p>7 threat to business. For example, domestic terrorist</p> <p>8 groups stage sporadic attacks that cause disruption to</p> <p>9 (but do not target) business, there are infrequent</p> <p>10 large-scale attacks and/or opportunist small-scale</p> <p>11 attacks on foreign or business assets and personnel, or</p> <p>12 the country holds attractive targets for transnational</p> <p>13 terrorists with the capability and intent to attack and</p> <p>14 the security forces' capacity to counter the threat is</p> <p>15 limited."</p> <p>16 In terms of that assessment by the Control Risks</p> <p>17 group, did that come as news to Statoil? In other</p> <p>18 words, their assessment that there was a medium threat</p> <p>19 from terrorism?</p> <p>20 A. No, as I have mentioned, when we got this report this</p> <p>21 was for us a confirmation that we had a holistic picture</p> <p>22 of the threat situation in the south and the medium risk</p> <p>23 was supporting that picture.</p> <p>24 Q. Let us move on in the document, please, as we have it.</p> <p>25 We come next, please, two pages on, to page 10 of the</p> <p style="text-align: center;">Page 62</p>	<p>1 resulting from regional dynamics should be monitored</p> <p>2 closely given the limited but credible prospect of</p> <p>3 spillover into the southern oil producing regions and</p> <p>4 Algiers."</p> <p>5 Then these words upon which focus has been placed,</p> <p>6 particular focus has been placed:</p> <p>7 "Regional political and security dynamics give rise</p> <p>8 to the credible threat of a one-off high impact</p> <p>9 terrorist incident in the oil producing southern</p> <p>10 regions."</p> <p>11 Again, that assessment by this particular</p> <p>12 organisation of this possibility of a one-off, was that</p> <p>13 news to Statoil? Was that something different or</p> <p>14 additional to matters which would already have been</p> <p>15 under consideration by you?</p> <p>16 A. No, this was just adding on to the threat picture that</p> <p>17 we had. We knew that in principle all our oil producing</p> <p>18 facilities is a target. That's why the military are</p> <p>19 protecting them and so this was kind of just building up</p> <p>20 to support the threat picture that we had.</p> <p>21 Q. So it is a piece of a jigsaw or a broader picture of</p> <p>22 information.</p> <p>23 In terms of the one off, I think you have made the</p> <p>24 point that within Statoil's contemplation, as you</p> <p>25 remember it to be, a small or limited one-off event was</p> <p style="text-align: center;">Page 64</p>

<p>1 within the bounds of possibility which had been 2 contemplated but you have made the point, I hope fairly, 3 that this much better organised large scale attack had 4 not been something which had been considered by the 5 company as far as you can recall?</p> <p>6 A. Not that -- no.</p> <p>7 Q. Can we just turn a couple of pages and go to page 12 8 because attention, perfectly properly, has been drawn to 9 the position in Libya and the collapse of the regime 10 there, to Mali where there was no effective regime, but 11 can we just look, please, to 12 and to -- it is 258 in 12 the numbering of the bundle, to the assessment in terms 13 of the position of the Algerian security services or 14 forces which is not a passage you have been taken to 15 specifically. Just below the box headed "Tunisia and 16 Morocco" is this:</p> <p>17 "The Algerian security forces are significantly 18 better equipped funded and trained than their 19 counterparts in the Sahel countries, whose governments 20 have limited institutional capacity, funding and military 21 capabilities. This serves as a deterrent to conflict 22 which is also unlikely because of the country's broadly 23 positive bilateral relations with Algeria."</p> <p>24 Over the page to page 13 we have passages to which 25 you have been taken which deal with events proximate to</p> <p style="text-align: center;">Page 65</p>	<p>1 social unrest in the north would provide MUJWA and QIM's 2 southern branch with an opportunity to expand their 3 operations into southern regions."</p> <p>4 So it looks like the authors of this document are 5 drawing particular attention to the Algerians' capacity 6 and capability to protect the oil and gas producing 7 regions which appears to chime with a point you have 8 been seeking to make in the cross-examinations thus far. 9 And it is a point I would like you to expand upon, 10 please. What was it about the Algerians' military 11 presence and their capability which was of such 12 importance to Statoil in its risk assessment, please?</p> <p>13 A. When I -- when we discussed this I remember when I only 14 started people told me very clearly that there had been 15 no attacks on oil and gas facilities except this pipeline. 16 So even during the civil war the Algerian military 17 had been able to protect its oil and gas facilities 18 and this is an important part of the Algerian 19 economy. So if there is one thing that they would 20 protect it was the facilities and including the expats, 21 so there was no reason for us not to trust the Algerian 22 military if they were present and if they had us as 23 a priority. There were no -- I have not seen any 24 indications in any documents that the Algerian military 25 as such is not capable. I have only understood and read</p> <p style="text-align: center;">Page 67</p>
<p>1 the attack in In Amenas.</p> <p>2 Then can I come finally, please, to the outlook 3 section which you will find at page 23. Perhaps we can 4 just -- perhaps you would just be good enough to read 5 the first paragraph:</p> <p>6 "The increased sophisticated and assertive attacks 7 by QIM's southern branch have generally taken place 8 outside Algeria. The long distance that needs to be 9 travelled and the significant security presence means 10 that extremist operations are unlikely to take place in 11 the main oil and gas producing areas as opposed to the 12 far south where MUJAO's first two attacks occurred."</p> <p>13 Then a paragraph which deals further with events of 14 that sort. Then can I draw particular attention, 15 please, to the penultimate paragraph on page 23 which 16 you have not thus far been taken to:</p> <p>17 "Although the likely continuation of instability in 18 Northern Mali will probably allow MUJWA to maintain 19 a significant presence across the region its ability to 20 conduct attacks within Algeria's oil producing south is 21 likely to remain limited."</p> <p>22 Then this:</p> <p>23 "However, a significant decrease in the Algerian 24 security forces' coercive capabilities in the south of 25 the country resulting for instance from widespread</p> <p style="text-align: center;">Page 66</p>	<p>1 and heard that they are very capable military. What we 2 are dependent on is that they would -- as I mentioned -- 3 prioritise us and be there and that they did not 4 withdraw from In Amenas to protect its borders and such 5 that instead of protecting the facilities one needed the 6 forces to protect the borders, to protect their country, 7 but as long as they were present, as long as we got 8 reports that there was increased presence of the 9 military in the region, the total assessment of all the 10 input and all the documents that we read gave us the 11 confidence that they would have been able to do so.</p> <p>12 There was no -- there were no indications that they 13 were not. I think that's --</p> <p>14 Q. So no indications there has been any falling away in 15 commitment to protecting the area around In Amenas and 16 I think you have made this point. Indeed, the 17 indications were to the contrary, that numbers were 18 being increased in this area?</p> <p>19 A. That's correct.</p> <p>20 Q. The next topic, please, is still a question or two 21 focused upon the Control Risks group report but it is 22 a question focused upon the extent to which either the 23 report itself or its content, as far as you understand, 24 was shared with the other members of the JV. Can we 25 just deal in general terms with what happens</p> <p style="text-align: center;">Page 68</p>

17 (Pages 65 to 68)

1 commercially to reports of this sort. Would a company
 2 such as Statoil who have commissioned a report from
 3 another commercial organisation ordinarily in the course
 4 of business hand that report to another commercial
 5 organisation?
 6 **A. No, it's not common practice to do so.**
 7 Q. It may be obvious but just explain why that doesn't take
 8 place?
 9 **A. No, in general this is a confidentiality agreement. If**
 10 **the practice was so that we could go out and order**
 11 **a report and then we shared it with everyone, it's**
 12 **a kind of a market issue. So in general we don't send**
 13 **out the reports that we order externally, but we**
 14 **definitely share the content and I know that this report**
 15 **in addition to all other reports is a part of the**
 16 **assessment that we do internally and then we develop**
 17 **Statoil's view that we definitely share with our**
 18 **partners.**
 19 Q. So there are commercial and proprietary reasons why
 20 these reports would not be handed over. But as far as
 21 you are concerned, and obviously you don't speak -- you
 22 do speak at some distance because Tore and Victor are no
 23 longer available to the inquest, as far as you are
 24 concerned its content would have been discussed
 25 internally and also within the JV?
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1 **A. Tore is the JV. So Victor, he speaks daily with Tore**
 2 **but Victor's job, all of our jobs is to process all**
 3 **information we get. So Victor would process all**
 4 **information he gets and together we develop a Statoil**
 5 **view that would be communicated to Tore. Tore wouldn't**
 6 **be giving all, if not found very relevant, all details**
 7 **of all different report. He gets our view of the**
 8 **situation and we expect then that he discussed this**
 9 **internally in the JV, as do the other companies. That**
 10 **is a part of the strength of a JV, is that you get**
 11 **information from the different companies and together**
 12 **you do an assessment.**
 13 Q. Another topic, please, again, much shorter than the
 14 first. This is a question fixed on threats. There has
 15 been some evidence that as close to the attack as the
 16 night before threats to the installation were made or
 17 had been received. Now, had any threat to the safety of
 18 the personnel or to the security of the installation,
 19 had any threat of that sort been communicated what would
 20 you have expected? We will start with Tore Bech. What
 21 would you have expected him to have done?
 22 **A. If there was a threat and Tore was concerned and he, as**
 23 **I mentioned he talked daily to Victor, they had daily**
 24 **communication and they had a very close relationship,**
 25 **Tore would, I am confident that Tore would mention this**
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1 **to Victor. Victor then would pass this on to corporate**
 2 **and the home organisation based on his judgment of the**
 3 **situation. So it is a different level on this. But**
 4 **Tore he would definitely mention it to Victor and I am**
 5 **sure if this was the case, as you referred to, Victor**
 6 **would have sent the mail home and no such thing**
 7 **occurred.**
 8 Q. So no such thing occurred either in the days or the
 9 weeks before the attack in January 2013?
 10 **A. No, as I mentioned, the week before the attack I was in**
 11 **Algiers discussing and meeting with Victor and he did**
 12 **not mention any concerns at all about his trip to**
 13 **In Amenas.**
 14 Q. Last but one topic is the issue of arming guards at the
 15 facility. First, is that an issue that the company,
 16 I mean Statoil, has addressed?
 17 **A. Yes, we have discussed several times civil armed guards,**
 18 **mainly at In Salah, but we have a general policy towards**
 19 **that.**
 20 Q. Towards?
 21 **A. Civil armed guards.**
 22 Q. You do hold a general policy to arming guards?
 23 **A. No, we have a general policy what we mean about it.**
 24 Q. And the general policy is?
 25 **A. If possible we prefer that the government protect us**
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1 **with the military present in the country. The only**
 2 **times where I recall that we have used private armed**
 3 **guards that is in countries where there is no military**
 4 **capacity present.**
 5 Q. And presumably as you weigh up decision making of this
 6 sort there are both advantages and disadvantages. Can
 7 you just put your hand on some disadvantages to arming
 8 civilian guards and the sort of problems that can occur?
 9 **A. In Algeria I think this is for us not very complicated.**
 10 **First of all, we are not able to arm any expats. So if**
 11 **we were to arm private armed guards it would have to be**
 12 **a local company. The security experts recommends or say**
 13 **and I think it sounds very reasonable, that it's not**
 14 **recommended to have two line of commands in one**
 15 **facility. So if you have a military and you have**
 16 **Gendarme and in addition internally you have civil armed**
 17 **guards, that is not to recommend and we would not be**
 18 **comfortable with having private armed people walking**
 19 **around in the middle of our employees. In addition it**
 20 **would be very difficult for us to do any background**
 21 **check. We would not be able to check how they were**
 22 **trained. We would not be able to check their**
 23 **personality, challenges with respect to human rights,**
 24 **insider threats and all related to that would be a big**
 25 **challenge for us and we would not recommend it.**
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<p>1 Q. Last topic is this: you are the only witness who is 2 going to speak on Statoil's behalf, so from you could 3 you just address this question and we are looking at the 4 period during which the attack occurred. Just help us, 5 please, what sort of importance against all the other 6 considerations that a company has, what sort of 7 importance did Statoil attach to the safety of its 8 employees and others working at facilities where it 9 operated? 10 A. During the attack? 11 Q. No, in general terms. 12 A. In general. For me this is not either very complicated. 13 The policy is very clear. If either the people at the 14 site are uncomfortable, if any of them at all express 15 any concerns we will take them home and if we were not 16 comfortable with the threat and security situation at 17 the site we immediately would take them home. That has 18 never been an issue. 19 Q. And I think there are illustrations during the Arab 20 Spring of you having done that in, by way of example, 21 Egypt? 22 A. Yes. We would do so immediately. That is not an issue. 23 That -- the company's policy is clear on this. 24 MR LAIDLAW: Thank you: 25 THE CORONER: Thank you very much indeed.</p> <p style="text-align: center;">Page 73</p>	<p>1 Q. And you are deployed back at the site now already? 2 A. My last trip to work was my first time back to 3 In Amenas, but, yes. 4 Q. Can I ask you about the events of January 2013. I think 5 at that time you were working on what we call Rig T212 6 which was some way away from the main complex? 7 A. Yes. 8 Q. How long had you been out on Rig T212 at that time? 9 A. That was actually my first trip on that particular rig 10 but I had worked in that field I think at that point 11 about three and a half years. 12 Q. We have already heard from Mr Martin and Mr McDaniel who 13 were I understand both working on that rig with you at 14 the material time. So we have some knowledge of the 15 background. 16 I think there were Gendarmes there with you on the 17 rig? 18 A. Yes, there were. 19 Q. On the morning of 16 January how was it that you first 20 became aware that the events were happening back at the 21 BdV or back at the complex? 22 A. It was -- it happened -- I was made aware as soon as 23 I got up that morning. I typically arrive in the office 24 at about 5.15, 5.30 and it happened shortly after 25 I entered the office if not right before as I recall.</p> <p style="text-align: center;">Page 75</p>
<p>1 (The witness withdrew) 2 THE CORONER: Ten minutes. 3 (12.13 pm) 4 (A short break) 5 (12.23 pm) 6 MS DOLAN: Sir, the next witness is Mr Whitted. 7 MR BILLY GLEN WHITTED (sworn) 8 Questions from MS DOLAN 9 MS DOLAN: Good morning, Mr Whitted, or good afternoon 10 Mr Whitted. I think you have come across a time zone as 11 well to be here this morning so we are grateful to you 12 for coming. 13 Can you give us your full name please? 14 A. My name is Billy Glen Whitted. 15 Q. And I think you worked for BP at In Amenas 16 in January 2013? 17 A. Yes, ma'am. 18 Q. Do you still work for BP? 19 A. Yes, I do. 20 Q. What's your role at the moment? 21 A. I'm a senior drilling supervisor. 22 Q. And where is that at? 23 A. I work in In Amenas. 24 Q. Is that the same role you had back in January 2013? 25 A. Yes, ma'am, the same rig as well.</p> <p style="text-align: center;">Page 74</p>	<p>1 Q. Who told you what was happening? 2 A. It was Tom Martin who came into -- Tom Martin, he was 3 our operations liaison, OLC, he came into the office and 4 just made us aware of it. He didn't know much at this 5 point but he just said, oh the bus had been attacked. 6 Q. At that point were the Gendarmes already aware of what 7 was happening, did you know? 8 A. I couldn't tell you. 9 Q. But I think the response to hearing of the bus attack 10 was to make some preparations on the site where you 11 were? 12 A. Not immediately, but, yes, within the next hour I would 13 say, yes. 14 Q. So after you learnt of the bus attack what happened 15 next? 16 A. It was -- it was a shock to all of us so I think we were 17 in disbelief for a little bit just trying to figure out 18 what was truly going on but once we got going and 19 figured out that it was pretty serious then we started 20 making adjustments to our site just to bolster our 21 defences basically. 22 Q. Is that something the Gendarmes assisted with? 23 A. They did assist with it but I wouldn't say it was their 24 idea to start with because I think it was just -- they 25 were, the same reaction as we had: is this really true</p> <p style="text-align: center;">Page 76</p>

