

INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

DISPUTE CONCERNING THE ENRICA LEXIE INCIDENT

THE ITALIAN REPUBLIC v. THE REPUBLIC OF INDIA

WRITTEN OBSERVATIONS OF THE REPUBLIC OF INDIA

VOLUME 2 – ANNEXES

6 AUGUST 2015



**FIRST INFORMATION STATEMENT OF MR. FREDDY, 15
FEBRUARY 2012**



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ENRICA LEXIE: TECHNICAL ANALYSIS

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Annex 2

FIRST INFORMATION STATEMENT OF MR FREDDY, 15 FEBRUARY 2012

FIRST INFORMATION

An oral statement furnished before R. Jayaraj, Circle Inspector of Police, Coastal Police Station, Neendakara, Kollam, by the complainant Freddy, age 30 s/o Bosco residing at House No. 1174, Poothura Christ Nagar, Ezhudesom village, Vilavinkodu Taluk of Kanyakumari District dated on 15.02.2012.

"I have been working as a fisherman and have studied up to the tenth standard. I have been doing fishing work as syrang in my own boat St. Antony, for the last six years. It is at Neendakara that we usually do the fishing work. In addition to me, there are 10 other persons as crew onboard my boat. They are Killary Francis, Johnson, Kinsariyan, Clemence, Muthappan, Martin, Michael, Jelastin and Pinku. All others barring Jelastin, belong to my native place. Jelastin is hailing from Moothakara. I, along with the 10 men went out fishing to the sea last Friday (on 07.02.2012) by 12'o clock. Usually we return ashore after fishing for six days having reached up to 60 Nautical miles. We do fishing round the clock. We fished for the last eight days. Usually, it is me who steers the helm while the others do the fishing. During the last night, as we did some angle work, it proved to be so poor. Hence, we switched over to the southern direction and while we were proceeding on a distance of 40 Nautical miles, the time was 04.30 PM when we reached west of Kayamkulam. All others barring Jelastin and Pinku were asleep at that time. It was Jelastin who took the helm. Pinku was at the bow. I was suddenly aroused from by a sound to see that Jelastin was bleeding from his nose and ear. He was sitting on his driving seat. He spoke nothing. I howled, and others who were asleep were aroused, by my howling. Bullets were being shot into the boat at that time. Then, I warned the others that "Kappalukar chudinan, ellam keele kida". Every body lay down onboard the boat. At that time Pinku, who was onboard the stern, was heard howling 'amme.' we dashed to him to find that he

breathed his last two breaths and turned out to be motionless. I examined his pulse. He was dead. Blood was oozing out from the right side of his chest. I feared to examine his body out of fear. There was a little inflammation on the right side of the lower limb of Jelastin. I did not examine how deep Jelastin's wounds were, out of fear and apprehension. The firing was done from the ship, which passed us by the right side, heading to the north-west. The ship was painted in black atop and red at the bottom. It was evident that the ship carried no cargo/load/freight as it was well afloat. The firing had continued approximately for two minutes. The ship lay approximately about 200 meter away from the boat. On firing, gas leaked out from the cylinders, which were kept atop the boat and in the wheel house, as the firing broke the hose of the same. The bullets came in falling like torrential rain. I abruptly helmed the boat away. Jelastin's body was laid aside to that of Pinku's and covered with a blanket after having the body being taken out from the wheel house. Jelastin was aged 48 and Pinku was 20 years old. I called Prabhu, owner of St. Antony's Boat from the wireless set in my boat and apprised him of the information. I informed that it was out of no provocation that the shipmen had killed two men by firing. No alarm sounded or mike announcement made or a warning shot fired, nothing of the sort was done before firing bullets. The place of occurrence is 31 Nautical mile distant north-west from Neendakara. We reached Neendakara by about 11.00 o' clock night. The dead bodies are kept in the mortuary of District Hospital, Kollam.

Agreed ok to the oral statement heard recited.

Fredy

Agreed ok to the recitation of the oral being made.

Sd/-

Circle Inspector of Police
Coastal Police Station,
Neendakara, Kollam.