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21 January 2021

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

BETWEEN:

HAMAD AL-HAROUN

Claimant

- and -

"CY4OR LEGAL LIMITED" (1)
"EMMERSON ASSOCIATES" (2)
"AFENTIS FORENSICS" (3)
MR STOYAN BAUMEYER (4)
DR MATTHEW PARISH (5)

Defendants

FIRST WITNESS STATEMENT OF MATTHEW THOMAS PARISH

I, MATTHEW THOMAS PARISH, solicitor, of Chemin du Petit Lac 1, 1292 Chambésy, Switzerland, say AS FOLLOWS:

1. I am the Fifth Defendant in the above captioned proceedings. Contrary to any inference one might draw from the Claim Form or from the Particulars of Claim in the London High Court matter captioned above, I am not domiciled in England and Wales for the purposes of Article 2 Lugano Convention or any other equivalent trans-European instrument for the purposes of establishing civil jurisdiction over defendants.
2. Nonetheless I accept the jurisdiction of the Court in respect of the claim as identified on a Claim Form that for reasons unknown contains two dates - 19 October 2020 and 30 September 2020 - and an undated set of Particulars of Claim that likewise carry either of the case number, or a Statement of Truth. Those documents are together annexed at **Exhibit 1** hereto.
3. The initiating documents in the aforementioned English civil proceedings identify me by my academic title "Dr" Matthew Parish. I do not normally use this title in my professional work as a

lawyer. Nevertheless I would like to explain to the Court that I have the right to use this title by virtue of my graduation with the degree of Doctor of Juridical Science at the University of Chicago Law School in 2007; my joint doctoral supervisors in respect of my doctoral thesis, “Reconstructing a Divided Society”, were Hon. Richard Posner, the then US Seventh Circuit Court of Appeals Federal Judge; and his son Eric Posner, the distinguished scholar of international relations.

4. There are many procedural points to be made about these English civil proceedings, not least (and this list is not intended to be exhaustive):

1. the unsatisfactory state of the Claim Form and Particulars of Claim;
2. the “Amount Claimed” box on the Claim Form (which says “£60,000” - a sum wholly unrelated to this matter and not repeated in the Particulars of Claim);
3. the Claimant’s legal representatives, who are identified as “Harrison Carter”, a firm of unlicensed legal representatives apparently acting in London litigation but without the proper licence to do so and who are thereby committing criminal offences under the Legal Services Act 2007;
4. the fact that the First, Second and Third Defendants are all misnamed;
5. the fact that the fourth Defendant is identified as living at an address in London that I do not believe he does live at (he is a Geneva lawyer residing in Switzerland); and
6. the circumstances in which these proceedings were brought to my attention (i.e. questions of service).

5. However this witness statement is not intended to address the procedural aspects of this English claim, many of which are extremely unsatisfactory. Instead it is intended to outline the factual aspects of this matter, for the benefit of the Court and so that the Court understands what has been going on that has led to this truly extraordinary piece of litigation.

6. This witness statement will also be placed before the Geneva *Tribunal Correctionnel* (a criminal court involving three Judges who sit without a jury) in what I will identify below as the “Geneva Proceedings”. I am arranging for this by virtue of the instructions I am giving to my Geneva lawyers Maître Gabriel Raggenbass and Maître Chloé Hasler, both of the law firm called Ochsner Avocats in Geneva.

7. I am in the curious position of being a named party to the Geneva Proceedings even though my extradition to Switzerland upon the request of the Geneva authorities to stand trial as a defendant in the Geneva Proceedings was refused by a fellow European state, namely

Germany, effectively on the basis that there is no case to answer (this is my own characterisation). A summary of the facts giving rise to this extraordinary state of affairs will be set out below.

8. The statement therefore serves as a statement by me of the events leading to the Geneva Proceedings for the benefit of the Geneva court, as well as for the benefit of the High Court in London in the live proceedings before that court.
9. Because this statement is being submitted to the Geneva court as well as the London court, a translation is being prepared into French. However the original statement is made in English; and in the event of any inconsistency, confusion or ambiguity, the English version prevails over the French.
10. I am 45 years old, divorced with two children (two girls aged 10 and 7 living and schooling in Geneva) but in a long-term relationship, an English solicitor, currently non-practising (principally because I am currently a candidate for a senior UN management position), admitted to the roll of solicitors on 1 September 2000, with an untarnished disciplinary record. I am also a New York attorney and a non-practising English barrister (in each case also with untarnished disciplinary records).
11. My career as both a litigation solicitor of some repute and as a peacekeeper and official of various international organisations, and as a candidate for senior UN office, are not strictly relevant but I mention them in passing for the benefit of the Court. There is a Wikipedia page about me in the English language,¹ some of the assertions contained in which are true, some of which are false and some of which are defamatory; but it gives a reasonable impression of the colour of my career.
12. Since 2007 I have lived in Switzerland in general and Geneva in particular, and at the time of writing I am again a candidate for high UN office. Immediately before that I was a peacekeeper with a UN-related organisation in Bosnia and Herzegovina, where I dealt with some of the most challenging post-conflict ethnic disputes that arise in that country's politics. Before that I worked at the World Bank.

¹ https://en.wikipedia.org/wiki/Matthew_Parish

13. I have made various statements about the facts of this affair in response to questions put to me in very many hearings before the Geneva Prosecutor Stéphane Grodecki in the Geneva Proceedings, that were recorded in written minutes attached hereto in French as **Exhibit 2**. I have reread all those minutes and I confirm the truth of the statements I made that those minutes record.
14. However I do not accept that all of the statements of every other witness in those written minutes are correct. In this witness statement I will mention a small number of points in which I say it is obvious that some of the statements made by other witnesses are false, in particular certain statements made by Mr Baumeyer, the Fourth Defendant in the English proceedings.
15. The events that give rise to these proceedings go back to early 2013, and it is important that I summarise what happened between 2013 and today in order that my statement might assist the Court fully in doing justice.
16. In late January 2013 I was a partner in a major international law firm, Holman Fenwick Willan (“HFW”), and I was in Dubai for personal reasons to meet university friends who had emigrated there. At that time I met a lady who was subsequently to become my long term domestic partner, Ms Olena Zarytska of Ukraine (hereinafter: “Elena”). I would not normally raise Elena’s name for the purposes of a witness statement, but it turned out that she was to play a role in this affair at several junctures not all of which are mentioned in this statement.
17. At this point I must observe that this matter impinges upon the national interests of either the United Kingdom (of which I am a citizen) and/or one of her major allies. That is because this case is about rightful versus wrongful succession to the Emirate of Kuwait, an important ally of said countries. For this reason a lot of the people I met in the course of this affair occupy or occupied sensitive government positions and/or served as sensitive government agents. This entails that I have erred on the side of discretion or silence in deciding whether to discuss in this statement certain aspects of this affair.
18. I hope it is obvious from the facts that I have chosen to mention that substantial government interests are or were involved. This makes me all the more astonished and perplexed that the Geneva legal system would decide to intervene in a question of succession to a Gulf Monarchy’s Royal Family, which as this statement will explain is what has happened. To this day I remain bewildered that the Geneva legal system might consider this prudent.