1 **what's going on? How serious is it? So --**
 2 Q. I think when you wrote your witness statement you said
 3 you didn't have any confidence in their ability. Why
 4 was that?
 5 **A. I think it had to do more with my personal background of**
 6 **law enforcement and military. I would hold myself to**
 7 **a really high standard. So maybe my standards are**
 8 **probably higher than what a normal civilian would**
 9 **expect.**
 10 Q. Tell us what your background is that's relevant?
 11 **A. I have spent nine and a half years with the U.S. Coast**
 12 **Guard primarily with search and rescue and security**
 13 **operations law enforcement.**
 14 Q. And what did you see about the Gendarmes that wasn't up
 15 to scratch by the U.S. Coast Guard standards?
 16 **A. Anything as simple as to the way they wore their uniform**
 17 **to the fact that you never saw them practice and you**
 18 **would see the same unit at the rig site for six months**
 19 **to a year at a time sometimes. So if they never**
 20 **practice then they must not be proficient. There was**
 21 **also during the attacks just a couple of little things**
 22 **that we saw just trying to talk to the guys. At one**
 23 **point we saw a magazine that had mixed mass rounds in**
 24 **it. They weren't all the same time of ammunition and**
 25 **there was also one that typically when you load the**
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1 **chamber of your first round it puts a dent in the primer**
 2 **sometimes causing a misfire and if you continuously load**
 3 **that same round and you never change it out it will**
 4 **always misfire and that's what we saw.**
 5 Q. As you made the preparations at the rig was there
 6 anything unusual that you saw from the rig site?
 7 **A. Unusual from the rig site?**
 8 Q. Yes.
 9 **A. Not that really stands out. Just things that we, you**
 10 **know, just helped to prepare but I mean I don't think --**
 11 **if you are asking if it was inadequate, unprepared then**
 12 **not more than normal, no.**
 13 Q. Do you remember observing some people in the desert at
 14 some point?
 15 **A. When we were -- I can't remember exactly when it was,**
 16 **but when we were pulling -- we were trying to secure the**
 17 **well because we were in the reservoir section of the**
 18 **well so we were pulling all the pipe out of the hole.**
 19 **I was up on the rig floor and I thought I could see some**
 20 **people and at that time I think they were trying to**
 21 **secure a perimeter around the base camp so I just sort**
 22 **of assumed that is what it was. So it may or may not**
 23 **have been terrorists but shortly thereafter we were put**
 24 **on lock down for close to an hour I believe, somewhere**
 25 **around there and later on they had told us that some**
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1 **terrorists had made a visit to a nearby FRAC site which**
 2 **is about, I guess a mile away from us.**
 3 Q. And who told you that?
 4 **A. Tom Martin. He was always our liaison. That's exactly**
 5 **what he does because I don't speak Arabic, so --**
 6 Q. So you didn't have any direct communication with the
 7 Gendarmes over that?
 8 **A. Never do, and not supposed to. Just very little. If we**
 9 **saw them walking by we might say hello but that's really**
 10 **the extent of it or maybe a one answer question, yes or**
 11 **no.**
 12 Q. Just to be clear, it was your understanding from what
 13 Mr Martin had said that they may have been terrorists?
 14 **A. Well, there was a security guard like an armed security**
 15 **guard that was there to watch the equipment on the FRAC**
 16 **site and once he received a visit from those people he**
 17 **walked to our site and we took him on and that is what**
 18 **he said. So it's actually a third party's third party**
 19 **information.**
 20 Q. You said that there was a time you went into a lock
 21 down. Do you recall when that was?
 22 **A. Yes, there is I believe two, possibly three separate**
 23 **times we did and one was whenever they had the report of**
 24 **the terrorists across the desert and that was probably**
 25 **the longest period and then there was one other time**
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1 **I think in the beginning of the day whenever, everybody**
 2 **was just trying to secure the location so I think the**
 3 **Gendarmerie just made a decision hey just let's get rid**
 4 **of these guys put them in their rooms. It was a knee**
 5 **jerk reaction.**
 6 Q. And lock down meant go to your room and stay out of the
 7 open?
 8 **A. That was the understanding but there was no real strict**
 9 **guidelines on what lock down meant but that was supposed**
 10 **to be our guidance because typically in the field the**
 11 **guys aren't trained in security or how to prevent being**
 12 **attacked.**
 13 Q. Was there any objection from the expats on the rig to?
 14 **A. I objected a few times and again I think that is more**
 15 **due to my background. I like to have an exit. The**
 16 **first thing you look for is cover and concealment and**
 17 **then you should find an exit. And there is not much**
 18 **cover and concealment in the compartments that we are in**
 19 **and there is no exit.**
 20 Q. What did you do about that?
 21 **A. I just hid underneath the cabins. I don't think the**
 22 **Gendarmerie ever really said anything except for the**
 23 **first time that I did it. They said hey make sure they**
 24 **go in their room. They didn't really cause a fuss about**
 25 **it. They give us more Tom Martin's direction because he**
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1 was afraid we were going to get arrested which would
 2 just make the situation worse on the location, the two
 3 senior people getting arrested just doesn't match.
 4 Q. So when you said you hid under the cabins. Was that
 5 some kind of foxhole? Was that made or did you just go
 6 under the cabin?
 7 A. Well, it's -- the way the cabins are set up there are
 8 two steel beams and they ride on a skid and if you hide
 9 in between them it is a foxhole, whether you push dirt
 10 up against it or not. So we would hide underneath one
 11 so we could crawl out the back and we called it a
 12 foxhole. That is just cover and concealment is
 13 basically what it is. I think by the end of the four
 14 days we were there we did have a foxhole built that we
 15 pushed some dirt up underneath and kind of actually made
 16 one, but we never had to use it really.
 17 Q. Mr McDaniel told us that he dug that while you were
 18 asleep?
 19 A. Yes, he pushed some dirt up against -- that was
 20 underneath our office cabin. The cabins that me and him
 21 were initially hiding underneath were back in the back
 22 because the cabins were offset so we would hide in the
 23 back one closest to the back berm.
 24 Q. I think while events were going on there was some radio
 25 chatter --

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1 A. Yes.
 2 Q. -- as has been called going on. Did you hear any of
 3 that?
 4 A. I heard every bit of the transmissions but it was all in
 5 Arabic and not even any French and I don't speak either
 6 language. So we always had a translator if we were
 7 getting any of it.
 8 Q. Were you present when anybody was translating that?
 9 A. Yes, and so were about six or seven other people. It
 10 was just a gaggle of people in our office trying to hear
 11 what was going on and maybe two or three of the people
 12 actually spoke fluent Arabic and were translating it to
 13 us.
 14 Q. What did they tell you they were hearing?
 15 A. Just, heard certain people's names, sometimes, can't
 16 remember specifically all the names but I remember
 17 hearing a couple of names and then they would translate
 18 to us how they were secured and they did say there were
 19 two different groups of hostages and there was -- at one
 20 point I think they did make some demands but they seemed
 21 kind of ridiculous to me.
 22 Q. In terms of the names I think you mentioned in your
 23 witness statement that you heard Gordon Rowan and
 24 Garry Barlow mentioned?
 25 A. Yes, I remember them specifically because I know who

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1 they are. This was all a translation, they were just
 2 explaining who they had and again, it is my opinion
 3 I think they wanted other people to know who they had,
 4 what kind of commodity they had, if that makes sense,
 5 not that they're a commodity.
 6 Q. Did you understand that these communications were from
 7 the terrorists or were these other Algerian workers at
 8 the site telling your Algerian colleagues who was
 9 happening?
 10 A. Me personally? I don't want to say I could tell they
 11 were the terrorists because I wouldn't know the
 12 difference, but their dialect sounded different from
 13 what I'm used to hearing if that makes sense because
 14 French Arabic is different from street Arabic but
 15 I don't know if that's what they were speaking either.
 16 It just sounded different.
 17 Q. I think you did have, somebody translated some of the
 18 demands?
 19 A. Yes.
 20 Q. And you understood that?
 21 A. Yes, so at those points we did know it was them for
 22 sure.
 23 Q. What were those demands that you heard translated?
 24 A. If I remember correctly one was to release 150 of their
 25 comrades in exchange for prisoners and I think that's

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1 the one that sticks to me. But it's been a while.
 2 Q. In your witness statement you say that the hostage
 3 takers began communication with the Gendarmes and began
 4 to demand the release of 150 comrades who had been in
 5 prison since 1995?
 6 A. Yes.
 7 Q. They said America, UK and France and other nations were
 8 holding them and they said they would kill everyone if
 9 the authorities did not release them but the Gendarmes
 10 just told them they did not negotiate with terrorists?
 11 A. That was with what was translated to us, yes.
 12 Q. And then the terrorists got very angry with the Gendarme
 13 and cut off all communications demanding to talk to the
 14 decision makers in the Algerian authorities?
 15 A. Yes, and if I remember correctly that happened later in
 16 the day and that was passed to me because I think once
 17 noon hit I was more worried about securing the well
 18 because we were in the reservoir section and kind of
 19 just taking everybody's mind off of what was going on,
 20 trying to keep them busy. So at that point I was just
 21 getting bits and pieces of information that were passed
 22 after people heard it on the radios.
 23 Q. Did you have some contact with the United States
 24 authorities during your time at the rig?
 25 A. I did talk to them a few times, yes.

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<p>1 Q. Tell us about that, what was that communication?</p> <p>2 A. Mainly they were expressing their support and it is what</p> <p>3 you would expect, you know, they told us they couldn't</p> <p>4 really do anything.</p> <p>5 Q. Who was it you were speaking to?</p> <p>6 A. I talked to a couple of liaison members and at one point</p> <p>7 I did talk to the ambassador.</p> <p>8 Q. So the US ambassador in Algeria, is it?</p> <p>9 A. I believe he was from Algiers, yes. And he just</p> <p>10 basically said everything that all the rest of them said</p> <p>11 was hey we are doing the best we can, just hang in</p> <p>12 there. And that was the general consensus of every</p> <p>13 conversation I had.</p> <p>14 Q. Did you know of Mr McDaniel having contact with the US</p> <p>15 authorities?</p> <p>16 A. Yes, he talked to them quite a bit.</p> <p>17 Q. Who was he talking to do you know?</p> <p>18 A. He was talking to various different people. I think he</p> <p>19 talked to liaisons quite a bit.</p> <p>20 Q. So the liaison being?</p> <p>21 A. They were just --</p> <p>22 Q. Is AFMC part of liaison or?</p> <p>23 A. Without having a proper description I think it was just</p> <p>24 the person in the office who answered the phone, if that</p> <p>25 makes sense.</p> <p style="text-align: center;">Page 85</p>	<p>1 and then once we were let out we'd heard a couple of</p> <p>2 gunshots and we heard -- I actually heard an explosion</p> <p>3 or maybe even two explosions and we were told that the</p> <p>4 vehicles, there was three vehicles that were being moved</p> <p>5 and a helicopter stopped them and you could hear the</p> <p>6 gunfire and typically you wouldn't be able to hear small</p> <p>7 arms fire from where we were so that's, you know, had to</p> <p>8 be a big gun.</p> <p>9 Q. You said there were three vehicles?</p> <p>10 A. Yes, ma'am.</p> <p>11 Q. Is that the Gendarmes told you?</p> <p>12 A. That was what was passed to us, yes.</p> <p>13 Q. Did they say anything about hostages, the presence of</p> <p>14 hostages at that time?</p> <p>15 A. They said there were two groups. The initial report</p> <p>16 they were just taking anybody they could but they were</p> <p>17 holding two groups. One at the base and then one at the</p> <p>18 processing facility and then there was construed</p> <p>19 numbers, sometimes it was up to 20, sometimes it was 7,</p> <p>20 so I never really had an accurate count, but they said</p> <p>21 they were holding two groups and then at that point, the</p> <p>22 point you are just talking about, they tried to put them</p> <p>23 together at the CPF. That was our understanding.</p> <p>24 Q. And that was your understanding from what the Gendarmes</p> <p>25 heard over their radio?</p> <p style="text-align: center;">Page 87</p>
<p>1 Q. At a US authority or is this at the liaison AFMC?</p> <p>2 A. US authority, and just a person and there was a couple</p> <p>3 of times he told me he talked to an operations</p> <p>4 specialist which would have been somebody that might</p> <p>5 assign a team to possibly infiltrate or do something</p> <p>6 offensive I guess, so ... but I never did talk to that</p> <p>7 man.</p> <p>8 Q. As the time went on, can I move from the first day to</p> <p>9 the second day, so the first day was Wednesday 16 and</p> <p>10 then Thursday 17. Did you hear anything in particular</p> <p>11 on Thursday 17, what was happening, either you heard</p> <p>12 around you in the rig or the Gendarmes communicated</p> <p>13 afterwards?</p> <p>14 A. You are talking about the second day now, yes?</p> <p>15 Q. Yes, on the second day. Shall I help you with --</p> <p>16 A. Yes, I am sorry.</p> <p>17 Q. In your witness statement you recall a time when the</p> <p>18 Gendarmes told you that hostage takers had tried to move</p> <p>19 prisoners between the CPF and the main camp?</p> <p>20 A. Yes, ma'am.</p> <p>21 Q. Do you remember that event?</p> <p>22 A. That was the time we were in lock down as well and that</p> <p>23 was -- because it just came out of nowhere. They said</p> <p>24 you need to go to your rooms and I said: why, what's</p> <p>25 going on? And then everyone was freaking out so we went</p> <p style="text-align: center;">Page 86</p>	<p>1 A. Yes, everything that I'm probably going to talk to you</p> <p>2 about today is third party information that was passed</p> <p>3 to me.</p> <p>4 Q. I think you stayed at the rig all of Friday as well?</p> <p>5 A. Yes, ma'am.</p> <p>6 Q. And did the Gendarmes pass any information to you on</p> <p>7 Friday about what was happening?</p> <p>8 A. Friday was a quiet day because -- especially from my</p> <p>9 position at the rig sites because at that time we</p> <p>10 started to get low on supplies, food and water and</p> <p>11 different things, so, you know, it was a real quiet day</p> <p>12 for us as far as the terrorist attack and it didn't have</p> <p>13 much to report and our main concern was to sustain for</p> <p>14 up to two more weeks if we needed to.</p> <p>15 Q. And then I think it was Saturday when the military</p> <p>16 arrived with enough escorts to take you away from the</p> <p>17 rig?</p> <p>18 A. Yes, ma'am.</p> <p>19 Q. Tell us about that. I think it was Saturday morning</p> <p>20 when that evacuation happened?</p> <p>21 A. Saturday morning, it was kind of a -- at first we didn't</p> <p>22 think it was going to happen and then it was one of</p> <p>23 those rushed things. It didn't seem like it was planned</p> <p>24 from the get go. I think it was just: we have enough</p> <p>25 people so let's go and get them. So they showed up on</p> <p style="text-align: center;">Page 88</p>

22 (Pages 85 to 88)

1 location and just got the expats and that caused some
 2 issues with the personnel on location just because there
 3 was expats and nationals but we all jumped in the
 4 vehicles they had and they drove us back to the base
 5 camp or to the military camp.
 6 Q. Tell us about the route you took back to the camp?
 7 A. That was one of the things that I felt was strange was
 8 the route they took. It might have been just because
 9 they had a military presence there but they took us up
 10 the hill through VCP2, I'm sure you guys are aware where
 11 all these places are, up through VCP2 and then in front
 12 to main paved road and when we were driving through on
 13 the right-hand side of the vehicles there was a berm
 14 that I don't remember being there at the time and then
 15 there looked to be armoured vehicles perhaps,
 16 anti-aircraft tanks and then also troops behind that berm
 17 and they drove us in front of them between the CPF.
 18 Q. How far from the CPF then are you being driven?
 19 A. If I had to guess it's probably 500-yards. 500-yards
 20 from the fence of the CPF.
 21 Q. From the fence of the CPF. Did you see any activity at
 22 that time at the CPF?
 23 A. No.
 24 Q. So then having driven past there and then you said you
 25 got to the metal road?

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1 A. Yes, once you get to the paved road they took a right
 2 and then in between the CPF and the base camp there's
 3 a military camp and we just turned into the road and
 4 stopped and we waited there about 30 minutes and then
 5 there was a couple other vehicles that we could see
 6 there and they didn't let us out of the car. So from
 7 there they picked up the escort and we went to VCPI.
 8 Q. Can I just pause you there at the Gendarmes camp, the
 9 military camp?
 10 A. Yes.
 11 Q. And you said you saw some vehicles there?
 12 A. Yes, ma'am. We actually parked right next to the first
 13 vehicle that was there. It was right on the corner of
 14 the road and it was turned on its side and it looked
 15 like it hit the berm.
 16 Q. Would it help at this point to have a map or at least
 17 a satellite photo up and at least show us where you
 18 parked.
 19 A. Sure.
 20 Q. On the screen in front of you or if you want a hard
 21 copy, Mr Whitted, I can give you a hard copy. NAS 41?
 22 A. The picture is good for me.
 23 Q. Does that help you to tell us where it was that you came
 24 to a stop?
 25 A. Yes. Okay, vehicle D is the one that I said we were

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1 parked right next to it.
 2 Q. What did that look like?
 3 A. It was turned over on one side, I believe the driver's
 4 side of it and it was burnt completely. And I stared at
 5 that one for quite a while and it looked like there was
 6 something still left in that vehicle, perhaps, I don't
 7 know, I am no expert, I couldn't tell you but I've seen
 8 burnt people before and that's what it looked like to
 9 me.
 10 Q. Then any other vehicles that you saw?
 11 A. I saw vehicle E and vehicle F looks a little out of
 12 place to me.
 13 Q. Let us stick with E first of all. What did E look like?
 14 A. E was, I believe that was the one all the doors were
 15 open including the back hatch and it looked like it was
 16 just littered with bullet holes, like high calibre
 17 bullet holes, like 20-millimetre bullet holes which
 18 would come from a helicopter.
 19 Q. And then you said vehicle F?
 20 A. Vehicle F was --
 21 Q. You wouldn't put there. So tell us where you would put
 22 it first?
 23 A. I would have put it, I have no way to really show you.
 24 I guess I could point to this screen here. I would have
 25 put it right there. It would have -- it wasn't on that

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1 road. It was out in the middle. (Indicated)
 2 Q. You are putting it at 10 o'clock from where it is?
 3 A. They were almost all out in a line.
 4 Q. You are putting it at 10 o'clock but below vehicle E on
 5 that map, is that where you are pointing?
 6 A. Yes, ma'am.
 7 Q. What did that one look like?
 8 A. That one was a strange one because it looked like it was
 9 blown up from the inside out and it was burnt a little
 10 bit but it wasn't -- it just looked like it was blown
 11 up.
 12 Q. I think you probably confirmed what I am about to show
 13 you. I am going to show you the photographs we have of
 14 some vehicles and you can tell us if these were the
 15 correct ones. I am going to show NAS 24. Mr Whitted,
 16 we have D, E and F as you can see. Do they accord with
 17 your ...?
 18 A. D is right -- yes, that looks right, E had the rack on
 19 the top for sure. Then F looks a little worse than when
 20 I saw it but it looks about right, yes.
 21 Q. You are saying it looks a little worse. There are
 22 pictures of B and C. Don't necessarily feel that you
 23 have to accept it?
 24 A. It might have been the angle I was seeing it at because
 25 I saw it when it was facing directly towards me. So you

