

**WALTER RODNEY COMMISSION OF INQUIRY**



**CO-OPERATIVE REPUBLIC OF GUYANA**

**THE WALTER RODNEY COMMISSION OF INQUIRY**

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**VERBATIM REPORT  
OF THE PROCEEDINGS**

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**Monday 2<sup>nd</sup> June, 2014**

**WALTER RODNEY COMMISSION OF INQUIRY**

**WALTER RODNEY COMMISSION OF INQUIRY**

**9<sup>th</sup> Hearing**

**09:08hrs**

**2<sup>nd</sup> June, 2014**

**Commissioners:**

Sir. Richard L. Cheltenham, K.A., Q.C., Ph.D – Chairman

Mrs. Jacqueline Samuels-Brown, Q.C.

Mr. Seenath Jairam, S.C.

**Secretary to the Commission:**

Ms. Nicola Pierre

**Counsel to the Commission:**

Mr. Glenn Hanoman

Ms. Latchmie Rahamat

**Administrator of the Commission Secretariat**

Mr. Hugh A. Denbow

**Attorneys for the People's National Congress (PNC):**

Mr. Basil Williams

Lt. Col. (Ret'd) Harmon

## **WALTER RODNEY COMMISSION OF INQUIRY**

Mr. James Bond

### **Attorneys for Working People's Alliance (WPA):**

Mr. Christopher Ram

Mr. Moses Bhagwan

### **Attorneys for the Guyana Trades Union Congress (GTUC):**

Mr. Brian Clarke

Mr. Selwyn Pieters

### **Attorney for Dr. Patricia Rodney, Asha Rodney, Shaka Rodney and Kanini Rodney:**

Mr. Andrew Pilgrim

### **Attorney for Donald Rodney:**

Mr. Keith Scotland

### **Witnesses:**

Mr. Eusi Kwayana

Mr. Joseph Hamilton

## WALTER RODNEY COMMISSION OF INQUIRY

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## WALTER RODNEY COMMISSION OF INQUIRY

### CALL TO ORDER

*[Mr. Eusi Kwayana entered the witness box]*

**Mr. Chairman [Sir. Richard L. Cheltenham, K.A., Q.C., Ph.D]:** Commission Counsel, Mr. Eusi, I think that shortened form of your name has become fashionable, Sir. Mr. Eusi, is very much with us and if you are ready, we can proceed at this point. I think Mr. Ram is anxious to continue his cross-examination, and if everyone is in place and everything, we can go.

**Attorney for Dr. Patricia Rodney, Asha Rodney, Shaka Rodney and Kanini Rodney [Mr. Andrew Pilgrim]:** Mr. Chairman, I just reiterate what Mr. Scotland had indicated on Friday that he would not be present today and tomorrow, in as much as he is before his local Court of Appeal. He should rejoin us on Wednesday, but I will hold for him in any way that I can to assist you.

**Mr. Chairman:** Thank you, very much. Mr. Eusi, you are still under oath.

**Mr. Eusi Kwayana:** Yes, Mr. Chairman.

**Mr. Chairman:** I do not know that you have been for any longer period in your life under oath, but you are still under oath. *[Laughter]*

**Mr. Kwayana:** Thank you, Mr. Chairman.

**Mr. Chairman:** Thank you.

**Attorney for Working People's Alliance (WPA) [Mr. Christopher Ram]:** Thank you and good morning, Mr. Chairman, Commissioners and everyone.

**Mr. Chairman:** Good morning, Mr. Ram.

**Mr. Ram:** Mr. Chairman, I would just like to begin by informing you that the Working People's Alliance (WPA) had this morning delivered a letter to Mr. Denbow, Head of the Secretariat, informing the Commission that Attorney-at-Law, Mr. Moses Bhagwan, has been appointed

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Associate Legal Counsel with me in watching the interest of the Working People's Alliance. That is a formal application, Sir.

**Mr. Chairman:** Yes and perhaps when he arrives we can grant him Standing, but I have not seen him thus far.

**Mr. Ram:** Sir, actually, he is overseas. He is one of the persons who have been mentioned as a leader of the Working People's Alliance. He is an Attorney-at-Law, but he will be providing support to the WPA and to me electronically.

**Mr. Chairman:** Electronically?

**Mr. Ram:** Yes, Sir.

**Mr. Chairman:** What does that mean; that even though he is not here, he is providing it?

**Mr. Ram:** Yes, Sir.

**Mr. Chairman:** Well, I am happy to grant him Standing right away.

**Mr. Ram:** Thank you, Sir.

**Mr. Chairman:** And I hope that works out well.

**Mr. Ram:** Thank you, Sir.

**Mr. Chairman:** Very well, please proceed.

**Mr. Ram:** Mr. Kwayana, good morning, Sir.

**Mr. Kwayana:** Good Morning.

**Mr. Ram:** You referred in your evidence to *The Sophia Declaration* and the concept of Party Paramountcy, could you briefly explain that concept or doctrine?

**Mr. Kwayana:** Yes, Sir. As the Declaration itself says, it was a means by which the Party was declaring its paramountcy or its control of the Government, which would be exercised through the General Secretary and a number of Executive Secretaries.

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**Mr. Ram:** Thank you, Sir. Was party paramountcy consistent with the 1970 Constitution, as you know it?

**Mr. Kwayana:** Not on the face of it, no.

**Mr. Ram:** ...or was it enshrined in any statute?

**Mr. Kwayana:** Never.

**Mr. Ram:** Can you say whether the doctrine manifested itself over the Courts of Guyana?

**Mr. Kwayana:** Do you mean c-o-u-r-t-s?

**Mr. Ram:** Yes, Sir.

**Mr. Kwayana:** Yes, well symbolically, yes. The most undeniable thing was that the party flag was mounted on the outer walls of the highest court, the Court of Appeal, in Kingston. It was photographed and it remained there despite protests for some time – the flag of that same Party.

**Commissioner [Mrs. Jacqueline Samuels-Brown, Q.C.]:** I am sorry; I did not get the last part of the answer. After he said "...on the outer wall of the Court of Appeal in Kingston..." he said something else. Can I be assisted?

**Mr. Kwayana:** Yes, it remained there for some time despite protests as a symbol of that Party.

**Mrs. Samuels-Brown:** Thank you very much.

**Mr. Ram:** Mr. Kwayana, on page 12 of your statement, you referred to a WPA document, *The Assassination of Walter Rodney*, in which it is noted that within a month of 25<sup>th</sup> October, 1978, the Cabinet had ordered that the investigation into Teekah's death be closed.

**Mr. Kwayana:** Yes.

**Mr. Ram:** As far as you know, did the Constitution give Cabinet such powers?

**Mr. Kwayana:** I have never seen any such thing in the Constitution, Counsel.

**Mr. Chairman:** Mr. Ram, whose death was that? You are speaking a little quickly.

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**Mr. Ram:** Mr. Vincent Teekah.

**Mr. Chairman:** Teekah, yes.

**Mr. Ram:** A Minister in the People's National Congress (PNC) Government.

**Mr. Chairman:** Yes, I think he was Minister of Education, if I remember.

**Mr. Ram:** Yes, Sir.

**Mr. Chairman:** I recall the event.

**Mr. Ram:** Again, Mr. Kwayana.

**Mr. Kwayana:** My answer is 'no'. I have never seen it. I doubt it.

**Mr. Ram:** In your view, where did those powers lie: the powers to initiate, conduct or terminate an investigation?

**Mr. Kwayana:** I really do not know. I think the police, the Commissioner of Police. The Director of Public Prosecutions (DPP) who had powers to initiate prosecutions, but investigations are a little cloudy. We have to suppose is the police function.

**Mr. Ram:** As far as you are aware, following the end of that month, 25<sup>th</sup> October, 1978, was there any information to indicate that the police pursued those investigations?

**Mr. Kwayana:** There was no such information. There was no more information about that tragic incident coming from official sources.

**Mr. Ram:** Mr. Kwayana, on page 10 of your statement, in the last paragraph, it is stated, "with professionals and Trade Unionists forming a citizens group and Opposition Political Parties in another group acting jointly against a referendum intended to allow the Government to amend the Constitution without the required referendum." Could you please elaborate on that, please, Sir?

**Mr. Kwayana:** The Constitution you referred to has got to be the...

**Mr. Ram:** The 1970 Constitution?



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**Mr. Kwayana:** Yes. The Republic Constitution, it was mainly the Independence Constitution with amendments to make it a Republican Constitution. That Constitution had certain Articles which could only be amended by referendum and in order to avoid putting those amendments to one or more referenda the ruling Party decided to put to the people a proposition to vote that this Article, requiring referendum, be suspended or deleted, really. The new Constitution which was imposed afterwards, however, did repeat the need for referenda for certain Articles, but it was non-existent at the time when the Constitution was imposed so that it could change the entire Constitution as far as they wished without that process.

**Mr. Ram:** Just to get a timeline, we are talking about a referendum in 1978?

**Mr. Kwayana:** Yes.

**Mr. Ram:** And this was to move towards a Constitutional change in 1980?

**Mr. Kwayana:** It was, yes.

**Mr. Ram:** Could you tell us something about that 1980 Constitution, please, Sir.

**Mr. Kwayana:** 1980...

**Mr. Chairman:** In terms of logical order, if I may...

**Mr. Ram:** Yes, Sir.

**Mr. Chairman:** ...what was the turnout at that referendum?

**Mr. Ram:** I think that statement indicates 14 per cent, Mr. Kwayana?

**Mr. Kwayana:** The estimated turnout by observers was 14 percent.

**Mr. Chairman:** 14?

**Mr. Kwayana:** 14 ...

**Mr. Ram:** One, four.

**Mr. Kwayana:** ...14 per cent. That was not the official turnout.

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**Mrs. Samuels-Brown:** The official turnout was 74...

**Mr. Kwayana:** The official turnout was something like 74 per cent of which 94 or 90- 'something' per cent voted yes, but the observed turnout by monitors throughout the country was approximately 14 per cent of the electorate.

**Mr. Ram:** May I continue, please?

**Mr. Chairman:** Certainly.

**Mr. Ram:** Yes, Mr. Kwayana, the principal features of the 1980 Constitution.

**Mr. Kwayana:** It brought in the Executive Presidency; it had some features that alarmed the public. The main, one which I will mention, which touches at the basis of everything in the Commonwealth, so far as I know, is that the Government could no longer be forced to resign on a 'Vote of Confidence'. That was entirely absent.

The other features that alarmed the public were the powers of the President. The President then declared himself Head of State, Head of Government, the Supreme Executive Authority and Commander-in-Chief of the Armed Forces. Apart from that, the President was accorded certain immunities. He could not be prosecuted for anything, either during his term of office or, in the words of the Constitution, "or thereafter"

There were provisions for proceeding against the President on two grounds. If a majority of people on his own list in the National Assembly were of the opinion that he could no longer carry on the functions of President, through some kind of disability, they could initiate a motion in the National Assembly and a procedure followed of appointing a tribunal, in this case, I think a medical tribunal.

The other one was on grounds of violation of the Constitution or misconduct, that was written there, but it has some interesting features because it had to be signed in the first place by, I think, two thirds of all the Members of the National Assembly. I am subject to correction with the arithmetic, but if it passed that stage they would bring a motion setting out the charges against the President. If that motion was adopted by a two thirds majority – certainly this time – then the

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Chancellor of the Judiciary would appoint a tribunal and this tribunal would try the President in a process in which he was entitled to legal representation. If it turned out that the tribunal found him guilty of the violation the matter would go back to the National Assembly and then, on a motion, he could be called upon to resign. He had to resign promptly in this key condition, unless he hitherto dissolved Parliament so the final outcome of the trial was in fact in the hands of the person tried, the President.

**Mr. Ram:** Thank you, Mr. Kwayana. Now, I want to take you through a couple of extracts from exhibit EK 3, the Comrade Leader's Address to the Third Biannual Congress of the People's National Congress held during the period of 22<sup>nd</sup> to 26<sup>th</sup> August, 1979.

**Mr. Chairman:** If I may, before you pose your question, Mr. Ram, could I enquire if that was done by any of the academics or knowledgeable observer journalists at the time, with respect to the constitutional changes?

*9.23hrs*

**Mr. Ram:** I think there is. I think there is a considerable body of material and I am hereby undertaking to provide the Commission Secretariat with such information.

**Mr. Chairman:** I appreciate that. Thanks very much.

**Mr. Ram:** You are welcome, Sir. Should I repeat my introductory remarks I made a moment ago, Mr. Kwayana, which I was going to quote from the address by the Comrade Leader at the third biennial, and ask you to give me some reactions or responses?

**Mr. Kwayana:** Yes.

**Mr. Ram:** Page 334, second and third paragraphs.

**Mr. Kwayana:** I have it before me.

**Mr. Ram:** Thank you, Sir. I shall read the second and third paragraphs...

**Mr. Chairman:** Not too fast, not too speedily. Others are following you.

**Mr. Ram:** I am sorry. "Now, Comrades, one moment..."

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**Mrs. Samuels-Brown:** Page what?

**Mr. Ram:** Page 334, the second and third paragraphs.

**Mr. Ram:** “Now Comrades, one moment, in the third chapter of Ecclesiastes it is said “there is a time to be silent and there is a time to speak”. Now I speak.” The second paragraph, “Now we allow them to hold meetings for the time being... for the time being... for the time being... and we discovered what their plans were. They have confirmed the intelligence which we had before. That have exposed themselves and now we shall move to their destruction, but listen to me Comrades, let us deal with the strikes.” My interest is up to the word “destruction”. In your evidence, Mr. Kwayana, you refereed to the separate murders of two WPA activists. Did those murders come after the paragraphs I have just quoted from the Comrade Leader’s Address?

**Mr. Kwayana:** Yes, most definitely. Ohene Koama’s was in November of the same year and this speech was in August. Edward Dublin’s, I think, was in February of the year 1980, early in 1980. They both came after this very clear statement.

**Mr. Ram:** In the light of those deaths...

**Mr. Chairman:** Were those deceased persons WPA members?

**Mr. Ram:** Yes, Sir. They were WPA activists. Were there other acts of violence or harassment of which you, Mr. Kwayana, are aware against members of the WPA?

**Mrs. Samuels-Brown:** Just before he answers, in relation to the deceased persons, Counsel, you have indicated but is it Mr. Kwayana’s evidence that they were in fact WPA members?

**Mr. Kwayana:** Ohene Koama and Edward Dublin were WPA members.

**Mrs. Samuels-Brown:** Thank you. I wanted to get it evidentially.

**Mr. Kwayana:** These events were...

*[Commissioners were in discussion]*

**Mr. Ram:** Hold a second please, Mr. Kwayana.

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**Mr. Chairman:** Yes, please proceed.

**Mr. Ram:** Please go on.

**Mr. Kwayana:** The events of that nature were rather frequent. I am sorry I cannot be specific, but almost every meeting would be challenged, especially in that period, and harassed by civilians who seemed to be disruptors of meetings, by the already mentioned House of Israel forces, by Police, in or out of uniform, with or without numbers. A significant one was early in September at Vreed-En-Hoop, across the river, a meeting I chaired. The moment it began, you can always tell when they are planning something. You find a core organised on the ground near to...

**Mr. Ram:** Excuse me, when you say “they”, Sir, could you please...?

**Mr. Kwayana:** I am talking of the ruling party’s forces. The moment this meeting opened, they went into action, destroyed the public address system, ceased it and put everyone to flight. People had to get into their cars. Those of must who were with them had to scramble out and they had to chase down the West Bank Public Road towards the Demerara Harbour Bridge. One or two were able to clear the bridge, but we were pursued, hotly pursued. I do not know the names of these people. We were hotly pursued. The Police stood there doing nothing because they knew that these were the forces of paramouncy in action. On that particular occasion, the most significant thing was that one young resident in the area of the Demerara Harbour Bridge, on the West Bank of Demerara, that would be across the Demerara River, going West, was seriously injured in the leg, I think with a gunshot, and Rupert Roopnarine who was to speak at the meeting was hidden by friends in a cane field where he had to spend several hours that night. Some of us went back across the bridge from Georgetown, scurrying the Coast looking for him, and others, we thought were left behind. It was a night of real anxiety and concern. That was only one case, but the patterns were of that nature.

**Mr. Ram:** In the light of those deaths and cases you referred to, how would you describe the statement “they have exposed themselves, and now we shall move to their destruction”?

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**Mr. Kwayana:** I do not think I can do better than the speaker, Mr. Ram. I think it is reasonable to say that intent was being put into practice.

**Mr. Ram:** Let me take you now to the second paragraph of page 339 of the address. Have you found it, Mr. Kwayana?

**Mr. Chairman:** Yes, thank you.

**Mr. Kwayana:** Three thirty 'what'?

**Mr. Ram:** Page 339

**Mr. Chairman:** Yes, thank you. Please proceed.

**Mr. Kwayana:** What paragraph, please?

**Mr. Ram:** It is the second paragraph, Sir, beginning 'as I remarked at congress.'

**Mr. Kwayana:** Thank you.

**Mr. Ram:** It reads, "As I remarked at congress. The physical security of the National Development Building was not as good as it should have been. We had not activated our full intelligence service at the party level. I am not talking about the formal intelligent services that are part of the state apparatus. I am talking about the intelligent service within our Party. While we number thousands they number, at most, a few hundreds. Therefore we should be in apposition to have a proper intelligent service, which I shall discuss with at a group level. We have infiltrated them, so much so that the sprinter, high jumper, does not sleep at the same place any two nights in succession; so much so, and let him hear that when he has his conspiratorial meetings, he shifts from downstairs to upstairs, but let him know that walls have ears where the PNC is concerned." Mr. Kwayana, who is Mr. Burnham referring to in that paragraph, with the use of the words "then" and "him"?

**Mr. Kwayana:** The WPA.

**Mr. Ram:** And 'him'?

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**Mr. Kwayana:** Well, he said the “sprinter” so I think he was talking of Dr. Rodney. He had previously referred to him in those terms, somewhere.

**Mr. Ram:** Is the statement, “we have already infiltrated them” rhetoric or is, as described by the speaker, factual?

**Mr. Kwayana:** As events turned out, we would have to say it is factual.

**Mr. Ram:** I am getting to the end, Mr. Kwayana.

**Mr. Kwayana:** I beg your pardon?

**Mr. Ram:** I am getting to the end

**Mr. Kwayana:** Yes.

**Mr. Ram:** You wrote extensively on what the WPA has consistently referred to as the assassination of Walter Rodney. Is that correct?

**Mr. Kwayana:** Yes.

**Mr. Ram:** On page 12 of your statement, you said that you accept the narrative of Dr. Rodney of the events of 13<sup>th</sup> June, 1980...

**Mr. Kwayana:** The narrative of...?

**Mr. Ram:** Of Mr. Donald Rodney.

**Mr. Kwayana:** Yes.

**Mr. Ram:** Thank you. You also wrote on the book *Assassination Cry of a Failed Revolution* by Gregory Smith, and his sister, published in 2007. Is that correct?

**Mr. Kwayana:** Yes, I did, at the time of the publication.

**Mr. Ram:** Mr. Kwayana, has that book made you rethink what you know or believe of the events surrounding the death of Dr. Walter Rodney?

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**Mr. Kwayana:** No, not at all. Some of the statements there were so glaringly inaccurate and unlikely that it more or less confirmed our suspicions, my suspicions, as you put it, of his role in the assassination. I may say so, I listed a number of those unacceptable and improbable statements in one of my days here.

*9.38hrs*

**Mr. Kwayana:** ...role in the assassination and, if I may say so, I listed a number of those unacceptable and improbable statements in one of my days here.

**Mr. Ram:** Are you finished Mr. Kwayana?

**Mr. Kwayana:** Yes.

**Mr. Ram:** Thank you very much Sir. Mr. Chairman, if you would permit me, I would like to congratulate this witness on the excellent manner in which he has discharge his obligation to this Commission of Inquiry.

**Mr. Chairman:** ...and his stamina as well.

**Mr. Ram:** Yes, Sir. May I take my seat now?

**Mr. Chairman:** Yes.

**Mr. Kwayana:** Mr. Chairman, there is a detail if I may address you.

**Mr. Chairman:** Yes, you may, certainly.

**Mr. Kwayana:** There is a detail I wanted to add about the treason trial.

**Mr. Chairman:** Do make sure you speak into the microphone.

**Mr. Kwayana:** On the last occasion there was a detail, two lines, which I should have added in relation to the treason trial and with reference to Gregory Smith which slipped me on the last occasion and I do not if that is permissible.

**Mr. Chairman:** Yes, please proceed, Sir.



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**Mr. Kwayana:** Thank you. I was making the point of discrimination against Donald Rodney by the prosecuting authorities. I had forgotten to say that General Rahman and General Rafman, a WPA Member at the time, was one of the treason accused they could not arrest him. I think he allegedly escape from custody and could not be found and the police issued a fugitive warrant for his arrest. I only wanted to say that nothing of the kind, no fugitive warrant, was issued for Gregory Smith some weeks later after the 13<sup>th</sup> June, the same month, the same year. Thank you.