19. When I was in Dubai with Elena in January 2013, a Swiss man called Mr Guy de Haan, who I knew from Geneva circles but not very well, arrived and asked me whether I would travel to Kuwait on a short business trip with him, to meet some Kuwaiti politicians. He proffered the funding for the trip. I agreed, on the basis that it might provide some business development opportunities. It was obvious to me that an affair of state of some kind involved; but aside from that I knew nothing.
20. I flew with Emirates (the airline) from Dubai to Kuwait City on the morning of 1 February 2013 without Elena, and that evening Mr De Haan introduced me to a range of Kuwaiti politicians including a man whose name I forget but who was presented as the President of the Kuwaiti National Assembly.
21. We had an extended dinner in the rooftop restaurant of a hotel that I recall was the Kuwaiti Sheraton, and we discussed Kuwaiti politics: a subject about which I knew very little at the time. This was the first time at which anyone mentioned the name of a man who would subsequently become my client, Sheikh Ahmed Al-Fahed Al-Ahmed Al-Sabah (hereinafter “Sheikh Ahmed”), a senior member of the Al-Sabah Kuwaiti Royal Family. I was not told much about Sheikh Ahmed on that occasion; I had never heard of him before; at the time I did not know why I had been chosen to represent him;² but It was intimated to me in more or less obscure ways over our dinner that Sheikh Ahmed needed legal advice and representation. It was not made clear to me what the legal representation he needed was about at the time.
22. I then flew on the early morning flight on 2 February 2013 from Kuwait City to London at the request of and financing provided by Mr De Haan, in order to meet a man who identified himself to me as Hamad Al-Haroun (hereinafter: “Mr Al-Haroun”), the Claimant in this English litigation. Because everything was arranged at short notice, I stayed in my club, the Athenaeum (at the end of Pall Mall), and Mr De Haan and I met Mr Al-Haroun in the Royal Airforce Club on Piccadilly, close to Green Park underground station in central London.
23. My initial impression of Mr Al-Haroun was of an intense but rather jovial man, extremely intelligent, and with a good sense of humour and an intense interest in legal affairs; but rather demanding, and with many of his own ideas about which he would often not easily brook dispute. Therefore I spent a lot of time arguing with him throughout the course of our

² It became obvious later.

relationship, because he was one of those people who thought they knew more about law than the lawyers. From his conversation, he clearly had ample experience of hiring legal counsel.

24. Mr Al-Haroun and I had several extended conversations over that day and the subsequent day, and I came to know him well. He and I were involved in various pieces of legal representation over the subsequent two years (approximately), principally in his role as the “right hand” of Sheikh Ahmed. Basically Mr Al-Haroun arranged a great deal for Sheikh Ahmed, including his legal and financial affairs. His father had worked for Sheikh Ahmed’s father, and I came to learn that this is a typical way in which wealthy Gulf Royal Family members operate (through trusted proxy families).
25. Sheikh Ahmed, I was told, and indeed I learned from my own researches, is the most senior member of the Al-Salem branch of the Kuwaiti Royal Family. There are basically two competing branches, the other being the Al-Jaber branch, headed by Sheikh Nasser Mohammed Ahmed Al-Jaber Al-Sabah (hereinafter “Sheikh Nasser”).
26. The split or contest goes back to the turn of the twentieth century, when Emir Mubarak I (reign: 1896-1916) had two sons, one named Jaber and the other named Selim. Since then there had been a rough and approximate rule that the Emirate would alternate between the two branches; but recently this convention, if one might call it that, had broken down and this caused disharmony in the Al-Sabah family.
27. Mr Al-Haroun explained that Sheikh Ahmed and Sheikh Nasser, and their various proxies (including Mr Al-Haroun as the proxy of Sheikh Ahmed), were engaged in all sorts of different disputes in a range of jurisdictions. Sheikh Ahmed sought my legal representation.
28. I was subsequently to learn that Mr De Haan was an emissary of a retired senior Swiss military intelligence agent³ called André Savary, who admitted this in his own evidence in the Geneva Proceedings. Mr Savary was a colleague / contact of the late father of Sheikh Ahmed, who was murdered by Iraqi troops in the course of the 1990 invasion of Kuwait by Iraqi troops under Saddam Hussein, being flattened by a tank in front of the Kuwaiti Presidential Palace in a notorious incident broadcast to the world.

³ I have made every effort in this statement not to reveal that any specific individuals are or have been agents of a country’s security or intelligence services (i.e. spies), unless it is strictly necessary to do so and/or they have admitted it themselves (as in the case of Mr Savary).

29. Sheikh Ahmed subsequently became something of a doyen of the Americans, and I trust that this explains at least in part the most extraordinary events that this witness statement describes, in which top British police forensic experts permitted themselves to be retained to participate in a dispute involving different branches of the Kuwaiti monarchy.
30. My life became something of that of a international jet-setter working for Sheikh Ahmed, an extremely high-profile, wealthy and valuable client, and for his proxy Mr Al-Haroun. Although I met Sheikh Ahmed personally on various occasions in London, Geneva and Kuwait, those meetings tended to be little more than courtesies for the most part. I took my day to day instructions on various matter from Mr Al-Haroun on behalf of Sheikh Ahmed. I never acted for Mr Al-Haroun himself; Mr Al-Haroun made that clear on multiple occasions.
31. My client was always Sheikh Ahmed, although he personally, who I learned was the most powerful man in global sport and the international sporting world's principal financier, as well as a former Kuwaiti government minister, was palpably not interested in legal details. Mr Al-Haroun by contrast was interested in the legal details (extraordinarily interested, I might add); it is probably fair to say that Sheikh Ahmed often didn't seem much to care or want to know what Mr Al-Haroun was doing in his name.
32. In this statement I describe in brief the approximate course of just one matter in respect of which Sheikh Ahmed instructed me via his proxy Mr Al-Haroun. In late 2013, Mr Al-Haroun asked me to do the legal work to establish the veracity of certain videos that, he told me, showed Sheikh Nasser behaving improperly.
33. I watched these video snippets (each of which was no more than a few seconds long); they appeared to be taken with a bad quality camera and audio recording equipment and without the persons appearing in the videos apparently being aware that they were being taken. In other words, it appeared *prima facie* to me that these videos were taken with some sort of covert or concealed recording equipment (perhaps a mobile telephone in someone's pocket; perhaps a spy camera - but I speculate and I do not know exactly what sort of device they were recorded using). I do not know who took these recordings.
34. The videos did indeed appear to show Sheikh Nasser; although they were fuzzy, I could tell that. He appeared to be talking to a number of people, who I was told were his bankers (although this was never proven to me), in various languages. At Mr Al-Haroun's request I hired experts to amplify the poor quality sound recordings and then to transcribe, in English, Arabic,

Farsi and French (all of which are languages I believe Sheikh Nasser to speak fluently), onto paper. I did this, and the transcriptions appear at **Exhibit 3** hereto.