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1 could see that the middle of the body of the car was
 2 folded out this way but the hood was fairly straight
 3 intact.
 4 Q. Does either B or C help you in those images?
 5 A. B does. That makes sense. Because it wasn't -- because
 6 F almost looks like it's in pieces but it was a whole
 7 car still. It just looked like it was folded out.
 8 Q. So you think it is more like what is labelled B on that
 9 map?
 10 A. It looked to me more like B but it was the hood that was
 11 intact not just the --
 12 Q. When you say hood, is that the rear or the front of
 13 the --
 14 A. The front of the car appeared to be more intact.
 15 Q. It is bonnet in English.
 16 A. Yes.
 17 Q. Thank you. At the Gendarmerie did anything else -- you
 18 say you stayed in the car. I should probably have asked
 19 where your car was parked but I think --
 20 A. We were all parked in a line on the road that leads to
 21 the military base camp.
 22 Q. So you never actually went inside the camp?
 23 A. No, we turned on the road and stopped. They had it
 24 blocked off. There was a lot of military personnel
 25 there and from what I understand they have mountaineers

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1 or frontiersmen, however it is translated, which is what
 2 I was led to believe were their special operations
 3 personnel and there were a lot of those guys there.
 4 Q. And I think you said that after that you moved on to
 5 VCP1?
 6 A. Yes, I don't know if we were waiting for an escort or if
 7 they were just chitchatting but they loaded us back up
 8 and we just went up to VCP1 and we were asked if anybody
 9 needed to use the rest room and then they let us out
 10 right there and they drove us right next to the crime
 11 scene, it was -- there was forensics personnel there
 12 with the bus and the lead vehicle and they let us out
 13 and look around and there was one forensics guy that was
 14 pretty generous with information.
 15 Q. And was this chap Algerian or?
 16 A. Yes, he was -- he spoke very good English but he was
 17 Algerian wearing the forensic suit and had a camera and
 18 all that, so he looked the part.
 19 Q. Are you saying he was -- you are saying he was generous
 20 with the information. What did he say to you?
 21 A. He was happy to tell you which way the terrorists were
 22 facing, the information I guess he had gathered to that
 23 point, the terrorists.
 24 Q. Take us through slowly what he said to you?
 25 A. Well, I wasn't directly talking to him at first. I just

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1 walked up on the conversation and he took us over
 2 towards the site and he said: yes, the terrorists were
 3 coming in from the dirt side of the road which would
 4 have been, if you are headed out of the VCP2 or VCP1 it
 5 would have been the right side and they hit the, the
 6 lead vehicle was head on with them and then they fired
 7 at the bus at a kind of say 2 to 3 o'clock angle with
 8 what they call a technical, a 50 calibre mounted in
 9 a truck, and they had a gun fight there for a little
 10 while and that was pretty much the information he gave
 11 us and he told me that one guy had been killed in the
 12 lead vehicle.
 13 Q. He told you that?
 14 A. Yes, he pointed to the lead vehicle and said yes,
 15 somebody was killed in the lead vehicle.
 16 Q. Are sure it was him who told you that?
 17 A. I'm not 100 per cent sure but as I say, most of these
 18 conversations are a group or a collective so I think
 19 there's a lot of assumptions in there but I'm not going
 20 to say that they are right or wrong because I can't tell
 21 you that.
 22 Q. I think in your witness statement you thought Tom Martin
 23 had told you that or told you where Paul Morgan was
 24 killed?
 25 A. Yes, Tom told me that before we even left the rig site.

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1 Q. What did --
 2 A. This was over the course of the four days that we were
 3 there he just said that Paul was killed. I knew that
 4 the first day and then he told me a little bit as he
 5 found information out from his colleagues and different
 6 people I guess that had escaped and told their part of
 7 the story. I guess a lot of the people on the bus had
 8 made it back and told their story by then. So like
 9 I say, a lot of this information is going to be third
 10 party from a third party.
 11 Q. In your witness statement you said that the forensic
 12 chap had told you that six or seven people were injured
 13 in the initial attack?
 14 A. He had told me that the gate guard and one of the
 15 Gendarmes were injured and that somebody was killed in
 16 the lead vehicle. That was what was explained to us as
 17 a group, collective.
 18 Q. Just --
 19 THE CORONER: So two people injured?
 20 A. From what I understand it was the guard that was -- the
 21 unarmed guard that works the VCP1 and then one of the
 22 Gendarmes which was part of the escort and then
 23 Paul Morgan. So I am assuming the driver of the vehicle
 24 and then Paul Morgan and then the VCP1 check guard.
 25 MS DOLAN: I know it is difficult because you have had a lot

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1 of information and a lot of very significant information
 2 coming from a lot of people.
 3 **A. Exactly.**
 4 Q. I think when you did your witness statement back in,
 5 I suspect it was -- it was March this year, you then
 6 recalled he had said six or seven were injured in the
 7 initial attack but no one was killed. That is what the
 8 forensic team told you. If it helps look at page 5 of
 9 your witness statement but that conflicted with the
 10 story you had been told which is that two had been
 11 killed?
 12 **A. Yes, exactly. And I knew one had been killed in that**
 13 **escort prior to even arriving there and I know the**
 14 **Gendarmes over those four days they had said one of**
 15 **their guys was injured in the gun fight and then**
 16 **somebody had said that a gate guard was killed and there**
 17 **was conflicting reports but I was led to believe it was**
 18 **at VCP1 and not at the base camp. So I mean, as you**
 19 **say, there was a lot of stories, so -- but I think that**
 20 **part was --**
 21 Q. Then let us go to what you actually saw yourself. So
 22 you told us about seeing the bus and did you see the
 23 vehicles?
 24 **A. Yes, I saw the vehicles.**
 25 Q. What did you see?

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1 **A. I saw the lead vehicle was turned off the road which**
 2 **would have been where the forensics guy said the fire**
 3 **came from, directly into it and there was bullet holes**
 4 **in the front and then the bus, typically had bullet**
 5 **holes on the right-hand side and all the exits, the**
 6 **bullet hole exits were taped with duct tape and another**
 7 **strange thing for me was that most of the bullet holes**
 8 **were towards the top of the bus.**
 9 Q. By towards the top you mean in the windows or the very
 10 roof?
 11 **A. Like the windows and above.**
 12 Q. Not in the body of it?
 13 **A. Not very many, no.**
 14 Q. I am going to show you some footage we have of the bus
 15 and again tell us if this is what you recall.
 16 **A. Okay.**
 17 Q. So if we can play it through and pause it or just go
 18 through slowly. (Video played)
 19 First of all, does that -- do you recognise what we
 20 are looking at there?
 21 **A. Yes, the bus and I don't know where the grey vehicle is**
 22 **coming from or the white one on the road, but the bus**
 23 **looks to be in the right spot.**
 24 Q. And then if we play this on. So you don't recall seeing
 25 that vehicle, the white one?

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1 **A. No, it was a different -- oh that white one, yes, this**
 2 **white one.**
 3 Q. So that's the one you are talking about that you saw in
 4 front?
 5 **A. Yes, ma'am.**
 6 Q. Did you see the other white vehicle?
 7 **A. No, there were only two vehicles there.**
 8 Q. So you recall seeing that vehicle off to the side?
 9 **A. This white vehicle was turned off to the road and then**
 10 **the bus was right behind it. That's what we saw. And**
 11 **that's another thing I thought was strange because**
 12 **there's typically escort vehicles to go with it.**
 13 Q. Did you look in this vehicle that's on the screen at the
 14 moment?
 15 **A. That's the vehicle I saw, yes.**
 16 Q. Did you look in it?
 17 **A. No, no, no. Well, you could -- you could kind of see in**
 18 **it but I mean you couldn't really see anything, nothing**
 19 **that was solid. You could say oh that's what I saw,**
 20 **so --**
 21 Q. I think you said in your witness statement you saw
 22 a smattering of blood but no bodies?
 23 **A. I thought I did but behind the rope you can't actually**
 24 **verify whether it was actually blood or whether it was**
 25 **a colouring in the car or whatever it was. So I don't**

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1 **want to say that I saw.**
 2 Q. How far away were you from it?
 3 **A. Probably, I don't know, from here to the wall at best.**
 4 Q. When you were at the VCP you have talked about speaking
 5 to a member of the forensics team. Did you speak to
 6 anyone else, apart obviously from your colleagues who
 7 you were with?
 8 **A. No, my main concern at the VCP1 was why do I need to get**
 9 **out of the vehicle because I don't need to use the rest**
 10 **room, so I kind of walked up to the conversation that**
 11 **was being had with the forensics guy and in the middle**
 12 **of it I walked away.**
 13 Q. When you were in the car at VCP1 did anybody come to the
 14 car and have a conversation?
 15 **A. Not that I recall, no.**
 16 Q. Do you recall who you were in the car with?
 17 **A. Brad McDaniel and one of the KCAD tool pushers. I can't**
 18 **remember his name now.**
 19 Q. His nationality?
 20 **A. Well, he works with us now. I should know his name.**
 21 Q. But is this an expat or an Algerian?
 22 **A. Expat.**
 23 Q. Were there any Algerians in the car with you?
 24 **A. No, well just the military guys. There was a driver and**
 25 **a Gendarme.**

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1 Q. At that time did anybody give you any information about
2 what was going on at the CPF?
3 **A. We were led to believe that there was people still in**
4 **there but I don't know, I couldn't tell you who it was,**
5 **if it was just terrorists in there or if it was hostages**
6 **in there but we were led to believe -- and there was**
7 **a couple of things the way the military was set up, at**
8 **least from the way I saw it, that that would be the case**
9 **because when we drove in front of the armoured vehicles**
10 **and the Gendarmerie that were there and the military,**
11 **they were lined up on the berm like they were protecting**
12 **the CPF or waiting for something.**
13 Q. So the military were facing the CPF?
14 **A. Yes.**
15 Q. But you said you drove in front of them. So you drove
16 between the CPF and them?
17 **A. Yes, we did. That's why I thought it was strange. That**
18 **is half the reason why it leads you to believe that**
19 **there's still something going on over there. I guess**
20 **there were some questions that were asked and maybe it**
21 **was just an assumption and that's what I was told but**
22 **apparently the number that keeps coming to me is seven**
23 **people were still there.**
24 Q. But you don't know where that information came from?
25 **A. No idea. I didn't hear it from anybody that would know.**

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1 Q. Just one matter I should have asked you about. Sorry,
2 I am taking you back to the morning of the 17th.
3 THE CORONER: When you said you didn't hear it from anybody
4 that would know. You mean it was talk going around
5 rather than somebody who had direct knowledge of it?
6 **A. Most of this information comes from conversations that**
7 **were pieced together from oh I heard this, or oh I heard**
8 **that, this guy said this. And it just a collective**
9 **group of just trying to figure out what's going on.**
10 MS DOLAN: Just back to the morning of the 16th. I should
11 have asked you. You said you came to the office and you
12 learnt what had happened. Did anybody say anything to
13 you about the drivers at the rig?
14 **A. There was accusations, if that makes sense. Some of the**
15 **drivers at the rig saying that they could have possibly**
16 **been part of I guess a tribe that might be capable of**
17 **plotting something like this or having inside**
18 **information but I didn't take much stock in it**
19 **personally.**
20 Q. And who was saying that?
21 **A. I think it was a collective from -- you know, because**
22 **during that year you have got to understand we had a lot**
23 **of strikes with the drivers and there was a lot of**
24 **tension between those drivers and it was only at**
25 **In Amenas, it wasn't throughout the field. I mean the**

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1 **other part of our field, in southern fields so to speak,**
2 **they tried it but it wasn't nearly as aggressive. So it**
3 **was kind of, we were all trying to piece it together and**
4 **like why would this happen? So I think that was**
5 **a general assumption this had to have something to do**
6 **with the drivers and the strikes.**
7 Q. So when you used the word "accusation" does it sound
8 like that was the kind of thoughts people were having in
9 conversations?
10 **A. Yes, everybody was searching for a reason why and they**
11 **just pinned it on the first reason they could come up**
12 **with that was reasonable.**
13 Q. But was there anything about the availability of drivers
14 to you that was commented upon?
15 **A. Well during that morning we did have a driver change out**
16 **because that's when they change out and all of our**
17 **drivers they stay up at the BdV. So what they do is**
18 **they take a vehicle up there and then they change out**
19 **and then new drivers drive it back. So they took one of**
20 **our vehicles and we were missing four drivers because we**
21 **didn't get the two new ones and the two that were**
22 **changing out had already left. So we only had two**
23 **drivers on location.**
24 Q. So just to take it back a bit. You say they took one of
25 your vehicles?

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1 **A. Yes, ma'am.**
2 Q. So how many vehicles would normally go to a change out?
3 **A. Just one typically.**
4 Q. How many had gone that morning?
5 **A. That morning as far as I'm aware just one vehicle went**
6 **for the drivers because -- we've got a certain amount of**
7 **vehicles that are allotted to each group on the rig site**
8 **and I think we had two vehicles that were allotted to**
9 **the military drivers and when they change out they don't**
10 **change all of them at the same time. They change**
11 **a night crew for a day crew or vice versa. So they took**
12 **one vehicle and when they get to the BdV they leave it**
13 **and the new crew drives it back. So it was my**
14 **understanding that they just took the one vehicle.**
15 Q. Was anything said about the time at which that change
16 had happened?
17 **A. It typically happens in the morning, 5, 6 am so they**
18 **probably depart the rig at about 5, 5.30 and then the**
19 **new crew shows up at 5.30 or 6. It's just an**
20 **assumption. Tom would know much more about that than**
21 **I do because he controls the drivers or he's in charge.**
22 Q. In the discussions that went on obviously amongst the
23 expats as these events were unfolding was anything said
24 about anything unusual about the drivers that day?
25 **A. Just in particular on the drivers we had on location**

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1 **because one of them was deemed to be part of that tribe,**
2 **the Tuareg tribe, and he was kind of distant just**
3 **because he's not typically involved in the rig site at**
4 **all so he's just kind of by himself. He didn't have his**
5 **other drivers there, his other comrades I guess or his**
6 **other co workers so to speak.**
7 Q. Do you use whiteboards in your office?
8 **A. Yes, ma'am.**
9 Q. Was anything on the whiteboards?
10 **A. Yes, we took a very basic timeline of some of the events**
11 **that happened that we were made aware of.**
12 Q. When did you start that timeline?
13 **A. Probably late morning of the first day, Wednesday.**
14 Q. Was there any timings of things happening on the
15 whiteboard before you started the timeline in the late
16 morning?
17 **A. No not -- we kind of back tracked on the ones that we**
18 **knew. We knew we found out about 5.30 or 6, so I think**
19 **we back tracked a couple of the significant events but**
20 **you know, for the most part they were real time.**
21 Q. It has been suggested to us that it might have been
22 written on the whiteboard very early in the morning that
23 two drivers had left and had left before 5 am?
24 **A. I don't know anything about that.**
25 MS DOLAN: Thank you, I have no more questions for you.

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1 Others may.
2 THE CORONER: We will break off now. 2.10.
3 (1.10 pm)
4 (Luncheon Adjournment)
5 (2.10 pm)
6 Questions from MR RITCHIE
7 MR RITCHIE: May it please you, sir. Good afternoon,
8 Mr Whitted, my name is Andrew Ritchie and I appear for
9 the family of Carlos Estrada.
10 You were, as I understand it, a well site drilling
11 supervisor at the time of the attack?
12 **A. Yes, sir.**
13 Q. And Brad McDaniel was the company man at the rig?
14 **A. They're both one and the same. There's a senior well**
15 **site drilling supervisor and then there's a night well**
16 **site drilling supervisor. I was the senior and Brad**
17 **McDaniel was the night well site drilling supervisor.**
18 Q. Thank you. Turning to the OLC, Tom Martin, you have
19 told us he was in charge of various matters including
20 the drivers?
21 **A. It's kind of his responsibility to communicate with them**
22 **primarily because he speaks their language and they have**
23 **to do with driving the military.**
24 Q. Tom Martin told Her Majesty's Coroner that that morning,
25 16th:

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1 "I had seen we were missing two cars, two drivers
2 were not there, C and O, I would expect only one to go."
3 And he then mentioned the registration numbers of the
4 two cars. Do you defer to Tom Martin on which cars
5 were missing and what he would expect?
6 **A. Yes, sir, because those are under the care of the**
7 **drivers and Tom Martin.**
8 Q. Thank you. There is a whiteboard in the company office,
9 your office, your and Brad McDaniel's office. Brad
10 McDaniel has told Her Majesty's Coroner that when he got
11 into that room there was a notice on the whiteboard or
12 writing on the whiteboard saying "Two drivers gone
13 overnight? Changeover."
14 Do you recall seeing that written on the board?
15 **A. It could have possibly been there. I don't recall**
16 **seeing it with any certainty, no.**
17 Q. Now, can I come then to what you saw and heard on T212
18 on 16 January, the first day. A number of hours into
19 the shut down you were, I think, working at some height?
20 **A. Yes, sir.**
21 Q. And you say in your witness statement to the inquest
22 that you saw a group of people walking across the desert
23 near the FRAC?
24 **A. Well, it was way across the desert because it's quite**
25 **a way -- it's quite a distance between us and the start**

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1 **of the falaise where it starts to go uphill and that's**
2 **where I noticed some people there, but I couldn't tell**
3 **with any certainty who it was.**
4 Q. Now, the other well site, TG342, we were told was about
5 a kilometre away from T212?
6 **A. Yes, sir, the FRAC site, yes.**
7 Q. That is the FRAC site that you describe?
8 **A. Yes, I'm sure of the number.**
9 Q. Does FRAC mean anything that we would understand?
10 **A. It's a well site that has already been drilled. They're**
11 **just going to fracture the formations and produce it.**
12 Q. A little later, I think you say about an hour, a man
13 approached from that direction who turned out to be the
14 civil guard who was at that well site?
15 **A. Yes.**
16 Q. Tom Martin told us that he was involved in
17 a conversation with that man. Were you present whilst
18 this conversation took place?
19 **A. Not at all. Most of those conversations took place,**
20 **because the military is separated with a berm from our**
21 **location and our basic understanding is don't go beyond**
22 **that berm. That's Tom Martin's. Just stay away from**
23 **it.**
24 Q. So the information you got about what the guard said
25 came from Tom Martin?