**Mr. Chairman:** Are there any further questions from Counsel?

**Attorney for the Guyana Trades Union Congress (GTUC) [Mr. Selwyn Pieters]:** Yes, Mr. Chairman, I have questions for the witness.

**Mr. Chairman:** Just give your name for the record and please proceed.

**Mr. Pieters:** Good morning Mr. Chairman and Commissioners, I am Selwyn Pieters and I represent the Guyana Trades Union Congress (GTUC).

**Mr. Chairman:** I did not hear...

**Mrs. Samuels-Brown:** The TUC.

**Mr. Chairman:** The Guyana Trades Union Congress.

**Mr. Pieters:** Good morning, Mr. Kwayana.

**Mr. Kwayana:** Good morning, Counsel.

**Mr. Pieters:** Now, you wrote a letter in May, 2013 entitled: *The Boiling Pot, What's in It?*

**Mr. Kwayana:** Entitled?

**Mr. Pieters:** *The Boiling Pot, What's in It?*

**Mr. Kwayana:** "The Burning..."?

**Mr. Pieters:** At last that is what it is so titled.

**Mr. Kwayana:** "The Burning 'what'"?

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**Mr. Pieters:** Pot.

**Mr. Kwayana:** Oh, *The boiling Pot*. Yes, a very long letter.

**Mr. Pieters:** Yes, seven pages long.

**Mr. Kwayana:** About, yes.

**Mr. Pieters:** Now, Mr. Kwayana, do you have that letter in from of you.

**Mr. Kwayana:** I do not.

**Mr. Pieters:** Let me pull it up for you, I have extra copies here.

**Mr. Chairman:** Mr. Pieters, is that among the paper distributor to all of us?

**Mr. Pieters:** Mr. Chairman, Mr. Williams referred to that in his examination of the witness so my assumption would be that it is in evidence somewhere. I do not have the number of the exhibit.

**Mr. Chairman:** Although he did not have the document to distribute.

**Mr. Pieters:** Sir, he did not have the documents...

**Mr. Kwayana:** There was no reference to that letter to me.

**Mr. Chairman:** I apologies for that omission.

**Mr. Kwayana:** Nobody had asked me about this. That is an inaccurate statement.

**Mrs. Samuels-Brown:** Do have an extra copy? Counsel, do you happen to have an extra copy that we could favour the Secretariat with so that they could do a copy of it as well and for other Counsel to also see? Thank you.

*[Marshall took the document to Counsel and Witness]*

**Commissioner [Mr. Seenath Jairam, S.C.]:** Mr. Pieters, what is the relevance of that letter?

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**Mr. Pieters:** Well, the relevance of that letter is that it speaks to the inquiry, itself, and I have questions for the witness in respect to that letter.

**Mr. Jairam:** Are you on dis-credibility?

**Mr. Pieters:** No. I do not think I am trying to attack his credibility in respect to the letter.

**Mr. Jairam:** Are you able to demonstrate its relevance in two sentences or one because you asked him whether he wrote a letter in 2013 *The Boiling Pot, what's in it?*

**Mr. Pieters:** Yes.

**Mr. Chairman:** Mr. Pieters, I am not sure we heard you clearly here when you said the relevance of the letter.

**Mr. Pieters:** Mr. Chairman, the relevance of the letter goes to the witness or the outcome that the witness seeks to achieve from this inquiry.

**Mr. Chairman:** What is that? Speak directly to us, please? What did he say was the relevance?

**Mr. Pieters:** Well, he spoke about... I want to ask him about a specific quote on page 7 of that letter, and I am certainly prepared to read it for you.

**Mr. Chairman:** ...and for the benefit of the public following us too. Please proceed.

**Mr. Pieters:** It says, "The Campaign for which I am available is for well-ordered civilised Commission of Inquiry as a very few can now be convicted the offence or the allege offence in the 1980. The struggle is for the accountability of the Executive, the right to life solidarity with the human losers and fairness."

**Mr. Jairam:** ...and...?

**Mr. Pieters:** Mr. Kwayana, do you still believe that those are the objectives of which you have come before the Commission?

**Mr. Kwayana:** Yes Sir.

**Mr. Pieters:** Now, Mr. Chairman, I would like that letter to be marked as an Exhibit.

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**Mr. Chairman:** Do you wish to tender the letter...

**Mr. Pieters:** I do.

**Mr. Chairman:** What title are you putting on it?

**Mr. Pieters:** Excused me?

**Mr. Chairman:** I am advised that EK 11 would be in order?

**Mr. Pieters:** May I proceed?

**Mr. Chairman:** Is that all?

**Mr. Pieters:** Mr. Kwayana, you had testified before the Commission that you were forced to leave Guyana in 2002, correct?

**Mr. Kwayana:** Yes.

**Mr. Pieters:** Did you leave Guyana because you had a well-founded fear of persecution?

**Mr. Kwayana:** Please let me correct that, I said “yes” too quickly. I was not forced to leave Guyana and I have never said that here or anywhere else. If I may say what I said and what is in fact...

**Mr. Jairam:** Mr. Pieters, what the witness said was that he left because his village was taken over by criminals. That is what he said.

**Mr. Kwayana:** Those were not my works.

**Mr. Pieters:** Mr. Jairam, what I would ask for is a copy of the transcript. I had already asked for them last week. Can I have the transcripts, please?

**Mr. Jairam:** Are you putting to him that he left because of fear of persecution?

**Mr. Pieters:** I asked him a question to which he can answer yes or no.

**Mr. Jairam:** Can you repeat, please? Proceed.

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**Mr. Pieters:** Mr. Kwayana, did you leave Guyana because you had a fear persecution?

**Mr. Kwayana:** I did not.

**Mr. Pieters:** What was the basis of your fear that forced you to leave your home land of 78 years?

**Mr. Kwayana:** I did not leave my homeland. I went abroad on a regular visit to my family and I said here under oath that I could not return. By the time, I was ready to return the situation in the village where I lived had gotten worse and worse and I would be going into a strange place I no longer knew.

**Mr. Pieters:** Right. Part of what Mr. Jairam said a few minutes ago was that your testimony is that it was taken over criminals?

**Mr. Kwayana:** I said that those were not my words.

**Mr. Pieters:** Excused me?

**Mr. Kwayana:** I said I left because there was a certain presence in the village with a lot of arms, firearms, I did not say criminals, but I... that was the time when I left on a visit and I did not leave because of that, I left during that period intending to return – I have said this several times – and I could return when the time was right because the situation there had gotten very bad and as a person who would walk the on the streets at 1.00hrs and so on my family thought it would be foolhardy for me to go back at that time; that is the situation.

**Mr. Pieters:** That situation that you speak to was that because you did not return then because of an inability of the State to protect you from criminals?

**Mr. Kwayana:** I had my problems with the State but the way you put it I cannot answer. I called on the State... May I answer it this way or do I have to say 'yes', or 'no'?

**Mr. Pieters:** You can answer however you wish, Sir.

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**Mr. Kwayana:** Thank you. I got a number of persons together, as you see this was an outbreak of it followed by a break out of the prison on Republic Day, 23<sup>rd</sup> March, 2002. It turned out that they had become entrenched in that village where I lived.

*09.53hrs*

**Mr. Kwayana:** These things concerned me. I got a few people together and we agreed to hold a fast against violence. That lasted until I had to leave. No, in fact that was 2001, but in 2002, I left normally to this visit to my family every other year or so and I had appealed to the Government that in a case like this, what they should do is to negotiate. Somebody in high authority should address these armed persons and see what could be worked out. This was a pattern that I argued that operated in various places. There was no response to that appeal.

**Mr. Chairman:** Mr. Pieters, we are in 2002. We are far outside of the Terms of Reference (TOR).

**Mr. Pieters:** I appreciate that Sir.

**Mr. Chairman:** I have given some latitude, but 2002 is a far cry from the two years in particular indicated in our Terms of Reference. Those two years are really 1978-1980, but in terms of atmosphere, I have given some latitude, so that if a person was speaking of events that might have impacted a later period, but beginning around 1975. We have allowed that sort of latitude, but we cannot go back or go forward to 2002. That is way outside the Terms of Reference. Bear that in mind please.

**Mr. Pieters:** Thank you very much, Sir. You spoke, Mr. Kwayana, about the collective leadership which was the manner in which the WPA operated?

**Mr. Kwayana:** Yes.

**Mr. Pieters:** Can you describe what or explain that concept, please?

**Mr. Chairman:** Was that not explored already, Mr. Pieters, collective leadership? We are avoiding repetition. If someone has asked your question delete it from your list. I think collective leadership was explained already on Friday last, I think it was.

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**Mr. Pieters:** Maybe I missed that part of the evidence. Okay, very well, I will move on.

**Mr. Chairman:** I might have misspoke somewhat because I am told that it was only explained who were the joint leaders, but the notion was not explained so I will permit a brief response.

**Mr. Pieters:** Thank you.

**Mr. Kwayana:** Yes, the collective leadership of the Working People's Alliance simply meant that the elected Executive did not have a leader. The elected Executive were co-equal because we were trying to conquer the old politics and what happened was that each person, we still distributed the sort of initiative that a leader might be taking because, periodically, the person who chaired the collected leadership would rotate; it would pass from person to person and that was the essence of how it worked.

**Mr. Pieters:** Now, in terms of that collective leadership, did the young Walter Rodney emerge at the apex of that leadership?

**Mr. Kwayana:** Not so far as the Working People's Alliance was concerned. That was a matter of public perception. He was the most popular of the collective leadership for several reasons.

**Mrs. Samuels-Brown:** If I may, Mr. Pieters, I am very sorry. Can you just tell us how long the person holding the chair, held it for before the rotation took place and another leader took over?

**Mr. Kwayana:** At times it would be one month, at times it was extended to three months.

**Mrs. Samuels-Brown:** Thank you.

**Mr. Kwayana:** We were experimenting with new forms.

**Mr. Pieters:** Did Mr. Bhagwan hold the top post at any point in time as the leader?

**Mr. Kwayana:** Mr.?

**Mr. Pieters:** Moses Bhagwan?

**Mr. Kwayana:** I am sorry. I am not getting that name?

**Mr. Pieters:** I maybe am pronouncing it wrong. Moses Bhagwan.

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**Mr. Kwayana:** Bhagwan. Oh Mr. Bhagwan, of course, yes.

**Mr. Pieters:** Did he assume that post for any period of time?

**Mr. Kwayana:** Yes, he did.

**Mr. Pieters:** How about Mr. Rupert Roopnarine?

**Mr. Kwayana:** Yes.

**Mr. Pieters:** Yes, and yourself?

**Mr. Kwayana:** Yes.

**Mr. Pieters:** And the Lieutenant Omawale?

**Mr. Kwayana:** Omawale was really, Dr. Omawale was really out of the country. He had been working abroad in an international organisation and really when he got arrested, he was home on a visit. So he would not have come into that routine.

**Mr. Pieters:** I mean, part of the *modus operandi* of the WPA at the time was to get rid of the Burnham Government or dictatorship, as it was called, by any means possible. That much is established in the evidence. Correct?

**Mr. Kwayana:** Your Latin is confusing me, Counsel. I do not understand your Latin.

**Mr. Pieters:** The WPA had as one of its objectives, the removal of the Burnham Government by any means necessary. That much is established in the evidence?

**Mr. Kwayana:** Yes, it is established.

**Mr. Pieters:** If the Burnham regime was removed, who was going to assume this leadership of the country?

**Mr. Kwayana:** We had proposed a government of national unity and reconstruction, in a document drawn up by Dr. Rodney and approved by the collective leadership. So no one had been identified as a person to head any Government. It was a question of getting forces together so that there could be some sense of national cohesion. A Government of national unity and



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reconstruction and the whole point was to get rid of rigid party controls and to open up more to citizen of all strata in the population.

**Mr. Pieters:** I mean you would agree and your evidence has borne it out that Dr. Rodney was more popular than others. You would agree that he was a charismatic leader or a charismatic person?

**Mr. Kwayana:** Yes.

**Mr. Pieters:** And on the issue of collective leadership, did Dr. Rodney accepted this notion of collectivism having fought so long with the African Liberation Movement where charisma mattered?

**Mr. Kwayana:** You are a little rapid there for me, please. Can you please repeat? I want to get your question please.

**Mr. Pieters:** On the issue of collective leadership, did Dr. Rodney accept this notion of collectivism having fought so long with the African Liberation Movement where charisma mattered?

**Mr. Kwayana:** I cannot answer that question.

**Mrs. Samuels-Brown:** I am sorry, Mr. Chairman. I have a real difficulty.

**Mr. Kwayana:** I am unable to answer that question.

**Mrs. Samuels-Brown:** Sorry, I am having a real difficulty with that question. I understand the first part of it, but it is followed by a premise which could form a second question and is based on an assumption which is not the subject of evidence here. That is the difficulty I have Mr. Chairman and I felt pressed to indicate that.

**Mr. Pieters:** Very well. Thank you very much, Madam Commissioner.

**Mr. Chairman:** Perhaps you may ask one question at a time. Apparently, I think what has been suggested is that there were two components of the question which could properly be broken down into one question at a time.

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**Mr. Pieters:** Yes. Thank you Mr. Chairman. Mr. Kwayana, we agree that Dr. Rodney was a charismatic person?

**Mr. Kwayana:** Yes.

**Mr. Pieters:** We also agree that Dr. Rodney had mass appeal?

**Mr. Kwayana:** Yes.

**Mr. Pieters:** We agree that Dr. Rodney was an intellectual?

**Mr. Kwayana:** Yes.

**Mr. Pieters:** Was Dr. Rodney a team player?

**Mr. Kwayana:** Was Dr. Rodney a what? Key player?

**Mr. Pieters:** Team player.

**Mr. Kwayana:** Team player, yes, very much so. Very very much a team player. Team worker.

*[Inaudible]*

**Mrs. Samuels-Brown:** Did he say team worker?

**Mr. Chairman:** Team player.

**Mrs. Samuels-Brown:** I think the witness added team worker.

**Mr. Kwayana:** I said team worker because I rather...

**Mr. Pieters:** Did Dr. Rodney share confidences with you?

**Mr. Kwayana:** As he wished. I cannot say how many or if he shared all confidences with me, but he spoke to me freely so far as I know.

**Mr. Pieters:** Well you were an elder within the party? When you sort of measured the age of Dr. Rodney yourself, you were an elder?

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**Mr. Kwayana:** I have to say again they your words are not coming clearly. I am hearing you voice but can you speak a little slowly. You were what?

**Mr. Pieters:** I think it is jetlag more than anything else Mr. Kwayana and I am sorry about that. I will repeat it very slowly.

**Mr. Kwayana:** Yes.

**Mr. Pieters:** My question is comparing yourself with Dr. Rodney, and I think you may have given this evidence on the first day you appeared as a witness; you were sort of an elder within the party?

**Mr. Kwayana:** I think I was the oldest in the collective leadership.

**Mr. Pieters:** Did Dr. Rodney approach you for advice?

**Mr. Kwayana:** Dr. Rodney asked me for advice. We asked one another for advice. That is what it was about.

**Mr. Pieters:** Did Dr. Rodney follow the advice that you provided to him, to the best of your recollection?

**Mr. Kwayana:** That is difficult to recall.

**Mr. Pieters:** Pardon?

**Mr. Kwayana:** That is difficult to recall. It did not happen as frequently as you might think.

**Mr. Pieters:** At some point the WPA formed itself in to various nuclei? Do you remember that concept where the WPA formed itself into little cells?

**Mr. Kwayana:** We did call them nuclei, yes.

**Mr. Pieters:** Within these nuclei's, members were only supposed to confide within a small collective?

**Mr. Kwayana:** You are saying to be confined in a small district?

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**Mr. Pieters:** No, confide. Members were only to share information on a need to know basis within that small nuclei?

**Mr. Kwayana:** The nuclei were legal organisations. There was no information on a need to know basis. The nuclei were the ordinary party group. There were about 40 of them throughout the country; members of all ages, there was nothing that they would need to conceal, of course, they had to be very careful with the Special Branch and the monitors, the surveillance, but they would each determine how they work.

*10.05hrs*

**Mr. Pieters:** Did these nuclear reported to the Political, Education and Cultural Action Unit?

**Mr. Kwayana:** For those particular purposes, the units and the centre would send information or receive information from the nuclei if they wanted to organise something in a particular area and they wanted help from the centre, we would always be willing to send people because we want to get out to various places and let the party be known, so there was an exchange from the nuclei to the collective leadership or the party centre ongoing.

**Mr. Pieters:** And the political action.....

**Mr. Kwayana:** Especially we had an almost weekly publication called *Day Clean* that took up a lot of our energies and the activity of the nuclei because they had to distribute *Day Clean* where they lived and see how many more they could add from week to week.

**Mr. Pieters:** Was there also a bulletin that was distributed?

**Mr. Kwayana:** Was there also?

**Mr. Pieters:** A bulletin?

**Mr. Kwayana:** It could be a bulletin from time to time. There was no particular bulletin.

**Mr. Pieters:** Excuse me?

**Mr. Kwayana:** There could be a bulletin at any time.

**Mr. Pieters:** Right.

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**Mr. Kwayana:** If felt necessary.

**Mr. Pieters:** You would understand the bulletin to be a bulletin from the Political Education and Culture Action Unit?

**Mr. Kwayana:** That too would put out a bulletin if it wished.

**Mr. Pieters:** Right.

**Mr. Kwayana:** We also had a department of culture.

**Mr. Pieters:** And part of the bulletin would be how to recruit members? Correct?

**Mr. Kwayana:** Bulletin could be on the matter determined on the topic necessary to communication. It is not only how to recruit members; I do not remember us writing any bulletin how to recruit members.

**Mr. Pieters:** Let me show you one of the bulletins that the Special Branch included in its file so could I see you Mr.....

*[Court Marshall uplifted copy of bulletin from Mr. Pieters and showed it to Mr. Pilgrim, Mr. Ram and the Commissioners and returned it to Mr. Pieters.]*

**Mr. Chairman:** My concerns Mr. Pieters is really about relevance all the time. Where are we heading with this with this? What is the relevance of it?

**Mr. Pieters:** Mr. Chairman I simply want to ask him a question with respect to and I have highlighted that portion with respect to the overthrow of the Government. I am prepared to read it into the record and you can determine whether it is relevant or not. It says, "Eagerness...."

**Ms. Samuels-Brown:** Sorry, could you just identify which particular bulletin for the records please?

**Mr. Pieters:** It is page 1910 of one of the bundles.

**Ms. Samuels-Brown:** What is the bulletin headed, does it have a date?

## WALTER RODNEY COMMISSION OF INQUIRY

**Mr. Pieters:** Yes, it does. Would you please take this to .... [*Mr. Pieters asking Court Marshall to take copy of bulletin to Commissioners*]

**Ms. Samuels-Brown:** No, could you read it into the records, please?

**Mr. Pieters:** Yes, I can. It says, "Bulletin number three from the Political Education and Culture Action Unit and then it has WPA with the WPA coat of arms at the left side and to the right side it has 1910 which I assume is the marker number in the bundle of documents".

**Ms. Samuels-Brown:** And there is no date?

**Mr. Pieters:** There is no date on the document.

**Ms. Samuels-Brown:** Thank you very much.

**Mr. Chairman:** Mr. Pieters, is the replacement of a government is the same thing as an overthrow of a government because serious political parties are there among other things to overthrow the existing party in Government and put themselves in office normally through the ballot box in democratic societies, is that the same thing as overthrowing of the Government?

**Ms. Samuels-Brown:** [*Inaudible*]

**Mr. Pieters:** Mr. Chairman, I do not want to, I am not giving evidence, but my understanding of overthrow means whether it is bloodless or not it means by a coup or uprising of some sort whether it involves a blood shed or violence...

**Mr. Chairman:** You are talking about by force as oppose to through ballot box...

**Mr. Pieters:** Correct.

**Mr. Chairman:** ...which is the normal process?

**Mr. Pieters:** Yes.

**Mr. Chairman:** Thank you. Having made it clear now what you are dealing with, how does that make it to the Terms of Reference?

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**Mr. Pieters:** I am happy to go to the Terms of Reference, Mr. Chairman. It would relate to Terms of Reference One, definitely, it may well relate to Terms of Reference three and four as well.

**Mr. Chairman:** Mr. Pieters, I am going to permit you to continue, but I want you to make yourself explicit because what are you saying that are you pursuing pieces that because the WPA wanted to overthrow the Government, meaning using force, and not by the ballot box that therefore, the death of Rodney was a pre-empted strike and to prevent that?

**Mr. Pieters:** No. Mr. Chairman.

**Mr. Chairman:** I want you to very clear what it is that, how is the relevance established? I do not want there be any doubt when the evidence is in and we set writing there be any doubt. Make yourself very, very explicit.

**Mr. Pieters:** Mr. Chairman, you asked me what my thesis is and what the position will be is that Dr. Rodney knew what he was doing; Dr. Rodney knew what he had in his hands, Dr. Rodney was engaged in with the military or at least bringing over some of the military officers to the WPA to wage and arm conflict with the Government of the day in the right manner that he did in East Africa and so that there is an explanation and there is a plausible one for why Dr. Rodney would have that object in his hands, and I am going to explore that through my examination of this witness as well in respect to evidence that he gave last week.