35. I must add at this stage - and it will become clear later in this statement - that it is very important to read those transcripts. It is totally unclear from those transcripts Sheikh Nasser is talking about or who he is talking to about it. The comments are obscure and oblique. They might indicate some sort of wrongdoing on the part of Sheikh Nasser, if one were to interpret them in a certain way and in the context of a series of background assumptions the truth of which I have no idea; or they might not. The conversations recorded are just too obscure for an amateur in Kuwaiti politics, which is all I was - or maybe even an expert, which I certainly wasn't at the time and I still am not - to draw any strong conclusions about what is being discussed, never mind whether it is in any way wrongful to discuss it.
36. Nevertheless Mr Al-Haroun assured me that the Kuwaiti Royal Family know what this is all about; and the veracity of the videos was a very important issue in the political relations of the Kuwait Royal Family. It was at this stage that I acquired the impression that there was some turmoil between the Al-Salem and Al-Jaber branches of the Kuwaiti Royal Family as described above.
37. However I don't speak Arabic, I couldn't read Kuwaiti newspapers (that are written in Arabic), the matter was not reported anywhere in the English language Middle Eastern media, and I did not really understand why the veracity of certain videos might be a politically important issue.
38. I was then asked to verify the videos, by which Mr Al-Haroun explained that he wanted to hire experts who would confirm that the videos had not been doctored - for example, to establish that the people were not actors; the video and sound had not been spliced; and so on. On behalf of Sheikh Ahmed, I hired three expert companies in England, that Mr Al-Haroun identifies as the First, Second and Third Defendants in this English litigation although in the Claim Form and Particulars of Claim they are all inaccurately identified. For example, the real name of the First Defendant is CYFOR Legal Limited, not CY4OR Legal Limited.
39. Notwithstanding the errors in their names in the Claim Form, these are the expert forensic companies who I hired on behalf of Sheikh Ahmed. They did indeed confirm something that I had never really doubted and still do not doubt to this day, namely that there was no evidence to suggest any sort of improper manipulation or doctoring of the videos that I was given. The videos were all of bad quality, both sound and visual; it seemed to me that had these videos

been intentionally fabricated, they would not be nearly as fuzzy, hazy and almost impossibly audible as they in fact were.

40. The experts retained to write the reports are amongst the very best not only in the United Kingdom but in Europe. They are expert forensic companies that study things like CCTV footage, and I understand that their typical clients are Police forces, security services and the like. I had no doubts about the veracity of what they said in their reports. I am not a video forensic expert, and in fact I have virtually no experience in the field at all outside the facts that this witness statement describes. I believed the reports. The reports I commissioned appear at **Exhibit 4** hereto.
41. Mr Al-Haroun asked me to prepare court proceedings that would verify the contents of the expert reports I had commissioned. He said that the veracity of these videos was at issue in Kuwait. He didn't explain more, despite my asking. I wasn't quite sure how to give effect to his request. I suggested that if Sheikh Ahmed and Sheikh Nasser were having a dispute about this issue and they wanted it judicially resolved, then one might defamation proceedings against the other, for example.
42. However Mr Al-Haroun said that there wasn't a dispute with Sheikh Nasser that required judicial determination; instead he wanted the expert reports to be adjudicated upon in the abstract. I was pretty confused by what he wanted, or indeed why he wanted it. I suggested that we use a notary, to certify a letter by me about how the reports had been prepared. He seemed interested in that idea, but eventually he came back and said to me that he wanted to pursue arbitration proceedings that would have the same sort of effect.
43. To this day I wasn't quite sure what he wanted or why. The expert reports stood for themselves. They were and remain compelling evidence that the videos I saw at that time were "valid", by which I mean they were genuine and not doctored. As far as I was concerned, the useful extent of my work was over. However Mr Al-Haroun suggested initiating arbitration proceedings between Sheikh Ahmed and one or more of the forensic expertise companies.
44. I said that this probably wouldn't work, firstly because these expertise companies weren't parties to arbitration agreements with Sheikh Ahmed, and hence there could be no arbitration as matters stood; but even if they were (for example if we paid them to enter arbitration agreements with us, by which I mean with Sheikh Ahmed), then they'd probably just admit the assertions that the reports are accurate - after all, these were their reports. Therefore we'd end up with an arbitration award with no real legal effect. Arbitration awards have what is called

“privity”; they have no legal effect upon anyone except the parties to the arbitration. So an arbitration of this kind would just confirmed what the expert reports said. I didn’t see how this would advance anything.

45. Nevertheless Mr Al-Haroun instructed me to proceed in this way. I pointed out to him that in my view it was pointless. But that was what he insisted upon doing.
46. Then Mr Al-Haroun came up with a new idea: he knew a company called Trekell LLC who would agree to enter into an arbitration agreement with Sheikh Ahmed, and Trekell would study the expert reports; any dispute with Sheikh Ahmed could be arbitrated. By this point the discussion was becoming pretty obtuse. I’d never heard of Trekell, which as I recall was a Delaware corporation, and I saw no value in arbitrating a dispute with an unknown third party.
47. That was the case whether or not Trekell was just a proxy for my own client or whether it was an American forensic expertise company - or whether it was something else. At this point Mr Al-Haroun became rather aggressive, so I sat with him and discussed what I felt I could legitimately do that would comply with his instructions issued on behalf of Sheikh Ahmed. I repeated the notary idea. We had the expert reports, and there were no expert reports saying anything different. Therefore it wasn’t as though a judge or arbitrator could determine which reports were right and which were wrong, even if there were parties who wanted to litigate or arbitrate that issue.
48. Nevertheless Mr Al-Haroun insisted, and he asked me and my colleagues to prepare an arbitration agreement between Sheikh Ahmed and Trekell, and they both signed it. He then asked me to initiate arbitration proceedings against Trekell on behalf of Sheikh Ahmed, which I did. An arbitrator was appointed, a lawyer in Geneva Mr Baumeyer, who had previously spent a number of years working for the English bank Coutts. Trekell presented no defence of substance and Mr Baumeyer issued an arbitration award, a large part of which I believe was drafted by my then associate lawyer Mr Kozachenko. The arbitral sentence / award confirmed the veracity of the expert reports which I was instructed by Mr Al-Haroun, on behalf of Sheikh Ahmed, to give to Mr Baumeyer for his assessment.
49. My view of all of this was that it basically harmless but pointless. Mr Baumeyer’s “arbitral sentence” occurred in proceedings between Sheikh Ahmed and a company that didn’t defend the proceedings because it didn’t have reason to find fault in the forensic expert reports,. This occurred to me as no better than the notary option that I had suggested, but no worse either (except that Mr Baumeyer would be more expensive than a notary). In substance it was

nothing more than a declaration by a legally qualified person that he'd read the reports and he thought they were perfectly adequate or persuasive.