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1 **A. Yes, sir.**
 2 Q. And your recollection when you signed this witness
 3 statement back in March was the guard said that five or
 4 six terrorists approached the FRAC site on foot?
 5 **A. I've always remembered it as three specifically, but**
 6 **again, that's what I was told and just what they were**
 7 **carrying.**
 8 Q. And what they were carrying, what is your recollection
 9 of that?
 10 **A. Two were supposedly carrying AK47s or small arms fire**
 11 **rifles and one had possibly a rocket propelled grenade**
 12 **rifle.**
 13 Q. An RPG, rocket propelled grenade rifle?
 14 **A. Yes, sir.**
 15 Q. And you also recall that they, the men, had asked the
 16 guard whether there were any guards at T212, any
 17 Gendarmes at T212?
 18 **A. Yes.**
 19 Q. And that he, the civil guard, had told them that there
 20 were Gendarmes at T212?
 21 **A. Yes.**
 22 Q. And that they had then gone away, walked away?
 23 **A. Yes.**
 24 Q. Certainly one thing is for sure there were no attacks on
 25 T212 during this period or during the 16th, were there?
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1 **A. No.**
 2 Q. That doesn't mean it wasn't scary but there weren't any
 3 actual attacks?
 4 **A. Yes.**
 5 Q. Brad McDaniel also recalled that some time during the
 6 period, the three and a half day period, a conversation
 7 with a Gendarme relating to Gendarmes manning the
 8 entrances of BdV and said you were present. Do you have
 9 any recollection of that?
 10 **A. I don't and to be honest with you I don't think they've**
 11 **ever done that in the past as far as Gendarmerie, no,**
 12 **it's always been civil guards.**
 13 Q. Yes, factually it was only civil guards at BdV but you
 14 don't recall either from Brad McDaniel or from being
 15 present for such a conversation a Gendarme telling in
 16 your hearing the desire of Gendarmes to have Gendarmes
 17 at the entrance to increase security?
 18 **A. You're talking about the entrance to the BdV?**
 19 Q. Yes, absolutely.
 20 **A. Not at all. Our primary concern was our location.**
 21 Q. Absolutely. Then can I come to the trip up to the
 22 central -- the VCP2 and then on to the military camp.
 23 For this could NAS 41 be put back on up on the screen.
 24 You may have this overhead photo in -- are you happy
 25 with the photo on the screen?
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1 **A. Yes, sir.**
 2 Q. You came up to VCP2 which should be on the left-hand
 3 side in the middle of this plan, wouldn't it?
 4 **A. Yes.**
 5 Q. Did they then drive you towards the hardtop road in some
 6 way?
 7 **A. Yes.**
 8 Q. Can you indicate to your recollection which track they
 9 took?
 10 **A. It was directly on that dirt road, straight from VCP2**
 11 **that goes straight all the way to the --**
 12 Q. So the light dirt road that goes up to a rectangle of
 13 a lay down yard or something?
 14 **A. Yes.**
 15 Q. And then a little bit of a right-hand angle heading
 16 towards the hardtop road?
 17 **A. Yes, but there is more of a straight shot because there**
 18 **are two different ways because you go by the little,**
 19 **there's like a yard on the left-hand side right before**
 20 **you hit the blacktop there is a drilling yard right there.**
 21 Q. I think it might help if you could take a physical copy
 22 of this, hold it up and first point it towards Her
 23 Majesty's coroner or perhaps even mark it with a pen
 24 that might be the easier way of doing so. I am very
 25 Page 111

1 grateful. Could you just indicate to the best of your
 2 recollection the route that you took in the vehicle from
 3 VCP2 towards this berm, this new berm that you described
 4 in evidence behind which military were stationed?
 5 **A. It's, without certainty it's one of these two roads here**
 6 **because all I know is there is a drilling yard directly to**
 7 **the left like the fence is literally from here to the**
 8 **back of the room from the car, on the left-hand side, so**
 9 **it's one of the two roads. It's, I don't know if you**
 10 **can see, it's either this small road that looks --**
 11 **appears to come back or it's the road directly in front**
 12 **of that small location (indicated).**
 13 Q. Could you just mark those two with pen and then that
 14 could go up to Her Majesty's Coroner and perhaps come
 15 down to the representatives.
 16 **A. Okay, it's going to be either there or there**
 17 **(indicated). One of those two.**
 18 Q. The technology experts, once Her Majesty's Coroner has
 19 seen that, are going to show it with a cursor on the
 20 screen so the families at the back can see what you just
 21 marked.
 22 **A. Yes, sir. (Handed)**
 23 Q. There is the upper path being indicated by the cursor
 24 and the second path, is it there or is it lower?
 25 **A. The second path is more towards the CPF.**
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<p>1 Q. More towards the CPF?</p> <p>2 A. Yes, sir.</p> <p>3 Q. So up again?</p> <p>4 A. Yes. Up, it's the clear bright white dirt road right</p> <p>5 next to the drilling yard there and I'm almost positive</p> <p>6 it's going to be there.</p> <p>7 Q. Can you direct the cursor so it goes to where you want?</p> <p>8 A. I can do that?</p> <p>9 Q. Just say up.</p> <p>10 A. Just go up, right there.</p> <p>11 Q. There?</p> <p>12 A. Yes.</p> <p>13 Q. So that is one and where is the other potential route or</p> <p>14 is that pretty much?</p> <p>15 A. I'm about 75 per cent on this one because that drilling</p> <p>16 yard right there is what you drive right next to.</p> <p>17 Q. Where was what you thought was a new sand berm with army</p> <p>18 behind it?</p> <p>19 A. You can almost see a little bit of it on the right-hand</p> <p>20 side of that road if you are headed towards the</p> <p>21 pavement.</p> <p>22 Q. On the right-hand side of the road -- could you move the</p> <p>23 cursor to where you are indicating?</p> <p>24 A. Right there.</p> <p>25 Q. I see. Were the army stationed behind that facing</p> <p style="text-align: center;">Page 113</p>	<p>1 Q. Was there a time when you were to go there but it was</p> <p>2 cancelled?</p> <p>3 A. I was actually supposed to go to Libya at the end of</p> <p>4 that trip.</p> <p>5 Q. At the end of that trip?</p> <p>6 A. Yes.</p> <p>7 Q. But you were never actually stationed there then?</p> <p>8 A. No, because the attacks happened and they kind of</p> <p>9 cancelled everything.</p> <p>10 Q. Fine. So you were to go but it never came about?</p> <p>11 A. Yes, sir.</p> <p>12 MR RITCHIE: Thank you very much. That's all my questions.</p> <p>13 Thank you, Mr Whitted.</p> <p>14 Questions from MR OWEN-THOMAS</p> <p>15 MR OWEN-THOMAS: Mr Whitted, my name is Owen-Thomas and</p> <p>16 I ask questions on behalf of David Green, father of</p> <p>17 Stephen Green. Just very briefly from me if I may.</p> <p>18 Could you kindly put back up NAS 41. Can I ask you,</p> <p>19 Mr Whitted, you have drawn a line on a copy of this map</p> <p>20 next to the yard that we can see on there. Is that the</p> <p>21 furthest north you travelled on your way back from the</p> <p>22 rig site to the Gendarmerie?</p> <p>23 A. Yes.</p> <p>24 Q. So it stands to reason then I assume that there may have</p> <p>25 been some vehicles closer to the CPF that were damaged</p> <p style="text-align: center;">Page 115</p>
<p>1 towards the CPF?</p> <p>2 A. Yes.</p> <p>3 Q. So you were driven along the road, if you will, past</p> <p>4 their muzzles?</p> <p>5 A. Yes, sir.</p> <p>6 Q. And is it that that you thought was a bit odd?</p> <p>7 A. Well it could be odd for two reasons to be honest with</p> <p>8 you. It could be odd because we were there and we drove</p> <p>9 in their line of fire and it could be odd because there</p> <p>10 was nobody there and we drove in front of them anyway.</p> <p>11 Q. Did you then take a right and head towards the military</p> <p>12 camp which is where D and E are?</p> <p>13 A. We took a right on the road, yes.</p> <p>14 Q. Thank you very much. You later understood that there</p> <p>15 may have been something going on at the CPF but you had</p> <p>16 no greater understanding than that?</p> <p>17 A. No, and as I said before, it's -- I didn't hear it from</p> <p>18 a reliable source. It was more of conversations between</p> <p>19 us.</p> <p>20 Q. Thank you. Now, finally Wetherford 802. Is it right</p> <p>21 that you spent some time working at Wetherford 802 in</p> <p>22 Libya?</p> <p>23 A. No, I did not.</p> <p>24 Q. You haven't been there?</p> <p>25 A. No, I have never worked in Libya.</p> <p style="text-align: center;">Page 114</p>	<p>1 or destroyed or you didn't see those?</p> <p>2 A. What --</p> <p>3 Q. If you zoom out, there is A, B and C marked.</p> <p>4 A. A, B and C. Yes, we wouldn't have seen those, no, not</p> <p>5 unless we looked further down there.</p> <p>6 Q. You mentioned earlier that when you were back at the</p> <p>7 Gendarme camp you picked up some sort of general gossip,</p> <p>8 it may not be particularly helpful or particularly</p> <p>9 reliable but was any such gossip said about any other</p> <p>10 vehicles that were closer off to the CPF?</p> <p>11 A. No, sir, when we were parked off outside the Gendarme</p> <p>12 camp we weren't allowed to leave the vehicles so every</p> <p>13 bit of gossip we got, every bit of gossip I got didn't</p> <p>14 happen until we got to VCP1 and that was a collective</p> <p>15 group.</p> <p>16 Q. Was anything said about the vehicles which got closer to</p> <p>17 the CPF than those you have identified, D, E and F on</p> <p>18 that map?</p> <p>19 A. Nothing really was said about it. I have heard a bunch</p> <p>20 of rumours since but none of that is validated.</p> <p>21 MR OWEN-THOMAS: Thank you, Mr Whitted.</p> <p>22 Questions from MR FLINN</p> <p>23 MR FLINN: Mr Whitted, good afternoon. My name is Matthew</p> <p>24 Flinn and I ask questions on behalf of the families of</p> <p>25 four men who died in the terrorist attack, Garry Barlow,</p> <p style="text-align: center;">Page 116</p>

29 (Pages 113 to 116)

<p>1 Carson Bilsland, Paul Morgan and Kenneth Whiteside. 2 You have already told us that you heard radio 3 chatter over the course of the morning and the day of 4 16 January and I understand that you understood that one 5 of those voices you heard was from a hostage taker at 6 the CPF. Is that right? 7 A. That's the way we understood it. At least two of the 8 voices were. They were talking to each other, yes. 9 Q. That is what you believed to be the case and I think you 10 mentioned you heard a siren in the background which 11 bolstered that conclusion, is that right? 12 A. You could hear many different things in the background 13 but one was a definite siren. 14 Q. Was that a continuous siren or can you not recall? 15 A. It was kind of a, I don't know, it wasn't continuous. 16 It was intermittent and I was told by somebody who may 17 or may not be reliable that that was the siren of the CPF, 18 the shut down alarm. 19 Q. And you also heard amongst the statements that you 20 overheard over the radio someone mentioned that they 21 were located under a big fan? 22 A. Yes, that was part of the translations that we got. 23 Q. Yes. 24 A. Because they were saying they were underneath a big fan 25 because I don't think they knew exactly where they were.</p> <p style="text-align: center;">Page 117</p>	<p>1 two because I knew who they were. 2 Q. And I think you confirmed to Ms Dolan that you were 3 unable to say whether or not the voice which mentioned 4 Garry Barlow's name was a terrorist or perhaps just 5 another civilian Arabic speaker? 6 A. Yes, sir. Sometimes it was difficult to tell but other 7 times you could tell just by what they were saying. 8 Q. You did mention in your oral evidence that you could 9 draw a distinction between perhaps the French Arabic 10 that you were used to hearing and other Arabic. The 11 name that mentioned Garry Barlow can you recall what 12 sort of Arabic that was? 13 A. It was a gruff voice with a little bit different dialect 14 than I was used to hearing. It wasn't smooth it was 15 rough. 16 Q. Can you recall the approximate time that his name was 17 mentioned? 18 A. I want to say it's the morning of the first day but 19 that's my best guess. 20 Q. Did you gain any understanding of where he was at the 21 time his name was mentioned? 22 A. Not with certainty but I know at the time they were 23 trying to negotiate they were still separated between 24 the CPF and the BdV. 25 Q. But you had no information that was translated to you</p> <p style="text-align: center;">Page 119</p>
<p>1 Q. Is that also something that you understood to be 2 a reference to the CPF? 3 A. Yes. 4 Q. And I think in your statement you gave in March you go 5 on to explain that part of the reason you thought it was 6 the CPF is because there are cooling fans under the main 7 operating trains? 8 A. That's what I was told, yes. 9 Q. If we were to bring up a satellite image of the CPF 10 would you be able to point out the approximate location 11 of those fans? 12 A. That's not my work area. That is what I was told by 13 people who had more knowledge of that area than I have. 14 Q. So we won't bring that up. Are you able to assist with 15 the height of those fans? Are they on upper levels of 16 the production trains or lower levels? 17 A. I couldn't tell you either way. 18 Q. That is fine, thank you very much. Now, you did hear 19 Garry Barlow's name mentioned, that is right? 20 A. Yes, sir. 21 Q. And from what you heard, what was translated to you, was 22 its your understanding that at the time his name was 23 mentioned he was a hostage? 24 A. Yes, it was my -- because they said several names, 25 perhaps five or six, but like I say I only remembered</p> <p style="text-align: center;">Page 118</p>	<p>1 which would indicate if he was in one location or the 2 other? 3 A. No, sir. 4 Q. I understand from your statement that the radio 5 transmissions you heard that they had stopped at about 6 4 pm. Is that right, on the 16th? 7 A. That's probably correct, yes. 8 Q. Over the course of the transmissions that you heard 9 during the day were there any messages translated to you 10 about what was being done to the hostages and when I ask 11 that question I am not interested for the moment about 12 hostage demands or trade demands, but in how they were 13 being treated in particular? 14 A. Yes. Over the radio it was -- they mentioned how they 15 were tied up, like I think it was like six or seven at 16 a time with what was referred to, it was translated as 17 Semtex which is kind of like a blasting cap and that 18 they were tied in and they allowed them to use their 19 cellphones to call their families and then, you know, 20 I've heard other things since then but those are the 21 only things that were translated that day. 22 Q. You have also said that you had some contact with the 23 State Department. Presumably you were updating them as 24 to the information which you had? 25 A. Well, I think they knew -- they already knew what we</p> <p style="text-align: center;">Page 120</p>

30 (Pages 117 to 120)