**Mr. Chairman:** You are suggesting that the explosive that ended up in his hands could have overthrown the Government? I want to be very clear; I am not trying to pose any difficulties.

**Mr. Pieters:** I appreciate that. It was all part and parcel of the accumulation of arms, ammunition and explosives.

**Mr. Chairman:** You are saying that that single Anti-Personal Device (APD) was the accumulation of arm.

**Mr. Pieters:** It is a weapon.

**Mr. Chairman:** That itself represent an accumulation of arms?

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**Mr. Pieters:** It is part of it.

**Mr. Chairman:** You have evidence of the others?

**Mr. Pieters:** Yes, we do.

**Mr. Chairman:** ... other parts? I do not know if this witness could help you, but please proceed.

**Mr. Pieters:** We have, I took them out of the bundle, but let me ask the witness in relation to your question. Mr. Kwayana, do you recall at some time you attended a Court in Georgetown in respect to the arrest of Edward Torrington?

**Mr. Kwayana:** Attended?

**Mr. Pieters:** Do you recall ever attending Court in respect to the arrest of Edward Torrington?

**Mr. Kwayana:** Oh, attending Court.

**Mr. Pieters:** Yes, and three others.

**Mr. Kwayana:** Oh yes, I was always in the Courts at those times.

**Mr. Pieters:** Right, let us focus....

**Mr. Kwayana:** Torrington and others.

**Mr. Pieters:** Let us focus on Edward Torrington, you recall that person?

**Mr. Kwayana:** I knew him, yes.

**Mr. Pieters:** What about Egbert Jeffers?

**Mr. Kwayana:** No, I do not think I knew him.

**Mr. Pieters:** Amir Fazil Alli?

**Mr. Kwayana:** Yes.

**Mr. Pieters:** Gorda Bhagwandin?



## WALTER RODNEY COMMISSION OF INQUIRY

**Mr. Kwayana:** Yes, some kind of treason accused.

**Mr. Pieters:** Right, do you recall attending the Leonora Magistrate's Court in respect to the arrest of those persons, do you recall?

**Mr. Kwayana:** Yes.

**Mr. Pieters:** And Edward Torrington and Gorda Bhagwandin were arrested for being in unlawful possession of a sub-machine gun, a .32 pistol and 9mm pistol?

**Mr. Kwayana:** I know two of them; some of them were on treason charges and some I think two were on firearm charges.

**Mr. Pieters:** Right, so we are just dealing with the firearm charges for the moment. Do you recall that an arrest and prosecution for those firearms?

**Mr. Kwayana:** Yes.

**Mr. Pieters:** Do you recall in addition to the firearms they were also charged with being in unlawful possession of 42 rounds of .22 ammunition?

**Mr. Kwayana:** I would not deny it.

**Mr. Pieters:** 33 rounds of .38 bullets?

**Mr. Kwayana:** I really do not know the details but it was an arms' charge.

**Mr. Pieters:** Right, there were 35 rounds of .32 bullets and 17 rounds of 9mm bullets, five rounds of 16 gauge cartridges and three 20-gauge cartridges.

*10.23hrs*

**Mr. Chairman:** What is your question?

**Mr. Pieters:** Now, do you recall any of those charges being read...

**Mr. Kwayana:** If you say those are the charges, I would accept it.

**Mr. Pieters:** Alright.

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**Mr. Kwayana:** I do not recall the details.

**Mr. Pieters:** Bail was set at \$5,000.00 for each of the accused persons. Were you one of the persons that posted bail for those persons?

**Mr. Kwayana:** Hardly.

**Mr. Pieters:** Excuse me.

**Mr. Kwayana:** I said, “hardly”, Sir. I could not bail a cat. *[Laughter]*

**Mr. Pieters:** Sorry, just so the record is clear, maybe my sense of humor is totally gone, what do you mean by that?

**Mr. Kwayana:** I did not have \$5,000.00.

**Mr. Pieters:** Were you impecunious?

**Mr. Kwayana:** Was I what?

**Mr. Pieters:** Were you broke?

**Mr. Kwayana:** Yes, I was broke.

**Mr. Pieters:** You met with Dr. Rodney on the day of his demise, correct?

**Mr. Kwayana:** On the evening before he left the office, yes. He left me in the office.

**Mr. Pieters:** When you met with Dr. Rodney what was the nature of the discussion that took place between yourself and Dr. Rodney?

**Mr. Kwayana:** There was no particular discussion. He told me he was going to pick up his daughter at her school, I think it was St. Roses. I think it was a time when they had some activities at school.

**Mr. Pieters:** Did he discuss with you that he was going to be seeing Gregory Smith at some point that evening?

**Mr. Kwayana:** He certainly did not because I never heard the name “Gregory Smith” up to then.

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**Mr. Pieters:** Did he tell you that he was going to be meeting his brother Donald that evening?

**Mr. Kwayana:** He may have, I am not too sure. It is his brother, I would not be surprised.

**Mr. Pieters:** Did he tell you that he was going to be testing a device?

**Mr. Kwayana:** No.

**Mr. Pieters:** To the best of your recollection, what he told you was that he was going to be picking his daughter up.

**Mr. Kwayana:** He was going to pick up his daughter at her school, that is, I thought he left the office at that time for that purpose.

**Mr. Pieters:** Can you explain then, why would Dr. Rodney choose his baby brother Donald against another leader in the collective leadership in the WPA to confide in? Why would he not have confided in you (1) that he was meeting with Gregory Smith (2) that he was going to be testing a device?

**Mr. Chairman:** Do you think that is an appropriate question for him to answer? Mr. Eusi, you answer it but I do not know that you would be able to answer that. It puts you in Rodney's mind...

**Mr. Kwayana:** Yes, that is right.

**Mr. Chairman:** ...and I did not know that you were residing there.

**Mr. Pieters:** Well, let me put it to you differently, Mr. Kwayana. I am going to suggest to you that Doctor Rodney did not trust you.

**Mr. Kwayana:** Oh! *[Laughter]* I am willing to accept that if you say so, but I think there is evidence to the contrary.

**Mr. Pieters:** Well, we know that he never told you about Gregory Smith, correct?

**Mr. Kwayana:** No.

**Mr. Pieters:** We know that he did not tell you about the testing of the device...

## WALTER RODNEY COMMISSION OF INQUIRY

**Mr. Kwayana:** On...

**Mr. Pieters:** ...on that evening in question.

**Mr. Kwayana:** On that evening, yes. I knew he was testing walkie-talkies, I said that in my statement. I knew he was collecting walkie-...

**Mr. Pieters:** Did you know who his suppliers were?

**Mr. Kwayana:** Did I know...

**Mr. Pieters:** ...who his suppliers were for the walkie-talkies?

**Mr. Kwayana:** Oh, no, I never knew nor wanted to know. I did not know and I did not want to know.

**Mr. Pieters:** You did not want to know, so...

**Mr. Kwayana:** I did not ask.

**Mr. Pieters:** Is that willful blindness on your part?

**Mr. Kwayana:** If that was what?

**Mr. Pieters:** Is that willful blindness on your part that you did not want to know?

**Mr. Chairman:** Counsel, I think you are pursuing a *non-sequitur*. I really think you are pursuing a *non-sequitur*. It does not follow that because he did not follow those details that it meant that there was no confidence in him. I do not know how we will be able to establish that.

**Mr. Pieters:** Very well, Mr. Chairman.

**Mr. Chairman:** Even if you pursue that successfully, how would that help the Commission with its Terms of Reference?

**Mr. Pieters:** Let me ask you this, Mr. Kwayana, let us take a look at page 9 of your statement. Do you have your statement in front of you, Mr. Kwayana?

**Mr. Kwayana:** I do not.

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**Mr. Pieters:** You do not?!

**Mr. Kwayana:** I do not have it. Let me see. No, I do not have it.

**Mr. Pieters:** Okay, I will let you have my copy.

**Mr. Chairman:** You could keep your copy. We will supply him with one if he is without one at this time.

**Mrs. Samuels-Brown:** Can you remind me please, that is EK 'what'?

**Mr. Pieters:** EK 1

**Mrs. Samuels-Brown:** Thank you.

**Mr. Kwayana:** Thank you, sir.

**Mr. Pieters:** Sorry, it starts at page 8, I am going to read it to you and ask you some questions. You said this at page 8 of your statement, "The WPA office in Holmes Street at the time of Walter Rodney's activity and death had no telephone, a tightly rationed facility. Rodney may have seen the use of the walkie-talkie in other Caribbean countries." Correct?

**Mr. Kwayana:** Yes, I wrote that.

**Mr. Pieters:** "...and by political organisations and decided on it as a partial solution to our communications problems. People ask why he did not send someone else to the testing. Walkie-talkies were restricted, any policemen or women could have stopped and searched any vehicle, rather than expose unknown young persons to questioning and handling and, worst of all, to police notice he chose to use his spare time to risk himself."

**Mr. Kwayana:** Yes.

**Mr. Pieters:** Would you agree that Dr. Rodney was a risk taker?

**Mr. Kwayana:** Well, I wrote it.

**Mr. Pieters:** Very well.

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**Mr. Kwayana:** I said he was taking this little risk. I do not know to what extent you are extending it.

**Mr. Kwayana:** It was a risk to do anything in the name of the WPA. You could be stopped ...

**Mr. Pieters:** Right and ...

**Mr. Kwayana:** ...and taken in and if you are a young person looking for work, it was too bad for you.

**Mr. Pieters:** I am going to suggest to you that part of the risk that he took was trying to get members of the Guyana Police Force to join the WPA, at least in the armed struggle.

**Mr. Chairman:** When you say “the armed struggle”, had an armed struggle been launched?

**Mr. Pieters:** Mr. Chairman, well, let me put it differently and put it in a way in which the evidence came out and I am going to look at page 92 of day four of the transcripts of the evidence and then put that to you.

**Mrs. Samuels-Brown:** What date is that, please? When you say day four, could you remind us what date that is, please?

**Mr. Pieters:** Day four would be 29<sup>th</sup> April, 2014.

**Mrs. Samuels-Brown:** I believe the 29<sup>th</sup> is the second day, you do...

**Mr. Pieters:** Sorry, let me see what I am looking at here.

**Mr. Kwayana:** My second day was the 28<sup>th</sup>.

**Mr. Pieters:** Yes, sorry about that, let me just go into my electronic version. I am looking at the wrong document, just give me a second. Sorry, day four would be the 2<sup>nd</sup> of May, 2014, and I am looking at the electronic version at page 92.

**Mrs. Samuels-Brown:** How does that page start Counsel, can you assist us?

**Mr. Pieters:** Yes, just give me a second.

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**Mrs. Samuels-Brown:** Since it is that the pagination on the electronic copy may be different from the hard copies.

**Mr. Pieters:** It starts with "...and yes it also encapsulates those two areas, it is possible or include or not excludes the repressory force, such as the police and the army and the two main agents.

**Mrs. Samuels-Brown:** It appears that it is page 91 in our hard copy and I believe it is the cross examination of Mr. Edward Rodney by Mr. Basil Williams. Am I correct?

**Mr. Pieters:** Sorry, what did you just say?

**Mrs. Samuels-Brown:** Is it an extract from the cross examination of Mr. Rodney by Mr. Williams?

**Mr. Pieters:** Correct.

**Mrs. Samuels-Brown:** Thank you very much.

**Mr. Pieters:** May I proceed?

**Mr. Chairman:** I do not think I had prevented you or any of us here.

**Mr. Pieters:** Mr. Williams had asked Mr. Rodney a question and this is what his answer was in respect to what overthrowing the Government would mean because we had that question asked before and he said, "well if the overthrow was to be effective it would include capturing the Commanding arms of the society, such as the radio stations and winning over sections of the police because it could not happen otherwise". Then he said you had experience in Cuba, Dominica and even in Grenada, "so it had to include winning over, at some stage, of the armed members of the security services or else it could not happen". Mr. Kwayana, I asked a question and I am going to put it to you again, that you were aware that the WPA had in fact intended to win over members of the Police Force and other Armed Forces to wage an armed battle against the Government of the day?

*10.38hrs*

**Mr. Kwayana:** No. I am aware that the WPA wanted to win the sympathies of the Armed

## WALTER RODNEY COMMISSION OF INQUIRY

Forces because they were many. We used to appeal to them as workers in uniform to try to get them to be sympathetic with the struggles of working people, like strikes and so on. That is what I know. We called them “workers in uniform”, and we called them that in speech and in writing. That was a general campaign at every meeting.

**Mr. Pieters:** Eddie Rodney was clear that violent means could not be ruled out and you say that you have no knowledge of this.

**Mr. Kwayana:** I also said that violent means, up to a certain stage, were not ruled out. For example, when you said “by any means necessary”, I said it does not mean violence, but it does not exclude violence. That was my testimony. I am not answerable for Mr. Eddie Rodney.

**Mr. Pieters:** I want you to directly answer my question. Were you, Mr. Kwayana, involved in any discussion with, let us say, Dr. Walter Rodney or Dr. Roopnarine in respect to the forms that that violent struggle would have taken, in respect to the Burnham regime?

**Mr. Kwayana:** You are presuming something.

**Mr. Pieters:** I am going to repeat the question differently.

**Mr. Kwayana:** We never came to the point of deciding on violent struggle.

**Mr. Pieters:** So the Party was not at one in respect to that particular issue?

**Mr. Kwayana:** The Party never came to the point of deciding that violent struggle was now necessary.

**Mr. Pieters:** There is no dispute. We know that the party was collecting arms and ammunition, correct?

**Mr. Chairman:** That would have to be a matter of proof. You would have to give the evidence; I do not think we have evidence about that. The fact that two or three members of a Political Party have been put before the Court for having possession of arms and ammunitions does not mean the Party has taken a decision in relation to an arms struggle.

**Mr. Pieters:** Alright, I guess we can go there. Sorry, Madam Commissioner?



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**Mrs. Samuels-Brown:** Yes, and I was also curious. I was going to come to it at the end as to how those cases conclude, just for the record.

**Mr. Pieters:** Very well. Mr. Kwayana, do you have your article on *Pseudo Socialism* in front of you?

**Mr. Kwayana:** I do not.

**Mr. Pieters:** I wonder if...

**Mr. Jairam:** That is EK 7, Mr. Pieters?

**Mr. Pieters:** Excuse me?

**Mr. Jairam:** Is that EK 7?

**Mr. Pieters:** I do not have the number. It was not given a number when I was here. EK 7 is it?

**Mr. Jairam:** Yes, I believe so.

**Mr. Pieters:** Thank you.

**Mr. Chairman:** What page are you attracting his attention to?

**Mr. Pieters:** Mr. Kwayana, I am going to ask you to start looking from page 6 of that document.

**Mr. Chairman:** As broad as that?

**Mr. Pieters:** No, I will read... It is the last paragraph, Mr. Chairman. I will read that paragraph to Mr. Kwayana. I just simply wanted to draw his attention to the page I was referring to. Mr. Kwayana, did you have a chance to look at the last paragraph of page 6 of that document?

**Mr. Chairman:** Starting with "The Rulers"?

**Mr. Pieters:** Let us start with "They do not educate the people for long drawn out struggle, or any kind of struggle with United States imperialism. The forces which have always explained and allowed imperialism are banned from the National State-owned Press. It is not by accident that no statement of the Working People's Alliance will appear in the Government press. For the

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year 1976 one WPA statement appeared after a delay of one week. It was the one calling on the Government Guyana to make available landing facilities for Cuban Planes on the way to Angola.” Do you recall writing that, the situation with the Cuban Planes landing in Guyana?

**Mr. Kwayana:** Yes I recall writing the whole document, yes.

**Mr. Pieters:** Right. Your Party was putting pressure on the PNC Government to allow Cuban Planes to land in Guyana, on the way to Angola?

**Mr. Kwayana:** Yes.

**Mr. Pieters:** The MPLA was involved in a violent struggle against the United States (US) backed Government there, correct?

**Mr. Kwayana:** Yes. Against the US backed organisation.

**Mr. Pieters:** Right, and on page 7...

**Mr. Kwayana:** The National Union for the Total Independence of Angola (Portuguese: *União Nacional para a Independência Total de Angola* – UNITA), not a Government.

**Mr. Pieters:** On page 7 of the document, you wrote about the Cubanisation in Guyana, and you cited President Burnham. If you look towards the middle of page 7 you would see you have in quotation marks, “everything from military hand grenades, submachines guns to homemade shotguns began to appear. Armed caches were later unearthed were frequently traced to Cuban sources” and you cited a “destiny to mould”.

**Mr. Chairman:** Having said all of that, what is your question?

**Mr. Pieters:** The question is that until May 1980 the WPA had Cubans in Guyana and those Cubans were assisting the WPA and working with both the WPA and PPP, covertly together, with the objective of overthrowing the PNC Government and replacing that leadership.

**Mrs. Samuels-Brown:** I am very sorry, Counsel. I was distracted by trying to catch up with what you are reading from. Could you repeat the question?

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**Mr. Pieters:** That is fine. I will say exactly what I am reading from, because it is in the material that the Commission disclosed to us.

**Mrs. Samuels-Brown:** Yes, I saw the reading. What I am asking is the questions that arise therefrom? Thanks.

**Mr. Pieters:** Mr. Kwayana, I am going to suggest to you that until May of 1980 there were Cubans who were disappointed that Forbes Burnham was not as socialist as they would like, assisting the WPA with respect to military training and the provisions of arms and ammunitions to overthrow the Burnham regime...

**Mrs. Samuels-Brown:** Before the witness answers, that is why I sought the clarification. The passage you read where it says "everything from military hand grenades" and continues where it says "Friday, 13<sup>th</sup> July, the PNC Leader accused the PPP Government in Parliament of attempting to 'Cubanise' the Guyana economy." What I am asking you to do, in light of what is said out here... How do you make the link allegedly Cuban arms caches to the WPA since it is the PPP that is mentioned here. It may be further on in the document but I would seek your assistance, please.

**Mr. Pieters:** No problem at all, Madam Commissioner. I will tell you this... I will go to Mr. Kwayana's statement itself, but I will also refer you to a document that is secret. It is numbered page 192, and it says original is in SF55-2(5H75HSB3) and it is dated 19<sup>th</sup> May 1980, and it is a document from the Special Branch.

**Mrs. Samuels-Brown:** So, for the time being, Counsel, you are abandoning the reference to the document *Pseudo Socialism*?

**Mr. Pieters:** No, I am not abandoning it. I am just putting forth various documents to you. I asked the witness a question about the 'Cubanisation' in Guyana of a military or arms struggle.

**Mrs. Samuels-Brown:** I understand that, but the document you referred to earlier refers to the PPP. That is a different matter in hand.

**Mr. Pieters:** I appreciate that. I will ask him a question about it.

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**Mrs. Samuels-Brown:** Are we onto the other document, now?

**Mr. Pieters:** No, we are going to stick on this document so that your concerns are addressed.

**Mrs. Samuels-Brown:** Thank you very much.

**Mr. Pieters:** Mr. Kwayana, you have seen the passage that I read a few minutes ago?

**Mr. Kwayana:** No.

**Mr. Pieters:** Okay, well, may I approach the witness, Mr. Chairman?

**Mr. Kwayana:** Is it my document? What page, please?

**Mr. Pieters:** May I approach the witness? I would like to approach the witness, Mr. Chairman.

**Mr. Chairman:** That is quite unusual. Why do you want to get so close to him, please?

**Mr. Pieters:** I am not a threat to the witness, trust me.

**Mr. Chairman:** But why would you wish to approach him? Whatever you want to do, you can do it from there.

**Mr. Pieters:** My document is marked. I am certainly prepared to give it to the constable to show him...

**Mr. Chairman:** Just tell him on page seven, what you are referring to...

**Mr. Pieters:** Well I told him, he said he cannot find it.

**Mr. Chairman:** Just give him the line, because the paragraph seems to run into one another. Just tell him the approximate line or let the Marshall shows him. I do not think it is proper that the witness should be...

**Mr. Pieters:** Now, Mr. Chairman, I will simply remember that you did not allow me approach the witness. This is going to have to apply to all Counsel.

**Mr. Chairman:** No one before you has asked to approach the witness.

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**Mr. Pieters:** No, but they have done it, but I am not here to argue. Would you please, Mr. Marshall, come forward and have my copy?

*[Court Marshall received document and handed it over to Mr. Kwayana]*

**Mr. Jairam:** Mr. Pieters... Mr. Pieters!

**Mr. Pieters:** Mr. Jairam?

**Mr. Jairam:** You need to restrain your enthusiasm.

**Mr. Chairman:** You know, the last question I have that you asked was that in 1980 the WPA had Cubans in Guyana. I do not think the witness was permitted to answer that because that that did not follow from the page that you were supposedly referring to. The page says that accusations made were that the PPP had Cubans here.

**Mr. Pieters:** Mr. Chairman, I intend to conduct an examination. I intend to go through issues with respect to Dr. Walter Rodney's affiliation with the MPLA, and training with the MPLA and this document is important because it makes the connection with Dr. Walter Rodney.