50. I again explained to Mr Al-Haroun that because there was no effective or material response or defence to the proceedings, you'd might as well not have any respondent at all and instead just go down the notarial route. Nevertheless the Trekell / Baumeyer route was the one Mr Al-Haroun wanted; he was very insistent; although I sought to persuade him that because arbitral awards have privity there would be no value in this, to repeat, I saw no harm in it either. I certainly didn't think it was dishonest, which is what a Geneva Prosecutor called Stéphane Grodecki later decided that it was. I thought it was just rather wasteful.
51. This was not a very well paid piece of work for the client. As I recall, the fees for doing this, not including disbursements, were some way short of CHF40,000 (approximately GBP32,000) exclusive of VAT. But the work involved a lot of faffing around with Mr Baumeyer, explaining to him what it was all about, getting him to read things (I recall he was somewhat reluctant to read the voluminous documentation), and so on and so forth. Ultimately Mr Baumeyer signed an arbitral sentence /award (I use both words because in French-speaking Switzerland "sentence" may be a better translation than "award") in April 2014. A copy of the entire award appears at **Exhibit 5** hereto.
52. There are several points I wish now to address, either because what Mr Baumeyer has said in the Geneva Proceedings is straightforwardly false; or because certain matters should be rightly revealed to the Court. I don't want to criticise Mr Baumeyer any more than is absolutely necessary; I consider him something of a victim in this affair. To an extent as did I, Mr Baumeyer found himself involved in a political intrigue he didn't fully understand (and he still may not do; I don't know because I have no current contact with him).
53. Mr Baumeyer had and/or has an ongoing relationship with Mr Al-Haroun the details of which I do not know exactly. However at some point Mr Baumeyer told me that he was handling an application by Mr Al-Haroun to become a resident and/or citizen of Malta (I don't recall which one). He showed me some bank account statements of Mr Al-Haroun at one point, and asked me what I thought. I didn't have anything to say about that, because Mr Al-Haroun was not my client and I wasn't involved in his immigration arrangements. I certainly wasn't going to take a view on Mr Al-Haroun's bank statements, that Mr Al-Haroun had not sent to me anyway.

54. More recently, I met up with Mr Al-Haroun in June 2020 in London. At that time, Mr Al-Haroun and I went out for a beer and a pizza in Mayfair (I drank the beer; he does not drink alcohol), and we had a long chat and a few laughs.
55. Mr Al-Haroun is not a horrible or evil person, at least on a personal level, I should add. I find him quite personally agreeable. But as this witness statement will explain, I consider him responsible for a level of deceit and/or concealment in the context of a political intrigue, that has caused me colossal damage. At that time I met him in June 2020 he told me that he has still in contact with Mr Baumeyer, who had been helping him by providing evidence for Mr Al-Haroun's immigration issues in the United Kingdom. Mr Al-Haroun told me he had successfully applied for asylum in the United Kingdom, and he showed me a judgment of an immigration tribunal in his favour.
56. In his evidence in the Geneva Proceedings, Mr Baumeyer said in statements to the Prosecutor that (a) he couldn't have written the arbitration award because he doesn't speak English; and (b) he worked on the arbitration award for free. With all respect to Mr Baumeyer - and I understand why he might, under the pressure of all of this, have decided to say things he might have considered as "white lies" or somehow exculpatory - both of these statements are obviously false.
57. Mr Baumeyer used to work for Coutts Private Bank in Geneva for several years. That bank works in English. Every conversation I have ever had with Mr Baumeyer has been in (fluent) English, including on legal / professional matters. (I don't have any personal relationship with Mr Baumeyer, and I never have done.) I am quite sure that Mr Baumeyer and Mr Al-Haroun, in all of their dealings, speak in English. Mr Al-Haroun does not speak French; Mr Baumeyer does not speak Arabic (or I would be astonished if he did); the Maltese immigration application appeared from what Mr Baumeyer told me about it to be made in English; Mr Al-Haroun's English immigration issues, that according to Mr Al-Haroun Mr Baumeyer supported with evidence, were surely also in English. Mr Baumeyer even speaks an amusing slang version of English when he wants to, loose with swear words and foul language and jokes. Although I do not know how he learned to speak English so well both professionally and using a crude vernacular, without doubt he speaks English very well indeed.
58. Although these events all took place a long time ago, I am certain that Mr Baumeyer was paid to serve as arbitrator, even if Mr Kozachenko helped him draft parts of the award (something that came out during the Geneva Proceedings, although I see nothing wrong with that

whatsoever). To the best of my recollection, Mr Baumeyer was paid CHF10,000 (about £8,000), although frankly I forget the precise sum. These events took place some seven years ago.

59. The Geneva Prosecutor Mr Grodecki, in the Geneva Proceedings, has accused Mr Al-Haroun of controlling Trekell. The reference in the Geneva Proceedings to the document where Mr Grodecki asserts this is File 5, Exhibit E-424. I don't exhibit this document for the purposes of the English proceedings at least for current purposes, because it is not something that appears seriously to be contestable. If the issue is contested that I can file an additional witness statement later that deals with the point and exhibits the relevant page of the Geneva Prosecutor's file.
60. Nevertheless I don't know whether Mr Grodecki's assertion in this regard is true or not. I don't know who the director / shareholders of Trekell are, or anything else about the company. Mr Grodecki may know more than me, when he suggests that it is a shell company of some sort controlled by Mr Al-Haroun.
61. Whether or not any of this is true (and I repeat that I don't know), it seems to me irrelevant. The fact that shell companies enter arbitration agreements does not in itself affect the validity of arbitration agreements. Huge numbers of arbitration agreements are entered into between shell companies, in my experience of legal practice. Arbitrating with a shell company might make the arbitration worthless or pointless; this whole arbitration might on Mr Grodecki's view be viewed as Mr Al-Haroun arbitrating against himself. I don't know exactly what Mr Grodecki thinks.
62. Be all that as it may, I am of the view that what Mr Al-Haroun instructed us to do made little obvious sense unless there was something I didn't know; but he did tend to be full of a lot of unusual ideas. One thing I am sure of now and I was sure of then is that the arbitration was a fairly pointless exercise: pointless for Sheikh Ahmed, and unimportant for his political opponents - unless his political opponents included Trekell or persons owning it, something which nobody seems to suggest.
63. Relations with Sheikh Ahmed, principally via his proxy Mr Al-Haroun, broke down in about March 2015 due to non-payment of invoices. They were never good payers, despite Sheikh Ahmed being very wealthy; unpaid invoices were one of their specialities. In effect I withdrew from all active instructions where the mandate was not terminated. (By this time I had left Holman Fenwick Willan to set up my own Swiss law firm, Gentium Law Group Sàrl, but the principle remained the same: I wasn't going to work if my invoices weren't being paid.)