<p>1 had. Every conversation I had with them, whatever 2 I told them they already knew. 3 Q. And were they updating you with information that you 4 didn't know? 5 A. They would confirm things that we would guess, like we'd 6 see planes flying overhead, yes, those are ours and that 7 was basically the extent of it. 8 Q. They didn't go beyond that basically? 9 A. No, the conversations I had with them were we're doing 10 what we can, hang in there. 11 Q. Over the course of 16 to 19 January did you ever receive 12 any information from your American contacts at the State 13 Department about what was happening with hostages at the 14 CPF? 15 A. Since then? 16 Q. No, over the course of the 16th to the 19th. 17 A. No. 18 Q. I would like to jump ahead now to when you left the rig 19 on the morning of the 19th, that is a Saturday morning, 20 isn't it? Around about what time did you leave the rig? 21 A. Without referring I think I want to say about 10 am. 22 Q. Mr McDaniel told the coroner that when you were escorted 23 from the rig you were taken to the Gendarme camp and you 24 have confirmed that in your own evidence. Can you 25 recall who the driver of the vehicle was that you were</p> <p style="text-align: center;">Page 121</p>	<p>1 A. No, because even if he answered the question -- 2 THE CORONER: Because his English wasn't good enough to give 3 you? 4 A. No, sir, and that is why I say even if it was a good 5 enough to give you a yes or no answer you can't really 6 trust that he understood what you asked him. 7 MR FLINN: Another thing that Mr McDaniel said was when you 8 were at the Gendarme camp someone in the vehicle asked 9 the Gendarme what was going on and the Gendarme at that 10 point suggested that there were still six or seven 11 hostages alive at the gas plant and that there was still 12 a stand off going on. Do you recall a Gendarme saying 13 to you whilst you were at the Gendarme camp there were 14 still people alive at the CPF? 15 A. Not at the Gendarme camp. That happened later in a 16 conversation at VCPI between the group of us. 17 THE CORONER: When you say between a group of us, is that 18 what you were saying earlier about a group of you that 19 had actually no direct knowledge but you were just 20 talking amongst yourselves? 21 A. Yes, because we were all separated in vehicles, like Tom 22 Martin was in a separate vehicle to us and he is the 23 only one who can communicate reliably. So when we got 24 into a group together we kind of conferred and that 25 might have been what we came with up with, I don't know.</p> <p style="text-align: center;">Page 123</p>
<p>1 travelling in? 2 A. It was -- we went with what they call it, I think they 3 called them mountaineers, like they are special forces, 4 there was one guy in the passenger seat and then another 5 unarmed man in the driver's seat. 6 Q. Was the driver able to converse with you in English? 7 A. Very, very short conversations. He might be able to 8 answer a yes/no question or piece together a couple of 9 answers. 10 Q. The reason I ask is that Mr McDaniel says at some point 11 whilst you were at the Gendarme camp -- actually, he has 12 provided some texts to the coroner and in one of those 13 texts he seems to be in contact with his American 14 contact and saying that the driver told him at that 15 point that there were six or seven hostages alive at the 16 CPF. Do you recall the driver of your vehicle at any 17 time communicating that information to you? 18 A. Not in the way that you have just described it there. 19 I remember asking him questions and trying to get an 20 answer if they could answer us, but to really not have 21 a translator there and somebody to have a conversation 22 you're going to get one or two word answers and that's 23 all you'll get. 24 Q. To your recollection you didn't get any substantive 25 information from the driver of your vehicle?</p> <p style="text-align: center;">Page 122</p>	<p>1 MR FLINN: Did you stay with Mr McDaniel all the way to 2 In Amenas town or were you separated at any time? 3 A. No, we stayed together. 4 Q. Another thing that Mr McDaniel says is that whilst at 5 the Gendarmes base at In Amenas town he overheard 6 further radio chatter. Do you recall being in the 7 vicinity of a radio where there was chatter going on? 8 A. I don't recall another radio there, no. There was a man 9 that we talked to in there but I don't even know how he 10 even knew about it. 11 Q. What did that man say? 12 A. I don't know even know, don't know who he was but he 13 seemed to know an awful lot but I think he was just 14 debriefing everybody that came out. 15 Q. So to summarise what you are able to tell us it is 16 simply based upon the impression you gained about 17 conversations that you were overhearing and party to and 18 that was at the VCP about people potentially being alive 19 at the CPF? 20 A. Yes, like I say, most of everything that I have is third 21 party at best. 22 Q. So there was no official source of that information? 23 A. No, because -- believe it or not I don't speak Arabic 24 after five years of working there. 25 Q. Finally we have some logs of incoming calls that were</p> <p style="text-align: center;">Page 124</p>

1 received by various crisis teams and one is found at
 2 core bundle 5, tab 14. You should have some core
 3 bundles there in front of you. My understanding is it
 4 is a black bundle. Can you see there are a log of
 5 telephone calls. It should stay at the top
 6 "Confidential management"?

7 **A. Yes, sir.**

8 Q. Down at the bottom of that page on the bottom right-hand
 9 corner you will see internal numbering page 1 of 15. Could
 10 you turn to page 9 of 15.

11 **A. Got you.**

12 Q. If you go about eight lines down you will see an entry
 13 there 13-hours 15 minutes, 19 January 2013. Can you see
 14 that?

15 **A. Yes, sir.**

16 Q. So there we have an entry which seems to say that it was
 17 at that time that one of the crisis teams in London received
 18 confirmation that there had been the end of military
 19 operations. So the reason I am putting this to you is it
 20 might well be that the time you were at VCP1 and you
 21 were having these conversations the military was still in
 22 the process of clearing the central production facility?

23 **A. Yes.**

24 Q. And it would follow from that that until they had done
 25

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1 that they wouldn't necessarily be in a position to
 2 confirm whether or not anyone was alive or dead?

3 **A. Right.**

4 Q. That would follow?

5 **A. I would agree because when we left VCP1 it was our
 6 understanding at that point that some time between the
 7 time we left and the time we actually flew to
 8 Hassi Messaoud they went in with the special operations
 9 team.**

10 Q. That's helpful. Thank you very much. I would just like
 11 to ask a few questions now about the vehicles you saw at
 12 VCP1. You pointed out on the video clip that was played
 13 to you the vehicle which you saw which you believe to be
 14 the OLC vehicle. I wondered whether we might be able to
 15 bring up that clip again, please. (Video Played) If we
 16 could just pause it there for the moment. You mentioned
 17 before -- we see between the bus and the white vehicle
 18 in the foreground a grey vehicle and you said you
 19 couldn't recall that?

20 **A. Yes, I don't believe that vehicle was there.**

21 Q. That is what I wanted to confirm with you. Is it simply
 22 that you can't remember it being there or you can
 23 positively recall that at the time you were there that
 24 grey vehicle wasn't?

25 **A. There was two vehicles there when we made it to VCP1.**

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1 Q. Two vehicles in addition to the bus or including the
 2 bus?

3 **A. No, the bus and the one white vehicle.**

4 Q. So it follows from that that that white vehicle in the
 5 foreground was also not there when you passed by VCP1,
 6 is that right?

7 **A. Can you repeat that one?**

8 Q. You said that you saw two vehicles, one was the bus and
 9 one was the vehicle that was pointed off the road with
 10 the bullet holes in the windscreen?

11 **A. Yes.**

12 Q. Does it follow from that that the white vehicle we see
 13 on the screen in the foreground also wasn't there when
 14 you were at VCP1?

15 **A. No, that type of vehicle was not there.**

16 Q. And I think you also say in your statement that you were
 17 surprised that there were no escort vehicles around the
 18 bus at the time?

19 **A. Well, it just -- you know, it might be my ignorance but
 20 just judging by a crime scene if all the vehicles in
 21 that escort were there, there should have been two more
 22 and they would have been military vehicles. Having not
 23 known what happened there, they could have drove off
 24 during the firefight or however it worked.**

25 Q. We have heard evidence that there was a convoy of

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1 escorting vehicles accompanying the bus. The reason
 2 I am asking these questions is I am just trying to
 3 explore the extent to which vehicles might have been
 4 moved after the attack.

5 **A. Right.**

6 Q. So those two vehicles that we have identified they
 7 weren't there?

8 **A. No.**

9 Q. Now, the vehicle which you believe to be the OLC
 10 vehicle, is it the case that someone came up to you and
 11 pointed out that was the OLC vehicle or is that the
 12 impression you gained from some other source?

13 **A. No, that's my personal experience. Every time we leave
 14 the OLC vehicle is that one and the OLC rides in it.**

15 Q. We have heard some evidence from other witnesses that
 16 the OLC vehicle was generally silver. Is that not your
 17 recollection?

18 **A. I guess it depends on who was driving, but typically
 19 it's always the lead vehicle.**

20 Q. I would just like to ask a few questions about the
 21 bullets in the windscreen to that vehicle. In your
 22 witness statement you say there were a few. Can you be
 23 any more specific than that now?

24 **A. No, because we saw it at a short enough distance to
 25 where you could tell where the bullet holes were and you**

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1 **could sort of see some things inside but not with any**
 2 **sort of certainty to say yes, that's exactly what that**
 3 **is, you know.**
 4 MR FLINN: Mr Whitted, those were the questions I had for
 5 you. Thank you very much.
 6 THE CORONER: Thank you very much indeed for coming to help
 7 us. I am very grateful.
 8 (The witness withdrew)
 9 MS DOLAN: Sir, that's all the live evidence today but there
 10 is some reading to do and we have the Algerian
 11 Prime Minister's statement first.
 12 THE CORONER: Yes. I know we have discussed it but there
 13 are some locations which are mentioned on occasions
 14 during the statement and if it were possible to --
 15 MS DOLAN: The techies are on it, sir.
 16 THE CORONER: If it is possible to identify them rather than
 17 leave us to work out where they are when we go along
 18 that would also be --
 19 MS DOLAN: I think this map will probably come up
 20 sequentially when they are mentioned in the statement.
 21 They can click and show the place that's being mentioned
 22 in the statement to give some geographical location to
 23 it. Do you want me to help first of all with what's
 24 showing on the map at the moment?
 25 THE CORONER: Yes.

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1 MS DOLAN: So the red line at the bottom is the border
 2 between Mali, Niger and Libya. There is a red flag
 3 marking the In Amenas gas field and then in yellow we
 4 have In Salah and Hassi Messaoud marked with the yellow
 5 flags.
 6 MR CHARNOCK: Sir this is a translation of a press
 7 conference of the Algerian Prime Minister's on the
 8 21 January 2013 in the aftermath of the terrorist attack
 9 that was carried out on the Tiguentourine gas plant:
 10 PRIME MINISTER SELLAL'S Press conference (Read)
 11 "In the name of Allah, you are all aware of the
 12 incident that took place in the early hours of
 13 Wednesday. Around 05.30 hours, Algeria was subject to a
 14 cowardly premeditated attack by a terrorist group which
 15 comprised of mercenaries who for the majority were
 16 foreigners. The group was made up of 32 terrorists
 17 including 3 (three) Algerian nationals and eight
 18 different nationalities: Tunisian, Egyptian, Malian,
 19 Nigerian, Canadian and one Mauretanian. This organised
 20 crime by the terrorist group led by Belmokhtar had been
 21 prepared for over two months. They came from Aguelhouk
 22 region in the North of Mali, not too far from
 23 Tinzaoutine and went through the border lines between
 24 Algeria and Mali and Algeria and Niger then went
 25 straight up to Oubeid region near Ghat. Once there, that

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1 group led by Ben Chneb Mohamed Lamaine and with the help
 2 of Abu Bakr al-Misry reinforced themselves and carried
 3 out the operation on Wednesday morning. Let us not
 4 forget that their starting point was from the borders
 5 which are about 45 kilometres to the Algerian borders,
 6 drove through Ijili region and came directly to
 7 Tiguentourine. The primary target of this terrorist
 8 group was to take control of the bus that was carrying
 9 expatriates, who were on their way to the In Amenas
 10 airport, and drive them directly to Mali in order to use
 11 them to reinforce the number of hostages that are
 12 currently holding in Mali so they have the possibility
 13 to carry out negotiations with foreign states. However,
 14 when they opened fire on the bus, they met strong
 15 response from the Gendarmerie escort which makes us
 16 today in a position to say that they failed to achieve
 17 their goal since they were targeting the expatriates who
 18 were on that bus and who include the director of BP.
 19 The operation was not successful as they were about
 20 5 kilometres away from the living compound Sonatrach-BP.
 21 Some people get wounded on the bus and a British
 22 national was killed. Right after that, they separated
 23 into two groups, the first one headed towards the living
 24 compound and the second group toward the gas plant.
 25 However, when they attempted to enter the living

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1 compound using heavy weapons -- you have seen the
 2 advanced weapons they had, which included missiles,
 3 rocket launchers, mortar, FNPk (machineguns),
 4 Kalashnikov. The group includes three booby traps
 5 specialists. Their plan was to capture foreign workers
 6 and to blow up the gas plant in In Amenas. That is
 7 a very clear fact; the information available in precise
 8 based on the primary investigations. When they reached
 9 the compound, they opened fire on the Algerian security
 10 guards -- the compound is guarded both by Gendarmerie,
 11 the army and civilian security guards -- before they
 12 killed the Algerian guard (bless his soul) whose funeral
 13 I think took place yesterday in Tiaret, he had managed
 14 at the last minute to activate the alarm -- because
 15 there are various types of alarms -- that indicated
 16 there was a terrorist attack. This allowed many workers
 17 to hide and the operating staff at the gas plant to
 18 switch off the production system. Thanks to his move
 19 (bless his soul) the plant was indirectly protected
 20 because it was no longer under pressure.
 21 We found out that they had a map of the compound so they
 22 knew exactly what was in the compound. Their plan was to
 23 take control of all the expatriate personnel. They began to
 24 take control of the living compound and even of the gas
 25 plant; they booby trapped this area since they had an

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<p>1 important quantity of explosives, anti tanks, TNT 2 explosives, C33, gas bottle IED. In sum, they had an 3 important arsenal which allowed them to booby trap many 4 areas both in the living compound and in the gas plant; they 5 also used explosive belts on some of the expatriate 6 personnel. It was a very difficult mission; it was 7 difficult to be in control of the situation. In the 8 beginning, the military forces and some civilians used 9 negotiations but the terrorists were determined, their 10 demands were clear, the release all the prisoners; they went 11 into unreasonable and unacceptable demands; this made the 12 negotiations impossible to continue and led to the 13 interference of two elite unit of (ANP) the popular national 14 army that are specifically trained for this kind of job. 15 I testify to Allah and to everyone that the job they carried 16 out can only be done by very few similar units in the world 17 and whose job we could compare to the success they have 18 reached especially that they are young members who 19 controlled the situation calmly. They then carried out 20 their first assault which allowed many local and expatriate 21 personnel to leave the living compound and others could to 22 be protected. The operation became a little complicated 23 since at night fall, they [terrorists] prepared the vehicles 24 and wrapped all the expatriate hostages with explosives, 25 take advantage of night darkness to board them on the four</p> <p style="text-align: center;">Page 133</p>	<p>1 expatriates under their control. 2 Anyhow, you have been following the news and the phone calls 3 and contact on the internet site from Mauritania, a Canadian 4 national called Shaddad was talking to them in clear English 5 that everyone could understand. Roughly, the operation 6 resolved around the gas plant. The purpose of the 7 terrorists was to explode the gas plant and if that had 8 happened besides the human and material losses, 9 a catastrophe would have taken place in a radius of 10 5 kilometres or more. The In Amenas plant comprises of 4 he 11 can tars that make the living compound and 10 hectares that 12 include the gas plant. This makes it an extremely difficult 13 area [to control] even for special military forces to 14 intervene. If you were to visit it, you would see that the 15 living compound for the Algerian staff and the expatriate 16 are separate and both are away from the gas plant. 17 The latest operation resulted in the attempt to release the 18 foreign staff and to protect the gas plant from the 19 explosion operation. The terrorist group attempted to 20 explode the gas plant, as a bomb went off which caused 21 a fire to stay on all night inside a gas pipe, but thank 22 God, the Fire Brigades with the help of civilian staff of 23 the compound managed by the morning to take control of the 24 fire, which reduced the risk of explosion. Following that, 25 things became clear, there had to be a second assault which</p> <p style="text-align: center;">Page 135</p>
<p>1 wheel drive vehicles, take enough fuel and escape in the 2 direction of Mali. Fortunately, the army was ready for 3 them; the whole region was surrounded and followed by both 4 ground forces and helicopters. This prevented them 5 [terrorists] from moving in the area and in the morning when 6 they realised that they were tightly surrounded, they tried 7 to escape from the living compound to the gas plant in order 8 to join their fellow 11 terrorists. In each vehicle they 9 boarded 3 or 4 foreign workers from different nationalities. 10 Bearing in mind that there is a big number of expatriate 11 workers and cadres at the compound for the joint venture 12 Sonatrach 51-BP-Statoil (the Norwegian company); they placed 13 a large number of the hostages in the vehicles after they 14 wrapped them with explosives in order to use them as human 15 shields in each vehicle. As they attempted to escape they 16 were faced with a violent response from the military forces 17 which caused two vehicles to turn over, three of them 18 exploded and many others remained untouched. During the 19 explosion, the leader of the terrorist group, Benchenb 20 Mohamed Lamine, was killed. The expatriates who survived 21 were rescued by the military forces who then began the 22 second operation in the gas plant. The operation in the 23 living compound was basically over as most people who were 24 there escaped and few remained but, the difficulty laid in 25 the gas plant where 11 terrorists were present and had the</p> <p style="text-align: center;">Page 134</p>	<p>1 in fact took place. I can strongly confirm that the 2 intervention of the young special forces was carried out 3 with intelligence and a great level of professionalism. 4 They used snipers in order to spare the hostages and to 5 avoid further problems inside the gas plant. Unfortunately, 6 I think that you all heard on the internet site the last 7 words of the leader of the terrorists group who gave them 8 instructions to kill all the hostages and in fact, there was 9 a mass killing as many of them were shot with a bullet in 10 the head. The intervention of the military forces resulted 11 in the killing of all the 11 terrorists and ended the 12 operation. 13 Without going into much detail, I have given you all the 14 information with precision and the matter is clear about 15 this operation which resulted in the end in ... Roughly 16 since the compound employed some 790 personnel members 17 including about 134 expatriates from 26 nationalities. 18 Until now the majority of the hostages has been released 19 except for 5 foreigners whose fate remains unknown; they 20 might still be hiding, or they might have moved to another 21 place or that they were dead (bless their souls). There are 22 37 foreign victims (bless their souls) from 8 nationalities 23 and one Algerian. Seven out of the 37 victims are under 24 investigation to be identified. 25 Following this cowardly act, allow me on behalf of the</p> <p style="text-align: center;">Page 136</p>

34 (Pages 133 to 136)