*10.38hrs*

**Mr. Chairman:** Which document? I want you to help us man, you are talking a lot. Help us to be clear. You are referring to a document where we analyse it nicely, the PPP. That was the allegation that was made in Parliament that the PPP had Cubans here. Now you are now switching to Rodney WPA. Is it the same document? I am lost.

**Mr. Pieters:** Alright, hear what. This document here speaks to the WPA putting pressure on the Government of Guyana to support the MPLA by allowing Cuban planes to land in Guyana. I mean that came out from the paragraph that I have read from page 6 going on to page 7 and then we have in quoting Forbes Burnham in respect the arms that were coming in from the Cubans. It is linked to the PPP, no doubt, but we have...

**Mr. Chairman:** We need to get on. The Commission does not have an infinite life; let us get on please. You have introduced long periods of silence and pausation man, get on.

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**Mr. Pieters:** Mr. Chairman, when you are commiserating with each other, I do not want to interrupt by asking questions, so I wait.

**Mr. Chairman:** We appreciate your courtesy extended to us in that regard, but we have long not being encumbrance of hearing from you, we are waiting on you.

**Mr. Pieters:** That is fine. Let me ask you this Mr. Kwayana.

**Mr. Kwayana:** Yes Sir.

**Mr. Pieters:** Mr. Donald Rodney gave evidence before the Commission and he told the tribunal that people were approaching...

**Mrs. Samuels-Brown:** I am sorry, I have to interrupt, which Commission, this one and Donald Rodney?

**Mr. Pieters:** Sorry, not Donald Rodney, Edward Rodney.

**Mrs. Samuels-Brown:** Thank you.

**Mr. Pieters:** and I am referring to 62, day four of the transcripts, of course, I have the electronic version.

**Mrs. Samuels-Brown:** Day for is what date?

**Mr. Pieters:** The 22<sup>nd</sup> May, 2014.

**Mrs. Samuels-Brown:** Page 64?

**Mr. Pieters:** Correct. Sorry page 62.

**Mrs. Samuels-Brown:** Could you tell us the words that...

**Mr. Pieters:** What he testified was that people were definitely offering WPA a leadership weapons to purchase.

**Mrs. Samuels-Brown:** Yes, I follow this. Thank you Counsel, I am with you. I think we are with you.

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**Mr. Pieters:** No Problem. That is what Mr. Rodney told the Commission, he said, “Some time before 1979...” and he was talking to Mr. Hanoman. “...I was in the company of Donald and was in the vicinity of the Brickdam Cathedral an individual came up to us and asked us if we wanted us to purchase, I do not know if it was an automatic or whatever. Subsequently, I was made to understand that the police were searching all the WPA residence or known WPA residence looking for arms and ammunitions. I, myself, expected these searches. Therefore, it seems to me logical what was happening was that one person was coming forward with offers of weapons. I do not know if they were coming forward with offers of explosives or were definitely offering the WPA with weapons to purchase.” Was that discussed within the collective leadership?

**Mr. Kwayana:** I think I am hearing of it for the first time from Mr. Rodney. I do not doubt it, but it is not an incidence that came to my attention at all and I do not know if he can speak for the WPA leadership.

**Mr. Pieters:** Right and that is another incident that is coming to your attention for the first time. We have had other incidence that have gone through this morning that you have no knowledge or awareness. Correct? I am going to make a suggestion to you. You were out of the loop in respect of certain actions that Dr. Rodney was taken in respect to the WPA?

**Mr. Kwayana:** I do not know. I have made a statement on that, I would not know everything. If I may clear your piece on that, I supported the policy of the Working People’s Alliance. Whether I was present or not, if the Working People’s Alliance was working in the interest of the movement and not for selfish reasons, anybody and if this is something carried in furtherance of our aims of containing this dictatorship either getting it to change, modify it ways or getting it removed whether I was present or not, if that can be established, I share responsibilities.

**Mr. Pieters:** Well let us look at Mr. Rodney’s response in the transcript of 2<sup>nd</sup> May, 2014 in respect to who he trusted and who he confided in. This is what he said in a question asked by Mr. Hanoman. Mr. Hanomon asked him, “Did Walter ever shared any information regarding his own safety?” Mr. Rodney, in directly “yes” Mr.Hanoman...

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**Mrs. Samuels-Brown:** Could you assist us with the page that you are reading from, would be obliged?

**Mr. Pieters:** Page 39.

**Mrs. Samuels-Brown:** Thank you. Just read the question. I think we are with you, almost there.

**Mr. Pieters:** Very well, it says, “Hanoman: “Did Walter ever share with you any information regarding his own safety?””

**Mrs. Samuels-Brown:** Thank you Counsel, we are with you.

**Mr. Pieters:** “Mr. Rodney: Indirectly yes.” “Mr. Hanoman: “Did Walter ever tell you he had enemies that would want to cause him physical harm?” This is what Rodney’s response was: “Well again he would not say that openly that he has enemies it was out there that people were saying things, people were doing things especially after Father Darke’s Murder.” This is what is important where I am going to ask you the question. “After Father Darke’s Murder, we both stood in the Brickdam Cathedral surroundings while the ceremony was going on, he was standing right next to me and he made it very clear that this was it that myself and him both of us were in the firing line. He did not distinguish between me and him at that level especially after Father Darke’s Killing. I am going to suggest to you that Dr. Rodney drove closer to his blood brother than his political brothers.” Do you agree?

**Mr. Kwayana:** I do not know. I do not have such testimony.

**Mr. Pieters:** “...I am going to suggest to you as well that Dr. Rodney trusted his brothers and did not trust his political brothers within the WPA.” He trusted his brother more than he trusted the political...or collective leadership of the WPA.

**Mr. Chairman:** But even if that is true how does that help the Commission with its Terms of Reference? You cannot ask what you wanted to ask, you have to be guided by the Terms of Reference. Assuming the answer to that is yes, how does that help us to get on with our work? That is not what the Inquiry was set up to determine, you know. Whether Rodney had more



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confidence in his blood relations than in his political associates. That has no relevance to the Terms.

**Mr. Kwayana:** I was going to say; I did not sense that.

**Mr. Chairman:** I am going to take the morning break at this time in the hope that when we return you would have so thought your questions that you could make the relevance to Terms of the inquiry.

**Mr. Pieters:** Mr. Chairman, that was relevant to Terms No. 1.

**Mr. Chairman:** I do not see it probably when you come back you can demonstrate the relevance.

**Mr. Pieters:** I accept your ruling on the point and will move on.

**Hearing Suspended at 11.04hrs**

## WALTER RODNEY COMMISSION OF INQUIRY

### Hearing Resumed at 11.48hrs

**Mr. Chairman:** A few housekeeping matters which we have managed to resolve satisfactorily, but we are now free to go. Mr. Pieters, are you ready?

**Mr. Pieters:** Yes, Mr. Chairman. Mr. Chairman, you had directed me to an aspect of the witness evidence or my questioning of the witness and so I need to ask him. Mr. Kwayana?

**Mr. Kwayana:** Yes.

**Mr. Pieters:** The Chairman has asked this morning because I had raised a series of cases in which persons were charged with possession of firearms and possession of ammunition. The Chairman was interested in knowing what the disposition was of the various cases and so I will ask you to the best of your recollection, do you recall for example in the Torrington, et al case, what the disposition of those charges were?

**Mr. Kwayana:** They were dismissed.

**Mr. Pieters:** In the David Hinds case, do you recall what the disposition was?

**Mr. Kwayana:** I spoke on that in your absence yesterday. Yes, I do recall. He was convicted.

**Mr. Pieters:** Was there any...

**Mr. Kwayana:** He was convicted in the Magistrates' Court and appealed on the grounds that the weapons had not been produced in Court.

**Mr. Pieters:** Was there any other WPA activist or members?

**Mr. Chairman:** Before you get that far, what happened then to the appeal? Carry through so logically, Counsel.

**Mr. Kwayana:** The appeal has not yet been heard.

**Mr. Pieters:** Let me ask you this, has the appeal not yet been heard because it is abandoned by the appellant or is it a bureaucratic administrative process that caused it not to be heard?

**Mr. Kwayana:** I just know that the Hinds appeal has not yet been called so far as I know.

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**Mr. Pieters:** So you would say justice is right on target?

**Mr. Chairman:** Is that meant to be a question or comment? You said the appeal has not been heard.

**Mr. Pieters:** I appreciate that Mr. Chairman, I will move on.

**Mr. Chairman:** Yes.

**Mr. Pieters:** You mentioned this morning an activist by the name of Jinnah Rahman?

**Mr. Kwayana:** Yes.

**Mr. Pieters:** Jinnah Rahman was a treason accused?

**Mr. Kwayana:** A treason accused, yes.

**Mr. Pieters:** Jinnah Rahman got out of the country before the authorities could apprehend him?

**Mr. Kwayana:** Yes, that is fair.

**Mr. Pieters:** Do you recall or were you part of the discussion of how he would have been spirited out of the country?

**Mr. Kwayana:** I saw him before he left.

**Mr. Pieters:** Was he provided with a false passport or did he leave on a genuine passport?

**Mr. Kwayana:** He did not leave by the usual means. He left by what we call the back-track.

**Mr. Pieters:** Okay.

**Mr. Kwayana:** I imagine.

**Mr. Pieters:** Your back-track, can you elaborate what form that backtrack would take?

**Mr. Kwayana:** I did not get the question.

**Mr. Pieters:** What form this back-track, as you say it is, would take?

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**Mr. Kwayana:** I do not know it personally. It was a back-track that went through Suriname because of the traffic there with vendors going and coming looking for scarce items, you know. So it was a well-established thing which we call the back-track.

**Mr. Pieters:** Let me ask you this, you were also aware that at some point, much to the Prime Minister Forbes Burnham's surprise, Walter Rodney showed up at the Sixth Pan-African conference in Zimbabwe? Do you recall that?

**Mr. Kwayana:** At the time of the Sixth Pan-African conference in Zimbabwe, Walter Rodney was teaching in Dar es Salaam. So he did attend, yes.

**Mr. Pieters:** Did he attend via Dar es Salaam or via Guyana?

**Mr. Kwayana:** I was trying to say that during that time he was teaching in Dar es Salaam. He was resident there.

**Mr. Pieters:** Very well. That is your evident. Evidence, sorry. You mentioned, when I asked you some questions earlier, that there was not an agreement within the WPA on and you can correct me if my characterisation is incorrect, but my understanding is there was a disagreement on the violent or non-violent means for overthrowing the PNC Government?

**Mr. Kwayana:** I answered that question, but I do not understand what you are asking me, frankly.

**Mr. Pieters:** Well this is what my question is. I wanted you to confirm whether my characterisation was correct that there was a disagreement?

**Mr. Kwayana:** That?

**Mr. Pieters:** That there was a disagreement in respect to the means or the violent means within in which the WPA were going to overthrow the PNC Government?

**Mr. Kwayana:** These are things you discuss from time to time. There will always be disagreement, but there was never a decision to use violence to overthrow the PNC Government.

**Mr. Pieters:** Well let me ask you this.

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**Mr. Chairman:** No, it think that, let us get it, yes. Before it is even uttered properly, you are asking, but that is important. There was never a decision by the WPA?

**Mr. Kwayana:** That is right, yes, never.

**Mr. Chairman:** Please proceed.

**Mr. Pieters:** Mr. Kwayana, what were the signs the WPA was looking for to determine that all other means have failed?

**Mr. Kwayana:** The signs were applying various means and processes and seeing the results and then studying the social and political terrain to see what else could be done and one of these means included the courts.

**Mr. Pieters:** Let me ask you this, had the WPA exhausted all other means, who was going to make the call that violence is inevitable and necessary?

**Mr. Kwayana:** It would have to be the Working People's Alliance.

**Mr. Pieters:** And by whom do you mean the collective leadership, Dr. Rodney or the WPA as a whole?

**Mr. Kwayana:** It will have to begin with the collective leadership, but it will have to go to the WPA as a whole because you cannot go on an adventure like that with a handful of people and the organization does not know what is going on. It is impractical. It is a fancy fairy tale.

**Mr. Chairman:** Mr. Pieters, be careful though because you are asking two and three questions in one. So then you see, you do not know what the question relates to. Had the WPA exhausted all means of overthrowing the Government before resort to violence was one question. But you added on two other questions to that so I do not know what the answer relates to but I have it. Be careful. End up with a confusing narrative. Then who would have made the decision assuming an exhaustion of all other means and you added to that too. So I am not sure of the answer, you were giving three questions in one. One at a time, please.

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**Mr. Pieters:** Very well, Mr. Chairman, thank you. Let me ask you this, were you aware that sometime around 1980, early 1980, the alliance between the WPA and People's Progressive Party (PPP) broke up?

**Mr. Kwayana:** The WPA and the PPP went different ways when the 1980 elections were called. At that time Walter Rodney was already away from us.

**Mr. Pieters:** Well let me ask you this, without the PPP, how could the WPA have gotten rid of Burnham and the PNC electorally?

**Mr. Kwayana:** I do not know.

**Mr. Pieters:** And that is your answer?

**Mr. Kwayana:** That is my answer.

**Mrs. Samuels-Brown:** Remember though that the witness had said that this break or going different way between the WPA and the PPP was to quote him, '*after Dr. Rodney was not with us*' so bear that in mind, the chronology.

**Mr. Pieters:** Very well, Madam Commissioner. Mr. Kwayana, you know that Dr. Roopnarine, in an article on the 19<sup>th</sup> September, 2010 stated in the *Stabroek News* that the party was accumulating weapons long before the murder of Dr. Rodney?

**Mr. Kwayana:** That question had been put to me in different form and I answered that from my own knowledge, there were, I said two or perhaps three occasions on which members of the Working People's Alliance were charged with arms. One of them being, Dr. Hinds coming in from the United States and the arms were never presented in court. One you mentioned this morning the treason trial which to the best of my knowledge was dismissed and one was Ohene Koama who was alleged to have been found with a bag of arms in his car trunk, a very small car. Police blocked him off in Roxanne Burnham Gardens on 18<sup>th</sup> November, 1978 and he was shot. He was not charged. The police alleged that he pointed a rifle at them.

**Mr. Pieters:** Right.

**Mr. Pieters:** There was an inquest.

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**Mrs. Samuels-Brown:** I am sorry to be so interfering if not obstructer us but perhaps to the Secretariat, have we been provided with a copy of that article? Do we have a copy of that article in which Counsel is referring to? The article by Dr. Roopernarine, 19<sup>th</sup> September, 2010, does Counsel have a copy?

**Mr. Pieters:** I do not have a copy. I have the URL link.

**Mr. Chairman:** Again Counsel, you have gone outside the Terms of Reference by far. Do you think so?

**Mr. Pieters:** No, Mr. Chairman.

**Mrs. Samuels-Brown:** If some effort could be made to facilitate us with a copy of that article.

**Mr. Pieters:** I will.

**Mrs. Samuels-Brown:** Whether through the Secretariat or yourself, I will be grateful.

**Mr. Pieters:** I will send the URL to the Commission and I will also print it when I get back to my hotel.

**Mrs. Samuels-Brown:** Thank you very much. Yes, Mr. Kwayana, would it be true to say that you had an aversion to violence?

**Mr. Kwayana:** That I had?

**Mr. Pieters:** An aversion to violence.

**Mr. Kwayana:** Oh yes.

**Mr. Pieters:** Would you agree that because of that aversion that you had to violence that, the WPA kept you out?

**Mr. Kwayana:** That I had what?

**Mr. Pieters:** Of.

**Mr. Kwayana:** I am not getting you.

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**Mr. Pieters:** Okay, maybe I should speak in plain language. Mr. Kwayana, because of your disavowance of violence, would you agree that the WPA kept you out of the robust activism activities that involved acquiring walkie talkies for example and ultimately firearms and ammunition?

**Mr. Kwayana:** We all had an aversion to violence. We all had an aversion to violence and I did not have to be kept in to acquiring walkie-talkies or kept out. It was something that perhaps one or two people did, one of them being Dr. Rodney and after his death, they found a few other walkie-talkies in his house and they searched it, and he was not there and none of these firearms and explosives, and none of these things were found.

*12.03hrs*

**Mr. Pieters:** Who else within the WPA collective leadership would you have said was adverse to violence?

**Mr. Kwayana:** All of us were oppose to violence.

**Mr. Pieters:** Okay.

**Mr. Kwayana:** The very Dr. Rodney that you are pinpointing said in an interview with Mr. Carl Blackman in February 1980 in an article, three times, “violence is always regrettable because people are killed and many get injured”- three times in the same interview. So, I do not know who had a passion for violence.

**Mr. Pieters:** Alright. You recall, let me ask you this about Gregory Smith. Would you agree that Gregory Smith was not a political person?

**Mr. Kwayana:** He did not sound political to me.

**Mr. Pieters:** Excuse me?

**Mr. Kwayana:** He did not sound political to me...

**Mr. Pieters:** You would agree then that he was not a political person?



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**Mr. Kwayana:** ....from what I read in his book. Yes, I am inclined to agree with that. I cannot swear to it.

**Mr. Pieters:** We had a discussion earlier about the various nuclei that was formed within the WPA. You recalled we had that discussion earlier this morning?

**Mr. Kwayana:** Yes, Sir.

**Mr. Pieters:** Part of what is the function of the nuclei was, is feting prospective members.

**Mr. Kwayana:** Getting members?

**Mr. Pieters:** Feting or doing a sort of screening of the members to make sure that they could be trusted?

**Mr. Kwayana:** I guess so, all branches or nuclei had their own ways of bringing members in and they would bring in people that they trust, for example, they would not recruit someone who is a member of the ruling party to which we were oppose and if in some cases, if there is infiltration, they had to be alert against that kind of thing.

**Mr. Pieters:** Let me ask you this, you wrote on Page 17 of your statement and I am going to read it. On Page 17 of your statement in respect to Dr. Rodney's situation, you said, "the bulky robust police station on the its usual site would be visible to anyone driving north in John Street or walking on the western parapet of John Street in the prison block between Durban Street and Bent Street. A would-be-bomber was therefore not attempting his bombing of the prison wall. Assuming to plot to bomb the wall the bomber would be encouraged by the absence of the Police presence and discouraged by the presence of the Police." You said that, correct?

**Mr. Kwayana:** Yes, I wrote something to that effect.

**Mr. Pieters:** You also said earlier that Dr. Rodney was risk-taker and that he would take certain risk that other younger members would not?

**Mr. Kwayana:** No. I said he was a risk taker and all of us took risk. I did not.....

**Mr. Pieters:** I am referring to....

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**Mr. Kwayana:** Please, I am still here.

**Mr. Pieters:** I am testing you on, you have two different statements, you have one on page nine and one on page 17 so and I questioned you on the first statement of a risk-taker this morning and the transcript would be around for examination.

**Mr. Kwayana:** Yes, we are all risk-takers. You get into that kind of politics fighting a dictatorship is risky.

**Mr. Pieters:** Let me say this; let me put this to you then. If what you said on page nine is true, then such risky actions by Dr. Rodney and Donald Rodney in the face of armed guards are quite possible?

*[Court Marshall gave Witness a copy of a document]*

**Mrs. Samuels-Brown:** ... by some risky action of what?

**Mr. Pieters:** The risky action of going to the Georgetown prison with a device as directed by Gregory Smith in the face of armed sentries being there would be quite possible if Dr. Rodney is both courageous and at that taking risk.

**Mrs. Samuels-Brown:** The device you are referring to is a walkie-talkie or an explosive? I just want to be clear what your question is?

**Mr. Pieters:** The placebo or whatever it was, the explosive device he had in his possession.

**Mr. Kwayana:** I think that would be going beyond being risky. I think that would be fool-hardy.

**Mr. Pieters:** Right and let us talk about fool-hardiness since you used the term and not me. The last time you were at the Commission and I watched it on National Communications Network Inc. (NCN), I watched it on live stream and so, you did a demonstration with a bottle, I believe it was, looking for a red light. Do you remember that?

**Mr. Kwayana:** Looking for a what?

**Mr. Pieters:** Looking for a red light. Mr. Scotland....

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**Mr. Kwayana:** Oh, yes, bending over...

**Mr. Pieters:** ...had you doing a physical demonstration.

**Mr. Kwayana:** That is right.

**Mr. Pieters:** And first you were going to be looking for a cellular phone and you resorted to a bottle and when Mr. Chairman stepped in.

**Mr. Kwayana:** Correct.

**Mr. Pieters:** Yes and this thing about looking for a red light, bending down looking for a red light, did it not seem fanciful to you? Who does that?

**Mr. Kwayana:** I do not know.

**Mrs. Samuels-Brown:** [*Inaudible*]

**Mr. Pilgrim:** Mr. Chairman I am trying to hold my tongue and to be as charitable as possible. But first of all we are covering ground that has already been covered, as far as I can see, and they then almost every question is asking for conjecture and opinion for persons other than the witness, so he is being put in a very difficult position. But I have to urge Mr. Chairman to bear in mind that this witness has been here for a number of days and that we are essentially covering no new ground at all. I appreciate my Friend's position but he indicates that he has seen much of it on the Internet. We have to move.