64. It was also in March 2015 that Mr Al-Haroun informed me that Sheikh Ahmed had appeared on Kuwaiti national television, apologising to the Emir for his role in the “videos” affair in a hastily pre-prepared statement, while (so I was told) armed Police waited off-camera. I did see the Kuwaiti national television clip where Sheikh Ahmed did indeed appear to be reading from a script hastily and nervously; but It was in Arabic and I didn’t know exactly what he was saying. Sheikh Ahmed then disappeared from the international scene, apparently (as Mr Al-Haroun told me) living very discreetly thereafter in Doha, Qatar.
65. I heard nothing more from this strange client, that had always been rather mean with invoices but overflowing with hospitality, and I moved on. Then, in February 2016, something astonishing happened.
66. On 24 February 2016 I was in Washington, DC, giving evidence to the House Committee on Foreign Affairs (a committee of the lower house of the US Congress) about corruption in the United Nations and its specialised agencies, and in particular in the World Intellectual Property Organization, a UN specialised agency based in Geneva.⁴
67. I flew back on the overnight red-eye United Airlines flight from Dulles (the Washington DC area’s biggest airport) to Geneva. Elena (living with me in Geneva) heard the doorbell ring an hour before I was due to land (at 7.45am, so the doorbell must have rung at about 6.30am CET on 25 February 2016). The Police were present, executing a search warrant against my residential premises and in my absence in relation to what I have called the Geneva Proceedings, which fall under Geneva criminal investigation number P/12553/2015.
68. I was identified as a suspect in a case called (in Swiss legal French) “faux dans les titres”, which is perhaps best translated as “forgery”, following a complaint that had been filed by Sheikh Nasser in March 2015. Nothing was found in my Geneva apartment. Nothing was found in my office, that was searched twice for reasons I never understood but found oppressive.
69. What followed was, as I was told by my lawyers, the most complex investigation of its kind in Geneva legal history, involving over 40 hearings in front of the Prosecutor Stéphane Grodecki.

⁴ A media account of my participation in this fairly high-profile event may be found at <https://www.ipwatchdog.com/2016/02/29/whistleblowers-testify-alleged-gurry-abuses-wipo/id=66583/>. The website of the US House of Representatives also contains references to the event and to the testimony.

70. Geneva, like the rest of Switzerland, has a relatively old-fashioned system of investigative magistrates, in which a prosecutor serves as a member of the magistrature and decides what steps to take next in an investigation over a period of time, during which those with an interest in the investigation have a right of access to the Prosecutor's file. Cases can go on for some time; but this case was fairly simple and I never understood why it merited the most enormous investigation (at the time of writing this affair has lasted about seven years since the criminal complaint was filed) at the Geneva taxpayer's expense.
71. The suspects were me; my then associate Mr Kozachenko; Mr Al-Haroun; Sheikh Ahmed; and Mr Baumeyer. Mr Baumeyer's home was searched and a copy of the arbitration award he had signed was found in his tennis bag: something that I recall Mr Grodecki found very exciting. However while would not suggest this as an impeccable method of document filing in a lawyer's office, I don't see that it's a crime. Other searches were executed; all proved fruitless, as I recall.
72. The strangest thing about this case, which I can and will describe in greater detail in future evidence before this English Court, was that very few of the relevant facts I could ascertain were actually disputed. So the whole case just seemed to me to be questions of law.
73. One of the questions of law might be considered to be: did any of us forge the arbitration award? I have always been of the view that the answer to this is obviously not. The idea stretches legal common sense, because typically things that are forged are government documents, stamps and signatures. Banknotes can be forged. Notaries' seals can be forged if the notary never signed the notarised document. A signature on a letter can be forged. Letterheads can be forged. All of these acts of forgery involve creating a document or an imprint that it lies in the exclusive right of someone else to create. I don't see how this logic can apply to an arbitration award, where all of the parties, and the arbitrator, have agreed to create the document and nothing is being illegitimately copied which seems to me the essence of an accusation of forgery.
74. I am told by my lawyers that there is no established Swiss law on forgery of an arbitration award. So Mr Grodecki charged us with an offence of a type that nobody has ever been convicted of before.
75. I suppose an arbitration award can be forged if the arbitrator didn't actually sign it and instead some other person signed it pretending to be him; that would be a question of his signature

being forged. But in this case there was no dispute that Mr Baumeyer had in fact signed the arbitration award. Mr Baumeyer has admitted that he signed it.

76. I suppose, at a stretch, one might argue that there was forgery involved if Mr Baumeyer didn't even understand that this was an arbitration award he was signing and he was therefore duped into signing a document that he thought was something else. But that would be a tall order. Mr Baumeyer is an experienced lawyer. Professional people, and in particular lawyers, tend to be fixed by the law with constructive understanding of the documents they sign. And in this case it is not credibly arguable that Mr Baumeyer doesn't speak English and therefore didn't understand exactly what he was reading / signing.
77. My Geneva lawyers have explained to me that there is a derivative form of the offence of forgery under Swiss law, where a document is not forged in the conventional sense of a forged stamp or signature (neither of which apply in this case), but instead where persons involved in the preparation of a document do not believe the facts underlying the document. This is, I am told, a sort of "intellectual forgery": for example where a notarial document conveys a piece of real estate from person X to person Y but all the parties to the notarial document know that person X doesn't own the property and therefore there is nothing to convey and everybody knows this.
78. Intellectual forgery therefore consists in preparing a document that reflects underlying facts people know to be false. I don't see how this can apply to me (I won't comment on whether it applies to any other defendant). I was shown videos. I hired experts to analyse them. The experts reported that the videos were genuine. I participated in the preparation of an arbitral sentence saying precisely this. I believed what the arbitral sentence said, and I had good reason for believing that: some of Europe's best experts had confirmed it to me.
79. The criminal proceedings became so complicated, expensive to defend, with constant threats of incarceration (that started with the very first hearing in February 2016, at which Mr Grodecki threatened to imprison me if I didn't breach my lawyer-client confidentiality), and with endless subsequent hearings, that my business was damaged irrevocably. Geneva is a small place and everyone knows everyone's business.
80. I could not recruit new clients with this affair hanging over me, I lost existing clients, my business went into the red and I had a nervous breakdown. This course of events accumulated as a consequence of the perpetual criminal procedure to which I was subject. I won't go into detail here about the nervous collapses that both I and Elena ultimately suffered, but suffice it

to say that both she and I ended up in very bad places psychologically as this relentless affair continued to blight our lives.