1 president of the republic, of the Algerian people and on
 2 behalf of the government, to pray for the souls of the
 3 victims who are the victims of the cowardly act, victims of
 4 an act of mercenaries, an act that all the Algerian people,
 5 as you have seen, condemn and reject them [terrorist groups]
 6 completely since we lived through long years of terrorism,
 7 but we got together thanks to the national reconciliation.
 8 So, those who today thought they could drive us back to
 9 another crisis, praise be to Allah, have been faced with
 10 a very strong position. The reaction of the leadership of
 11 the popular national army came at the right time, with the
 12 right means and ruthlessly. It goes without saying that
 13 terrorism will not go anywhere in Algeria; no matter how
 14 much they try, terrorism will not get through and will not
 15 live in Algeria. This is a very clear matter.
 16 In reality, the operation was extremely difficult. Let me
 17 say again that the operation was followed by the president
 18 of the republic around the clock; it was also followed by
 19 all the people in charge. I have personally been in
 20 intensive contact ... I had around 20 calls with
 21 Prime Ministers of various governments and high officials in
 22 England, America, France, Japan, Norway and Tunisia, and
 23 even with our brothers in Libya and Egypt. Right from the
 24 beginning, we had informed many of the states involved with
 25 the matter, especially the big states that are directly

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1 concerned; we had daily contact with them. I personally
 2 spoke with the British Prime Minister, with Hilary Clinton
 3 and all the Prime Ministers of the governments that are
 4 directly concerned. I repeat that because the operation was
 5 extremely difficult, and since victims were involved in it,
 6 it was necessary for the military leadership to take the
 7 right decision at the right time, which they did.
 8 The operation resulted in the killing of 29 terrorists and
 9 the arrest of 3 others. This is the final result.
 10 We consider ... in fact all governments do too the operation
 11 to be a robust and brave position of Algeria who opposed
 12 very strongly the Act that aimed at destabilising the
 13 country; let me repeat, the purpose was the destabilisation
 14 of Algeria, and that is not possible and not acceptable.
 15 Let me say it for the third time that it is thanks to the
 16 Algerian government led by president of the republic who
 17 followed the operation around the clock, and to the Armed
 18 Forces, especially the young members of the intervention
 19 units -- and I can say that I am very proud of their level
 20 of performance. You cannot imagine how proud I am to be
 21 Algerian and be among this youth who has been able to
 22 protect the Algerian people. We have seen that the reaction
 23 of the Algerian people was unanimous as well as that of the
 24 whole world; I say it again, the whole world understood that
 25 the Algerian reaction was the right reaction facing

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1 a premeditated aggression. It was a well prepared operation
 2 that might have been put into practice earlier than planned
 3 given what is going on in Mali in order to push Algeria to
 4 take a step back in this affair. Unfortunately, the
 5 Algerian people are not vain people; we are ready to lose
 6 everything but their pride, I think that this is essential
 7 and that it has been proved in this affair, and that is what
 8 we will continue to do in the future. You have always heard
 9 us say we are in favour of dialogue and of any possible ways
 10 out. However, when security and stability of the country
 11 are at stake, no possible discussion is to take place; there
 12 are no other possibilities but firmness.
 13 This was an introduction; let me take questions from
 14 the floor for a maximum of 45 minutes to try and answer
 15 your questions.
 16 Q: Mr Prime Minister, you have mentioned life losses
 17 of foreign hostages, but you have not mentioned the
 18 deaths of Algerian hostages and military victims. Could
 19 we have an idea about that? Thank you.
 20 PM: I said I'm proud of the Algerian young
 21 intervention units. I'm Algerian and very proud of the
 22 young military officers. I mentioned that there were
 23 790 personnel at the living compound; many of them were
 24 released. Five are unaccounted for. As per the deaths,
 25 I said that 37 foreign victims and one Algerian male who

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1 was buried in Tiaret [region in the west of Algeria]
 2 yesterday. There are injuries amongst the military.
 3 That's it. It [intervention] was technically of a high
 4 level.
 5 Q1: News is circulating about the complicity of some
 6 staff members at the gas plant. Is this true?
 7 Q2: Following the attack on the In Amenas gas plant,
 8 is Algeria going to review her security measures of the
 9 oil plants in the south of the country?
 10 PM: I have mentioned that the terrorists had a plan
 11 of the premises and were led by a former driver at the
 12 Tiguentourine plant called Zayid from Niger and was
 13 killed in the attack. Yes, they were well informed; in
 14 any case the investigations are ongoing and we will do
 15 our best until the end of this investigation. As
 16 for ... we have a joint venture at the In Amenas plant
 17 Sonatrach-BP-Statoil-51 per cent for Sonatrach and
 18 49 per cent for the other two companies. On the
 19 contrary, we seize this opportunity to pay homage to
 20 many expatriates. You have heard many of them this
 21 morning. I was watching euro news TV channel this
 22 morning and heard one of them in England say, he
 23 couldn't wait to go back to Algeria, and many of them
 24 paid tribute to Algerians who saved them, helped them to
 25 escape, and we need those cadres. God willing, tomorrow

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1 there will be a visit to the site to assess the damage
 2 which I assume is not very significant and we are
 3 confident that the gas plant will resume the production
 4 pretty soon and without problems.
 5 Q1: We would like to know who is in charge of the
 6 security of the gas plant and the living compound; some
 7 say it is the British not the Algerians.
 8 Q2: How do you explain the conflict of statements
 9 between the minister of communication and the minister
 10 offer the interior straight after the news about the
 11 attack was announced?
 12 PM: there has strictly never been a conflict of
 13 statement; the situation was clear right from the
 14 beginning. I personally have been following the
 15 situation and didn't leave my office for three days. It
 16 is the same for the president of the republic who has
 17 been following the situation around the clock. There
 18 has never been a conflict of information between the
 19 Algerian authorities. On the contrary, we have shown
 20 unity of command. This is unique, if you read the
 21 American specialist journals, they say that Algeria has
 22 showed its capacity in managing security operations. It
 23 was the military command that had the authority to take
 24 the right decisions at the right time. Some said, "Why
 25 didn't you advise us about the time of the assault?"

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1 How can that be? That was a matter of an on site
 2 assessment. I have been informing everyone and I have
 3 always said that it was a matter of time, but I didn't
 4 know the time of the assault; it was the military
 5 command that was responsible for the operations and in
 6 charge of evaluating and determining the time in order
 7 to save the maximum lives because at the beginning our
 8 unique objective was to save as many people as possible
 9 and not anything else. Second of all, it was to save
 10 the gas infrastructure. I am not saying that both
 11 operations were 100 per cent successful, but the rate of
 12 success is extremely important.
 13 Regarding the security of the premises, a system was
 14 put in place, which after evaluation, was agreed by our
 15 foreign partners. It was what we call a SIE system;
 16 a system of internal security that was evaluated by ...
 17 I am not going to give any figures because I judge them
 18 to be confidential; for every economic infrastructure in
 19 the country, there is what we call a distant security,
 20 a close security and an internal security. As per
 21 Tiguentourine, the distant security was assured by the
 22 army and the close security by a Gendarmerie squadron.
 23 We have to pay tribute to the Gendarmerie that was
 24 escorting the bus on its way to the airport. It is
 25 thanks to their response that the bus was not taken away

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1 which would have made the [terrorist] operation
 2 a success. Inside [the plant] there is what we call
 3 internal security which assured by [DSP] Preventative
 4 Security Directorate. In every unit, there is a number
 5 of civilians who are in charge of assuring the internal
 6 security, the premises are equipped with double fence
 7 and CCTV cameras and sirens. The latter was activated
 8 thanks to the Algerian young security man (bless his
 9 soul) which saved many lives and somehow the gas plant
 10 which would have easily exploded if the pressure was not
 11 released.
 12 Q: Mr Prime Minister, do you think that Algeria was
 13 attacked because it was not taking part in the war in
 14 Mali or because it must take part in it? Do you think
 15 there is a cause and effect relation with the French
 16 intervention?
 17 PM: Algeria's position as far as what is going on in
 18 Mali is crystal clear. It has been so since the beginning.
 19 The integrity of Mali must be preserved and we cannot
 20 accept to have a Sahelistan at the Algerian borders.
 21 The integrity had to be preserved and we had to put an
 22 end to terrorism and we had to try through the dialogue
 23 to recuperate as much as possible those who were
 24 opposed to the central government. That was the
 25 objective of the country. So our position has been

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1 clear from the beginning regarding terrorism, be it
 2 terrorism of Bijao, Al Qaeda or any other.
 3 We had to fight it. In this affair, our principles
 4 are also extremely clear, items 25 and 26 of the
 5 constitution, the fundamental principles of this country
 6 since the revolution, are not to interfere in the
 7 affairs of our neighbouring countries and never to send
 8 our army beyond our borders. It is our principle; we
 9 have always done it and we will always continue to do
 10 it. The Algerian army was formed and is responsible for
 11 the protection of the country and the borders. That is
 12 why about a month ago it was decided to place our troops
 13 on the borders; that is why we closed the borders. Some
 14 would tell you that we were asked to do so. Never! Not
 15 at any time did anyone ask us to close our borders. It was
 16 a sovereign decision and the army carries out its duties
 17 day and night and will continue to do so. It is
 18 well trained and has the capacity to assure its duties.
 19 I believe that the world can now unanimously say ...
 20 Since everyone has understood that we will never step
 21 back in front of threat, and that we will never step back
 22 for the sake of our stability and to be drawn into the
 23 conflict in Mali. We are for the integrity of Mali, we
 24 will continue to defend our borders, but we will not
 25 send a single soldier to Mali.

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1 Q: The air space was open for the French aircrafts
 2 due to the war that is currently taking place in Mali.
 3 Prime Minister, do you not think that such a sovereign
 4 decision should have been discussed by the popular
 5 national council?
 6 PM: This question has been commented upon by so many
 7 people from time to time. This is a matter of
 8 sovereignty and is applied by all countries in the
 9 world. Our history tells that whenever we saw that
 10 opening our air space would lead to danger for Algeria
 11 we never did and whenever it would have harmed another
 12 country we also never did. Do not forget that this time
 13 there was a UN resolution regarding this affair. We
 14 freely made the decision to open our air space because
 15 whether we like it or not what is happening in Mali would
 16 strongly affect the security of Algeria, in the
 17 south of Algeria and strategically speaking we have to
 18 take control of what is taking place in Mali because it
 19 would have a very strong impact on Algeria unless we
 20 took the right decision at the right time. I reiterate
 21 that we are not to interfere in the Malian's affairs but
 22 we will not allow the terrorists to destabilise the
 23 country.
 24 Q: Mr Prime Minister, some countries wanted to
 25 prolong the crisis by allowing negotiations. How did

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1 you manage those critical times?
 2 PM: Algeria has a long experience with terrorism.
 3 Everyone acknowledges that. You heard what
 4 President Obama, Hilary Clinton and the British defence
 5 minister said, and even what the Japanese said. We have
 6 the experience; we know terrorism, we know where it is
 7 heading, where it can go and how it will do it. After
 8 a big experience, for us it is impossible to go back to
 9 the previous years. One has to oppose it at the right
 10 time and it is important to have a clear signal, which
 11 was indeed given and everyone understood that the
 12 position of our country is crystal clear. The children
 13 of this country will defend it; we have a strong and
 14 professional army which has proved to be capable of
 15 doing it.
 16 Q: How did that terrorist convoy manage to enter our
 17 country without being seen by the security forces? Some
 18 talk of complicity and others talk about lack of
 19 vigilance. What do you say?
 20 PM: There has never been lack of vigilance since
 21 moments earlier as you have been following the press and
 22 the information was given to you, there were two vehicles
 23 not too far from the Nigerien borders and were heading
 24 towards Mali and entered too close to the Algerian
 25 borders, they were neutralised by the security

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1 services. The outcome of this operation was given to
 2 the press and you are aware of it. So, vigilance is at
 3 its highest level. Those people have knowledge of the
 4 land I mentioned to you that based on precise
 5 investigation. I repeat precise investigation that the
 6 group set off about two months ago from Aguelhouk region
 7 and went along the Algerian-Malian, then
 8 Algerian-Nigerien and then drove in a perpendicular line
 9 and entered the Libyan territories in order to reach the
 10 zone I mentioned to you earlier. It was therefore very
 11 difficult to spot those individuals; we are talking
 12 about thousands and thousands of kilometres. We have
 13 our capacities and means; our military forces have the
 14 means to determine the targets at some particular times,
 15 and when that is done, their reaction is immediate.
 16 Unfortunately the borders are huge; we may need twice
 17 the size of NATO to supervise those borders.
 18 Question: How does Algeria apprehend the aftermath
 19 of In Amenas. In one word what is the lesson to draw
 20 from this painful event and how to prevent such threats
 21 in the future given that we are still living in this
 22 very difficult regional context?
 23 PM: Like me you may appreciate that the situation is
 24 very difficult in the Sahel. Algeria has been saying
 25 for a long time that the repercussions of what is

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1 happening in many border countries will be serious.
 2 When you see the arsenal those people [terrorists] had,
 3 one should be seriously scared; but we said it a long time
 4 ago. The weaponry is very sophisticated; they were able
 5 to destroy two or three Battalions with the arms they
 6 had.
 7 To understand their intentions, you have to know
 8 what the missiles were facing the gas plant; the five
 9 missiles they had on the rocket launchers were directed
 10 towards the gas plant. This is to tell you that they
 11 had nothing to do with the Algerians. Why do I tell you
 12 that I am not scared at all? We are used to facing such
 13 experiences; it is heart warming to know that all the
 14 Algerians have understood the danger. When you see the
 15 citizens' reactions, I think that it is a good thing and
 16 relatively serene, I insist relatively serene because
 17 the situation remains very difficult and be extremely
 18 vigilant, be ready for anything, but what is certain is
 19 that there is a clear and precise political will not to
 20 let terrorism settle again.
 21 Q: The terrorist group led by Belmokhtar has today
 22 threatened to launch more attacks. What are the
 23 security measures you are going to take in order to
 24 prevent a true disaster such as the one that Algeria
 25 went through? Also, have the investigations formally

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<p>1 begun with the three terrorists who have been arrested?</p> <p>2 PM: The information I provided you with were not my</p> <p>3 own making. The investigations have actually begun with</p> <p>4 those who have been arrested. What I didn't tell you is</p> <p>5 that when the terrorist group left at midnight, one of</p> <p>6 their four wheel drive vehicles overturned and they lost</p> <p>7 two of their men. We are aware of the way things</p> <p>8 happened so, that is not the problem. The problem is</p> <p>9 that we would like that everyone and especially the</p> <p>10 international and Arab community to understand that it</p> <p>11 is not a question of Islam. We are all Muslims. Did</p> <p>12 you hear me talk about Islamism? I am a Muslim, they</p> <p>13 can't teach me about Islam! You are Muslim, we are all</p> <p>14 Muslims. The reality is that they are terrorists and</p> <p>15 mercenaries, we have to fight them; we have no other</p> <p>16 solution. It is a matter of sovereignty. Even the Islamic</p> <p>17 civilisation has started to be ruined due to</p> <p>18 those criminal acts. How can you imagine their criminal</p> <p>19 act? Their last words, you heard him say, I didn't make</p> <p>20 it up; he was saying, "Kill them ... kill them, here's</p> <p>21 a sniper!" Then you heard him shooting at him. You</p> <p>22 heard him, I didn't say it myself! They are criminals!</p> <p>23 You cannot imagine how they killed them [hostages]; they</p> <p>24 are not humans. They came to destroy the economic of</p> <p>25 your country, they came to destabilise your country.</p> <p style="text-align: center;">Page 149</p>	<p>1 how did the terrorists manage to get through?</p> <p>2 PM: I am pleased to hear you say that, it means that</p> <p>3 control is in place. However, we will reassess our</p> <p>4 security system because we cannot allow ...</p> <p>5 Q: It seems that tens of criminals are from</p> <p>6 different nationalities. Will that affect your</p> <p>7 relationship with their countries? Have the latest</p> <p>8 talks resulted in stricter measures to protect our</p> <p>9 borders?</p> <p>10 PM: 11 individuals.</p> <p>11 Our relationship with Tunisia is very strong. In</p> <p>12 the last few days, I have personally been in contact</p> <p>13 with the Prime Minister on a daily basis. Recently</p> <p>14 I met in Ghadames with Mr Ali Zidane the Libyan</p> <p>15 Prime Minister and the Tunisian Prime Minister</p> <p>16 Hamadi Jbali with whom I signed an agreement of mutual</p> <p>17 defence at the borders; we protect one another according</p> <p>18 to the means of each state. Even those terrorists are</p> <p>19 from Tunisia, we exchange intelligence as we are dealing</p> <p>20 with the same conflict. Fighting terrorism is defending</p> <p>21 Islamic, Arabic and Amazigh civilisations whether we</p> <p>22 like or not because Islam is innocent of this matter.</p> <p>23 When you see those groups, I have told those individuals</p> <p>24 from different nationals, they cannot talk to us about</p> <p>25 Islam. Why did they come to my country, to harm my</p> <p style="text-align: center;">Page 151</p>
<p>1 Algeria has started to recover its strength so it</p> <p>2 [terrorism] will not be allowed in. Our southern</p> <p>3 borders have been reinforced with troops for about</p> <p>4 a month now; we didn't wait for this to happen. When</p> <p>5 the bombardments began, the decision to strengthen</p> <p>6 security at the borders came from above in order to</p> <p>7 assure a strong response. From now on, everyone has to</p> <p>8 accept the consequences of their acts.</p> <p>9 Question: PM, you mentioned that their arsenal was</p> <p>10 very important. Has this arsenal been identified and</p> <p>11 where does it come from?</p> <p>12 PM: Everybody knows!</p> <p>13 Q: Rumours say that the Algerian authorities decide</p> <p>14 to open her air space following pressure from France.</p> <p>15 PM: The decision was sovereign. I did answer your</p> <p>16 colleague earlier. We follow the international law.</p> <p>17 There is an unsecure place called Mali, which has</p> <p>18 officially requested from France and from the</p> <p>19 Security Council to intervene militarily and to help.</p> <p>20 We have to defend ourselves in an indirect way. He who</p> <p>21 can impose a decision on Algeria has not been born yet!</p> <p>22 The veterans who led the revolution are still alive [he</p> <p>23 refers to the war against the French colonisation].</p> <p>24 Q: Considering the strict control of the circulation</p> <p>25 of people in the oil zones even for Algerian nationals,</p> <p style="text-align: center;">Page 150</p>	<p>1 children? Then, they cannot be allowed in! We will</p> <p>2 fight alongside the Tunisians and all the brothers on</p> <p>3 our side.</p> <p>4 Q: I would like to have more precision about the</p> <p>5 nationals of the hostage takers. You mentioned</p> <p>6 Tunisians and 3 Algerians and also the nationalities of</p> <p>7 those killed.</p> <p>8 PM: I mentioned that there were Malians, one</p> <p>9 Mauritanian, two Nigeriens, two Canadian nationals of</p> <p>10 Arabic origins but I am unable to say from which Arab</p> <p>11 country; one of them was the one you heard speaking good</p> <p>12 English on the phone. There were two Egyptians,</p> <p>13 Tunisians and three Algerians including their leader who is</p> <p>14 the well known Mohamed Lamine Benchenb. The other</p> <p>15 two Algerians are in the hands of the security forces.</p> <p>16 Q: Three nationals who have been arrested. Is it</p> <p>17 true that Algeria has received official requests of</p> <p>18 clarification?</p> <p>19 PM: I gave you all the information and we have</p> <p>20 nothing to hide. We do not fear anyone; we respect all</p> <p>21 the states. We are not used to publicising things we</p> <p>22 do. Some told us not to move until they tell us to</p> <p>23 assault them [terrorist]. That is not possible due to</p> <p>24 practical matters, due to confidentiality. We took the</p> <p>25 decision with sovereignty.</p> <p style="text-align: center;">Page 152</p>

