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Inquiry Ref:

Witness name: N5461

Statement Number: 1

Dated: 24 January 2024

THE INDEPENDENT INQUIRY RELATING TO AFGHANISTAN

WITNESS STATEMENT OF

N5461

DATED 24 JANUARY 2024

1. I, N5461, am making this witness statement in response to a Rule 9 Request dated 28 November 2023. I understand that I was given the nominal N5461 for the purposes of the RMP's Operation Northmoor investigation.

Military Career

2. Overview of career from leaving school until today:

N5461 provides educational details. Joined UKAF in the mid 1990s completed various postings and roles before joining UKSF3 in late 2000s as a SUM Commander. Thereafter did other roles and lists current role and post.

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Continued



Awareness of Behaviour

3. The Rule 9 Request asks me whether I *"became aware at any time or in any circumstance of behaviour by Special Forces in Afghanistan relating to:*

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- a. *An extra-judicial killing.*
- b. *Planting of weapons.*
- c. *The falsification of any record."*

4. I have read and understood the definitions of 'behaviour' and 'became aware' as set out in the Rule 9 request.
5. To the best of my knowledge and belief, other than to the limited extent that I set out elsewhere in this statement, I have not become aware at any time or in any circumstance of behaviour by a member or members of UK Special Forces relating to operations in Afghanistan which could amount to an extra-judicial killing, the planting of weapons or the falsification of any record.

MOD-198-0002877-A

6. MOD-198-0002877-A is an email chain dated 16 February 2011. The chain begins with an email from N6658 at 04:08, attaching the OPSUM and Storyboard for Obj Tyburn. At the time, I used the email address Op D -OC-S, and I received the email at this address.

7. In February 2011, I was in Location Given (Not Afghanistan). My role was as OC Op D1, an operation that sought to complement SFHQ(A) activity. As such, I had weekly correspondence with SFHQ(A).

8. In response to the email of MOD-198-0002877-A I sent an email to Op D -COS-S, copied to Op D -OC-S, at 09:50. Both of those email addresses were

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recipients of the original email at 04:08 with the attachments. At the time, the [Op D] -OC-S email address was used by [N2107], and the [Op D] -COS-S email address was used by [IIA41]. I copied in [N2107] as he was my line manager and had also been my OC during our tour of Afghanistan in [late 2000s]. As such, he would both understand the evolving operating environment and have the authority to influence the [UKSF3's] response to it.

9. My email reads:

"Has anybody come up with an explanation as to why all TB are beginning to adopt the previously unobserved TTPs of:

- 1. re-entering buildings during the search phase and coming back out with a weapon against an overwhelming force*
- 2. keeping grenades in their pockets?*

Regards,

[N5461]."

10. Although I have read this email chain during the course of writing this witness statement, I have not read the OPSUM or the Storyboard attached to the original email since February 2011.

11. I received the email sent in response to [N2107] at 04:54, but I was not a party to the further emails in this chain. It appears that [N2107's] email of 04:54 was forwarded by [SFHQ(A) SU2] -OC-S at 05:10, and my [Op D] - [Op D1] -OC-S address was not included in the correspondence that followed.

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12. I am asked to explain what it was that caused me to be “concerned” about *“why all TB are beginning to adopt the previously unobserved TTPs”*. In the email, I am contrasting my experience of the tactics and procedures of the Taliban that I had encountered during a similar tour in [late 2000s], with those tactics and procedures encountered by the UK [Sub-Unit] at the subject of the OPSUM. This is because I was noting a marked difference from my understanding of Taliban TTPs.

13. I am asked to explain what I meant when I wrote *“coming back out with a weapon against overwhelming force”*. This is difficult to explain without reference to the original OPSUM or Storyboard. As I recall, these contained the account of detainees from the operations being allowed to re-enter target buildings, at which point they would come back out with a weapon and be interpreted as hostile by the UK [Sub-Unit]. The reference to overwhelming force was referring to the UK [Sub-Unit], as my understanding was that they would adopt a very heavy force profile so as to overmatch the Taliban on a target. Allowing a detainee to re-enter a target building unescorted was not a UK procedure I was familiar with. The account of the detainee then re-emerging from the building and posing a threat to the UK [Sub-Unit] was therefore something I had not observed in my previous experience.

14. I am asked to explain what I meant when I wrote *“keeping grenades in their pockets”*. This is difficult to explain without reference to the original OPSUM or Storyboard. I do not recall what reference I am making here.

15. I am asked whether I was ever provided with an explanation as to why the Taliban had adopted previously unobserved TTPs. I do not recall being provided with an explanation to this and I did not seek one out, noting that:

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- a. I had no evidence of extra-judicial killing, planting of weapons or the falsification of any record that would have led me to pursue a response.
 - b. Any response from the recipients of my email could not have been definitive as they were not in a place to know, so again, I would not pursue it.
 - c. I understood that Taliban TTPs could evolve over time. During my tours of Afghanistan in [late 2000s], Taliban TTPs had specifically evolved as they became more security-aware and technically capable in respect of IED use. The [Sub-Unit] deployed in February 2011 were operating at a far higher tempo than I had known before, and therefore it would not be unexpected for the Taliban to react to this by evolving their TTPs. Furthermore, I had not been directly involved at the tactical level of operations in Afghanistan since [late 2000s] and so was relatively out of touch with tactical developments.
 - d. By raising my questions with [N2107], I had passed my observations up my immediate chain of command. Given my role at the time, I was not involved in the development of TTPs adopted by the UK [Sub-Unit].
16. I am asked if I was ever made aware of any further information regarding this subject. I do not recall being made aware of any further information but, given my position at the time, I would not have expected to have been informed about any developments.
17. There are no other matters that I wish to draw to the Inquiry's attention at this time.

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Statement of Truth

I believe the contents of this statement to be true.

Signed:

N5461

Dated: 24 January 2024