81. I must emphasise again that in my perception this was a “documents only” case; there were virtually no disputed facts; I took the view that what I did was either a crime under Swiss law or not (I was and remain quite confident that it is not a crime under English law, where I am licensed to practise law); I wanted a decision on the law; and there was really very little to discuss.
82. Nevertheless I was subject to endless hearings at which my lawyers told me that I ought to admit guilt. This I absolutely refused to do; and I absolutely refuse to do so to this day. There is something that I think I ought justly and morally to apologise about, as one shall see as this statement progresses; but it is not an apology to the Geneva legal system for committing a crime. It is something rather different. As I will explain, both Sheikh Nasser and I have been subject to a common fraud, as far as I can tell, and I think it is appropriate to apologise to him for my participation in that fraud which I want him to believe was unwitting on my part (there is no evidence otherwise). I will explain what the fraud was and why it took place. Ultimately I only found out what was really going on in July 2020, as I shall explain.
83. Although trying to read his mind may be one challenge beyond me, I suspect that Mr Grodecki wanted to charge one or more people with fraud, but he could not make out a case of fraud (you need to prove an intention to deceive someone and he had no evidence of that) and therefore he pursued the lesser offence of forgery: something which didn’t make sense on these facts.
84. I maintain that I am not guilty of any crime. I will never change that position, irrespective of all the illegitimate pressure to which I have been subject and the psychiatric collapse I suffered.
85. After endless hearings (the volume of **Exhibit 2** illustrates just how many and detailed hearings there were before the Prosecutor), many of which were about trying to make me apologise and admit guilt, on 8 November 2018, Mr Grodecki, the investigating magistrate who had held all these hearings that had led to my nervous breakdown, indicted me for forgery. The indictment appears at **Exhibit 6** hereto. In this document Mr Grodecki, who drafted the indictment unilaterally and did not need (and did not obtain) the permission of any court or other authority ancillary to him in order to issue this indictment, had indicted me for forgery of the videos.

86. There is no evidence that I forged any video, or participated in the forgery of any video, or committed any inchoate offence relating to the forgery of any video. I was presented with videos, the contents of which I have set out in this statement. I was asked by my client to engage experts to confirm the veracity of these videos. I did that. The results came back uniformly confirmatory. Nor did anybody tell me that the videos were forged, or even suggest or insinuate it.
87. Of course when a solicitor hires experts to confirm the veracity of videos upon their client's instructions, it is a reasonable inference that someone somewhere may be contesting their veracity. Nevertheless a lawyer is entitled to rely upon their client's instructions, particularly where those instructions entail engaging forensic experts to comment upon precisely the dispute potentially at issue and those experts, of indisputably international quality, revert with uniform conclusions of veracity.
88. I am very disappointed by Mr Grodecki's actions in indicting me for forgery of the videos, when there is obviously no evidence of my guilt in this regard. I think a prosecutor ought to be fair, and not pursue groundless charges in political cases. Where he sees there is obviously no evidence for the charge; where he sees himself stretching the criminal law to fit facts inconvenient to him for the purposes of securing a conviction, the proper course is not to proceed with charges and to acquit the person being investigated, thereby removing the cloud that has hung over him during the investigation.
89. I am very disappointed that Mr Grodecki has not in my view acted with a judicial temperament in the course of this affair.
90. Mr Grodecki subsequently sought to extradite me from Germany in July 2019 (where I had paused at Munich international airport in the middle of international vacation plans), on the charge of forgery. The matter went through the Bavarian courts (Munich is the capital of the German state of Bavaria) for several months whereupon the *Oberlandsgericht* for Bavaria (the state's highest court) refused to indict me on the charges of forgery. The extradition request appears at **Exhibit 7** hereto.
91. Although the judgment does not give reasons for its decision to refuse to extradite me, the reason according to my German lawyers was principally a failure to meet the dual criminality standard. In other words, the German highest court was not persuaded that the indictment issued by Mr Grodecki contained any colourable case that my acts Mr Grodecki asserted to be

forgery were crimes under German law. A copy of the decision of the German court, and my German lawyer's analysis of it, appear at **Exhibit 8** hereto.

92. In the meantime I spent five and a half months in custody from 23 July 2019 to 6 January 2020, missing my two daughters (aged 10 and 7) and my Christmas plans with them, while Mr Grodecki joined a bizarre criminal defamation allegation against me with the forgery charge, in respect of reports I had made against serious international criminals to the British and American security and intelligence services for the offences of money laundering, terrorist financing, sanctions busting and other serious crimes. In other words, he accused me of criminal defamation for making intelligence reports to my own government.
93. These embarrassing accusations and court proceedings in Geneva upon Mr Grodecki's initiative, challenging the Anglo-American security alliance, were reported on the international newswires.⁵ Seldom if ever can there have been so disreputable a judicial history of a supposedly independent investigative magistrate, causing the extended incarceration of a person who reports extremely serious international crimes to relevant law enforcement, security and intelligence bodies rather than commending or supporting that person for taking such risks in doing so.
94. In this witness statement I am skimming over this affair which itself is very complex. As the English proceedings continue, I may need to explain in greater detail what this was all about. However for now, suffice it to say that my incarceration for making reports to my own government was not just hugely embarrassing for my government but also hugely damaging to my continued psychological welfare. I left custody in a terrible psychiatric condition, and ultimately it took an extended stay in a Swiss monastery under the watchful care of the Brothers, and a course of treatment with one of London's top Harley Street psychiatrists, to return me to psychiatric good health. I am enormously grateful to all those people who helped me recover from the darkest point in my life. Those people know who they are.
95. The consequences of this affair, and the palpable injustice I have suffered, have been ghastly for my family, my children, my loved ones, my friends, and me.