**Mr. Chairman:** I am glad that you intervene and I did not because I have already warned the witness that there will be a limit as to how much repetition and the re-tracing of steps already traced will be permitted and I do not know where it is carrying us, but I hope that it will be soon at an end Counsel. I think you did indicate it had seven questions; it seem to me that you had long passed seven, that is the after break period.

**Mr. Pieters:** Thank you Mr. Chairman. Mr. Kwayana.....

**Mr. Chairman:** You are proceeding on area that we already covered through Mr. Williams in particular last week.

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**Mr. Pieters:** Mr. Kwayana this is my last question to you.

**Mr. Kwayana:** Sir?

**Mr. Pieters:** We have dwell into the past, taking a forward look in approach, what would you say to the thousands of young people out there who are following this historic case, what would be your advice to them?

**Mr. Chairman:** How would that be relevant to the Terms of Reference? Do you think that is relevant to the Terms of Reference?

**Mr. Pieters:** Yes, Mr. Chairman. This case is a historic case that touched the heart and minds of Guyanese people.

**Mr. Chairman:** Do you want to invite him to give a lecture on what advice you would give to the young people?

**Mr. Pieters:** Mr. Chairman, he can answer it or you can say he does not have to answer it. That was a very creditable question to the witness, it has given the witness credit, given the witness to say anything else he wanted to say about, but if you say no, then that is fine.

**Mr. Chairman:** I am happy to learn that this is your last question. Perhaps the witness can answer you and let us get on.

**Mr. Kwayana:** I would advise young people to study first of all and follow the best examples in their communities.

**Mr. Pieters:** That would be all my questions, Mr. Chairman, and thank you very much for the Commission and Mr. Kwayana's indulgence this morning.

**Mr. Kwayana:** Thank you.

**Mr. Chairman:** Thank you too Counsel and from all that we have learn I think you need to go and get some rest now. You have been trying for a long time to get here, maybe over 25 hours and it is time for you to go and rest now.

**Mr. Pieters:** I will be asked to be excused. Thank you very much.

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**Mr. Chairman:** And you are excused. Go and enjoy your rest. Commission Counsel, do you have any questions by way of re-examination?

**Counsel to the Commission [Mr. Glenn Hanoman]:** I just have about two or three questions. Mr. Kwayana, this is Glenn Hanoman, Commission Counsel.

**Mr. Chairman:** You had your hand to your mouth as you were speaking, say that again.

**Mr. Hanoman:** This is Glenn Hanoman, Commission Counsel, would ask you some questions.

**Mr. Kwayana:** Yes Sir.

**Mr. Chairman:** Thank you.

**Mr. Hanoman:** When you were being questioned by Mr. Basil Williams you were asked a series of questions concerning whether you received any threats from Mr. Burnham. That question was posed in slightly different ways in reference to the boy-cutting of the referendum and in reference to a few strikes. You also said when you gave evidence at a much earlier stage that there were several incidences during strikes where persons were attacked and perhaps threatened. So to clear that up what I wish to ask you is if when you said you did not receive any threat from Mr. Burnham first of all were you speaking in singular you or on behalf of the WPA or whether you personally feel threatened?

**Mr. Kwayana:** I thought the question whether I was personally threatened by name as an individual that was my answer but the WPA was threatened and I was certainly a part of that.

**Attorney for the People's National Congress (PNC) [Mr. Basil Williams]:** Mr. Chairman on that point, my questions was always whether you and the WPA were threatened.

**Mr. Hanoman:** That is not accurate.

**Mr. Williams:** My questions were always after each reference, "were you and the WPA threatened", it was never the witness alone.

**Mr. Kwayana:** Okay.

**Mr. Hanoman:** I have the Verbatim Reports in front of me.

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**Mr. Williams:** That raises serious questions if you do not have...the WPA about five times I used that same question after each demonstration successful done by the WPA I asked whether you or the WPA were threatened and the Commissioners are there.

**Mr. Kwayana:** My answer was no to each of those.

**Mr. Williams:** Yes, it was not isolated to the witness alone and if you saying your Verbatim, I hope it is not those you are circulating because then we are going to have serious problems.

**Mr. Chairman:** We will have the record before us and I have made a note...

**Mr. Hanoman:** Let me see to clarify that

**Mr. Chairman:** ... that is what we look out for so you can proceed.

**Mr. Hanoman:** Those were two questions in one, whether you or the WPA felt threatened. When you said no, were you saying no to both of those questions or were you saying no to you personally alone?

**Mr. Kwayana:** I am trying to get the context of the moment in the past. I think Counselor is asking me after we have done some protest whether we collectively had been threatened. I understood this to mean whether Mr. Burnham got on the microphone and called on us and attack us, but that is not the way he did it after each event, so my answer was 'no'. That was not his style.

*12.18hrs*

**Mr. Hanoman:** I see, so ...

**Mr. Kwayana:** The times in which he would have these outbursts ...

**Mr. Hanoman:** So, when you answered no, you were answering no to the fact that Mr. Burnham never made verbal threats in public.

**Mr. Kwayana:** I did not say 'never'. Questions were after "'x' events did Mr. Burnham threaten you?" and I said 'no' and after another event, I said 'no'. I did not say that Mr. Burnham never threatened us.

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**Mr. Hanoman:** I see.

**Mr. Kwayana:** I did not say that.

**Mr. Hanoman:** When the reference was made to Mr. Burnham, you felt that Mr. Williams was asking you about Mr. Burnham personally as opposed to agents of Burnham.

**Mr. Kwayana:** That was the question that I answered, as coming from him personally, yes.

**Mr. Hanoman:** I see. You gave an answer as well to Mr. Williams in reference to a comment made by someone about Rodney's head on a platter which was a comment made after the death of Walter Rodney. May I please ask you whether that was a statement that was officially embraced by the PPP?

**Mr. Chairman:** By the PPP?

**Mr. Hanoman:** By the PPP.

**Mr. Kwayana:** It did not come in that form. It came from one speaker, the leader on a platform during the elections campaign of 1980. I do not think it was a policy statement. It was in the context of the PPP participating in the elections and the WPA in the same space trying to get people to boycott the elections. That was the nature of that tension.

**Mr. Hanoman:** Is it not also correct that...?

**Mr. Chairman:** Counsel, I am not sure what the statement put to the witness. You are having your hand up to your mouth all the time...

**Mr. Hanoman:** I am sorry.

**Mr. Chairman:** Desist from that. It makes it very garbled. What was the statement put to the witness? Or reference to some statement that...

**Mr. Hanoman:** ...reference to a comment made about Rodney's head...

**Mr. Chairman:** ...that appeared where?

**Mr. Hanoman:** ... on a platter.

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**Mr. Chairman:** All of that you need to put. Where did it appear? People must be able to go and check it for themselves who are following. What...?

**Mr. Williams:** Comrade Chairman, it is in the statement of the witness.

**Mr. Chairman:** Of the witness?

**Mr. Hanoman:** Yes, it is a part of his testimony when he was being questioned by Mr. Williams on the second page of the second paragraph of this witness's statement that has been submitted as EK 1.

**Mr. Chairman:** Go ahead and what is that statement? That is the point. People who are listening and who do not have these statements before them, what is the statement?

**Mr. Hanoman:** The statement was "they promised you a Christmas present and all you got was Walter Rodney's head on a platter".

**Mr. Kwayana:** Yes.

**Mr. Hanoman:** It was alleged that that statement was made by a PPP representative in 1980 after the death of Dr. Walter Rodney. So what I am seeking to...

**Mr. Kwayana:** Several months after, yes.

**Mr. Hanoman:** Several months. Is it not correct that there were attempts by the PPP to distance itself from that statement?

**Mr. Kwayana:** Yes.

**Mr. Hanoman:** Now, under cross examination by Mr. Williams, you mentioned that it was mentioned to you that perhaps the phrase 'menacing rhetoric' was used in reference to Burnham's speech at the Third Biannual Congress.

**Mr. Kwayana:** That is how I described it.



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**Mr. Hanoman:** You went on to say in one of your responses to Mr. Williams that “I would answer you by saying that it was menacing rhetoric...” I am reading from page 67 of the verbatim reports.

**Mrs. Samuels-Brown:** What date?

**Mr. Hanoman:** This would be on Thursday, 29<sup>th</sup> May, 2014.

**Mr. Chairman:** You classified this as “menacing”.

**Mr. Hanoman:** As a “menacing rhetoric” but more importantly, and this is what I am getting at, you continued that answer by saying “which time will only explain” or words to that effect. I am seeking a further explanation to what you mean by that.

**Mr. Kwayana:** I meant that later events proved the extent of the menace and the extent of the rhetoric as to whether it was empty rhetoric or as I said menacing.

**Mr. Hanoman:** Could you be a bit more specific about these subsequent events?

**Mr. Kwayana:** The subsequent event after that... Well that was Ohene Koama; it was Edward Dublin and finally Walter Rodney, to speak of fatalities.

**Mr. Hanoman:** That will be all for me.

**Mr. Kwayana:** Thank you.

**Mr. Chairman:** Mr. Eusi, as we have been referring to you, recently, you have spent a long time with us and on behalf of the Commissioners and the Commission...

**Mrs. Samuels-Brown:** I have two questions.

**Mr. Chairman:** Okay, I am sorry. I was premature. I am told that Commissioner Jacqueline Samuels-Brown wishes to ask you a few questions so you will spend yet some further time with us. I was premature in jumping ahead in thanking you.

**Mrs. Samuels-Brown:** Thank you very much, Mr. Chairman. I will endeavor not to keep you here too long, Mr. Kwayana but you did refer to the death of one Vincent Teekah...

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**Mr. Kwayana:** Yes.

**Mrs. Samuels-Brown:** ...and the failure as you describe it to investigate or vigorously investigate his death. Do you recall that?

**Mr. Kwayana:** Yes.

**Mrs. Samuels-Brown:** You were a Member of Parliament in December, 1978.

**Mr. Kwayana:** Yes, I was.

**Mrs. Samuels-Brown:** Do you recall that the issue of an investigation or inquest into Mr. Teekah's death arose...?

**Mr. Kwayana:** Yes.

**Mrs. Samuels-Brown:** ...in Parliament?

**Mr. Kwayana:** Yes.

**Mrs. Samuels-Brown:** I have seen a report but I want to have it verified by a live witness...

**Mr. Kwayana:** Yes.

**Mrs. Samuels-Brown:** ...that at that session of Parliament, it was raised that some seven years before a motion had been moved for an inquest to be held into Mr. Teekah's death and nothing had been done, am I correct?

**Mr. Kwayana:** Yes, nothing had been done.

**Mrs. Samuels-Brown:** You, I believe, did say to us that at some point in time Cabinet made a decision not to proceed with an inquest. Was it you who said this or was it another witness?

**Mr. Chairman:** He said "any further investigation".

**Mr. Kwayana:** No, I said in this booklet that the Cabinet, one month after the fatal incident of Mr. Teekah they decided to close the investigation.

**Mr. Chairman:** Yes, close the investigation.

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**Mrs. Samuels-Brown:** Thank you very much for clarifying that.

**Mr. Kwayana:** Yes, I...

**Mrs. Samuels-Brown:** You see I am a little puzzled.

**Mr. Kwayana:** ...would have got that from the Government sources.

**Mrs. Samuels-Brown:** Is it that at that time it was the Cabinet rather than the police who would have made decisions in relation to investigations of serious crimes?

**Mr. Kwayana:** Since I said in this writing, the Cabinet, I believe this is the way the information was given out, the Cabinet. I could not particularize any person.

**Mrs. Samuels-Brown:** But there was still an active Police Force...

**Mr. Kwayana:** The Police Force ...

**Mrs. Samuels-Brown:** ...acting at the time?

**Mr. Kwayana:** That is correct.

**Mrs. Samuels-Brown:** Alright. Thank you very much. You were asked questions in relation to the policy of paramountcy of the Party and this morning in particular you were directed to the operation of the Courts in this context.

**Mr. Kwayana:** Yes.

**Mrs. Samuels-Brown:** Do you recall, Sir, if I may refer you to page 90 of your witness statement, well it is 90 in my book but it is actually page 5 of your witness statement, where you referred in discussing the allegation that Walter Rodney would have wanted to bomb the prisons to a decision of a High Court judge in relation to persons who were then incarcerated and the High Court judges' ruling that statements taken from these persons had been taken under circumstances which made the statements inadmissible?

**Mr. Kwayana:** Correct.

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**Mrs. Samuels-Brown:** What case was that? Those persons were charged with what? Who were they?

**Mr. Kwayana:** They were charged with treason.

**Mrs. Samuels-Brown:** Oh, so those are the same “treason accused”...

**Mr. Kwayana:** Yes.

**Mrs. Samuels-Brown:** ...that we have been hearing about.

**Mr. Kwayana:** Yes, we called them “the treason accused”, but I was reminded that some of them were charged with firearms and the judge in question was Justice Harper.

**Mrs. Samuels-Brown:** Thank you, very much. Also in your statement, at page 16, you refer to what has been referred to here as the “arson trial”?

**Mr. Kwayana:** Yes.

**Mrs. Samuels-Brown:** And you referred to certain comments made by the Magistrate Mr. Oscar Parvatan one morning when he came into Court.

**Mr. Kwayana:** Yes.

**Mrs. Samuels-Brown:** And you say that he announced “I do not want to be told what to do. All morning they have been trying to tell me what to do.” Do you recall that in your statement?

**Mr. Kwayana:** I thought I said, “all morning people have been trying to tell me what to do”.

**Mrs. Samuels-Brown:** Well, I have it here as “they”.

**Mr. Kwayana:** Well, I may have made a mistake there. Yes.

**Mrs. Samuels-Brown:** Thank you.

**Mr. Kwayana:** That was, if I may explain briefly, that was in connection with the granting of bail to the treason accused. The hearing had not yet begun. It was the question of bail and the Magistrate claimed openly that he was being approached on the telephone and people were

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trying to tell him what to do about bail and he granted bail and was promptly transferred out of town.

**Mrs. Samuels-Brown:** Thank you, Sir. In fact, in your statement you say that he refused a note handed to him by the orderly after a phone call to his Court chamber. Do you remember saying that in your statement?

**Mr. Kwayana:** Yes.

**Mrs. Samuels-Brown:** Having regard to the Magistrates statements, his grant of bail and his transfer later on, are you able to say where these attempts at influence would have come from?

**Mr. Kwayana:** I have a personal explanation which I cannot prove to this Commission. It was common belief in those days that these attempts were coming from the Head of Government but I have no other...

**Mrs. Samuels-Brown:** I will ask another question to which the answer may seem obvious but I will still ask it. Could the ordinary man in the street transfer a Magistrate from one Court to another?

**Mr. Kwayana:** Oh, no.

**Mrs. Samuels-Brown:** When you say the Magistrate was immediately transferred, are you able to recall after this long pause, how soon after the grant of bail he was transferred?

*12.33hrs*

**Mr. Kwayana:** I think, hardly two weeks.

**Mrs. Samuels-Brown:** Thank you.

**Mr. Kwayana:** He was not here to hear the arson trial, then. He was not the magistrate who heard the arson trial in the same Court. He had been removed before that arson trial could get under way at the first day of fixture.

**Mrs. Samuels-Brown:** Thank you very much. Finally, Sir, may I ask you... You have put forward a figure of 14 per cent of the population voting for the referendum but the official

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figures are 74 per cent. Why should this Commission accept your percentage and not the 74 per cent, which is the official figure of the Government?

**Mr. Kwayana:** Madam, with respect, I could make several answers to that question.

**Mr. Chairman:** Your mouth was away from the microphone. We did not hear that at all.

**Mr. Kwayana:** I was saying I could make several answers to that question, with respect. The citizens' monitoring of the referendum is well documented in Guyana. A lot of publicity, and public discussions took place over these matters. I do not know how to convince the Commission to accept the 14 per cent figure as against the 74 per cent figures. I really wish I could but I do accept the 14 per cent as against the claim of 74 per cent. There is nothing I could bring to your vision, you see, people at that time had a visual sense of who went to the polls. There is no way I can recapture that, unfortunately.

**Mrs. Samuels-Brown:** Did you tell us, Sir, that there were observers for these elections?

**Mr. Kwayana:** The observers were domestic observers and they wrote, assembled and printed that report. That report was in the custody of the Guyana Human Rights Association (GRHA). I do not think that there were external observers, then, no. I am a little puzzled because it is the first time I am being questioned about the validity of this figure. *[Laughter]*

**Mrs. Samuels-Brown:** I am not challenging it, Mr. Kwayana. I am just trying to get the evidence from you as to the basis on which you have come to that conclusion.

**Mr. Kwayana:** All I can say is I was present. I was monitoring certain sections. We compared notes. People passed up and down the country. The place was like a Sunday...

**Mr. Chairman:** Mr. Eusi, you gave the figure of 14 per cent, but whose figure is it that you are giving?

**Mr. Kwayana:** That was the figure of the Citizens' Committee....

**Mr. Chairman:** Oh, the Citizen's Committee.

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**Mr. Kwayana:** ...that monitored the entire referendum in various parts of the country, including the hinterland.

**Mrs. Samuels-Brown:** Thank you very much, Mr. Kwayana. I have no further questions.

**Mr. Kwayana:** I am sorry I could not be more helpful. Thank you.

**Mr. Chairman:** We will now hear some questions posed by Commissioner Jairam.

**Mr. Jairam:** Thank you. Mr. Kwayana, I am sorry to detain you but we need to get some clarifications from you. I think I understood you to be saying on the 28<sup>th</sup> May, when you testified, that many of the unions were associated with the PNC and you told us the Trades Union Congress (TUC) was. Was that a voluntary or involuntary association?

**Mr. Kwayana:** What is that?

**Mr. Jairam:** Did they do that willingly, or... One has certain conception...

**Mr. Kwayana:** The affiliation?

**Mr. Jairam:** Yes.

**Mr. Kwayana:** The atmosphere was such that certain unions felt that they had to affiliate.

**Mr. Jairam:** The TUC is an umbrella body, is it not?

**Mr. Kwayana:** Yes, it is an umbrella body. I was not certain whether the TUC was an affiliate but I knew that several member organisations were.

**Mr. Jairam:** I see. Moving along, I am just trying to get from you the bolts and nuts because we need to understand the economic, social, industrial relations climate at the time.

**Mr. Kwayana:** Yes.

**Mr. Jairam:** Remember you told us a number of things about the, for example, paramountcy of the party and you said, if I have you correctly, was to secure itself for the future although it did not present itself as an insecurity. Then you spoke about the vigorous foreign policy and so on, under Mr. Burnham's regime, do you remember that?

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**Mr. Kwayana:** Yes.

**Mr. Jairam:** What I want to ask you... Could you tell us if you can, how did all of these developments impact on the economic progress of the country, if any?

**Mr. Kwayana:** 1974... The living conditions of people were very hard-hit. A lot of the struggles, concerns, livelihood, living wage... In fact, I may say that in or about 1976...

**Mr. Chairman:** You are some distance away from the microphone, Sir. If you can... Help him, put it closer to him. If you can bring it across some more...

**Mr. Kwayana:** Oh, I am sorry.

**Mr. Chairman:** My last record I have was that "living conditions were hard..."

**Mr. Kwayana:** Living conditions were hard, and then the Government in its move to self-sufficiency, banned certain essential food items. The Working People's Alliance got very involved in this food struggle because things like bulk foods that were imported were cut off and everything was either prohibited or put on license. Guyana became very famous for long queues of vendors going from territory to territory in the Caribbean. Suriname, at that time, was not in CARICOM, but wherever they established new trade routes, finding various places where they could obtain these items and bring back home into the country, to sell to consumers and this almost obsessed the large majority of the population, the finding of things to which they were accustomed. The Government argued that these things were not healthy and some of them indeed were not but the fact is there had been no previous replacement by domestic alternatives before these bands went into operation. That was an outstanding feature of the hardships. Then, there was a minimum wage. There was in issue with National Association of Clerical, Commercial and Industrial Employees (NACCIE) Union when the increments were due the Government sent out a circular ordering all state enterprises to refrain from paying the increment. NACCIE took the matter to the High Court and they argued and eventually won a decision in the High Court that the circular ordering managers and others not to pay. Oh, it was the "merit increment". There had been legislations to prevent wage increases. In the sugar industry it was decided to pay a merit increment and the circular went out to band the merit increment to prevent it from being paid.



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That is what it went to court. The Union won that case. There were struggles like that up and down; to say nothing of the unauthorised workers who had to battle from issue to issue.

**Mr. Jairam:** Could you remind us again, please, the acronym NACCIE, what does it mean?

**Mr. Kwayana:** National Association of Clerical Commercial & Industrial Employees.

**Mr. Jairam:** Thank you. My follow-up question to the scenario you have just described for us, did all of that affect the normal migratory trends of the country? I say “normal” because we all know there would be migration from time to time for various reasons like education, climate, marriage, a number of things... so you have normal. Could you tell us, if you know, please?