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1 Q: I understand that terrorists entered the Algerian
2 territories equipped with highly sophisticated weapons.
3 Are we not already in Sahelistan?
4 PM: Not at all! Praise be to Allah. Because there
5 were many attempts prior to this one; I mentioned the
6 one that took place two weeks ago after which the whole
7 zone went on high alert. If you understand the meaning
8 of high alert, you will know that the slightest
9 suspicion is faced with an immediate intervention.
10 I told you earlier on that length and the difficulty of
11 the borders which I can talk to you about as
12 I personally lived in Tamanrassat for 4 years and am
13 familiar with the whole region of Aguelhouk, Gao, Mopti
14 et cetera I know everyone there. I can tell you that it
15 is very difficult to control the situation there. We do
16 have means and people who are up to it because the army,
17 the police are not enough to protect the borders, even
18 the ordinary people are expected to do the same. And
19 I know we have those people who are taking part in the
20 job. All our citizens are innocent. You can see that
21 the terrorist group included only one member who was not
22 from that specific region but from the south.
23 There is hope because the foundation is solid and
24 pure. The group was not an easy one, and weapons are
25 available in the region. Algeria has been saying for
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1 more than a year that our problem is the MUJAO group
2 Lakne group and the terrorist groups, drug dealers
3 groups and organised crime groups. Those are the
4 problems and any other can be resolved through
5 negotiations. However, for the money based groups,
6 drugs counter bandits and terrorism there is no solution
7 but fire. Thank you."
8 MR CHARNOCK: That concludes the statement.
9 MS DOLAN: There are two more statements which we could read
10 if Mr Charnock is -- we have Mr Bathan and Mr Cruz's
11 statements.
12 MR CHARNOCK: This is the statement of Rodolfo Hernandez
13 Bathan and it is dated 18 September 2013. It reads as
14 follows:
15 Statement of RODOLFO BATHAN (Read)
16 MR CHARNOCK: "I am Rodolfo Hernandez Bathan, date of birth
17 8 March 1963 and a Filipino national and have worked for
18 Japan Gas Corporation, JGC, for the past 16 years as
19 a quality assurance engineer.
20 During my time working on the gas project I lived in
21 what is called the JGC fly camp. On 16 January about
22 05.40 to 05.50 hours I was up and out of my room making
23 my way over to collect my T cards. This is a security
24 card system used to inform people if you are in or out
25 of the camp.
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1 I met a Japanese carpenter who informed me that
2 there was a security alert. I initially thought it must
3 have been a drill so I took my T cards and returned to
4 my room. I recall hearing the faint sound of gunshots
5 in the distance but maintained my initial thoughts that
6 it was a drill. A few minutes passed and the sound of
7 the gunfire got louder and I heard people shouting in
8 Arabic outside together with gunshots. There was a loud
9 banging on my room door and someone shouted "open up or
10 we'll shoot." I opened my door and stood in front of me
11 there were three men dressed in military camouflage
12 uniform, wearing black ski masks to cover their face.
13 One of the terrorists looked familiar to me. It was his
14 eyes. I believe he may have been employed as a BP
15 security guard at the construction site we were working
16 on.
17 "The terrorists pulled me roughly out of the room
18 and on to the ground and made me lay face down flat on
19 the ground and put my hands behind my back. They then
20 tied my hands with a black plastic cable cord. I was
21 then ordered to get up and walk towards the canteen area
22 which was about 25 metres away. I saw two other people
23 on the ground here. One Japanese man and an Algerian
24 but I do not know their names. We were all forced to
25 lie on the ground and I could now hear gunshots from
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1 inside the camp. A Filipino called John John was then
2 brought over to us and he was moaning and I thought he
3 must have been hurt. A terrorist then dragged him about
4 eight to ten metres in front of me and then shot him in
5 the head. I then heard conversation between the
6 terrorists and the Algerian who I had initially seen.
7 I heard him say GTP and the terrorists then shot him.
8 The two terrorists then tried to take three of us over
9 to the BdV camp through a hole that had been cut in the
10 cyclone wire of the fence that surrounded the JGC camp
11 but we were shot out from whom I assume was the Algerian
12 army so we returned back into the area in front of the
13 canteen.
14 Whilst in the canteen area the terrorists seemed to
15 argue before they eventually made me board an ambulance.
16 They made me sit in the front seat and at this point
17 another Japanese hostage got on the ambulance with me.
18 A terrorist was driving the ambulance but he was not
19 familiar with it nor the road and direction. As we got
20 out on to the main road he almost hit a pile of rocks.
21 As we were driving I could hear bullets hitting the side
22 of the ambulance and gunfire from the Algerian military
23 was coming towards us. The terrorists ordered us off
24 the ambulance and we all ran back towards the camp
25 ducking as we ran.
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<p>1 Eventually nine of us, four Japanese and five 2 Filipino, were ordered to walk over to the BdV. We 3 passed through a hole in the fence surrounding the fly 4 camp and then through a further hole that had been cut 5 in the cyclone wire fence around the BdV. 6 "We had to constantly stop because although we were 7 not being directly shot at by the military when the 8 terrorists heard gunfire they stopped us moving on. 9 Once we were all through the fence and inside BdV we 10 were taken to the circular concrete area near the plaza 11 and told to sit on the ground. It was possibly about 2 or 12 3 o'clock now. At this concrete plaza there were 13 already a number of hostages sitting on the ground. 14 Later another group joined us but this was mainly white 15 guys and I saw Nick Hitch and Stephen Green amongst this 16 group. I did not know or recognise any of the others in 17 this group. I saw slightly more than 20 terrorists in 18 total. They all wore brown and green camouflage uniform 19 which looked new and they were all about 30 years old 20 apart from one who was much older. S told me that he 21 had seen one of the terrorists wearing a JGC issued ID 22 badge and I had seen one of them wearing a JGC issue 23 orange safety boots. I had noticed this whilst in the 24 fly camp. 25 "By the morning on 17 January the military gunfire Page 157</p>	<p>1 and R. The terrorists placed a land mine on the lap of 2 European number 2 as marked on this exhibit. They also 3 placed Semtex cord around the neck of each of the 4 Europeans that was then connected into the land mine. 5 I do not know the names of any of these Europeans but 6 would describe them as older men aged between 42 and 7 50 years old, shorter than me and I'm 5-foot 7 inches 8 tall, and had some grey hair. 9 We were in the first car to leave the camp. 10 Everything seemed organised but we were unable to get 11 out of the base as a bus was in the way. A separate 12 group of terrorists I presume from another car came and 13 cut a section of the cyclone wire away and we drove out 14 of the BdV towards the CPF. As we did we came under 15 gunfire and R and I ducked. I do not recall anything 16 after this until I woke up. At this point I was outside 17 the vehicle lying on my back in the desert. I had 18 extreme pain in my neck, legs and face. As I raised my 19 head I could see the Landcruiser in front of me. It was 20 still on its wheels upright but the roof had been blown 21 off. I guess the bomb must have gone off. I saw R 22 crawling south back towards the BdV. His face was black 23 and burnt. He then went from my sight. I have no idea 24 how long I was lying on the ground but it was almost 25 dark when the Algerian military rescued me. They said: Page 159</p>
<p>1 had started again. Two helicopters hovered low and 2 close to us and albeit they were not shooting at us the 3 terrorists shot at them. By 2 o'clock in the afternoon 4 I saw one of the Algerian drivers who worked on the site 5 collect keys for the BP Toyota Landcruisers and give 6 them to one of the terrorists. I only recall five 7 Landcruisers which were all white and were placed around 8 the circular plaza area. 9 "All the hostages were brought together and then 10 split into nationality groups. Europeans and Asians. 11 The terrorists then started to board people into the 12 vehicles. The younger terrorist with the sat phone 13 spoke to us in English and said don't worry, we're not 14 trying to kill you yet. So when I saw them loading the 15 vehicles with bombs I assumed they were taking them to 16 the CPF to try and blow it up. I recall seeing 17 Mr Aratani being placed into the back of a vehicle which 18 I referred to as vehicle 5. Vehicle 4 contained what 19 I think was a group of all Europeans. Vehicle 3 was 20 a mixed car: vehicle 2 I cannot recall who got in and 21 the vehicle 1 was mine. I produce exhibit RHB1 which 22 shows the position of people within my vehicle. 23 A terrorist was driving and another one sat next to him 24 in the front. Behind them were four Europeans and 25 behind them in the boot was myself, another terrorist Page 158</p>	<p>1 Rodolfo, you are lucky you will survive. I do not know 2 how they knew my name but it surprised me that they did. 3 I have been shown exhibit AJW/22012013/01, a number 4 of pictures. I do not recognise or know any of these 5 men. Nor did I see any of them other than male B, who 6 is Stephen Green, and I already mentioned when I saw 7 him. Subscribed and sworn to before me this 8 18 December 2013 at the National Bureau of Investigation 9 foreign liaison decision Interpol Manilla in the 10 Philippines." 11 MR CHARNOCK: And that ends the statement. 12 Sir, the next statement is that of Wilfredo Cruz, 13 a Filipino national and is dated 7 February 2014. 14 It reads: 15 Statement of WILFREDO CRUZ (Read) 16 MR CHARNOCK: "I am a Filipino national and my first 17 language is Tagalog. I have provided this statement in 18 English which I speak and understand very well. I am an 19 instrument technician engineer and chief supervisor. 20 I have worked in this capacity or similar for a Japanese 21 company called JGC, which stands for Japanese Gas 22 Company. I have worked for JGC for almost seven years 23 in various countries around the world. I started my 24 contract in the In Amenas plant in May 2012. The 25 majority of my work takes place inside the central Page 160</p>

40 (Pages 157 to 160)

<p>1 Processing Facility which is referred to as the CPF. My 2 accommodation in the camp is inside a container which is 3 situated in an area called the JGC fly camp. There is 4 a gate to the entrance to the JGC fly camp but this is 5 always locked. We always enter the site through the 6 main gate situated at the front of the BdV which is 7 usually manned by security officers. On the other side 8 of the gates at the BdV is a car park where we are 9 usually picked up and driven to the JGC fly camp which 10 takes about ten minutes. The whole of the BdV and the 11 accommodation areas have a double perimeter of security 12 fencing.</p> <p>13 "During my ordeal I witnessed many events which 14 involved a lot of different people. These people were 15 mainly expat hostages and terrorists. To assist this 16 statement I will provide a description of these 17 individuals who I will be referring to throughout."</p> <p>18 MR CHARNOCK: He then lists a number of people but amongst 19 those he mentions is:</p> <p>20 "Mr Ruben Andrada, he is a Filipino national, he 21 wears glasses, has a moustache and works in one of the 22 offices. I cannot describe what he was wearing. He was 23 one of the group of men who were taken away on the 24 coaster bus by the terrorists. The bus was filled with 25 various explosives."</p> <p style="text-align: center;">Page 161</p>	<p>1 was wearing an old military uniform, green and brown 2 camouflage jacket and trousers. He spoke very good 3 English.</p> <p>4 "Terrorist 2. This terrorist stood outside my 5 window as terrorist 1 made me jump out. His face was 6 covered with a scarf which was red and white. I can see 7 he had a long nose through the scarf on his face. 8 A typical Muslim type scarf. He had Arab type skin. He 9 was slim, about 5-foot 6 inches and about 25 years old. 10 He spoke in English. He wore pink coloured low cut 11 safety work shoes like the ones the company provided us 12 with. These shoes are issued in three colours. Blue, 13 pink and orange. They are issued from the BP 14 administration office referred to WVC/1. He wore an old 15 camouflage military uniform. He had a small moustache 16 and broken top teeth.</p> <p>17 "He add a weapon in his right hand which was an AK47 18 gun with a wooden handle. Terrorist 3. This terrorist 19 spoke Arabic and French and very good English. He 20 looked African and was dark skinned, a black man. He 21 had a strong face which looked scary. He had a small 22 moustache. He was big build about 5-foot 8 to 5-foot 23 9 inches tall. He was wearing the same camouflage 24 uniform and underneath he wore grey robes. Terrorist 4. 25 This terrorist wore a balaclava over his face. I could</p> <p style="text-align: center;">Page 163</p>
<p>1 MR CHARNOCK: He also mentions Mr R who is also a Filipino 2 national who is a planning engineer, Mr Nick Hitch who 3 is a UK national. He then mentions a white male who 4 works in the operations office. He had a small 5 moustache, five foot 9 inches tall, with wavy black 6 hair. He had his hands tied with clothing. His feet 7 were handcuffed together with police style metal 8 handcuffs. He also mentions a Mexican looking male from 9 the BP group who was in the concrete circle one with the 10 group:</p> <p>11 "He was a big build with a good body, looked 12 Mexican. His skin was brown, tanned colour and he was 13 wearing a winter jacket."</p> <p>14 He mentions a big white guy who was grabbed around 15 the neck and had a gun placed to his temple by one of 16 the terrorists whilst in the circle. He mentions then:</p> <p>17 "Mr Stephen Green, a UK national who I saw getting 18 into one of the Landcruisers."</p> <p>19 Then he lists the terrorists:</p> <p>20 "Terrorist 1. This terrorist came to my room, broke 21 the window and made me jump out. He was a small guy who 22 looked Algerian. He had a small beard and was about 23 5-foot 4 inches tall with a black beard and moustache. 24 His skin colour was red brown, a typical Saudi colour. 25 He looked about 27 years old with a normal build. He</p> <p style="text-align: center;">Page 162</p>	<p>1 only see his eyes. He was wearing brown robes and he 2 was carrying a gun, a long one. Terrorist 5. This 3 terrorist had an injury to his left bicep which was 4 almost to the bone. It was a big hole. He looked very 5 angry and I did not hear him complaining about his 6 injury. He looked my age around 47 years. He had an 7 AK47 weapon. He was slim and small build and had 8 removed part of his military uniform because of his 9 injury. I could see then that he had a jacket but 10 cannot describe it further and he wore orange company 11 safety shoes."</p> <p>12 He then mentions a number of other terrorists. And 13 goes on to describe terrorist number 11:</p> <p>14 "This terrorist I describe as being a leader. He 15 was white with a brown beard and moustache and a long 16 nose. His face was very thin. He spoke English and 17 French. He wore a scarf on his head and camouflage 18 clothing and he wore a handgun in a holster on his right 19 hip.</p> <p>20 "Terrorist 12: this terrorist I also describe as 21 a leader. I think he was the main leader. He was old. 22 He wore a dark brown jacket over camouflage military 23 clothes. He carried a long gun and a knife in a holster 24 on his left hip. He had a beard and a light moustache. 25 He looked as though he was from somewhere like Morocco</p> <p style="text-align: center;">Page 164</p>

41 (Pages 161 to 164)