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⁵ See <https://www.reuters.com/article/us-switzerland-court-trader/swiss-court-convicts-british-lawyer-of-defaming-oil-trader-to-mi5-idUSKBN20N0WV>

96. Amongst the many hearings that I had attended in the Geneva Proceedings, in none of those hearings had the prosecutor shown me the videos that I ended up being indicted for forging. My Geneva lawyers had told me that the videos had been provided by the Kuwaiti Prosecutor to the Geneva Prosecutor Mr Grodecki in response to an international letters rogatory request from Switzerland to Kuwait; but nobody showed the videos to me. Also nobody involved in the case had told me why these videos had become such an issue; why Sheikh Nasser had even seen them; or why he had raised a complaint of forgery of them.
97. These issues all came to light, for me, in the course of media and academic articles that had described the so-called “videos affair”. From that media coverage, that has not been extensive (Kuwaiti society is very closed, particularly having regard to the affairs of the Royal Family, and little is published about the real political disputes going on there), I ascertained that a series of videos had been circulating in Kuwait in the course of 2013 and 2014 via social media. My immediate assumption was that they were the videos I had seen and upon which I had obtained expert forensic reports. But that turned out not to be right.
98. On 31 March 2020 I read an academic article that suggested the videos were about a coup d’état attempt on the part of Sheikh Nasser. The article was called “Most likely to succeed? Potential scenarios for Kuwaiti succession”, and it was written by a person called Courtney Freer.⁶ It was dated 31 March 2020, the date I read it. The article was brought to my attention by a professional contact, Sir Richard Dalton KCMG, a retired sometime British Ambassador to Tehran. It contained the following text:

One figure who enjoys more popular support, particularly among the broad-based opposition, is Sheikh Ahmad Al Fahad Al Sabah, president of the Olympic Council of Asia and former head of the oil ministry and secretary-general of OPEC. Sheikh Ahmad was involved in exposing what he claimed to be tapes of Sheikh Nasser Mohammed and the former Parliament speaker plotting a coup in 2015. Since that time, however, he has not held a politically influential role, making it unlikely that he would be named crown prince. If chosen to lead Kuwait, it is possible Sheikh Ahmad would implement protectionist policies regarding foreign investment to shore up popular support.

99. This article referenced an article in Al Arabiya, that I had not previously seen, entitled “Powerful Kuwaiti sports official charged with forging evidence against former prime minister”, dated 18

⁶ The article appears at: <https://castlereagh.net/most-likely-to-succeed-potential-scenarios-for-kuwaiti-succession/>

November 2018 that I had not read before. I understand Al Arabiya to be a partly English language newspaper about affairs in the Arab world.⁷ That article contained the following text:

Le Temps newspaper [a Swiss newspaper] said Sheikh Ahmad stands accused with four others of an intricate forgery scheme linked to his efforts to prove that Kuwait's former prime minister and speaker of parliament were guilty of coup-plotting and corruption.

100. I don't think I really got the point at the time of exactly what these articles were saying; but I must have reread them and at point I realised the real issue here: the videos I had seen were not about coup-plotting at all, and weren't obviously about corruption either. It is obvious from reading the transcripts at **Exhibit 3** hereto that one cannot draw an inference from the videos I saw that the discussion is about corruption, still less about coup-plotting.

101. A man called Edward Patrick Flaherty was the first person to suggest to me that there were two sets of videos. Mr Flaherty is a US-Irish-Swiss citizen and lawyer living in Geneva, and he has (or had) a series of connections with both US and Swiss intelligence services. I can't remember exactly when Mr Flaherty first indicated to me that there were two sets of videos - the set I'd seen and that were circulating around Kuwait - but I think it was in December 2018. In any event, his hint caused me to wonder whether there were in fact two sets of videos, something that if true would, I reasoned, surely blow this bogus prosecution straight out of the water.

102. I had written several letters to the Legal Advisor to the Foreign and Commonwealth Office (as the department was then called), dated 2, 4 and 8 April 2019, setting out my grievances about the legal procedure underway against me and the possibility of the existence of two sets of videos. Those appear at **Exhibit 9** hereto.

103. In July 2020 I asked my Geneva lawyers to obtain a copy from the Prosecutor of the videos that he had received from the Kuwaiti prosecutor. A copy was provided very quickly, on a Flashdisk. When I looked at the contents of the Flashdisk, it was obvious to me immediately that there were indeed two sets of videos. The videos the prosecutor had seen were obviously not the same as those I had seen, and that the experts retained by me had reviewed. Copies of said correspondence from my lawyers to the Prosecutor's Office and in reply appear at **Exhibit 10** hereto.

⁷ The article appears at: <https://english.alaraby.co.uk/english/news/2018/11/17/powerful-kuwaiti-sports-official-to-be-tried-for-forgery>

104. There were a lot more of the videos on the Flashdisk than I had seen and that the forensic experts had studied; and many of them had subtitles (in Arabic), something none of the videos shown to me all those years ago had contained. (Had they contained subtitles, there would have been no need to improve the sound quality to prepare transcripts of what the people were saying).
105. I looked through the large number of videos the prosecutor had provided to my lawyers. There were just a handful of videos, compared to the dozens of videos that I had seen. What I realised was that the videos I had been shown, and in respect of which I had obtained expert forensic evidence, were just a small fraction of the whole. A series of some of the images from the “new” videos (at least, they were new for me), appear at **Exhibit 11** hereto. It is obvious that they are not the same as the videos in respect of which transcripts appear at **Exhibit 3** hereto. I can provide copies of all these videos in electronic format should that be useful to the Court.
106. If, as I will assume, the videos provided by the Kuwaiti prosecutor to the Geneva Prosecutor represent the videos that were being distributed in Kuwait in the first half of last decade, then I was working on was just a small fraction of the materials distributed in Kuwait.
107. I must say that this made me very angry, because the natural inference from what I discovered upon my July 2020 review of the videos in the Prosecutor’s possession is that Sheikh Ahmed and Mr Al-Haroun hid from me the greater majority of the videos that were being circulated in Kuwait. Although I did not know at the time (2013 / 2014) what the arbitration process was about, once I saw the rest of the videos I think I started to understand what had happened.
108. My theory, or inference, is that I had been retained to verify the authenticity of some small set of actually authentic videos; my work had then, I presume, been distributed in Kuwait as though it applied to all the videos that were in circulation in Kuwait, those being a much larger set of videos. And at least some of those may well have been fakes.
109. In other words, somebody had taken my work and in all possibility or likelihood suggested or intimated that my work validated a series of videos that showed things such as the plotting of a coup d’état or corruption; when I had never seen those videos.
110. It is obvious just from reading the expert reports and the arbitration award that these documents are not about the far more fulsome set of videos that the Kuwaiti Prosecutor

provided to the Geneva Prosecutor. The sheer number of the latter is not represented in the documents I played a part in preparing.

111. I have a profound grievance against Mr Grodecki, because the possibility should at least have entered his mind that there were two sets of videos. That is because it was obvious from reading the UK forensic reports and the arbitration award that these documents were not about the videos he had received from the Kuwaiti Prosecutor. Therefore at the very least, he should have shown me the videos he had received, in the course of the 40+ hearings he subjected me to, and asked me whether these were the same videos as those I had seen.