**Mr. Kwayana:** I do not think I can be certain but I do personally believe it did.

**Mr. Jairam:** It did.

**Mr. Kwayana:** I have no proof.

**Mr. Jairam:** Being involved in the political or public life since 1947, can you say whether there was any general or particular dissatisfaction in the country during the period 1978-80?

**Mr. Kwayana:** Oh yes, a lot of dissatisfaction. It ranged wide. Food was one of the main things; the low cost of living, the rate of exchange, the shortage of foreign exchange are what pushed the Government, I believe, into this programme for conserving of what they saw as domestic resources. Even the band on news was what attributed to lack of foreign exchange. A lot of the civil struggles that took place surrounded freedom of expression, the right to print, the right to publish... which became almost at the Government’s disposal. It affected the *Catholic Standard* which was one non-governmental newspaper and the *Mirror* which was another non-governmental newspaper. They had virtually to petition or plead from week to week in order to get news printed. It was so bad that a human rights organisation in Jamaica, I think, offered a donation of news print and it was prohibited. It could not be accepted. In solidarity with the journalists in Jamaica, it was not allowed. The Government did not allow it. The Guyana Council of Churches and other organisations got together, and established a crisis committee to deal with the food side that I have been describing a moment ago and that too was not welcomed by the

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Government at all. It was a long string of hardships. Along with this there were rigid controls of personal rights and freedoms. I spoke before, I do not want to repeat it, of three young trained teachers who were dismissed for being active with an “enemy of the State”, this phrase was coined; certain people became “enemies of the State”.

*12.48hrs*

**Mr. Kwayana:** I think it was coined by a Minister of Information and they were dismissed to be active, some “enemy of the State” during the International Year of the Child in various social activities of that kind, so it was a very wide writ.

**Mr. Jairam:** Moving on. Remember you were asked questions about this book *Assassination Cry of a Failed Revolution, The Truth of Dr. Walter Rodney's Death* and you told us that the book could stand up to scrutiny. You described a number of things said that Gregory Smith went by plane to Kwakwani and the WPA had no capacity to take him anywhere by plane etcetera. What I want to ask you, from your perspective, was it that Mr. Gregory Smith was trying attempting to implicate the WPA in the death of Walter Rodney?

**Mr. Kwayana:** I think in some of his interviews which I do not have a ready reference to, at least one of them, he made some slight reference, innuendo, in that direction, but generally, I think he was trying to cover his tracks, so what he set out to do was to counter Donald Rodney's narrative and I think most of his energies went into countering Donald Rodney's narratives, and he did not deny that Donald Rodney called on him that evening for a device which he has been asked to modify, or do something to a walkie-talkie or to prepare or to make, but he altered the narrative and altered it in excluding all doubts, as we saw it, that we could have been at home triggering this device that exploded. So he went to the extent of going into the car in his narrative which, I believe to be false, and sitting in the back seat and demonstrating to these two gentlemen sitting in the front seat the ins and outs of this device and putting them through a kind of question and answer, kind of skepticism, what will happen if I do this, what will happen, if I do that, what will happen and asking them questions about if the device was armed or not armed, what will happen if it was armed, if it was not armed and emphasising that there were no explosive in it at the time he handed it over. That was the point he wanted to get over. The whole point is that Donald Rodney had survived and so there was someone to connect him. I believe

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that he had not anticipated Donald Rodney's presence and did not expect a survivor then he put himself off to the cinema so that, triggering a data clock, could not involve him because he was not in his house in which a lot of electronic equipment were found some days after.

**Mr. Chairman:** Okay sorry.

**Mr. Kwayana:** The major thing is that he said that the Working People's Alliance supplied him with a passport. In fact, he got the passport from the immigration officer at the counter. Now the WPA has had some of its passport ceased and could not make a passport as he is alleged we did for him. So this was inconsistent with our experience. He also claimed that we put him with \$300, Mr. Fowler, who he is portraying as some kind of WPA person, Mr. Fowler took him to the airport and handed him to the Immigration Officer who gave him a passport with the name "Cyril Johnson" and \$300 and he joined Air Martinique. We have been unable to trace any passage of Air Martinique through what was then the Timheri Airport.

**Mr. Jairam:** When you were asked questions this morning by Mr. Pieters regarding that bulletin and so on, a suggestion was being put to you that the WPA was tempting to recruit members of the police force and I think you said there was a decision by the WPA to get sympathy to get members of the Armed Forces.

**Mr. Kwayana:** Yes.

**Mr. Jairam:** What I want to ask if you can assist, I read it or heard it somewhere, but I would like to ask you, are you aware that during the late 1970s, early 1980s that if a policeman wanted to put his colleague in trouble, all he or she had to say was that he was a member or she was a member of the WPA and they will be disciplined or dismissed. Are you aware of that at all?

**Mr. Kwayana:** I have heard those reports, Sir.

**Mr. Jairam:** But you have no experience of it?

**Mr. Kwayana:** I do not have a case.

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**Mr. Jairam:** Okay, let us move on. From your perspective and being the activist you are and were, can you tell us as far as you are concerned, were there general efforts by the police to solve the unnatural circumstances of Dr. Rodney's death?

**Mr. Kwayana:** There were no genuine effort by the police or by those politically responsible to the people, I mean like Ministers in charge of the Home Affairs, those people, there was no genius effort to solve the murder of Walter Rodney.

**Mr. Jairam:** You told us about the police being disruptive in those days of many of the meetings held by the WPA, remember that? You know the enemy of my enemies is my friend.

**Mr. Kwayana:** Yes Sir.

**Mr. Jairam:** What I want to ask you did the police behaved in a similar way in relation to meetings held in other political parties including the PNC in those days?

**Mr. Kwayana:** At PNC meetings the police were clearly protectors of the speakers. PNC however, did not hold campaign meetings or meetings to motivate the people as the Opposition Parties did, they had no need to. They were in office and they would hold grand congresses and so on and there would be a lot of police in attendance and as I have said before the Commissioner of Police began to pledge loyalty to the prime Minister, the Leader of the People's National Congress at party congresses not a matter of an allegiance, governmental allegiance and State, but loyalty at a party congress to the leader of the army and the police leader did that.

**Mr. Jairam:** May be I have three questions for you. You know you refer us to that EK 3 document, remember the speech of the congress?

**Mr. Kwayana:** Yes.

**Mr. Jairam:** Mr. Burnham was well known for his elocution... What I want to ask you during that period was... whatever we called it rhetoric or otherwise or... was there any similar rhetoric coming from the PPP during that period?

**Mr. Kwayana:** Mean of the type?

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**Mr. Jairam:** Yes, we have been through this passage ad *nauseam* various counsel... you described it as menacing. He said we promised to bat steel with steel and fire with fire?

**Mr. Kwayana:** Oh, no the PPP rhetoric did not go in that direction.

**Mr. Jairam:** It did not go in that direction?

**Mr. Kwayana:** No. It would be more pushing the Government to take a stronger imperialist position, things like that.

**Mr. Jairam:** I promise you it is my penultimate question, I think. You told us about the change from the monarchy to a republican model of Constitution, I just want to have an idea, was there broad based public support for such a move?

**Mr. Kwayana:** I think people had mixed feelings about it but there was no Opposition.

**Mr. Jairam:** Lastly, in answering to my fellow Commissioner about Mr. Oscar Parvatan, I do not want to leave it hanging. Are you telling us the transfer of Mr. Parvatan from the district wherever he was to some far flung place in the interior, was a punitive transfer?

**Mr. Kwayana:** It was an open secret as if it was punitive transfer.

**Mr. Jairam:** You would not say it was a transfer I n the normal course of things?

**Mr. Kwayana:** Oh no, not at all.

**Mr. Jairam:** I thank you very much Mr. Kwayana and thank you very much for you patients with me.

**Mrs. Samuels-Brown:** Just to ensure Mr. Kwayana, that we have authentic... you refer to certain things being said at PNC meeting or rather the present of the police at PNC meeting and the role they played, you yourself witness this? They were being at the meetings as protectors.

**Mr. Kwayana:** That all what I said.

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**Mrs. Samuels-Brown:** Thank you. Also you refer to teachers being dismissed for a phrase coined by the Minister of Information, “enemies of the State”. You yourself are familiar with teachers who were dismissed for that reason?

**Mr. Kwayana:** I know their names.

**Mrs. Samuels-Brown:** thank you, I do not need to get into the names; I just want to make sure that you yourself know.

**Mr. Kwayana:** Yes, I do.

**Mrs. Samuels-Brown:** Mr. Edward Rodney gave evidence of being transferred as a teacher to the interior was this also a feature of treatment of teacher who fell into...

**Mr. Williams:** Madam Chairperson, I think that would be Father Gilbert

**Mrs. Samuels-Brown:** No, sorry it was not Edward, it was Gilbert of persons who felt a foul of the Administration? Would it be a transfer or a dismissal or both or either?

**Mr. Kwayana:** Is that a particular person?

**Mrs. Samuels-Brown:** Anybody, would persons also be transferred to the interior if they felt a foul of the administration?

**Mr. Kwayana:** Well I know of one case, Ms. Bonita Harris been active in the WPA was threatened with a transfer and I think she did not go and there was another lady for view point on the radio because up to that time viewpoints were allowed and because of her view point which were independent and she was not a Member of the Working People’s Alliance, she was just a citizen speaking out, she suffered a transferred.

**Mrs. Samuels-Brown:** Thank you very much and finally following up again on fellow commissioner the Guyana Counsel of Churches and the Christ’s Committee are you able to give us the name of any person who were involved in that Committee the Leader of the Council of churches at that time? If you cannot recall, I would understand.

## WALTER RODNEY COMMISSION OF INQUIRY

*13.03hrs*

**Mr. Kwayana:** I think Father Malcolm Rodrigues, Mr. Miles Fitzpatrick, Attorney-at-Law and almost everyone you could think of, was involved. It was very very popular and broad based. Attorneys-at-Law, trade unionists, church people were all involved as well as political people. Some of them doing the actual monitoring. You see, it was not headed by partisan types of people. It would be rather the priests, the attorneys-at-law, the trade unionists who were running this organisation.

**Mrs. Samuels-Brown:** You are talking about the Crisis Committee or the Counsel? Which organisation are you actually referring to so that we are on the same page?

**Mr. Kwayana:** The referendum committee that did the monitoring, I am talking about.

**Mrs. Samuels-Brown:** Thank you. Thank you very much, Sir. Thank you Chairman.

**Mr. Kwayana:** Thanks.

**Mr. Chairman:** Mr. Eusi, if I may so call you. You have been exhaustedly questioned and cross-questioned for I think what is now a greater part of some four days.

**Mr. Kwayana:** No, Sir.

**Mr. Chairman:** I might have.

**Mr. Kwayana:** Tuesday, Wednesday, Thursday...

**Mr. Ram:** Five days, Sir.

**Mr. Chairman:** Five days. I am sorry. I miss counted.

**Mr. Kwayana:** Monday, yes.

**Mr. Chairman:** I, myself have no questions.

**Mr. Kwayana:** Thank you.

**Mr. Chairman:** But I want to thank you for...

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**Mr. Williams:** Mr. Chair before you do that, could I take the opportunity to tender this book?

**Mr. Chairman:** Okay, you will do that when I am finished. I will allow anything to...

**Mr. Williams:** Much obliged.

**Mr. Chairman:** To be tended, but I want to thank you for volunteering to give evidence as indeed all those who have appeared before us have volunteered and I hope that would be the pattern of the evidence, which we will be receiving at this inquiry and for sharing your knowledge and your insights with us resulted really from the multiple roles which you have played in the life of Guyana going back to 1947. You have been participant, you have been observer and you have been student and we greatly appreciate your coming forward. I thought at one point that you might not have stood the test but you have emerged with full marks for your stamina. It remains only for me to thank you once again for the contribution that you have made by your evidence and to wish you well hereafter. Thank you.

**Mr. Kwayana:** Thank you very much for your generous statements, Mr. Chairman and Commissioners and I can only say that my testimony is to be tested because I make mistakes like other people, although you think I have passed the test. Thank you very much and I thank Counsel too for their courtesy and the way they were very conscious of my disabilities in pressing their questions on me. Thank you very much.

**Mr. Chairman:** Help him away Mr. Marshal. In a minute, Mr. Williams. I believe you were on a tidying up note Mr. Williams.

**Mr. Williams:** Yes, please Mr. Chairman and Commissioners. I had served these books on you and Counsel and I have made references which have been accepted by the witness from the book and I am asking that it is tendered, admitted and marked Exhibit EK 12.

**Mr. Chairman:** Yes, just give us the name.



## WALTER RODNEY COMMISSION OF INQUIRY

**Mr. Williams:** *Walter Rodney* by Eusi Kwayana.

**Mr. Chairman:** *Walter Rodney* by Eusi Kwayana. You will now introduce it into evidence formally so and having it tagged as?

**Mr. Williams:** EK 12.

**Mr. Chairman:** It is so received and tagged as EK 12, *Walter Rodney*” by Eusi Kwayana. Yes, you had promised to do that and you have met your promise, honoured your promise, thank you very much.

**Mr. Williams:** Thank you.

**Mr. Chairman:** If indeed we did not have enough copies, I am sure the Secretariat will make sure that we have enough copies so that all those who have been participating can have a copy. We have I am told Mr. Reverend Gilbert here. Can you advise us Commission Counsel, do you think we can spend any useful time with him, before we break for lunch?

**Mr. Hanoman:** We propose the next witness to be Mr. Joseph Hamilton, who has been patiently waiting to give his evidence. He is here.

**Mr. Chairman:** At what point what point do you wish to receive him? Starting now?

**Mr. Hanoman:** If it pleases the Commission, we are ready.

**Mr. Williams:** We are taking lunch now, or a snack or something? It is 13.10hrs.

**Mr. Chairman:** I think we should see how far we can get with him. I am told he has been waiting for some while. Let us spend some time with him.

**Mr. Williams:** Might I respectfully enquire, we are slated to finish at 13.30hrs, what is our time now?

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**Mr. Chairman:** Well there is nothing rigid about that in the sense that, if for example, we have a witness who at 13.30hrs, we may need 15 more minutes with him to complete him, we will take the 15 minutes rather than have him come back overnight.

**Mr. Williams:** I understand that but I am saying it is 13.10hrs now. I have his statement and he is going to take some time. So we start him and then we stop?

**Mr. Chairman:** We do him in bites. That is, we may have to take a small bite today

**Mr. Williams:** Yes.

**Mr. Chairman:** And continue him tomorrow.

**Mr. Williams:** As it pleases.

**Mr. Chairman:** Okay, but we will use up the time.

**Mr. Pilgrim:** Chair, just for convenience, I just want to remind the Commission that, my recollection is that you proposed to start at a particular time with a witness to whom we offered special courtesy last week, the gentleman from the Army.

**Mr. Chairman:** Yes.

**Mr. Pilgrim:** So in terms of starting now and then, just enquiring as to how you propose to proceed tomorrow, in terms of honouring the undertakings given to that witness last week?

**Mr. Chairman:** I think we will be forced to honour that undertaking. It is very hard to know precisely how long a witness will run, very hard. So that even if we start now we could not assure him that by Wednesday morning he will be the first at the crease as it were. He might have to remain in the pavilion for a longer period because, if I may use a cricketing metaphor, because the witness coming tomorrow may still be at the crease. He may still be batting. These things cannot be determined before-hand with any certainty or at all. But I was disposed to use

## WALTER RODNEY COMMISSION OF INQUIRY

the next half of an hour to starting anyhow. He might feel very relieved, having been waiting very long, to get a start, so bring him to the crease.

**Mr. Hanoman:** Could Mr. Joseph Hamilton, please, come to the witness box?

*[Mr. Joseph Hamilton entered the witness box]*

**Mr. Hanoman:** Mr. Hamilton will be led by Ms. Rahamat, in evidence.

*[The Secretary to the Commission administered the oath to Mr. Joseph Hamilton]*

**Counsel to the Commission [Ms. Latchmie Rahamat]:** With the leave of the Commissioners through Mr. Chairman, might I begin? Could you please state your name for the record?

**Mr. Joseph Hamilton:** Joseph Hamilton.

**Ms. Rahamat:** Mr. Hamilton, would you prefer to be seated during your evidence?

**Mr. Hamilton:** Part of it I will be sitting. Part I will be standing.

**Ms. Rahamat:** You would prefer to stand right now?

**Mr. Hamilton:** Yes.

**Ms. Rahamat:** Okay, Mr. Hamilton.

**Mr. Chairman:** *[Inaudible]* as Commissioners, to a half and half.

**Ms. Rahamat:** Yes.

**Mr. Chairman:** If you want to sit half of the way and stand half. That is alright with us.

**Ms. Rahamat:** Could you please indicate to the members of the Commission, where you are currently employed?

**Mr. Hamilton:** I am the Parliamentary Secretary at the Ministry of Health.

**Ms. Rahamat:** Mr. Hamilton, did you submit to the Commission a written statement?

**Mr. Hamilton:** Yes, Madam.

**WALTER RODNEY COMMISSION OF INQUIRY**

**Ms. Rahamat:** If you were to see your written statement again, how would you be able to identify it?

**Mr. Hamilton:** By my signature on the seven pages.

**Mr. Chairman:** Could the witness be shown his statement?

**Ms. Rahamat:** Grateful, please, Mr. Chair.

*[Court Marshal showed the witness a copy of his statement]*

**Ms. Rahamat:** Mr. Hamilton, could you kindly have a look at the document that is being shown to you and just indicate whether you see your signature on several pages?

**Mr. Hamilton:** Yes.

**Ms. Rahamat:** That is the statement you gave to the Commission, Mr. Hamilton?

**Mr. Hamilton:** Yes Madam.

**Ms. Rahamat:** At this time, we, respectfully, will be seeking leave to have the statement given to the Commission by Mr. Hamilton be tendered and marked as an exhibit? Could the statement please be shown to the Counsels and the Commissioners?

*[Court Marshal showed the Counselors and Commissioners a copy of Mr. Joseph Hamilton's statement]*

**Mr. Chairman:** The witness is free to refer to his statement at anytime

**Mr. Hamilton:** Thank you, Mr. Chairman.

**Ms. Rahamat:** Mr. Chairman, the suggested tag would be JH 1.

**Mr. Chairman:** JH 1. His statement is received into evidence and so tagged, JH 1. Please proceed.

**Ms. Rahamat:** Grateful, Sir.

**Mrs. Samuels-Brown:** May I just look at the document the witness has in his hand?

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**Ms. Rahamat:** No difficulty. Mr. Hamilton, could you please give the document you have to the Marshal.

*[Court Marshal showed the Commissioner Jacqueline Samuels-Brown the copy of the witness's statement]*

**Mr. Hamilton:** It is a copy of my statement.

**Ms. Rahamat:** Mr. Hamilton, I wish to direct your mind to the first quarter of the year 1977. Do you recall that time Mr. Hamilton?

**Mr. Hamilton:** Yes, madam.

**Ms. Rahamat:** Approximately, how old were you at that time?

**Mr. Hamilton:** 23 years old.

**Ms. Rahamat:** And what if anything occurred around that particular time?

**Mr. Hamilton:** I recall sometime in the first quarter, I think of 1977, joining the House of Israel.

**Ms. Rahamat:** You joined the House of Israel?

**Mr. Hamilton:** Yes, Madam.

**Ms. Rahamat:** And how was it that you were able to join the House of Israel? Were there any requirements that you had to meet?

**Mr. Hamilton:** The normal thing is that the House of Israel would have kept what they called, I think, the Christian churches were called crusades or that kind of thing. Then they would extend membership, so membership forms would be circulated and people will join. So you join via a membership form.

**Ms. Rahamat:** You filled out such a membership form, Mr. Hamilton?

**Mr. Hamilton:** Yes, Madam.

**Ms. Rahamat:** And who did you submit the membership form to?

## WALTER RODNEY COMMISSION OF INQUIRY

*1.18hrs*

**Mr. Hamilton:** I could not remember, it could have been someone who was preaching there on behalf of the House of Israel in my home village at that time where I lived.

**Ms. Rahamat:** How long after submitting the membership form were you granted membership into the House of Israel?

**Mr. Hamilton:** The thing is that it was a religious body so it was just like going to church, you become a member by acknowledging the form and filling out, so there was not a process of vetting a person, so to speak, to become a member.

**Ms. Rahamat:** It was understood having submitted that membership form that you were officially a member of the House of Israel?

**Mr. Hamilton:** Yes, I would say so.

**Ms. Rahamat:** When you joined the House of Israel that point in time, could you please give the members of the Commission and the listening public an overview of what exactly the organisation's theories were centered around?

**Mr. Hamilton:** It was three or four pillars as I called them. One was speaking to the fact that the original Jewish people were black Africans.

**Mr. Chairman:** The original people?

**Mr. Hamilton:** The original Jews were black Africans; the second was self-love for yourself as an African and thirdly, was the whole issue of self-reliance, relying on yourself as a people and supporting your own self, people who were in business, ethnic origin, I mean so those were the three basic pillars that were articulated. Of course, the Bible was used as a methodology in a way whereby instead of dealing with the Bible as a long lost book to make it relevant to the day and the time and more so putting the teaching of the Bible in a historical perspective other than a basically religious alone.