<p>1 or Turkey and he spoke Arabic and French.</p> <p>2 "At the JGC fly camp there is a minor security check</p> <p>3 where I am issued with my key which is kept in the</p> <p>4 security cabin which is small and square. This is</p> <p>5 manned by sometimes one or two security men. I don't</p> <p>6 get searched when I arrive these days. I don't</p> <p>7 understand the security at In Amenas. There are not</p> <p>8 many security officers. None of them are armed and they</p> <p>9 do not wear a uniform. There are no armed military</p> <p>10 officers at the entrances. When I worked in Saudi</p> <p>11 Arabia this was not always the way. I felt that if this</p> <p>12 was the case at In Amenas the terrorists may not have</p> <p>13 been able to get in.</p> <p>14 "16 January 2013 I was awake at 05.45 hours.</p> <p>15 I remember this as I looked at my watch. It was dark</p> <p>16 and cold outside. There was an unusual sound from</p> <p>17 outside. I heard the siren alarm and gunshots. I was</p> <p>18 in my room which is room A1 to 8 situated in</p> <p>19 a container. When I heard the sirens and gunshots</p> <p>20 I immediately followed the emergency drill exercise and</p> <p>21 I turned off my lights, kept silent and lay down on the</p> <p>22 floor. I could hear lots of running around outside my</p> <p>23 room. After about half an hour I heard banging on my</p> <p>24 door with what sounded like rifles. I did not open the</p> <p>25 door so those outside began to shoot the doorknob.</p> <p style="text-align: center;">Page 165</p>	<p>1 very dirty and was full of things inside. I saw backpacks</p> <p>2 and other things. I saw whilst my hands were being</p> <p>3 tied because the car was only 2 metres away.</p> <p>4 The terrorists then placed a green coloured</p> <p>5 explosive cord around our necks together, all eight of</p> <p>6 us. At the end of the explosive cord attached to the</p> <p>7 cord was a detonator which looked like a hand grenade. I</p> <p>8 saw that the Toyota vehicle from earlier was waiting</p> <p>9 behind us. It had been moved and was now facing the</p> <p>10 canteen. Terrorist 3 opened the boot and removed things</p> <p>11 from inside. He opened a container which had food</p> <p>12 inside and he put the food into the back of the car.</p> <p>13 "The Landcruiser drove away. Another vehicle then</p> <p>14 parked in the same place as the Landcruiser about</p> <p>15 a metre away. It was the coaster bus that was used to</p> <p>16 transport us around the plant. I saw that there were</p> <p>17 people sitting inside the bus who I recognised. He</p> <p>18 mentioned seven people but in particular Mr Ruben</p> <p>19 Andrada, Ramir De Leon who sat behind Mr Ruben.</p> <p>20 "Terrorist 7 signalled with his hands for us to</p> <p>21 follow him. We moved very slowly as he led the way with</p> <p>22 the other terrorist behind us. We walked towards the</p> <p>23 fly camp living accommodation to the boundary fence,</p> <p>24 with the fence of the BdV which is a double fence. The</p> <p>25 fence had a big hole cut into it. We walked through the</p> <p style="text-align: center;">Page 167</p>
<p>1 "Two terrorists eventually found the window to my</p> <p>2 room which is on the opposite side of the door. I refer</p> <p>3 to these as terrorist 1 and terrorist 2. Terrorist 1</p> <p>4 smashed the window of my room. He came in and saw me in</p> <p>5 the bathroom and said to me, come out, come out, jump</p> <p>6 out of the window. He then dragged me out through my</p> <p>7 window. As I was dragged past the door of my room I saw</p> <p>8 two more terrorists who I refer to as terrorists 3 and</p> <p>9 4. Standing with them were two of my colleagues. One</p> <p>10 of them is a man called Rodolfo Bathan who is our</p> <p>11 quality control manager. He is a Filipino national.</p> <p>12 He's 5-foot 6 inches tall, a big build with olive</p> <p>13 coloured skin, like mine, about 49 years old. He looked</p> <p>14 terrified. He was wearing brown overalls. I think that</p> <p>15 he had been captured. The other man was an electrical</p> <p>16 engineer, an Algerian national.</p> <p>17 "There were eight hostages altogether including me.</p> <p>18 The eight of us were all sitting on the ground close</p> <p>19 together. The terrorists tied all of our hands with</p> <p>20 black plastic cable tie rap. The terrorists who tied my</p> <p>21 hands and said to me: you know why we are doing this to</p> <p>22 you? Because you people are the ones having problems</p> <p>23 with our brothers in Burma. He said this in English. A</p> <p>24 vehicle was standing by which was a Toyota Landcruiser.</p> <p>25 I had not seen that car before on the project. It was</p> <p style="text-align: center;">Page 166</p>	<p>1 first and second fence which was also cut open. As we</p> <p>2 did this I heard gunshots. We finally reached the stone</p> <p>3 building of the BdV. I saw a lot of people sitting with</p> <p>4 their backs against the building. These were about 12</p> <p>5 expats from BP. I saw the manager of BP, Mr Nick Hitch.</p> <p>6 The BP group of Nick Hitch were on the right side</p> <p>7 against the wall of the building and we were on the left</p> <p>8 side. A terrorist stood in front of the BP group. In</p> <p>9 front of the building I am talking about was a concrete</p> <p>10 circle with concrete seating incorporated into it.</p> <p>11 There were a number of terrorists in this area.</p> <p>12 Terrorist 10 was standing at the doorway of the BdV</p> <p>13 building. He was armed with a long weapon, probably an</p> <p>14 AK47. I saw terrorist 11 using a phone which was some</p> <p>15 kind of walkie-talkie with an antennae. I believe he</p> <p>16 was one of the leaders. He was a white guy who spoke in</p> <p>17 English. He was doing a lot of negotiating. He was</p> <p>18 ordering around the other terrorists. He also spoke in</p> <p>19 French and Arabic. I heard him talking on the</p> <p>20 walkie-talkie. He was saying many things on the phone.</p> <p>21 Something like: we want our guys to be released.</p> <p>22 I heard him say "I want to negotiate, I don't want to</p> <p>23 harm these people, just give us what we need and keep</p> <p>24 the military away. If you shoot us these hostages might</p> <p>25 be hurt."</p> <p style="text-align: center;">Page 168</p>

42 (Pages 165 to 168)

<p>1 "whilst we were eating our food I saw all of the 2 guys who had left on the coaster walking towards us. 3 They sat in front of us. We asked them what had 4 happened. They told us that once they had driven out of 5 the JGC fly camp entrance the military started attacking 6 and firing at them so they call got out of the coaster. 7 From the coaster they walked the same direction as us 8 through the hole in the fence to the BdV building. 9 Mr Ruben was not injured but he no longer had his shoes. 10 "At around 6.30 pm I heard gunfire very near to us 11 coming from I think the military because at about 6 pm 12 I saw lots of military vehicles and personnel in the 13 distance. I saw this when the leader terrorist, 11, 14 allowed me to go to the toilet. One of the terrorists 15 took off my neck cord and accompanied me to the toilet. 16 He kept my hands tied. At this time I considered how 17 I may escape but I did not know how I would do this. 18 Inside the building when I went to the toilet I saw 19 through the door some other terrorists with more 20 hostages. I am not sure what building it was. One of 21 the hostages I saw was a white guy, possibly an 22 American, I don't know his name. There were between 23 three to five hostages in there. All of them were white 24 guys. They were all sitting down with their hands tied 25 to the front, some of the back. When I returned from Page 169</p>	<p>1 arm. He had many, many wounds all over his body. He 2 looked shocked and did not speak. 3 "After the helicopter attack they instructed us to 4 get up and to move to the first circle. Terrorist 3 was 5 giving orders. It was as though he had now become the 6 leader because the old leader was injured and the other 7 was not there. We were told to stand up in a circle 8 like a human shield. Two terrorists who were in the 9 middle with us were making bombs. Whilst this was 10 happening we were still standing in a circle with our 11 hands in the air. Terrorist 3 started asking everyone 12 which country they came from. I remember that earlier 13 in the day some time the terrorist leader asked if anyone 14 was Indonesian. The terrorists began to segregate 15 everyone into each country. They put me in the front 16 entrance. I kept switching position whenever I had the 17 opportunity. The French hostage 21 was also sitting in 18 the middle of the circle. Even though 19 terrorist 3 asked everybody where they were from he did 20 not finish the job so not everyone was segregated. At 21 some point I was standing near to the wounded terrorist 22 leader, 12. 23 "The terrorists then drove the Landcruisers behind 24 the circle parking them in single file. There were 25 seven cars altogether but I think one of these may have Page 171</p>
<p>1 the toilet I noticed that my hand ties had broken. 2 I did not say anything and kept holding them in the tied 3 position. 4 "When the gunfire started and the military were seen 5 in the distance the terrorists seemed to panic and 6 started to move our group around and separate the 7 groups. Some of the BP group were put inside different 8 buildings and some into the concrete circles. Our group 9 was put inside another concrete circle near to the other 10 one. 11 "Through the night while we were lying down under 12 the seat I could see the terrorists had gathered some 13 vehicles, I think it was around four vehicles. 14 I recognised the vehicles as they were brand new 15 Landcruisers that belonged to the company. They had 16 been parked underneath the shelter by the BdV waiting to 17 be used. I managed to get a little sleep. I remember 18 hearing some gunfire every so often in the distance. 19 "It was between 7 am and 8 am when suddenly 20 a military helicopter appeared directly above us. It 21 began to rapidly fire towards the other circle and was 22 extremely noisy. One of the buildings was hit by 23 bullets. We were all surprised by this. The helicopter 24 then left immediately after. I saw the old leader, 25 terrorist 12, look wounded in his right leg and right Page 170</p>	<p>1 been damaged by a bullet as there was a hole in the 2 petrol tank. They started to put people into each car. 3 The set up for each car was more or less the same. 4 A terrorist was the driver, a hostage sat in the middle 5 with a terrorist on the other side. Behind these would 6 be a terrorist on the left against the window, hostages 7 in the middle and a terrorist on the other side against 8 the window. The back window was smashed out so 9 a terrorist could sit in the back to shoot his weapon 10 out of the window. A hostage would also be at the back. 11 "The order that people went into the cars seemed to 12 follow with their nationalities. I saw the old 13 terrorist leader, 12, get into one of the front cars 14 whilst still handcuffed to the Frenchman, hostage 21. 15 The driver of this car was a terrorist. The French guy 16 who was in the middle with terrorist 12 next to him. 17 I cannot say who else was in their car. 18 "Vehicle 1. I saw that the first car had all 19 Japanese guys in it and they sat as per the set up 20 I have described. 21 "Vehicle 2. They were mainly Japanese hostages in 22 this car. I cannot name any individuals." 23 MR CHARNOCK: He has two vehicle 2s. So the next vehicle 2: 24 "The hostages were all white guys I cannot name any 25 individuals. Page 172</p>

43 (Pages 169 to 172)

1 "Vehicle 3. This was all white guys. I cannot say
 2 any more about this car.
 3 "Vehicle 4, Mr Stephen Green was in this car. I saw
 4 him going into the car. I saw another white guy getting
 5 into the car with him but I did not know who he was or
 6 see anyone else getting in. I believe that in these
 7 cars too the hostages were white guys. I cannot name
 8 any individuals.
 9 "Vehicle 5. This car had some Filipinos and some
 10 white guys inside. I cannot say any more about this
 11 car.
 12 "At this stage the only people left were either
 13 Filipino or Malaysian. I thought that perhaps we would
 14 be left behind as there was no further use for us but
 15 this was not the case. I was supposed to go into the
 16 sixth car except a Filipino guy jumped into the front
 17 and he went into car 6 instead of me.
 18 "Vehicle 6 was broken. The petrol tank was leaking.
 19 "Vehicle 7. This car came over to replace the
 20 broken one. One of the terrorists of the cars was
 21 terrorist 3. The other terrorist was the one with the
 22 broken teeth, the aggressive one, terrorist 2. I had
 23 removed my handcuffs as they had broken. I pretended
 24 that they were still intact and kept my hands in front
 25 of me as if tied up. We were first instructed to go
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1 into the car with the petrol leak. This instruction
 2 changed and we all went into the 7th car. In our car
 3 the driver was a terrorist. Next to him was a white
 4 guy, I don't know who he was. He had very pale skin
 5 with light colour hair. He was slim, a young guy. Next
 6 to him was terrorist 3. I sat behind the driver.
 7 Julius sat behind terrorist 3. We were both on the door
 8 side. Cezar was in the back of the car with the Filipino
 9 guy who was still handcuffed to him. The
 10 window on our car was not smashed in and there was no
 11 terrorist in the back. The Landcruiser had two doors in
 12 the front, two doors behind and one at the back which
 13 was the boot. Whilst I was waiting I had a plan in my
 14 mind that I had to jump from the car. I told Julius and
 15 Cezar that this was a good opportunity to jump as there
 16 was no terrorists in the back. As the car started
 17 driving off the terrorists in all of the cars shouted
 18 Allahu Akbar. As they drove off the cars changed
 19 position and the rear car, my car moved to the front.
 20 The first car then became the second car. The sixth car
 21 followed us and changed position. It became the fourth
 22 car. It was driving so fast over bad terrain it almost
 23 flipped over. We followed the first car which was
 24 looking for an exit. The BdV entrance was closed with
 25 a barrier and with gates. The terrorists in car one
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1 found a fence near the BdV gates. They smashed the
 2 windscreen on the car and then drove straight through
 3 the fence. It was very easy. This part of the fence
 4 was only about 6 metres away from the main entrance to
 5 the BdV. Cars were still in the perimeter of the plant.
 6 They decided not to go on to the main road. Instead
 7 they took the service road which is very uneven. I saw
 8 two water trucks quite close to us. The car travelled
 9 about 50 metres, which was just before the water tanks,
 10 when the military started to fire at us. The car was
 11 travelling really fast, about 120-kilometres to
 12 140 kilometres per hour. It did not slow down. The car
 13 was flying and jumping everywhere. Two wheels came off
 14 the ground at one point. The bullets were hitting the
 15 car from all sides. A bullet came through the car door
 16 and I was shot through my left hip. I felt numb and
 17 really nervous. The force of the bullet threw me across
 18 the car into Julius. Julius kept hiding behind the
 19 terrorist's seat. I told him I had to jump. I was
 20 really nervous and kept hiding behind the seats.
 21 I planned to jump out of the car but I was afraid
 22 because of the speed the car was travelling at.
 23 I decided to jump after I had been hit by the bullet.
 24 The terrorists could not fire back as their guns were
 25 long and the road was rough.
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1 "I decided to jump. So I opened the door to the car
 2 and whilst facing the car I jumped out. The terrorists
 3 shouted something at me but did not nothing. I fell to
 4 the ground and rolled. I felt a bullet by my head. It
 5 was a hot burning pain across the top left-hand side of
 6 my head as it narrowly missed me on the left-hand side.
 7 I felt hot liquid on my face. When I checked this with
 8 my hand I saw it was blood. I felt really nervous.
 9 I had landed face down. I remained still like a stone
 10 pretending I'm dead. I heard someone saying Allahu
 11 Akbar. The gunshots were continuous. I heard at least
 12 two explosions. I linked my hands together at the front
 13 protecting my face. I lay there for about 30 minutes.
 14 I was praying that this would stop. I was bleeding. My
 15 hip had been shot and was painful. I tried to move my
 16 fingers and toes to check if I was paralysed. I was
 17 okay. My neck and right ankle were extremely painful
 18 from the jump. I lifted my head to see what was going
 19 on. I looked in the direction of the gunshots. I also
 20 wanted to see what had happened to the car. I only saw
 21 one car but I did not see any people. I heard voices,
 22 Allahu Akbar. The gunshots stopped. I wanted God to
 23 stop this. I needed a doctor badly. I saw some
 24 military still firing one by one at bodies on the floor.
 25 They stood beside the bodies aiming their guns and
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1 shooting at the bodies. The people were already dead so
 2 I thought they were making sure they were dead. I saw
 3 two military come near to me, I was nervous. One of
 4 them came right to me and said "Don't worry, you're safe
 5 now." He tried to help me stand up. I couldn't walk
 6 because my ankle was too bad. Two military helped me to
 7 walk. They took me to where the bomb had exploded to
 8 a military car. I saw body parts scattered in the area
 9 such as legs. I saw a man near to the ambulance whose
 10 face was full of dust. I did not recognise him at
 11 first. Then I saw the military vehicle checkpoint where
 12 a ambulance was waiting. It was Mr Ramil. When
 13 I looked around I saw two of the cars. One of them was
 14 all twisted up. The other was in half. I saw bodies of
 15 some of the terrorists which were badly burnt, cut hands
 16 and some had no feet. I didn't recognise any of them.
 17 I had been hit by a bullet in the head.
 18 "I was operated on to remove the bullet from my
 19 back. I remained in hospital for about a month to
 20 recuperate. I was treated very well in the hospital.
 21 When I was sufficiently recovered to travel I returned
 22 to the Philippines. During the time after the terrorist
 23 attack I did not provide any official accounts to any
 24 authorities. I was shown a number of photographs from
 25 an album of photos. There was only one man I recognised

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1 and that was a man in photo number 2, Stephen Green.
 2 I mentioned Stephen Green earlier. He's the man I saw
 3 getting into one of the Landcruisers."
 4 MR CHARNOCK: Those are the statements.
 5 THE CORONER: Thank you very much. We are not sitting,
 6 I think as everybody knows, tomorrow. So Thursday at
 7 10.15.
 8 MR POPAT: Sir, may I just raise one short matter.
 9 Mr Porter is scheduled to attend on Thursday and give
 10 evidence. He's provided three statements. The second
 11 of which relates to post attack changes that have been
 12 made at the site. We had proceeded on the basis that
 13 those matters would not be dealt with in court but that
 14 they are there for you, sir, to consider in the course
 15 of consideration of a PFD report or anything of that
 16 sort. Are we safe to proceed on that basis?
 17 THE CORONER: Yes, I should think so. That seems sensible.
 18 I think the point is being made is can we say that
 19 changes have been made but your point is for obvious
 20 reasons we don't want to go into the details. I agree.
 21 Subject to anybody wanting to argue to the contrary.
 22 Thank you.
 23 (4.00 pm)
 24 (The Inquest adjourned until Thursday, 23 October at
 25 10.15 am)

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