112. In the inquisitorial system of criminal justice, of which Geneva is an example, an investigative magistrate has a duty of impartial enquiry that includes the duty to *charge* or *décharge*. In other words, he is obliged to pursue exculpatory lines of investigation just as he is accusatory ones. In this case, had he read the UK expert reports and arbitration award clearly and understood them (and I'm not sure he ever did this because he never ordered the translation of any of these documents into French, the language of Geneva justice; nor does he speak substantial professional English), he surely owed me the opportunity to confirm or deny that these were the videos I had seen. To accuse me of forging videos without ever showing me the videos he was accusing me of forging, seems not just unprofessional but preposterous.

113. I have a strong sense that I have been defrauded, at least in the sense that I was instructed to work on a case with a grossly incomplete picture of what was going on. Had I known, back in 2013 / 2014, that the videos in respect of which I was engaging the highest UK forensic expertise were just a fraction of those circulating in Kuwait; and yet the purpose of my work was to circulate a report that could be used to confuse, and to pretend that I had engaged experts validating all the videos in fact circulating in Kuwait, then I would have refused to do so because I would have been privy to a fraud. As it was, I was the victim at the very least of gross concealment, contrary to all obligations of good faith on the part of my client Sheikh Ahmed and his agent Mr Al-Haroun that form part of the obligations under a solicitor's retainer with their client.

114. Clients do of course often lie to their lawyers, a possibility which Mr Grodecki seems to have completely missed either intentionally or otherwise. Nevertheless what Sheikh Ahmed and Mr Al-Haroun did to me, in showing me just a fraction of the contested materials and asking me to work on them, knowing that the real contested materials were more substantial (and for all I know, may well have been doctored and might well have failed the UK experts' forensic tests), I

consider to be a gross breach of all duties of good faith and fair dealings that they owed me as Sheikh Ahmed's legal representative.

115. It seems entirely plausible to me that Sheikh Nasser indeed has a real grievance here. His grievance, at least in law, is very similar to mine. His complaint is that my legal work has been used to support assertions of the veracity of his being implicated in serious crime / corruption / coup attempts. I want everyone to understand that the work I did back in late 2013 and early 2014 does not support any allegations of corruption, coup d'état attempts, or other crime on the part of Sheikh Nasser. The videos I saw and worked upon were apparently of Sheikh Nasser talking to some other people, but it was totally unclear to me that the conversations involved any sort of intimation of crime or other wrongdoing on his part.

116. I do not know Sheikh Nasser personally. I have met him only in the Geneva Prosecutor's Office, when he was perfectly courteous to me. If my work has been used by dishonest people improperly to impeach his reputation, as it seems to me that it has, then I would like to apologise to him and express my regret. Secondly, I would like to express my disgust with those who have used my work, and traded upon my naivety, to impeach Sheikh Nasser's reputation. Thirdly I would like to express my profound disappointment with the Geneva justice system, that I do not feel has given me a fair hearing at any moment and whose actions, in constantly pressuring me to confess something of which I am not guilty, has very severely damaged my life and my business as well as having jeopardised my psychiatric health.

117. The succession battle for the Emiracy within the Kuwaiti Royal Family is not my concern. I was not a specialist in Kuwaiti politics before this affair began, and actually I still am not. I have not wanted to play the role of Kingmaker, although on many occasions over the past years I have felt as though I am being pressured into taking one side or another. The members of the Al-Sabah Royal Family of Kuwait, and the Kuwaiti National Parliament, must resolve succession issues themselves in accordance with the legal and political norms of the State of Kuwait.

118. However I will make the following remarks. I consider it *a priori* extremely doubtful that a senior member of the Royal Family such as Sheikh Nasser would plot a coup d'état against his own family (especially when the Emir is of the branch of the Royal Family as him, namely the Al-Jaber branch); therefore videos showing that might well be regarded by a regional political analyst as *prima facie* highly dubious.

119. Secondly, a person who seeks to deceive the Kuwaiti general public by circulating false videos of another family member purporting to show them in the commission of crimes / corruption /

preparations for a coup demonstrates themselves, in my judgment, by their actions to be wholly unworthy of high public office. The same goes for their closest aides.

120.I wish to take this opportunity to express my disgust with the conduct of both Sheikh Ahmed and Mr Al-Haroun. I feel comprehensively misused as a lawyer. Financial, family and personal harm to me has been colossal. At the very least, gross concealment has been perpetrated against me. I hope that at some juncture, justice might move in my favour and cast a heavy penalty upon those who have acted towards me in so reprehensible a way.

121.I also very much hope that justice will prevail for Sheikh Nasser, who as far as I can tell has been defamed in a grievous and unfair way. I hope that this witness statement is valuable in assisting Sheikh Nasser in what appears to me, based upon what I know, to be a legitimate quest to clear his name.

122.This may well not be my only witness statement describing the facts of this affair, in respect of which there is a very substantial amount of detail that I have omitted from this statement in the interests of tolerable brevity.

I believe that the facts stated in this witness statement are true.I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

I am familiar with the contents of the Court of Appeal judgment in *Liverpool Victoria Insurance Company Limited v Dr Asef Zafar* [2019] EWCA 392 (Civ) and the seriousness with which the Court takes statements in documents verified by statements of truth that are made without an honest belief in their truth.

SIGNED



(Dr) Matthew Thomas Parish

DATE 21 January 2021

MTP1
21 January 2021

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

BETWEEN:

HAMAD AL-HAROUN

Claimant

- and -

"CY4OR LEGAL LIMITED" (1)
"EMMERSON ASSOCIATES" (2)
"AFENTIS FORENSICS" (3)
MR STOYAN BAUMEYER (4)
DR MATTHEW PARISH (5)

Defendants

LIST OF EXHIBITS TO THE
FIRST WITNESS STATEMENT OF MATTHEW THOMAS PARISH
DATED 21 JANUARY 2021

1. Claim Form and Particulars of Claim in this action commenced by the Claimant and as seen by the Fifth Defendant
2. Written minutes of Prosecutor's Office hearings involving the Fifth Defendant, in the Geneva Proceedings
3. Transcripts of the original videos shown to the Fifth Defendant in late 2013
4. UK expert forensic reports commissioned by the Fifth Defendant from the First, Second and Third Defendants
5. Arbitration award dated 26 April 2014
6. Indictment issued by Stéphane Grodecki dated 8 November 2018

7. Extradition request from Mr Grodecki / Geneva to Germany, dated 25 July 2019
8. Decision of *Oberlandsgericht Bayern* dated 1 October 2019, plus explanatory note of Santos Ernst Gupta, German legal counsel
9. Letters to Sir Iain Macleod, Legal Advisor to the Foreign and Commonwealth Office of the United Kingdom, dated 2, 4 and 8 April 2019
10. Correspondence between Ochsner Avocats (acting for the Fifth Defendant) and Geneva Prosecutor's Office, July 2020
11. Series of images from the videos sent by the Geneva Prosecutor's Office to the Fifth Defendant's legal counsel in July 2020

SIGNED



Matthew Thomas Parish

Date 21 January 2021