**Mr. Chairman:** .....understand what you meant by the Bible was used as the methodology. Is that the methodology as oppose to the source?

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**Mr. Hamilton:** Okay, the Bible was the source and the methodology adopted, sorry, Sir. The Bible was the source that we relied on...

**Mr. Chairman:** Of the pillars of the teachings?

**Mr. Hamilton:** Yes, Sir.

**Mr. Chairman:** Thank you, Counsel.

**Ms. Rahamat:** Grateful. Mr. Hamilton before you actually signed up a member of the House of Israel, how much exposure did you have to the organisation and or their teachings?

**Mr. Hamilton:** I would say none at all.

**Ms. Rahamat:** So how many meetings or church sessions did you attend before you signed up as a member?

**Mr. Hamilton:** As I said as I recall and to tell you that before the meeting/crusade in my home village, Triumph, at that time I never knew the House of Israel as an organisation existed. I suspect as a young man busy doing other things and so it was in my village this discussion about some exciting teaching that is different and is new, and new perspective interpreting the Bible. Of course, during that time you had all the issues of the African struggle so that attracted me when I went to the meeting or several meetings because the crusades would run for one week, two weeks so I would have attended from the time I went, I attended other nights of the crusades, so to speak.

**Ms. Rahamat:** Mr. Hamilton you made reference a few moments ago to their being black struggle. Where exactly at that particular time in the first quarter of 1977 did you reference this struggle? Was it to Guyana or outside of Guyana?

**Mr. Hamilton:** No, African struggle for liberation, those things were very popular. You still had they reminisce of the Civil Rights struggle, Black Power struggle still current in the United States of America (USA) and so even before the House of Israel, I paid attention to those matters.

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**Ms. Rahamat:** Thank you Mr. Hamilton. Could you now indicate to the members of the Commission and the listening public who were the leaders of the House of Israel?

**Mr. Hamilton:** The House of Israel's Leader at that time was Edward Washington, the name was David Hill Jnr. in the United States, I subsequently learnt, but in Guyana, he was Edward Washington. He was the Leader of the House of Israel at the time.

**Ms. Rahamat:** Mr. Hamilton before we .....

**Mr. Chairman:** I did not get that name, his real name supposed to his Guyanese name.

**Ms. Rahamat:** Mr. Hamilton could you repeat the real name of Edward Washington, the one you referred to as his name before he came to Guyana?

**Mr. Hamilton:** It was David Hill Jnr

**Ms. Rahamat:** Mr. Hamilton how long had you been a member of the House of Israel?

**Mr. Hamilton:** I would say actively involved from 1977 which I will say 1987 because there was a period which I was not in Guyana.

**Ms. Rahamat:** As you stand there in the witness box, Mr. Hamilton, are you currently a member of the organisation of the House of Israel?

**Mr. Hamilton:** No, I am not.

**Ms. Rahamat:** When you joined the organisation for the first quarter of 1977 Mr. Hamilton, could you please indicate to the members of the Commission what your designation were? Were you offered a particular role at that time or a post?

**Mr. Hamilton:** The organisation, your developments so to speak, would have to do with what the organisation had, at the time, was a Priesthood lecture college, what you want to call it, that is where persons who had an interest to assume leadership roles would participate and you would go through several lectures of different issues.

**Ms. Rahamat:** Did you participate in these courses and take these lectures Mr. Hamilton?



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**Mr. Hamilton:** Yes.

**Ms. Rahamat:** How long did, did process take?

**Mr. Hamilton:** Between six months to a year these process would have...

**Ms. Rahamat:** After you completed the courses and the lectures, what were you referred to as, Deacon or a Priest?

**Mr. Hamilton:** It was Priesthood so you were referred to as a Priest.

**Ms. Rahamat:** When you became a Priest within your organisation of the House of Israel, Mr. Hamilton, were you then considered a senior member?

**Mr. Hamilton:** No, there was another structure above the Priesthood but it would then called like a quasi-cabinet because there were persons who were more senior who was not responsible for a village or a district who had specific roles to deal with the social conditions of members say for instance you had somebody who paid attention to the health needs of persons, paid attention to the social needs of children who might have been orphans, so you had that structure.

**Ms. Rahamat:** The structure you were seeking to describe you became a member of the Priesthood?

**Mr. Hamilton:** Yes Ma'am.

**Ms. Rahamat:** There was a level above you.

**Mr. Hamilton:** Yes, Ma'am.

**Ms. Rahamat:** What was that level called?

**Mr. Hamilton:** That is what I am saying; it was like people, a quasi-cabinet.

**Ms. Rahamat:** Was it referred to a quasi-cabinet?

**Mr. Hamilton:** A quasi-cabinet. My own terminology, but it was persons who were entrusted with specific responsibilities that were not of a theology type, it was more a social economic type of activity.

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**Ms. Rahamat:** At this point in time can you recall the names of the individual who would have made up this quasi-cabinet, level of the leadership?

**Mr. Hamilton:** I recalled them; you would have to forgive me because the names I called basically would be African names as we refer to at the time I had Jomo, they had Omawale another brother by the name of Alli and those three quickly comes to my head, but they had several others because there were other areas of activity that people had responsibility for.

**Ms. Rahamat:** Was there a level above the quasi-cabinet?

**Mr. Hamilton:** No, it was just the leader.

**Ms. Rahamat:** And that would be..?

**Mr. Hamilton:** Mr. Washington.

**Ms. Rahamat:** Mr. Washington.

**Mr. Hamilton:** Yes, Ma'am.

**Ms. Rahamat:** In your written statement to the Commission, Mr. Hamilton, at paragraph three and I wish to refer you; you made reference to several names there?

**Mr. Hamilton:** Yes, Ma'am.

**Ms. Rahamat:** You refer to some of those names as the leadership?

**Mr. Hamilton:** Yes.

**Ms. Rahamat:** Could you please state the names what you refer to in your statement as being leaders at that time?

**Mr. Hamilton:** If I refer to the statement I am saying leadership at that time including Rufus Lewis, of course, there is so-called "Christian name". I knew those names several years after if you are following me. During the period persons were referred to as their African names so the names that I am mentioning what we would call English names are names that I subsequently

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over the course of time so I am saying Rufus Lewis also known as Jomo, Abraham Mc Allister also known as Omawale and Vincent Hinds known as Alli and others.

**Ms. Rahamat:** Mr. Hamilton did you have an African name?

**Mr. Hamilton:** Yes, Ma'am.

**Ms. Rahamat:** You were referred to at that time?

**Mr. Hamilton:** Yes, Ma'am.

**Ms. Rahamat:** Could you please state it for the record?

**Mr. Hamilton:** My name at that time was Asim.

**Mr. Chairman:** May I ask you so when did you precisely leave the House of Israel, did you cease to be a member?

**Mr. Hamilton:** When did I leave?

**Mr. Chairman:** Ceased to be a member?

**Mr. Hamilton:** Oh, when did I cease to be a member? I would say, let me explain and then answer the question, Sir, if I am permitted.

**Mr. Chairman:** You want to tell me the circumstances of which you came to leave; I just want to know when you leave?

**Mr. Hamilton:** *[Laughter]*

**Mr. Chairman:** *[Laughter]*

**Ms. Rahamat:** Just a specific year or month if you can offer that to the Commissioner?

**Mr. Hamilton:** I would say sometime in the early 1990's when I returned to Guyana.

**Mr. Chairman:** When you?

**Mr. Hamilton:** Returned to Guyana.

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**Mr. Chairman:** I think he needs to say more than that, I can understand why ....

**Ms. Rahamat:** Yes, Mr. Chairman.

**Mr. Hamilton:** That is why I wanted to explain before I.....

**Ms. Rahamat:** Earlier, Mr. Hamilton, you indicated you were a member from the period 1977 up until 1987, I believe it was.

**Mr. Hamilton:** Yes.

**Ms. Rahamat:** Did you subsequently leave the country after 1987?

**Mr. Hamilton:** No, I left the country, why I chose 1987 is because in 1986 November after the trial of Rabbi Washington and several others of the leadership and conviction, I was tasked with the responsibility to sojourn with Rabbi Washington's three minor children to the United States to be their guardian and that period lasted from 1986 right on to 1987 when they were handed over to their uncle that lived in the States and other relatives subsequently, the mother came up so regards active involvement in the House of Israel's activities I would, that is the reason why I used 1987 as my timeline.

**Ms. Rahamat:** I understand Mr. Hamilton, but could you indicate to the members of the Commission between 1987 and the early 1990's whether you were still officially a member of the House of Israel?

*13.18hrs*

**Mr. Hamilton:** Well the interpretation I suspect from the House of Israel, they would have seen me as a member, I would want to believe at that time, I had started to separate myself, so to speak.

**Mr. Chairman:** This is while you were in the US?

**Mr. Hamilton:** Yes.

**Mr. Chairman:** Playing the role of guardian to the children.

**Mr. Hamilton:** Yes, after that time.

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**Mr. Chairman:** So how long were you guardian in the US?

**Mr. Hamilton:** I would say about a year or so. I was actively involved in the guardianship of the children, but subsequently, they were handed over. Even after they were handed over to their uncle and other relatives, I was still a participant in the guardianship because I still had the responsibility of paying attention to these children.

**Mrs. Samuels-Brown:** Well, I understand that once you are handed over to the guardianship it is thereafter, started, to use your words, to separate yourself.

**Mr. Hamilton:** Yes, I would want say so.

**Mrs. Samuels-Brown:** Thank you.

**Mr. Hamilton:** Yes.

**Mr. Chairman:** So by 1990, you were effectively no longer ...

**Mr. Hamilton:** Yes.

**Mr. Chairman:** ... a part ...

**Mr. Hamilton:** I returned to Guyana in April 1991, I think and whilst I retained a relationship with, friendship with individuals, with families who belonged the organisation, I did not have an active role as member in the House of Israel.

**Ms. Rahamat:** Mr. Hamilton, you indicated earlier in your evidence that the House of Israel was at best a religious organisation, you referred to it as.

**Mr. Hamilton:** Yes.

**Ms. Rahamat:** Could you now explain to the Members of the Commission how exactly the religious arm of the organisation was set up? Were there churches? Were there temples? Where were their masses or their members worshipping?

**Mr. Hamilton:** Their intention was to establish churches, temples, synagogues, whichever name you want to utilise. In all the Afro-Guyanese villages in the Coastal Belt and that had already

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started. By the time I had joined the House of Israel, several regions where House of Israel churches existed and that was built upon and by the time ... the time in question 1978, 1980, the House of Israel would have had churches in every ... actually every black village in Region Nos. 2, 3, 4, 5, 6 and Upper Demerara Region No.10, so that is how ... it was not churches, a village was seen as a district because it was more than religious knowledge being dispensed. That is the way we fashioned ...

**Ms. Rahamat:** I heard you just referring to the black villages in Region Nos. 2, 3, 4, 5, 6 and 10.

**Mr. Hamilton:** Yes.

**Ms. Rahamat:** Could you please indicate for the Members of the Commission whether these villages, the black villages that you referred to were identified prior to your joining the organisation or after?

**Mr. Hamilton:** Oh, it was a process of time, so prior, but during the process of time, you would have made the determination and in some instances there were persons who resided in villages, who asked for a temple to be set up in the village. For that matter there were persons who offered their property to host the House of Israel temples.

**Ms. Rahamat:** At the time you joined the House of Israel, where were you living at that time? What village?

**Mr. Hamilton:** In Triumph Village, that is on the East Coast of Demerara.

**Ms. Rahamat:** Triumph, that would be T-r-i-u-m-p-h Village, East Coast Demerara? Were you ever in charge of any of these Districts or Villages to which you refer?

**Mr. Hamilton:** Yes, the period in question that we are discussing, I was stationed in the Village of Buxton, in that District.

**Ms. Rahamat:** And just for the record, that would be 1977 ...

**Mr. Hamilton:** No, it would be sometime in the late 1978 right down to 1980 or thereabouts.

**Ms. Rahamat:** 1979 ...

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**Mr. Hamilton:** Late 1978.

**Ms. Rahamat:** Late 1978?

**Mr. Hamilton:** Yes, to about early 1980s or thereabouts.

**Ms. Rahamat:** At that time you became the District Priest? That is after you would have been finished with your training?

**Mr. Hamilton:** Yes, Ma'am.

**Ms. Rahamat:** Could you indicate to the Members of the Commission at that point in time, when you became the District Priest for the Village of Buxton what your roles and responsibility were?

**Mr. Hamilton:** The roles and responsibilities were to carry out functions in a synagogue, temple, church, people called it different names and at the same time to deal with economic opportunities within the district because it was more than just teaching religion, it was more than just theology as I explained, that one of the pillars was self-reliance and so, you looked out for business opportunities, in the District and so those were my responsibilities.

**Ms. Rahamat:** Those were your responsibilities in relation to the Village of Buxton?

**Mr. Hamilton:** Yes, Ma'am.

**Ms. Rahamat:** At that point in time did the House of Israel have a Headquarter or a main building where the meetings were kept?

**Mr. Hamilton:** Yes, at that time, the House of Israel headquarters was at 149 Sixth and Light Streets.

**Ms. Rahamat:** What area within Guyana would that be? Georgetown?

**Mr. Hamilton:** Alberttown, Georgetown, where again it was the Head Office and the major church or temple, subsequently, the headquarters, so to speak was removed and relocated.

**Ms. Rahamat:** And what area was it relocated to?

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**Mr. Hamilton:** In 1982, the office was relocated to 299 Thomas Street, I think is the location. But the mother church still remained at 149 Sixth and Light Streets.

**Ms. Rahamat:** So are you in essence saying that there is a second location, while retaining the presence of the first location?

**Mr. Hamilton:** No, I am saying that before 299 Thomas Street, the office of the leader and the major church was in one building and in 1992, the office was removed out of there and just church services continued at that property, at 149 Sixth and Light Streets.

**Ms. Rahamat:** Now, Mr. Hamilton, in order to sustain these activities of having the Districts and villages, how did the House of Israel fund these various districts that they kept?

**Mr. Hamilton:** Of course, I indicated business, the House of Israel was involved in active productivity and many people would tell you that, the first thing they would speak about is plantain chips and nuts and that kind of thing. So that was one of the activities. They had persons who had other skills, we had seamstresses, tailors the operated, there was a period when members who had construction and engineering skills, a company was formed to do construction so there were several ventures that were in villages and there were major ventures that the office headquarters supervised in the case of a major venture for the same activity I mentioned. There was a factory established....

**Ms. Rahamat:** A factory established... I do not mean to cut...

**Mr. Hamilton:** West Ruimveldt Front Road.

**Ms. Rahamat:** For what purpose was that factory established?

**Mr. Hamilton:** To produce plantain chips and ..... also there was a period when we sort to get into agricultural activities, our major nature, we presented the project plan to the government and we were given via lease, an island in the Essequibo by the name of Gluck Island it is off of Rock Stone so some agriculture production had started there at this....

**Ms. Rahamat:** Could you for record repeat the name of the island?

**Mr. Hamilton:** Gluck Island.



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**Ms. Rahamat:** And you are saying it was located in the Essequibo?

**Mr. Hamilton:** Yes, in the Essequibo River off of Rock Stone.

**Ms. Rahamat:** Off of Rock Stone and who would have been responsible for giving that island to the House of Israel?

**Mr. Pilgrim:** A leasing.

**Ms. Rahamat:** A leasing? Who was it leased from?

**Mr. Hamilton:** As I said, we, when we want to get into agriculture, we wanted to establish an agricultural complex and so we reviewed locations around the country and I think it was the members of the Region No.10 area, Linden area, who proposed that what might be the best place is this uninhabited island that existed in the Essequibo. It was straddling both Region No. 10 and Region No.7 in Essequibo and maybe we can approach the government for that and develop a project plan, submitted it to the Ministry of Agriculture. I want to believe at that time Mr. Hamilton Green might have been the Minister of Agriculture and so, the Government leased us via the Lands and Survey Department. I think we got a 25 years lease for this ...

**Ms. Rahamat:** Mr. Hamilton, of all the economic activities you referred to that the House of Israel was part of, which one of these activities were you specific assigned to or overlooked?

**Mr. Hamilton:** I overlooked all the activities in the district I operated because my function was not to just preach, my function was to because the Priest was the person was responsible for the economics and the finances of the district, so to speak. Whatever project/programme that existed in the district, the Priest, he was responsible and not to report.

**Ms. Rahamat:** Mr. Hamilton, specifically in Buxton, there were the selling or persons or members selling plantain chips for example, when they collected those monies they gave them to you?

**Mr. Hamilton:** Yes, that is via the projects under the organisation. There were people who had private projects who were contributors who were members and contributed so they were, because

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as I said in all the presentations, the articulations of self-reliance was very much part of everything that was happening.

**Ms. Rahamat:** When you would have collected these funds, either from the sale or from the private individual or the private contractors who were members and still donating, what did you with these finances that you collected?

**Mr. Hamilton:** There was every last Sunday of the month the districts will journey to the Headquarters where you would make your report about your plan, your activities for the past month and to speak about what programme you have for the new month and at the same time districts will make their contributions to the continued work of head office central temple, whatever.

**Ms. Rahamat:** Were all of the moneys you collected handed over at that point in time or were you in retention of any sums to further fund your work within your district?

**Mr. Hamilton:** It was important that you retained because the businesses that you were involved in will have to continue in the new month so a portion of, part of was turned over to the central temple, so to speak.

**Ms. Rahamat:** Mr. Hamilton how frequently would you have had meetings with the leader of the House of Israel? And this would have been after you were appointed as a District Priest.

**Mr. Hamilton:** There were so many that I am unable to tell you, so many.

**Ms. Rahamat:** On numerous occasions?

**Mr. Hamilton:** Yes, so many meetings.

*13.48hrs*

**Ms. Rahamat:** Mr. Hamilton, I wish to direct your mind to another aspect. Was there at any point in time a correlation between the House of Israel and any Political Party in existence between 1977 and 1980?

**Mr. Hamilton:** Yes, Ma'am.

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**Ms. Rahamat:** Could you please tell the Commission which Political Party there would have been affiliations with?

**Mr. Hamilton:** I could recall 1978 or there about; it might be early 1978, the intervention of the PNC at the time to seek the support of the House of Israel because at that time the agitation of the WPA was very much part of daily life, in Guyana.

**Mr. Chairman:** I did not get that piece. The activities of the WPA...

**Mr. Hamilton:** I was saying the agitation of the WPA was basically a part of daily life in Guyana so the PNC Government sought the support of the House of Israel.

**Ms. Rahamat:** Mr. Hamilton, at that time, the House of Israel's membership... Could you indicate to the members of the Commission where the membership of the House of Israel came from?

**Mr. Chairman:** Forgive me, Counsel, but you really have to cease in on the point. He said at that time it was part of the daily life of the country; that is Guyana. The agitation of the WPA and their support was sought, but what was the role? You cannot leave that and go to membership, when you have a witness holding.

**Ms. Rahamat:** Grateful, Sir.

**Mr. Chairman:** Mr. Williams taught me that. Is that correct, Sir?

*[Laughter]*

**Ms. Rahamat:** Could you now indicate, Mr. Hamilton, based on your last answer, who exactly...

**Mr. Chairman:** What was the role? That is the important thing.

**Ms. Rahamat:** Yes. What exactly was the role of the House of Israel?

**Mr. Hamilton:** I would say it started via exercises, marches, picketing, whatever in support of the Government of the day; any type of political activity, any type of assembly rallies, whatever the PNC would have had at the time. We participated in large numbers. We would have

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assembled utilised buses to transport people to Georgetown. There were instances when people were transported to Linden based on the political moment and time, and the support sought by the PNC at the time.

**Mr. Chairman:** In relation to the WPA...

**Ms. Rahamat:** The agitation aspect.

**Mr. Chairman:** ...what was your role on behalf of the PNC?

**Mr. Hamilton:** I recall one of those days, the last Sunday... The first engagement, so to speak, with the WPA, I recall, was in Tiger Bay. I indicated that in my statement; where we were asked to go and disrupt a meeting...

**Mr. Chairman:** You were asked to go and do what?

**Mr. Hamilton:** Disrupt a meeting which was being held in Tiger Bay by the WPA. Regarding the engagement, so to speak, with the WPA, it started, I recall, that Sunday afternoon.

**Ms. Rahamat:** Were you part, and parcel of the party that was tasked with going to disrupt the WPA meeting?

**Mr. Hamilton:** Yes, Ma'am.

**Ms. Rahamat:** Of course you followed those instructions?

**Mr. Hamilton:** Yes, Ma'am.

**Mrs. Samuels-Brown:** I am sorry, he said they were asked? Could I find out who asked them, please?

**Ms. Rahamat:** Yes, please. Who would have asked or requested that you disrupt the WPA meetings?

**Mr. Hamilton:** We were informed by the leader of the organisation that a member from the leadership of the PNC called to inform and ask that we... At that time I had no way of knowing

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who from the PNC; that specific activity I am speaking of. I know we went to Tiger Bay to disrupt that meeting.

**Ms. Rahamat:** Approximately how many members, and yourself, went to disrupt is meeting?

**Mr. Hamilton:** I would say a dozen or 15 persons, men rather. *[Inaudible]* A dozen or 15 persons would have gone to Tiger Bay.

**Mr. Chairman:** That was at the first meeting?

Mr. Hamilton: Yes.

**Ms. Rahamat:** How were you and the dozen or 15 others dressed at that time Civilian clothing or were you wearing...

**Mr. Hamilton:** Civilian clothing, for want of a better word, or ordinary clothing.

**Mr. Chairman:** You gave evidence of uniform.

**Mr. Hamilton:** Say that again?

**Mr. Chairman:** You gave evidence of your organisation having a uniform.

**Mr. Hamilton:** Yes, Sir.

**Mr. Chairman:** The evidence given to us here at this tribunal... Confront the witness, Counsel, with the evidence; otherwise it is just like two trains passing in the dark.

**Ms. Rahamat:** I understand, Mr. Chairman.

**Mr. Chairman:** Confront the witness with the evidence. The evidence is that you were recognised because of the uniform as members of the House of Israel at the meeting.

**Mr. Hamilton:** In some instances, the uniform was not all-day attire. The uniform was basically attire that people wore to go to church.

**Mr. Chairman:** Is it not true that some of those meetings which you broke up, which you disrupted, you also had on your uniform?

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**Mr. Hamilton:** I cannot remember, I remember persons having on African attire, but not uniforms.

**Mr. Chairman:** As far as you could remember?

**Mr. Hamilton:** Yes.

**Mrs. Samuels-Brown:** If I may follow up on that, in paragraph five of your statement, which has become an exhibit, you said the uniform for the organisation was black pants or skirts with red and green dashikis?

**Mr. Hamilton:** Yes, Ma'am.

**Mrs. Samuels-Brown:** On what occasions where these uniforms that you described here worn?

**Mr. Hamilton:** To church services, one. There were activities, one set by the PNC where the members would attire themselves in the uniform – May Day marches, PNC rallies, those kinds of activities.

**Mrs. Samuels-Brown:** But not to disrupt meetings?

**Mr. Hamilton:** I cannot recall any meeting where the House of Israel members went there with their uniforms. I know that persons would have had on an African Attire, Dashiki, but not the uniforms.

**Mr. Chairman:** There was a period of when you were out of the island for years in the late 1970's...

*[Commissioners were in discussion]*

**Mr. Chairman:** ...Oh, that was subsequent.

**Ms. Rahamat:** Subsequent, Sir.

**Mr. Hamilton:** Yes.

**Mr. Chairman:** What techniques of disruption did you all employ?

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*[Laughter]*

**Mr. Hamilton:** I would say, Mr. Chairman, if you refer to my statement, in recollecting that first meeting I spoke of in Tiger Bay, I would want to say we were very clumsy in trying to disrupt the meeting. I recall attempting to disrupt the meeting but, as I said in my statement, the WPA activists were very resolute. Secondly, I recall distinctly a gentleman who I knew from the Campbellville area, I think, he is the brother of Essie Rockliffe who had a voice that did not require a PA system. There was no way that you could have disrupted the meeting because whether you loosed the speakers, whatever, he was the one who was tasked with speaking and it was impossible to disrupt that meeting, because the voice I still remember...

**Mrs. Samuels-Brown:** I am trying to find out what were the 'clumsy' efforts you made at the time? Of course I cannot resist asking if that person with the voice is related to Counsel who is here who has a similarly strong voice but perhaps it does not require an answer.

*[Laughter]*

**Mr. Williams:** Which the leader of the WPA did not hear.

*[Laughter]*

**Mrs. Samuels-Brown:** What were the clumsy efforts, just tell us.

**Mr. Hamilton:** Say that again. I am saying that the attempt was to cease their PA system, amplifier and that kind of thing, to clip their wires or whatever. At least that meeting, all of that was useless because Mr. Rockliffe, with his bellowing voice did not need a PA system. He continued...

**Mr. Chairman:** He was a member of your organisation?

**Mr. Hamilton:** No. He was the WPA member. I am talking about the WPA's meeting still going on even though we are trying to disrupt.

**Mr. Chairman:** Yes, but tell us some more about the techniques you employed...

*[Laughter]*

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**Mr. Chairman:** ...do not shift us to the WPA. What techniques did you employ?

**Mr. Hamilton:** I just mentioned the attempts to cease the equipment, amplifier system, clip their wires so that the amplification would not go to the speaker. Those were...

**Mr. Chairman:** What about making noise? That alone could disrupt a meeting.

**Mr. Hamilton:** That was part of it to begin with, but as I said, all of those attempts failed because of Mr. Rockliffe.

**Mr. Chairman:** Yes, but when he was not speaking. He is only one speaker, man. Tell us about the techniques.

**Mr. Hamilton:** Every time there was an intervention to disrupt, the preferred speaker was Mr. Rockliffe for the WPA. As I said they were resolute in ensuring they had their meeting.

**Ms. Rahamat:** You were telling us about this being the first meeting you were directed to go and disrupt in Tiger Bay. At subsequent meetings, did your methods of disruptions become less clumsy and if so, how?

**Mr. Hamilton:** As I said in my statement, I would rely on it... I spoke of physically disrupting and terrorizing political opposition persons. The methodology aggressively, I would want to say, became more suppressive and those kinds of things, I would want to say.

**Ms. Rahamat:** Mr. Hamilton, you spoke about...

**Mr. Chairman:** I am not following. The violence became more suppressive?

**Mr. Hamilton:** Suppressive methodology because it moved into assault and physical violence...

**Mr. Chairman:** You were beating people!

**Mr. Hamilton:** Yes.

*[Laughter]*



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**Mr. Chairman:** Yes, yes... Get the evidence, Counsel. Do not be shy about getting the evidence. It is clear to me what went on; I think it should be clear to you, too. Put it on the record, please.

**Ms. Rahamat:** In terrorising and using physical violence to disrupt meetings, you would beat people?

**Mr. Hamilton:** Yes, Ma'am.

**Ms. Rahamat:** What object were used to beat them?

**Mr. Hamilton:** I suspect whatever object or objects were available at the time.

**Ms. Rahamat:** For example, was a baton used?

**Mr. Hamilton:** Yes, Ma'am.

**Ms. Rahamat:** A piece of stick?

**Mr. Hamilton:** Yes, Ma'am.

**Mr. Chairman:** You boys were involved in steel knuckles too?

**Mr. Hamilton:** Say that again, Sir?

**Mr. Chairman:** Steel knuckles.

**Mr. Hamilton:** Steel knuckles, no. Not at all.

*[Laughter]*

**Ms. Rahamat:** Was anyone ever armed with a weapon such as a gun or a rifle?

**Mr. Hamilton:** I recall, and made mention of it in my statement, that sometime in 1978, I recall... I suspect that what was happening, because of House of Israel's activities and what we were doing to the WPA at the time, there was a concern that the WPA might retaliate, would retaliate, therefore a request was made to the Government, at that time for arms, guns for

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protection purposes as I mentioned in my statement. I recalled some time in 1988 as I indicated, six 9 millimeter pistols handed over to the House of Israel.

*14.03hrs*

**Ms. Rahamat:** Who handed over that 9 mm pistol?

**Mr. Hamilton:** I recalled again as I indicated to my statement, those 9mm pistols being handed over to the House of Israel Leadership by Mr. Robert Corbin at a premise. There was a building that we met from time to time to coordinate these activities in Barima Avenue, somewhere in the tobacco company area on the opposite side.

**Mr. Jairam:** ...was Mr. Corbin please...

**Mr. Hamilton:** My recollection at time, Mr. Corbin was responsible for the Young Socialist Movement (YSM) cadre as they called him.

**Ms. Rahamat:** That would be the Young socialist Movement?

**Mr. Hamilton:** Yes, the youth arm. There was a wing of the YSM.

**Ms. Rahamat:** Youth arm or wing of what?

**Mr. Hamilton:** No, the YSM was the youth arm of the PNC, but within the YSM there was a wing as of a way of want of word that they called the YSM Cadet Core and so some of the activities with the House of Israel disruptions and so on were coordinated with that group of persons. As I said, many of the coordination took place at a building that existed, a very huge wooden building that I recalled in Barima Avenue in Bel Air Park somewhere on the opposite side of the tobacco company.

**Ms. Rahamat:** And these coordinations, can you indicate who would be present at these meetings when these coordinations were taken place?

**Mr. Hamilton:** Well, as I said in my statement there were several points of coordinations with relationship with PNC leadership. The one that I spoke to was one, there was a relationship with Mr. Hamilton Green, there was a relationship with, now deceased, Mr. Robert Williams, there was a relationship with one Emerson Simon worked out of the PNC Head Quarters, at the time,

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and so based on the activity or activities those coordinations could have come from any one of the four centre so to speak.

**Ms. Rahamat:** During these coordination activities or meetings, could you just give the Members of the Commission a brief overview as to what was actually discussed?

**Mr. Hamilton:** I think the PNC took the position that for one Georgetown was the bed rock of its constituent and therefore no other political entity should hold meetings in Georgetown and that would have been deemed an eye pass more so in some areas of Georgetown, South Georgetown so there were some territory that were should have been no go for other political parties.

**Ms. Rahamat:** You refer to it as “eye pass”?

**Mr. Hamilton:** Yes.

**Ms. Rahamat:** Why it would be eye pass to hold other political meetings in those areas?

**Mr. Hamilton:** Because as I said the PNC saw Georgetown and many villages that were predominantly African villages as their people, their constituents, and therefore for any other political parties to go into those... to have political meetings and that kind of thing.

**Ms. Rahamat:** During these meetings and coordinative efforts was there any member in particular of the WPA who or in relation to whom instructions were given as to what you were to do or not in relation to that party?

**Mr. Hamilton:** I would say, as I said in my statement our instructions were in those conversations that the Opposition elements as was being called at the time, there were only two secret cows. One, Dr. Cheddi Jagan and two, Mr. Eusi Kwayana, so any other member of the WPA, the Opposition parties could have been harmed or assaulted.

**Ms. Rahamat:** Could have been harmed or assaulted?

**Mr. Hamilton:** Yes.

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**Ms. Rahamat:** Now, you used the term “secret cows” why were these two individuals, Cheddi Jagan and Eusi Kwayana termed “secret cows”?

**Mr. Hamilton:** Because one would have seen them to harm Cheddi Jagan would have spiral the consequences coming out of that would have been racial ethnic conflict and secondly in the case of Mr. Kwayana, he was still seen as respectable black leader in the black communities and therefore it is felt by the leadership of the PNC that to harm him might force persons who are supporters sympathetic to the PNC to may be graduate to the WPA and therefore that was the...

**Ms. Rahamat:** Did you receive any specific instructions in relation to Walter Rodney?

**Mr. Hamilton:** No, Walter Rodney was not the political leader at the time and I am saying to you that the only two persons who our instructions were not to harm was Cheddi Jagan and Eusi Kwayana and therefore Walter Rodney, he would have been in the basket of who could have been harmed.

**Ms. Rahamat:** Mr. Hamilton, you indicated that some six 9 mm pistols were handed over by one Robert Corbin to the House of Israel were you ever given any of those 9 mm pistols?

**Mr. Hamilton:** Some time during the period I would have had one of those because it was rotated so to speak among Members of the leadership so to speak it all depends on what was happening at the time.

**Ms. Rahamat:** Mr. Hamilton, looking back now, approximately how many meetings for the WPA were you actively involved in disrupting?

**Mr. Hamilton:** I would say dozens.

**Ms. Rahamat:** I wish to refer you, Mr. Hamilton, to your statement at paragraph nine and you said and I quote, “I can confirm that that the House of Israel in this period was utilised as a tool of repression on behalf of the PNC”. Do you at this time care to explain for the Members of the Commission and the listening public what you mean by the tool of repression on behalf of the PNC?

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**Mr. Hamilton:** Well let me back up some to make the point. During the period the House of Israel was a very organised organisation, religious organisation, very disciplined. By that time you would have about 1500 to 2000 members stretched across the country and therefore, most if not all of the activities; marches, rallies, whatever there were activities to repress the voice of the opposing political forces. So that is the reason I was making the point that I can confirm and reiterate that looking back that the House of Israel as a tool of repression, and I would dare say that for those who were around and old enough, that was their interpretation in the country so it is not an interpretation only by Hamilton that that was an interpretation by persons in the society.

**Ms. Rahamat:** Mr. Hamilton, I wish to take you back to the day when Father Darke was killed, you remember that particular date?

**Mr. Hamilton:** Yes.

**Ms. Rahamat:** What date was it?

**Mr. Hamilton:** 7<sup>th</sup> July, 1979, it was a Saturday I remember.

**Ms. Rahamat:** You remember the Saturday?

**Mr. Hamilton:** Yes.

**Ms. Rahamat:** Now Mr. Hamilton, I wish you to tell the members of this commission and the listening public what is it you remember about that Saturday when Father Darke was killed?

**Mr. Hamilton:** Well I know that Walter Rodney and Dr. Roopnarine, they were charged for arson, burning the National Development Building on Camp Street. I can recall up to the Friday Afternoon, I doubt the nation knew that these two gentlemen would have had to appear in Court on the Saturday because it was very unusual, I want to believe, that might have been the only time the Magistrate Court sat in this country on a Saturday, historically. I cannot remember no other time before then and so I recalled, I was still living in Betterverwagting at that time, I went to Buxton and when I got to Buxton it was very tense, but not busy and at that time I did not know what was... because I knew that the WPA had strong routes and Membership in Buxton and it was very different. I did not understand what was happening. Subsequently, I was advised

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by a Member that call came through to say that we must go to Georgetown; I did not know what it was. I recalled when I got to Georgetown that was at the Head Quarter 149...

**Ms. Rahamat:** Could you keep your voice up, Mr. Hamilton?

**Mr. Hamilton:** Okay, I saw the people that were at the Head Quarter were females and children and therefore could not understand what was happening because as I said I had no inkling at that time that there was a trial the Saturday morning because that would have been very unusual. I was told that the brothers have gone down to the Court, to the Rodney's trial and so I quickly tried to get myself up to this part in Georgetown. When I got into Georgetown, the car could not get into Georgetown this same area here because there were thousands of people gathered between Regent street and right up to Brickdam, back that way and there were all kinds of everything you can think about from this area here right back, there were thousands of people in the streets and I was trying to make my way, this way to the Court House at the Magistrate's Court, I could not get there. So I determined after I was told that the precession, I did not know what was it, the precession or the protest moved off, I determined I should go through the street by Federation to see what...

**Ms. Rahamat:** Would that be Manget Place you went through?

**Mr. Hamilton:** Yes. When I got to Brickdam, I saw the crowd of people coming down Brickdam and then I really got the full sense of what was happening. Subsequently, I remembered as I said in my statement, I said it, I saw several brothers, members of the House of Israel rushing on the Southern side of this procession protest, what was going forward, I could not understand why.

*14.18hrs*

**Mr. Hamilton:** Subsequently, I heard crackling sound, for that matter, for a split second I thought it was the police because it was close in the vicinity of Brickdam police station. The procession had already crossed this same street, so it was already at Brickdam police station so to speak. After the crackling sound I heard, there were all kinds of confusion, people lashing out at

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each other, the WPA guys were lashing out, our people were lashing out because there were just about 15 - 20 persons and there was thousands of people in the streets, as I...

**Mrs. Samuels-Brown:** Alright is it 15 persons from the House of Israel?

**Mr. Hamilton:** Yes, yes about 15 - 20 persons I recalled and there was mass confusion in the street, all in the prescient of the Brickdam police station stretching back to St. Stanislaus and everything was happening there. And as I said in my statement, I saw this white guy with his camera taking photographs and so I saw him in the company of Mike James. Mike James, I knew because he worked with the *Catholic Standard* with Father Morison. I saw these two persons and subsequently, I saw the white guy for want of a better word, I subsequently learnt that was Father Darke. I saw him stumbling and falling down somewhere in the prescient of the Ministry of Home Affairs, I recalled and this camera as I said in my statement I recalled a brother handing me the camera. That is Father Darke's camera or the person who I didn't know at that time was Father Darke.

**Mr. Hamilton:** His camera. The camera he was...

**Mrs. Samuels-Brown:** You are saying his camera had left him?

**Mr. Hamilton:** Yes. When he stumbled and fell down the camera came off his shoulder.

**Mrs. Samuels-Brown:** Thank you.

**Mr. Hamilton:** I recalled collecting the camera because I suspect the camera might have had photographic evidence of a damaging nature. I recall taking the camera and finding my way to the car park to hail a taxi to get back to the House of Israel Headquarters that is at 149 Light and Sixth Street. Subsequently, the reports started coming about this man was stabbed and brothers starts to come back reporting. It developed into him being stabbed, to him being transferred to the Georgetown Hospital to him being transferred to out from Georgetown Hospital to the St

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Joseph Mercy Hospital and subsequently, that the person who I then learnt during the course was Father Darke succumbed to the wound he suffered in Brickdam somewhere.

**Mrs. Samuels-Brown:** Before you ask the next question, what is the photos of a damaging nature which you feared may have been on the camera?

**Mr. Hamilton:** Well I suspected, he would had evidence, photographic evidence of the activities because members of the House of Israel including its leader was in that prescient for a very long time, before I got there.

**Mr. Jairam:** Did your curiosity permit you to develop the negatives into photographs?

**Mr. Hamilton:** No. What happened, the camera was set aside, we never looked at it and one young man subsequently, I recall, he sold this camera to the mechanic of Rabbi Washington who was curious. The mechanic.

**Mr. Chairman:** Sold it to the mechanic of?

**Mr. Hamilton:** Rabbi Washington.

**Mr. Chairman:** Of Rabbi Washington?

**Mr. Hamilton:** Yes. His mechanic that looked after his cars.

**Mr. Chairman:** It was sold to him?

**Mr. Hamilton:** Yes that is what I am saying. I am saying, one young man of the House of Israel, sold his camera to the mechanic.

**Mrs. Samuels-Brown:** And you said who was curious?

**Mr. Hamilton:** I said, the mechanic I suspect was curious, because there were films in the camera.

**Mr. Chairman:** Yes but was he not an agent of Rabbi Washington, that to whom it was sold?

**Mr. Hamilton:** The mechanic?



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**Mr. Chairman:** Yes.

**Mr. Hamilton:** No, no he was a mechanic. The only relationship he had with Rabbi Washington was repairing his vehicles.

**Mr. Chairman:** Yes but that is why I asked whether as purchaser, he was not acting as agent?

**Mr. Hamilton:** Say that again?

**Mr. Chairman:** Whether as purchaser, he was not acting as agent? Separate and apart from being the mechanic, was he not in that transaction, agent of Rabbi Washington?

**Mrs. Samuels-Brown:** Was he purchasing it on behalf of or for Rabbi Washington?

**Mr. Hamilton:** No. I am saying that a member of the House of Israel, with access to Rabbi Washington household, took that camera and sold it to Rabbi Washington's mechanic, who had no relationship with the House of Israel other than fixing the House of Israel vehicles.

**Mrs. Samuels-Brown:** Thank you, but just before you leave there, I still wanted to get a more precise answer to my question. Is it that you considered that, there where photos of a damaging nature to members of the House of Israel, having regard to their activities that day?

**Mr. Hamilton:** Yes madam. That is the reason why I secured the camera.

**Mrs. Samuels-Brown:** Thank you.

**Mr. Jairam:** I think you were going to tell us about...

**Ms. Rahamat:** Tell us what the mechanic did?

**Mr. Jairam:** Did the mechanic develop the negatives?

**Mr. Hamilton:** Yes. As I said, the mechanic, films were in the camera and he apparently wanted to know what, and he developed it and of course they were...

**Mr. Chairman:** In circulation?

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**Mr. Hamilton:** No, it was not. He was because he had that kind of relationship with Rabbi Washington regarding being his mechanic. He brought the pictures.

**Mr. Chairman:** He brought?

**Mr. Hamilton:** The pictures, when he saw them what they were, that was several months after what transpired? He brought all of those pictures, the negatives and whatever and turned it over to the House of Israel.

**Mr. Chairman:** And you saw them too?

**Mr. Hamilton:** Yes, Sir.

**Mr. Chairman:** Perhaps...

**Mr. Hamilton:** The leadership of the House of Israel would have had...

**Mr. Chairman:** We are going to take a break now so perhaps you can tell us next about the nature of the photography that you saw or photographs that you saw?

*[Inaudible]*

**Mr. Pilgrim:** So that we are not here waiting for an hour on nobody.

**Mr. Chairman:** I do not have any memory there? Perhaps we could be refreshed?

**Mr. Pilgrim:** We could just remind or give him an indication that we would like him at nine, if we had not told him nine?

**Mr. Chairman:** If indeed we had not told the witness nine, could you so advise him?

**Mr. Hanoman:** Our record is that he was told nine, but we will confirm that with him.

**Mr. Chairman:** Okay, just by way of a reminder anyhow, make contact with him.

**Mr. Hanoman:** Okay, Sir.

**Mr. Chairman:** Okay.

**Adjourned Accordingly at 14.27hrs**